

CITY OF PASADENA  
City Council Minutes  
November 7, 2011 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:** Mayor Bogaard called the regular meeting to order at 6:36 p.m. The Pledge of Allegiance was led by Councilmember Gordo.

**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  
Councilmember Terry Tornek

Staff:

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

**CEREMONIAL MATTERS**

**PRESENTATION BY ASSEMBLYMEMBER ANTHONY PORTANTINO ON THE STATE OF THE STATE**

Assemblymember Anthony Portantino provided an update on State legislative activities and the status of various bills that he had sponsored or is sponsoring; discussed the State's budget as it relates to issues that will impact the City (redevelopment funds, triggered cuts to education, and the prison realignment plan); and announced various district events that have been held and are scheduled in the future. He asked for the City's support for his proposed legislation, Assembly Bill (AB) 1129, which will repeal the State's exemption for complying with the California Public Records Act; and responded to questions.

Councilmember Gordo asked that AB 1129 be referred to the Legislative Policy Committee for recommendations to the City Council.

On order of the Mayor, the information was received.

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

Dr. Ron Paler, Pasadena resident, expressed concerns regarding the closure of Fire Station 39, and the need for the Public Safety Committee to address the issue in a timely manner; and asked that the City Council consider these concerns and issues at a regular Council meeting.

Councilmember Madison discussed the Public Safety Committee's schedule and proposed timing for a discussion of the Fire Station 39 situation.

The City Manager provided an overview of the public meetings/discussions held regarding Fire Station 39, and clarified that the Public Safety Committee's agenda for its regular meeting on November 21, 2011 will include a report on the temporary Fire Station.

Councilmember Tornek asked the City Manager to provide him with a written overview of the Fire Station 39 meetings/discussions.

Frances Schneider Liau, Pasadena resident, expressed concerns regarding the need for the City to modify the Pasadena Municipal Code to comply with its adopted green policies and best practices, and submitted her written statement.

Floyd Folven, Pasadena resident, expressed concerns regarding various budget issues, and submitted informational articles regarding governmental economic matters.

## CONSENT CALENDAR

### **APPROVAL OF FINAL TRACT MAP NO. 063461, BEING A MIXED-USE PROJECT CONSISTING OF 33 CONDOMINIUMS AND ONE COMMERCIAL PARCEL, AT 285 WEST GREEN STREET**

#### **Recommendation:**

- (1) Adopt a resolution to approve Final Tract Map No. 063461;
- (2) Accept the offer of easement dedications for street purposes as shown on said map; and
- (3) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 9155)

### **REAPPOINTMENT OF ELISA WEAVER TO THE HUMAN SERVICES COMMISSION (Mayor Nomination)**

Claim No. 11,486	Del Mar Apartments, LLC	\$3,287.50
Claim No. 11,487	John Park	1,567.43

November 21, 2011, 7:30 p.m. – Appeal of Decision by Historic Preservation Commission regarding Certificate of Appropriateness for Front-yard Fence, Driveway Gate and Pedestrian Gate at 1116 Armada Drive (PLN-2010-00238)

December 12, 2011, 7:30 p.m. – Consideration to Adopt a Program of Enforcement for the Pasadena Water and Power Department Pursuant to Section 399.30(e) of the Public Utilities Code Revised Recently by Enactment of the California Renewable Energy Resources Act, Senate Bill X1-2

It was moved by Councilmember Gordo, seconded by Councilmember Robinson, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**ECONOMIC DEVELOPMENT  
AND TECHNOLOGY  
COMMITTEE**

**APPROVAL OF KEY BUSINESS TERMS OF  
DEVELOPMENT AND LEASE AGREEMENT WITH BRIDGE  
HOUSING CORPORATION FOR THE DEVELOPMENT OF  
THE HERITAGE SQUARE AFFORDABLE SENIOR RENTAL  
HOUSING PROJECT AT 750-790 NORTH FAIR OAKS  
AVENUE**

**Recommendation:**

(1) Find that the proposed affordable senior rental housing project at 750-790 North Fair Oaks Avenue (the Project) is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15332, in-fill development projects, and authorize the City Clerk to file with the County Clerk a Notice of Exemption;

(2) Approve certain key business terms, as described in the agenda report, for a Development and Lease Agreement (DLA) with BRIDGE Housing Corporation in connection with the proposed development of the Project; and

(3) Authorize the City Manager to execute, and the City Clerk to attest, any documents necessary to implement the DLA. (Agreement No. 20,838)

**Recommendation of the Fair Oaks Project Area Committee:**

The subject recommendation was approved by the Fair Oaks Project Area Committee at its regular meeting of October 25, 2011.

**Recommendation of Community Development Committee:**

The subject recommendation was approved by the Community Development Committee (CDC) at its regular meeting of October 27, 2011 with the following amendments:

(a) Amend DLA Key Business Point No. 17 (Exhibit A of the agenda report), to include the following sentence: "Prior to approval from the Housing Director, Developer shall submit a Local Benefit Plan to the Community Development Committee and Fair Oaks Project Area Committee as a working item."

(b) Amend DLA Key Business Point No. 18 to require submittal of the monthly progress report on the Local Benefit Plan to the Community Development Committee.

(c) Amend DLA Key Business Point No. 24, to provide for approval of the Developer's Tenant Marketing and Selection Plan by the Community Development Committee in addition to the Housing Director.

(d) Amend DLA Key Business Point No. 29 to include the following sentence: "The Community Development Committee shall review any minor technical amendments made to the DLA prior to City Manager approval."

(e) Provide an incentive to the Developer for meeting and/or exceeding the 20/20/20 Local Benefit Requirements.

Councilmember Gordo, Chair of the Economic Development and Technology Committee, introduced the agenda item.

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

Councilmember Holden suggested that staff provide Council with the Developer's draft of the Tenant Marketing and Selection Plan, to allow an opportunity for Council to submit comments to the Director prior to his approval of the Plan; and emphasized the need for staff to clearly define how performance benchmarks are to be determined and met for the 20/20/20 Local Benefits Requirements.

It was moved by Councilmember Holden, seconded by Councilmember Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

MUNICIPAL SERVICES  
COMMITTEE

**DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE THAT AMENDS SECTION 13.04 OF THE PASADENA MUNICIPAL CODE AS NECESSARY TO CONFORM WITH APPLICABLE CHANGES TO THE CALIFORNIA PUBLIC UTILITIES CODE SECTION 2827 AND 2827.10; AND, ADOPT A RESOLUTION AMENDING REGULATION 23 AND AUTHORIZING THE CITY MANAGER, OR GENERAL MANAGER OF THE WATER AND POWER DEPARTMENT, TO SIGN INTERCONNECTION AGREEMENTS WITH DISTRIBUTED ELECTRIC GENERATION AND STORAGE DEVICES**

**Recommendation:**

(1) Find that the action recommended in the agenda report is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301, existing facilities;

(2) Direct the City Attorney to prepare an ordinance that amends Section 13.04 of the Pasadena Municipal Code (Light and Power Rate Ordinance) as necessary to conform with applicable changes to the California Public Utilities Code (PUC) Section 2827 and 2827.10 within 60 days; and

(3) Adopt a resolution that:

(a) Amends Regulation 23, the Pasadena Water and Power Department (PWP) Distributed Generation Facilities Interconnection Requirements, to include any distributed electric energy generation or storage device taking electrical service under the Light and Power Rate Ordinance and to conform with PUC 2827; and

(b) Authorizes the City Manager, or General Manager of Water and Power Department, to enter into interconnection agreements that enable distributed electric generation or storage devices to connect to PWP's electric distribution system, subject to the terms

and conditions of Regulation 23 and/or other applicable interconnection standards.

(Resolution No. 9156)

Vice Mayor McAustin, Chair of the Municipal Services Committee, introduced the agenda item.

Eric Klinkner, Chief Deputy General Manager of Water and Power Department, summarized the agenda report as part of a PowerPoint presentation.

It was moved by Vice Mayor McAustin, seconded by Councilmember Tornek, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**CONSIDERATION OF CALL FOR REVIEW OF A HEARING OFFICER DECISION TO THE BOARD OF ZONING APPEALS, REGARDING HILLSIDE DEVELOPMENT PERMIT NO. 5481, TO ALLOW ADDITIONS GREATER THAN 500 SQUARE FEET TO A ONE-STORY SINGLE-FAMILY RESIDENCE IN THE HILLSIDE OVERLAY DISTRICT, AT 1493 SCENIC DRIVE (PLN 2010-00280)**  
(Councilmember Madison)

Councilmember Madison expressed concerns regarding the Hearing Officer's decision involving the requirements imposed for the garage/parking spaces.

John Steinmeyer, Acting Zoning Administrator, provided an overview of the proposed project, the Hearing Officer's decision and findings as part of a PowerPoint presentation, and responded to questions.

Richard A. McDonald, Esq., legal counsel for applicant, spoke in support of the call for review to the Board of Zoning Appeals.

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to call this matter for review to the Board of Zoning Appeals. (Motion unanimously carried) (Absent: None)

**ORDINANCE – ADOPTED**

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA CREATING CHAPTER 8.65 OF THE PASADENA MUNICIPAL CODE TO REGULATE THE USE OF PLASTIC CARRYOUT BAGS AND RECYCLABLE PAPER BAGS AND PROMOTE THE USE OF REUSABLE BAGS”** (Introduced by Councilmember Robinson) (Ordinance No. 7214)

Floyd Folven, Pasadena resident, spoke in opposition to the proposed regulations.

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

**COUNCIL COMMENTS**

Councilmember Madison commended the City Council, Pasadena Center Operating Company (PCOC), and their staffs for their efforts that resulted in the recent ribbon-cutting event for the new community ice rink on the Pasadena Center site.

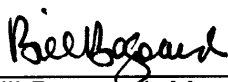
In response to Councilmember Tornek's questions, the City Manager indicated that findings and recommendations derived from the recent fire fatality investigation have been produced and will be brought to the Public Safety Committee for review, once the personnel/confidentiality issues are addressed.

Councilmember Tornek stated that any information from the investigation that can be made public should be released as soon as possible, with the report's policy issues/recommendations to be discussed by the Public Safety Committee as a separate action.

In response to Councilmember Madison's questions, Vice Mayor McAustin indicated that a staff report on the role of the Municipal Services Committee will be reviewed at the Committee's next regular meeting, with a full discussion of this matter to be held by the City Council at a future date.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 8:03 p.m.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk