

CITY OF PASADENA
City Council Minutes
October 21, 2002 – 5:00 P.M.
City Hall Council Chamber

SPECIAL MEETING

OPENING:

Mayor Bogaard called the special meeting to order at 5:07 p.m.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Paul Little
Councilmember Victor Gordo (Arrived at 5:09 p.m.)
Councilmember Steve Haderlein
Councilmember Chris Holden (Arrived at 5:34 p.m.)
Councilmember Steve Madison (Arrived at 5:42 p.m.)
Councilmember Joyce Streater
Councilmember Sidney F. Tyler, Jr.

Staff:

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

The Pledge of Allegiance was led by Vice Mayor Little.

CONSENT CALENDAR

**CONTRACT AWARD - IMPROVEMENT OF HOLLY STREET
FROM RAYMOND AVENUE TO ARROYO PARKWAY FOR
AN AMOUNT NOT TO EXCEED \$175,000**

Recommendation of City Manager: Accept the bid dated October 9, 2002, submitted by L.M.T. Enterprises Inc. dba Tyner Paving, in response to the Specifications for the Improvement of Holly Street from Raymond Avenue to Arroyo Parkway, reject all other bids received, and authorize the City Manager to enter into a contract not to exceed \$175,000. (Contract No. 18,100)

Item discussed separately
at the request of
Councilmember Haderlein.

**CONTRACT AWARD TO CALIFORNIA TRAFFIC
MAINTENANCE FOR CITYWIDE STREET RE-STRIPING
FOR AN AMOUNT NOT TO EXCEED \$100,000**

**ACCEPTANCE OF GRANT FROM STATE OF CALIFORNIA
OFFICE OF CRIMINAL JUSTICE PLANNING - ELDER
ABUSE ADVOCACY AND OUTREACH PROGRAM;
AUTHORIZATION TO ENTER INTO A CONTRACT WITH
HERITAGE CLINIC AND THE COMMUNITY ASSISTANCE
PROGRAM FOR SENIORS ("HERITAGE CLINIC"), A
CALIFORNIA NON-PROFIT CORPORATION, TO OPERATE
THE ELDER ABUSE OUTREACH AND ADVOCACY
PROGRAM**

Recommendation of City Manager:

(1) Accept the grant from the State of California Office of Criminal Justice Planning - Elder Abuse Advocacy and Outreach Program in the amount of \$90,000 (Grant No. EA 98017625) and approve a journal voucher recognizing that amount and appropriating it to the Police Department FY 2003

Operating Budget, Account No. 8114-101-402500. (Journal Voucher No. 2003-19)

(2) Authorize the City Manager to enter into a contract with the Heritage Clinic in an amount not to exceed \$86,030 without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, to operate the Elder Abuse Outreach and Advocacy Program. The remaining \$3,970 will remain in the Department's budget for the Police Department's administrative costs. (Contract No. 18,101)

(3) Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA FIREFIGHTERS MANAGEMENT ASSOCIATION AND ADOPTION OF A RESOLUTION PROVIDING FOR REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS AS COMPENSATION TO THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM
Recommendation of City Manager:

(1) Approve a successor Memorandum of Understanding between the City of Pasadena and the Pasadena Firefighters Management Association (PFMA) for the term April 1, 2002 through March 31, 2005; (Contract No. 18,102)

(2) Adopt a resolution providing for reporting the value of Employer Paid Member Contributions as compensation to the California Public Employees Retirement System; (Resolution No. 8163) and

(3) Approve a journal voucher allocating funds from the Personnel Reserves to the Fire Department as appropriate. (Journal Voucher No. 2003-20)

MINUTES APPROVED

August 5, 2002 (Special)

August 12, 2002

August 19, 2002

August 26, 2002 (Cancelled)

September 2, 2002 (Cancelled)

CLAIMS RECEIVED AND FILED

Claim No. 9120	Elizabeth Becerra	\$ 336.48
Claim No. 9121	Christopher S. Thomas	335.21
Claim No. 9122	Robert A. Ortiz	25,000.00+
Claim No. 9123	PNS Communications Group, Inc.	89,775.80
Claim No. 9124	Kings Villages Claimants	25,000.00+
Claim No. 9125	Beverly Baily	100.00
Claim No. 9126	William James Hobbs	25,000.00+
Claim No. 9127	Joyce E. Arrowsmith	Unknown
Claim No. 9128	Sepideh Noroozi, DDS	Unknown
Claim No. 9129	Derderian Bros. Corporation dba Johnnie's Tow Service	10,000.00+
Claim No. 9130	Alfred M. Espadas by Mercury Insurance Co.	4,104.20
Claim No. 9131	George Stanley Fulks	558.33
Claim No. 9132	Ross & Dona Driscoll	25,000.00+
Claim No. 9133	Kirt Liepman	420.90

PUBLIC HEARINGS SET

November 4, 2002, 8:00 p.m. - Amendment to the General Fee Schedule - Charge for Noise Ordinance Violations Resulting from Filming Activity.

November 18, 2002, 8:00 p.m. - Consideration of Moratorium on the Demolition of Older Structures within Designated Study Areas

November 18, 2002, 8:00 p.m. - Local Law Enforcement Block Grant Funding

It was moved by Councilmember Haderlein, seconded by Councilmember Streater, to approve the Consent Calendar, with the exception of Item 2 (Contract with California Traffic Maintenance) which was discussed separately. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden, Madison)

CONSENT ITEM DISCUSSED SEPARATELY

Councilmember Gordo arrived at 5:09 p.m.

CONTRACT AWARD TO CALIFORNIA TRAFFIC MAINTENANCE FOR CITYWIDE STREET RE-STRIPING FOR AN AMOUNT NOT TO EXCEED \$100,000

Recommendation of City Manager:

(1) Accept the bid dated October 9, 2002, submitted by California Traffic Maintenance, in response to the Specifications for Citywide Street Re-striping - 2002, reject all other bids received, and authorize the City Manager to enter into a contract not to exceed \$100,000. (Contract No. 18,103)

(2) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act of 1984 in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (maintenance of existing public streets), pursuant to the findings of the Secretary of the Resources Agency 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.

The City Manager responded to questions, and indicated the re-striping program would be coordinated with the bike lane program for those streets that were ready for bike lanes. She agreed to provide Council with a copy of the quarterly Capital Improvement Program reports that would also contain an update of the bike lane program, and noted staff would provide a final list of all streets that would be re-striped.

Mr. Dan Rix, City Engineer, clarified the project included re-striping of lane and centerlines for main streets only, and a second contract would be bid for repainting the pavement messages.

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

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: ADOPTION OF UPDATED CITYWIDE DESIGN PRINCIPLES AND NEW GUIDELINES FOR THE CENTRAL DISTRICT SPECIFIC PLAN

Recommendation of City Manager:

(1) Find that adopting an updated version of the Citywide Design Principles in the Land Use Element of the General Plan and design guidelines for the Central District Specific Plan is categorically exempt from the California Environmental Quality Act (Class 8: an action by a regulatory agency for protection of the environment).

(2) Acknowledge that the Land Use Element of the General Plan (Objective 5 - Character and Scale of Pasadena) supports the application of Citywide urban design principles to new construction and the adoption of design guidelines for areas targeted for development and design review.

(3) Adopt by resolution (Attachment A of the agenda report) the updated version of Citywide design principles (Design Principles in the Land Use Element of the General Plan) and new design guidelines for the specific plan area in the Central District (Attachment C of the agenda report). (Resolution No. 8164)

Recommendation of Design Commission: The Design Commission on September 23, 2002, voted to recommend approval of the updated Citywide Design Principles in the Land Use Element of the General Plan and the design guidelines for the Central District Specific Plan.

Recommendation of Planning Commission: The Planning Commission on October 9, 2002, voted to recommend approval of the updated Citywide Design Principles in the Land Use Element of the General Plan and the design guidelines for the Central District Specific Plan.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 22 and 29, 2002 in the Pasadena Star-News and on August 1, 2002 in the Pasadena Journal; and no letters were received.

Councilmember Holden arrived at 5:34 p.m.

Mr. John Spalding, Consultant to the Planning and Development Department, briefly reviewed the process being undertaken, and distributed a handout of the "Schedule for the General Plan Update and Implementation."

Mr. Jeff Cronin, Principal Planner, reviewed the agenda report and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development, described the process of beginning with the application of citywide principles of design to all projects and then applying more specific design review, if required by the type or location of a project.

Councilmember Madison arrived at 5:42 p.m.

Councilmember Tyler requested that staff look at what other cities are doing as to single-family homes that are demolished and rebuilt out of character with the surrounding neighborhood.

Vice Mayor Little suggested staff provide to the public the guideline information (as a suggestion) even to the areas where they don't apply. The Mayor further suggested staff build into its procedures a checklist to provide the guidelines as a resource. The City Manager responded that staff could incorporate this into the process.

Mr. Bruckner agreed that staff would explore design review principles and guidelines for single-family projects and return to Council with recommendations for future consideration.

Mr. Christopher Patton, Pasadena resident, expressed concerns regarding a lack of adequate design review for new construction and remodeling of single-family residential buildings, and a lack of opportunity for public comment unless a variance is required for the project. He requested Council consider design review for single-family projects to protect the character of neighborhoods. Mr. Patton distributed a copy of the "City of San Marino Residential Design Guidelines" and presented photos of houses in a residential area for the record.

Mr. Robert Wittry, Pasadena resident, expressed concerns regarding the lack of design guidelines for blank walls and the reduction of the amount of setbacks for buildings.

The City Manager responded that blank walls could be the result of adjacent buildings being factored into future construction, and noted the landscaping issue would be addressed in proposed Zoning Code amendments at a future Council meeting.

Mr. Bruckner and Mr. Cronin responded to Council's questions regarding the design review process in a landmark district.

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

In response to a question from Councilmember Tyler, Mr. Bruckner indicated that energy and water conservation could be added as a design principle.

It was moved by Councilmember Tyler, seconded by Vice Mayor Little, to approve the City Manager's recommendation, with the addition of energy and water conservation as a design principle; and to direct staff to review and report back on developing design guidelines for single-family residential neighborhoods where there are no current guidelines. (Motion unanimously carried) (Absent: None)

RECESS/CLOSED SESSIONS On order of the Mayor, the special meeting recessed at 6:05 p.m., to discuss the following closed sessions:

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATOR
pursuant to Government Code Section 54957.6
Agency Negotiators: Karyn Ezell, Steve Lem
Employee Organizations: Pasadena Fire Fighters

Association, Local 809; Pasadena Firefighters Management Association

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

**Name of Case: Riggins v. City of Pasadena
Case No. GC 20604**

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

RECONVENED

On order of the Mayor, the special meeting reconvened at 6:59 p.m. (Absent: Councilmember Madison)

PUBLIC HEARINGS

PUBLIC HEARING: REVISIONS TO THE ZONING CODE REGARDING SPECIAL USES, OVERLAY DISTRICTS, PARKING/LOADING AND SITE DEVELOPMENT STANDARDS

Recommendation of City Manager:

(1) Adopt a finding that the proposed amendments to the Zoning Code are consistent with the General Plan as outlined in the agenda report; and

(2) Approve the proposed amendments to the Zoning Code regarding Special Uses, Overlay Districts, Parking/Loading and Site Development Standards as contained in the agenda report.

Recommendation of Planning Commission: The Planning Commission reviewed these amendments on July 17th, August 14th and October 9th. At the July 17th hearing, the Commission recommended several minor changes and one major amendment. The major amendment was to prohibit a neighborhood market from selling alcohol if it is within 500 feet of a park and recreation facility, school, public or private or uses that attract minors. The minor amendments include: recommendation including requiring new projects in single-family and RM-12 districts to have a landscape plan submitted with any new project and that such projects (including single-family and RM-12 districts) be required to plant new street trees if such trees are needed; that a copy center be distinguished from an Internet Access Studio and that the landscape maintenance requirements be reviewed to ensure that they include single-family districts. These amendments have been incorporated into the City Manager's recommendation.

Recommendation of Transportation Advisory Commission: The Transportation Advisory Commission reviewed the proposed amendments on September 13, 2002. On a vote of 3-2, they voted to recommend the staff's recommendations.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 11 and 21, 2002 in the Pasadena Star-News and on October 17, 2002 in the Pasadena Journal; and one letter expressing concerns was received.

Councilmember Madison
returned at 7:03 p.m.

Mr. Denver Miller, Principal Planner, reviewed the agenda report and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development, explained the requirements for drive-thru restaurants/businesses and take-out restaurants, and noted all approved Code amendments would be reorganized when the language was written for inclusion in the Code. Mr. Bruckner noted the criteria/regulations for internet access sites were inadvertently omitted from the agenda report and would be provided to Council in a future report.

Following discussion, staff responded to questions regarding various parking regulations; the use of tandem parking; the differentiation of regulations for internet access businesses, video arcades, and business service centers; and the exploration of creative ways to encourage development in the Central Business District, while addressing parking issues.

Vice Mayor Little requested staff explore regulations regarding those stores that have uses that attract minors and their location in relationship to schools and parks and apply the same language used for alcohol sales to cigarette sales.

Councilmember Tyler requested language to encourage drought-resistant plants be added to the landscaping regulations.

Councilmember Streater expressed concerns regarding the use of tandem parking in residential, multi-family areas.

Mr. Bruckner and Mr. Miller described the use of tandem parking in both residential and commercial/industrial areas, and the use of a parking management plan required in non-residential areas.

Councilmember Gordo expressed concerns with the placement of neighborhood grocery stores in residential areas.

In response to questions, the City Attorney stated that school districts (Pasadena Unified School District), universities, and colleges are exempt from local zoning requirements if they are building a school or classrooms, they may use the power of eminent domain, and they must comply with California Environmental Quality Act ("CEQA") requirements.

Mr. Bruckner pointed out that most private schools had master plans that were approved by the City.

In response to questions, Mr. Miller indicated a report regarding zones around transit areas would be presented to Council on November 25, 2002.

Councilmember Haderlein requested the transit area report contain information on the location of these areas/major corridors.

The following persons expressed concerns regarding parking regulations and providing flexibility for landscaping requirements on small parking lots:

Mr. Bob McClellan, Pasadena resident
Mr. John Grech, Pasadena resident

Mr. Robert Wittry, Pasadena resident, commented on issues regarding internet access sites, tandem parking, and alcohol density in the Conditional Use Permit ("CUP") process.

Mr. Miller noted changes regarding alcohol sales would be presented to Council in the near future.

Discussion continued on landscaping regulations for narrow lots, parking issues in multi-family and residential areas, code enforcement for existing neighborhood grocery stores, and regulation of mobile fruit/vegetable/grocery trucks.

The City Manager agreed that staff would review the ordinance applying to the sale or delivery of fruits, vegetables, and groceries by mobile trucks, and would report to Council with any proposed changes.

Mr. Miller confirmed the proposed parking regulations had been reviewed by the Transportation Advisory Commission and the Planning Commission.

The City Attorney stated that the public hearing could be closed, and items requiring additional discussion could be renoticed for a future public hearing.

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

It was moved by Vice Mayor Little, seconded by Councilmember Gordo, to approve the City Manager's recommendation with the following changes:

- (1) Remove from consideration Code amendments regarding internet access studios and tandem parking in residential areas and discuss these items at a future public hearing;
- (2) Remove the Code amendment to allow neighborhood grocery stores in residential areas; and
- (3) Incorporate changes in the proposed Code amendments which would: (a) allow flexibility in providing landscaping alternatives to the 5-foot requirement on parking lots under 62 feet in width, (b) allow tandem parking in commercial areas with the stipulation that a management plan include use of an on-site staff attendant, (c) apply the language used for alcohol sales to tobacco sales, and (d) insert language to encourage water- and energy-saving principles in the development standards. (Motion unanimously carried) (Absent: None)

City staff and the Planning Commission were recognized for their work on this report.

**PUBLIC HEARING: ENVIRONMENTAL POLICY
GUIDELINES CITY OF PASADENA**

Recommendation of City Manager:

(1) Acknowledge that the project is exempt from the California Environmental Quality Act (CEQA) under the "General Rule", Section 15061(b)(3) of the CEQA Guidelines (Attachment 2 of the agenda report);

(2) Adopt a resolution (Attachment 1 of the agenda report) which adopts the "Environmental Policy Guidelines City of Pasadena" (Attachment 4 of the agenda report); (Resolution No. 8165)

(3) Adopt the Level of Service (LOS) sliding traffic thresholds scale for Intersection Capacity Analysis to determine when a project's traffic impacts are significant for the purposes of CEQA; and

(4) Direct the City Clerk to file the Notice of Exemption with the County of Los Angeles Registrar-Recorder/County Clerk.

Recommendation of Planning Commission: On August 28, 2002 the Planning Commission considered the proposed "Environmental Policy Guidelines City of Pasadena" at a public hearing. The Commission recommended the City Council approve the changes to the "Environmental Policy Guidelines City of Pasadena" with the following additions:

(1) Increase required minimum Noticing Radius from staff recommended 300 feet to 500 feet for projects that are subject to a Negative Declaration or an Environmental Impact Report;

(2) Increase required minimum public review period for a Negative Declaration from 20 to 30 days; and

(3) Require Environmental Impact Reports in which the main impact is not within the decision making body's or decision maker's area of expertise to be reviewed by the hearing body with expertise in that area prior to the decision making body certifying the EIR.

Councilmember Holden was excused at 8:45 p.m.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 11 and 21, 2002 in the Pasadena Star-News and on October 17, 2002 in the Pasadena Journal; and no letters were received.

Assistant City Attorney Maribel Medina provided an overview of CEQA guidelines and process, and distributed an informational handout regarding statutory and categorical exemptions from CEQA.

Mr. Denver Miller, Principal Planner, reviewed the agenda report, and briefly outlined the differences between the staff's and the Planning Commission's recommendations.

The City Manager responded to questions, and agreed to clarify the language as to when the clock starts for the public review period; to devise a means to more effectively notice the public on projects requiring public comment; and to distribute information to Council on the 24 areas of threshold and the level of review that would be triggered.

Mr. Bahman Janka, Transportation Administrator, responded to additional questions.

Councilmember Madison expressed concern with adopting the formula for the LOS scale without knowing the validity of the numbers used as a basis, and suggested the Transportation Advisory Commission review the formula as a standard.

Discussion continued on the determination of a means to set a City standard to be used for the LOS traffic threshold, and the use of the CEQA process to consistently assess projects.

The City Manager and staff responded to questions regarding traffic impacts for projects and the process for studying cumulative impacts on specific projects.

The Assistant City Attorney clarified that an EIR must discuss growth-inducing impacts and an analysis of reasonably foreseeable projects, and that the impact of public controversy does not trigger an EIR but may be a factor as this relates to environmental issues.

The City Attorney discussed the level at which public comment could be considered as a factor in the EIR process.

Mr. Robert Wittry, Pasadena resident, commented on issues regarding sufficient notification and how the CEQA process is implemented.

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

It was moved by Vice Mayor Little, seconded by Councilmember Gordo, to approve City Manager Recommendations 1, 2, and 4 and Planning Commission Recommendation 3; and to refer City Manager Recommendation 3 to the Transportation Advisory Commission for additional analysis and review. (Motion unanimously carried) (Absent: Councilmember Holden)


The Mayor thanked the advisory bodies for their input.

COUNCIL COMMENTS

Councilmember Gordo reported on a College Fair hosted at the Villa Parke Community Center this past weekend for Pasadena high school students.

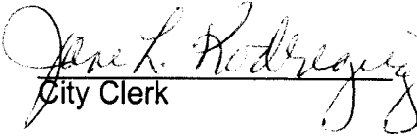
Vice Mayor Little congratulated the L.A. Galaxy for winning the 2002 Major League Soccer Championship, and suggested the City honor the team in some manner in the near future.

On order of the Mayor, the regular meeting of the City Council
adjourned at 10:01 p.m.



Bill Bogaard
Mayor

ATTEST:



City Clerk
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