

CITY OF PASADENA  
City Council Minutes  
February 9, 2004 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:30 p.m.  
(Absent: Councilmembers Gordo, Holden, Madison)

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

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

Agency Negotiators: Karyn Ezell, Richard Kunz  
Employee Organizations: Pasadena Association of Clerical and Technical Employees; American Federation of State, County and Municipal Employees, Local 858; International Brotherhood of Electrical Workers, Local 501; International Union of Operating Engineers, Local 18; Pasadena Management Association; Service Employees International Union, Local 347; Pasadena Fire Fighters Association, Local 809; Pasadena Firefighters Management Association; Pasadena Police Officers Association; Pasadena Sergeants Association; and All Non-Represented Employees.

Councilmember Holden arrived at 5:57 p.m.

Councilmember Gordo arrived at 5:59 p.m.

**CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to Government Code Section 54956.8

Property: 1369-1397 N. Lake Avenue, Pasadena, CA  
Agency Negotiators: Richard Bruckner, Mario Leonard  
Negotiating Parties: Jackson Development Partners  
Under Negotiation: Price and terms of payment

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION** pursuant to Government Code Section 54956.9(a)

Case Names: City of Pasadena v. Hemaratanatorn; Hemaratanatorn v. City of Pasadena  
Case Nos. BC 237196, BC 280470

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

Property: Public rights-of-way, utility easements and facilities within the Cities of Pasadena, Arcadia, Monrovia and Los Angeles

**Negotiators: Cynthia Kurtz (City); Altrio Communications, Inc.**

**Under Negotiation: Price and terms of payment**

The above four closed sessions were discussed, with no reportable action at this time.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION pursuant to Government Code Section 54956.9(a)**

**Name of Case: Kneisel v. City of Pasadena, et al.**

**Case No. BS 079863**

The above closed session was not discussed.

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 Sidney F. Tyler, Jr.  
Councilmember Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden  
Councilmember Paul Little  
Councilmember Steve Madison (Arrived at 7:06 p.m.)  
Councilmember Joyce Streator

Staff:

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

**CEREMONIAL MATTERS**

Ms. Nancy Sullivan, Chair of the Human Relations Commission, described highlights of the 11th Annual Human Relations Commission Essay Contest titled "What Can I Do to Improve Human Relations in the Pasadena Area;" presented the 1st place award of \$500 to Scott Weisberg, the 2nd place award of \$250 to Anne Awaya, and the 3rd place award of \$125 to Tina Rajha; and announced the ten honorable mention winners who each received \$25. She also expressed appreciation to the Pasadena Unified School District, teachers, and City organizations for their assistance and participation in the contest.

The Mayor commended the Commission for its service, and noted that a booklet containing the winning essays had been presented to Councilmembers.

Councilmember Holden also recognized the parents for their support of this event.

Vice Mayor Tyler congratulated Southwest Chamber Music for receiving the 46th annual Grammy Award for Small Ensemble Performance in the field of classical music.

Councilmember Gordo recognized District 5 residents Jeff von der Schmidt, Artistic Director, and Jan Karlin, viola, for their Grammy award and work on the music of Carlos Chávez.

**CONSENT CALENDAR**

**APPROVAL OF FINAL TRACT MAP NO. 53815, BEING A 5-UNIT CONDOMINIUM PROJECT AT 478 SOUTH OAKLAND AVENUE**

**Recommendation of City Manager:** Adopt a resolution to approve final Tract Map No. 53815 and authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 8320)

**APPROVAL AND ACCEPTANCE OF A PROPOSED EASEMENT DEDICATION FOR PUBLIC STREET PURPOSES AT THE SOUTHWEST CORNER OF COLORADO BOULEVARD AND OAK KNOLL AVENUE, 25 SOUTH OAK KNOLL AVENUE**

**Recommendation of City Manager:** Adopt a resolution approving and accepting a proposed easement dedication for public street purposes at the southwest corner of Colorado Boulevard and Oak Knoll Avenue, 25 South Oak Knoll Avenue. (Resolution No. 8321)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH IRWIN INDUSTRIES, INC. FOR FIELD SERVICE PERSONNEL TO SUPPORT LOCAL GENERATION PROJECTS**

**Recommendation of City Manager:** Authorize the City Manager to enter into a contract with Irwin Industries, Inc. in an amount not-to-exceed \$120,000 for field service personnel to support local generation maintenance and construction projects. The proposed contract is exempt from competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 18,435)

Item discussed separately at the request of Vice Mayor Tyler.

**RECOMMENDATION TO SUBMIT AN APPLICATION TO STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING FROM THE BEGIN PROGRAM**

**APPROVAL OF AN AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH CITY ATTORNEY MICHELE BEAL BAGNERIS**

**Recommendation of Mayor:** It is recommended that the City Council approve the Amendment to Contract No. 17,080, the Employment Agreement between the City of Pasadena and City Attorney Michele Beal Bagneris, effective February 9, 2004. (Agreement Amendment No. 17,080-2)

MINUTES APPROVED

January 12, 2004  
January 19, 2004 (Cancelled)

CLAIMS RECEIVED AND FILED

Claim No. 9478	Damian R. Esteem	\$	Unknown
Claim No. 9479	Hiroko Jeanne Miwa		8,844.87
Claim No. 9480	Interinsurance Exchange of The Automobile Club/ Diane Carey-Schmitz		904.87
Claim No. 9481	Southern California Gas Company		494.37
Claim No. 9482	Robin E. K. Ross		Unknown
Claim No. 9483	Rachel G. Austin		5,508.86

PUBLIC HEARINGS/  
APPEALS SET

March 1, 2004, ~~8:00~~ 7:00 p.m. - Appeal/Public Hearing: 100 - 120 West Green Street, Mixed-use Project, Activity #PLN2003-0250

March 1, 2004, ~~8:00~~ 7:00 p.m. - Appeal/Public Hearing: 250 S. De Lacey Avenue, Mixed-use Project, Activity #PLN 2003-00322

March 8, 2004, 8:00 p.m. - Public Hearing: Issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority for a Multifamily Rental Housing Facility Known as Pilgrim Tower North

The Mayor indicated the two public hearings scheduled for March 1, 2004 had been modified to reset the times to 7:00 p.m.

It was moved by Vice Mayor Tyler, seconded by Councilmember Gordo, to approve the Consent Calendar with the modified times of 7:00 p.m. for the two public hearings scheduled for March 1, 2004 and with the exception of Item 4 (Application for the BEGIN Program), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Madison)

CONSENT ITEM DISCUSSED SEPARATELY

**RECOMMENDATION TO SUBMIT AN APPLICATION TO STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING FROM THE BEGIN PROGRAM**

**Recommendation of City Manager:**

- (1) Adopt a resolution approving the submission of an application to the California Department of Housing and Community Development (HCD) to participate in the BEGIN Program and for an allocation of grant funds not to exceed \$1,000,000 for the development of new construction affordable ownership housing, first-time home buyers down payment assistance for low- and moderate-income households; and
- (2) Authorize the City Manager to execute, and the City Clerk

to attest, any documents which may be required in connection with the submittal of the BEGIN Program application and associated program implementation. (Resolution No. 8322)

Mr. Kermit Mahan, Project Manager, responded to questions.

Vice Mayor Tyler requested the housing project that was stated in the background of the agenda report also be specified in the resolution.

It was moved by Vice Mayor Tyler, seconded by Councilmember Little, to approve the City Manager's recommendation, and to revise the resolution to include the name of the housing project (Fair Oaks Court with Heritage Housing Partners). (Motion unanimously carried) (Absent: Councilmember Madison)

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

Ms. Shirley Bien, Director of Public Relations for Healthcare Resources, outlined the services of this privately-funded foundation in providing a network of low-cost health care providers for residents and small businesses, and distributed informational materials regarding these services. She requested an opportunity to discuss with the City Manager or Council a partnership with the City in offering these services to Pasadena residents and small businesses.

The Mayor requested staff meet with Ms. Bien.

