

CITY OF PASADENA
City Council Minutes
March 3, 2008 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:44 p.m.
(Absent: Councilmembers Gordo, Holden, Madison)

On order of the Mayor, the regular meeting recessed at 5:44 p.m., to discuss the following closed sessions:

Councilmember Holden
arrived at 5:48 p.m.
Councilmember Madison
arrived at 5:51 p.m.
Councilmember Gordo
arrived at 5:56 p.m.

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6
City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organization: Unrepresented Sworn Police Management Employees

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957
Title: City Clerk

The above two closed session items were discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:38 p.m. The Pledge of Allegiance was led by Councilmember Tyler.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Haderlein
Councilmember Victor Gordo
Councilmember Chris Holden
Councilmember Steve Madison
Councilmember Margaret McAustin
Councilmember Jacque Robinson
Councilmember Sidney F. Tyler

Staff:

Assistant City Manager Julie Gutierrez
City Attorney Michele Beal Bagneris
City Clerk Jane L. Rodriguez

CERMONIAL MATTERS

The City Clerk administered the oaths of office to Patrick J. Conyers as Arts and Culture Commissioner and Cecilia Jackson as Transportation Advisory Commissioner.

Maura Roundtree Brown, Tournament of Roses Student Ambassador Committee Chair, described the Student Ambassador Program and acknowledged the 2007-2008 program participants. The Mayor presented the ambassadors who were present at the meeting with Certificates of Appreciation from the City for their services at the 2008 Rose Parade and Post Parade activities.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

James Peterson, Pasadena resident, expressed concerns regarding code violations, traffic congestion, and the affordable housing that is being lost as a result of the development that is occurring in the area of Marengo Avenue and Cordova Street; and suggested the City purchase some of these buildings in order to preserve affordable housing units.

The Mayor suggested Mr. Peterson submit any allegations of code violations to the City for review.

CONSENT CALENDAR

Item discussed separately at the request of Councilmember Tyler.

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE FRANCHISE TAX BOARD FOR THE LOCAL GOVERNMENT TAX SHARING PROGRAM AND AN AGREEMENT FOR THE CITY BUSINESS TAX PROGRAM

ACCEPTANCE OF AN EASEMENT FOR STORM DRAIN PURPOSES ON CALIFORNIA INSTITUTE OF TECHNOLOGY PROPERTY

Recommendation of City Manager: Adopt a resolution accepting a proposed easement dedication for storm drain purposes on California Institute of Technology (Caltech) property. (Resolution No. 8829)

ACCEPTANCE OF AN EASEMENT FOR ACCESS ROAD PURPOSES ON CALIFORNIA INSTITUTE OF TECHNOLOGY PROPERTY

Recommendation of City Manager: Adopt a resolution accepting a proposed easement dedication for access road purposes on California Institute of Technology (Caltech) property. (Resolution No. 8830)

APPROVAL OF FINAL TRACT MAP NO. 063227, BEING A 14-UNIT CONDOMINIUM PROJECT, AT 53-71 SOUTH SAN GABRIEL BOULEVARD

Recommendation of City Manager:

- (1) Adopt a resolution to approve Final Tract Map No. 063227; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8831)

APPROVAL AND ACCEPTANCE OF AN EASEMENT DEDICATION FOR PUBLIC SIDEWALK PURPOSES AT 3330 EAST FOOTHILL BOULEVARD

Recommendation of City Manager: Adopt a resolution approving and accepting a proposed easement dedication for public sidewalk purposes at 3330 East Foothill Boulevard. (Resolution No. 8832)

CLAIMS RECEIVED AND FILED

Claim No. 10,546	The Salvation Army, a Corporation	\$25,000.00+
Claim No. 10,547	Barron C. Jones, Sr.	465.79
Claim No. 10,548	Fermin Estevez Garcia	Not stated

PUBLIC HEARINGS SET

March 17, 2008, 7:30 p.m. - Zoning Code and Map Amendment Repealing Workforce/Affordable Housing Overlay - North Los Robles

March 17, 2008, 7:30 p.m. - Designation of 2045 E. Monte Vista Street as a Landmark

April 14, 2008, 7:30 p.m. - Zoning Code Amendments - Colleges and Dormitories in the South Fair Oaks Specific Plan Overlay District

April 14, 2008, 7:30 p.m. - Design and Historic Preservation Code Amendment

April 21, 2008, 7:30 p.m. - Designation of 210 South Orange Grove as a Landmark

It was moved by Vice Mayor Haderlein, seconded by Councilmember Robinson, to approve the Consent Calendar, with the exception of Item 1 (Agreements with Franchise Tax Board), which was discussed separately. (Motion unanimously carried) (Absent: None)

CONSENT ITEM DISCUSSED SEPARATELY

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE FRANCHISE TAX BOARD FOR THE LOCAL GOVERNMENT TAX SHARING PROGRAM AND AN AGREEMENT FOR THE CITY BUSINESS TAX PROGRAM

Recommendation of City Manager: Adopt a resolution for the purpose of the City's participation in the Franchise Tax Board's Local Government Tax Sharing and City Business Tax Program and authorize the City Manager to enter into annual agreements with the Franchise Tax Board. The proposed agreements are exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other government entities. (Resolution No. 8833: Agreement Nos. 19,550 and 19,551)

In response to Councilmember Tyler's questions, Steve Stark, Director of Finance Department, clarified the terms and costs of the agreements, and indicated staff will provide a report to Council in early April 2008 on a plan to deal more effectively with collecting business license taxes from mobile vendors and businesses that operate but are not domiciled in the City.

