

CITY OF PASADENA
City Council Minutes
January 28, 2002 - 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:45 p.m.
(Absent: Councilmember Holden)

On order of the Mayor, the regular meeting recessed at 5:45 p.m.,
to discuss the following closed sessions:

Councilmember Holden
arrived 6:15 p.m.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
REGARDING PENDING LITIGATION pursuant to Government
Code Section 54956.9(a)
Name of Case: DeJong v. AAF Rose Bowl Aquatics Center, et
al., Case No. BC241315**

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

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
REGARDING PENDING LITIGATION pursuant to Government
Code Section 54956.9(a)
Name of Case: New Way Recycling Center v. City of Pasadena**

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

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section 54956.8,
Properties: 3336 East Foothill Boulevard, Pasadena; 252 South
Raymond Avenue, Pasadena
City Negotiators: Cynthia Kurtz, Richard Bruckner
Negotiating Parties: L.A. to Pasadena Metro Blue Line
Construction Authority
Under Negotiation: Price and Terms**

The above closed session item was not discussed.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL -
POTENTIAL LITIGATION - CONSIDERATION OF INITIATION OF
LITIGATION pursuant to Government Code Section 54956.9(c):
Two potential cases**

It was moved by Councilmember Streater, seconded by Vice Mayor
Little, to authorize the City to file an action. (Motion unanimously
carried) (Absent: None)

On order of the Mayor, the regular meeting reconvened at 6:35 p.m.
The Pledge of Allegiance was led by Councilmember Gordo.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Paul Little
Councilmember Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Steve Madison
Councilmember Joyce Streater
Councilmember Sidney F. Tyler, Jr.

Staff:

City Manager Cynthia J. Kurtz
City Attorney Michele Beal Bagneris
City Clerk Jane L. Rodriguez

PUBLIC COMMENT

**MR. ROBERT WITTRY, PASADENA RESIDENT, TO SPEAK
REGARDING TRANSIT EFFICIENCY AND COST OF USE**

Mr. Wittry urged the City to not add coin boxes to the free ARTS
(Area Rapid Transit System) buses.

Ms. Elsie Robinson, Pasadena resident, spoke regarding the cost
of electricity, taxes and surcharges, and distributed a Los Angeles
Times article entitled "Enron Vision Proved Costly to Firm, State."

Mr. Roy Begley, Pasadena resident, spoke regarding a recent
community meeting on City Hall seismic retrofit, and suggested the
Ambassador Auditorium be used as a City Hall.

CONSENT CALENDAR

**AUTHORIZATION TO EXTEND CONTRACT NO. 16,570-3 WITH
COMMUNITY ACTION EAP FOR THE OPERATION OF THE
EMPLOYEE ASSISTANCE PROGRAM**

Recommendation of City Manager: It is recommended that the
City Council authorize an extension of Contract No. 16,570-3 for a
period of six months at an amount not to exceed \$21,000 for the
operation of the Employee Assistance Program. Competitive
bidding is not required pursuant to City Charter Section 1002(F),
contracts for professional or unique services.

It is further recommended that the City Council grant the
proposed contract extension an exemption from the competitive
selection process of the Affirmative Action in Contracting Ordinance
pursuant to Pasadena Municipal Code Section 4.09.060, contracts
for which the City's best interests are served. (Contract No.
16,570-4)

PURCHASE ORDER CONTRACT TO PROVIDE LABOR AND MATERIALS FOR THE INTERIOR MODIFICATIONS TO FOUR FOURTEEN-FOOT CABLE SPLICING VANS

Recommendation of City Manager:

- (a) Accept the bid dated January 2, 2002, submitted by Master Body Works, Inc. in response to specifications for the modifications to four cable splicing vans for the Water and Power Department; and
- (b) Authorize the issuance of a purchase order contract to Master Body Works, Inc. in an amount not to exceed \$178,027.

Mr. Larry Hammond, Purchasing Division Analyst, responded to questions from Vice Mayor Little regarding the bidding process, and noted there is only one company in the area that does this type of work. Vice Mayor Little suggested, in the future, staff consider whether there is a more cost-effective way to do this work.

ADOPT A RESOLUTION REQUIRING A MEMBER OF THE CITY COUNCIL, OR A MEMBER OF A COMMISSION, COMMITTEE OR TASK FORCE APPOINTED BY THE CITY COUNCIL, WHO IS DISQUALIFIED DUE TO A CONFLICT OF INTEREST TO EXCUSE THEMSELVES FROM THE MEETING ROOM

Recommendation of City Attorney: Adopt a resolution requiring a member of the City Council, or a member of a commission, committee or task force appointed by the City Council, who is disqualified due to a conflict of interest to excuse themselves from the meeting room. (Resolution No. 8075)

APPROVAL OF MINUTES

December 3, 2001
December 5, 2001 (Special Meeting)

CLAIMS RECEIVED AND FILED

Claim No. 8930	Christopher Kohout by Thomas Kohout, Guardian	\$ Unknown
Claim No. 8931	Sempre Energy	517.73
Claim No. 8932	Johnathon Killen	Unknown
Claim No. 8933	Kenny Lee King	Unknown
Claim No. 8934	Marianne Hooper	670.36
Claim No. 8935	Dorothy Johnson	178.66
Claim No. 8936	Pacific Bell/Diane Mancini-Manager	8,269.02
Claim No. 8937	State Farm Mutual Ins. Subrogee for Dominic J. De Fazio	2,637.03
Claim No. 8938	Geico General Insurance Co. Subrogee for Yinpun Wong	5,882.08
Claim No. 8939	Levilla Jacobs	Unknown

PUBLIC HEARING SET

February 11, 2002, 7:45 p.m. - Tax Equity Financial Responsibility (TEFRA) hearing on behalf of Retirement Housing Foundation for the proposed acquisition of Pilgrim Towers North and other related improvements.

February 11, 2002, 7:45 p.m. - Tax Equity Financial Responsibility Act (TEFRA) hearing on behalf of Barker Management for the

proposed acquisition of Community Arms and other related improvements.

It was moved by Vice Mayor Little, seconded by Councilmember Streater to approve Consent Calendar. (Motion unanimously carried) (Absent: None)

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

FINANCE COMMITTEE

APPROVAL OF A PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN OF A SOUTH ACCESS BRIDGE TO THE LIGHT RAIL STATION AT SIERRA MADRE VILLA FOR AN AMOUNT NOT TO EXCEED \$295,000

Recommendation of City Manager:

(a) Amend the FY 2002-2006 Capital Improvement Program (CIP) to expand the scope and cost of the column enhancement at the Sierra Madre Villa Light Rail Station (75068) from \$175,000 to \$5,000,000 and change the project title from Column Enhancement to South Access Pedestrian Bridge to the Sierra Madre Villa Light Rail Station as detailed in Attachment A of the agenda report;

(b) Approve a journal voucher appropriating \$700,000 from the Proposition A Reserve for Future Projects to Budget Account No. 75068 (See Attachment B of the agenda report). This will allow for the design and engineering of the south access bridge and the first phase of construction consisting of foundations and columns within the Gold Line right-of-way. Included are contingencies, design engineering and administration; and

(c) Authorize the City Manager to execute a professional services contract with McLean & Schultz for the design of a south pedestrian access bridge to the Sierra Madre Villa Station for an amount not to exceed \$295,000. The proposed contract is exempt from competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services. It is further recommended that the City Council grant the proposed contract an exemption from the competitive selection process of the Affirmative Action in Contracting Ordinance pursuant to Pasadena Municipal Code Section 4.09.060, contracts for which the City's best interests are served. (Contract No. 17,879; Journal Voucher No. 2002-48)

Vice Mayor Little, Chair of the Finance Committee, summarized the agenda report.

Mr. Dan Rix, Acting Deputy Director of Public Works and Transportation, responded to questions regarding estimated costs for the project.

It was moved by Vice Mayor Little, seconded by Councilmember Gordo, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

APPROVAL OF THE PARK BONDS AND GRANTS PLAN

Recommendation of City Manager:

- (1) Approve the *Competitive Park Grant Application Plan*, authorizing staff to apply for the various grants detailed in Attachment A of the agenda report;
- (2) Approve a journal voucher amending the FY 2002 Capital Improvement Program budget to appropriate funds for Proposition 12 in the amount of \$408,200 to various deferred maintenance projects detailed in Attachment B of the agenda report;
- (3) Approve the submittal of "Eaton Wash Park Improvements Project" to Pasadena's State Legislative Representatives as the City's request for inclusion in the *Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond (Proposition 40)*; and
- (4) Approve the proposed allocation of Proposition 40 Block Grant funding as detailed in Attachment C of the agenda report. These funds will only become available if Proposition 40 passes on the March 5, 2002 ballot and would return to the Council for appropriation at that time. (*Journal Voucher No. 2002-49*)

Recommendation of Recreation and Parks Commission: The Recreation and Parks Commission considered this matter at a special meeting on January 16, 2002 and supported staff's recommendations with one amendment to Recommendation No. 3. They would like the following type of language added: If the City does not receive Proposition 40 funds, General Funds will be appropriated to this project.

The City Manager and Ms. Julie Gutierrez, Acting Director of Public Works, summarized the agenda report and responded to questions. Ms. Gutierrez stated the Legislative Policy Committee reviewed this item and requested the Recreation and Parks Commission review the report. Ms. Gutierrez reported the Commission supported staff's recommendations, with one amendment to Recommendation 3 that language be added: "If the City does not receive Proposition 40 funds, General Funds will be appropriated to this project." Ms. Gutierrez noted staff's recommendations remain as listed on the agenda.

Following discussion, it was moved by Councilmember Streater, seconded by Vice Mayor Little, to approve the City Manager's recommendations.

Mr. Michael B. Hurley, Chair of the Recreation and Parks Commission, expressed his opinion that there was an inaccuracy in the agenda report regarding Phase 2 and 3 funding for multi-purpose athletic fields, stated Prop. 12 funds would not be needed for Phase 2 and 3, and discussed his suggestion to funds projects in Attachment B of the agenda report. He noted his option would free up over \$800,000 in per capita money that would not have restrictions.

The City Manager responded that the agenda report is not incorrect and noted there are some Prop. 12 funds in the \$470,000 that the City offered to the School District. In response to a question regarding the degree of flexibility of the \$800,000+ figure referred to by Mr. Hurley, the City Manager noted she would need to sit down with Mr. Hurley to track this figure.

In response to questions regarding funding and cost estimates for an off-leash dog park (also referred to as the POOCH Park), the City Manager noted that when Council approved the Eaton Wash Park Master Plan and the dog park, it was contingent that all of the dollars for improving the dog park would come from POOCH's (Pasadenans Organizing Off-leash Canine Habitats) fundraising or the organization itself. Councilmember Tyler requested that he be provided with a copy of the instrument or minutes of such Council action. Councilmember Tyler expressed concerns that the cost estimate for the dog park has increased, and Council does not have a breakdown of improvement costs for the dog park, and questioned how much of the cost estimate is for outside costs and how much is for staff costs. The City Manager offered to follow up and provide this information to the full Council.

In response to concerns raised by Councilmember Tyler, the Mayor noted Council may want to have a new look at the dog park project in terms of total cost of the project and whether 100% of the funds should come from donated sources.

Mr. Vincent De Stefano, representing POOCH/Daisy Villa Homeowners, urged Council to allocate City funds to help fund the off-leash dog park.

Councilmember Haderlein urged Council to partially fund the off-leash dog park, and noted this dog park would serve a city-wide need.

Councilmember Madison expressed concern that Council should have more information regarding all possible funding sources for these projects before it makes a decision.

Following further discussion, Councilmember Madison moved to amend the main motion by approving City Manager's Recommendations 1 and 3, and send Recommendations 2 and 4 back to the Recreation and Parks Commission to address the two issues of (1) the process question of the other sources of funding; and (2) other sources of funding for the POOCH Park. (Motion died due to lack of a second)

Vote on the main motion, to approve the City Manager's recommendations:

AYES: Councilmembers Gordo, Haderlein, Holden, Madison, Streator, Tyler, Vice Mayor Little, Mayor Bogaard

NOES: None

ABSENT: None

MUNICIPAL SERVICES

AUTHORIZATION TO AMEND CONTRACTS FOR MAJOR INSPECTION AND OVERHAUL OF UNIT B-3 TURBINE-GENERATOR AT THE BROADWAY PLANT AND AMEND CAPITAL IMPROVEMENT PROGRAM (CIP) TO TRANSFER FUNDS FROM THE B-2 SELECTIVE CATALYTIC REDUCTION SYSTEM PROJECT TO THE B-3 MAJOR OVERHAUL PROJECT **Recommendation of the City Manager:**

(a) Authorize the City Manager to increase the amount of Services Contract No. 17,818 with Irwin Industries, Inc. for providing field-service personnel for Unit B-3 turbine-generator overhaul at the Broadway Plant from \$270,000 to a not-to-exceed amount of \$410,000. The proposed contract amendment is exempt from competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services;

(b) Authorize the City Manager to increase the amount of Purchase Order No. 14,394 with Siemens Westinghouse Power Corporation for furnishing turbine parts and providing a technical field adviser for Unit B-3 turbine-generator overhaul at the Broadway Plant from \$660,000 to a not-to-exceed amount of \$1,310,000. The proposed contract amendment is exempt from competitive bidding pursuant to City Charter Section 1002 (F), contracts for professional or unique services and exempt from the competitive selection process of the Affirmative Action in Contracting Ordinance pursuant to Pasadena Municipal Code Subsection 4.09.0600(c), contracts for which the City's best interests are served; and

(c) Approve a journal voucher transferring \$790,000 from Budget Account No. 3157, Electric System Capital Improvement Program, B-2 Selective Catalytic Reduction System project, and appropriating it to Budget Account No. 3132, Electric System Capital Improvement Program, B-3 Major Overhaul. (Contract No. 17,818-1; Journal Voucher No. 2002-50)

Councilmember Tyler, Chair of the Municipal Services Committee, summarized the agenda report.

It was moved by Councilmember Tyler, seconded by Vice Mayor Little, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent:: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

UPDATE ON RECONVENING THE CHARTER REFORM TASK FORCE ON SCHOOL DISTRICT GOVERNANCE

Councilmember Holden provided a brief update on the reconvening of the Task Force. He noted each of the original Task Force members had agreed to serve again, and the Task Force will hold its first meeting on February 13, 2002, at 6:00 p.m. in the Council Chamber. He stated it is anticipated that the Task Force will complete its work within 90-120 days. Councilmember Holden noted the Board of Education and the Superintendent have been invited to this first meeting to give a report to the community on the School District's implementation of the School Accountability and Reform Plan.

Mr. John Wright, Pasadena resident, suggested the City of Pasadena donate \$17.5 million of surplus funds to the School District to assist with the reform effort.

The City Manager clarified that the City does not have surplus funds but rather reserve funds which are required for specific purposes such as workers' compensation, utility reserves, liability, etc. Councilmember Streater added that both City and School District reserves are required. Councilmember Holden stated the City and School District can look at ways to partner and share resources, but noted the School District will need to become responsible for its own operations.

There was no action on this update item.

CONSIDERATION OF CALL FOR REVIEW OF CONDITIONAL USE PERMIT NO. 3890 TO THE CITY COUNCIL (162-180 N. HILL AVENUE, TOMMY'S TAKE-OUT RESTAURANT)

Vice Mayor Little introduced this item and expressed concerns regarding procedures and process. He provided background information on the proposed project and a required traffic study in order for Tommy's Restaurant to obtain a conditional use permit. He stated that in the interim and before Tommy's Restaurant obtained its permits, another business received its permits, and noted Tommy's will now be required to obtain a variance which is a more difficult and costly process. Vice Mayor Little noted City staff had properly followed the process, but expressed concern that the current process may not be fair.

It was moved by Vice Mayor Little, seconded by Councilmember Gordo, to call the matter to the City Council for review. (Motion unanimously carried) (Absent: None)

APPOINTMENT OF PIXIE BOYDEN TO THE NORTHWEST COMMISSION (Mayoral Nomination)

APPOINTMENT OF SUZANNE BERBERIAN TO THE HUMAN SERVICES COMMISSION (Mayoral Nomination)

It was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to approve the above appointments. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING

Councilmember Madison recused himself at 8:11 p.m. due to a conflict of interest as Parsons Corporation (the environmental consultant) is a client.

PUBLIC HEARING: FAIR OAKS/ORANGE GROVE SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT

Recommendation of City Manager:

- (1) Adopt a resolution certifying the Final Environmental Impact Report and the mitigation measures contained therein (Attachment 1 of the agenda report)
- (2) Approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 2 of the agenda report)

- (3) Adopt a resolution approving the Fair Oaks/Orange Grove Specific Plan (Attachment 3 of the agenda report), with modifications as recommended in the attached compendium (Attachment 4 of the agenda report);
- (4) Direct the City Clerk to file a Notice of Determination with the Los Angeles County Recorder (Attachment 5 of the agenda report); and
- (5) Direct the staff to initiate necessary amendments to the General Plan and map and code amendments to Title 17- the Zoning Code to reflect the new Specific Plan (SP) designation and regulations; and
- (6) Direct staff to initiate the Fair Oaks/Orange Grove Specific Plan Implementation Program and adopting design guidelines. (Resolution Nos. 8076 & 8077)

Recommendation of Planning Commission: On January 9, the Planning Commission approved the staff recommendations with modifications as shown in Attachment 6 of the agenda report.

The Mayor opened the public hearing.

The City Clerk reported the notice of hearing was published on January 14, 2002, in the Pasadena Star News and published January 17 & 24, 2002, in the Pasadena Journal; on January 9, 2002, 196 copies of the notice were posted and 1,274 copies were mailed on said date; 1 letter in support was received; 9 letters expressing various concerns were received; and 1 petition with 10 signatures in opposition was received.

The City Manager introduced the item.

Mr. Richard Bruckner, Director of Development and Planning and Permitting, discussed the process and outreach in bringing the Specific Plan to Council.

Ms. Patrice A. Traylor, Senior Planner, provided an overview of the Specific Plan and responded to questions from Council.

The following persons spoke in support of the proposed Specific Plan:

Mr. Joe A. Hall, Pasadena resident
Ms. Wendy Nash, representing the Northwest Commission
Mr. Paul Green, Pasadena resident, submitted a letter in support
Dr. N. Benson, Pastor of First Summit Evangelical Church
Mr. Tom Murray, Pasadena resident
Mr. Danny Bakewell, Northwest Black Leadership Council
Mr. Jim Morris, Pasadena resident
Mr. Craig Farmer, Vice President, Simpson Housing Solutions
Mr. Harold James, Chair, Fair Oaks/Orange Grove Coordinating Committee

The following people spoke in opposition or suggested various changes to the proposed Specific Plan:

Mr. John Wright, Pasadena resident
Ms. Eva Courtney, Summit Avenue Neighborhood Association
Ms. Aprile Boettcher, Pasadena Neighborhood Coalition and
Neighbors for a Clean, High Quality Neighborhood
Ms. Carolyn Stussi, Neighbors for a Clean, High Quality
Neighborhood and Front Porch Coalition
Ms. Jill Shook, Affordable Housing Action
Mr. Ralph Poole, Chair, Fair Oaks Project Area Committee,
submitted a handout of the Committee's December 4, 2001
minutes and recommended changes
Ms. Michelle White, Affordable Housing Services
Mr. Norman Parker, Pasadena Neighborhood Coalition
Ms. Mary Dee Romney, Pasadena Neighborhood Coalition
Mr. Robert Wittry, Pasadena Neighborhood Coalition and Flowers
of Marengo, submitted a letter
Ms. Lee Thomson, Pasadena resident
Mr. Lloyd Thomson, Pasadena resident
Ms. Chancela Al-Mansour, attorney, submitted a letter from
Neighborhood Legal Services of Los Angeles County
Mr. Peter R. Alexandre, Pasadena resident
Ms. Maria Porter, Pasadena resident
Mr. Steve Lipira, Pasadena Neighborhood Coalition
Mr. James P. MacQuarrie, Pasadena resident

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

The following City staff and City consultants responded to questions
from Council and issues raised during the public hearing:

Patrice A. Traylor, Senior Planner
Richard Bruckner, Director of Planning and Permitting
Cynthia Kurtz, City Manager
Michele Beal Bagneris, City Attorney
Maribel Medina, Assistant City Attorney
Eric Shen, Transportation Planning & Development Manager
Dan Rix, Acting Deputy Director of Public Works & Transportation
Greg Robinson, Housing Administrator
Elaine Carbry, Guen Associates, design consultant
Frank Wein, Parsons Corporation, environmental consultant

Councilmember Gordo expressed concern that the PD-2 zoning was
not removed for the lot at 407 N. Raymond Avenue, near Maple
Street. He noted half of this lot continues to have PD-2 zoning,
and stated he will be requesting the zoning be corrected to remove
the PD-2 zoning and have consistent residential zoning on
Raymond Avenue. Councilmember Gordo also expressed concern
that another lot on Raymond Avenue, the second lot south of
Orange Grove, is currently zoned commercial and it is not consistent
with residential zoning across the street.

Councilmember Gordo expressed his opinion that there is not definitive traffic mitigation for the Specific Plan area. He noted that when a gas station went in at the corner of Fair Oaks Avenue and Maple Street, many motorists took short cuts down smaller residential streets to get to the gas station due to left-turn prohibitions at this location for southbound traffic on Fair Oaks Avenue.

Mr. Dan Rix discussed a "smart corridor" traffic system that was approved using 710 Freeway interim mitigation funds. He noted these funds will be used to synchronize the traffic signals on Fair Oaks Avenue from Orange Grove south to southern City line. Mr. Rix stated there is no funding yet to do a smart corridor system on Fair Oaks Avenue north of Orange Grove.

Vice Mayor Little noted that if a case can be made to use 710 Freeway mitigation funds on Fair Oaks south of Orange Grove, the same case could be made regarding impacts on Fair Oaks Avenue north of Orange Grove. He suggested an effort be made to include the whole street for traffic mitigation.

The City Manager noted that traffic mitigation on Fair Oaks above Orange Grove is not funded. She suggested one approach is to say that we cannot get to full build out of the Plan until the traffic mitigation plan is in place. Councilmember Streater voiced support for adding this language.

Regarding concerns raised earlier, Councilmember Gordo stated that with an assumption there will be more businesses on Fair Oaks Avenue, we may not be fully mitigating traffic concerns for the residential area east of Fair Oaks Avenue. He expressed concerns that motorists will travel on the residential streets of Raymond, Summit, Esther, Peoria and Carter Alley to access businesses on the east side of Fair Oaks Avenue.

Councilmember Streater concurred with the concerns of Councilmember Gordo, noted this is an existing problem with the current no left turn into the gas station at Fair Oaks and Maple, and stressed the need for staff to address this existing problem and allow southbound traffic on Fair Oaks access to the east side of Fair Oaks. Councilmember Gordo added that this existing problem will be exacerbated when new businesses are added along Fair Oaks Avenue.

The City Manager acknowledged the need to review traffic signage for this intersection, and noted traffic restrictions into the residential neighborhood would need to be looked at on a case-by-case basis.

Councilmember Gordo stressed the need to have language in the Plan that would proactively look for problems in the neighborhood and do something to address the problems.

AMENDMENT 1

In response to concerns raised by Councilmember Gordo, Mr. Bruckner suggested the following revised language to the Mitigation Monitoring Program (page MMP-8, Exhibit B of Attachment 1 of the Specific Plan) and Table 8.1 in the Implementation Plan (page 167 of the Specific Plan):

"Monitor the progress of Neighborhood Traffic Management Plans (NTMP) including but not limited to Raymond, Peoria, and Summit Streets to protect identified neighborhoods in the Fair Oaks/Orange Grove area that have been impacted by traffic, and if impacts occur, implement a neighborhood traffic protection plan."

REVISION TO
AMENDMENT 1

Councilmember Gordo express concern the suggested language was not strong enough, and further amended it to include the following specific streets: *Raymond, Peoria, Esther, Summit and Carter Alley, and to include language that there will be monitoring on a project by project basis to review the cumulative neighborhood impacts.*

To address Councilmember Gordo's concerns regarding the need to change the proposed zoning for two parcels on Raymond Avenue, Mr. Bruckner offered the following language for Council consideration:

AMENDMENT 2

That 676 N. Raymond Avenue, which is the second parcel south of Orange Grove on the east side of the street and which is currently proposed to be commercial, be zoned a residential density of RM-12.

AMENDMENT 3

For the entire parcel at 407 N. Raymond Avenue for which a portion of the site is currently designated residential and a portion commercial, make the entire parcel residential to be consistent with adjacent residential parcels.

Brief discussion ensued as to whether the residential zoning for 407 N. Raymond would be RM-12 or RM-16. Councilmember Gordo clarified the intent is to allow for no more than two units per lot.

Councilmember Holden questioned whether the Specific Plan should have language in it that addresses 710 Freeway mitigation dollars in a general way regarding impacts due to a regional traffic network that is not complete, and calls out these mitigation funds as a potential funding source.

The City Manager suggested that if Council wanted to give direction on this, that it be done as a motion separate from the adoption of the Specific Plan.

Councilmember Holden noted there are existing mobility issues related to the 710 Freeway gap not being completed, stated there are traffic impacts to areas outside the southwest 710 Freeway corridor, including traffic impacts to the Specific Plan area, and

stressed the need to identify funding sources to mitigate traffic impacts.

MOTION

Following lengthy discussion, it was moved by Councilmember Streator, seconded by Councilmember Holden, to approve the City Manager's recommendation, including approval of the Environmental Impact Report, and incorporating the amendment that there will not be full build out of the Specific Plan until the traffic mitigation plan is in place, and incorporating the three amendments (referenced above) to address the concerns of Councilmember Gordo. (Motion unanimously carried) (Absent: Councilmember Madison)

MOTION

It was moved by Councilmember Holden, seconded by Councilmember Streator, to direct staff to investigate potential funding sources for implementation of the traffic mitigation needed to address traffic impacts from the Fair Oaks Specific Plan, including but not limited to any 710 mitigation funds approved at the Federal or State level. (Motion unanimously carried) (Absent: Councilmember Madison)

The Council commended staff on a job well done, as well as the many public volunteers who participated in the process.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**ORDINANCE - FIRST
READING**

Councilmember Gordo was
excused at 11:20 p.m.

**PROPOSED AMENDMENT TO CHAPTER 14 OF THE PASADENA
MUNICIPAL CODE TO AMEND THE PROVISIONS FOR
ALTERNATIVE MATERIALS, ALTERNATIVE DESIGN, AND
METHODS OF CONSTRUCTION**

Recommendation of City Attorney: It is recommended that the City Council conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 14 OF THE PASADENA MUNICIPAL CODE AND AMENDING THE PROVISIONS FOR ALTERNATIVE MATERIALS, ALTERNATE DESIGNS, AND METHODS OF CONSTRUCTION".

In response to a question regarding a letter the City had earlier received from the Attorney General (when the current ordinance was first adopted), the City Attorney stated that the Attorney General had opined that the way Pasadena's (current) ordinance was written, it allowed automatic use of those materials rather than on a case-by-case analysis. The City Attorney noted that the proposed ordinance before Council is responsive to that issue.

The above ordinance was offered for first reading by Vice Mayor Little:

AYES: Councilmembers Haderlein, Holden, Streator, Tyler, Vice Mayor Little, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Gordo, Madison

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

REQUESTS FOR LEGISLATION FOR 2002 SESSION

Recommendation of City Manager: It is recommended that the City Council vote on each of the suggested legislative items listed

LEGISLATIVE POLICY
COMMITTEE

Councilmember Gordo
returned at 11:20 p.m.

in the agenda report and direct staff to forward those approved to State Legislators with a request for sponsorship.

Mayor Bogaard, Chair of the Legislative Policy Committee, summarized the agenda report and referred to a supplemental memorandum from the City Manager forwarding the Committee's two recommended changes, as follows: (1) removal of the Brown Act amendment, and (2) the addition of affordable housing.

Councilmember Streator noted this may be an opportunity to advance our contingent about the remedial work on our sound walls that needs to be done. The City Manager concurred with the suggestion to add sound walls to the list, and noted there may be additional ways to pursue funding for sound walls such as through Proposition 42 funding.

Regarding the issue of affordable housing, the City Manager noted the State had set up an infrastructure bank several years ago, and offered to follow-up as to whether this infrastructure bank could be used for affordable housing, or perhaps the City could ask Senator Scott to sponsor legislation that would allow us to use the infrastructure bank for affordable housing.

Following discussion, it was moved by Councilmember Streator, seconded by Vice Mayor Little, to approve the following items referenced in the agenda report: Robinson Park Master Plan Implementation; Public Power; Completion of the 710 Freeway; Workers' Compensation; remove from the list Amendments to the Brown Act; and add Sound Walls and Affordable Housing to the list of priority legislation for possible support or sponsorship by State legislators. (Motion unanimously carried) (Absent: Councilmember Madison)

Vice Mayor Little requested the City Manager follow-up on the status of our prior request to change the Education Code (to allow for Board of Education elections by sub-districts).

**SUPPORT FOR PROPOSITION 42: TRANSPORTATION
CONGESTION IMPROVEMENT ACT. ALLOCATION OF
EXISTING MOTOR VEHICLE FUEL SALES AND USE TAX
REVENUE FOR TRANSPORTATION PURPOSES ONLY.
LEGISLATIVE CONSTITUTIONAL AMENDMENT**

Recommendation of City Manager:

- (a) Support Proposition 42: Transportation Congestion Improvement Act. Allocation of Existing Motor Vehicle Fuel Sales and Use Tax Revenues for Transportation Purposes Only. Legislative Constitutional Amendment; and
- (b) Authorize the Mayor to send letters to the appropriate authorities stating Pasadena's position.

It was moved by Vice Mayor Little, seconded by Councilmember Gordo, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Madison)

**SUPPORTING THE REAUTHORIZATION OF THE
TRANSPORTATION EQUITY ACT FOR 21ST CENTURY (TEA-21)
HIGHWAY AND TRANSPORTATION FUNDING BILL**

Recommendation of City Manager:

- (a) Adopt a resolution supporting the reauthorization of the TEA-21 Highway and Transportation Funding Bill; and
- (b) Authorize the Mayor to send a letter of support to the Chairs and Members of both the House and Senate Reauthorization Committees. (Resolution No. 8078)

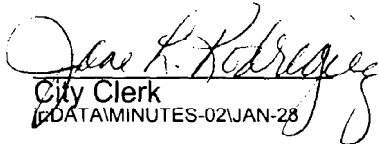
It was moved by Vice Mayor Little, seconded by Councilmember Streater, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Madison)

On order of the Mayor, the regular meeting of the City Council adjourned at 11:42 p.m.



Bill Bogaard Mayor
City of Pasadena

ATTEST:



Jane K. Rodriguez
City Clerk
DATA MINUTES-02JAN-28