The City Manager indicated the Public Health Department would contact Ms. Bien.

Councilmember Gordo suggested Ms. Bien also meet with the Health Access Task Force to offer these services through the Healthy Families program.

Ms. Serena-Marie Sanfilippo, Pasadena resident, spoke in support of homeless shelters and asked for assistance with her Section 8 housing situation.

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**AMENDMENTS TO THE CITY'S POLICIES AND PROCEDURES FOR INSTALLATION OF SPEED HUMPS**

**Recommendation of City Manager:** It is recommended that the City Council approve the amendments to the City's Policies and Procedures for Installation of Speed Humps as shown on Attachment 1 of the agenda report. The amendments revise or create new policies and procedures for factors such as traffic volumes, speeds, street grades, and horizontal and vertical alignment of the streets.

**Recommendation of Transportation Advisory Commission:** The proposed amendments to the Speed Hump Policies and Procedures were presented to the Transportation Advisory Commission (TAC) on July 10 and December 5, 2003. TAC

supported staff's recommendations, with the following proposed changes:

- a. That the lower volume threshold be changed from 1,000 to 500 vehicles per day.
- b. That the high volume threshold be changed from 3,000 to 4,000 vehicles per day.
- c. That residential alleys meeting other criteria be considered for speed humps and that engineering judgment be used in the process.

All TAC's recommendations are incorporated in staff's recommendation with the exception of a. (the revision to the lower volume threshold) for the reasons explained in the body of the report.

The Mayor noted that a letter had been received from the Madison Heights Neighborhood Association requesting this item be held in order to provide an opportunity for the Association to provide input to the Transportation Advisory Commission (TAC) regarding the recommendations.

The City Manager commented on the minor nature of the changes, noted that a summary of each commission's upcoming agenda is e-mailed to the neighborhood associations' presidents, and responded to questions.

Discussion followed on the use of TAC in reviewing the recommendations, the opportunity for discussion of these amendments in the community and with the various neighborhood associations, and the role of Neighborhood Connections in the process.

It was noted Council's agenda is also available to the public on the City's web page. Vice Mayor Tyler requested the City Clerk distribute copies of the weekly agendas to each of the Field Representatives.

On order of the Mayor, this Item was held to allow sufficient time for neighborhood associations to review the proposed changes and provide input at a meeting of the Transportation Advisory Commission, with Neighborhood Connections to send the associations a copy of the agenda report and notify them of the date of the TAC meeting.

**AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PRESCOTT COMMUNICATIONS, INC. (DBA CABLE ENGINEERING SERVICES) FOR TELECOMMUNICATIONS ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES IN THE AMOUNT OF \$542,000**

**Recommendation of City Manager:** Authorize the City Manager to enter into a contract with Prescott Communications Inc., (dba Cable Engineering Services) in the amount of

\$542,000 for telecommunications engineering and construction management services. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 18,436)

Councilmember Madison arrived at 7:06 p.m.

The City Manager introduced the agenda item.

Mr. John Pratt, Chief Information Technology Officer, summarized the agenda report and responded to questions.

Councilmember Madison was excused at 7:09 p.m.

Ms. Lori Sandoval, IT Planning and Project Manager, responded to questions.

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:10 p.m. to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 7:11 p.m. (Absent: Councilmember Madison)

**INFORMATION ITEM**

**ORAL UPDATE ON POLICE DEPARTMENT GANG VIOLENCE REDUCTION PROGRAMS**

Councilmember Madison returned at 7:14 p.m.

Police Chief Bernard Melekian outlined the City's gang violence reduction strategy used as a basis of the No More Dead Children Program which was implemented in 1997; and discussed three components of the strategy: 1) prevention (PAL Program and other after-school programs conducted in the City), 2) intervention (Youth Accountability Board), and 3) enforcement (targeting enforcement programs). He commented on the simultaneous operation of these three elements in the reduction of gang violence, and responded to questions.

Commander Chris Vicino reviewed crime statistics involving juveniles for the periods of time from 1993-1997 vs. 1998-2002, and responded to questions.

At the request of Councilmember Gordo, Chief Melekian indicated he would provide information on the residency of those committing violent crimes (Pasadena/Altadena vs. other communities) and the types of crimes being committed in order to show patterns for participation in and distribution of crimes in the statistics. The Chief discussed use of the Youth Accountability Board and its impact on first-time offenders, the labor-intensive nature of this program, and the need to improve the screening process for participants.

On order of the Mayor, the information was received.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:28 p.m.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 8:00 p.m. (Absent: None)

**PUBLIC HEARINGS**

**PUBLIC HEARING: AMENDMENTS TO THE CIVIC CENTER SPECIFIC PLAN AND A PLANNED DEVELOPMENT RELATED TO THE MONTANA I AND II PROJECTS (355 EAST COLORADO BOULEVARD AND 380 EAST UNION STREET)**

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

- (1) Adopt an Initial Environmental Study with Mitigated Negative Declaration;
- (2) Find that the proposed Civic Center Specific Plan amendments are consistent with the General Plan;
- (3) Find that the proposed Planned Development is consistent with the goals, objectives and policies of the General Plan and the purposes of the Pasadena Municipal Code Title 17 (Zoning), as outlined in the body of the report;
- (4) Approve the amendments to the Civic Center Specific Plan that relate to the site of The Montana I and II projects, described in the body of the report;
- (5) Approve the Planned Development for the site that includes the Montana I and II projects, described in the body of the report;
- (6) Direct the City Attorney to prepare an ordinance amending the Pasadena Municipal Code and the zoning map to establish the Planned Development with the provisions described in the report and to prepare a resolution amending the Civic Center Specific Plan with the provisions described in the report;
- (7) Approve the De Minimis Impact finding on State Fish and Wildlife Habitat; and
- (8) Direct the City Clerk to file a Notice of Determination and a Certificate of Fee Exemption for the California Department of Fish and Game with the Los Angeles County Recorder.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on January 30 and February 6, 2004 in the Pasadena Star-News and on February 5, 2004 in the Pasadena Journal; 33 copies of the notice were posted on January 26, 2004; 33 copies of the notice were mailed on January 26, 2004; and two letters were received in support and three letters were received in opposition to the project.



Mr. Bill Trimble, Planner, reviewed the agenda report, distributed a handout comparing staff and advisory body recommendations, and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, responded to additional questions.

The following persons spoke in support of the project:

Mr. Scott Jenkins, Hahn & Hahn LLP, representing the developer, reviewed his letter of February 5, 2004, outlined the proposed changes to the PD, and distributed a revised Exhibit C to the February letter.

Mr. Steve Nakada, Nakada+Associates Inc., architect for the developer, discussed architectural aspects of the PD in terms of strategic objectives and urban design goals, elevation, and massing; and displayed drawings of the project.

Mr. Chris Turner, West Builders, Inc., contractor for the project, discussed the use of local and minority businesses/contractors and community groups in the construction process.

Mr. Charlie Munger, project developer, reviewed the remaining differences between the current proposed project and staff recommendations for the project (entrance/egress curb cuts, retail/residential parking, height restrictions, and building articulation/modulation).

Ms. Virginia Stever, Pasadena resident

The following persons spoke in opposition to the project and/or expressed concerns, and suggested the project be returned to the Planning Commission to craft a recommendation:

Ms. Andrea Rawlings, Design Commissioner, submitted a copy of the Design Commission's recommendations of July 28, 2003.

Ms. Liz Trussell, Vice Chair of the Planning Commission

Mr. David Romney, West Pasadena Residents Association representative

Mr. Arnold Siegel, Chair of the Planning Commission

Mr. Bob Kneisel, Pasadena Neighborhood Coalition representative

Mr. Mark Nay, Design Commissioner and City Center Implementation Task Force member, also suggested an option that a recommendation be based on the Draft Central District Specific Plan.

The following persons spoke in opposition to the project and/or expressed concerns:

Mr. Bryan Reese, Pasadena resident

Mr. Stan Taylor, Pasadena resident

Mr. James Lomako, Pasadena resident  
Ms. Margaret McAustin, Pasadena resident

Discussion followed regarding methods for calculating Floor Area Ratios (FARs) and changing FARs through alterations in the size of the parcel, the size of the footprint, or the height of the building; the relationship of courtyards to building height; the footprints for the proposed buildings; use of the Gray Book guidelines for the site recommendations; the relationship between the proposed PD and the existing Western Asset building, the bank building, and parking structures on the two blocks; and the process for integrating/incorporating the various planning documents into development of the PD.

The City Manager reviewed the process in refining staff's recommendation to accommodate the various Commissions' recommendations and the developer's changes in the project, and responded to questions.

Assistant City Attorney Maribel Medina confirmed that a Planned Development is a legislative act and Council can impose conditions that are deemed appropriate and necessary.

Mr. Jenkins responded to the above public comments and staff recommendations in conjunction with the changes reflected in the current project.

Councilmember Madison noted a task force of District 6 constituents was being formed to examine and discuss issues involving growth and development in the City and impacts on the quality of life.

In response to Councilmember Madison's question, the City Manager indicated a PD in this area would be governed by the General Plan and the Civic Center Specific Plan. She also indicated the Central District Specific Plan would serve as a governing document when it is adopted, staff would be returning at the next Council meeting for new instruction/refined guidance regarding FARs in the Draft Central District Specific Plan, and that the completed Environmental Impact Report (EIR) for the Plan was scheduled to return to Council in July 2004.

Mr. Bruckner clarified the Gray Book was a guideline for development rather than a codified zoning document.

Mr. John Poindexter, Planning Manager, responded to questions.

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

Discussion continued regarding the development of the PD and integration of the various planning documents, concerns regarding massing and height, and options for returning the staff report to the Planning Commission for additional action.

MOTION

Following discussion, it was moved by Councilmember Haderlein, seconded by Vice Mayor Tyler, to refer the staff report to the Planning Commission to examine the elements set out in the report and work with staff to develop a Planned Development plan for purposes of an ordinance, using the Draft Central District Specific Plan as the guiding document and other planning documents (e.g. the Civic Center Specific Plan and the Gray Book) if the Draft plan does not speak to an issue, with a Planning Commission recommendation to return to Council within 45 days.

Following brief discussion, it was moved by Councilmember Holden, seconded by Councilmember Madison, to reopen the public hearing. (Motion unanimously carried) (Absent: None)

Mr. Munger expressed opposition to returning the project/report to the Planning Commission.

Mr. Siegel indicated the Planning Commission could craft a set of development standards for a PD that would provide guidance for Council action, if this was requested by Council.

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

The City Attorney noted it would be appropriate to continue the public hearing for a specific period of time to allow staff to provide additional information and to allow the public an opportunity to comment on this information.

Councilmember Holden suggested the developer be requested to work with staff and return in two weeks with a modified project plan that would address the specific issues discussed at this meeting, using the Draft Central District Specific Plan as a guideline.

MOTION WITHDRAWN

Councilmember Haderlein withdrew his motion.

MOTION

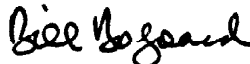
Following further discussion, it was moved by Councilmember Holden, seconded by Councilmember Gordo, to reopen the public hearing and continue the public hearing to February 23, 2004 at 8:30 p.m., with the staff to work with the developer as outlined above by Councilmember Holden. (Motion unanimously carried) (Absent: None)

**CONTINUED PUBLIC HEARING: REVISIONS TO THE ZONING CODE - TRIP REDUCTION REQUIREMENTS**  
**Recommendation of City Manager:** It is recommended that City Council cancel the public hearing.

On order of the Mayor, the public hearing was cancelled.

**ADJOURNMENT**

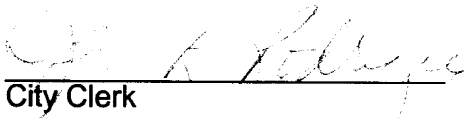
On order of the Mayor, the regular meeting of the City Council adjourned at 12:10 a.m. on February 10, 2004.



---

Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



---

City Clerk

kv:\Data\Minutes\min-february92004