It was moved by Councilmember Tyler, seconded by Vice Mayor Haderlein, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPOINTMENT OF MEROUJAN S. KITSINIAN TO THE CODE ENFORCEMENT COMMISSION (District 4 Nomination)

It was moved by Councilmember Gordo, seconded by Councilmember Robinson, to approve the above appointment. (Motion unanimously carried) (Absent: None)

ORDINANCE – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA TO CREATE A SEWER FACILITIES CHARGE, AND TO AMEND TITLE 4 (REVENUE AND FINANCE) TO ESTABLISH CHAPTER 4.53 TITLED ‘SEWER FACILITY CHARGE’”

The Assistant City Manager responded to questions regarding the fund into which this charge will be deposited and the amounts being charged.

The City Attorney responded to questions regarding the new charge and the identified exemptions.

Martin Pastucha, Director of Public Works Department, discussed the rationale for projects outside the City limits paying a negotiated charge amount rather than the same charge as that being paid on projects inside the City limits, clarified the use of two separate funds for sewer operational and maintenance needs, and responded to questions.

Councilmember McAustin asked that the language for Section 4.53.3(B) cited in the ordinance be modified to clarify its meaning that the charge will be reduced if a new development creates less use/flow and the charge will be increased if a new development creates more use/flow.

The City Attorney suggested staff return in one week with the modified language and that first reading on the ordinance be held at that time.

On order of the Mayor, the first reading of the ordinance was held to the meeting of March 10, 2008.

ANNOUNCEMENT

Ann Erdman, Public Information Officer, introduced the following reporters from local news media who were in attendance at the meeting: Fred Ortega, the new reporter covering City Hall for the Pasadena Star-News; Dean Lee, reporter for the Mountain Views Newspaper; and Steve Cischke, reporter for Pasadena Now.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

BRIEFING FROM CALIFORNIA COMMON CAUSE ON THE CALIFORNIA VOTERS FIRST ACT NOVEMBER 2008 REDISTRICTING INITIATIVE (Councilmember Holden)

Councilmember Holden introduced Kathay Feng, California Common Cause Executive Director; expressed support for the new approach on redistricting that is being advocated by Common Cause; and urged Council to move forward in adopting a resolution in support of the proposed initiative.

The City Attorney noted that this information had been agendized as a briefing, and that the safe course to follow would be to agendize adoption of a resolution for a future meeting.

Ms. Feng reviewed the information on the California Voters FIRST redistricting initiative contained in the agenda materials and the additional materials/draft resolution submitted to Council, asked Council to support the ballot initiative, and responded to questions regarding the initiative.

The following persons expressed support for the California Voters FIRST initiative:

Sondra Hauge, League of Women Voters Pasadena Area President, read a letter of support from Janis Hirohama, League of Women Voters of California President.
Bill Yeomans, Pasadena resident

Discussion followed on the status of the legislature's possible placement of this redistricting initiative on the ballot, the timetable for the initiative process, the need to reform the redistricting process, endorsement of the California Voters FIRST initiative by individual legislators, relevant skills of those who will serve on the Citizens Redistricting Commission, and conflict of interest issues to be addressed regarding Commission membership.

Vice Mayor Haderlein suggested this matter be agendized for action at next week's meeting.

Following discussion, it was moved by Councilmember Holden, seconded by Councilmember Gordo, to agendize adoption of a resolution in support of the California Voters FIRST redistricting initiative, and to direct the City Attorney to review and draft a

resolution to be considered at the meeting of March 10, 2008.
(Motion unanimously carried) (Absent: None)

Councilmember Madison
recused himself at 7:44 p.m.,
due to a conflict of interest.

PUBLIC HEARING: GENERAL PLAN AMENDMENT FROM MEDIUM-HIGH DENSITY RESIDENTIAL (0-32 DWELLING UNITS/NET ACRE) TO INSTITUTIONAL AND A ZONE CHANGE FROM RM-32 (MULTI-FAMILY RESIDENTIAL, 32 DWELLING UNITS/NET ACRE) TO PS (PUBLIC AND SEMI-PUBLIC) FOR THE PARCEL AT 505 SOUTH WILSON AVENUE WITHIN THE CALIFORNIA INSTITUTE OF TECHNOLOGY (CALTECH) MASTER DEVELOPMENT PLAN BOUNDARY AREA

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

- (1) Adopt the Initial Environmental Study and Negative Declaration (Attachments 1 and 2 of the agenda report);
- (2) Adopt by resolution the Specific Findings that the amendment of the General Plan Land Use designation from Medium-High Density Residential (0-32 dwelling units/net acre) to Institutional for the parcel located at 505 South Wilson Avenue is consistent with the goals, objectives, and policies of the General Plan Land Use Element;
- (3) Find that the proposed zone change from RM-32 (Multi-Family Residential, 32 dwelling units/net acre) to PS (Public and Semi-Public) is consistent with the purposes of Chapter 17.26 (PS, Public and Semi-Public) of the Zoning Code, and approve the Zone Change (Attachment 3 of the agenda report) with conditions (Attachment 6 of the agenda report);
- (4) Direct the City Clerk to file a Notice of Determination and California Environmental Quality Act (CEQA) Filing Fee No Effect Determination Form with the Los Angeles County Recorder (Attachment 4 of the agenda report); and
- (5) Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena within 30 days. (Resolution No. 8834)

Recommendation of Planning Commission: After a public hearing on December 12, 2007, the Planning Commission unanimously recommended approval of the proposed General Plan Amendment from Medium-High Density (0-32 dwelling units/net acre) to Institutional and a zone change from RM-32 (Multi-Family Residential, 32 dwelling units/net acre) to PS (Public and Semi-Public) for the property at 505 South Wilson Avenue.

The Mayor opened the public hearing.

The City Clerk reported 126 copies of the notice of public hearing were posted on February 14, 2008; 1,060 copies of the notice were mailed on February 14, 2008; and no correspondence was received.

Lanny Woo, Associate Planner, reviewed the agenda report.

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

No one appeared for public comment.

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

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

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW FOR THE PASADENA YMCA FACILITY AT 2900 BRADLEY STREET

Recommendation of City Manager: This report is being provided for information only.

Carol Hunt Hernandez, Planner, reviewed the agenda report and responded to questions.

Richard Bruckner, Director of Planning and Development, responded to questions regarding the site, reviews that will be required, and a landscape plan for the site.

Vice Mayor Haderlein suggested tightening up the project timeline, if possible.

Don Nollar, YMCA's (applicant) representative, confirmed that the YMCA would be applying for certification as a Leadership in Energy and Environmental Design (LEED) Silver building.

Discussion followed on the use of this building for youth programs, including a youth center.

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

COUNCIL COMMENTS

Councilmember McAustin commented on the loss of local businesses that have closed and/or moved out of the City, and asked staff to report on current incentives that are available to assist in retaining locally-owned businesses.

The Assistant City Manager indicated that this information would be presented to Council at a later date.

Councilmember Holden asked that the following two initiatives be integrated into the General Plan when the review of the Plan takes place in the near future: 1) affordable housing, and

2) arts and culture in defining the City. He suggested that an opportunity for the community to provide input on the City's Guiding Principles and Goals might also be made a part of the General Plan review process, and that the Urban Land Institute and the Congress for the New Urbanism organizations be used to provide leadership and outreach assistance in reviewing the vision of what the City will be in the future.

The Assistant City Manager and Richard Bruckner, Director of Planning and Development Department, indicated that staff was mapping out a public outreach strategy for obtaining community input during the General Plan review process.

Councilmember Gordo suggested the review process also include a comparison of where the City thought it would be 10 years from the 1994 General Plan revisions and where the City is now, and what is working well in the General Plan and what is not.

Councilmember Tyler commented on the recent incident and lockdown at Blair High School and the professionalism displayed by the Police Department in handling the situation; expressed concerns regarding communications problems involving keeping Councilmembers informed about the incident; and suggested the City Manager discuss and clarify the City's communications policies and procedures for emergency incidents, and that Council field representatives be provided with the same emergency contact cards that are provided to Councilmembers.

The Assistant City Manager stated that an oversight in the City Manager's Office had occurred in not notifying Councilmember Tyler during the Blair High School incident, noted that the emergency contact information would be provided to the field representatives during the next business day, and briefly described the role of the Police Department's public information officer during an incident like that which occurred at the High School.

Councilmember Gordo also expressed concerns regarding communication gaps involving the parents and field representatives, and supported a review of communication policies and procedures by City and Pasadena Unified School District staff to ensure an improved level of communication during future incidents.

Councilmember Holden expressed concerns regarding students being led out by an officer with their hands on their heads, and asked for an explanation of the rationale of this policy at some time in the future.

Councilmember Gordo asked staff to contact Supervisor Michael Antonovich's representative regarding Los Angeles County's offer to partner with the City in providing resources for summer jobs in private business for youth.

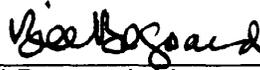
Councilmember Robinson noted that the County staff representative to be contacted regarding the summer jobs program is Anna Pembedjian.

The Assistant City Manager indicated the report on the City's Summer Rose Program (jobs for youth) will be presented to Council at the end of March or early April 2008.

Councilmember Gordo asked staff to report to the Finance Committee regarding funding resources that may be reached/raided by the State during the current budget crisis and how these resources may be protected by the City.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:40 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk