

CITY OF PASADENA  
City Council Minutes  
June 15, 2009 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:52 p.m.  
(Absent: Councilmembers Haderlein, Madison, McAustin)

On order of the Mayor, the regular meeting recessed at 5:52 p.m., to discuss the following closed sessions:

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

Councilmember Madison arrived at 5:59 p.m.

**City Representative: Karyn S. Ezell**  
**Employee Organization: Pasadena Police Officers Association**

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

**City Representative: Karyn S. Ezell**  
**Employee Organization: Unrepresented Top, Middle and Professional Non-Safety Management Employees**

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 6:31 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 (Arrived at 7:01 p.m.)  
Councilmember Jacque Robinson  
Councilmember Terry Tornek

Staff:

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

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

Diamond Mundy, Cali United representative, expressed concerns regarding the City's prohibition of medical marijuana dispensaries, spoke in support of the establishment of these dispensaries, and asked Council to reconsider this prohibition.

Councilmember Haderlein suggested staff contact Mr. Mundy with the information on Council's prior consideration and decision regarding medical marijuana dispensaries.

The City Clerk indicated he would contact Mr. Mundy about locating this information on the City's web site.

Nancy Nelson, Pasadena resident, spoke in support of the former Ambassador College campus being improved as a local arboretum, with the remaining mansions on the property to be restored.

**CONSENT CALENDAR**

Councilmember Madison was excused at 6:41 p.m.

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

**AGREEMENT WITH LOS ANGELES COUNTY FOR DIAL-A-RIDE SERVICES**

**Recommendation of City Manager:** Authorize the City Manager to execute an agreement for Dial-A-Ride services with the County of Los Angeles (County) for the period covering July 1, 2009 to June 30, 2010. Under the one year contract, the County will reimburse the City for the cost of service to County residents up to a maximum of \$300,000. (Agreement No. 19,941)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH FIRST TRANSIT FOR THE OPERATION OF THE PASADENA AREA RAPID TRANSIT SYSTEM (ARTS) AND PASADENA DIAL-A-RIDE FROM JULY 1, 2009 THROUGH JUNE 30, 2014**

**DESIGN CONTRACT AWARD TO DOKKEN ENGINEERING FOR THE LA LOMA ROAD BRIDGE RETROFIT AND REHABILITATION PROJECT**

**Recommendation of City Manager:**

- (1) Acknowledge the Final Environmental Impact Report for the project, which was certified on September 25, 2006, and the Notice of Determination, which was filed with the Los Angeles County Recorder's Office on September 28, 2006;
- (2) Authorize the City Manager to enter into a contract with DOKKEN Engineering, for preliminary design engineering of the La Loma Road Bridge Project, in an amount not to exceed \$135,336 which is within the approved expenditure authorization from Caltrans. Competitive bidding is not required pursuant to City Charter Section 1002(F), professional or unique services; and
- (3) Authorize the City Manager to enter into a contract with DOKKEN Engineering, for final design of the project, in an amount not to exceed \$311,522, after receiving an additional expenditure authorization from Caltrans. Competitive bidding

is not required pursuant to City Charter Section 1002(F), professional or unique services. (Contract Nos. 19,943 and 19,944)

**REJECT ALL BIDS RELATED TO FURNISHING AND DELIVERING AGGREGATE BASE, CEMENT SLURRY AND COLD MIX FOR THE WATER AND POWER DEPARTMENT, SPECIFICATION WD-09-02**

**Recommendation of City Manager:** Reject all bids received in response to furnishing and delivering aggregate base, cement slurry, and asphalt cold mix as described in Specification WD-09-02.

MINUTES APPROVED

April 27, 2009  
May 4, 2009

CLAIMS RECEIVED AND FILED

Claim No. 10,887	Sherry Stein	\$ 2,089.41
Claim No. 10,888	Delores & Ola Olambiwonnu	1,151.76
Claim No. 10,889	Salah Siddiki	95.00

PUBLIC HEARING SET

July 13, 2009, 7:30 p.m. - Extension of Time Limits for Approval of Planning Entitlements

It was moved by Councilmember Haderlein, seconded by Councilmember Robinson, to approve the Consent Calendar, with the exception of Item 2 (Contract with First Transit), which was discussed separately. (Motion unanimously carried) (Absent: Councilmembers Madison, McAustin)

**CONSENT ITEM DISCUSSED SEPARATELY**

Councilmember Madison returned at 6:42 p.m.

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH FIRST TRANSIT FOR THE OPERATION OF THE PASADENA AREA RAPID TRANSIT SYSTEM (ARTS) AND PASADENA DIAL-A-RIDE FROM JULY 1, 2009 THROUGH JUNE 30, 2014**

**Recommendation of City Manager:** Authorize the execution of a contract with First Transit to operate the Pasadena Area Rapid Transit System (ARTS) and Pasadena Dial-A-Ride for a period of up to five years from July 1, 2009 through June 30, 2014, for an amount not to exceed \$24,344,198 for direct contract services and \$25,000 for contingency expenses (\$5,000 annually). The detail of the contract rates is shown in Attachment 1 of the agenda report. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 19,942)

Eric Estell, First Transit, Inc. Region Vice President, spoke in support of the contract.

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

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

FINANCE COMMITTEE

Councilmember McAustin  
arrived at 7:01 p.m.

**QUARTERLY INVESTMENT REPORT, QUARTER ENDING  
MARCH 31, 2009**

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

Councilmember Holden, Chair of the Finance Committee, introduced the agenda item.

Vic Erganian, Deputy Finance Director/City Treasurer, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

In response to Councilmember Haderlein's questions regarding the Stranded Investment Reserve fund, the City Manager indicated that staff would provide a report to the Municipal Services Committee, in the next six months to a year, on a strategy and alternatives for use of this fund.

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

**RESOLUTION AUTHORIZING THE EXECUTION AND  
DELIVERY OF A MASTER AIRCRAFT LOAN AND  
SECURITY AGREEMENT, AIRCRAFT SCHEDULE NO. 1, AN  
ESCROW AGREEMENT, AND RELATED INSTRUMENTS,  
AND OTHER DOCUMENTS IN CONNECTION THEREWITH**

**Recommendation of City Manager:** Adopt a Resolution:

- (1) Authorizing an Aircraft lease financing in an amount not to exceed \$2.4 million with Sun Trust Bank Equipment Finance & Leasing Corporation;
- (2) Authorizing the execution and delivery of a Master Aircraft Loan and Security Agreement, Aircraft Schedule No. 1, and Escrow Agreement and related instruments, and other documents in connection therewith; and
- (3) Authorizing the City Manager to execute the documents on behalf of the City. (Resolution No. 8954)

**RESOLUTION AUTHORIZING THE EXECUTION AND  
DELIVERY OF A MASTER LEASE AGREEMENT,  
EQUIPMENT SCHEDULE NO. 1, AN ESCROW  
AGREEMENT, AND RELATED INSTRUMENTS, AND OTHER  
DOCUMENTS IN CONNECTION THEREWITH**

**Recommendation of City Manager:** Adopt a Resolution:

- (1) Authorizing an equipment lease financing in an amount not to exceed \$5.6 million with Sun Trust Bank Equipment Finance & Leasing Corporation;
- (2) Authorizing the execution and delivery of a Master Lease Agreement, Equipment Schedule No. 1, an Escrow Agreement, and related instruments, and determining other documents in connection therewith; and
- (3) Authorizing the City Manager to execute the documents on behalf of the City. (Resolution No. 8955)

The above two agenda items were discussed concurrently.

Andy Green, Director of Finance Department, introduced the agenda items.

Vic Erganian, Deputy Finance Director/City Treasurer, summarized the agenda reports as part of a PowerPoint presentation, and responded to questions.

Police Chief Bernard Melekian responded to questions regarding the helicopter to be purchased.

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

**APPROVE A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT PROGRAM BUDGET**

**Recommendation of City Manager:** Approve a journal voucher with a net increase of \$751,958 amending 19 projects in the Fiscal Year 2009 Capital Improvement Program as detailed in Attachment A of the agenda report. (Journal Voucher No. 2009-29)

Martin Pastucha, Director of Public Works Department, introduced the agenda item and responded to questions.

Brenda Harvey-Williams, Finance and Management Services Administrator, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

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

**RECESS/ CLOSED SESSION**

On order of the Mayor, the regular meeting recessed at 7:14 p.m., to discuss the following closed session:

**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 Clerk**

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

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 7:54 p.m. (Absent: None)

**PUBLIC HEARING**

**CONTINUED PUBLIC HEARING: ADOPTION OF THE FISCAL YEAR 2010 OPERATING BUDGET AND FISCAL YEAR 2010-2014 CAPITAL IMPROVEMENT PROGRAM**

**Recommendation of City Manager:**

(a) Adopt by resolution the City's Fiscal Year 2010 Operating Budget and Fiscal Year 2010-2014 Capital Improvement Program as detailed in Exhibits A and B of the agenda report, and as amended by the recommended modifications outlined in the background section of the agenda report;

(b) Adopt a resolution determining the amount to be transferred from the Light and Power Fund to the General Fund for fiscal year 2010; and

(c) Direct the City Attorney to prepare an ordinance, and return within 30 days, amending Article VII of Title 2 of the Pasadena Municipal Code to reflect the functional reorganization of Cultural Affairs to the Planning and Development Department. (Resolution Nos. 8956 and 8957)

The Mayor announced now was the time for the continued public hearing, and provided an overview of the budget process that had taken place over the past weeks.

Councilmember Holden, Chair of the Finance Committee, highlighted areas in the proposed budget; outlined issues addressed in balancing the budget; commented on fiscal contingencies that are still outstanding; and acknowledged the assistance of former Councilmember Sid Tyler in his role as Chair of the Finance Committee at the beginning of the budget process, and the role of the City Manager in bringing the budget forward.

Andy Green, Director of Finance Department, provided a summary and highlights of the 2010 budget, an overview of the five-year General Fund Financial Plan, and plans for a budget follow-up and possible amendments in September 2009 as part of a PowerPoint presentation; distributed a memorandum dated June 15, 2009 regarding "Budget Follow-Up Questions and Answers"; and responded to questions.

Councilmember Madison asked that Council direct the City Attorney to prepare an ordinance that would suspend the Mayor's/Council's annual compensation/stipend increases that would otherwise be implemented in the 2010 fiscal year.

Nancy Nelson, Pasadena resident, expressed concerns regarding the proposed budget and related increased water rates.

The City Manager responded to questions regarding the Water Fund.

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

Following discussion, it was moved by Councilmember Holden, seconded by Councilmember Haderlein, to approve the City Manager's recommendation, as amended to direct the City Attorney to prepare an ordinance to suspend the compensation increases for the Mayor and Council (based on the Consumer Price Index) that would otherwise become effective on July 1, 2009. (Motion unanimously carried) (Absent: None)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

Councilmember McAustin was excused at 8:36 p.m.

**ADOPT POSITION REQUESTING THAT STATE SENATOR LIU AND STATE ASSEMBLYMAN PORTANTINO NOT USE SOURCES OF CASH TRADITIONALLY RESERVED FOR CITIES AS PART OF ANY STATE BUDGET SOLUTION**

**Recommendation by Councilmember Haderlein:** Request that State Senator Liu and State Assemblyman Portantino not support any actions that would include the taking or borrowing of revenues currently reserved for Cities to resolve the State's budget problems, and request the Mayor to send corresponding letters stating the City Council's position.

Councilmember Haderlein discussed possible threats on the City's budget and services caused by the State legislature's ongoing problems in adopting the State budget.

Vice Chair Gordo suggested that correspondence stating the City's position be sent to all members of the State legislature.

The Mayor noted that the League of California Cities has been advocating for cities to take this type of action to protect funds that are reserved for the cities from being used by the State.

In response to information provided by the Mayor regarding the League's discussion of possible legal action regarding use of cities' revenues vis a vis solving the State budget deficit, the City Attorney indicated that the League's General Counsel was not asking cities to take a position on possible litigation by the League at this time.

The Mayor asked the City Attorney to monitor the litigation issue and keep Council informed as to when the City might become involved in litigation in order to protect the City's interests during the State budget process.

Julie Gutierrez, Assistant City Manager, updated Council on the Governor's and State legislature's progress in adopting the

State budget and on the City's participation in the League's "Save Our City" video campaign.

Following discussion, it was moved by Councilmember Haderlein, seconded by Councilmember Robinson, to request that State Senator Liu and State Assemblymember Portantino not support any actions that would include the taking or borrowing of revenues currently reserved for Cities to resolve the State's budget problems, and to request the Mayor to send corresponding letters stating the City Council's position to all members of the State legislature, with the understanding that the City Attorney will monitor the League of California's positions and actions related to the State budget process and keep Council informed as to when the City might become involved in possible litigation initiated by the League. (Motion unanimously carried) (Absent: Councilmember McAustin)

## **PUBLIC HEARINGS**

Councilmember Haderlein was excused at 8:51 p.m.

### **JOINT PUBLIC HEARING: ADOPT A RESOLUTION APPROVING THE PASADENA COMMUNITY DEVELOPMENT COMMISSION'S FY 2010 ANNUAL OPERATING BUDGET AND FY 2010 WORKPLAN AND ADOPT A RESOLUTION DETERMINING THAT PAYMENT BY THE PASADENA COMMUNITY DEVELOPMENT COMMISSION FOR THE RENOVATION OF THE VILLA PARKE COMMUNITY CENTER IS OF BENEFIT TO THE VILLA-PARKE PROJECT AREA AND FOR PUBLIC IMPROVEMENTS WITHIN OLD PASADENA IS OF BENEFIT TO THE OLD PASADENA PROJECT AREA**

#### **Recommendation of City Manager/Chief Executive Officer:**

It is recommended, that the City Council and the Pasadena Community Development Commission (Commission), conduct a joint public hearing and at the conclusion of the public hearing take the following actions:

(1) Adopt a resolution pursuant to Section 33606 of the Health and Safety Code approving the FY 2010 Annual Operating Budget (as recommended in the City's 2010 Annual Operating Budget) and the FY 2010 Work Plan. The Commission's 2010 Annual Operating Budget includes a transfer to the Housing Department in the amount of \$3,230,589 of low and moderate income funds established for each redevelopment project area pursuant to Section 33334.3 of the California Health and Safety Code; and

(2) Adopt a resolution pursuant to Section 33445 of the Health and Safety Code approving payment by the Commission to fund the renovation cost of the Villa Parke Community Center as such payment is of benefit to the Villa-Parke Project Area and to fund the cost of the public improvements within the Old Pasadena Project Area as such payment is of benefit to the Old Pasadena Project Area. (Resolution Nos. CDR-260 and CDR-261/8958)

#### **Recommendation of Community Development Committee:**

The Community Development Committee (CDC) considered



the recommendation regarding the FY 2010 Annual Operating Budget at their regular meeting of May 14, 2009. Following discussion, the CDC voted to approve the budget and Work Program.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on June 1 and 8, 2009 in the Pasadena Star-News; and no correspondence was received.

Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the Villa Parke Community Center project and the two Lincoln Avenue projects.

The City Manager responded to questions regarding the installation of synthetic turf at various sites.

No one appeared for public comment.

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

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

**PUBLIC HEARING: APPROVAL/SUBMITTAL OF THE ANNUAL ACTION PLAN (2009-2010) AS THE APPLICATION AND STATEMENT OF PROJECTED USE OF FUNDS FOR THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); EMERGENCY SHELTER GRANT (ESG); HOME INVESTMENT PARTNERSHIP ACT (HOME); AND CERTAIN RELATED HUMAN SERVICES ENDOWMENT FUND (HSEF) ALLOCATIONS**

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

(a) Approving the 2009-2010 Annual Action Plan as an application for participation in the Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), and HOME Programs, including the identified proposed projects/activities of the City's Human Services Endowment Fund (HSEF). The Draft Annual Action Plan is on file in the City Clerk's Office;

(b) Approving an application for CDBG Entitlement funds in the amount of \$2,263,084; the allocation of CDBG current year

program income of \$200,000; the reprogramming of 2007-2008 CDBG funds in the amount of \$103,166 for a total of \$2,566,250 for the 2009-2010 CDBG program activities; approving an application for ESG funds in the amount of \$97,383 and the appropriation of Inclusionary Housing Trust Fund in the amount of \$98,250 as the required local match for a total of \$195,633 for the 2009-2010 ESG program activities; approving an application for HOME Entitlement funds in the amount of \$1,303,093 and the reprogramming of prior year HOME funds in the amount of \$281,633 for a total of \$1,584,726 for the 2009-2010 HOME program activities; approving an allocation from the City of Pasadena's HSEF interest earnings of \$115,171 for HSEF funded public/human service projects;

(c) Authorizing the City Manager to execute, and the City Clerk to attest, the Annual Action Plan, the grant agreements, the sub-recipient agreements, and any and all other documents deemed necessary by HUD to obtain the allocation of the aforementioned federal CDBG/ESG/HOME funds; and

(d) Authorize the City Manager to execute the agreements with the approved recipients/sub-recipients in a form acceptable to the City Attorney (Exhibits A-D of the agenda report). (Resolution No. 8959)

**Recommendation of Northwest Commission:** The Northwest Commission recommended City Council approval of the proposed Non-Public Service projects at its regular meeting on May 28, 2009 for a total of \$475,000 (Exhibit A of the agenda report).

**Recommendation of Human Services Commission:** On February 11, 2009, the Human Services Commission reaffirmed its previous funding recommendation and recommended City Council continue the second year of a two-year funding cycle for funding the 21 public/human service projects for a total of \$680,266 (Exhibit B of the agenda report). 2009/2010 is the second year of the Human Services Commission's 2-year funding cycle 2008-2009 and 2009-2010.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on May 28, 2009 in the Pasadena Journal; and no correspondence was received.

Bill Huang, Director of Housing Department, reviewed the agenda report and responded to questions.

No one appeared for public comment.

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

Councilmember Haderlein returned at 9:03 p.m.

John DePew, Program Coordinator, responded to questions regarding the Housing Rights Center and services involving tenant/landlord disputes.

Councilmember Holden encouraged staff to work with the Pasadena Development Corporation to ensure that any available monies are directed back into the community as loans for small businesses.

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

Councilmember Tornek was excused at 9:09 p.m.

**PUBLIC HEARING: LEVY OF ASSESSMENTS AGAINST HOTEL AND MOTEL BUSINESSES FOR FISCAL YEAR 2010 IN CONNECTION WITH THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT**

**Recommendation of Pasadena Center Operating Company:**

It is recommended that the City Council: (i) conduct a Public Hearing on the levy of an assessment against Hotel and Motel Businesses for Fiscal Year 2010 in connection with the Pasadena Tourism Business Improvement District (the District); and (ii) at the conclusion of the Public Hearing, in the absence of a majority protest, adopt a resolution confirming the Annual Report of the Advisory Board as originally filed and levying the assessment for Fiscal Year 2010 in connection with the District. (Resolution No. 8960)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on June 5, 2009 in the Pasadena Star-News; and no correspondence was received. A majority protest does not exist.

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

No one appeared for public comment.

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

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

Councilmember Tornek  
returned at 9:12 p.m.

**PUBLIC HEARING: ZONING CODE AMENDMENTS – SERIES IV – AMENDMENTS INCLUDE LIMITATIONS FOR CONTINUANCES OF PUBLIC HEARINGS; CHANGE TO THE REQUIREMENTS FOR PERSONAL PROPERTY SALES; CHANGE TO THE REFERENCE TO "NORTHWEST ENTERPRISE ZONE" TO "EZBDA" OR "ENTERPRISE ZONE BUSINESS DEVELOPMENT AREA"; ALLOW PARK AND RECREATION FACILITIES IN THE PS DISTRICT WITH A CONDITIONAL USE PERMIT, A SERIES OF MINOR AMENDMENTS, CORRECTIONS, AND CODIFICATION OF INTERPRETATIONS, PRACTICES AND DEFINITIONS**

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

- (1) Adopt the Initial Study (Attachment B of the agenda report) and the Negative Declaration for the proposed Zoning Code Amendments and direct the City Clerk to file a Notice of Determination;
- (2) Approve a finding of consistency with the General Plan;
- (3) Approve the proposed Zoning Code Amendments as contained in the agenda report; and
- (4) Conduct the first reading of the proposed ordinance as provided by the City Attorney.

**Recommendation of Planning Commission:** The Planning Commission, at the May 13, 2009 public hearing, recommended approval of this series of Zoning Code Amendments.

**ORDINANCE – FIRST  
READING**

**Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 17 (THE ZONING CODE), INCLUDING LIMITING CONTINUANCES OF PUBLIC HEARINGS AND REQUIRING RENOTICING THEREOF; REGULATING MERCHANDISE DISPLAYS ASSOCIATED WITH PERSONAL PROPERTY SALES; CHANGING THE TITLE OF THE NORTHWEST ENTERPRISE ZONE; ALLOWING PARK AND RECREATION FACILITIES IN THE PS DISTRICT WITH A CONDITIONAL USE PERMIT; AND A SERIES OF OTHER MINOR AMENDMENTS"**

The above public hearing and ordinance for first reading were discussed concurrently.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on June 1, 2009 in the Pasadena Star-News and on June 4 and 11, 2009 in the Pasadena Journal; and no correspondence was received.

Richard Bruckner, Director of Planning and Development Department, introduced the agenda item, and responded to questions regarding the various proposed amendments.

Jacqueline Ellis, Associate Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Denver Miller, Principal Planner, responded to questions regarding the various Zoning Code changes, and signage for personal property sales (garage sales).

Councilmember Holden suggested staff disseminate the contact information for code enforcement hours and weekend reporting of violations to Neighborhood Connections and community/neighborhood organizations.

Nancy Nelson, Pasadena resident, expressed concerns regarding the proposed changes for garage sales.

The Mayor expressed concerns regarding the length of the appeal period for all California Environmental Quality Act (CEQA) decisions as being too short a period of time (10 days), and issues related to CEQA decisions as to whether environmental impact reports are necessary or not.

Mr. Bruckner indicated that staff could confer with the City Attorney and report to Council regarding the Mayor's concerns regarding CEQA decisions/appeals.

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

Following discussion, it was moved by Councilmember Tornek, seconded by Vice Mayor Gordo, to approve the City Manager's recommendation; as amended to delete Item 1.C. from the Codifications of Interpretations section of Attachment A to the agenda report (All CEQA (California Environmental Quality Act) Decisions are Subject to the 10 Day Appeal Period); and to offer the ordinance for first reading, as amended to delete Section 24 from the ordinance:

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

NOES: None

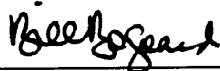
ABSENT: Councilmember McAustin

## **ANNOUNCEMENT**

The Mayor announced that a special workshop meeting of the City Council on strategic planning was scheduled for June 18, 2009, to review progress made since the last strategic planning workshop, with Council to set priorities for the future.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:50 p.m., in memory of William D. Burrows, a community leader who was active in various local organizations, including the Little League, Boy Scouts, Chandler School, Descanso Gardens, Hillside Home for Children, the Scripps Kensington Retirement Community, and Valley Hunt Club.



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

ATTEST:



\_\_\_\_\_  
City Clerk