

CITY OF PASADENA
City Council Minutes
April 4, 2016 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:41 p.m.
(Absent: None)

On the order of the Mayor, the regular meeting recessed at 5:41 p.m., to discuss the following closed sessions:

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

Property Locations: 1001 Rose Bowl Drive and 1133 Rosemont Avenue, Pasadena, CA

Agency Negotiators: Steve Mermell, Darryl Dunn, and Dan Barrett

Negotiating Party: Paul Tollett, Anschutz Entertainment Group (AEG)

Under Negotiation: Price and terms of payment

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

Name of Case: Zusser Company, Inc. v. City of Pasadena, et al.

LASC Case No.: BC560650

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

Agency Designated Representative: Steve Mermell and Jennifer Curtis

Employee Organization: American Federation of State, County and Municipal Employees, Local 858 (AFSCME)

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

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

Name of Case: Pasadena Police Officers Association v. City of Pasadena

LASC Case No.: BC556464

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 6:59 p.m. The pledge of allegiance was led by Councilmember Madison.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor Gene Masuda
Councilmember Victor Gordo
Councilmember Tyron Hampton
Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Margaret McAustin
Councilmember Andy Wilson

Staff:

Interim City Manager Steve Mermell
City Attorney Michele Beal Bagneris
City Clerk Mark Jomsky

CEREMONIAL MATTERS

Michael Warner, President of Pasadena Sister Cities, introduced Frederic Pieper, a visiting student from the City's Sister City Ludwigshafen, Germany. Mr. Pieper spoke briefly on his stay in Pasadena and expressed his appreciation to the City Council and the Sister City program for this opportunity.

Councilmembers McAustin and Gordo, and Vice Mayor Masuda spoke on the passing of Bob Kneisel, a lifelong Pasadena resident, historic preservation advocate, and an active member of the Bungalow Heaven community; and requested that the meeting be adjourned in his memory.

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

Dr. Robert Tait, Pasadena Neighborhood Coalition, spoke on the passing of Bob Kneisel.

Meena Pennington, Catalyst 4 Change, distributed correspondence and expressed concerns regarding a development project in her neighborhood, the lack of notice to the neighbors on potential impacts, and the need for mitigation measures; and requested a response from the Planning Department regarding her inquiries on the HHP-Summit, LLC, Affordable Homeownership Project, 104-124 East Orange Grove Boulevard and 677 North Summit Avenue.

In response to Ms. Pennington's records request, the Mayor stated that Planning Department staff will respond accordingly.

CONSENT CALENDAR

ADOPTION OF RESOLUTION TO REPORT THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) FOR THE SAFETY EMPLOYEES REPRESENTED BY THE PASADENA MANAGEMENT ASSOCIATION

Recommendation: It is recommended that the City Council adopt an amended resolution to report the value of Employer Paid Member Contributions (EPMC) for safety employees represented by the Pasadena Management Association. (Resolution No. 9491)

PUBLIC SAFETY COMMITTEE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE CALIFORNIA HIGHWAY PATROL (CHP) FOR SUPPLEMENTAL LAW ENFORCEMENT SERVICES FOR NEW YEAR'S ACTIVITIES AND MAJOR EVENTS

Recommendation:

(1) Find the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize the Interim City Manager to enter into a contract, not-to-exceed \$500,000 per year, with the California Highway Patrol for supplemental law enforcement services for New Year's activities and special events, for a period of two years;

(3) Authorize the Interim City Manager to extend the contract for up to two additional one-year periods not-to-exceed \$500,000 per year without further City Council authorization; and

(4) The proposed contract is exempt from competitive bidding and competitive selection pursuant to City Charter, Section 1002(H), and Pasadena Municipal Code, Section 4.08.049(A)(3), contracts with other government entities. (Contract No. 30562)

APPOINTMENT OF CAROLINA ROMO TO THE NORTHWEST COMMISSION (District 2 Nomination)

RESIGNATION OF DARRELL COZEN FROM THE HISTORIC PRESERVATION COMMISSION EFFECTIVE APRIL 15, 2016 (District 6 Nomination)

RESIGNATION OF THOMAS MAJICH FROM THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (District 2 Nomination)

MINUTES APPROVED

March 2, 2016
March 7, 2016
March 14, 2016
March 21, 2016
March 28, 2016

**CLAIMS RECEIVED
AND FILED**

Claim No. 12,599	Jonathan A. Ross, Esq., Bradley & Gmelich, representing Citigroup Global Markets, Citigroup Management Corp., and Citibank, N.A.	\$ 25,000.00+
Claim No. 12,600	Matthew Williamson	2,010.23
Claim No. 12,601	Mark M. Baida	359.53
Claim No. 12,602	Grace Lee	600.00
Claim No. 12,603	Christal Cathern	69.00
Claim No. 12,604	Regina Burks	10,000.00+
Claim No. 12,605	Law offices of Jeffrey R. Lamb, representing Nicole Comas	25,000.00+
Claim No. 12,606	Concord Utility Services	Not stated
Claim No. 12,607	Ruth J. Tedmori	5,080.40
Claim No. 12,608	Farmers Insurance as subrogee for Nagi Garabet	1,437.87
Claim No. 12,609	Robert L. Wehrle	23,390.32
Claim No. 12,610	State Farm Insurance as subrogee for Dennis D. Donahue	Not stated
Claim No. 12,611	Brant Lyles	497.28
Claim No. 12,612	Tony S. Sadri, Attorney at Law, representing Serafin Garcia	25,000.00+

PUBLIC HEARING SET

April 25, 2016, 7:00 p.m. – Zoning Code Amendment:
Neighborhood District Overlay Zone (ND)

May 2, 2016, 7:00 p.m. – Appeal of the Board of Zoning
Appeals' Decision on Hillside Development Permit No. 6347
Regarding the Property Located at 1835 Kaweah Drive

It was moved by Councilmember Wilson, seconded by
Councilmember Gordo, to approve all items on the Consent
Calendar, with amendments to the March 14, 2016 City Council
minutes as follows: Page 8, 6th paragraph, change, "analyses" to
"analysis"; and Page 9, 5th paragraph, replace "police assistant"
with "calls for service." (Motion unanimously carried) (Absent:
None)

PUBLIC HEARING

**PUBLIC HEARING: CERTIFICATION OF THE
ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE
ARROYO SECO MUSIC AND ARTS FESTIVAL AND
RELATED PROJECT APPROVALS**

Recommendation: It is recommended that the City Council
conduct a public hearing to consider the following actions:

(1) Adopt a resolution certifying the Final Environmental Impact Report (FEIR) and adopt a Mitigation Monitoring and Reporting Program for a music and arts festival to occur in the Rose Bowl and on Brookside Golf Course;

(2) Adopt a resolution adopting a Statement of Overriding Considerations for a music and arts festival to occur in the Rose Bowl and on Brookside Golf Course;

(3) Authorize the General Manager of the Rose Bowl Operating Company (RBOC) to finalize negotiations and enter into a License Agreement of up to 20 years between the RBOC/City of Pasadena and Anschutz Entertainment Group (AEG) for the Arroyo Seco Music and Arts Festival;

(4) Direct the City Clerk to file a Notice of Determination with the Los Angeles County Recorder within 5 days; and

(5) Conduct first reading of an ordinance amending the Pasadena Municipal Code Section 3.32 (Arroyo Seco Public Lands Ordinance) to increase the number of displacement events from 12 to 15 per year without requiring further approval of the City Council and to allow amplified sound and increased uses on the Brookside Golf Course to accommodate the Arroyo Seco Music and Arts Festival (*See Item No. 10 below*). (Resolution No.'s 9492 and 9493)

Recommendation of the Rose Bowl Operating Company: As required by the Operating Agreement between the City and the Rose Bowl Operating Company ("RBOC"), on March 24, 2016, the RBOC Board of Directors reviewed the proposed amendment to Title 3, the license agreement overview and the FEIR, and formally recommended approval of each by the City Council. Members of the public asked questions at the time, and while oral responses were given, further elaboration is provided in Attachment D of the agenda report.

The City Clerk opened the public hearing and reported that the notice of public hearing was published on March 17, 2016 in the Pasadena Journal. The City Clerk's office received 36 letters of correspondence, with 25 letters expressing support, 9 letters expressing opposition, and 2 letters providing general comments regarding the recommended action.

Darryl Dunn, General Manager of the Rose Bowl, David Sanchez, Senior Planner, George Cunningham, Rose Bowl Chief Operating Officer, Addie Ferrell, Environmental Science Associates (consultant), John Muggridge, Fehr & Peers (consultant), Martha Saucedo, AEG, Nic Adler, AEG, and Dave Revel, Tech Md Inc. (consultant), participated jointly in a PowerPoint presentation on the agenda item, and responded to questions.

Fire Chief Bertral Washington and Pasadena Police Lieutenant Art Chute provided information on public safety issues related to the Arroyo Seco Music and Arts Festival (Festival).

Councilmember Gordo, President of the Rose Bowl Operating Company Board (RBOC), provided an overview of the RBOC's review of the project, and provided information on the various events held at the Rose Bowl in the last five years.

Councilmember Hampton expressed concerns with continued references to the National Football League (NFL) in the Pasadena Municipal Code (PMC), Section 3.32.275, Temporary Increase In Displacement Events, and requested that this be removed from the PMC. In addition, Mr. Hampton urged the City Council to include a provision in the proposed ordinance that would set a limit to the total number of displacement events at the Rose Bowl to 15 allowable events.

Following Councilmember Hampton's concerns regarding private properties and Pasadena Unified School District sites being utilized as parking lots for Rose Bowl events, David Reyes, Interim Director of Planning and Development, replied that the City's Code Compliance division will be notified to surveil and prevent public parking on private lots in association with the Festival.

Following discussion, Councilmember Wilson expressed concerns with the lack of incentives for ticket holders attending the Festival to utilize public transportation and/or walk, and urged staff and the promoter to fully explore such options.

Councilmember Madison stated the importance of enforcing and managing the surrounding Rose Bowl neighborhood perimeters and his preference that necessary unfunded maintenance projects within the Arroyo Seco and/or Rose Bowl be funded from revenues generated by the Festival.

Councilmember McAustin requested that staff, per the mitigation and monitoring section in the agenda report, provide annual reports on the impacts and successes of the Traffic Management Plan for each year's Festival.

Councilmember Kennedy requested that staff contact Mr. Robert Miller, Bus and Coach of America, a local transportation company that provides electrical buses, regarding potential transportation/shuttling contracting opportunities needed for displacement events in the Arroyo Seco and at the Rose Bowl.

The following persons spoke in favor of, and/or, provided suggestions regarding the proposed action:

Joan Aarestad, Pasadena resident
Mike Jenkins, Pasadena resident
Jim Granger, Contemporary Services Corporation
Chris Otero, Ability First
Fred Claire, Pasadena resident
Michael Shanklin, Kidspace
Loring Guessous, Redondo Beach resident
Steve Mulheim, Old Pasadena Management
Kevin Wheeler, Pasadena resident
Sylvester Ceasar, Altadena resident
Sonny Hughes, Pasadena resident
Pastor Joseph Martin, Pasadena resident
Dave Brown, Pasadena resident
David Liston, Pasadena resident
Geoffrey Baum, West Pasadena Residents' Association
Stephanie Strout, Pasadena resident
Cindy Schnuelle, Pasadena resident
Scott Brown, 210 East Sound!
Adrian Camp, 210 East Sound!
Emina Darakjy, Pasadena resident
Renee Morgan Hampton, Pasadena resident
Michael Moreno, Pasadena resident
William McBride, California Triathlon

The following persons spoke in opposition to, expressed concerns, and/or, provided suggestions regarding the proposed action:

Nina Chomsky, Linda Vista Annandale Association
Richard Horttor, Pasadena resident
Aaron Milam, Babe Ruth League of Pasadena
Avis Kawahara, Pasadena resident

The Mayor expressed concerns with the Festival's operating hours and requested that the Festival programs/performance end prior to 11:00 p.m. on Sunday nights. He also voiced his support for limiting the number of displacement events held at the Rose Bowl to 15 per calendar year, and suggested that as staff develops and adjusts plans for future Festivals, consideration be given to placing intercept or satellite parking sites in locations such as the San Fernando Valley and West Los Angeles (similar to the parking program for the Hollywood Bowl), providing incentives for attendees to utilize alternate transportation options other than driving into the Arroyo Seco.

Following discussion, Councilmembers Gordo, Kennedy, Wilson, and McAustin expressed concerns in setting a maximum number of 15 displacement events at the Rose Bowl without sufficient information regarding the success of the Festival, understanding what other events/opportunities might emerge in the future, and needing sufficient time to consider and discuss the matter more thoroughly.

Councilmember Wilson requested that staff provide an informational report each year following the event to the City Council on the Festival operations, including traffic and neighborhood impacts, during the initial three-year portion of the contract.

Councilmember McAustin requested that the RBOC Board agendaize a discussion regarding suggested improvements related to oversight of programming in the Arroyo Seco and at the Rose Bowl, with particular attention to management of smaller events, and report back to the City Council on any recommendations that might be considered.

Following discussion, it was moved by Vice Mayor Masuda, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: None)

In response to Councilmember Wilson's inquiry of who will be responsible for incorporating the recommendations and suggestions that were made during the discussion of the agenda item, Darryl Dunn, Rose Bowl General Manager, responded that City and RBOC staff will follow up as appropriate.

Motion:

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Wilson, to amend staff recommendation No. 3 as follows: Authorize the General Manager of the Rose Bowl Operating Company (RBOC) to finalize negotiations and return to the City Council with a draft of the License Agreement of up to 20 years between the RBOC/City of Pasadena and Anschutz Entertainment Group (AEG) for the Arroyo Seco Music and Arts Festival (Following discussion the motion was withdrawn)

Motion:

Following further discussion, it was moved by Councilmember Gordo, seconded by Councilmember McAustin, to approve the staff recommendation (Nos. 1, 2, 3, and 4, as detailed above). (Motion unanimously carried) (Absent: None)

**ORDINANCES – FIRST
READING**

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 3 (CIVIC EVENTS AND FACILITIES) TO INCREASE THE NUMBER OF DISPLACEMENT EVENTS IN THE ARROYO SECO AND CLARIFY THE PERMITTED USES RELATED TO THE BROOKSIDE GOLF COURSE AREA" (See related Item No. 9)

Motion:

It was moved by Councilmember Hampton to amend the proposed Ordinance, Section 3:32.270 Rose Bowl Area – Number of Permitted Events, Pages 2 and 3, Sub-Section A, first sentence as follows: "No displacement of recreational programs and accessibility to Arroyo Seco facilities shall be allowed more than 15 times in a calendar year ~~without permission of the city council board of directors who must find that each additional permitted event meets all of the following requirements:~~" and deleting Sub-Sections A1, A2, A3, A4, and B found on Page 3, and changing Sub-Section C to B. (Following discussion, motion failed due to lack of second)

Following discussion, the above ordinance was offered for first reading by Councilmember Gordo:

AYES: Councilmembers Gordo, Kennedy, Madison, McAustin, Wilson, Vice Mayor Masuda
NOES: Councilmember Hampton, Mayor Tornek
ABSENT: None
ABSTAIN: None

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 12:00 a.m., in memory of Bob Kneisel, a lifelong Pasadena resident, historic preservation advocate, and an active member of the Bungalow Heaven community.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk