

CITY OF PASADENA
City Council Minutes
April 7, 2008 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:45 p.m.
(Absent: None)

On order of the Mayor, the regular meeting recessed at 5:45 p.m., to discuss the following closed sessions:

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYMENT pursuant to Government Code Section 54957 and with Labor Negotiators pursuant to Government Code Section 54957.6

**City Representative: Bill Bogaard
Employee Title: City Attorney**

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYMENT pursuant to Government Code Section 54957

Employee Title: City Manager

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 6:34 p.m. The Pledge of Allegiance was led by Councilmember McAustin.

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:

City Manager Bernard K. Melekian
City Attorney Michele Beal Bagneris
Senior Assistant City Clerk Mark Jomsky

CEREMONIAL MATTERS

The Mayor presented a proclamation declaring April 2008 as Jazz Appreciation Month. The proclamation was received by Robert and Denise Zeilstra, Ambassadors for the California Philharmonic and Five Acres.

The Mayor presented a proclamation declaring April 6-12, 2008 as Public Health Week. The proclamation was received by Dr. Takashi Wada, Director of Public Health Department, who commented on public health issues involving the impacts of climate change and the environment.

The City Manager noted that the Public Health Department would be making a presentation to the Public Safety Committee in May 2008 to brief the Committee on the wide variety of work that is performed by the Public Health staff.

POWER POINT PRESENTATION FROM THE BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY REGARDING THE FINDINGS OF A FEDERAL AVIATION REGULATION PART 161 STUDY

The following persons provided a PowerPoint presentation on the Bob Hope Airport Part 161 Study and submitted a handout of the slides that were shown:

Dan Feger, Bob Hope Airport Interim Executive Director, provided an overview of the Part 161 Study process and the goal to provide meaningful nighttime noise relief to residents, explained the importance of the proposed mandatory nighttime curfew, and asked Council to adopt a resolution in support of the curfew. He responded to questions regarding the application process and current flying restrictions at the Airport.

Mark Hardymont, Director of Noise and Environmental Programs, summarized the Study's history and results [which led to the Airport Authority's recommendation to apply for FAA approval of a full mandatory nighttime curfew (10:00 p.m. – 6:59 a.m.) on all aircraft], and the procedural requirements and schedule for moving forward with the application process.

Tom Ryan, legal counsel, reviewed the FAA's six statutory requirements to be met by the curfew application.

Councilmember Holden, former Councilmember Joyce Streater, and Frank Logan (Pasadena representatives on the Burbank-Glendale-Pasadena Airport Authority), commented on the importance of the mandatory curfew, reasons for supporting the curfew, and possible arguments that will be presented in opposition to the curfew.

Councilmember Tyler asked that information be provided on the potential for future growth at the airport under the proposed curfew restriction when this matter is brought back to Council for consideration of a resolution on the curfew application.

The Mayor indicated that a staff report and resolution in support of the curfew application would be presented for

Council consideration at a future date, and that an attempt would be made to adhere to the Airport Authority's preference to have a resolution from the City in time to be delivered during a future trip to Washington by a delegation of Mayors representing the Airport Authority cities or in time to be included in the public docket which will close on May 14, 2008.

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

Dr. Glovioell Rowland, Code Enforcement Commission Chair, thanked the following field representatives for their assistance in filling vacancies on the Commission: Tina Williams for Jacque Robinson (District 1), Vannia De La Cuba for Councilmember Gordo (District 5), and Rhonda Stone for Vice Mayor Haderlein (District 4).

Jon Fuhrman, Pasadena resident, encouraged the Council and Municipal Services to explore sending out the utility bills by email as a part of the City's efforts to "go green" and implement the Green City Report 2007.

The Mayor suggested also exploring the use of email to distribute the City's "Pasadena In Focus" newsletter.

The City Manager indicated staff would report back to Council with information on the email proposals.

Julianne Hines, District Director for Assemblymember Anthony Portantino, introduced Adam Carter as the new field representative for the Pasadena area.

Mr. Carter provided information on the 9th Annual Women in Business Awards nomination forms, and made Assemblymember Portantino's newsletter available to the public.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**PUBLIC SAFETY
COMMITTEE**

NO SMOKING IN CERTAIN OUTDOOR PUBLIC PLACES

Vice Mayor Haderlein, Chair of the Public Safety Committee, reported that this item was held at the Committee level to allow time for staff to provide additional information and conduct additional outreach to the business community. He noted that the item should be scheduled for the Public Safety Committee meeting on May 5, 2008.

On order of the Mayor, the above item was held to May 5, 2008.

CONSENT CALENDAR

Vice Mayor Haderlein was excused at 7:21 p.m.

**AUTHORIZATION TO ENTER INTO CONTRACTS WITH
PTM GENERAL ENGINEERING SERVICES AND
PERRY C. THOMAS TO PROVIDE LABOR AND MATERIALS
FOR CONSTRUCTION OF UNDERGROUND ELECTRICAL
CONDUIT SYSTEMS IN VARIOUS LOCATIONS FOR THE
WATER AND POWER DEPARTMENT**

Recommendation of City Manager:

- (1) Accept the bid dated February 26, 2008 submitted by PTM General Engineering Services in response to Specifications LD-08-3 for construction of underground electrical conduit equipment along Santa Barbara, Allen and Hastings Ranch Drive and authorize a contract to PTM General Engineering Services not to exceed \$560,020, which includes the base amount of \$509,109 plus a 10% contingency of \$50,911 for any necessary change orders;
- (2) Accept the bid dated February 27, 2008 submitted by Perry C. Thomas Construction in response to Specifications LD-08-2 for construction of underground electrical conduit equipment along Michigan Avenue, Rose Avenue, and Catalina Avenue and authorize a contract to Perry C. Thomas not to exceed \$707,069, which includes the base amount of \$642,790 plus a 10% contingency of \$64,279 for any necessary change orders;
- (3) Reject all other bids; and
- (4) Acknowledge that the project is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act [Public Resources Code Section 21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 30 Section 15330 (Minor Actions to Prevent, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances)]. (Contract Nos. 19,567 and 19,568)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH MUELLER SERVICE CALIFORNIA, INC., DBA MUELLER SERVICE COMPANY FOR PROVIDING UTILITIES MAINTENANCE SERVICES FOR PASADENA WATER AND POWER DEPARTMENT, SPECIFICATION WD-07-05

Recommendation of City Manager:

- (1) Accept the bid dated February 28, 2008 submitted by Mueller Service California, Inc., dba Mueller Service Company, in response to Specification WD-07-05, for Providing Utilities Maintenance Services for Pasadena Water and Power Department;
- (2) Reject all other bids; and
- (3) Authorize the City Manager to issue a contract for a two-year period to Mueller Service California, Inc., dba Mueller Service Company, with two optional one-year extensions. The contract shall not exceed \$750,000 annually for Items A through F listed in the agenda report. (Contract No. 19,569)

In response to Councilmember Tyler's questions, the City Manager indicated that clarification on the scope of work to be performed by the contractor (as to whether the contractor's work is related to the water infrastructure improvement program workplan and not within the normal scope of work that is usually performed by City staff) will be provided to Council.

