

CITY OF PASADENA
City Council Minutes
May 23, 2011 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

The Mayor called the regular meeting to order at 5:30 p.m.
(Absent: Councilmember Robinson)

On order of the Mayor, the regular meeting recessed
at 5:30 p.m., to discuss the following closed session:

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

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

On order of the Mayor, the regular meeting reconvened
at 6:51 p.m. The Pledge of Allegiance was led by
Councilmember Tornek.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Margaret McAustin
Councilmember Victor Gordo
Councilmember Chris Holden
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Jacque Robinson (Absent)
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**

The following persons expressed their concerns/objections to
the City's reinstatement of 20 licenses to United Cab and other
taxicab operation issues:

Sheldon Baker, legal counsel for City Cab, Yellow Cab,
and Checker Cab, submitted a statement regarding the
City's reinstatement of licenses to United Cab
Martin Shatakhyan, General Manager of G&S Transit
Management, Inc. and Tri City Transportation Systems,
Inc., submitted informational materials on taxicab issues
James Breitling, People's Taxi representative
Asatur Asaturyan, G&S/City Cab road supervisor

Karo Harutyunyan, G&S/City Cab driver
Varouj Entabyan, G&S/Checker Cab driver

With the consent of Councilmember Gordo, Chair of the Economic Development and Technology Committee (EDTech), Steve Mermell, Assistant City Manager, indicated that staff will provide EDTech with a review of the issues raised by the above speakers along with the current taxicab ordinance/regulations. He also indicated that the facts regarding the United Cab licenses and the administrative process followed will be provided in the City Manager's weekly newsletter.

The City Attorney confirmed that the licensing of United Cab is regulated by ordinance, and that this matter has been through an administrative process and would not be in the purview of the City Council for further action at this time.

Floyd Folven, Pasadena resident, expressed concerns regarding budget issues and the City's financial policies, and submitted his written statement.

CONSENT CALENDAR

SEWER AGREEMENT REGARDING THE CONVEYANCE OF WASTEWATER FROM THE PROPERTY AT 3337 TREVAN ROAD IN THE UNINCORPORATED AREA OF LOS ANGELES COUNTY

Recommendation: Adopt a resolution authorizing the City Manager to execute an agreement between the City of Pasadena and TREVAN, LLC, a California Limited Liability Company, governing the conveyance of wastewater from a proposed single family residence at 3337 Trevan Road in the unincorporated area of Los Angeles County. (Resolution No. 9115; Agreement No. 20,658)

RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. 085-N TO ADMINISTERING AGENCY – STATE AGREEMENT NO. 07-5064R FOR THE EAST COLORADO BOULEVARD PEDESTRIAN ENHANCEMENTS, FEDERAL-AID PROJECT NO. CML-5064(067)

Recommendation:

- (1) Find the proposed project to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15301, Class 1, subsection (c). This exemption includes minor alterations of existing public facilities, including streets, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, and there are no environmental reviews;
- (2) Authorize the City Manager to execute the Program Supplement Agreement for the East Colorado Boulevard Pedestrian Enhancements; and
- (3) Adopt a resolution approving the Program Supplement Agreement to Administrating Agency – State Agreement

No. 07-5064 between the City of Pasadena and the State of California, for State reimbursement of costs for the East Colorado Boulevard Pedestrian Enhancements, Federal-Aid Project No. CML-5064(067). (Resolution No. 9116; Agreement Amendment No. 19,323-6)

CLAIMS RECEIVED AND FILED

Claim No. 11,365	Thomas William Parks III	\$ Not Stated
Claim No. 11,366	Allstate Indemnity Company as subrogee for Yut Chan	Not Stated
Claim No. 11,367	Satenik Adamyan	25,000.00+
Claim No. 11,368	Church of Scientology	Not Stated
Claim No. 11,369	Geico as subrogee for Izzora Maynard	795.30

PUBLIC HEARING SET

July 11, 2011 at 7:30 p.m. – Appeal of Staff Decision Approving a Permit Application for a Wireless Telecommunications Facility at Grand Avenue/California Boulevard (IE05372C)

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

ESTABLISHMENT OF THE PLAYHOUSE DISTRICT ASSOCIATION PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT

Recommendation:

- (1) Find that adopting a resolution establishing the Playhouse District Association Property-Based Business Improvement District is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3); and
- (2) Adopt a Resolution of Intention to establish the Playhouse District Association Property-Based Business Improvement District setting a public hearing for July 11, 2011 at 7:30 p.m. (Resolution No. 9114)

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

AMENDMENTS TO THE CURRENT SPEED HUMP POLICIES AND PROCEDURES

Recommendation:

- (1) Find that the amendments to the current speed hump policies and procedures are exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301, existing facilities; and
- (2) Approve the amendments to the current Speed Hump Policies and Procedures, as shown on the attachment to the agenda report. The amendments revise the minimum street segment length requirement in the policy from 1,200 feet to 600 feet.

Recommendation of Transportation Advisory Commission:

The proposed revisions to the current Speed Hump Policies and Procedures were presented to the Transportation Advisory Commission (TAC) at its regular meeting of April 28, 2011. TAC supported staff's recommendation to modify the minimum street length requirement in the policy from 1,200 feet to 600 feet. During its discussions, TAC also suggested that staff consider a pool of traffic calming measures and alternatives to address speeding issues on a street, rather than merely focusing on speed hump installations. TAC also suggested considering other aspects of the speed hump policy in the context of the General Plan Mobility Element Update, which is currently underway.

Fred Dock, Director of Transportation Department, introduced the agenda item, and responded to questions regarding the current and proposed speed hump policies/procedures.

Richard Dilluvio, Senior Transportation Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Holden expressed concerns regarding making any changes in the speed hump policy until the underlying broader traffic management/speeding issues can be examined as part of the current General Plan/Mobility Element update process.

Vice Mayor McAustin noted that Council had agreed to request this policy change in April 2011 in order to address ongoing speeding problems in some neighborhood areas that did not meet all of the speed hump criteria.

The following persons spoke in support of the proposed amendments to the speed hump policies and procedures:

Jim Knutsen, Pasadena resident
Garth Garrett, Pasadena resident
Patricia Jauchler, Pasadena resident
Robert Melendes, Pasadena resident

Councilmember Gordo expressed concerns regarding the effectiveness of the proposed changes in addressing the issue of speeding, the interrelationship between the speed hump policy and stop sign regulations, and unintended consequences that might result when the changes are applied citywide (e.g., isolated streets with speed humps).

The City Attorney noted that the City Council could address the speed hump/speeding issue for neighborhoods through either a broad policy change or through a more narrowly-constructed change that would apply to street segments that fit specific thresholds/standards.

The City Manager discussed the proposed amendments vs. creation of exceptions to the policy.

Councilmember Holden suggested that Council consider an amendment to the policy that would remedy the issue of completing a street where a segment of the street was not included as a part of the original application for speed humps that have been installed, with the broader policy changes to be considered as a part of the General Plan/Mobility Element update and presented to Council when the update is completed.

Following discussion, it was moved by Vice Mayor McAustin, seconded by Councilmember Gordo, to approve the following amendment to speed hump policy no. 5: Streets less than 1,200 feet and greater than 600 feet may be eligible for speed humps, provided the street meets all other policy criteria and the street is contiguous to street segments of 1,200 feet or longer with speed humps; and that the broader issues regarding possible speed hump policy changes will be reviewed as part of the General Plan/Mobility Element update. (Motion unanimously carried) (Absent: Councilmember Robinson)

PUBLIC HEARING

CONTINUED PUBLIC HEARING: ZONING CODE AMENDMENT – CHANGE HEARING BODY FROM HEARING OFFICER TO PLANNING COMMISSION FOR MAJOR PROJECTS OVER 75,000 SQUARE FEET

Recommendation: It is recommended that the City Council:

- (1) Adopt an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), because the project is an administrative and procedural change pertaining to the hearing body of an entitlement process and will not result in any potential significant effect on the environment;
- (2) Approve the findings contained in the agenda report;
- (3) Approve the Major Project Processing Zoning Code Amendment; and
- (4) Direct the City Attorney to prepare an ordinance within 90 days consistent with the provisions set forth in the agenda report.

Recommendation of Planning Commission: On January 12, 2011, the Planning Commission recommended that the City Council approve the Major Project Processing Zoning Code Amendment as prepared by staff.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 11 and 18, 2011 in the Pasadena Star-News and on April 21, 2011 in the Pasadena Journal; and 1 letter in opposition to the Zoning Code amendment was received.

Vince Bertoni, Director of Planning Department, introduced the agenda item, and responded to questions regarding hearing officers' training on, and expertise with, the California Environmental Quality Act (CEQA).

Kent Lin, Associate Planner, reviewed the agenda report as part of a PowerPoint presentation.

Councilmember Gordo, Chair of the Economic Development and Technology Committee, reported that the Committee had reviewed the agenda report, with no formal recommendation to be presented to the City Council.

Denver Miller, Principal Planner, responded to questions regarding the current entitlement process and the proposed amendment.

Nina Chomsky, Pasadena resident, spoke in support of the proposed amendment.

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

Councilmember Holden expressed concerns regarding situations in which the Planning Commission might not be able to meet a quorum requirement in order to make a timely decision (e.g., recusals and absences).

The City Attorney clarified situations involving recusals and the ability of commissioners to make a fair judgment based on the record that is presented.

Councilmember Madison expressed concerns about a major policy change that eliminates a level in the process that helps to develop a public record on a major project, and is based on a one-case history.

Councilmember Gordo expressed concerns regarding the elimination of a review by the hearing officer, with an opportunity for public input at this stage of the major project process.

Following discussion, it was moved by Councilmember Tornek, seconded by Vice Mayor McAustin, to approve the staff recommendation, with the exception that all Adjustment Permit applications will be retained by the City Council as the decision-making body. (Motion carried, with Councilmembers Gordo, Madison objecting) (Absent: Councilmember Robinson)

INFORMATION ITEM

GENERAL PLAN LAND USE AND MOBILITY ELEMENTS UPDATE – JUNE COMMUNITY SURVEY AND WORKSHOPS

Recommendation: This report is presented for information only.

Vince Bertoni, Director of Planning Department, introduced the agenda item, and responded to questions regarding the plans for public outreach regarding the Mobility Element.

Jason Mikaelian, General Plan Manager, highlighted the agenda report as part of a PowerPoint presentation.

Councilmember Gordo was excused at 9:26 p.m.

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

PUBLIC HEARINGS

JOINT PUBLIC HEARING: APPROVAL OF A SUBSTANTIAL AMENDMENT TO THE 2010-2011 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN TO ALLOW FOR THE REPROGRAMMING OF FUNDS

Recommendation: It is recommended that the City Council/Pasadena Community Development Commission, following the public hearing:

(1) Adopt a resolution approving the submission to the U.S. Department of Housing and Urban Development (HUD), of a Substantial Amendment to the 2010-2011 Annual Action Plan, to allow for the reprogramming of funds as described in the agenda report; and

(2) Approve a journal voucher recognizing \$717,493 in program income in the Community Development Block Grant Fund 219, and appropriate these funds to the Housing Department's Fiscal Year 2011 operating budget. (Resolution No. 9117; Journal Voucher No. 2011-23)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 15, 2011 in the Pasadena Star-News; and no correspondence was received.

Bill Huang, Director of Housing Department, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

No one appeared for public comment.

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

It was moved by Councilmember Holden, seconded by Councilmember Madison, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Robinson)

**CONTINUED PUBLIC HEARING: CITY MANAGER'S
RECOMMENDED FISCAL YEAR 2012 OPERATING
BUDGET**

Recommendation: Receive public comment and continue this public hearing to each subsequent regular meeting of the City Council until June 6, 2011, or such other later date as the City Council may determine, at which time the City Council will be asked to close the public hearing and formally adopt the Fiscal Year 2012 Operating Budget.

**CONTINUED PUBLIC HEARING: FISCAL YEAR 2012-2016
RECOMMENDED CAPITAL IMPROVEMENT PROGRAM
BUDGET**

Recommendation: Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 7:30 p.m. until June 6, 2011, or such other 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 2012-2016 Capital Improvement Program Budget.

The above two public hearings were discussed concurrently.

The Mayor announced that now was the time for the continued public hearings.

Councilmember Holden, Chair of the Finance Committee, provided a brief overview of the City Manager's Recommended Fiscal Year (FY) 2012 Operating Budget as part of a PowerPoint presentation; and reported that at the special joint meeting of the City Council and Finance Committee held on May 23, 2011 at 3:00 p.m., staff had reviewed the budgets for the following departments/entities: Police, Human Resources, Finance, Human Services and Recreation, Planning, Housing, and Pasadena Community Development Commission. He noted that the proposed 50% reduction in the Arts Grant Program, as part of the Planning Department budget, will receive further discussion at the FY 2012 Budget Wrap Up Session on June 6, 2011.

No one appeared for public comment.

It was moved by Councilmember Holden, seconded by Vice Mayor McAustin, to continue the two public hearings to June 6, 2011 at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmembers Gordo, Robinson)

INFORMATION ITEM

PENSION REFORM OPTIONS

Recommendation: This report on pension reform options is submitted for information only.

Mary Ellen Schubel, Interim Director of Human Resources Department, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

The City Manager responded to questions regarding projected CalPERS rates, and indicated that he will provide Council with the current projected CalPERS costs.

Andy Green, Director of Finance Department, responded to questions regarding the smoothing component of estimated CalPERS rates and earnings.

Vice Mayor McAustin encouraged the City Council to be proactive in working with the CalPERS Board in addressing the pension issues that are impacting the City (e.g., the need for more available plan options); and asked staff to provide Council with information on the current/projected percentages of the operating budget that are/will be spent on employee retirement costs.

The Mayor suggested that the City develop a methodology, using available resources, that establishes guidelines that represent a fair, predictable average of performance or experience, which will assist the City in dealing with rising pension costs.

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


COUNCIL COMMENTS

Councilmember Tornek, the City's representative on the San Gabriel Valley Council of Governments (SGVCOG), briefly reported on challenges facing this governing body.

In regards to constituting the City's Redistricting Task Force, the Mayor suggested that the City Council follow its past practice in appointing members, with the Mayor nominating two persons and each Councilmember nominating one person to be appointed to the Task Force. He noted that a deadline of June 9, 2011 had been set for the nominations to be submitted, with the nominations to then be considered at the Council meeting of June 13, 2011. He indicated that staff is tentatively scheduled to provide a briefing on the redistricting process in July 2011.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:04 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk