

CITY OF PASADENA
City Council Minutes
January 30, 2017 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

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

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

Councilmember Hampton
arrived at 6:00 p.m.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
regarding pending litigation pursuant to Government Code
Section 54956.9(d)(1) Name of Cases: Li, et al. v. City of
Pasadena, et al. (consolidated with Thomas, et al. v. City of
Pasadena, et al.)

LASC Case Nos.: BC614872, BC619680

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

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6
Agency Designated Representatives: Jennifer Curtis and
Steve Mermell
Employee Organization: Pasadena Firefighters Association
(PFFA)

CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION pursuant to
Government Code Section 54957 and **CITY COUNCIL**
CONFERENCE with Labor Negotiator pursuant to
Government Code Section 54957.6
Employee Title and Unrepresented Employee: City Clerk
City Representative: Terry Tornek

The above two closed session items were not discussed.

CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section
54956.8
Property Location: 78 North Marengo Avenue
Agency Negotiators: Steve Mermell
Negotiating Parties: Jesse Stein
Under Negotiation: Price and terms of Payment

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

Property Location: 48 S. Fair Oaks Avenue, Pasadena, CA

Agency Negotiator: Steve Mermell

Negotiating Party: Chukiat Navasu

Under Negotiation: Price and terms of payment

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

Property Location: 30 S. Fair Oaks Avenue, Pasadena, CA

Agency Negotiator: Steve Mermell

Negotiating Parties: Dae Kyu Choi and Insu Choi

Under Negotiation: Price and terms of payment

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

Property Location: An "L" shaped strip of land, 30 feet in width, adjacent to 30 E. Villa Street and adjacent to 444 N. Fair Oaks Avenue.

Agency Negotiator: Steve Mermell

Negotiating Party: Jeffrey Throop

Under Negotiation: Price and terms of payment

The above four closed session items were discussed following the conclusion of the regular meeting (continued on page 11).

On the order of the Mayor, the regular meeting reconvened at 6:36 p.m. The pledge of allegiance was led by former Mayor Bill Bogaard. (Absent: 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:

City Manager Steve Mermell
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Charles E. Nelson as Senior Commissioner.

Jarvis Emerson, Community Services Supervisor, spoke on the various upcoming scheduled events to be held in Pasadena to celebrate Black History Month.

Councilmember Kennedy expressed sympathies and condolences in the passing of Dr. James King, longtime Pasadena resident and former Deputy Laboratory Director of Jet Propulsion Laboratory (JPL); and requested that the meeting be adjourned in his memory.

URGENCY ITEM

REQUEST TO ALLOW COMMISSIONER ROSLYN SIMPSON (WHO HAS MOVED OUT OF PASADENA) TO CONTINUE TO SERVE ON THE CODE ENFORCEMENT COMMISSION THROUGH END OF CURRENT TERM PURSUANT TO PASADENA MUNICIPAL CODE SECTION 2.45.020 (District 1)

The City Clerk provided an overview of the item, and responded to questions.

It was moved by Councilmember Hampton, seconded by Councilmember McAustin, to add the above item to the January 30, 2017 City Council agenda on an urgency basis. (Motion unanimously carried) (Absent: Councilmember Madison)

Following a brief discussion, it was moved by Councilmember Hampton, seconded by Councilmember McAustin to allow Commissioner Roslyn Simpson to continue to serve on the Code Enforcement Commission through the end of her current term in accordance with the Pasadena Municipal Code. (Motion unanimously carried) (Absent: Councilmember Madison)

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Christopher Sutton, on behalf of Caltrans Tenants of 710 Corridor and United Caltrans Tenants, distributed a handout with a list of properties and asked the City Council to review the California Department of Transportation's (Caltrans) list of properties for sale and provide a report to the City Council for discussion, in order to assist the current tenants with purchasing the properties.

Councilmember Madison arrived at 6:58 p.m.

The City Manager responded that staff will bring to the City Council a resolution for consideration, required by Caltrans, to certify the City as an entity capable of conducting business with Caltrans, at the February 6, 2017 City Council meeting; and to discuss the item in further detail at that time.

Genevieve Clavreul, Pasadena resident, requested the City to fix a pothole on her street, Hudson Avenue; and expressed concerns with the inability to receive the Senior Commission agendas by mail.

Patricia Cunliffe, Altadena resident, asked the City to assist interested current and former tenants with purchasing properties that are for sale by Caltrans in the 710 corridor.

Emanuel Najera, Pasadena resident, expressed concerns with the Public Safety Committee's cancellation of meetings.

CONSENT CALENDAR

INCREASE SALARY CONTROL RATE FOR EXECUTIVE ASSISTANT AND SENIOR EXECUTIVE ASSISTANT

Recommendation:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Increase the salary control rates for Executive Assistant and Senior Executive Assistant, to \$67,223.10 and \$77,982.94, respectively.