ACCEPTANCE OF THE RENEWAL OF GRANT FUNDS FROM THE STATE OF CALIFORNIA, OFFICE OF EMERGENCY SERVICES; AUTHORIZATION TO ENTER INTO A CONTRACT WITH HERITAGE CLINIC, TO OPERATE THE ELDER ABUSE ADVOCACY AND OUTREACH PROGRAM

Recommendation of City Manager:

- (1) Authorize the City Manager to enter into a contract this year and in subsequent years in an amount not to exceed the amount of grant funds received by the City from the State of California Office of Emergency Services without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, to operate the Elder Abuse Advocacy and Outreach Program. The remaining balance will offset the Police Department's administrative costs; and
- (2) Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 19,570)

APPROVAL OF AN AMENDMENT TO THE EMPLOYMENT CONTRACT WITH CITY ATTORNEY MICHELE BEAL BAGNERIS

Recommendation of the Mayor: Approve the amendment to Contract No. 17,080, the Employment Agreement between the City of Pasadena and City Attorney Michele Beal Bagneris, effective October 1, 2007; and approve a journal voucher appropriating the necessary funds from the Personnel Reserve to the FY 2008 Operating Budget. (Agreement Amendment No. 17,080-6; Journal Voucher No. 2008-23)

MINUTES APPROVED

March 8, 2008 (Special Meeting)
 March 10, 2008
 March 17, 2008
 March 31, 2008

CLAIMS RECEIVED AND FILED

Claim No. 10,558	Nancy Caffell/Allstate	\$ 8,657.15
Claim No. 10,559	Loretta Cottner	Not stated
Claim No. 10,560	American Frontier Financial	5,400.00
Claim No. 10,561	Vivian Gutierrez as guardian ad litem for Claire Day	25,000.00+
Claim No. 10,562	Vivian Gutierrez as guardian ad litem for Lauren Day	25,000.00+
Claim No. 10,563	James P. Smith	736.00
Claim No. 10,564	Abraham Iwazian	805.24
Claim No. 10,565	Project Resource Group for Charter Communications	5,618.75
Claim No. 10,566	Jane Auerbach	10,000.00+
Claim No. 10,567	Fred Kyle	195.33
Claim No. 10,568	Theresa P. Bucknor	1,090.38
Claim No. 10,569	Project Resource Group for Charter Communications	4,309.16

Claim No. 10,570 Rosemary Haffner 100.00
Claim No. 10,571 Fred Fehl 2,497.76

PUBLIC HEARING SET

April 21, 2008, 7:30 p.m. - Appeal of a Hearing Officer Decision to Disapprove Expressive Use Permit No. 4955 to Relocate the Dance Floor Area for an Existing Restaurant at 61 North Raymond Avenue (Vive Restaurant)

It was moved by Councilmember Gordo, seconded by Councilmember Robinson, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Vice Mayor Haderlein)

PUBLIC HEARING

Vice Mayor Haderlein returned at 7:30 p.m.

CONTINUED PUBLIC HEARING: DESIGNATION OF 1000 EAST CORDOVA STREET AS A LANDMARK

Recommendation of City Manager: It is recommended that the City Council continue the public hearing, at the applicant's request, to June 9, 2008 at 7:30 p.m.

By consensus and on order of the Mayor, the public hearing was continued to June 9, 2008 at 7:30 p.m.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:31 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 7:39 p.m. (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

RECOMMENDATION OF COUNCIL AD HOC COMMITTEE ON THE APPOINTMENTS OF FOUR COMMUNITY MEMBERS TO THE OPEN SPACE ELEMENT ADVISORY COMMITTEE (Councilmember Tyler)

The Mayor introduced the agenda item and distributed a table of information on the 21 applications that were received for the 4 community members' positions on the Open Space Element Advisory Committee and reviewed by the Council Ad Hoc Committee. The Mayor also distributed a list of the following members that had already been designated to the Open Space Element Advisory Committee:

- Madhu Kumar (Roger Gray, Alternate) designated by Environmental Advisory Commission
- Richard Janisch (Carolyn Naber, Alternate) designated by Planning Commission
- Don Bremner (Tim Wendler, Alternate) designated by Recreation and Parks Commission
- Belinda Faustinos designated by San Gabriel River and Mountains Conservancy
- Paul Edleman (Cara McLane, Alternate) designated by Santa Monica Mountains Conservancy

Councilmember Tyler, Ad Hoc Committee member, reported on the Committee's deliberations and selection of the following applicants to be recommended for Council approval: Michael Coppess (District 4), Anne Dove (District 5), Laura Garrett (District 7), and Edwina Travis Chin (District 2), [with Stephen Acker (District 2), and George Wilson (District 6), as Alternates]. He indicated that the applications were evaluated based on the applicant having some expertise in, or knowledge of, open space issues, with consideration given to obtaining a geographic dispersion throughout the City of the membership on the Advisory Committee.

Councilmember Holden, Ad Hoc Committee member, indicated that the Committee had also considered the benefit of an applicant having prior experience on a City commission or advisory body (familiarity with the functioning of an advisory body); commented on the limited number of applications that were submitted, the limited advisory body experience that was reflected in the applications, and the segments of the community that were not represented in the pool of applicants; and noted that the applications were also balanced with the composition of the designated members from the 3 other City advisory bodies and the 2 conservancies. He commented on the caution that was taken to ensure that the Advisory Committee was balanced and not overloaded by a group of advocates.

Councilmember McAustin, Ad Hoc Committee member, noted that the Committee had attempted to bring new people and voices to the process for reviewing and providing input for the Open Space Element.

Councilmember Madison expressed concerns about not having the applications to review prior to ratification of the 4 Council appointments.

Discussion followed on the methodology used by the Ad Hoc Committee in evaluating the applications, issues related to defining open space as this relates to the composition of the Advisory Committee, the balance of advocates for passive environmental use with advocates for active recreational use, the relationship between the Green Space Element and Open Space Element, limitations on the appointments related to the applications that were received, and an option to increase the number of members on the Advisory Committee with a determination of an appropriate application process.

Councilmember Gordo expressed concerns regarding the definition of open space that will be used in the Committee's deliberations; and suggested the Committee use a broad definition for open space that would look at creating open space in the Central District and would incorporate both active

recreational uses (e.g., from a youth activities and sports viewpoint) and traditional passive uses (e.g., from an environmental viewpoint), with all constituencies being represented on the Advisory Committee.

Vice Mayor Haderlein suggested this matter be held for a week to allow time for Council to receive additional information from staff on the charge of the Advisory Committee and the relationship between the Green Space, Recreation and Parks Element/Master Plan and the Open Space Element to determine if the Committee membership should be expanded to include representation for recreational users. He indicated that at some time before the adoption of the Open Space Element, there will be a need to reconcile competing Elements/Master Plans that call for different uses of the same parcel of land (park vs. open space).

The Mayor affirmed that Council could approve an increase in the number of members on the Advisory Committee; and suggested staff review what has been accomplished over the past two years and what is set out to be accomplished over the next two years in regards to recreation/parks and open space planning to assist in determining if the areas of recreation and parks have been adequately dealt with in the Green Space, Recreation and Parks Element and will not need to be addressed in the Open Space Element.

Councilmember Tyler suggested staff provide information on the scope of the Open Space Element/Master Plan and the scope of the Green Space, Recreation and Parks Element/Master Plan.

Following discussion and by consensus, this matter was continued to April 21, 2008 or such time as is necessary, to allow staff to provide a report with additional information as requested above regarding the Open Space Element and the Green Space, Recreation and Parks Element.

RESIGNATION OF KENNETH C. HARDY FROM THE HUMAN RELATIONS COMMISSION (District 6 Nomination)

RESIGNATION OF KATHY HUANTE FROM THE ARTS & CULTURE COMMISSION (District 1 Nomination)

APPOINTMENT OF META McCULLOUGH TO THE COMMISSION ON THE STATUS OF WOMEN (District 3 Nomination)

REAPPOINTMENT OF JOHN H. BRINSLEY TO THE FIRE AND POLICE RETIREMENT BOARD (At Large/District 4 Nomination)

It was moved by Councilmember Robinson, seconded by Councilmember Tyler, to accept the above resignations with regrets and approve the above appointment and reappointment. (Motion unanimously carried) (Absent: None)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:07 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 8:08 p.m. (Absent: None)

ORDINANCES – FIRST READING

Councilmember Madison recused himself at 8:08 p.m., due to a conflict of interest.

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE FOR THE PARCEL AT 505 SOUTH WILSON AVENUE”

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

AYES: Councilmembers Gordo, Holden, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmember Madison

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) AND AMENDING TITLE 10 (VEHICLES AND TRAFFIC) TO MODIFY TRIP REDUCTION REQUIREMENTS FOR NEW DEVELOPMENT”

Councilmember Madison returned at 8:11 p.m.

Brandon Ito, CB Richard Ellis representative (Gateway Plaza), expressed concerns regarding what actions constitute noncompliance and how compliance may be achieved, the penalties for noncompliance, and the need to provide incentives for a company’s efforts to improve its trip reduction program.

The City Attorney clarified that incentives are provided through administrative regulations and certain ordinance provisions are intended to meet the goals for traffic flow and parking and give some “teeth” to the ordinance; and noted that the ordinance does not require compliance but calls for substantially achieving the established average vehicle ridership (AVR) requirement.

Discussion followed on using incentives rather than disincentives to achieve compliance, and flexibility in achieving the AVR requirement.

The City Manager indicated staff would be returning within six months with a discussion of incentives to help businesses achieve their AVR goals.

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

AYES: Councilmembers Gordo, Holden, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: None

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

RECOMMENDATION FOR A NEW CITY COUNCIL YOUTH, FAMILIES AND NEIGHBORHOODS AD HOC COMMITTEE

Recommendation of City Manager: It is recommended that the City Council:

- (1) Transfer the responsibilities of the Committee on Youth Development and Violence Prevention from the current multi-jurisdictional Committee to a new City Council Youth, Families and Neighborhoods Ad Hoc Committee. Membership to the Ad Hoc Committee will be comprised of four Councilmembers;
- (2) Recognize that the City Manager will establish a working group of City employees charged with carrying out the objectives of the new Ad Hoc Committee;
- (3) Approve a journal voucher appropriating \$50,000 from the unappropriated General Fund balance to non-departmental account to cover anticipated expense necessary to carry out the goals and objectives of the Council Ad Hoc Committee which may include consultant services;
- (4) Request that the Council Ad Hoc Committee provide an interim report to the full City Council within six months and a final report within one year; and
- (5) Upon acceptance of the final report by City Council, dissolve the Youth, Families, and Neighborhoods Ad Hoc Committee. (Journal Voucher No. 2008-24)

The Mayor, Chair of the Committee on Youth Development and Violence Prevention (CoYD&VP), introduced the agenda item, and expressed gratitude to all members of the Committee (including Councilmembers Gordon, Madison, and Robinson) for their past work. He commented on and distributed a report titled "Subcommittee for Master Plan Consultant Selection, Management, Staffing and Budget Recommendation to the Pasadena-Altadena Committee on Youth Development and Violence Prevention - February 15, 2008 Report".

Councilmember Gordo thanked all those persons who took time to attend the meetings and give testimony, especially the young people at the forums held at Robinson Park and at the Villa-Parke Community Center.

The City Manager reviewed the agenda report, commented on the activities that are already occurring and the need for an overarching strategic statement, and responded to questions. He proposed that the following deliverables be included in the Council Ad Hoc Committee's final report: 1) a catalogue of existing resources, 2) an identification of needs of the community's young people with an analysis of whether or not the needs are being met or where the gaps are, and 3) a set of strategic steps that could be taken to bridge the gaps (with costs). He clarified that formation of the working group did not contemplate the addition of any City staffing and would be accomplished with existing staff.

Councilmember Robinson, CoYD&VP Vice Chair, discussed problems experienced by the Committee in vetting everything through four jurisdictional bodies, with the primary funding/staffing resources provided by the City; and noted that the new Council Ad Hoc Committee should provide greater efficiency, with a focus on actions to be taken (a master document with short-, medium-, and long-term goals to be met as benchmarks/measurable outcomes). She expressed support for continued participation by the various agencies/jurisdictional bodies and the community that have been involved in the process, and for use of the CoYD&VP Subcommittee's report as a starting point for the Council Ad Hoc Committee in moving forward. She suggested the new committee carry the same name as the original committee, and also suggested incorporation of a component consisting of community engagement groups focused on specific areas that would work with the working group.

Discussion followed on the rationale for restructuring the CoYD&VP into the new Council Ad Hoc Committee; composition of the working group; roles in the Council Ad Hoc Committee for the various agencies/jurisdictional bodies that were involved in the original Committee; the development of a strategic plan/statement to address identified youth development and crime prevention issues; and the relationship between the Council Ad Hoc Committee and the working group.

Councilmember Gordo suggested the Council Ad Hoc Committee discuss an option to reconstitute the Commission on Children, Youth, and Families and consider broadening the scope of the Commission to add education and coordination of efforts with Pasadena Unified School District (PUSD) and Pasadena Community College (PCC) so that the Commission could assist and guide staff in implementing the plan that is developed by the Council Ad Hoc Committee. He affirmed that "youth" should be defined to include a group up to age 24, and jobs and job training should be included in the plan.

The following persons spoke in support of the transfer from the CoYD&VP to the proposed Council Ad Hoc Committee and/or offered suggestions in moving forward (e.g., broad community involvement, a stress on education, long-term community involvement, use of a community-based gang intervention model, targeting at-risk youth and those who have dropped out of the school system, inclusion of experts on the issues, inclusion of parks/recreation and library staffs, need to support transitional adults, involvement of youth, inclusion of job preparation, providing mental health services, and inclusion of mentoring and vocational opportunities):

Dawn O'Keeffe, Invest in PUSD Kids member
Michael de la Rocha, City of Los Angeles Human Relations Commission representative
Bobby Arias, Communities in Schools President and Western Justice Center Board member
Christina Hale-Naradi, Invest in PUSD Kids member and Pasadena LEARNS Program Coordinator
Oralia Garza de Cortez, Invest in PUSD Kids member and One LA representative
Renatta Cooper, PUSD Board member speaking as an individual
Karen Aydelott, Asset Development Network representative
Gary Moody, Crown Cities Community Development Corporation representative, submitted an informational flier on the organization's programs.
John Smith, Neighbors Empowering Youth, Inc., Executive Director
Inez Yslas, Pasadena Latino Forum and American Civil Liberties Union (ACLU) – Pasadena Chapter representative, asked Council to support HR 3846, Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support and Education ("Youth PROMISE") Act" and to ask Congressman Adam Schiff to retract HR 3547, Gang Prevention, Intervention and Suppression Act.

The following person spoke in opposition to the transfer from the CoYD&VP to the proposed Council Ad Hoc Committee and expressed concerns/suggestions regarding the process in moving forward (e.g., need for support staff; and inclusion of PUSD, PCC, Altadena as nonvoting Ad Hoc Committee members):

Jeanette Mann, PCC Board Trustee speaking as an individual

Discussion continued on engagement of the community and various agencies/jurisdictions in the process, the role of the Council as a whole in the process, the need to maintain youth

involvement in the process, completion of an inventory of services being provided, prior appropriation of funds for the CoYD&VP, and proposed funding of the Council Ad Hoc Committee.

Councilmember Holden suggested consideration of a concept in which the Council as a whole would take on the process going forward, rather than delegate the process to a Council Ad Hoc Committee, with the Council to create collaborative relationships with the other policy boards and direct the implementation of the plan.

The Mayor commented on the need to clarify/determine: the level of staffing needed during the process; the status of the CoYD&VP's consultant proposal; how to maintain effective, working relationships with the other agencies involved in the process; how to maintain communication with the public and young people on an ongoing basis; possible formation of a commission on youth, families and education; and how to give appropriate and affordable support to existing programs that are making a difference (e.g., Pasadena NOW, Amer-I-Can, and Safe Streets).

Councilmember Madison expressed support for expanding the Safe Schools Program into the middle schools, and stated his interest in serving on the Council Ad Hoc Committee.

The City Attorney advised that discussion of membership on the Council Ad Hoc Committee should be agendaized for a future Council meeting.

Councilmember McAustin expressed support for the idea of building on the work of the CoYD&VP and some kind of participation by the Council as a whole on a going forward basis, suggested the format of the Pasadena Policy on Children, Youth and Families Update 2006 be used in describing the actions to be taken and the steps that can be implemented in addressing issues involving at-risk youth, and stressed the need for a clear implementation plan that can be considered by the Council.

The City Manager indicated staff would review the prior appropriation of any funding for the work of the CoYD&VP or the consultant proposal.

Councilmember Robinson asked staff to provide information on the Amer-I-Can Program and any funding provided by the City for this program.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the City Manager's recommendation, with the understanding that

the first order of business for the Council Ad Hoc Committee will be to provide answers to some of the questions raised (e.g., transitioning to an Ad Hoc Committee, the full Council, or a commission), and that the focus of the Council Ad Hoc Committee will be youth as defined to include a group up to age 24. (Motion unanimously carried) (Absent: None)

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 14.90 OF THE PASADENA MUNICIPAL CODE RELATING TO GREEN BUILDING PRACTICES” (Introduced by Councilmember Gordo) (Ordinance No. 7137)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Holden, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: None

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

LEGISLATIVE POLICY COMMITTEE

SUPPORT FOR AB 2280 (SALDANO) – DENSITY BONUS

Recommendation of City Manager: It is recommended that the City Council:

(1) Support AB 2280 (Saldano) and authorize the Mayor to transmit correspondence to the appropriate authorities; and
(2) Direct staff to work with the City’s legislative advocate to identify the appropriate vehicle to propose further amendments that would limit the application of State density bonus law to cities that do not produce affordable housing.

The Mayor, Chair of the Legislative Policy Committee, introduced the agenda item.

Stephanie DeWolfe, Acting Assistant City Manager, reviewed the agenda report and responded to questions.

The City Manager commented on the need for a regional approach in proposing legislation to address the problems stemming from the current density bonus law.

Discussion followed on the need to protect against additional legislation that allows local development standards to be overridden, an option for future legislation that would apply State density bonus law only to cities that do not provide for the production of affordable housing, and the need to confirm that the City has taken all of the legal steps it can in maintaining local control of development standards.

Councilmember Gordo suggested the City also send a message to the State legislature that, although the City supports AB 2280, the City does not support the erosion of local control of local development standards and density

issues. He also suggested the City actively pursue potential legislation and/or amendments (as outlined on page 2 of the agenda report), and that this message be sent to the League of California Cities so that the League can also support the City's position on legislation involving density and the protection of local development standards issues.

Councilmember Tyler commented on and distributed a letter dated September 24, 2007 from Los Angeles County Supervisor Zev Yaroslavsky to City of Los Angeles Mayor Antonio Villaraigosa regarding proposed actions that could be taken to minimize the negative impacts of the State's density bonus law. He suggested staff review the proposed measures in the letter to be used as examples in developing measures to present to Council on how the City can address the density bonus issues.

The Mayor suggested staff confirm that the City has already done all that it can to protect the integrity of the City's current zoning policies and provisions, and whether there is anything further that can be done within the City's jurisdiction to maintain local control.

The City Attorney confirmed that outside legal counsel had already reviewed the City's Zoning Code, and that staff would work to develop the proposed legislation for Council discussion.

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

JUNE 2008 BALLOT PROPOSITIONS REGARDING EMINENT DOMAIN: SUPPORT PROPOSITION 99 (HOMEOWNERS PROTECTION ACT) AND OPPOSE PROPOSITION 98 (CALIFORNIA PROPERTY OWNERS AND FARMLAND PROTECTION ACT)

Recommendation of City Manager: It is recommended that the City Council oppose Proposition 98 (California Property Owners and Farmland Protection Act) and support Proposition 99 (Homeowners Protection Act).

The Mayor introduced the agenda item. He noted that Marvin Schachter, AARP representative, had requested to speak on this item but was unable to be in attendance when the item was presented, and that Mr. Schachter had submitted written information on AARP's positions to oppose Proposition 98 and support Proposition 99.

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

PUBLIC SAFETY
COMMITTEE

NOISE RESTRICTIONS ORDINANCE

Recommendation of City Manager:

(1) Find that the amendments to Chapter 9.36 of the Pasadena Municipal Code (Noise Restrictions Ordinance) outlined in the agenda report are exempt from review under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) pursuant to State CEQA Guidelines Section 15061(c) (amendments do not change the noise levels allowed in the City, and thus there is no potential significant effect), and Section 15323 (the amendments do not allow increased noise levels at existing facilities for public gatherings).

(2) Direct the City Attorney's Office to return in 60 days with an ordinance to amend Chapter 9.36 of the Pasadena Municipal Code by: (a) adding an interior noise standard; (b) deleting all references to Noise Districts; (c) adding noise exemptions; and (d) re-formatting the ordinance to enhance its accessibility to the general public.

Vice Mayor Haderlein, Chair of the Public Safety Committee, summarized the agenda report and responded to questions.

Councilmember McAustin, Public Safety Committee member, reported that the Committee had asked staff to make every effort to ensure that City equipment and operations comply with the noise ordinance and the City's efforts to be a more environmentally friendly city, in spite of the exemption for the City provided under the ordinance.

Discussion followed on the use of amplified sound on private property, complications related to adding a requirement for a permit for amplified sound on private property, and noise issues involving leaf blowers.

Councilmember Tyler suggested staff review the leaf blower ordinance as this relates to noise issues and ensuring compliance with the ordinance by gardeners.

Following discussion, it was moved by Vice Mayor Haderlein, seconded by Councilmember Gordo, to approve the City Manager's recommendation, with the understanding that staff will review the leaf blower ordinance and present a report to the Public Safety Committee at a future meeting. (Motion unanimously carried) (Absent: None)

COUNCIL COMMENTS

Councilmember Gordo commented on the City's ability to place WiFi hotspots for the Police Department throughout the City, which would allow officers to write reports in the field; and asked staff to pursue placing these hotspots in targeted areas (e.g., near problem liquor stores, areas where day laborers are congregating, or areas where a police presence is needed).

He suggested staff include costs for the hotspots in the Fiscal Year 2009 budget.

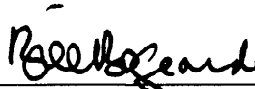
The City Manager indicated that the Police Department was currently working on a WiFi component as part of a major technology proposal, and an update on the project could be presented to Council in the next 30-60 days.

Councilmember Holden commented on possible impacts of the current downturn in the residential building/construction economy and tightening of the lending market on projects being permitted and built, which could make it necessary for the City to return permit fees because of the developers' need for additional time to put together a financial package. He requested that a discussion of a potential emergency ordinance to extend the term for residential building permits for construction projects be agendized as soon as possible.

The City Manager indicated he would look into the above matter with staff.

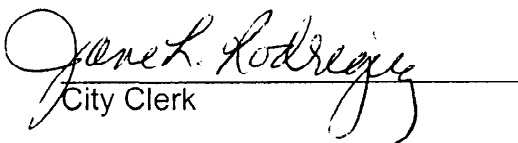
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:01 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Janet L. Rodriguez
City Clerk