

CITY OF PASADENA
City Council Minutes
June 3, 2002 - 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:51 p.m.
(Absent: Councilmembers Gordo, Madison, Tyler)

On order of the Mayor, the regular meeting recessed at 5:51 p.m.
to discuss the following closed sessions:

Councilmember Madison
arrived 5:59 p.m.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
REGARDING PENDING LITIGATION pursuant to Government
Code Section 54956.9(a)
Name of Case: New Way Recycling v. City of Pasadena
Case No. BC 266832**

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEES
PERFORMANCE EVALUATIONS pursuant to Government
Code Section 54957
Titles: City Attorney and City Clerk**

The above closed session items were discussed with no
reportable action.

On order of the Mayor, the regular meeting reconvened at
6:41 p.m. The Pledge of Allegiance was led by Councilmember
Holden.

ROLL CALL:

Councilmembers:

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

Staff:

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

**CLOSED SESSION
ITEM ADDED TO AGENDA**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL -
PENDING LITIGATION pursuant to Government Code Section
54956.9(a)
Name of Case: Amy v. City of Pasadena, et al., Case No. GS
006463**

The Mayor announced that on Friday, after the posting of the agenda, the Court issued a ruling pertaining to the case of Amy v. City of Pasadena, et al., and noted that it was necessary for Council to have a closed session discussion of the matter, subject to the making and passage of a motion to add the matter to the agenda.

The City Attorney reported that on Friday, May 31, after the posting of Council's agenda, the Court issued a ruling directing that the City take certain action, and there is a need for the City to make an immediate determination before the next regular meeting with respect to the direction and order of the Court.

It was moved by Councilmember Streater, seconded by Councilmember Madison, to add the closed session item Amy v. City of Pasadena, et al., to the agenda, that the matter arose after the posting of the agenda, and there is a need to take action before the next regular meeting. (Motion unanimously carried) (Absent: None)

On order of the Mayor, the regular meeting of the City Council recessed at 6:45 p.m. to discuss the above-referenced closed session item.

On order of the Mayor, the regular meeting of the City Council reconvened at 7:06 p.m. (Absent: Councilmembers Holden, Gordo, Tyler)

The following action was taken regarding closed session item Amy v. City of Pasadena, et al.: It was moved by Vice Mayor Little, seconded by Councilmember Madison, to file Measure B with the Secretary of State's Office and take other legal steps related to the cross-complaint. (Motion unanimously carried) (Absent: Councilmembers Gordo, Tyler)

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Ms. Olivia Carnegie as Human Relations Commissioner.

The Mayor announced the annual Pasadena Community Picnic would be held Saturday, June 8, 2:00 - 6:00 p.m. at Brookside Park, and invited Council and the community to attend the picnic.

PUBLIC COMMENT

Mr. Tim Brick, representing the Arroyo Seco Foundation, urged that the draft Master Environmental Impact Report and Arroyo Seco Master Plan be made widely available to the community at a reasonable cost, suggested the public comment period for these documents be extended to promote broad public participation, stated the City needs to hold meetings to educate the public on what is included in the Master Plan, and suggested the Planning Department have adequate staffing to ensure that all of these issues are addressed.

The City Manager responded that the public comment period has been extended for 30 days, stated that copies of the Master Plan and EIR are available with one day's notice, and noted that CD's of these documents are also available. Regarding conducting additional community meetings, the City Manager noted there is one upcoming community meeting, and offered to have staff available for meetings sponsored in the community by various organizations.

Councilmember Madison offered the assistance of his office in obtaining copies of the documents for interested members of the public.

Mr. Brian League, Planner, announced an upcoming community meeting by the Recreation and Parks Commission on the draft Master EIR on June 25, 2002, at 6:00 p.m. at Victory Park, and noted additional advisory bodies will have meetings during July. The City Manager stated there will be additional community outreach for these upcoming meetings.

Councilmember Madison requested that one of the upcoming meetings be held closer to the Arroyo Seco area, and offered the assistance of his office in selecting a venue.

Mr. Robert Wittry, representing Flowers of Marengo Neighborhood Association, expressed concern that the City has not installed four-way stop signs at the intersection of Flower Street and Garfield Avenue.

Ms. Jo Barker, Pasadena resident, spoke regarding the need for adequate building setbacks, and distributed a handout of her comments on the topic.

Mr. Donald G. Rogers, representing Pasadena Audubon Society, spoke regarding the need for adequate playing fields and concurred with Mr. Brick's comments regarding extending the public comment period for the Arroyo Seco Master Plan and EIR.

Mr. Richard Davis, West Pasadena Resident Association, concurred with comments of Mr. Timothy Brick and expressed his appreciation to Councilmember Madison for his offer of assistance in selecting a venue for a community meeting in the Arroyo Seco area.

CONSENT CALENDAR
Item discussed separately
at the request of
Councilmember Madison.

**AUTHORIZATION TO NEGOTIATE AND EXECUTE A
CONTRACT WITH EIP ASSOCIATES FOR AN AMOUNT NOT
TO EXCEED \$117,813 TO PREPARE AN ENVIRONMENTAL
IMPACT REPORT FOR THE ANNANDALE CANYON ESTATES**

**PURCHASE OF 30 SELF-CONTAINED BREATHING
APPARATUS UNITS (SCBA) FOR THE FIRE DEPARTMENT**

Recommendation of City Manager:

- (1) Accept the bid dated May 7, 2002, submitted by Lifecom Inc. in response to specifications for the purchase of 30 Self-Contained Breathing Apparatus Units;
- (2) Reject all other bids;
- (3) Authorize the issuance of a purchase order contract to Lifecom Inc. in the amount not to exceed \$82,227; and
- (4) Authorize the City Manager to approve without further Council action the purchase of an additional 30 SCBA units in fiscal year 2003 pending the approval of the Fiscal Year 2003 Budget.

Item discussed separately
at the request of
Councilmember Madison.

**CONTRACT AWARD - ARROYO PARKWAY CORRIDOR
TRANSPORTATION IMPROVEMENTS FOR AN AMOUNT NOT
TO EXCEED \$396,000.00**

**APPROPRIATION OF \$25,000 FROM THE STATE OF
CALIFORNIA, OFFICE OF HISTORIC PRESERVATION FOR A
HISTORIC RESOURCES SURVEY OF UP TO 175 MULTI-
FAMILY PROPERTIES THROUGHOUT PASADENA**

Recommendation of City Manager:

- (1) Authorize an appropriation of \$25,000 from the State of California to Account No. 8115-101-444410 for contract services to hire a consultant to assist with the preparation of historic resources inventory forms for approximately 175 multi-family properties in the city.
- (2) Authorize the City Manager to act as a signatory for the City of Pasadena regarding grant agreement documents. (Journal Voucher No. 2002-74)

**PROPOSED SUBSURFACE OIL AND GAS LEASE BETWEEN
THE CITY OF PASADENA AND TRIO PETROLEUM INC. FOR
CITY OWNED MINERAL RIGHTS IN THE WHITTIER
NARROWS AREA**

Recommendation of City Manager:

- (1) Approve the terms and provisions of the new subsurface oil and gas lease agreement, which includes:
 - (a) A term of 35-years.
 - (b) Rental payments of \$4,075.50 per year, reflecting \$75 per acre per year.
 - (c) Once the production of oil and gas is commenced, royalty payments will be made as follows: 20% of the value of all oil produced; 20% of the net proceeds derived from the sale of gas; 20% of the sale of gasoline or other liquid products from said lease.
 - (d) The lease also provides that the City may, at its option, in lieu of the 20% oil royalty sale value, take its royalty in kind, a provision that could prove beneficial to Pasadena Water and Power in the event of an oil shortage.
- (2) Authorize the City Manager to execute the subsurface oil and gas lease agreement and all other documents pertaining

thereto and perform such other and further acts as required under the Lease Agreement. (Contract No. 17,961)

Mr. Robert Wittry, Pasadena resident, expressed concern the lease of the land may be below the market rate.

SUSPENSION OF THE NOISE ORDINANCE RELATING TO THE PROPOSED FOLLOWING EVENTS: 1) MAKING STRIDES AGAINST BREAST CANCER 2002 TO BE HELD AT AREA H AND THE ARROYO SECO ON SUNDAY, OCTOBER 20, 2002 FROM 9:00 A.M. TO 1:00 P.M., AND 2) RACE FOR THE CURE TO BE HELD AT AREA H AND THE ARROYO SECO ON SUNDAY, NOVEMBER 3, 2002 FROM 9:00 A.M. TO 2:00 P.M.

Recommendation of City Manager:

(1) Acknowledge that the Temporary Conditional Use Permits and the suspension of the Noise Ordinance necessary to hold the two non-profit events are categorically exempt from CEQA under CEQA guidelines Section 15323, Normal Operations of Facilities for Public Gatherings.

(2) Direct the City Attorney to prepare an ordinance to suspend the Noise Ordinance and a Notice of Exemption, with respect to the proposed following events: 1) Making Strides Against Breast Cancer 2002 to be held at Area H and the Arroyo Seco on Sunday, October 20, 2002 from 9:00 a.m. to 1:00 p.m., and 2) Race for the Cure to be held at Area H and the Arroyo Seco on Sunday, November 3, 2002 from 9:00 a.m. to 2:00 p.m.

APPROVAL OF ANNUAL REPORT OF THE SOUTH LAKE BUSINESS ASSOCIATION FOR THE SOUTH LAKE BUSINESS IMPROVEMENT DISTRICT AND ADOPTION OF A RESOLUTION OF INTENTION TO HOLD A PUBLIC HEARING TO LEVY ASSESSMENTS WITHIN SAID DISTRICT FOR PROGRAM YEAR 2002

Recommendation of City Manager:

(1) Approve the Annual Report of the South Lake Business Association ("Association") for South Lake Business Improvement District ("the District") for Program Year 2002 in the form submitted by the Association (Attachment No. 1 of the agenda report) while in keeping with the Approval Conditions detailed in the agenda report.

(2) Adopt a resolution (Attachment No. 2 of the agenda report) evidencing the intention of the City Council to hold a public hearing on June 17, 2002 at 8:00 p.m. on the continuation of the City Council to levy and collect assessments within the District for Program Year 2002 commencing January 1, 2002.

(3) Direct the City Clerk to give notice to the public hearing by causing the resolution to be published not less than seven days before the public hearing. (Resolution No. 8114)

MINUTES APPROVED

April 1, 2002

CLAIMS RECEIVED AND FILED

Claim No. 9017	Roberta M. Dunn, Cyber Caffe	\$25,000.00+
Claim No. 9018	Janice E. Okuda	1,725.00
Claim No. 9019	Diana M. Trejo	1,693.31
Claim No. 9020	James J. Gilliland	25,000.00+
Claim No. 9021	Robert A. Perez	2,003.49
Claim No. 9022	Jacqueline L. Wooster	822.64
Claim No. 9023	LaVannes C. Squires	25,000.00+
Claim No. 9024	Opal D. Squires	25,000.00+
Claim No. 9025	Priscilla & Gary Hoecker	225.00
Claim No. 9026	Jerzy Gotfryd	3,426.65

PUBLIC HEARING SET

June 24, 2002, 8:00 p.m. - Call for Review to the City Council for Conditional Use Permit No. 4010 (Commercial Recreation Use - Arcade), 319 South Arroyo Parkway

It was moved by Councilmember Madison, seconded by Vice Mayor Little, to approve the Consent Calendar with the exception of Item 1 (Contract with EIP Associates) and Item 3 (Contract with PNS Communications Group), which items were removed for separate action. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden, Tyler)

CONSENT CALENDAR
ITEMS DISCUSSED
SEPARATELY

AUTHORIZATION TO NEGOTIATE AND EXECUTE A CONTRACT WITH EIP ASSOCIATES FOR AN AMOUNT NOT TO EXCEED \$117,813 TO PREPARE AN ENVIRONMENTAL IMPACT REPORT FOR THE ANNANDALE CANYON ESTATES
Recommendation of City Manager: Authorize the City Manager to negotiate and execute a contract not to exceed \$117,813 with EIP Associates to prepare an Environmental Impact Report, and related documents to the City's satisfaction and in conformance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines for the Annandale Canyon Estates. (Contract No. 17,962)

Mr. Richard Bruckner, Director of Planning and Development, responded to questions from Councilmember Madison.

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

CONTRACT AWARD - ARROYO PARKWAY CORRIDOR TRANSPORTATION IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$396,000.00

Recommendation of City Manager:
(1) Accept the bid dated May 21, 2002 submitted by PNS Communications Group in response to the specifications for the Arroyo Parkway Corridor Transportation Improvements, reject all other bids received, and authorize the City Manager to enter into such contract as is required.

(2) Adopt a resolution approving Program Supplement No. M050 to the Local Agency - State Agreement No. 07-5064 between the City of Pasadena and the State of California regarding Federal-Aid projects for the Arroyo Parkway Corridor Transportation Improvements (STPL-5064[015]); and authorizing the City Manager to execute the program supplement as required.

(3) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (minor alterations involving negligible expansion of use beyond that previously existing) and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk. (Contract No. 17.963; Contract Amendment No. 16.298-7; Resolution No. 8115)

Mr. Steve Wright, Acting City Engineer, responded to questions from Councilmember Madison.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

Councilmember Holden
returned at 7:39 p.m.

APPOINTMENT OF SUSAN L. HICKMAN TO THE OLD PASADENA PARKING METER ZONE ADVISORY COMMISSION (At Large/District 6 Nomination)

REAPPOINTMENT OF JERRI PRICE TO THE ARTS COMMISSION (District 2 Nomination)

REAPPOINTMENT OF JOAN PALMER TO THE ARTS COMMISSION (District 6 Appointment)

REAPPOINTMENT OF KATHERINE WIMMER TO THE LIBRARY COMMISSION (District 6 Nomination)

REAPPOINTMENT OF NINA CHOMSKY TO THE NORTHWEST COMMISSION (District 6 Nomination)

REAPPOINTMENT OF TEDDY CHOI TO THE HUMAN RELATIONS COMMISSION (At Large Nomination)

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

REAPPOINTMENT OF JUDITH ZITTER TO THE PASADENA CENTER OPERATING COMPANY (City Nomination)

REAPPOINTMENT OF JOAN TAKAYAMA-OGAWA TO THE DESIGN COMMISSION (At Large/District 4 Nomination)

**REAPPOINTMENT OF VINCE FARHAT TO THE UTILITY
ADVISORY COMMISSION (At Large/District 4 Nomination)**

**REAPPOINTMENT OF PATRICK GREEN TO THE ROSE BOWL
OPERATING COMPANY (District 2 Nomination)**

**REAPPOINTMENT OF ELIZABETH POMEROY TO THE
RECREATION AND PARKS COMMISSION (At Large/District 2
Nomination)**

**REAPPOINTMENT OF GLORIA BRODERICK TO THE
ACCESSIBILITY AND DISABILITY COMMISSION (District 2
Nomination)**

**REAPPOINTMENT OF ERIN VARGAS TO THE COMMISSION
ON THE STATUS OF WOMEN (District 2 Nomination)**

**REAPPOINTMENT OF SCOTT WARD TO THE OLD
PASADENA PARKING METER ZONE ADVISORY
COMMISSION (At Large/District 3 Nomination)**

It was noted that City staff would be providing Commissioner training in September. Councilmember Madison requested staff verify who has already received the training and that he be notified if District 6 appointees have not attended the training after a few sessions have been offered.

It was moved by Councilmember Haderlein, seconded by Vice Mayor Little, to approve the above appointments and reappointments. ((Motion unanimously carried)) (Absent: Councilmembers Gordo, Tyler)

**APPROVAL OF A COOPERATIVE AGREEMENT BETWEEN
THE STATE OF CALIFORNIA AND THE CITY OF PASADENA
FOR THE RELINQUISHMENT OF ARROYO PARKWAY
Recommendation of City Manager: Adopt a resolution
authorizing the City Manager to execute Cooperative Agreement
No. 07-4541 with the State of California Department of
Transportation (Caltrans) for the Relinquishment of Arroyo
Parkway from Glenarm Street to Colorado Boulevard.
(Resolution No. 8116; Contract No. 17,964)**

The City Manager summarized the agenda report and responded to questions.

Councilmember Madison stressed the need to move forward with deliberate speed due to impacts of the Gold Line in the next year and demands on Arroyo Parkway.

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

RESOLUTION SUPPORTING THE LIFTING OF A LIMITED PORTION OF THE INJUNCTION ON CONSTRUCTION OF THE 710 FREEWAY TO ALLOW CONSTRUCTION OF TWO FEEDER ROADS BETWEEN VALLEY BOULEVARD AND MISSION AVENUE

At the Mayor's request, the above item was deferred for a couple weeks upon learning that a court judge had recently ordered counsel for the parties to confer on this matter to determine whether in fact a modification is required to implement the mitigation measures that are imposed by the City of Los Angeles. Mayor Bogaard noted that the above resolution may not be necessary.

EXPANSION ALTERNATIVES FOR THE PASADENA ARTS TRANSIT SERVICE

Recommendation of City Manager: Approve a journal voucher recognizing and appropriating \$40,000 of Reserve for Future Light Rail Projects (Prop A) funding to Budget Account No. 8115-208-763308 to prepare a Short Range Transit Plan for purposes of becoming an "included operator". (Journal Voucher 2002-75)

Recommendation of Transportation Advisory Commission: The Transportation Advisory Commission on April 1, 2002 approved a motion to recommend to the City Council that staff be instructed to initiate the development of a "Short Range Transit Plan" for purposes of eventually becoming an "included operator". An "included operator" is a public transit operator in Los Angeles County that is eligible to receive formula funds from the Los Angeles County Metropolitan Transportation Authority (MTA).

PROPOSED SERVICE ENHANCEMENT PLAN FOR THE PASADENA AREA RAPID TRANSIT SYSTEM (ARTS)

Recommendation of City Manager:

- (1) Approve the development of a service enhancement plan that will provide additional ARTS service that can be in place for the opening of the Pasadena Gold Line Light Rail in July 2003.
- (2) Direct staff to analyze possible funding sources for the ARTS Full Expansion Plan, which, in addition to becoming an included operator, will include: implementation of a passenger fare, allocation of new revenue from city-wide parking meters, developer mitigation fees and potentially a city-wide parking tax.

The above two items were discussed concurrently.

The City Manager summarized the above two agenda reports. She noted that staff is beginning to do two things: (1) reviewing steps to be taken for the next increment of service, and (2) how to

begin to get non-local revenue sources in place so when we become an Included Operator, we will have the matching funds in place. She stated that with Council concurrence, staff will concentrate on those sources and work with the Transportation Advisory Commission ("TAC"), and return with specific recommendations with priority for which sources we move on first, and also with specific routes to be adopted after having more public input.

Mr. Richard McDonald, member of the Transportation Advisory Commission ("TAC"), provided a brief history on past Council directions and background information on TAC's recommendation, and public outreach efforts and community meetings held by TAC. Mr. McDonald suggested Council may want to schedule one joint workshop with TAC, and possibly a separate Council workshop, to walk through the revenue sources with the consultant to better understand the parameters and details of the funding sources.

Councilmember Madison commended Mr. McDonald for his volunteer work serving on TAC and on the Redistricting Task Force.

Mr. Jay Goldstone, Director of Finance, responded to questions regarding election timing for placing measures on the ballot. He noted that if a measure is a general tax requiring majority approval, it must be placed on a general municipal election ballot. If a measure is a special tax requiring two-thirds approval, it may be placed on the ballot at any time.

Mr. Robert Wittry, Pasadena resident, expressed concerns with the City becoming an Included Operator, and voiced opposition to having coin boxes/fares as a revenue source.

Ms. Cathi Cole, Transit Manager, responded to questions from Council.

Councilmember Haderlein noted the Route 40 bus line ends at 6:00 p.m., noted this route is the most Gold Line friendly, and suggested the hours be extended later. Ms. Cole responded this was an oversight in terms of implications of the Gold Line, and staff will look at extending the service a couple extra hours.

Councilmember Streater stated she has received numerous complaints from young people regarding overcrowding on the buses. She questioned whether staff has looked at improving the current service before looking at interfacing with the Gold Line.

Ms. Cole responded that the City will be obtaining new vehicles with more capacity, and this should address some of the capacity problems. She noted staff will be doing a survey to see where the impacts are and where the overcrowding is taking place.

Vice Mayor Little urged staff to be mindful of the purpose of the ARTS system to serve people who don't have a means of transportation across town. He stated that if a recommendation comes forth for adding a fare, he would need to see a strong justification for adding a fare.

Councilmember Streator added that if we have a fare, it needs to be as simple as possible so everyone knows what is expected, and noted we would need to have much more reliable service.

Following discussion, it was moved by Councilmember Haderlein, seconded by Councilmember Streator, to conceptually approve the City Manager's recommendations for the above two items, with the understanding there is no determination at this point where the funding will come from.

The City Manager clarified the above motion does not include any final decision on an application for Included Operator, nor does it include any final decisions on new funding sources.

Councilmember Streator stressed the need for community input on how to fund enhanced services and the possibility of imposing a fare or community tax.

The City Manager stated staff will return to Council in 30 days regarding survey results on the overcrowding issue and ways to resolve the problem, and staff will report back in four months or less reviewing revenue sources in more detail and public outreach efforts.

Vote on the motion:

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

NOES: None

ABSENT: Councilmembers Gordo, Tyler

On behalf of the City Council, the Mayor expressed appreciation to Mr. McDonald, the Transportation Advisory Commission, and City staff for moving this important strategy forward.

RECESS TO JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 8:40 p.m. to a joint meeting with the Community Development Commission. (Absent: Councilmembers Gordo, Tyler)

PUBLIC HEARINGS

JOINT PUBLIC HEARING: APPROVAL OF TERMS OF A PROPOSED DISPOSITION & DEVELOPMENT AGREEMENT BY AND BETWEEN THE PASADENA COMMUNITY DEVELOPMENT COMMISSION AND MAGUIRE PARTNERS - 385 COLORADO, L.L.C. FOR THE SALE OF COMMISSION OWNED LAND AND THE CONSTRUCTION OF A NEW COMMERCIAL OFFICE BUILDING WITHIN THE DOWNTOWN

REDEVELOPMENT PROJECT AREA (WESTERN ASSET PLAZA, FORMERLY PLAZA LAS FUENTES II)

Recommendation of City Manager: It is recommended that the City Council, following the joint public hearing:

- (1) Make certain findings and authorize the Pasadena Community Development Commission (Commission) to enter into a Disposition and Development Agreement with Maguire Partners - 385 Colorado, L.L.C. (Developer);
- (2) Authorize the City Manager to accept title to "finger" of land located in the Colorado Boulevard and Los Robles Avenue right of way from Commission, and easements from Developer along Union Street, and at the corner of Euclid Avenue and Colorado Boulevard; and
- (3) Authorize the conveyance of an easement on Los Robles Avenue to Developer. (Resolution No. 8117)

Recommendation of Chief Executive Officer: It is recommended that Pasadena Community Development Commission, following the joint public hearing:

- (1) Make certain findings, approving the Business Terms to be incorporated into a Disposition and Development Agreement, and authorize the Chief Executive Officer to execute said Disposition and Development Agreement and take all necessary implementing actions; and
- (2) Authorize conveyance of "finger" of land located in the Colorado Boulevard and Los Robles Avenue right of way to the City. (Resolution No. CDR-213; Contract No. CDC-490)

Recommendation of Community Development Committee:

On May 15, 2002, the Community Development Committee (CDC) voted 4-1 in favor of recommending that the Commission approve the business terms outlined in the agenda report and that these business terms be incorporated into a Disposition and Development Agreement (DDA) between the Commission and Developer.

After voting to support the staff recommendation, the CDC also recommended that Council direct staff to look into several other related matters as summarized below.

- 1) Quantify the financial impact of Western Asset Plaza on Paseo Colorado.
- 2) Analyze impacts to transit occupancy "bed tax" revenues.
- 3) Analyze revenue impacts to other businesses in the City
- 4) Develop performance measures and benchmarks to assist in internal tracking and monitoring of the project's implementation schedule.

Staff concurs with the above recommendations from the CDC.

Mayor Bogaard opened the public hearing.

The City Clerk reported the notice of public hearing was published May 20 & 27, 2002, in the Pasadena Star News; no letters were received.

The City Manager introduced the item.

Mr. Kirk Pelsler, Development Administrator, summarized the agenda report and responded to questions.

Mr. Tony Morales, Maguire Partners, described the proposed project, projected cash flow and debt service, and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development, and Mr. Michael Estrada, legal counsel for the City, responded to additional questions.

Mr. Bruckner reviewed the Community Development Committee's recommendation (referenced above), and noted this is additional work to be accomplished by staff following approval of this item, and staff will report back on this follow-up work. Mr. Bruckner noted that some of this follow-up work cannot be accomplished until the building is fully leased and all the tenants are known.

Councilmember Madison noted that there may be opportunities for cross-marketing Pasadena, and expressed hope that staff would work with all the tenants in the building to market Pasadena.

Vice Mayor Little suggested the developer have a 10% local hire target and that a local hire performance report for this project be reported back to Council. Mr. Morales, representing the developer, responded that they will ask the contractor and subcontractors to set a 10% local hire target, and this will be set forth in the text of the development agreement as a goal and will be used as a benchmark to report progress to the Council.

The following people spoke in support of the project:

Mr. Robert Maguire III, Maguire Partners
Mr. Brett Canon, Director of Operations, Western Asset

Mr. Robert Wittry, Pasadena, resident, questioned if there was a conflict of interest if the Community Development Commission owns the land and there is not full mitigation of all the environmental impacts. He also expressed concern that buses will be funded only for 12 years and not the entire life of the building.

Mr. Michael Estrada, City's legal counsel, responded there is no conflict of interest because there is no benefit to the individual members of the Council and Commission.

It was moved by Councilmember Haderlein, seconded by Vice Mayor Little, to close the public hearing. (Motion unanimously carried) (Absent: Councilmembers Gordo, Tyler)

Following discussion, it was moved by Councilmember Haderlein, seconded by Vice Mayor Little, to approve the City Manager's recommendation, as amended to require a 10% local hire target. (Motion unanimously carried) (Absent: Councilmembers Gordo, Tyler)

It was clarified that the 10% local hire target is a goal and not a requirement.

JOINT MEETING
ADJOURNED

On order of the Mayor, the joint meeting of the City Council and Community Development Commission adjourned at 9:32 p.m.

RECESSED TO CDC

On order of the Mayor, the regular meeting of the City Council recessed at 9:32 p.m. to the regular meeting of the Community Development Commission.

MEETING RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 9:54 p.m. (Absent: Councilmembers Gordo, Madison, Tyler)

PUBLIC HEARINGS

**CONTINUED PUBLIC HEARING: FISCAL YEAR 2003
RECOMMENDED OPERATING BUDGET**

Recommendation of City Manager: Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 8:00 p.m., until June 10, 2002 or such other later date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the Operating Budget.

Mayor Bogaard announced the continued public hearing.

Vice Chair Little, Chair of the Finance Committee, reported the Committee has reviewed departmental budgets, and there will be additional review of the Health Department next week. He noted the City Council is scheduled to review the Operating Budget next Monday at 8:00 p.m.

No persons appeared for public comment.

On order of the Mayor, the public hearing was continued to June 10, 2002, at 8:00 p.m.

**PUBLIC HEARING: UPDATED GENERAL PLAN NOISE
ELEMENT**

Recommendation of City Manager: It is recommended that the public hearing be continued to June 10, 2002, at 8:00 p.m.

Councilmember Holden
was excused at 10:00 p.m.

On order of the Mayor, the public hearing was continued to June 10, 2002, at 8:00 p.m.

ITEMS HELD

The following three items were held one week due to lack of a quorum:

Conduct first reading of "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PASADENA AMENDING PASADENA MUNICIPAL CODE, TITLE 4, CHAPTER 4.08, COMPETITIVE BIDDING AND PURCHASING, REPEALING PASADENA MUNICIPAL CODE TITLE 4, CHAPTER 4.09, AFFIRMATIVE ACTION IN CONTRACTING, AND AMENDING PASADENA MUNICIPAL CODE TITLE 2, CHAPTER 2.360, AFFIRMATIVE ACTION IN CITY EMPLOYMENT, TO ENSURE COMPLIANCE WITH APPLICABLE STATE LAW"

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 1.20 ('ELECTION DISTRICTS') OF THE PASADENA MUNICIPAL CODE" (Introduced by Vice Mayor Little)

PREDEVELOPMENT PLAN REVIEW FOR THE PROPOSED 52-UNIT CONDOMINIUM PROJECT LOCATED ON THE SOUTHWEST CORNER OF ALTADENA DRIVE AND VILLA STREET

COUNCIL COMMENTS

Vice Mayor Little reminded Council that approximately a year ago Council had given recognition to the family of Joe Hayashi, deceased Pasadena resident who had served in World War II and was posthumously awarded the Congressional Medal of Honor for his sacrifice and bravery. He again requested that there be consideration of a process to permanently remember Mr. Hayashi, such as a street named after Mr. Hayashi.

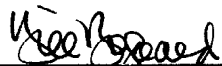
Mayor Bogaard announced that Vice Mayor Little, after many years of dedicated service on the Municipal Services Committee, had stepped down and Councilmember Haderlein has been assigned to replace Vice Mayor Little on the Committee.

Mayor Bogaard announced that as a result of the court ruling in the Amy case last Friday, the Measure B Charter amendment will be filed with the Secretary of State's Office this week.

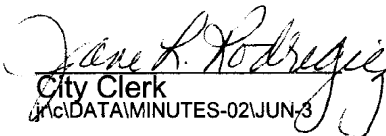
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:00 p.m. due to lack of a quorum.

ATTEST:



Bill Bogaard
Mayor



Jane R. Rodriguez
City Clerk
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