ESTABLISHMENT OF PREFERENTIAL PERMIT PARKING DISTRICT IN THE LA CANADA VERDUGO ROAD/VISTA LAGUNA TERRACE/ARROYO BOULEVARD NEIGHBORHOOD

Recommendation:

- (1) Find that the following proposed actions are exempt from review pursuant to the California Environmental Quality Act ("CEQA"), pursuant to State CEQA Guidelines Section 15061(b)(3), and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption (Attachment 1 of the agenda report) with the Los Angeles County Clerk; and
- (2) Adopt a resolution establishing a Preferential Permit Parking District in the vicinity of the La Canada Verdugo Road/Vista Laguna Terrace/North Arroyo Boulevard neighborhood (Attachment 2 of the agenda report) that includes the following streets:

- Both sides of La Canada Verdugo Road
- Both sides of Vista Laguna Terrace between La Canada Verdugo Road and 2445 Vista Laguna Terrace
- Both sides of Arroyo Boulevard between La Canada Verdugo Road and Woodbury Road

(Resolution No. 9546)

Recommendation of the Transportation Advisory

Commission: On December 8, 2016, the Transportation Advisory Commission, following a presentation by Department of Transportation staff, expressed its support for the establishment of a Preferential Permit Parking District in the vicinity of the La Canada Verdugo Road/Vista Laguna Terrace/North Arroyo Boulevard neighborhood.

APPOINTMENT OF PHILIP CHIAO TO THE DESIGN COMMISSION (Mayor Nomination/District 6)

REQUEST TO ALLOW COMMISSIONER CHRISTINA YU YU (WHO HAS MOVED OUT OF PASADENA) TO CONTINUE TO SERVE ON THE ARTS AND CULTURE COMMISSION THROUGH END OF CURRENT TERM PURSUANT TO PASADENA MUNICIPAL CODE SECTION 2.45.020 (District 6)

CLAIMS RECEIVED AND FILED

Claim No. 12,796	Hilbert Properties II, LLC	\$ 10,000.00+
Claim No. 12,797	Maria L. Sierra Fuentes	500.00
Claim No. 12,798	Claudia Parker	396.00
Claim No. 12,799	Pacific Bell/AT&T/Diane Mancini	1,787.29
Claim No. 12,800	Kristen H. Philhower, A Professional Law Corporation, representing Christian Solorio	Not Stated

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

PUBLIC HEARING

PUBLIC HEARING: ZONING CODE TEXT AMENDMENT TO SECTIONS 17.22.030, 17.50.275 AND 17.80.020 OF THE ZONING CODE TO REVISE THE CITY'S SECOND DWELLING UNIT ORDINANCE

Recommendation:

- (1) Find that the proposed Zoning Code text amendment is exempt from the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.17 and CEQA State Guidelines Section 15061(b)(3);
- (2) Adopt the Findings of Consistency (Attachment A of the agenda report); and
- (3) Conduct the first reading of an "Ordinance of the City of Pasadena amending Sections 17.22.030, 17.50.275 and 17.80.020 of Title 17 (Zoning Code) of the Pasadena Municipal Code to revise the City's Second Dwelling Unit Regulations." (*See Item No. 9 below*)

Recommendation of the Planning Commission: The Planning Commission reviewed the proposed amendments to the existing Second Dwelling Unit Ordinance (Section 17.50.275 of the Zoning Code) and other applicable sections of the Zoning Code on December 14, 2016, and voted unanimously to recommend approval of the proposed amendments.

Generally, the Planning Commission acknowledged that the proposed Zoning Code amendment is necessary to comply with the State law and to retain the City's authority to continue to enforce most of the City's existing Ordinance; however, the Planning Commission expressed strong concerns regarding potential impacts of new regulations for second dwelling units being imposed by the State upon local municipalities.

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on January 12, 2017, January 19, 2017, and January 26, 2017; two letters expressing concerns with the proposed recommendation were received, which were distributed to the City Council and made part of the public hearing record.

David Reyes, Director of Planning & Development, introduced the agenda item, and Arthi Varma, Principal Planner, provided a PowerPoint presentation on the agenda item, and responded to questions.

Theresa Fuentes, Assistant City Attorney, responded to questions regarding the definition of a manufactured home, and various aspects of the proposed amendments to the ordinance.

Councilmember Gordo asked staff to return to the City Council with a comprehensive review of the City's Second Dwelling Unit Ordinance, including lot size, square footage, clear guidelines for unpermitted existing units and how they will be handled; and to return to the City Council by June 30, 2017. In addition, Mr. Gordo spoke in favor of amending the minimum 15,000 square feet requirement as identified in the Accessory Dwelling/Second Dwelling unit regulation.

Following discussion, the following individuals spoke in favor of the item and/or various aspects of the proposed recommendation, and provided comments and/or suggestions:

Christopher Sutton, Pasadena resident
Ed Washatka, Monrovia resident
Nina Chomsky, Linda Vista-Annandale Neighborhood Association
Jill Shook, Greater Pasadena Affordable Housing Group
Elsa Rodriguez, Pasadena resident
Avraw Gold, Pasadena resident

It was moved by Councilmember McAustin, seconded by Councilmember Hampton to close the public hearing. (Motion unanimously carried) (Absent: None)

Councilmember McAustin requested that staff review the City's requirements for two-car covered parking structures, citing comments made by public speakers regarding the potential for abuse of this requirement for the purposes of discrimination, and research the ability to provide pre-approved Accessory Dwelling unit plans.

The Mayor voiced concerns with State legislation, which limits the City's ability to control land use.

Following further discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo, to approve the staff recommendation and return to the City Council with a comprehensive report on the City's Second Dwelling Unit Ordinance, including the direction to staff related to 15,000 square feet requirement, two-car covered parking requirement, and the ability to provide pre-approved Accessory Dwelling unit plans, as detailed above, and also clear guidelines on how to address unpermitted existing units, no later than June 30, 2017. (Motion unanimously carried) (Absent: None)

**ORDINANCE – FIRST
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTIONS 17.22.030, 17.50.275 AND 17.80.020 OF TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO REVISE THE CITY’S SECOND DWELLING UNIT REGULATIONS”

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

AYES: Councilmembers Gordo, Hampton, Kennedy, Madison, McAustin, Wilson, Vice Mayor Masuda, Mayor Tornek

NOES: None

ABSENT: None

ABSTAIN: None

**PUBLIC HEARING
(Continued)**

PUBLIC HEARING: TEXT AMENDMENT TO VARIOUS SECTIONS OF ALL EXISTING SPECIFIC PLANS AND THE ZONING CODE RELATED TO THE RESIDENTIAL CARE FACILITIES WITH SIX OR FEWER PERSONS, TRANSITIONAL HOUSING AND SUPPORTIVE HOUSING

Recommendation:

- (1) Find that the proposed amendments to all existing specific plans and the Zoning Code are exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) under the State CEQA Guidelines Section 15061(b)(3) (General Rule);
- (2) Adopt the Findings of Consistency (Attachment A of the agenda report);
- (3) Adopt a resolution approving the text amendment to all eight specific plans as presented in the agenda report; and
- (4) Direct the City Attorney to prepare an ordinance within 60 days amending all applicable sections of Title 17 of the Pasadena Municipal Code (Zoning Code) as presented in the agenda report. (Resolution No. 9547)

Recommendation of the Planning Commission: The Planning Commission reviewed the proposed amendments to the Zoning Code and all eight specific plans related to residential care facilities with six or fewer persons, transitional housing, and

supportive housing on December 14, 2016, and voted unanimously to recommend approval of the proposed amendments. At this meeting, the Planning Commission acknowledged that the proposed Zoning Code and specific plan amendments were necessary to comply with State law, but expressed general concerns regarding the potential impact of State mandated land use regulations on local municipalities; ability to assert local authority.

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on January 12, 2017, January 19, 2017, and January 26, 2017; no correspondence was received by the City Clerk's office regarding this item.

David Reyes, Director of Planning & Development, introduced the agenda item, and Joanne Hwang, Associate Planner, provided a PowerPoint presentation on the agenda item, and responded to questions.

It was moved by Councilmember Madison, seconded by Councilmember McAustin to close the public hearing. (Motion unanimously carried) (Absent: None)

Following a brief discussion, it was moved by Councilmember Madison, seconded by Councilmember Hampton, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CITY COUNCIL FINDINGS FOR CONCERT BY LIVE NATION ON FRIDAY, OCTOBER 6, 2017

Recommendation of Rose Bowl Operating Company:

- (1) Find that the action proposed in the agenda report is categorically exempt under California Environmental Quality Act (CEQA) State Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings);
- (2) Make the required finding, pursuant to Pasadena Municipal Code Section 3.32.270, to authorize the presentation of the proposed concert to be held at the Rose Bowl as the 16th displacement event of 2017;
- (3) Acknowledge that the General Manager will issue a sound permit to Live Nation for the purposes of sound check on the day prior to the show between the hours of 12:00 p.m. – 10:00 p.m. (intermittent) and on event days between the hours of 10:00 a.m. – 11:00 p.m.; and
- (4) Direct staff to file a Notice of Exemption within 5 days

Darryl Dunn, General Manager of the Rose Bowl Stadium, introduced the item, and Jens Weiden, Chief Revenue Officer, summarized the agenda report, and responded to questions.

Vice Mayor Masuda left the dais at 9:06 p.m.

Councilmember Hampton expressed concerns with the Rose Bowl Operating Company (RBOC) increasing the number of displacement events at the Rose Bowl Stadium, asked staff to monitor illegal vending activities during Rose Bowl events, as well as issues related to residents charging and allowing concert attendees to park their cars on their front lawns.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Wilson, to approve the staff recommendation:

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

ORDINANCE – ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT-TO-EXCEED \$17,370,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA WATER REVENUE REFUNDING BONDS, 2017A SERIES, PAYABLE OUT OF THE WATER FUND, AND APPROVING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENT TO WATER REVENUE BOND INDENTURE, AN ESCROW AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION THEREWITH" (Introduced by Mayor Tornek) (Ordinance No. 7294)

Following a brief discussion, the above ordinance was adopted by the following vote:

Vice Mayor Masuda returned to the dais at 9:09 p.m.

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

INFORMATION ITEM

REPORT ON EFFORTS TO ENHANCE AND IMPROVE THE ARROYO SECO

Recommendation: The agenda report is for information only; no City Council action is required.

Steve Mermell, City Manager, and Darryl Dunn, General Manager of the Rose Bowl Stadium, provided a PowerPoint presentation on the item, and responded to questions.

Bill Bogaard and Doug Kranwinkle, Arroyo Seco Advisory Group Co-chairs, spoke in favor of working with the City to consider best practices for the Arroyo, and provided information on the tasks of the Advisory Group.

Councilmember Madison asked staff and the Advisory Group to consider the following issues: the City's control/authority over the Arroyo Seco, consider approaching the Arroyo Seco's enhancements and improvements in 3 segments, but also include a global approach, and having the group provide a recommended prioritization of the various projects in the Arroyo Seco.

Councilmember Wilson asked that staff ensure all information pertaining to the Arroyo Seco projects, including timelines and work schedule is accessible to the public.

Councilmembers Kennedy and Gordo commended the City Manager, General Manager of the RBOC, and participating members for establishing the Arroyo Seco Advisory Group. In addition, Mr. Kennedy also suggested individuals from Jet Propulsion Laboratory and the Art Center College of Design be considered as additional members, and that the group seek feedback and input from Pasadena Unified School Districts and/or Pasadena City College students.

Councilmember McAustin expressed disappointment with the lack of women represented on the Arroyo Seco Advisory Group and asked the Advisory Group to consider a management/governance structure model that might provide oversight of the various events held at the Arroyo Seco.

Councilmember Gordo asked staff to identify the responsibilities of the various agencies located in the Arroyo Seco to assist and contribute into the Arroyo Seco.

Following discussion, by consensus of the City Council, and on order of the Mayor, the information was received and filed.

COUNCIL COMMENTS

Councilmember Kennedy, Chair of the Public Safety Committee (PSC), reported that a special meeting was held on February 26, 2017, and the PSC agreed to meet every first Monday (4:15 p.m.), and third Wednesday (6:00 p.m.) each month, effective in February 2017; discussed violence in the community, and the role of the Flintridge Center's reintegration program.

Councilmember Gordo, Chair of the Economic Development, and Technology Committee, reported progress of the home sharing and vacation rental (Airbnb's) issue, with a report and recommendation to be forthcoming to the City Council.

On order of the Mayor, the regular meeting recessed at 9:45 in memory of Dr. James King, longtime Pasadena resident and former Deputy Laboratory Director of Jet Propulsion Laboratory (JPL).

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

**Property Location: 78 North Marengo Avenue
Agency Negotiators: Steve Mermell
Negotiating Parties: Jesse Stein
Under Negotiation: Price and terms of Payment**

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

**Property Location: 48 S. Fair Oaks Avenue, Pasadena, CA
Agency Negotiator: Steve Mermell
Negotiating Party: Chukiat Navasu
Under Negotiation: Price and terms of payment**

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

**Property Location: 30 S. Fair Oaks Avenue, Pasadena, CA
Agency Negotiator: Steve Mermell
Negotiating Parties: Dae Kyu Choi and Insu Choi
Under Negotiation: Price and terms of payment**

Councilmember Gordo
recused himself at 10:34 p.m.

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

**Property Location: An "L" shaped strip of land, 30 feet in width, adjacent to 30 E. Villa Street and adjacent to 444 N. Fair Oaks Avenue.
Agency Negotiator: Steve Mermell
Negotiating Party: Jeffrey Throop
Under Negotiation: Price and terms of payment**

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

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:41 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk