

CITY OF PASADENA  
City Council Minutes  
February 10, 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.

On the order of the Mayor, the regular meeting recessed at 5:37 p.m. to discuss the following closed sessions:

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)**

**Name of Case: Kenneth McDade, Anya Slaughter, and the Estate of Kendrec McDade v. City of Pasadena**

**Case No.: CV12-02892 DMG (JCGx)**

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

**Agency Designated Representatives: Kristi Recchia and Michael J. Beck**

**Employee Organization: International Brotherhood of Electrical Workers (IBEW) Local 18**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)**

**Name of Case: City of Pasadena v. UBS Financial Services, Inc.**

**Case No.: Financial Industry Regulatory Authority Arbitration No. 12-477**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION – Consideration of initiation of litigation pursuant to Government Code Section 54956.9(d)(4) (one potential case)**

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

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956**

**Property Locations: 1837 East Colorado Boulevard, Pasadena, CA**

**Agency Negotiators: Michael J. Beck, City Manager**

**Negotiating Party: Kwei H. Shiao**

**Under Negotiation: Price and terms of payment**

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 7:27 p.m. The Pledge of Allegiance was led by Councilmember Madison.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Jacque Robinson  
Councilmember Victor Gordo  
Councilmember John J. Kennedy  
Councilmember Steve Madison  
Councilmember Gene Masuda  
Councilmember Margaret McAustin  
Councilmember Terry Tornek (Arrived at 7:29 p.m.)

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 Ann E. Clary as Pasadena Center Operating Company Boardmember.

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

Kurt Thorgerson, Upland resident, provided information on his ability to reuse pallets for gardening, which is the foundation of his program called Urban Micro Pallet Farming.

Ibrahim Naeem, Ahmadiyya Muslim Community, distributed a book entitled, World Crisis and the Pathway to Peace, and provided a brief summary of the Ahmadiyya Muslim Community.

**CONSENT CALENDAR**

**ADOPTION OF A RESOLUTION TO AUTHORIZE SUBMITTAL OF AN APPLICATION TO THE STATE OF CALIFORNIA FOR SUSTAINABLE COMMUNITIES PLANNING GRANT PROGRAM FUNDS**

**Recommendation:**

(1) Find that the authorization to seek grant funding is exempt from the California Environmental Quality Act ("CEQA")

pursuant to State CEQA Guidelines Section 15378 – Project, because seeking grant funding is an administrative activity that will not result in direct or indirect physical changes in the environment;

(2) Adopt a resolution authorizing the City to submit a grant application to the State of California under the Sustainable Communities Planning Grant and Incentives Program; and

(3) Authorize the City Manager, or his designee, to approve any documents in connection with the grant application, or in the event that the City receives an award, any Sustainable Communities Planning Grant and Incentives Program contract documents that may be required by the State. (Resolution No. 9335)

**FINANCE COMMITTEE: AMENDMENT TO CONTRACT NO. 20,717 WITH PLANNING CENTER/DC&E TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT BY \$306,851 FROM \$431,871 TO \$738,722 FOR PROFESSIONAL CONSULTANT SERVICES FOR THE UPDATE TO THE GENERAL PLAN**

**Recommendation:**

(1) Authorize the City Manager to amend Contract No. 20,717 with Planning Center/DC&E by increasing the contract amount by \$306,851 for a total not-to-exceed amount of \$738,722 for work related to the completion of the General Plan Update; and

(2) Appropriate \$245,357 from the General Fund Assigned Fund Balance to the Planning & Community Development Department (8115-101-444600) to cover expenses related to the General Plan Update as provided in Contract No. 20,717 with the Planning Center/DC&E. (Journal Voucher 2014-19 and Contract No. 20,717-2)

**FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2014 ADOPTED BUDGET**

**Recommendation:**

(1) Amend the Fiscal Year 2014 Adopted Budget as detailed in the *Proposed Budget Amendments* section of the agenda report; and

(2) Amend the Fiscal Year 2014 General Fee Schedule to increase the fee for Birth and Death Certificates resulting from State mandated increases to these fees. (Journal Voucher 2014-20)

MINUTES APPROVED

January 27, 2014

CLAIMS RECEIVED AND  
FILED

|                  |                        |               |
|------------------|------------------------|---------------|
| Claim No. 12,096 | Brittney Latrice Fuery | \$ 10,000.00+ |
| Claim No. 12,097 | Jason Taylor           | 10,000.00+    |

Claim No. 12,098 S.H.E. Engineering & Not stated  
Construction Group, Inc.

It was moved by Councilmember McAustin, seconded by Councilmember Masuda, to approve 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 FIRST AMENDMENT TO DEVELOPMENT, LOAN AND LEASE AGREEMENT WITH BRIDGE HOUSING CORPORATION FOR THE HERITAGE SQUARE SENIOR HOUSING PROJECT AT 750-790 NORTH FAIR OAKS AVENUE; AND AN INCREASE IN CITY LOAN BY AN AMOUNT NOT TO EXCEED \$400,000**

**Recommendation:**

(1) Find that the proposed business terms, as described in the agenda report, of the First Amendment to Development, Loan, and Lease Agreement with Bridge Housing Corporation for the development of the Heritage Square Senior Housing Project located at 750-790 North Fair Oaks Avenue are consistent with the In-Fill Development Projects exemption under Section 15332 of the California Environmental Quality Act (CEQA) that was adopted by City Council on November 7, 2011 for this project;

(2) Approve a journal voucher appropriating \$400,000 from the Inclusionary Housing Fund balance to the "Heritage Square" Project (Account No. 8167-619-684140-55-51333); and

(3) Approve key business terms of the First Amendment to Development, Loan, and Lease Agreement with Bridge Housing Corporation, as set forth in the agenda report, to increase the City loan assistance for the Heritage Square Senior Housing Project by an additional amount not to exceed \$400,000.

**Northwest Commission Recommendation:** At its regular meeting on January 9, 2014 the Northwest Commission voted to recommend to the City Council approval of the staff recommendation. (Contract No. 20,998-1, Journal Voucher 2014-21)

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

Jim Wong, Senior Project Manager, responded to questions regarding low income threshold requirements for low housing applicants.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Gordo, to approve staff recommendations. (Motion unanimously carried) (Absent: None)

## **PUBLIC HEARING**

### **PUBLIC HEARING: AN 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** **Recommendation:**

- (1) Find that the extension of the interim urgency ordinance is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines Sections 15060(C)(2) and 15262 because the interim ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment and because the project involves only feasibility or planning studies for possible future actions which the City has not approved, adopted, or funded, and does not involve adoption of a plan that will have a legally binding effect on later activities;
- (2) Find that the proposed extension of the moratorium that is the subject of the ordinance is consistent with the objectives and policies of the General Plan;
- (3) Find that: (a) there continues to be a current and immediate threat to public health, safety and welfare because continued approval of new, the expansion or modification of existing, and the resumption of discontinued legal nonconforming status recycling facilities would have adverse impacts on the public health, safety, or welfare pursuant to the standards and policies set forth in the General Plan, and (b) the proposed extension of the interim ordinance is necessary to avoid these adverse impacts; and
- (4) Adopt a second extension of the interim urgency ordinance temporarily prohibiting the approval of new recycling facilities, the expansion or modification of existing facilities, and the resumption of discontinued legal nonconforming recycling facilities.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on January 30, 2014 and February 6, 2014 in the Pasadena Weekly, and on February 7, 2014 in the Pasadena Star News. No correspondence was received regarding the agenda item.

No one appeared for public comment.

It was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to close the public hearing. (Motion unanimously carried) (Absent: None)

Councilmember Gordo requested that the proposed ordinance to be considered by City Council, which will include the recommended provisions to govern recycling facilities, be referred to the Economic Development and Technology Committee (EDTech) for review and discussion prior to City Council consideration.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Masuda, to approve staff recommendations with EDTech to review the recommended ordinance prior to City Council consideration. (Motion unanimously carried) (Absent: None)

**Conduct first reading of “SECOND URGENCY EXTENSION OF INTERIM URGENCY ORDINANCE NO. 7229 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 FACILITIES”**

The above ordinance was offered for first reading by Councilmember Gordo:

AYES: Councilmembers, Gordo, Kennedy, Madison, Masuda, McAustin, Tornek, Vice Mayor Robinson, Mayor Bogaard

NOES: None

ABSENT: None

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**APPROVAL OF FINDINGS RELATED TO THE STAGING OF ADDITIONAL DISPLACEMENT EVENTS AT THE ROSE BOWL STADIUM IN CALENDAR YEAR 2014**

**Recommendation:**

(1) Find that the actions proposed in the agenda report are categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings);

(2) Make the required findings, pursuant to Pasadena Municipal Code Section 3.32.270, to authorize three additional Displacement Events at the Rose Bowl Stadium during calendar year 2014;

- (3) Direct staff to file a Notice(s) of Exemption by February 14, 2014; and
- (4) Establish that the City of Pasadena will not host National Football League (NFL) games, nor more than 18 Displacement Events at the Rose Bowl Stadium in calendar year 2014.

Councilmember Gordo, President of the Rose Bowl Operating Company Board, introduced the item, summarized the agenda report, provided information on the fiscal aspects of the proposed action, informed the City Council that RBOC is supportive of sharing the costs with the City for an event coordination study of the Central Arroyo area, and responded to questions.

Darryl Dunn, General Manger RBOC, provided a PowerPoint presentation, provided information on the proposed Rose Bowl Stadium events, and responded to questions.

Nina Chomsky, Linda Vista-Annandale Association, commented positively on RBOC's decision to limit the number of minor events, and to commit to not host the National Football League in 2014, and expressed concerns regarding the impact of minor events on other recreational uses in the Arroyo.

Michael Beck, City Manager, stated that the City has no intention of scheduling additional walk events (beyond the three already scheduled) at the Rose Bowl in 2014.

Following discussion, it was moved by Councilmember Kennedy, seconded by Vice Mayor Robinson, to approve the Rose Bowl Operating Company's recommendations. (Motion unanimously carried) (Absent: None)

## **ORDINANCES – FIRST READING**

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE (SOUTH GRAND-COVINGTON PLACE LANDMARK OVERLAY DISTRICT)”**

The above ordinance was offered for first reading by Councilmember Madison:

AYES: Councilmembers, Gordo, Kennedy, Madison, Masuda, McAustin, Tornek, Vice Mayor Robinson, Mayor Bogaard

NOES: None

ABSENT: None

**ORDINANCES – ADOPTED**

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING PASADENA MUNICIPAL CODE CHAPTER 6.20, FOWL AND LIVESTOCK RESTRICTIONS”** (Introduced by Vice Mayor Robinson) (Ordinance No. 7239)

The above ordinance was adopted by the following vote:

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

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES - Continued**

**REVISING THRESHOLDS OF SIGNIFICANCE FOR TRAFFIC IMPACTS – IMPACT OF TIMING ON PROJECTS**

**Recommendation:** It is recommended that should the City Council approve revised thresholds of significance for traffic impacts that the new thresholds would not apply to projects that have been both:

- Deemed complete; and
- Executed a memorandum of understanding to prepare a traffic study.

As further described in Option Five in the Background section of the agenda report.

**Planning Commission and Transportation Advisory**

**Commission Recommendation:** The Planning Commission and the Transportation Advisory Commission approved staff’s recommendation without any changes on December 11, 2013 and December 9, 2013, respectively.

Vince Bertoni, Director of Planning and Community Development, introduced the item, and Scott Reimers, Senior Planner, provided a PowerPoint presentation summarizing staff’s agenda report, and responded to questions.

Councilmember McAustin, Chair of the Municipal Services Committee, informed the City Council that the Committee reviewed and supported staff’s recommendations.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Tornek, to approve staff recommendations. (Motion unanimously carried) (Absent: None)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS – Continued**

**GENERAL PLAN ENVIRONMENTAL IMPACT REPORT PRELIMINARY PROJECT ALTERNATIVES**

**Recommendation:** It is recommended that the City Council adopt the Planning Commission’s recommendation to direct



staff to study within the Environmental Impact Report (EIR) the following alternatives to the General Plan Update:

- A. No Project Alternative,
- B. Central District, South Fair Oaks, Lincoln Avenue Alternative,
- C. Efficient Transportation Alternative, and
- D. Reduced Air Quality and Noise Impact Alternative

**Planning Commission and Transportation Advisory Commission Recommendation:** The Planning Commission and the Transportation Advisory Commission (TAC) recommend that the City Council study the following within the General Plan Update EIR:

- A. No Project Alternative,
- B. Central District, South Fair Oaks, and Lincoln Avenue Alternative,
- C. Efficient Transportation Alternative (with subtle differences between the Commissions' recommendations), and
- D. Reduced Air Quality and Noise Impact Alternative (with subtle differences between the Commissions' recommendations).

The direction within the Planning Commission and staff recommendation provides less detail for alternatives C and D, from the Transportation Advisory Commission. In regard to the Efficient Transportation Alternative, the TAC recommends modifying development caps in the Central District, South Fair Oaks, and Fair Oaks Orange Grove Specific Plans, and reducing development caps elsewhere, if needed; the Planning Commission and staff considered this direction but do not recommend it. Additionally, the TAC recommends that the Reduced Air Quality and Noise Impact Alternative not downzone multi-family areas and explore mitigation measures beyond air filtration. The Planning Commission and staff recommendation does not provide this additional direction.

Mr. Bertoni introduced the item, and Mr. Reimers, provided a PowerPoint presentation reviewing staff's agenda report, and responded to questions. In addition, Mr. Reimers clarified a correction to Attachment B-1 to the agenda report.

Councilmember Masuda expressed concerns and opposition to the data contained in Attachment B-1 to the agenda report as it relates to residential unit caps on East Colorado and East Pasadena. He requested further information and clarification from staff as to how the residential caps for the area were determined.

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember Kennedy, to approve staff recommendations.

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

**COUNCIL COMMENTS**

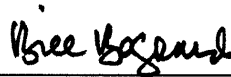
Councilmember Tornek provided information on Pasadena City College's (PCC) visioning workshop, and suggested that staff monitor the development of PCC's Facilities Master Plan as the process moves forward.

Councilmember Madison provided information on the Pasadena International Film Festival to be held February 12-16, 2014.

Councilmember Kennedy provided information on the Black History Parade and Festival scheduled for Saturday, February 15, 2014.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:04 p.m.



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

ATTEST:

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