

CITY OF PASADENA
City Council Minutes
June 1, 2009 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:43 p.m.
(Absent: None)

On order of the Mayor, the regular meeting recessed at 5:43 p.m., to discuss the following closed sessions:

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

City Representative: Karyn S. Ezell

Employee Organization: Pasadena Management Association

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

Property Location: 78 North Marengo Avenue

Agency Negotiators: Michael J. Beck and Richard Bruckner

Negotiating Party: Gregson M. Perry

Under Negotiation: Price and terms of payment

Councilmembers McAustin and Tornek were excused at 6:35 p.m.

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 6:35 p.m. The Pledge of Allegiance was led by Councilmember Madison.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Steve Madison
Councilmember Margaret McAustin (Returned at 6:38 p.m.)
Councilmember Jacque Robinson
Councilmember Terry Tornek (Returned at 6:38 p.m.)

Staff:

City Manager Michael J. Beck
City Attorney Michele Beal Bagneris
City Clerk Mark Jomsky

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

Councilmembers McAustin and Tornek returned at 6:38 p.m.

Christian Perry, Pasadena resident, invited the Council and community to an open house for the Rose City Ballroom on June 5, 2009, and submitted an informational card on the services being offered at the Ballroom.

Miriam Nakamura-Quan, Southern California Residents Engaged Against Cell Towers (REACT) representative, informed Council on a Federal Communications Commission (FCC) Notice of Inquiry seeking public input on a National Broadband Plan; urged the City to respond to the Inquiry and to join other government entities in asking for revision or repeal of the Telecommunications Act provision on negative health effects of emissions; and asked the Council not to adopt the proposed wireless telecommunications ordinance to be heard at a future Council meeting.

Mary Dee Romney, Pasadena resident, outlined the education and career credentials for the next speaker, David Powell.

David Powell, Pasadena resident, expressed concerns regarding the City's approach to current water drought issues and possible impacts of this approach on the Raymond Basin, as this relates to water runoff.

Councilmember McAustin, Chair of the Municipal Services Committee (MSC), invited Mr. Powell to come to the next MSC meeting and provide additional comments on the drought issue at that time.

Jon Brookhart, Pasadena resident, asked the City to provide an attorney for him regarding his dispute with the City involving an issue related to his position as a Code Enforcement Commissioner, and asked that the issues of providing an attorney and issuing City business cards for all commissioners be agendized for the next Council meeting.

Bill Watkins, Pasadena resident, asked that citizens obey the law, and suggested changes in the order of the agenda.

Victor Gonzalez, Mexica Nation representative, expressed concerns regarding the negative impacts of a proposed Las Encinas Hospital project and the apparent lack of cooperation from the developer in providing information on the project.

Councilmember Haderlein (representing the District in which the proposed project is located) indicated he would contact Mr. Gonzalez about his concerns.

CEREMONIAL MATTERS

ORAL PRESENTATION BY TIM BRICK, CITY'S REPRESENTATIVE ON THE METROPOLITAN WATER DISTRICT BOARD

Tim Brick, City's representative on the Metropolitan Water District (MWD) Board, provided a PowerPoint presentation with an update on the status of the drought outlook, current water supply resources, and MWD's water allocation plan and rates; and responded to questions regarding the overwatering of lawns/landscapes and the replenishment of the underground water basin.

On order of the Mayor, the information was received.

CONSENT CALENDAR

Item discussed separately, due to a request for public comment.

APPROVE A LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND OMNIPOINT COMMUNICATIONS, INC., A SUBSIDIARY OF T-MOBILE USA, INC., FOR THE INSTALLATION OF PRIVATE IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY ALONG OAK KNOLL AVENUE AT ALPINE STREET

CONTRACT AWARD TO CSI ELECTRICAL CONTRACTORS, INC., FOR THE INSTALLATION OF TRAFFIC SIGNALS ON FAIR OAKS AVENUE AT FILLMORE STREET AND AT VARIOUS LOCATIONS, FOR AN AMOUNT NOT TO EXCEED \$303,000

Recommendation of City Manager:

(1) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (minor alterations involving negligible expansion of use beyond that previously existing) pursuant to the findings of the Secretary of the Resources Agency; and

(2) Accept the bid dated May 20, 2009, submitted by CSI Electrical Contractors, Inc., in response to the Specifications for the Installation of Traffic Signals on Fair Oaks Avenue at Fillmore Street and at Various Locations, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$303,000. (Contract No. 19,926)

Item discussed separately at the request of Councilmember McAustin.

APPROVAL OF FINAL TRACT MAP NO. 064544, BEING A FIVE-UNIT CONDOMINIUM PROJECT, AT 49 NORTH MICHIGAN AVENUE

ADOPTION OF A RESOLUTION TO CONSIDER GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISE RENEWALS AND SETTING A PUBLIC HEARING

Recommendation of City Manager:

(1) Acknowledge that the non-exclusive franchise system ordinance is categorically exempt from the California Environmental Quality Act (CEQA). A Notice of Exemption has been filed with the Los Angeles County Clerk;

(2) Adopt a Resolution declaring its intention to consider granting renewal of a non-exclusive franchise to three existing

franchises;

(3) Set a public hearing for June 22, 2009, at 7:30 p.m. to consider granting these franchises; and

(4) Direct the City Clerk to publish the Resolution at least once in a newspaper of general circulation in the City not less than ten days prior to the date set for the hearing. (Resolution No. 8948)

Item discussed separately at the request of Councilmember Madison.

AUTHORIZE CONTRACTS WITH UTILITY DATA CONTRACTORS FOR \$400,000 AND AVINEON, INC., FOR \$750,000 FOR THE WATER AND POWER DEPARTMENT GEOGRAPHIC INFORMATION SYSTEM PROJECT

CONTRACT AWARD TO VASILJ, INC., FOR 2009 SEWER CAPACITY UPGRADES FOR AN AMOUNT NOT TO EXCEED \$410,000

Recommendation of City Manager:

(1) Acknowledge the project to be categorically exempt under the California Environmental Quality Act in accordance with Title 14, Chapter 3, Class 1 and 2, Sections 15301 and 15302, minor alterations of existing public facilities involving a negligible expansion of the use; and

(2) Accept the bid dated May 13, 2009, submitted by Vasilj, Inc., for 2009 Sewer Capacity Upgrades; reject all other bids received; and authorize the City Manager to enter into such contract for a not to exceed amount of \$410,000. (Contract No. 19,927)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PERRY C. THOMAS CONSTRUCTION, INC., TO PROVIDE LABOR AND MATERIALS FOR CONSTRUCTION OF A REINFORCED CONCRETE OIL CONTAINMENT SYSTEM AT THE EASTERN SUBSTATION FOR AN AMOUNT NOT TO EXCEED \$192,452

Recommendation of City Manager:

(1) 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); and

(2) Accept the bid dated May 5, 2009 submitted by Perry C. Thomas Construction, Inc., in response to Specification LD-09-07, to provide labor and materials for Construction of a Concrete Oil Containment System at the Eastern Substation for the Water and Power Department; reject all other bids; and authorize a contract with Perry C. Thomas not to exceed \$192,452. (Contract No. 19,928)

ADOPT A RESOLUTION GRANTING CONSENT TO THE FORMATION OF AN ASSESSMENT DISTRICT BY THE CITY OF LA CANADA FLINTRIDGE

Recommendation of City Manager:

- (1) Acknowledge the Mitigated Negative Declaration approved by the City Council of La Cañada Flintridge in September 2003 for various sewer improvements that included the areas within the proposed assessment district, specifically, La Cañada Flintridge Sewer Project Areas 5, 6E and 6J. It should be noted that an addendum to the subject Mitigated Negative Declaration will also be recommended for approval by the City Council of La Cañada Flintridge in July 2009, due to a change in the design concept; and
- (2) Adopt a resolution granting consent to the formation of an assessment district by the City of La Cañada Flintridge for four parcels partially located within the City of Pasadena. (Resolution No. 8949)

ADOPTION OF RESOLUTION AUTHORIZING A GRANT APPLICATION FOR THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FOR AN ENERGY EFFICIENCY LIGHTING RETROFIT PROJECT - FEDERAL STIMULUS PROGRAM

Recommendation of City Manager: Adopt a resolution authorizing an application for the 2009 Energy Efficiency and Conservation Block Grant program in the amount of \$1,507,800 for an Energy Efficiency Lighting Retrofit Project. (Resolution No. 8950)

MINUTES APPROVED

March 30, 2009
 April 6, 2009
 April 13, 2009
 April 20, 2009

CLAIMS RECEIVED AND FILED

Claim No. 10,872	Andre Temurian, c/o Gronemeier and Associates, PC	\$ 25,000.00+
Claim No. 10,873	Michael A. Scaffidi, Attorney for Shirley Fay Haselhuhn	25,000.00+
Claim No. 10,874	Alfred H. Chan, Attorney for Yi Li Zhang	25,000.00+
Claim No. 10,875	Adrienne McLaurin	1,295.00+
Claim No. 10,876	Credit Solutions Corporation	Not Stated
Claim No. 10,877	Chris Corrado	1,889.56+
Claim No. 10,878	I. Mark Bledstein, Esq. for Katherine Smith	10,000.00+
Claim No. 10,879	AT&T/Diane Mancini	214.23
Claim No. 10,880	Dennis R. Fusi, Attorney for Rina Chavez	Not stated

PUBLIC HEARING SET

June 15, 2009, 7:30 p.m. - Series IV Zoning Code Amendments

It was moved by Vice Mayor Gordo, seconded by Councilmember McAustin, to approve the Consent Calendar, with the exceptions of Item 1 (Agreement with Omnipoint Communications, Inc.), Item 3 (Approval of Final Tract Map No. 064544), and Item 5 (Purchase Order Contract with Utility Data Contractors and Contract with Avineon, Inc.), which were discussed separately. (Motion unanimously carried) (Absent: None)

CONSENT ITEMS
DISCUSSED SEPARATELY

APPROVE A LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND OMNIPOINT COMMUNICATIONS, INC., A SUBSIDIARY OF T-MOBILE USA, INC., FOR THE INSTALLATION OF PRIVATE IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY ALONG OAK KNOLL AVENUE AT ALPINE STREET

Recommendation of City Manager:

(1) Find that the activity described in the License Agreement is determined to be categorically exempt, Class 1, as approved by Minor Conditional Use Permit No. 4808, and no further environmental review is required; and

(2) Authorize the City Manager to enter into a License Agreement with Omnipoint Communications, Inc., for the property located on Oak Knoll Avenue at Alpine Street, with terms and conditions as set forth in the License Agreement. (Agreement No. 19,929)

The following persons spoke in opposition to the agreement and/or suggested changes to the agreement provisions:

Nadine Rondinella, Oak Knoll Neighborhood Association member

Miriam Nakamura-Quan, Oak Knoll Neighborhood Association member, submitted a map of cell coverage for the area in question.

Nancy Nelson, Pasadena resident

The City Attorney confirmed that the above license agreement was based on a settlement agreement that had been agreed to by the City and T-Mobile USA, Inc. and approved by the court.

Dan Rix, City Engineer, responded to questions about the terms of the agreement.

Javan Rad, Deputy City Attorney, responded to questions regarding legal restrictions in the agreement.

Paul Gerst, Sequoia Deployment Services (representative for T-Mobile USA, Inc.), responded to questions regarding the proposed project, and indicated that the licensee would be willing to perform a post-installation test and report the results to staff.

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

APPROVAL OF FINAL TRACT MAP NO. 064544, BEING A FIVE-UNIT CONDOMINIUM PROJECT, AT 49 NORTH MICHIGAN AVENUE

Recommendation of City Manager:

- (1) Adopt a resolution to approve Final Tract Map No. 064544; and
- (2) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 8951)

Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the policy on granting extensions on the processing of tract maps.

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

AUTHORIZE CONTRACTS WITH UTILITY DATA CONTRACTORS FOR \$400,000 AND AVINEON, INC., FOR \$750,000 FOR THE WATER AND POWER DEPARTMENT GEOGRAPHIC INFORMATION SYSTEM PROJECT

Recommendation of City Manager:

- (1) Authorize a purchase order contract with Utility Data Contractors (UDC) in an amount not to exceed \$400,000 to provide technical engineering program management services for the Water & Power Department's Geographical Information System (GIS);
- (2) Grant the proposed purchase order an exemption from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services; and
- (3) Accept the proposal submitted by Avineon, Inc., in response to a Request for Proposals, reject all other proposals and authorize the City Manager to enter into a contract with Avineon Inc., in an amount not to exceed \$750,000 to provide regular data maintenance, circuit clean-up, ad hoc data updates and data quality standardization for the Water and Power Department's Electrical GIS. (Contract No. 19,930)

Joe Awad, Assistant General Manager/Customer Relations, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

The City Manager outlined the benefits of this technology, and responded to questions.

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

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: RECOMMENDED FISCAL YEAR 2010 OPERATING BUDGET AND FISCAL YEAR 2010-2014 CAPITAL IMPROVEMENT PROGRAM

Recommendation of City Manager: Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 7:30 p.m. until June 15, 2009, or such other later date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the Fiscal Year 2010 Operating Budget and the Fiscal Year 2010-2014 Capital Improvement Program Budget.

The Mayor announced now was the time for the continued public hearing.

The City Manager introduced the agenda item, and commented on the City budget update that would be provided to Council in September 2009.

Andy Green, Director of Finance Department, provided the following information as part of a PowerPoint presentation: background information on the ongoing State fiscal crisis, an update on the proposed State budget, an overview of the State budget's possible financial impacts on the City's, and a preliminary plan for the City's budget process; and responded to questions.

Councilmember McAustin suggested that the CalPERS pension cost increases be agendized for the Council's next strategic planning workshop.

The Mayor noted that employee pension and benefits costs issues were to be addressed by the Council at a future date.

Councilmember Holden, Chair of the Finance Committee, reported the budgets for the departments of Library and Information Services, Finance, Fire, Housing, City Clerk, and City Manager had been discussed at the budget workshop/special joint meeting of the City Council and Finance Committee held on June 1, 2009 at 3:00 p.m., which finished the departmental reviews. He highlighted issues involving public safety and staffing that had been flagged for further discussion, commented on the need to provide resources for the General Plan Update, and noted that the budget was on schedule to be adopted by the Council at its meeting of June 15th.

The following persons commented on the status of the State budget issues:

Tahra Goraya, District Office Director for State Senator Carol Liu
Adam Carter, Field Representative for Assemblymember Anthony Portantino

It was moved by Councilmember Holden, seconded by Vice Mayor Gordo, to continue the public hearing to June 8, 2009 at 7:30 p.m. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING: FISCAL YEAR 2010 AMENDMENTS TO THE GENERAL FEE SCHEDULE

Recommendation of City Manager: Approve the Fiscal Year 2010 Amendments to the General Fee Schedule, including the following fees: ambulance, environmental health, Housing compliance monitoring, historical preservation and miscellaneous refuse fees. These amended fees shall take effect on July 1, 2009.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on May 1, 2009 in the Pasadena Star-News; and no correspondence was received.

Paula Hanson, Budget Administrator, summarized the agenda report.

Paul Little, Chamber of Commerce President and Chief Executive Officer, thanked staff and the City for phasing in the proposed increases for the environmental health fees.

It was moved by Councilmember Holden, seconded by Councilmember McAustin, to close the public hearing. (Motion unanimously carried) (Absent: None)

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

PUBLIC HEARING: APPROVAL OF SUBMISSION TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF A SECOND SUBSTANTIAL AMENDMENT TO 2008/2009 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT RECOVERY PROGRAM - STIMULUS FUNDING

Recommendation of City Manager: It is recommended that upon close of the public hearing, the City Council adopt a resolution:

(1) Authorizing the submittal of the U.S. Department of

Housing and Urban Development (HUD) of a Second Substantial Amendment to the Consolidated Plan 2008-2009 Action Plan for the Community Development Block Grant Recovery Program (CDBG-R) consistent with the guidelines outlined in the agenda report; and
(2) Authorizing the City Manager to execute, and the City Clerk to attest, the Second Substantial Amendment and all other related documents, agreements and certifications and to take all other actions necessary to implement the program. (Resolution No. 8952)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on May 22, 2009 in the Pasadena Star-News; and no correspondence was received.

Bill Huang, Director of Housing Department, reviewed the agenda report as part of a PowerPoint presentation.

Tim Peters, Door of Hope Executive Director, expressed support for continued funding of services for the homeless under the City's various programs.

It was moved by Councilmember Holden, seconded by Vice Mayor Gordo, to close the public hearing. (Motion unanimously carried) (Absent: None)

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

In response to the Mayor's questions, the City Manager indicated that the task force report on the Pasadena Enterprise Center had been recently completed and would be presented to the Economic Development and Technology Committee for their review.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

Councilmember McAustin was excused at 8:45 p.m.

SCHEDULE OF TAXES, FEES, AND CHARGES

Recommendation of City Manager: It is recommended that the City Council receive and file the Schedule of Taxes, Fees and Charges attached to the agenda report.

Councilmember Holden, Chair of the Finance Committee, summarized the agenda report.

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

AMENDMENT NO. 2 TO CONTRACT NO. 19,747 WITH DIVERSIFIED LANDSCAPE MANAGEMENT INC., TO INCREASE THE TOTAL NOT TO EXCEED AMOUNT BY \$88,000 FROM \$234,050 TO \$322,050 FOR EXPANSION OF THE NEW YORK DRIVE MEDIAN ISLAND PROJECT

Recommendation of City Manager:

(1) Amend Contract No. 19,747 with Diversified Landscape Management, Inc., to increase the contract by \$88,000 for a total not to exceed amount of \$322,050 for additional scope of work as part of the Landscaping of New York Drive Median Islands project;

(2) Approve a journal voucher recognizing and appropriating \$78,000 of Commercial Development Fees - East to the New York Drive Median Islands project, Budget Account 78803;

(3) Recognize and appropriate \$10,000 in funding from the Office of Los Angeles County Supervisor Michael Antonovich to the New York Drive Median Islands project, Budget Account 78803; and

(4) For the reasons set forth in the body of the report, find that this amendment is not subject to competitive bidding, based upon the doctrine of impracticality, and that the interest of the public would not be served by a further bid process. (Contract Amendment No. 19,747-2; Journal Voucher No. 2009-28)

Councilmember Holden summarized 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 McAustin)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

AUTHORIZE THE EXECUTION OF A JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE CITY OF PASADENA AND THE EXISTING MEMBERS OF FOOTHILL TRANSIT, THE COUNTY OF LOS ANGELES AND THE CITIES OF ARCADIA, AZUSA, BALDWIN PARK, BRADBURY, CLAREMONT, COVINA, DIAMOND BAR, DUARTE, EL MONTE, GLENDORA, INDUSTRY, IRWINDALE, LA HABRA HEIGHTS, LA PUENTE, LA VERNE, MONROVIA, POMONA, SAN DIMAS, SOUTH EL MONTE, TEMPLE CITY, WALNUT, AND WEST COVINA FOR THE PURPOSE OF MEMBERSHIP IN FOOTHILL TRANSIT

Recommendation of City Manager: Authorize the execution of a joint exercise of powers agreement between the City of Pasadena and the existing members of Foothill Transit, the County of Los Angeles and the Cities of Arcadia, Azusa, Baldwin Park, Bradbury, Claremont, Covina, Diamond Bar, Duarte, El Monte, Glendora, Industry, Irwindale, La Habra Heights, La Puente, La Verne, Monrovia, Pomona, San Dimas, South El Monte, Temple City, Walnut, and West Covina for the purpose of membership in Foothill Transit. (Agreement No. 19,931)

Councilmember McAustin
returned at 8:49 p.m.

Fred Dock, Director of Transportation Department, reviewed the agenda report and responded to questions.

Cathi Cole, Transit Manager, responded to questions regarding the terms of the joint powers agreement.

The City Manager outlined the benefits for the City's participation in the joint powers authority.

The City Attorney clarified the limits of the City's legal liabilities under the agreement.

Discussion followed on the benefits of joining the joint powers authority, possible financial exposure as a member of the authority, and improved coordination of the Foothill Transit and City ARTS bus services.

Nancy Nelson, Pasadena resident, expressed concerns regarding traffic violations involving transit buses.

It was moved by Councilmember Haderlein, seconded by Vice Mayor Gordo, to approve the City Manager's recommendation, with staff to provide a review at the end of 14 months on the benefits for the City in participating in the joint powers authority. (Motion unanimously carried) (Absent: None)

APPOINTMENT OF NAT NEHDAR TO THE HUMAN RELATIONS COMMISSION (District 5 Nomination)

APPOINTMENT OF THERESA DORAN TO THE HUMAN SERVICES COMMISSION (PUSD Nomination)

REAPPOINTMENT OF MICHAEL CHECCA TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (District 6 Nomination)

REAPPOINTMENT OF HORTENSE COOPER TO THE COMMUNITY DEVELOPMENT COMMITTEE (Tenant/Senior Nomination)

APPOINTMENT OF FELICIA WILLIAMS TO THE ENVIRONMENTAL ADVISORY COMMISSION (Mayor Nomination)

APPOINTMENT OF SANDRA CLARK DAVIS TO THE HISTORIC PRESERVATION COMMISSION (District 3 Nomination)

APPOINTMENT OF YUNY PARADA TO THE HUMAN SERVICES COMMISSION (District 5 Nomination)

REAPPOINTMENT OF FRED CLAIRE TO THE ROSE BOWL OPERATING COMPANY (District 6 Nomination)

It was moved by Councilmember Holden, seconded by Councilmember Haderlein, to approve the above appointments and reappointments. (Motion unanimously carried) (Absent: None)

RESOLUTION APPROVING ANNUAL REPORT OF THE ADVISORY BOARD OF THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT ("DISTRICT"), DECLARING ITS INTENTION TO LEVY ASSESSMENTS AGAINST HOTEL AND MOTEL BUSINESSES WITHIN THE DISTRICT FOR FISCAL YEAR 2010 AND SETTING A PUBLIC HEARING ON THE LEVY OF THE ASSESSMENTS FOR JUNE 15, 2009, AT 7:30 P.M.

Recommendation of Pasadena Center Operating Company:
Adopt a Resolution approving the annual report of the Advisory Board of the Pasadena Tourism Business Improvement District (the "District") for Fiscal Year 2010, declaring its intention to levy assessments against hotel and motel businesses within the District for Fiscal Year 2010 and setting a Public Hearing on the levy of the assessments on June 15, 2009, at 7:30 p.m. (Resolution No. 8953)

James Canfield, Pasadena Convention Center Executive Director, summarized the agenda report and responded to questions.

It was moved by Councilmember Madison, seconded by Councilmember McAustin, to approve the Pasadena Center Operating Company's recommendation. (Motion unanimously carried) (Absent: None)

ORDINANCES – ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING WATER SHORTAGE PROCEDURES, CHAPTER 13.10 OF THE PASADENA MUNICIPAL CODE, TO ESTABLISH WATER WASTE PROHIBITIONS AND WATER SUPPLY SHORTAGE PLANS" (Introduced by Councilmember McAustin) (Ordinance No. 7165)

The City Attorney confirmed the effective date of the ordinance.

Eric Klinkner, Assistant General Manager/Power Supply, discussed implementation of the water shortage procedures and plan, and a reporting mechanism for monitoring the plan.

The City Manager discussed the City's compliance with the ordinance and available staffing resources for implementation.

The following persons spoke in opposition to the ordinance and/or expressed concerns regarding provisions in the ordinance:

Miriam Nakamura-Quan, Pasadena resident
Wayne Lusvardi, Citizens for Responsible Government representative
Nancy Nelson, Pasadena resident
Mary Dee Romney, Pasadena resident

The following person spoke in support of the ordinance:

Felicia Williams, Pasadena resident

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

Adopt "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 1472 NORTH GARFIELD AVENUE (PASADENA CHRISTIAN SCHOOL MASTER DEVELOPMENT PLAN)" (Introduced by Councilmember Holden) (Ordinance No. 7166)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

Adopt "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 (MARENGO-PICO LANDMARK OVERLAY DISTRICT)" (Introduced by Councilmember Madison) (Ordinance No. 7167)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 4 OF THE PASADENA MUNICIPAL CODE TO UPDATE THE LIST OF PARKS AND OPEN SPACE AREAS ON WHICH RESIDENTIAL IMPACT FEES MAY BE EXPENDED (ROBINSON PARK)" (Introduced by Councilmember Holden) (Ordinance No. 7168)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

INFORMATION ITEMS

Councilmember Holden recused himself at 9:45 p.m., due to a conflict of interest.

PREDEVELOPMENT PLAN REVIEW FOR NEW CONSTRUCTION OF AN OFFICE/RETAIL BUILDING AT 130-140 NORTH FAIR OAKS AVENUE (LEGENDARY PLACE)

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

Mark Odell, Senior Planner, reviewed the agenda report as part of a PowerPoint presentation.

Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the project and the various reviews that will be required.

The City Attorney discussed due process rights related to any reviews of the project by advisory bodies.

Councilmember Gordo expressed concerns regarding the need for the Planning Commission to review the project because of the number and complexity of the variances being requested by the developer.

Councilmember Tornek suggested the Planning Commission review the environmental study and related issues.

Councilmember McAustin suggested that Council and staff look at setting a policy for projects that exceed a certain threshold for variances, which would require review of the project by the Planning Commission rather than a hearing officer.

The Mayor asked that staff look at educating the Council on the review process and the factors used by staff to determine whether environmental impact studies are needed; and asked staff to assure Council that, during the process, staff has considered a project in light of all of the design guidelines that would apply, with this information to be reported to Council.

In response to the above concerns, Mr. Bruckner indicated that staff considers every project based on the cumulative impacts of the variances; and that staff will prepare a report on a policy that would determine whether a complex project should be reviewed by the Planning Commission or a hearing officer, based on a threshold for variances. He also outlined the current written policies and process for determining the level of environmental and design reviews, and indicated that the process could be revised at Council's direction.

Surj Soni, Legendary Place, LLC representative (applicant), expressed support for the project.

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

PREDEVELOPMENT PLAN REVIEW FOR CONSTRUCTION OF A NEW VONS MARKET AND TWO FREESTANDING COMMERCIAL BUILDINGS AT 2355 EAST COLORADO BOULEVARD

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

Councilmember Holden returned at 10:11 p.m.

Kevin Johnson, Acting Senior Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the project and the various reviews that will be required.

Councilmember Haderlein suggested the applicant explore use of solar panels for the rooftop parking lot, if landscaping is not required; and asked that staff update Council on the rooftop parking lot landscaping/solar panels and the amount of the public art commitment, when this information becomes available.

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

PUBLIC COMMENT
(Continued)

Nancy Nelson, Pasadena resident, thanked the City for the trees planted in the Playhouse District, and asked Council to heed public comment as deliberations are made on each agenda item.

Lilia Hernandez, Teens in Action (TIA) representative, invited the Council to attend the Latino Graduation Recognition Ceremony to be held on June 14, 2009.

COUNCIL COMMENTS

Councilmember Tornek commented on a complex, proposed project at 880 East Colorado Boulevard that would seem to need to be reviewed, at an early stage in the process, by the Planning Commission, rather than a hearing officer; and

requested that the project be referred to the Planning Commission for the scoping session.

The City Manager indicated staff would address the issue raised by Councilmember Tornek when staff reports on the general policy issue raised earlier in this meeting regarding thresholds for review by the Planning Commission vs. hearing officer.

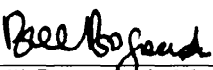
Councilmember Holden reported on a Global Day of Prayer held at the Rose Bowl on May 31, 2009, an ecumenical event in which a number of local churches participated.

REPORTS FROM REPRESENTATIVES

Councilmember Holden, City representative on the Burbank-Glendale-Pasadena Airport Authority Board, reported that the Federal Aviation Administration (FAA), had deemed the Authority's Part 161 Study complete (request for a nighttime curfew); and asked that a report from the Authority be agendaized for a future meeting to update Council on this issue and various projects that are underway at the airport.

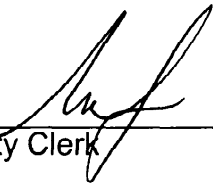
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:31 p.m., in memory of Francis Lyman Ennis, prominent architect/designer, who served on advisory committees for the City and various civic groups; and Hugh Theodore Smith, longtime real estate developer, who was active in state and local issues related to rental property and in the preservation of historical property.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk