

CITY OF PASADENA  
City Council Minutes  
July 26, 2010 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:** Vice Mayor Gordo called the regular meeting to order at 6:34 p.m. The Pledge of Allegiance was led by Alma Dillard, Accessibility and Disability Commission Co-Chair.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard (Absent)  
Vice Mayor Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden (Arrived at 6:51 p.m.)  
Councilmember Steve Madison  
Councilmember Margaret McAustin  
Councilmember Jacque Robinson (Arrived at 6:51 p.m.)  
Councilmember Terry Tornek

Staff:

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

**CEREMONIAL MATTERS**

The City Clerk administered the oath of office to Meriel L. Stern as Arts and Culture Commissioner.

Fred Alcantar, Sister Cities Committee President, introduced two students participating in the Sister Cities Student Exchange program: Tuomas Rentola and Risto Pirhonen from Jarvenpaa, Finland. The students thanked everyone for the hospitality they had been shown, and presented the City with a small Finnish flag and book titled, Finland – The Land of a Thousand Lakes.

Councilmembers Holden and Robinson arrived at 6:51 p.m.

The following persons expressed appreciation for the benefits derived from the Americans with Disabilities Act (ADA) on its 20th anniversary, and thanked the City for its achievements in support of the ADA and people with disabilities:

Kelly White, Chief Executive Officer, and Wendy Petry, Board Chair, Villa Esperanza Services, presented a proclamation to the City in celebration of the City's ADA achievements, which was received by the Vice Mayor.

Marvin Schachter, Senior Advocacy Council representative, asked the City Council to revive a proposal to include the Principles of Universal Design in the City's Building Code.

Martin Gordon, Lutheran Social Services Director, acknowledged Robert Gorski and Jackie Scott (City employees) for their efforts in promoting ADA compliance in the City.

The Vice Mayor presented a proclamation declaring the celebration of the 20th Anniversary of the ADA on July 26, 2010. The proclamation was received by Alma Dillard and Thelma Johnson, Accessibility and Disability Commission Co-Chairs; and Robert Gorski, Human Relations Department.

Kristi Lopez, Field Representative for Assemblymember Anthony Portantino, presented a certificate recognizing the City's Accessibility and Disability Commission for its efforts on behalf of the ADA. The certificate was received by Alma Dillard and Thelma Johnson.

The following persons expressed concerns regarding alleged discrimination against students with disabilities related to graduation practices in the school system, and asked the City Council to assist in addressing this issue:

Sy Baldwin, Pasadena resident  
Katrena Gipson, Pasadena resident

The Vice Mayor indicated that the City Manager will share Mr. Baldwin's and Ms. Gipson's concerns with the Pasadena Unified School District and Pasadena City College.

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

Les Hammer, Pasadena resident, expressed concerns regarding the City's alleged illegal alien sanctuary policy and the lawsuit filed by Judicial Watch related to the City's lack of response to a public records act request for information on this issue.

Martin Gordon, Leadership Pasadena graduate, spoke in support of the City's purchase and use of the "big belly" trash containers.

**CONSENT CALENDAR**

MINUTES APPROVED

July 12, 2010

CLAIMS RECEIVED AND FILED

Claim No.11,162	James Mashiko	\$ 736.57
Claim No.11,163	Yujean Kang	1,500.00
Claim No.11,164	Patrick Case	Not stated
Claim No.11,165	AT&T	1,101.10
Claim No.11,166	Cathy P. Mabry	Not stated

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

**RECOMMENDATIONS FROM DEPARTMENTS AND OFFICERS**

**APPOINTMENT OF CAROLINA SANTORO BLENGINI TO THE HISTORIC PRESERVATION COMMISSION**  
(Mayor/District 7 Nomination)

It was moved by Councilmember Tornek, seconded by Councilmember Haderlein, to approve the above appointment. (Motion unanimously carried) (Absent: Mayor Bogaard)

## **ORDINANCES – ADOPTED**

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING IMPLEMENTATION OF THE SCHEDULED JULY 1, 2010 CONSUMER PRICE INCREASE TO THE STIPENDS OF THE MAYOR AND MEMBERS OF THE CITY COUNCIL SET FORTH IN SECTION 2.05.210(B) OF THE PASADENA MUNICIPAL CODE”** (Introduced by Councilmember McAustin) (Ordinance No. 7196)

The above ordinance was adopted by the following vote:  
AYES: Councilmembers Haderlein, Holden, Madison, McAustin, Robinson, Tornek, Vice Mayor Gordo  
NOES: None  
ABSENT: Mayor Bogaard

**Adopt “AN ORDINANCE AMENDING CHAPTER 2.165 OF THE PASADENA MUNICIPAL CODE TO PROVIDE FOR A TOURNAMENT OF ROSES ASSOCIATION REPRESENTATIVE ON THE PASADENA CENTER OPERATING COMPANY BOARD”** (Introduced by Councilmember Madison) (Ordinance No. 7197)

The above ordinance was adopted by the following vote:  
AYES: Councilmembers Haderlein, Holden, Madison, McAustin, Robinson, Tornek, Vice Mayor Gordo  
NOES: None  
ABSENT: Mayor Bogaard

## **INFORMATION ITEM**

### **COUNCIL WORKSHOP ON BROADBAND AND FIBER OPTICS**

**Recommendation:** This report is submitted for information only.

The City Manager introduced the agenda item.

Dianah Neff, Interim Chief Information Officer, reviewed the agenda report as part of a PowerPoint presentation, outlined the proposed development of a Technology and Telecommunications Element within the General Plan for Council's consideration, and responded to questions.

Councilmember Haderlein was excused at 7:53 p.m.

The City Manager responded to questions involving projected broadband vs. wireless needs in the City.

Lori Sandoval, IT Planning and Project Manager, responded to questions regarding the future of the utility cabinets installed in the public right of way by cable companies.

Councilmember McAustin stressed the need for local control in regard to the placement of, and requirements for, utility cabinets, whenever possible.

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

## **PUBLIC HEARINGS**

### **PUBLIC HEARING: ESTABLISHMENT OF THE OLD PASADENA MANAGEMENT DISTRICT PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT (PBID)**

**Recommendation:** It is recommended that the City Council:

(1) Conduct a public hearing on the proposed establishment of the Old Pasadena Management District Property-Based Business Improvement District (PBID).

It is further recommended that upon closing of the Public Hearing, that the City Council:

(2) Order the tabulation of all ballots received and not withdrawn, and request a report on the tabulation results as soon as possible.

Upon receipt of the report on the tabulation of ballots, if the results of said tabulation show that a majority protest does not exist, it is recommended that the City Council:

(3) Adopt the Agreement for Services contract between the Old Pasadena Management District (OPMD) and the City of Pasadena (Attachment 1 of the agenda report);

(4) Adopt the Baseline Services Contract as described in the agenda report in "Old Pasadena Baseline Services Agreement" (Attachment 2 of the agenda report);

(5) Authorize the City Manager to enter into a financial agreement and baseline services contract with OPMD; and

(6) Adopt a final resolution "Establishing the Old Pasadena Management District, Property-Based Business Improvement District" (Attachment 3 of the agenda report).

The Vice Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 12, 2010 in the Pasadena Star-News; 182 copies of the notice were mailed on June 11, 2010; and 1 letter in support of and 1 letter in opposition to the proposed establishment of the Old Pasadena Management District Property-Based Business Improvement District (PBID) were received.

Steve Mulheim, Old Pasadena Management District (OPMD) President and Chief Executive Officer, spoke in support of the establishment of the PBID.

The City Manager introduced the agenda item.

Robert Montano, Project Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Haderlein returned at 8:14 p.m.

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

It was moved by Councilmember Robinson, seconded by Councilmember Holden, to order the tabulation of all ballots received and not withdrawn, and request a report on the tabulation results as soon as possible. (Motion unanimously carried) (Absent: Mayor Bogaard)

The Vice Mayor announced that the public was invited to attend the ballot tabulation in Room S116 (Economic Development Conference Room) of City Hall.

*(Item continued on Page 9.)*

On order of the Vice Mayor, the item recessed at 8:19 p.m., until such time as the tabulation of votes is completed.

**PUBLIC HEARING: ADOPTION OF THE 2010 ANNUAL CITY OF PASADENA SELF CERTIFICATION REPORT IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM FOR LOS ANGELES COUNTY AND THE 2010 LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65089**

**Recommendation:**

- (1) Find that the following proposed actions are exempt from review, pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);
- (2) Adopt a resolution finding the City in conformance with the Congestion Management Program (CMP) for the County of Los Angeles;
- (3) Adopt the 2010 Local Development Report in accordance with California Government Code Section 65089 (Attachment A of the agenda report); and
- (4) Direct staff to file the CMP Local Development Report with the Los Angeles County Metropolitan Authority (Metro). (Resolution No. 9048)

The Vice Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 12, 2010 in the Pasadena Star-News; and 1 letter in opposition to the item was received.

Mark Yamarone, Transportation Administrator, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Floyd Folven, Pasadena resident, expressed concerns regarding the impacts of roundabouts with access only for bicycles, and spoke in opposition to the reports and the proposed Bicycle Master Plan.

Councilmember Haderlein indicated that the draft Bicycle Master Plan will be presented to the City Council in October/November 2010, and suggested that Mr. Folven express his concerns regarding the roundabouts at that time.

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

It was moved by Councilmember McAustin, seconded by Councilmember Haderlein, to approve the staff recommendation. (Motion unanimously carried) (Absent: Mayor Bogaard)

**PUBLIC HEARING: TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) HEARING AND RESOLUTION OF THE CITY TO SET FORTH THE CITY'S OFFICIAL INTENT TO ISSUE RECOVERY ZONE FACILITY BONDS TO UNDERTAKE THE FINANCING OF PARK PLACE COMMERCIAL, LP, LOCATED AT 880 EAST COLORADO BOULEVARD AND URTH CAFFE, LOCATED AT 592 EAST COLORADO BOULEVARD**

**Recommendation:**

(1) Hold a TEFRA (Tax Equity and Fiscal Responsibility Act) Hearing for Park Place Commercial, LP, located at 880 East Colorado Boulevard and Urth Caffe, located at 592 East Colorado Boulevard; and

(2) Adopt a resolution setting forth the City's official intent to issue Recovery Zone Facility Bonds to administer the financing for qualified projects, Park Place Commercial, LP, located at 880 East Colorado Boulevard and Urth Caffe, located at 592 East Colorado Boulevard in the City of Pasadena. (Resolution No. 9049)

The Vice Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 12, 2010 in the Pasadena Star-News; and no correspondence was received.

The City Manager introduced the agenda item, and confirmed that the City does not have a legal obligation on the above proposed indebtedness.

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

No one appeared for public comment.

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

It was moved by Councilmember McAustin, seconded by Councilmember Robinson, to approve the staff recommendation. (Motion unanimously carried) (Absent: Mayor Bogaard)

**PUBLIC HEARING: ADOPTION OF 2008-2014 HOUSING ELEMENT**

**Recommendation:**

(1) Adopt the Initial Study and Negative Declaration (Attachment D of the agenda report); and

(2) Adopt the resolution to approve the 2008-2014 Housing Element (Attachment C of the agenda report). (Resolution No. 9050)

**Recommendation of Planning Commission:** On June 23, 2010, following a public hearing, the Planning Commission recommended that the City Council: 1) adopt the Initial Study and Negative Declaration, and 2) adopt the 2008-2014 Housing Element.

The Vice Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 12 and 23, 2010 in the Pasadena Star-News and on July 15, 2010 in the Pasadena Journal; and 3 letters in opposition and/or expressing concerns were received.

Bill Trimble, Senior Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Discussion followed on options for addressing affordable housing requirements as set by the Regional Housing Need Assessment (RHNA), the need for all regional communities to share this mandate on an equitable basis, and land use issues related to the RHNA numbers.

Councilmember Madison emphasized the need for the City to be as aggressive as possible in managing the mandated RHNA numbers to ensure that this issue is treated as a regional issue to be addressed on an equitable basis.

Councilmember McAustin expressed concerns regarding the impact of the RNHA numbers on the City's ability to control its development through the General Plan and planning regulations.

Councilmember Tornek indicated he will be working with staff, as the City's representative on the San Gabriel Valley Council of Governments (SGVCOG), to determine how Council's

concerns regarding the RHNA issues can be raised with the SGVCOG and then with the Southern California Association of Governments (SCAG).

The following persons expressed concerns regarding ongoing affordable housing issues and/or spoke in opposition to the adoption of the Housing Element:

Marvin Schachter, AARP California representative, submitted a copy of his article written for the Pasadena Weekly titled, "Everybody's business: An increasingly older population finds ways to age 'successfully'."

Tim Peters, Door of Hope Executive Director and Pasadena Affordable Housing Group (PAHG) member, submitted a newsletter article on the Montesino family.

Jill Shook, PAHG member

Reverend Hannah Petrie, PAHG member

Michelle White, Affordable Housing Services representative

Councilmember Haderlein was excused at 9:23 p.m.

Nina Chomsky, Linda Vista/Annandale Association Board member, spoke in support of the adoption of the Housing Element, and in opposition to amending provisions related to second units.

In response to Councilmember Holden's questions regarding issues raised by Mr. Schachter, Steve Mermell, Assistant City Manager, indicated that the Housing Department will be presenting a report on sustained funding for affordable housing to the Economic Development and Technology Committee and the City Council at a future date. Bill Trimble indicated that staff is currently reviewing the regulations for second units and the inclusionary housing program, with possible changes to be presented to the City Council for consideration by the end of 2010.

Councilmember Holden suggested that the issues raised by the public speakers (no net loss, rent control, just cause provisions, housing needs for seniors, the status of the 2002 Housing Affordability Task Force recommendations in the majority and minority reports, and possible formation of an affordable housing commission) serve as a focus for a comprehensive discussion by the City Council of a review of the City's adopted affordable housing policies/plans/initiatives and a strategy for providing affordable housing.

The Vice Mayor indicated that the Mayor and City Manager will confer on how to structure Councilmember Holden's suggestion with possible involvement of the Economic Development and Technology Committee.



It was moved by Councilmember Robinson, seconded by Councilmember Holden, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Haderlein, Mayor Bogaard)

Councilmember Haderlein returned at 9:52 p.m.

The City Manager responded to questions involving the status of the Desiderio project, and indicated that a Council workshop could be planned to discuss affordable housing issues.

Following additional discussion, it was moved by Councilmember Tornek, seconded by Councilmember Holden, to approve the staff recommendation. (Motion unanimously carried) (Absent: Mayor Bogaard)

*(Item continued from Page 5)*

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(6) Adopt a final resolution "Establishing the Old Pasadena Management District, Property-Based Business Improvement District" (Attachment 3 of the agenda report). (Resolution No. 9051; Contract Nos. 20,411 and 20,412)

On order of the Vice Mayor, the item continued at 9:59 p.m.

Following tabulation of the assessment ballots, Robert Montano reported the following results:

\$297,456.51 in assessment ballots cast in support of the proposed assessment

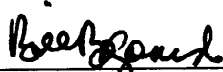
\$ 78,591.71 in assessment ballots cast in opposition to the proposed assessment

(79% of ballots cast in support – no majority protest exists)

It was moved by Councilmember Madison, seconded by Councilmember Robinson, to approve staff Recommendation Nos. 3, 4, 5, and 6. (Motion unanimously carried) (Absent: Mayor Bogaard)

**ADJOURNMENT**

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 10:36 p.m.



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

ATTEST:



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