

CITY OF PASADENA
City Council Minutes
December 4, 2006 – 5:30 P.M.
Pasadena Senior Center, Multi-Purpose Room
85 East Holly Street

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:47 p.m.
(Absent: Councilmembers Gordo, Haderlein, Holden)

On order of the Mayor, the regular meeting recessed at
5:47 p.m., to discuss the following closed session:

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
REGARDING PENDING LITIGATION pursuant to
Government Code Section 54956.9(a)
Name of Case: Hakopyan v. City of Pasadena, et al.
Case No.: United States District Court No. CV06-07225
AHM (FFMx)**

The above closed session item was discussed, with no
reportable action at this time.

On order of the Mayor, the regular meeting reconvened at
6:31 p.m. The Pledge of Allegiance was led by Mayor
Bogaard.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Madison
Councilmember Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden (Absent)
Councilmember Paul Little
Councilmember Joyce Streater
Councilmember Sidney F. Tyler

Staff:

City Manager Cynthia Kurtz
City Attorney Michele Beal Bagneris
City Clerk Jane L. Rodriguez

**PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA**

Marvin Schachter, Senior Advocacy Council representative,
invited the Council and community to a hearing sponsored by
the Senior Advocacy Council to be held on December 7, 2006
at the Pasadena Senior Center to discuss State and local
progress toward implementation of California's Mental Health
Services Act in the older adult community, and submitted a flier
on the event.

The following persons expressed concerns regarding problems with ongoing labor contract negotiations between the City and American Federation of State, County and Municipal Employees, Local 858 (AFSCME):

Pete Hodes, AFSCME, Local 858 representative
Darrell Mayweather, AFSCME, Local 858 member
Frank Matthews, AFSCME, Local 858 member

The City Manager commented on the negotiation process, and encouraged AFSCME to continue the negotiations by returning to the bargaining table with a counter proposal.

CONSENT CALENDAR

Item discussed separately
at the request of
Councilmember Gordo.

AUTHORIZATION TO ENTER INTO TWO CONTRACTS WITH VASILJ, INC., DBA IVANKO AND J. DESIGIO CONSTRUCTION, INC., TO PROVIDE LABOR AND MATERIALS FOR WATER MAIN LINE INSTALLATIONS IN MERCEDES AVENUE, GARFIELD AVENUE (HOWARD STREET TO WASHINGTON BOULEVARD), GARFIELD AVENUE (MOUNTAIN STREET TO PARKE STREET), WORCESTER AVENUE, MORNINGSIDE STREET, BERKELEY AVENUE AND CROSBY STREET FOR THE WATER AND POWER DEPARTMENT, SPECIFICATION WD-06-03

AGREEMENT WITH THE CITY OF SAN MARINO FOR DIAL-A-RIDE SERVICES

Recommendation of City Manager: Authorize the City Manager to execute an agreement for Dial-A-Ride services with the City of San Marino for the period covering July 1, 2006 to June 30, 2007. Under the one-year contract, the City of San Marino will reimburse the City for the cost of the service to San Marino residents up to a maximum of \$4,500 in FY 2007. (Agreement No. 19,254)

APPROVAL OF AN AGREEMENT WITH THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD TO PROMOTE USED MOTOR OIL RECYCLING

Recommendation of City Manager: Authorize the City Manager, or her designee, to enter into an agreement with the California Integrated Waste Management Board to promote used motor oil recycling projects in the City of Pasadena. (Agreement No. 19,255)

Item discussed separately
at the request of
Councilmember Tyler.

APPROVAL OF FINAL TRACT MAP NO. 062031, FOR THE CREATION OF AN EIGHT-UNIT CONDOMINIUM PROJECT, AT 692-694 SOUTH MARENGO AVENUE

APPROVAL OF FINAL TRACT MAP NO. 062061, BEING A MIXED-USE PROJECT COMPRISED OF 71 AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES AND ONE COMMERCIAL SPACE, AT 770 EAST WALNUT STREET

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve Final Tract Map No. 062061;
- (2) Accept the offer of easement dedications for street purposes as shown on Tract Map No. 062061; and
- (3) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map and acceptance of said dedication. (Resolution No. 8681)

In response to Councilmember Streator's question, the City Manager clarified that the new project units and the offsite affordable units must be ready for occupancy concurrently.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PA CONSULTING FOR CONSULTING SERVICES TO DEVELOP AN ENERGY DATABASE AND REPORTING SYSTEM

Recommendation of City Manager: Authorize the City Manager to enter into a contract with PA Consulting for consulting services to design an energy database and reporting system for the power system in an amount not to exceed \$500,000.

Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 19,256)

Item discussed separately at the request of Vice Mayor Madison.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA ADOPTING GUIDELINES FOR THE IMPLEMENTATION OF NEIGHBORHOOD COMPATIBILITY IN THE HILLSIDE OVERLAY DISTRICT

MINUTES APPROVED

November 13, 2006

CLAIMS RECEIVED AND FILED

Claim No. 10,240	Donald C. Follett	\$ 1,507.19
Claim No. 10,242	Raffi Hanneyan	7,250.00
Claim No. 10,243	Jane Ro	1,709.07
Claim No. 10,244	Hattie Isaac	Not Stated
Claim No. 10,245	Kenneth Totrakarn	Not Stated
Claim No. 10,246	Mary Fry, Rose Tree Cottage	1,730.00
Claim No. 10,247	Aaliyah Hindman child of decedent Erica Hindman	Not Stated
Claim No. 10,248	Pasmoo, Inc., dba Moose McGillycuddy's	8,099.34
Claim No. 10,249	Ann Moorrees	3,285.00
Claim No. 10,250	Carol Sampson	6,893.61
Claim No. 10,251	Melissa Rosales	4,000.00+
Claim No. 10,252	Nidia Gomez	4,000.00+
Claim No. 10,253	Ana Rosales	4,000.00+
Claim No. 10,254	Lucy Ahn	Not Stated

PUBLIC HEARING SET

January 22, 2007, 7:30 p.m. - Call for Review to the City Council of Conditional Use Permit No. 4657 for 940 Avenue 64 (Installation, Operation, and Maintenance of Unmanned Telecommunication Equipment for Cingular Wireless)

It was moved by Councilmember Streater, seconded by Councilmember Haderlein, to approve the Consent Calendar, with the exception of Item 1 (Contracts with Vasilj, Inc. dba Ivanko and J. Desigio Construction, Inc.), Item 4 (Approval of Final Tract Map No. 062031), and Item 7 (Resolution to Adopt Guidelines for Hillside Overlay District), which were discussed separately. (Motion unanimously carried) (Absent: Councilmember Holden)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

Councilmember Gordo
recused himself at 6:55 p.m.,
due to a conflict of interest.

AUTHORIZATION TO ENTER INTO TWO CONTRACTS WITH VASILJ, INC., DBA IVANKO AND J. DESIGIO CONSTRUCTION, INC., TO PROVIDE LABOR AND MATERIALS FOR WATER MAIN LINE INSTALLATIONS IN MERCEDES AVENUE, GARFIELD AVENUE (HOWARD STREET TO WASHINGTON BOULEVARD), GARFIELD AVENUE (MOUNTAIN STREET TO PARKE STREET), WORCESTER AVENUE, MORNINGSIDE STREET, BERKELEY AVENUE AND CROSBY STREET FOR THE WATER AND POWER DEPARTMENT, SPECIFICATION WD-06-03

Recommendation of City Manager:

- (1) Accept the bid dated November 20, 2006 submitted by Vasilj, Inc., dba Ivanko in response to Specification WD-06-03 for providing labor and materials for Water Main Line Installations in Garfield Avenue (Howard Street to Washington Boulevard), Garfield Avenue (Mountain Street to Parke Street), and Worcester Avenue for the Water and Power Department;
- (2) Accept the bid dated November 20, 2006 submitted by J. DeSigio Construction, Inc., in response to Specification WD-06-03 for providing labor and materials for Water Main Line Installations in Mercedes Avenue, Morningside Street, Berkeley Avenue and Crosby Street for the Water and Power Department;
- (3) Reject all other bids;
- (4) Authorize a contract between the City and Vasilj, Inc., dba Ivanko not to exceed \$881,980; and
- (5) Authorize a contract between the City and J. DeSigio Construction, Inc., not to exceed \$1,191,907. (Contract Nos. 19,257 and 19,258)

It was moved by Councilmember Streater, seconded by Councilmember Little, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden)

APPROVAL OF FINAL TRACT MAP NO. 062031, FOR THE CREATION OF AN EIGHT-UNIT CONDOMINIUM PROJECT, AT 692-694 SOUTH MARENGO AVENUE

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve Final Tract Map No. 062031; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8682)

Councilmember Gordo
returned at 6:56 p.m.

Councilmember Tyler thanked staff for inclusion of the rental information in the agenda report, and asked if this information could be provided with the tentative tract maps in future reports.

The City Manager indicated the rental information will be provided with the tentative tract map reports when this information is available.

It was moved by Councilmember Tyler, seconded by Councilmember Little, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Holden)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA ADOPTING GUIDELINES FOR THE IMPLEMENTATION OF NEIGHBORHOOD COMPATIBILITY IN THE HILLSIDE OVERLAY DISTRICT

Recommendation of City Manager: Adopt a resolution to provide guidelines for the implementation of Neighborhood Compatibility in the Hillside Overlay District.

Christopher Sutton, attorney, raised questions and concerns regarding the proposed neighborhood compatibility guidelines (e.g., need to consider development potential of site vs. lot size and impacts from lots being subdivided).

Richard Bruckner, Director of Planning and Development Department, outlined the development of the guidelines and responded to Mr. Sutton's concerns.

Vice Mayor Madison expressed concerns regarding the vague and amorphous nature of the proposed guidelines.

The City Manager indicated that Council had adopted these guidelines at a prior meeting and that the resolution was now being presented for adoption as this had not been included with the prior report. She suggested the item be held to allow time for staff to review the minutes from the prior meeting to assure that the resolution reflects Council's action.

On order of the Mayor, the above matter was held to a meeting in the near future.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

AMENDMENT TO POLICIES AND PROCEDURES FOR ESTABLISHING PREFERENTIAL PERMIT PARKING (PPP) PROGRAM

Recommendation of City Manager:

(1) Approve the amendment to the Procedures for Establishing Preferential Permit Parking District (Attachment 1 of the agenda report).

(2) Acknowledge this project to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines,

pursuant to Section 15301, existing facilities, and authorize the City Manager to execute, and the City Clerk to file, a Notice of Exemption (Attachment 2 of the agenda report) with the Los Angeles County Recorder.

Recommendation of Transportation Advisory Commission:

The Transportation Advisory Commission reviewed and concurred with the recommended amendments at its November 2, 2006 regular meeting.

Eric Shen, Transportation Planning and Development Manager, reviewed the agenda report and responded to questions.

The City Manager and Joyce Amerson, Director of Transportation Department, responded to questions regarding the administrative decisions that may be made by staff under the proposed amendment.

It was moved by Councilmember Streater, seconded by Councilmember Little, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Holden)

APPROVAL OF PROPOSED CHANGES TO THE PRIVATE DEVELOPMENT PUBLIC ART PROGRAM GUIDELINES

Recommendation of City Manager: It is recommended that the City Council approve the revisions to the Private Development Public Art Program Guidelines as presented.

Recommendation of the Arts and Culture Commission: On November 20, 2006, the Arts and Culture Commission unanimously recommended the approval of the revisions to the Private Development Public Art Program Guidelines.

Rochelle Branch, Public Art Program Manager, summarized the agenda report and responded to questions.

The City Manager responded to questions regarding the current and proposed guidelines.

Richard Bruckner, Director of Planning and Development Department, responded to questions regarding architectural enhancements, ongoing implementation of the Cultural Nexus plan, and the placement of public art.

Jonathan Glus, Executive Director for the Arts, responded to questions regarding the process for developing an art plan and placing art in different public places, and indicated a priority list of art opportunities for the art programs will be presented to Council for approval in the future.

Discussion followed on the process for placing public art in public places, use of the Cultural Trust Fund, the Arts and

Culture Commission's role in the public art programs, balancing the use of local artists with national/international artists, and issues related to defining art in the guidelines.

Vice Mayor Madison expressed concerns regarding the amount of bureaucratization involved in the guidelines (e.g., fee requirements for small projects, location of public art projects, and use of consultants), and suggested referring this item to the Economic Development and Technology Committee for additional review and discussion.

The following persons spoke in opposition, expressed concerns and/or posed questions regarding the proposed guidelines:

Kathy Lucoff, Los Angeles resident
Hall Daly, California Institute of Technology Assistant Vice
President of Government and Community Relations

The following person spoke in support of the proposed guidelines:

Dale Oliver, Arts and Culture Commissioner

Councilmember Streator asked that the revision that would disallow architectural enhancement as eligible artwork be examined by the Committee, if this is referred.

The Mayor asked the Committee to look at whether there is any guideline on what portion of the Cultural Trust Fund will be set aside for cultural initiatives vs. public art of a permanent nature (what has been done in the past and what is proposed for the future).

By consensus and on order of the Mayor, the above matter was referred to the Economic Development and Technology Committee for additional review.

Mr. Bruckner recognized the members of the Arts and Culture Commission for their work on the art programs guidelines.

PUBLIC HEARINGS

PUBLIC HEARING: MINOR CONDITIONAL USE PERMIT NO. 3942, 1059 LAGUNA ROAD

Recommendation of City Manager:

(1) Acknowledge that an Initial Environmental Study recommending a Mitigated Negative Declaration was adopted by the Hearing Officer on December 17, 2003. Comments on the Initial Study and Mitigated Negative Declaration were received from November 26, 2003 to December 17, 2003, and orally at the public hearing.

(2) Approve Minor Conditional Use Permit No. 3942 and the tree removal applications to allow construction of a single-family house with the condition that the size of the house (excluding the garage) not exceed 4,000 square feet.

The Mayor opened the public hearing.

The City Clerk reported 8 copies of the notice of public hearing were posted on November 17, 2006; 26 copies of the notice were mailed on November 17, 2006; and 1 letter in support and 1 letter expressing comments and suggestions were received.

Jennifer Paige-Saeki, Senior Planner, reviewed the agenda report and responded to questions.

Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the project.

Vice Mayor Madison expressed concerns regarding the size compatibility of the project in relation to homes in the neighborhood and apparent application of past and current hillside rules/standards to the project.

Discussion followed on the hillside rules and guidelines being applied to the project in this matter and the Board of Zoning Appeals' (BZA) decision on the project in 2004.

The following persons spoke in opposition to the Minor Conditional Use Permit (MCUP):

Christopher Sutton, legal counsel for neighbor of applicant
Ruth Melissa, Pasadena resident
Mike Wilson, Pasadena resident
John Lawrence, Pasadena resident
Christine Reynolds, Pasadena resident
Fritz Puelicher, former Pasadena resident

The following persons spoke in support of the Minor Conditional Use Permit (MCUP):

Ann Higginbotham, legal counsel for Steve Jennings
(applicant)
Steve Jennings, applicant

It was moved by Vice Mayor Madison, seconded by Councilmember Little, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Holden)

Vice Mayor Madison stated his opinion that standards applied under the hillside rules and guidelines used by the BZA should be used in this matter (e.g., terrain in the area, neighboring homes, and the feature involving the streambed and bridged driveway), and that he could not personally make the findings based on the record required for the MCUP.

The City Attorney affirmed that the BZA had produced findings for its 2004 decision to deny the MCUP, after a court had

remanded BZA's decision back to the body and directed the BZA to confirm the 2004 decision and adopt findings consistent with the standards that were in effect at the time of the hearing when the MCUP was denied.

Frank Rhemrev, Assistant City Attorney, clarified the actions taken by the BZA in complying with the court's directions.

Discussion continued on the BZA's findings, construction of the bridge (driveway) as a part of the project, the tying of the two property lots as a condition of the project, and possible riparian character of the property (streambed).

In response to Council's comments, Mr. Bruckner offered to add two new conditions for approval that would tie (consolidate) the two lots prior to the issuance of a Certificate of Occupancy for the home and would have staff review the design of the bridge to match the rendering.

It was moved by Councilmember Streator, seconded by Councilmember Tyler, to approve the City Manager's recommendation, with the inclusion of two new Conditions of Approval that would require that: 1) the two lots will be tied (consolidated) prior to the issuance of a Certificate of Occupancy and 2) staff will review the design and screening of the elevated driveway bridge to match the rendering. (Motion carried, with Vice Mayor Madison objecting) (Absent: Councilmember Holden)

PUBLIC HEARING: PROPOSED MUNICIPAL CODE AMENDMENTS TO REGULATE SEXUALLY ORIENTED BUSINESSES

Recommendation of City Manager:

- (1) Acknowledge the conclusion of the Initial Environmental Study (Attachment 2 of the agenda report), that no impacts on the environment would result from the proposed Municipal Code Amendments, and adopt the Negative Declaration (Attachment 3 of the agenda report);
- (2) Adopt the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 4 of the agenda report);
- (3) Direct the City Clerk to file a Notice of Determination with the County Clerk;
- (4) Adopt the findings that the Municipal Code Amendments, as outlined in the agenda report, are consistent with the goals and objectives of the General Plan and the purposes of Title 5 and Title 17, as outlined in the body of the agenda report;
- (5) Approve the Municipal Code Amendments as outlined in the agenda report; and
- (6) Adopt an ordinance amending the Municipal Code to Regulate Sexually Oriented Businesses, as presented by the City Attorney.

Recommendation of Planning Commission: On November 8, 2006, after a public hearing, the Planning Commission:

- (1) Adopted the staff recommendation, which was that the City Council adopt the recommendations outlined above;
- (2) Recommended that any biennial review of the ordinance include an analysis of the cost of enforcing the ordinance and that such cost be reflected in the licensing fee for sexually oriented businesses; and
- (3) Recommended that staff provide the City Council with an analysis of the impacts that would result from allowing sexually oriented businesses in the IG Districts.

The analysis requested by the Planning Commission is presented in the agenda report. In addition, the recommendation presented to the Planning Commission was to allow no more than two adult businesses within a 500 foot radius, and no change to the nomenclature was discussed with the Planning Commission.

The above item was discussed concurrently with the two ordinances below, with each item acted upon separately.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on November 20, 2006 in the Pasadena Star-News and on November 23 and 30, 2006 in the Pasadena Journal; and 119 letters in support were received.

John Poindexter, Planning Manager, summarized the agenda report, provided an overview of the proposed changes to the Pasadena Municipal Code (PMC), and responded to questions.

Scott Bergthold, outside legal counsel to City, provided a PowerPoint presentation with information on the cornerstone of the area of law covering negative secondary effects of sexually oriented businesses, the sources of information on secondary effects, the types of secondary effects (both inside and outside of these businesses), and various rationales for regulating these businesses. Mr. Bergthold responded to questions regarding the siting of sexually oriented businesses in the city, current case law on this type of business, the licensing process and regulations for these businesses, and enforcement measures for the ordinance.

Richard McCleary, Ph.D., University of California, Irvine, continued the PowerPoint presentation with facts on sexually oriented businesses and empirical collaboration of the criminological theory, and responded to questions.

James Meeker, Ph.D., University of California, Irvine, concluded the PowerPoint presentation with information on the criminological theory that supports the regulation of adult

businesses based on secondary effects grounds, and responded to questions.

A handout of the above slide presentation titled "Negative Secondary Effects of Sexually Oriented Businesses, City of Pasadena, Planning Commission Meeting, November 8, 2006" was distributed by staff.

Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the proposed PMC revisions and the licensing process.

The City Attorney confirmed that the City must allow sexually oriented businesses to be located within the City per current case law and that the proposed revisions, in staff's opinion, would comply with case law; and distributed a memorandum dated December 4, 2006 titled "Sexually Oriented Businesses: Additional Evidence of Secondary Effects".

Discussion followed on distance factors between a sexually oriented business and a residence and related impacts of the distance separation, legal defensibility of the proposed changes as this relates to current case law, buffering of residences from sexually oriented businesses, possible notification to the public of a proposed business site as part of the licensing process, balancing notification to the public when a sexually oriented business license is proposed with case law, and enforcement of the ordinance.

Councilmember Tyler expressed concerns regarding the need to include notification to the public at some time during the licensing process when an application for a proposed sexually oriented business is received.

The City Manager indicated that public notification is not a part of the current licensing process and that a consistent process would need to be followed with all business licenses.

The Mayor noted that staff could follow an administrative practice of informing some group of members of the public that could be anticipated to have an interest in the licensing of a proposed sexually oriented business.

The following persons spoke in opposition to the proposed PMC revisions:

Roger Diamond, legal counsel for Greg Hakopyan
Shawn Bayliss, Los Angeles resident, submitted a handout of information titled "Comprehensive Analysis of Proposed Changes to City of Pasadena's Adult Zoning Ordinances".

The following persons spoke in support of the proposed PMC revisions and/or expressed additional concerns:

Allen Clason, Pasadena resident
Katherine Robi, Support Adult Entertainment Ordinance representative
Robert Meyers, Concerned Citizens representative, submitted petitions with 2,793 signatures in support of the inclusion of an adult business setback of 500 feet from any existing Pasadena residence in the Code revisions.
Carole Curran, Pasadena property and business owner
Bob Terjenian, Pasadena resident
Brett Barnard, Pasadena business owner

It was moved by Councilmember Little, seconded by Councilmember Haderlein, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Holden)

It was moved by Councilmember Haderlein, seconded by Councilmember Tyler, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Holden)

ORDINANCES – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE PASADENA MUNICIPAL CODE, TITLE 5, ESTABLISHING LICENSING REQUIREMENTS AND REGULATIONS FOR SEXUALLY ORIENTED BUSINESSES FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH AND SAFETY”

Following Council's discussion, the City Attorney indicated the following language will be incorporated into the above ordinance for first reading:

Pasadena Municipal Code Section 5.45.040, new subparagraph:

“F. Within 7 days of receipt of a complete application, the City shall post on site and mail to all property owners within 500 feet of the proposed sexually oriented business, public notice of the receipt of a sexually oriented business application.”

The City Attorney and Theresa Fuentes, Deputy City Attorney, briefly discussed the legal remedies for violations of the Code.

The above ordinance, as amended above, was offered for first reading by Councilmember Haderlein:

AYES: Councilmembers Gordo, Haderlein, Little, Streator, Tyler, Vice Mayor Madison, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE PASADENA MUNICIPAL CODE, TITLE 17 (THE ZONING CODE), REGARDING THE REGULATION OF SEXUALLY ORIENTED BUSINESSES FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH AND SAFETY"

The above ordinance was offered for first reading by Councilmember Haderlein:

AYES: Councilmembers Gordo, Haderlein, Little, Streater, Tyler, Vice Mayor Madison, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden

The Mayor thanked all those persons who were involved in these efforts to revise the Code.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

APPOINTMENT OF PAUL AREVALO TO THE ROSE BOWL OPERATING COMPANY BOARD (District 7 Nomination)

It was moved by Councilmember Tyler, seconded by Councilmember Little, to approve the above appointment. (Motion unanimously carried) (Absent: Councilmember Holden)

PROPOSED BALLOT MEASURE TO EXTEND THE LIBRARY SPECIAL TAX BY AMENDING TITLE 4, CHAPTER 4.109 OF THE PASADENA MUNICIPAL CODE

Recommendation of City Attorney:

(1) Adopt "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION, TO BE CONSOLIDATED AND HELD WITH THE CITY OF PASADENA AND THE PASADENA UNIFIED SCHOOL DISTRICT PRIMARY NOMINATING ELECTION ON TUESDAY, MARCH 6, 2007, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY OF PASADENA AN ORDINANCE EXTENDING AND AMENDING CHAPTER 4.109 OF TITLE 4 OF THE PASADENA MUNICIPAL CODE, THE LIBRARY SPECIAL TAX, SUBJECT TO THE APPROVAL OF TWO-THIRDS OF THE VOTES CAST BY VOTERS VOTING ON THE PROPOSAL WITHIN THE CITY OF PASADENA";

(2) Adopt "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS PERTAINING TO A PROPOSED MEASURE TO AMEND CHAPTER 4.109 OF TITLE 4 OF THE PASADENA MUNICIPAL CODE, THE LIBRARY SPECIAL TAX, AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS";

(3) Acknowledge that this action is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the California Code of Regulations; and

(4) Approve a journal voucher authorizing the Director of Finance to appropriate \$12,000 from the Unappropriated General Fund fund balance to the City Clerk's Election Account No. 8114-101-263000. (Resolution Nos. 8683 and 8684; Journal Voucher No. 2007-13)

Councilmember Haderlein was excused at 10:40 p.m.

The City Attorney summarized the agenda report, distributed revised resolutions containing revisions to the ballot language, and noted a typographical correction to the revised ballot language, with the revised ballot language to read: "MEASURE C. Shall the ordinance imposing a "Library Special Tax" be extended which: (1) can only be used exclusively to fund a portion of operational costs of City the Central and branch libraries; (2) exempts religious facilities, community service organizations and persons meeting certain income criteria; (3) limits annual increases based on the Consumer Price Index; (4) prevents imposition of Tax if certain General Fund commitments to the Library are not made; and ~~(6)~~ (5) contains a fifteen-year limit?"

The Mayor noted that the Pasadena Public Library Future Funding Task Force Chair had reported that a Task Force subgroup had reviewed the language of the documents and found it to be satisfactory.

It was moved by Councilmember Little, seconded by Councilmember Haderlein, to approve the City Attorney's recommendation, with the Mayor, Councilmember Streator, Pasadena Public Library Future Funding Task Force Chair, Library Commission Chair, and Friends of the Library Chair to be designated as signatories of the written argument in favor of the Measure. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden)

ORDINANCES – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP ESTABLISHED BY TITLE 17, CHAPTER 20, SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE, AND AMENDING TITLE 17 (THE ZONING CODE) TO REMOVE PD-8 AND IMPLEMENT THE RM-32-OC AND RM-32-OC-HL-1 IN SELECTED AREAS"

The above ordinance was offered for first reading by Councilmember Tyler:

AYES: Councilmembers Gordo, Little, Streator, Tyler, Vice Mayor Madison, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Haderlein, Holden

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE), HILLSIDE OVERLAY DISTRICT (CHAPTER 17.29) AND GLOSSARY (CHAPTER 17.80), VARIOUS MINOR AMENDMENTS AND CLARIFICATIONS"

The above ordinance was offered for first reading by Vice Mayor Madison:

AYES: Councilmembers Gordo, Little, Streater, Tyler, Vice Mayor Madison, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Haderlein, Holden

Councilmember Haderlein returned at 10:44 p.m.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 10:44 p.m. to the regular meeting of the Community Development Commission.

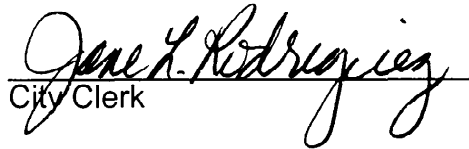
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council reconvened at 10:45 p.m. and adjourned at this time in memory of Angelina (Angie) Santilena, long-time Pasadena resident who contributed to the community and witnessed the attack on Pearl Harbor.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk