

CITY OF PASADENA  
City Council Minutes  
December 11, 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 6:40 p.m. The Pledge of Allegiance was led by Assistant City Manager Julie Gutierrez.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Steve Madison (Absent)  
Councilmember Victor Gordo (Absent)  
Councilmember Steve Haderlein (Arrived at 6:48 p.m.)  
Councilmember Chris Holden  
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

**CEREMONIAL MATTERS**

The Mayor presented service award certificates to the following City employees, who were introduced by Karyn Ezell, Director of Human Resources Department:

40 Years of Service

Bill Woods, Water and Power Department

35 Years of Service

Edward Dallas, Jr., Public Works Department

Bobby Harris, Public Works Department

Mark Oberon, Police Department

John Sullivan, Public Works Department

James Valentine, Public Works Department

Jan Sanders, Director of Information Services Department, provided a brief history of the One City, One Story program and the annual book selection process.

Elizabeth (Buff) McGaw, One City, One Story ad hoc committee member, provided information on local participation in this program that celebrates community-wide reading of a novel; and thanked the Council, Friends of the Library, and private donors for their support of the program.

Councilmember Haderlein arrived at 6:48 p.m.

Larry Wilson, Pasadena Star-News Editor and ad hoc committee member, announced the committee's choice of Distant Land of My Father by Bo Caldwell as the 2007 book selection for the One City, One Story program.

The City Manager announced that information on the One City, One Story program will be provided in the "Pasadena In Focus" newsletter (January-February 2007).

The Mayor thanked those persons who had participated in the One City, One Story selection process and program.

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

Terrie Allen, Accessibility and Disability Commission Chair, described accessibility issues regarding reduced accessibility related to the regrading at the Gold Line Santa Fe Station, alleged that the Division of the State Architect should have reviewed the project plan, and submitted photographs of the site in question. She asked Council to direct staff to allow the City's Accessibility and Disability Coordinator to contact the State Architect regarding restoration of the same level of accessibility as was provided in the original site of the Station, urged the City to send the project plan to the State Architect, and suggested the City direct the developers of future projects to present pertinent project plans involving accessibility factors to the Accessibility and Disability Commission as part of the planning process.

The City Manager outlined the planning process that had been followed for the Santa Fe Station project, noted staff had contacted the State Architect regarding the project and would inform the Accessibility and Disability Commission when the Architect's response is received, and responded to questions regarding the grading.

Don Jones, Caltrans Tenants Association representative, invited a member of the City Council and the City Manager to a meeting to be held on December 22, 2006 between Caltrans and Caltrans property renters regarding a proposed rent moratorium for Caltrans properties located in the 210 Freeway corridor.

The Mayor indicated Mr. Jones would receive a response to the invitation.

**CONSENT CALENDAR**

**AGREEMENT WITH THE COUNTY OF LOS ANGELES  
SHERIFF'S DEPARTMENT FOR SUPPLEMENTAL LAW  
ENFORCEMENT**

**Recommendation of City Manager:** Authorize the City Manager to enter into a contract with the County of Los Angeles Sheriff's Department to provide supplemental law enforcement services to the City of Pasadena for New Year's activities for a period of one-year with two optional one year extensions subject to the approval of the City Manager and without further Council approval at a cost not to exceed \$650,000 per year. The proposed contract is exempt from competitive bidding pursuant to City Charter Section 1002(H),

contracts with other governmental entities or their contractors.  
(Contract No. 19,259)

Item discussed separately at  
the request of  
Councilmember Tyler.

**ADOPTION OF TWO RESOLUTIONS COMPLETING FINAL  
SUBMITTAL OF A FUNDING APPLICATION UNDER THE  
WATER SECURITY, CLEAN DRINKING WATER, COASTAL  
AND BEACH PROTECTION ACT OF 2002  
(PROPOSITION 50)**

MINUTES APPROVED

November 20, 2006  
November 27, 2006 (Cancelled)

CLAIMS RECEIVED AND  
FILED

Claim No. 10,255 Warren & Katharine Schlinger \$ 435.51  
Claim No. 10,256 Charles M. Hall 200.00

It was moved by Councilmember Little, seconded by Councilmember Streater, to approve the Consent Calendar, with the exception of Item 2 (Adoption of Two Resolutions Completing Final Submittal of a Funding Application under Proposition 50), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Madison)

**CONSENT ITEM DISCUSSED  
SEPARATELY**

**ADOPTION OF TWO RESOLUTIONS COMPLETING FINAL  
SUBMITTAL OF A FUNDING APPLICATION UNDER THE  
WATER SECURITY, CLEAN DRINKING WATER, COASTAL  
AND BEACH PROTECTION ACT OF 2002  
(PROPOSITION 50)**

**Recommendation of City Manager:** Adopt two resolutions required for the completion of a funding application to the State of California, Department of Health Services (DHS) for the Proposition 50 Funding Program. (Resolution Nos. 8685 and 8686)

In response to Councilmember Tyler's question, the City Manager confirmed that the National Aeronautics and Space Administration (NASA) had also been approached to participate in the funding of the project, with details to be worked out at a later date.

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

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

FINANCE COMMITTEE

**CITY HALL SEISMIC RETROFIT PROJECT - APPROVAL OF  
CONTINGENCY ADJUSTMENTS AND CHANGE ORDER NO.  
8 TO THE GENERAL CONTRACTOR AND AWARD A  
CONTRACT TO CORPORATE EXPRESS BUSINESS  
INTERIORS (CEBI) FOR FURNISH, DELIVERY, ASSEMBLY  
AND INSTALLATION OF MODULAR SYSTEMS OFFICE  
FURNITURE FOR THE PASADENA CITY HALL PROJECT,**

**FOR AN AMOUNT NOT TO EXCEED \$500,000**

**Recommendation of City Manager:**

(1) Approve the allocation of \$301,276 from Project Contingency for unforeseen conditions and activities, as identified in Attachment No. 1 of the agenda report, that were discovered during the retrofit of City Hall, thereby reducing the amount of Project Contingency from \$6,522,402 to \$6,221,126;

(2) Authorize the City Manager to execute Change Order No. 8 to Contract No. 18,768-1 with Clark Construction Group - California, LP (Clark Construction) for increases in scope of work due to unforeseen conditions discovered during the retrofit of City Hall, as identified in Attachment No. 1 of the agenda report, thereby increasing the contract amount by \$126,276 from \$80,920,510 to \$81,046,786.

(3) Accept the bid dated November 1, 2006, submitted by Corporate Express Business Interiors (CEBI) in response to the Plans and Specifications for the Furnish, Delivery, Assembly and Installation of Modular Systems Furniture for the Pasadena City Hall Project; reject all other bids received and authorize the City Manager to enter into a contract not to exceed \$500,000, which includes the base bid of \$473,699.75 and \$26,300.25 for any additional work the City may order pursuant to the project plans and specifications. (Contract No. 19,260)

**Recommendation of City Hall Restoration Oversight**

**Committee:** On November 8, 2006 and December 6, 2006, the City Hall Restoration Oversight Committee reviewed the topics of contingency adjustments, General Contractor Change Order No. 8 and allocation for new systems furniture for City Hall, and recommended the following:

The Committee concurred that the recommendations under Change Order No. 8 are reasonable and consistent with ongoing construction activities of similar projects. The Committee also concurred with the allocations associated with the purchase of new systems furniture for City Hall. In reviewing the recommendation for new systems furniture, careful consideration was given to the potential cost implications associated with the inefficiencies of moving the existing furniture and the Chamber Building lease extension. Thus it was recommended that the City Council authorize the allocation of \$301,276 from Project Contingency which includes an increase to Contract No. 18,768-1 with Clark Construction by \$126,276 and the allocation of \$175,000 toward the purchase of new systems furniture for City Hall.

Councilmember Little, Chair of the Finance Committee, reviewed the agenda report, and noted the project is on target for completion, with the intention of moving staff back into City Hall by the end of May.

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

**APPROVAL OF A JOURNAL VOUCHER TRANSFERRING \$3,832,160 FROM THE 1999 PENSION OBLIGATION DEBT SERVICE FUND TO THE GENERAL FUND NON-DEPARTMENTAL BUDGET TO COVER THE REQUIRED SUPPLEMENTAL CONTRIBUTION TO THE FIRE AND POLICE RETIREMENT SYSTEM PURSUANT TO CONTRIBUTION AGREEMENT NO. 16,900 BETWEEN THE CITY OF PASADENA AND THE FIRE AND POLICE RETIREMENT SYSTEM**

**Recommendation of City Manager:** Approve a journal voucher transferring \$3,832,160 from the 1999 Pension Obligation Debt Service Fund to the General Fund Non-Departmental budget and appropriating said amount to Account No. 8043-101-952100 to cover the required supplemental contribution to the Fire and Police Retirement System pursuant to Contribution Agreement No. 16,900 between the City of Pasadena and the Fire and Police Retirement System. (Journal Voucher No. 2007-14)

Councilmember Little summarized the agenda report.

It was moved by Councilmember Little, seconded by Councilmember Streator, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Madison)

**MEMORANDUM OF UNDERSTANDING AND MANAGEMENT AGREEMENT BETWEEN THE CITY AND PASADENA ICE SKATING CENTER AND AMENDMENT TO THE AGREEMENT FOR ARCHITECTURAL AND ENGINEERING DESIGN BETWEEN THE CITY AND THE ALBERT GROUP ARCHITECTS FOR A PROPOSED NEW ICE SKATING FACILITY LOCATED BETWEEN FOOTHILL BOULEVARD AND ORANGE GROVE**

Councilmember Little noted there were outstanding questions on the management agreement posed by the Finance Committee, and asked that the above item be held one week to allow time for staff to provide additional information.

On order of the Mayor, the above item was held to the meeting of December 18, 2006.

**PASADENA CONFERENCE CENTER EXPANSION PROJECT – QUARTERLY UPDATE**

**Recommendation of Pasadena Center Operating Company (PCOC):** This report is for informational purposes only.

Councilmember Little introduced the agenda item.

James Canfield, Pasadena Conference Center Executive Director, reviewed the agenda report.

Michael Ross, Pasadena Center Operating Company (PCOC) Chief Executive Officer, responded to questions regarding elevator access at the expanded Conference Center.

Councilmember Holden commented on the possible need for the Accessibility and Disability Commission to review future projects that could have accessibility issues.

It was moved by Councilmember Little, seconded by Councilmember Tyler, to receive and file the report. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Madison)

**AMENDMENT TO THE FISCAL YEAR 2007 CAPITAL IMPROVEMENT PROGRAM BUDGET, APPROPRIATION OF DEFERRED MAINTENANCE FUNDS AND CONTRACT AWARD TO SENTRY CONTROL SYSTEMS FOR THE INSTALLATION OF A PARKING ACCESS AND REVENUE CONTROL SYSTEM IN THE PASADENA CENTER GARAGE**  
**Recommendation of Pasadena Center Operating Company (PCOC):**

(1) Amend the Fiscal Year 2007 Capital Improvement Program Budget by appropriating \$925,000 to the Restoration and Renovation of the Historic Civic Auditorium project. These funds will be reimbursed through the Housing and Urban Development (HUD) Grant.

(2) Appropriate \$1,500,000 from PCOC reserve funds for various deferred maintenance and equipment purchases as described in Attachment A of the agenda report.

(3) Authorize the Pasadena Center Operating Company to enter into a contract with Sentry Control Systems to install SkiData parking access and revenue control equipment at the Pasadena Center garage for an amount not to exceed \$300,000. The proposed purchase is exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services. (Contract No. 19,261)

Councilmember Little introduced the agenda item.

Michael Ross, Pasadena Center Operating Company (PCOC) Chief Executive Officer, summarized the agenda report.

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the Pasadena Center Operating Company's recommendation. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Madison)

**AMENDMENT TO THE SCHEDULE OF TAXES, FEES AND CHARGES ESTABLISHING SEXUALLY ORIENTED BUSINESS PERMIT FEES**

**Recommendation of City Manager:** It is recommended that the City Council adopt "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA AMENDING THE SCHEDULE OF TAXES, FEES AND CHARGES TO ESTABLISH SEXUALLY ORIENTED BUSINESS PERMIT FEES." (Resolution No. 8687)

Councilmember Little noted the proposed fees should cover the anticipated costs of permit monitoring and related expenses, with a cost of service study to be performed if staff determines that the fees are not adequate and need adjustment.

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

**ORDINANCES – ADOPTED**

**Adopt "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"** (Introduced by Councilmember Haderlein) (Ordinance No. 7077)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Haderlein, Holden, Little, Streater, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Gordo, Vice Mayor Madison

**Adopt "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"** (Introduced by Councilmember Haderlein) (Ordinance No. 7078)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Haderlein, Holden, Little, Streater, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Gordo, Vice Mayor Madison

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING FOR COORDINATION OF WATER RESOURCES PLANNING RELATING TO PROPOSITION 50 GRANT FUNDING AND IMPLEMENTATION**

**Recommendation of City Manager:** Adopt a resolution approving and authorizing the execution of a Memorandum of

Understanding (MOU) for coordination of water resources planning relating to Proposition 50 grant funding and implementation between the City of Pasadena and various other governmental agencies. (Resolution No. 8688; Agreement No. 19,267)

Brad Boman, Engineering Manager, reviewed the agenda report.

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

**APPOINTMENT OF GAIL ANDERSON TO THE COMMISSION ON THE STATUS OF WOMEN** (District 7 Nomination)

**APPOINTMENT OF DANTE HALL TO THE NORTHWEST COMMISSION** (District 2 Nomination)

It was moved by Councilmember Haderlein, seconded by Councilmember Holden, to approve the above two appointments. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Madison)

**RESOLUTION ACCEPTING THE CANVASS OF THE NOVEMBER 7, 2006 SPECIAL MUNICIPAL ELECTION - MEASURE A (NFL/ROSE BOWL STADIUM RENOVATION INITIATIVE) AND MEASURE B (CHARTER AMENDMENT - TAXPAYER PROTECTION AMENDMENT)**

Recommendation of City Clerk: Adopt a resolution accepting the canvass of votes certified by the Los Angeles County Clerk/Register- Recorder for the Pasadena Special Municipal Election which was consolidated with the Statewide General Election held on November 7, 2006. (Resolution No. 8689)

The City Clerk reviewed the agenda report.

It was moved by Councilmember Holden, seconded by Councilmember Little, to approve the City Clerk's recommendation. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Madison)

**ORDINANCES – ADOPTED**

**Adopt “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”** (Introduced by Councilmember Tyler) (Ordinance No. 7079)



The above ordinance was adopted by the following vote:  
AYES: Councilmembers Haderlein, Holden, Little, Streator,  
Tyler, Mayor Bogaard  
NOES: None  
ABSENT: Councilmember Gordo, Vice Mayor Madison

**Adopt “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”** (Introduced by Vice Mayor Madison) (Ordinance No. 7080)

The above ordinance was adopted by the following vote:  
AYES: Councilmembers Haderlein, Holden, Little, Streator,  
Tyler, Mayor Bogaard  
NOES: None  
ABSENT: Councilmember Gordo, Vice Mayor Madison

**Adopt “AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PASADENA AMENDING THE CONTRACT BETWEEN THE CITY OF PASADENA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM TO PROVIDE RETIREMENT BENEFIT ENHANCEMENTS TO LOCAL MISCELLANEOUS EMPLOYEES”** (Introduced by Councilmember Streator) (Ordinance No. 7081)

The above ordinance was adopted by the following vote:  
AYES: Councilmembers Haderlein, Holden, Little, Streator,  
Mayor Bogaard  
NOES: Councilmember Tyler  
ABSENT: Councilmember Gordo, Vice Mayor Madison

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:32 p.m. to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 7:33 p.m. (Absent: Councilmember Gordo, Vice Mayor Madison)

**PUBLIC HEARINGS**

**PUBLIC HEARING: CALIFORNIA INSTITUTE OF TECHNOLOGY (CALTECH) MASTER DEVELOPMENT PLAN AMENDMENT AND FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR)**

**Recommendation of City Manager:** It is recommended that the City Council, following a public hearing:

(1) Adopt a resolution to certify the Final Supplemental Environmental Impact Report (SEIR) and adopt the Mitigation Measures and Mitigation Monitoring Reporting Program prepared for the proposed amendments to the Caltech Master

- Development Plan (Attachment 4 of the agenda report);
- (2) Adopt by resolution the Specific Findings that the Master Development Plan Amendments are consistent with the General Plan goals and objectives and with the provisions of the Zoning Code;
  - (3) Approve the proposed amendments to the Caltech Master Development Plan with the recommended Conditions of Approval (Attachment 1 of the agenda report);
  - (4) Approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 5 of the agenda report); and
  - (5) Direct the City Clerk to file a Notice of Determination and Certificate of Fee Exemption for the California Department of Fish and Game with the Los Angeles County Recorder (Attachment 6 of the agenda report). (Resolution Nos. 8690 and 8691)

**Recommendation of Planning Commission:** The Planning Commission considered the Final SEIR and the proposed amendments to the Caltech Master Development Plan at their November 8 and December 6, 2006 meetings. The Commission recommended approval of the amendments to the Master Plan with revisions to conditions of approval all of which are included in the staff's recommendation with the exception of Condition 10.a. That condition states, "*That the applicant shall develop modifications to its paid parking policy that will mitigate Caltech related all day parking on surrounding neighborhood streets. These modifications shall be submitted to and reviewed by the Director of the Department of Transportation for approval.*" Staff's recommendation does not include this change.

At the October 9<sup>th</sup> City Council meeting, CUP#4253 was called up and the Council directed Caltech to continue discussions with the neighbors to resolve the parking problems and to formulate a plan. The City Council's anticipated reconsideration of the CUP early next year and review of Caltech's measures to manage its parking should identify tools other than that recommended by the Planning Commission and which could be adopted by the Council as part of the call-up process.

**Recommendation of Design Commission:** On August 28, 2006, the Design Commission provided comments on the Draft SEIR for the Master Plan Amendments and Design Guidelines and Design Review Thresholds. The Commission had concerns about the new additions to the North Undergraduate Houses encroaching south into the open space area. The Commission reaffirmed its prior comments in support of the revisions to the Design Guidelines; recommended lowering the Design Commission Review thresholds in the Master Plan from 70,000 square feet to 25,000 square feet for buildings along public streets and 50,000 square feet for buildings on the interior of the campus; and that the Master Plan should identify thematic elements in new buildings that would tie the architectural elements of the campus together in certain elements while still allowing for innovation. Staff recommendation incorporates changes made to the design review guidelines and design review thresholds

which respond to the Commission's recommendation.

**Recommendation of Historic Preservation Commission:** On September 5, 2006, the Historic Preservation Commission reviewed the Draft SEIR and the Design Review thresholds for historic properties on the Caltech campus and recommended approval of the list of buildings for which major alteration or major additions will be reviewed by the Historic Preservation Commission (Attachment 3 of the agenda report). Additional comments were: 1) the future design, massing, and location of the expanded North Undergraduate Houses shall respect the Athenaeum and its setting. The new construction should avoid as much as possible the mature trees in the open space on the west side of the Athenaeum; 2) at its eastern edge, the expanded (or newly constructed) North Undergraduate Houses shall match (or closely approximate but not exceed) the footprint and massing of the east wing of the South Undergraduate Houses to respect the open space and setting of the Athenaeum; 3) the Historic Preservation Commission shall review the massing and footprint of the expanded (or newly constructed) North Undergraduate Houses and the Design Commission shall review the design. The conditions of approval recommended for the Master Plan address the Commission's recommendation.

**Recommendation of Transportation Advisory Commission:** On September 7, 2006, the Transportation Advisory Commission (TAC) provided comments on the Draft SEIR, and supported the amendments to the Caltech Master Plan.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on December 4, 2006 in the Pasadena Star-News and on December 7 and 14, 2006 in the Pasadena Journal; 189 copies of the notice were posted on November 22, 2006; 928 copies of the notice were mailed on November 22, 2006; and no correspondence was received.

The City Manager introduced the agenda item, commented on parking issues related to the California Institute of Technology (Caltech) area, and responded to questions.

Millie De La Cuba, Principal Planner, reviewed the agenda report, explained the five-year review process required under the Master Plan, and responded to questions.

Richard Bruckner, Director of Planning and Development Department, discussed possible remedies for the residential street parking issues (e.g., Conditional Use Permit call up process, modifications of the Master Plan by Council), and responded to questions.

Discussion followed on issues involving the use of neighboring residential streets for parking by the Caltech students/faculty,

options for addressing possible worsening of the street parking problems on residential streets, possible initiation of a preferential parking program in the Caltech area, enforcement options for possible violations of the Master Plan provisions and Conditions of Approval, and possible need for noise monitoring at Caltech.

Councilmember Tyler expressed concerns regarding the need to address the ongoing parking issues involving the use of residential streets for parking by Caltech students/faculty; and expressed support for proceeding with the Conditional Use Permit No. 4253 appeal hearing process to handle these issues and then considering modification of the Master Plan, if this becomes necessary.

The following person spoke in support of the Caltech Master Development Plan Amendments, with suggestions for minor modifications to Conditions for Approval Nos. 3 and 4:

Hall Daily, Caltech Assistant Vice President of Government and Community Relations

The following persons spoke in opposition of Caltech Master Development Plan Amendments:

Julie Condon, Pasadena resident  
David Hodge, Pasadena resident

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

Following discussion, it was moved by Councilmember Streater, seconded by Councilmember Little, to approve the City Manager's recommendation, with modifications to Conditions of Approval Nos. 3 and 4, the last sentence to read: "The existing 7¾-foot brick walkway, immediately west of the Athenaeum, shall be extended to San Pasqual with landscaping to create a pedestrian corridor ~~at least 26 feet in width~~ similar in width to the one that exists today." (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Madison)

### **PUBLIC HEARING: CONSIDERATION OF GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISES**

#### **Recommendation of City Manager:**

- (1) Hold a public hearing to consider granting non-exclusive solid waste franchises.
- (2) After closure of the public hearing, grant a franchise to all applicants consistent with the solid waste collection franchise ordinance for an 18-month franchise term. There may be up to

four additional renewal terms of one year each at the discretion of the City Manager.

(3) Direct the City Attorney to prepare the necessary ordinances for the approved applications and authorize the City Manager to enter into the franchise agreements on or after the effective date of the ordinance approving such franchise.

Councilmember Holden was excused at 8:38 p.m.

The Mayor opened the public hearing.

The City Clerk reported the resolution setting the public hearing was published on November 16, 2006 in the Pasadena Journal; and no correspondence was received.

Martin Pastucha, Director of Public Works Department, summarized the agenda report and responded to questions.

Arlington Rodgers, Jr., Administrator of Street Maintenance and Integrated Waste Management, responded to questions regarding the applicants and Air Quality Management District (AQMD) regulations for diesel trucks.

The City Manager discussed circumstances that could necessitate providing flexibility in determining a franchisee's compliance with the agreement terms and the process for Council to consider revocation of the franchise agreement.

The City Attorney indicated provisions could be added to the franchise agreements (e.g., diesel truck regulations) to the extent that is legally permissible.

Discussion followed on the required diversion percentage, diversion methods, the causes and process for suspension/revocation of the franchise agreement, conformity with regional and State regulations, the City's right to review conformity with regional and State regulations and refer any problems to the appropriate entity, and possible imposition of City provisions that would hold franchisees to a higher standard for vehicle emissions/regulations.

Councilmember Tyler suggested exploring incentives for vendors as this relates to improved air quality/environmental issues.

Councilmember Streater suggested any proposed additional agreement provisions related to environmental quality issues be referred to the Environmental Advisory Commission for study.

The following person spoke in support of the granting of non-exclusive solid waste franchises:

David Weiss, Complete Service, Inc. representative

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

Following discussion, it was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the City Manager's recommendation, with the franchise agreement language to be amended to include a provision that failure to achieve a 50% diversion compliance rate may result in non-renewal of a franchise with Council to consider the circumstances for renewal/non-renewal of the franchise and with a provision that failure to conform with regional and State vehicle emission standards may result in non-renewal of a franchise with Council to consider the circumstances for renewal/non-renewal of the franchise. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden, Vice Mayor Madison)

**CONTINUED PUBLIC HEARING: CALL FOR REVIEW OF TENTATIVE PARCEL MAP NO. 061676 AND HILLSIDE DEVELOPMENT PERMIT NO. 4395, 720 SOUTH SAN RAFAEL AVENUE (725 HILLSIDE TERRACE)**

**Recommendation of City Manager:** It is recommended that the public hearing be continued to January 8, 2007, at 7:30 p.m.

It was moved by Councilmember Tyler, seconded by Councilmember Little, to continue the public hearing to January 8, 2007 at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden, Vice Mayor Madison)

**COUNCIL COMMENT**

In response to Councilmember Streater's question, the City Attorney and City Manager updated Council on the status of the Environmental Advisory Commission, and indicated an ordinance will be presented to Council in one week.

**INFORMATION ITEM**

**PRELIMINARY PLAN REVIEW FOR THE NEW CONSTRUCTION OF A FOUR-STORY, 212 UNIT RESIDENTIAL BUILDING ABOVE 2 LEVELS OF SEMI-SUBTERRANEAN PARKING AND THE RETROFIT OF AN EXISTING HISTORICALLY SIGNIFICANT BUILDING INTO A 350 SEAT LIVE STAGE THEATER**

**Recommendation of City Manager:** This report is being provided for information only at this time.

Leon White, Project Planner, reviewed the agenda report and responded to questions.

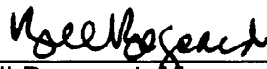
Richard Bruckner, Director of Planning and Development Department, indicated staff will look at the possible issue of residents using the MTA parking structure to augment their parking space needs; noted that page 3 of the agenda report, Timeline section, should be corrected to show that the Transportation Advisory Commission would review the project in February 2007 (not April 2007); and responded to questions.

Councilmember Haderlein asked that information on the method for determining the residential impact fee for the project be included in the City Manager's weekly information letter to Council.

On order of the Mayor, the report was received and filed.

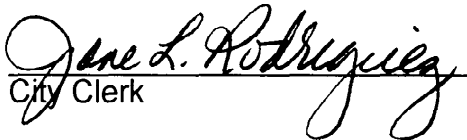
**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:12 p.m., in memory of Rei Kihara Osaki, a long-time Pasadena resident who participated in various local community organizations and political activities.



\_\_\_\_\_  
Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



\_\_\_\_\_  
Jane L. Rodriguez  
City Clerk