

CITY OF PASADENA
City Council Minutes
February 3, 2014 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:30 p.m.
(Absent: Councilmembers Madison, McAustin)

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

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

Property Location: 150 South Los Robles Avenue, Pasadena, CA

Agency Negotiators: Michael J. Beck and Steve Mermell

Negotiating Party: Gloria French

Under Negotiation: Price and terms of payment

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

Property Locations: 1465, 1477, and 1489 Wierfield Drive, Pasadena, CA

Agency Negotiators: Michael J. Beck and Steve Mermell

Negotiating Party: Lorraine Cooper

Under Negotiation: Price and terms of payment

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

Property Location: 303 East Cordova Avenue Street, Pasadena, CA

Agency Negotiators: Michael J. Beck and Steve Mermell

Negotiating Party: Clement Chen

Under Negotiation: Price and terms of payment

The above three closed session items were discussed, with no reportable action at this time.

On the order of the Mayor, the regular meeting reconvened at 6:47 p.m. The Pledge of Allegiance was led by Councilmember Kennedy.

ROLL CALL:
Councilmembers:

Mayor Bill Bogaard
Vice Mayor Jacque Robinson
Councilmember Victor Gordo
Councilmember John J. Kennedy
Councilmember Steve Madison (Arrived at 8:19 p.m.)
Councilmember Gene Masuda (Arrived at 6:49 p.m.)
Councilmember Margaret McAustin (Absent)
Councilmember Tornek

Staff:

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

CEREMONIAL MATTERS

Councilmember Masuda
arrived at 6:49 p.m.

The City Clerk administered the oaths of office to Edgar Arceneaux as Arts and Culture Commissioner, Jennifer McCreight as Commissioner on the Status of Women, and Cindy Schnuelle as Northwest Commissioner.

Jan Sanders, Director of Libraries and Information Services Department, provided a review of the upcoming reading celebrations at the Central Library, celebrating the Library's 130 year anniversary.

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

Genevieve Clavreul, expressed concerns regarding the negative impacts to handicapped parking during flea market events held at Pasadena City College, and described an incident she experienced with One West Bank.

Sylvia Plummer and Andy Carrico, Pasadena residents, spoke in opposition to the proposed SR710 extension and requested that the City undertake a Pasadena specific review of the Draft Environmental Impact Report pertaining to the SR710.

Michael Beck, City Manager, informed the City Council and community that as part of the five city consortium, which Pasadena recently joined, the City will examine Pasadena specific impacts of the SR710 Draft EIR report.

Ralph Reece, member of a Revitalization Commission, spoke in regards to a book entitled, United States War on Cancer.

CONSENT CALENDAR

**AUTHORIZATION TO ENTER INTO A PURCHASE ORDER
CONTRACT WITH FRONTIER FORD FOR THE PURCHASE
OF TWO SUPER DUTY CREW CABS WITH CUSTOM
FLATBED TRUCK BODIES FOR THE WATER AND POWER
DEPARTMENT**

Recommendation:

- (1) Find the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301 (Existing Facilities); and
- (2) Accept the bid dated August 12, 2013, submitted by Frontier Ford in response to Specifications LD-13-10 and authorize a purchase order contract for an amount not to exceed \$171,590 for two Super Duty crew cabs and custom flatbed truck bodies.

Item discussed separately

APPOINTMENT OF ANN E. CLARY TO THE PASADENA CENTER OPERATING COMPANY BOARD (Mayor Nomination/District 7)

CLAIMS RECEIVED AND FILED

Claim No. 12,091	Blue Water Aviation c/o Cozen O'Connor	\$ 25,000.00+
Claim No. 12,092	Claims Resource Services for Maria Sheu (Maline)	3,366.70
Claim No. 12,093	Kimberly Smith	300.00
Claim No. 12,094	Michael Eibl	Not Stated
Claim No. 12,095	Therisa Dockery	330.00

PUBLIC HEARINGS SET

February 10, 2014, 7:00 p.m. – A Second Extension of an Interim Urgency Ordinance of the City of Pasadena Temporarily Prohibiting the Approval of New Recycling Facilities, the Expansion or Modification of Existing Facilities, and the Resumption of Discontinued Legal Nonconforming Status for Recycling Centers

It was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to approve the Consent Calendar, with the exception of item 2 (Appointment of Ann E. Clary to the Pasadena Center Operating Board), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Madison, McAustin)

CONSENT ITEM DISCUSSED SEPARATELY

APPOINTMENT OF ANN E. CLARY TO THE PASADENA CENTER OPERATING COMPANY BOARD (Mayor Nomination/District 7)

Councilmember Kennedy stated that he has no objection with the above recommended appointee, however expressed concerns regarding the process of appointing members to the Pasadena Center Operating Board and requested an update from Councilmember Madison regarding the discussion with the Board and the appointment process.

The Mayor stated that Councilmember Madison will arrive later in the meeting and planned to provide the requested update to the City Council at that time.

**Discussion/Report
Continued on Page 11**

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Masuda, to approve the appointment of Ann E. Clary to the Pasadena Center Operating Board. (Motion unanimously carried) (Absent: Councilmember Madison, McAustin)

**ORDINANCES – FIRST
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING PASADENA MUNICIPAL CODE CHAPTER 6.20, FOWL AND LIVESTOCK RESTRICTIONS”

David Reyes, Deputy Director of Planning and Development, responded to Councilmember Tornek’s inquiry regarding the setback language.

Following a brief discussion, the above ordinance was offered for first reading by Vice Mayor Robinson:

- AYES: Councilmembers Gordo, Kennedy, Masuda, Tornek, Vice Mayor Robinson, Mayor Bogaard
- NOES: None
- ABSENT: Councilmember Madison, McAustin

ORDINANCES – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 8.62 OF THE PASADENA MUNICIPAL CODE, THE CITY’S CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT ORDINANCE, TO COMPLY WITH RECENT CHANGES IN STATE LAW AND TO MODERNIZE THE CITY’S ORDINANCE” (Introduced by Councilmember McAustin)

The above ordinance was adopted by the following vote:

- AYES: Councilmembers Gordo, Kennedy, Masuda, Tornek, Vice Mayor Robinson, Mayor Bogaard
- NOES: None
- ABSENT: Councilmember Madison, McAustin

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

A REVIEW OF THE ROSE BOWL OPERATING COMPANY (RBOC) GOVERNANCE

Recommendation:

- (1) Receive this review of the Rose Bowl Operating Company (RBOC) Governance;
- (2) Direct the City Manager to work with the General Managers of the Rose Bowl Operating Company and Pasadena Center Operating Company (PCOC) to develop amendments to their respective Operating Agreements to be considered by the City Council and the boards of the RBOC and PCOC, implementing the following in order to enhance oversight by the City Council of City Operating Companies:

a. Present information, during the annual operating budget review, regarding anticipated adjustments in salary and benefit line-items (revised recommendation from that presented to the Finance Committee);

b. Quarterly reporting to the City Council through from General Managers and/or Board Chairs;

c. Submit monthly financial information to the City's Finance Director to be included in the Quarterly Financial Monitoring Report submitted to the City Council Finance Committee;

(3) Direct the City Manager to work with the General Managers to develop a policy for capital project construction management and return to City Council for consideration;

(4) Direct City staff and the Rose Bowl Operating Company to jointly undertake an analysis of event coordination in the Arroyo; and,

(5) Direct the City Manager to work with the Rose Bowl Operating Company to develop other proposed amendments to update Operating Agreement No. 15,703 between the City of Pasadena and the Rose Bowl Operating Company.

Finance Committee Recommendation: On November 18, 2013, the Finance Committee voted to recommend to the City Council that it accept staff recommendations 2b, 2c, 3 and 4. In regard to recommendation 2a, staff had originally recommended to the Finance Committee that the City Council adopt the practice of formally establishing adjustments to salary ranges and benefit structures for City operating companies similar to that for unrepresented City employees. The Finance Committee did not accept this recommendation, but did indicate a desire to understand the assumptions behind annual amounts budgeted for salaries and benefits in each of the operating companies' operating budget. Staff believes the revised recommendation 2a above is consistent with this approach.

Additionally, the Finance Committee recommends that the City Council direct the City Manager to work with the Rose Bowl Operating Company to develop other proposed amendments to update Operating Agreement No. 15,703 between the City of Pasadena and the Rose Bowl Operating Company. Staff supports this recommendation which is presented as Staff Recommendation No. 5 above. (Contract No. 15,703-5)

Councilmember Gordo, President of the Rose Bowl Operating Board (RBOC), introduced the item and indicated the RBOC's position in support of the staff recommendation to review the structure, goals, and improve communication between the RBOC and City Council.

Michael Beck, City Manager, introduced the item and informed the City Council that a governance operations review was completed with RBOC, the Pasadena Center Operating Company (PCOC), and the Pasadena Community Access Corporation (PCAC), and responded to questions.

Steve Mermell, Assistant City Manager, provided a PowerPoint presentation summarizing the agenda report, including the revision to the staff recommendation incorporating changes by the Finance Committee to direct staff during the annual operating budget review to provide to the City Council information related to any anticipated adjustments in salary and benefit line-items for RBOC, PCOC, and PCAC, and responded to questions.

The following individuals spoke in favor of staff's recommendations regarding the review of the RBOC and PCOC:

Edward Garlock, Vice President of RBOC
Jim McDermott, President PCOC
Richard McDonald, Director of PCOC

Councilmember Tornek stated his support for joint meetings with each of the Operating Company Boards and the City Council.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Gordo, to approve staff's recommendations. (Motion unanimously carried) (Absent: Councilmember Madison, McAustin)

PUBLIC HEARING

PUBLIC HEARING: 2014-2021 HOUSING ELEMENT

Recommendation:

- (1) Adopt a Negative Declaration under Section 15070 of the Guidelines for the California Environmental Quality Act (CEQA), because, based on the Initial Study, there is no substantial evidence that the Housing Element would have a significant impact on the environment;
- (2) Adopt the Final Draft Housing Element (Attachment A of the agenda report) and resolution to approve the 2014-2021 Housing Element; and
- (3) Consideration of Housing Element Implementation Process.

Planning Commission Recommendation: On January 22, 2014, the Planning Commission held a public hearing and recommended that the City Council approve the Housing Element. Additionally, the Commission recommended that the

Housing Element Implementation Process be added to the Housing Program Implementation Table and that a time limit be established for the completion of this process. (Resolution No. 9334)

Councilmember Madison arrived at 8:19 p.m.

The Mayor opened the public hearing.

The City Clerk reported that the notice of public hearing was published on January 20, 2014 in the Pasadena Star News; and on January 23, 2014 and January 30, 2014 in the Pasadena Journal; four letters were received in the City Clerk's office supporting the Housing Element, but noted concerns and/or advocating for a Housing Commission.

Vincent Bertoni, Director of Planning and Community Development, introduced the agenda item, informed the City Council of the submittal deadline to the State of California by February 12, 2014.

Denver Miller, Principal Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Kennedy expressed his disappointment that the Housing Element did not include historical information and the impact of Senate Bill 481 on affordable housing funding. He spoke in favor of bringing together a group of individuals to consider possible funding mechanisms to assist in the implementation of the Housing Element and affordable housing issues. In addition, Mr. Kennedy requested information on the City's role regarding Housing and Urban Development leases pertaining to the Kings Villages property.

William Huang, Director of Housing, provided information regarding affordable housing programs, the Section 8 housing assistance program, homelessness programs, the inclusionary housing ordinance, and responded to questions.

The City Manager provided information on a community forum scheduled for February 19, 2014 focused on potential funding strategies that could help secure future affordable housing in the City.

Councilmember Gordo suggested that the Planning Commission's recommendation of developing an implementation plan, as well as affordable housing funding strategies, be referred to the Economic Development and Technology Committee. In addition, Mr. Gordo suggested that staff encourage neighboring communities to manage/address their affordable housing stock issues.

Councilmember Kennedy publically disclosed that he owns a Mills Act property, since the Mills Act is noted in the agenda report.

The following individuals provided comments and spoke in favor of the Housing Element and/or establishing a Housing Commission:

Marvin Schachter, Senior advocacy Council
Jeanette M. Beard, Greater Pasadena Affordable Housing, distributed correspondence in support of the item
Paul De Joseph, Pasadena resident
Norma F. Pratt, Greater Pasadena Affordable Housing Group
Anthony Manousos, Orange Grove Friends
Jill Shook, Greater Pasadena Affordable Housing Group
Natalie Brown, Greater Pasadena Affordable Housing Group
Martha Hartie, Greater Pasadena Affordable Housing Group
Michelle White, Greater Pasadena Affordable Housing Group
Jose Noel Toro, Pasadena resident
Cody, Pasadena resident

Darrell Cozen, Greater Pasadena Affordable Housing Group, spoke in favor of the Housing Element and suggested that the Planning Department share the responsibilities of attempting to preserve and protect existing affordable housing in coordination with the Housing Department.

Councilmember Tornek spoke in support of the creation of a Housing Commission that could focus on affordable housing issues, as well as provide a possible resource for guiding the implementation of the Housing Element.

Councilmember Madison expressed reservation regarding the possibility of a new commission without clear legislative direction and authority, which should be considered by EDTech in the context of its discussion of the Housing Element implementation process. In addition, Mr. Madison requested that staff seek input from the Pasadena Unified School District on housing issues, and best practices from surrounding cities when discussing implementation strategies.

Following discussion, it was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember McAustin)

It was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to approve Recommendation Nos. 1 and 2, as noted above; and forward Recommendation No. 3 regarding the housing implementation process, utilizing the potential alternatives cited by the Planning Commission for the Housing Element implementation, to the Economic Development and Technology Committee for a review and recommendation prior to final City Council action. (Motion unanimously carried) (Absent: Councilmember McAustin)

PUBLIC HEARING: ADOPTION OF A ZONE CHANGE TO DESIGNATE A LANDMARK DISTRICT OVERLAY FOR THE SOUTH GRAND-COVINGTON PLACE LANDMARK DISTRICT (LD-21)

Recommendation:

- (1) Find that the application for a zone change to create a landmark district is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Section 15308: Class 8, Actions by Regulatory Agencies for Protection of the Environment);
- (2) Find the proposed South Grand-Covington Place Landmark District meets the criteria for designation as a Landmark District as specified in Section 17.62.040(F) of the Pasadena Municipal Code;
- (3) Approve the landmark district designation and the zoning map overlay for the South Grand-Covington Place Landmark District, LD-21; and
- (4) Direct the City Attorney to prepare an ordinance within 60 days amending the official zoning map to the City of Pasadena established by Section 17.20.020 of the Pasadena Municipal Code to designate the landmark district with the LD-21 Overlay Zone.

Historic Preservation Commission Recommendation: On September 3, 2013, the Historic Preservation Commission determined that the proposed South Grand-Covington Place Landmark District meets the criteria for designation in Section 17.62.040(F) of the Pasadena Municipal Code (PMC) and unanimously recommended approval of the designation.

Planning Commission Recommendation: At a public hearing on November 13, 2013, the Planning Commission found that the proposed zone change to create a landmark district is consistent with the General Plan and the purposes of the Zoning Code, certified the final petition with the signatures from at least 51 percent of the property owners and voted 5-1 to recommend that the City Council approve designation of the South Grand-Covington Place Landmark District.

The Mayor opened the public hearing.

The City Clerk reported 26 copies of the notice of public hearing were posted and 23 copies of the notice were mailed on January 17, 2014; and the City Clerk's office received 2 correspondences in support of the proposed landmark district designation.

Vincent Bertoni, Director of Planning and Community Development, introduced the agenda item and Kevin Johnson, Senior Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions

The following individuals provided comments and spoke in favor of the adoption of the Landmark District Overlay:

Frances Wang, Pasadena resident
Judy McDonald, Pasadena resident
Tim Walker, Pasadena resident
Jesse Lattig, Pasadena Heritage
Audrey O'Kelley, West Pasadena Residents Association
Mic Hansen, Pasadena resident
Corey Waite, Pasadena resident

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

Following a brief discussion, it was moved by Councilmember Madison, seconded by Councilmember Kennedy, to approve staff's recommendation. (Motion unanimously carried) (Absent: Councilmember McAustin)

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW OF A PROJECT LOCATED AT 909-915 SOUTH FAIR OAKS AVENUE ("SHRINERS HOSPITALS FOR CHILDREN")

Recommendation: This report is intended to provide information to the City Council, no action is required.

David Sinclair, Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions

Councilmember Tornek asked staff to provide additional information regarding the lot size of the residential zoned RM32 property adjacent to the proposed project site, and at future predevelopment plan reviews, provide all relevant information pertaining to the actual site and adjacent sites.

The Mayor requested staff provide a report with information on Adjustment Permits, including case studies where such a permit was used by the City.

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

CONSENT ITEM DISCUSSED SEPARATELY

APPOINTMENT OF ANN E. CLARY TO THE PASADENA CENTER OPERATING COMPANY BOARD (Mayor Nomination/District 7)

Discussion/Report Continued From Above

In response to Councilmember Kennedy's concerns, Michele Beal Bagneris, City Attorney/City Prosecutor, confirmed that the process of appointing individuals to the Pasadena Center Operating Company Board, with the Mayor nominating members recommended by the City Council for approval, is consistent with the Pasadena Municipal Code, and is also consistent with the City Charter.

Councilmember Madison also reported on the Pasadena Center Operating Company Board's discussion, and stated the Board supported the current appointment process.

Councilmember Kennedy reiterated his preference/policy position that each Councilmember should have a direct nominee to the PCOC Board, and requested that this item be agendaized for discussion at a future City Council meeting.

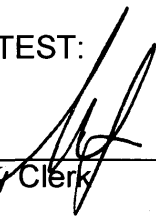
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:51 p.m., in memory of Jacqueline Hill Howard, Vice Director of Links, Inc., and past President of the Pasadena Tournament of Roses Foundation Board; and Savas Jerry Stathatos, Board of Director of Descanso Gardens, and Co-founder of Stats Floral Supply located in Pasadena.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk