

CITY OF PASADENA
City Council Minutes
February 23, 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, 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**

Councilmember Gordo arrived
at 5:54 p.m.

**Agency Negotiators: Karyn Ezell, Richard Kunz
Employee Organizations: International Brotherhood of
Electrical Workers, Local 501**

**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 LEGAL COUNSEL
regarding significant exposure to litigation pursuant to
Government Code Section 54956.9(b): One potential case**

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

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
regarding consideration of initiation of litigation pursuant
to Government Code Section 54956.9(c): One potential
case**

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at
6:46 p.m. The Pledge of Allegiance was led by
Councilmember Madison.

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
Councilmember Joyce Streator

Staff:

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

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

Ms. Roberta Martinez, Chair of the Arts Commission, spoke briefly regarding a recent public meeting during which arts and culture issues were discussed; and introduced Ms. Joan Palmer, Chair of Cultural Nexus, a cultural planning project.

Ms. Palmer, Vice Chair of the Arts Commission, provided a brief update of the cultural planning project preparation work with the consultant (Cultural Planning Group), outlined the series of public meetings/workshops that would be held as a part of the project, and described the first successful town hall meeting held on February 19, 2004. She noted the project would develop a ten-year plan with recommendations regarding the arts and culture in Pasadena, and thanked Council and the City Manager for their support.

Mr. Ray Dashner, Pasadena resident, expressed concerns regarding various parking problems in the parking area adjacent to the San Pasqual Stables located in the Lower Arroyo Seco area between South Pasadena and the City, indicated the violations had been previously reported to Public Works with no resolution of the problems at this time, and asked that staff take action to eradicate the ongoing violations.

The Mayor indicated the City Manager would look into the situation and advise Council.

Ms. Deborah Carpenter, Pasadena resident, described problems with obtaining Section 8 housing in the City, and questioned the steps to be taken for assistance in this process.

The Mayor indicated the City's Housing Department staff would contact Ms. Carpenter regarding assistance that might be available.

CONSENT CALENDAR

SUSPENSION OF THE NOISE ORDINANCE RELATING TO THE CALVARY CHAPEL OF PASADENA'S EASTER SUNRISE SERVICE, TO BE HELD AT VICTORY PARK ON SUNDAY, APRIL 11, 2004

Recommendation of City Manager:

(1) Acknowledge that the proposed Easter Sunrise Service and the lifting of the Noise Ordinance are categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15023, Normal Operations of Facilities for Public Gatherings, and

(2) It is recommended that the City Council adopt an ordinance to suspend the Noise Ordinance and a Notice of Exemption and hold first reading of same, with respect to the proposed Easter Sunrise Service to be held at Victory Park on Sunday, April 11, 2004, from 7:00 a.m. to 8:30 a.m.

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PLANNET CONSULTING FOR INFORMATION TECHNOLOGY DESIGN AND RELOCATION CONSULTING SERVICES IN THE AMOUNT OF \$309,000

Recommendation of City Manager: Authorize the City Manager to enter into a contract with PlanNet Consulting in the amount of \$309,000 for information technology design and relocation consultant services. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 18,438)

CONFIRMATION OF THE ELECTED MEMBERS OF THE FAIR OAKS PROJECT AREA COMMITTEE AND THE LINCOLN AVENUE PROJECT AREA COMMITTEE

Recommendation of City Manager: It is recommended that the City Council confirm the elected Project Area Committee members for the Fair Oaks Redevelopment Area (Attachment 1 of the agenda report) and the Lincoln Avenue Redevelopment Area (Attachment 2 of the agenda report) as representative members per the provisions of the Health and Safety Code Section 33385 7(c).

LEASE EXTENSION FOR CITY PROSECUTOR AND NEW LEASE FOR CITY ATTORNEY AT WALNUT PLAZA LOCATED AT 215 N. MARENGO AVENUE

Recommendation of City Manager: It is recommended that the City Council approve the terms and conditions, as generally described in the agenda report and authorize the City Manager to execute a second amendment lease extension for the City Prosecutor's Office and a new lease for the City Attorney's Office and any other documents necessary to carry out these transactions. (Agreement Amendment No. 15,732-2 and Agreement No. 18,439)

MINUTES APPROVED

January 26, 2004

CLAIMS RECEIVED AND FILED

Claim No. 9484	Jose A. Medina	\$1,500.00
Claim No. 9485	Andrew Lewis Leak	Unknown
Claim No. 9486	Southern California Gas Company	385.57
Claim No. 9487	Nasir El-Amin	Unknown

Claim No. 9488	Interinsurance Exchange of the Automobile Club/Jason & Rebecca Krueger	278.46
Claim No. 9489	Southern California Gas Company	494.37

PUBLIC HEARINGS SET

March 15, 2004, 8:00 p.m. - Call for Review of Conditional Use Permit No. 4212 to the City Council (716 South Fair Oaks Avenue - The Expansion of a Non-conforming Use)

March 15, 2004, 8:00 p.m. - Consideration of Interim Urgency Ordinance Temporarily Prohibiting New Construction of Homes in Hillside Overlay (HD) Zones

Regarding Item 3 (Confirmation of Elected Members), Councilmember Little pointed out the apparent lack of community interest in the two redevelopment areas (Fair Oaks and Lincoln Avenue) reflected in the small number of applicants for the vacancies on these elected boards as described in the agenda report.

Councilmember Gordo suggested the two project area committees be asked to report to Council regarding their insight on the reasons for a shortage of volunteers/applicants to fill the board vacancies.

Councilmember Holden also encouraged Council to fill any current vacancies on the various Council Commissions/Committees/Advisory Boards.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

PROPOSED WANGO TANGO CONCERT AT THE ROSE BOWL ON MAY 15, 2004 AND A SECOND PERFORMANCE IN 2005 ON A DATE TO BE DETERMINED

Recommendation of Rose Bowl Operating Company:

(1) Authorize a license agreement with Clear Channel Communications for the hosting of the 2004 "Wango Tango" concert on May 15, 2004. This agreement will also provide a guarantee for the return of "Wango Tango" on a date to be determined in 2005. (Agreement No. 18,440)

(2) Make the required finding, pursuant to Arroyo Seco Ordinance Section 3.32.270, to authorize the presentation of concerts to be held at the Rose Bowl as displacement events.

(3) Direct the City Attorney to prepare an ordinance to suspend Sections 9.36.220 (Amplified Sound - Regulations), and 9.36.230 (General Noise Sources) of the Pasadena Municipal Code (PMC) from 12:00 to 9:00 p.m. on Friday May 14, 2004 and 11:00 a.m. to 3:00 p.m. on Saturday, May 15, 2004 for a sound check and from 3:00 p.m. to 11:00 p.m. for the presentation of the concert.

- (4) Approve 25 displacement events at the Rose Bowl in 2004.
- (5) Direct the City Clerk to file a Notice of Determination with the Los Angeles County Recorder and the State Clearinghouse.

Mr. Darryl Dunn, General Manager of the Rose Bowl, reviewed the agenda report and responded to questions.

In response to questions regarding Recommendation No. 4, the City Attorney clarified the process involving environmental clearance for 25 events at the Rose Bowl during 2004 under the Master Environmental Impact Report (MEIR) that had been previously approved by Council, and the need for Council to approve each displacement event exceeding the 12th displacement event as a part of this process.

Councilmember Madison requested the City Attorney modify the language for Recommendation No. 4 to more clearly state the approval process for displacement events in 2004.

Ms. Nina Chomsky, Pasadena resident, noted that the Rose Bowl Use Plan had not been adopted, questioned whether the MEIR could be operable in allowing 25 displacement events and this event in particular, and expressed concerns regarding environmental clearance for what appeared to be 25 displacement events at the Rose Bowl without adoption of the appropriate master plans.

The City Attorney explained the proposed event would be covered under the MEIR, which had been certified.

The City Manager also responded to Ms. Chomsky's questions regarding the use of the MEIR in the environmental clearance process for this event.

Mr. Guido Meindl, Pasadena resident, expressed concerns regarding possible inappropriate language that could be projected over the sound system into the surrounding neighborhood, and suggested steps be taken to control this.

Following discussion, the City Attorney indicated the language issue could be negotiated as a part of the agreement with the contractor.

Councilmember Little suggested the Rose Bowl Operating Company also engage KISS-FM in a discussion of the language issue and remind the promoters this is a family event.

It was moved by Councilmember Little, seconded by Councilmember Streater, to approve the Rose Bowl Operating Company's recommendation, with Recommendation No. 4 modified to read: "Approve the environmental clearance for 25

displacement events at the Rose Bowl in 2004 pursuant to the certified Arroyo Seco Master Environmental Impact Report, this project being event 13, and displacement events 14 through 25 are subject to future consideration and approval by the City Council. (Motion unanimously carried) (Absent: None)

UCLA REPRESENTATION ON ROSE BOWL OPERATING COMPANY (RBOC) BOARD OF DIRECTORS

Recommendation of Rose Bowl Operating Company:

(1) Direct the City Attorney to prepare an ordinance of the City of Pasadena amending Section 2.175.030(A) of the Pasadena Municipal Code to change the composition of the RBOC Board by adding one additional member. This new member will be a UCLA representative.

(2) Direct the City Attorney to prepare an ordinance of the City of Pasadena amending Section 2.175.070(B) of the Pasadena Municipal Code to:

- A. Increase the number of RBOC Board members required in attendance to constitute a quorum from six to seven;
- B. Increase the number of votes required to validate an action of the board from six to seven.

Mr. Darryl Dunn, General Manager of the Rose Bowl, reviewed the agenda report and responded to questions.

It was moved by Councilmember Madison, seconded by Councilmember Little, to approve the Rose Bowl Operating Company's recommendation. (Motion unanimously carried) (Absent: None)

ORDINANCES – FIRST READING

Conduct first reading of "AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA SUSPENDING 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND AND NOISE SOURCES FOR CALVARY CHAPEL'S EASTER SUNRISE SERVICE, A PERMITTED EVENT, AT VICTORY PARK FROM 7:00 A.M. TO 8:30 A.M. ON SUNDAY, APRIL 11, 2004"

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

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

NOES: None

ABSENT: None

Conduct first reading of "AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF

OPERATION OF AMPLIFIED SOUND AND NOISE SOURCES FOR SPECIFIED HOURS AND AREAS ON JULY 28, 29, 30, 31 & AUGUST 1, 2004 (GREATER LOS ANGELES BILLY GRAHAM CRUSADE)”

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

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

NOES: None

ABSENT: None

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:19 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 7:20 p.m. (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

RESIGNATION OF IVAN P. COLBURN FROM THE CODE ENFORCEMENT COMMISSION (District 7 Nomination)

RESIGNATION OF MARGARET LEIGHTON FROM THE SENIOR COMMISSION (At Large/District 7 Nomination)

APPOINTMENT OF ANDREW WILSON TO THE DESIGN COMMISSION (At Large/District 7 Nomination)

It was moved by Vice Mayor Tyler, seconded by Councilmember Streater, to accept the above two resignations with regrets, and to approve the above appointment. (Motion unanimously carried) (Absent: None)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FINANCE COMMITTEE

FISCAL YEAR 2004 OPERATING BUDGET AMENDMENTS

Recommendation of City Manager: It is recommended that the City Council approve the series of recommended cost reductions and revenue enhancements outlined in the report in order to achieve a combined annualized total of \$3,764,471 in reductions and revenues, as well as approve a modification to the City's General Fund Reserve Policy and authorize staff to take the actions necessary to implement these recommendations. Specifically:

- 1) Approve a journal voucher reducing the Fiscal Year 2004 operating budget in accordance with the recommended reductions identified in Attachment 1 of the agenda report under the "A-Immediate Reductions" column as soon as practical; (Journal Voucher No. 2004-26)
- 2) Approve in concept increases in the Schedule of Taxes, Fees and Charges and the General Fee Schedule as detailed in Attachment 2 of the agenda report;
- 3) Direct staff to perform a nexus study regarding the

overnight parking permit process for the purpose of imposing a fee for single-night overnight parking permits;

4) Approve a temporary, four-year suspension on further contributions to the General Fund operating reserve, thereby capping the reserve at approximately \$13.7 million;

5) Direct the City Attorney to prepare an Ordinance increasing the General Fund transfer from the Light and Power Fund by 0.85 percentage, an amount equal to the annual cost of electricity for the General Fund, Library Services Fund and Health Fund for the next four years.

Councilmember Little, Chair of the Finance Committee, introduced the agenda item, and noted Recommendation No. 5 should be corrected to read: "Direct the City Attorney to prepare an ~~Ordinance~~ resolution. . . ." He also noted the Committee had requested a report on any determinations derived from suggestions that had been offered by City employees and employee groups for cost savings/reductions and were being studied for possible implementation.

Councilmember Streator also reported the Committee had added a caveat to Recommendation No. 5 that would provide a re-examination of the resolution involving the Light and Power Fund transfer after completion of the electrical distribution study to ascertain if this transfer would have any negative impact on the funds needed to enhance the program.

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

Mr. Jay Goldstone, Director of Finance Department, responded to questions.

Councilmember Haderlein suggested staff explore effects of a possible future increase of 1% in the Light and Power Fund transfer to the General Fund if implementation of Option B budget reductions becomes necessary, and also suggested staff study creation of a two-tiered system of charges (residents vs. non-residents) for sports field maintenance expenses, perhaps using a sliding scale.

Councilmember Madison suggested staff explore ways Council can contribute to cost-saving measures.

Councilmember Madison was excused at 7:50 p.m.

Councilmember Tyler ~~noted~~ reported the Committee had also requested staff to examine business license tax collections in certain areas in building trades, such as licenses for contractors and subcontractors. (amended 03/22/2004)

Following discussion, it was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the City Manager's recommendation with a change in Recommendation No. 5 to

direct the City Attorney to prepare a resolution (not an ordinance) and with the understanding that as the recommendation for upgrading the electrical distribution system comes forward, Council will examine that impact and whether there is any impact on the .85% increase in the transfer from the Light and Power Fund; and to direct staff to examine business license tax collections ~~primarily oriented to mobile businesses which are essentially related to the construction and building industry in building trades, such as licenses for contractors and subcontractors.~~ (amended 03/22/2004) (Motion unanimously carried) (Absent: Councilmember Madison)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

PROPOSAL FOR WORKING GROUP REGARDING NUISANCE LIQUOR STORES AND APPROPRIATION OF FUNDS

Recommendation of City Manager: It is recommended that City Council approve the following proposal for a working group to develop recommendations to address neighborhood impacts of nuisance liquor stores and to appropriate \$29,000 from the Unappropriated General Funds to City Attorney and Police Department accounts for a facilitator, legal research and general materials and supplies.

The City Manager reviewed the agenda report.

Councilmember Madison returned at 7:53 p.m.

Councilmember Gordo stated his preference that staff members from the state representatives' district offices be appointed to the working group, and a regional member from the League of California Cities and a representative from Supervisor Antonovich's office be invited to sit in on the meetings. He thanked staff for their prompt report on this proposal.

Brief discussion followed on the level of Council's participation in the working group.

The City Attorney clarified that discussion by Councilmembers attending any meeting of the working group would constitute participation, with consequent Brown Act implications; and noted that the working group could propose language to be considered for state legislation.

The Mayor noted that local ordinances could also be considered and proposed by the group.

Mr. Kun Chin Jhae, speaking on behalf of the owner of Super Liquor, described Super Liquor's efforts to remedy problems and work with the community and police at this location, asserted the store was in compliance with City regulations, asked the City to investigate any alleged problems with this store, and distributed a petition with 347 signatures in support of Super Liquor.

The Mayor encouraged Mr. Jhae to attend the public meetings that will be held by the working group.

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

PUBLIC HEARING

Councilmembers Haderlein and Madison were recused at 8:07 p.m., due to conflicts of interest.

PUBLIC HEARING: PASADENA AVENUE ZONE CHANGE AND ZONING CODE AMENDMENT TO CREATE THE HOSPITALITY HOME USE CLASSIFICATION AND THE HOSPITALITY HOME OVERLAY DISTRICT

Recommendation of City Manager:

- (1) Adopt an Initial Environmental Study with a Negative Declaration and the appropriate CEQA findings (see Attachment C of the agenda report);
- (2) Find the proposed amendments to the Zoning Code and the official Zoning Map consistent with the General Plan's goals, objectives, and policies and the purposes of the Zoning Code as outlined in the body of the report;
- (3) Approve preparation of an ordinance amending the Zoning Code and the official Zoning Map; and
- (4) 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 and the State Clearinghouse.

Recommendation of Planning Commission: The Planning Commission considered the proposed zone change at its meeting on January 14, 2004. The Commission unanimously approved staff's recommendation, provided that the changes to the Zoning Map be restricted to the area shown in Attachment B of the agenda report. The recommendation submitted to the Council corresponds with the Commission's recommendation. No one appeared at the Planning Commission hearing to speak in opposition to the proposed amendments to the Zoning Code and Zoning Map.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on February 13, 16, and 18, 2004 in the Pasadena Star-News; 55 copies of the notice were posted on February 10, 2004; 108 copies of the notice were mailed on February 10, 2004; and two letters were received in support, three letters were received expressing concerns, and one letter was received in opposition.

Mr. Joshua Hart, Associate Planner, summarized the agenda report.

The following persons spoke in support:

- Ms. Marchelle Elliott, Executive Director of Pasadena Ronald McDonald House
- Ms. Sharon Eisen, President of the Board of Trustees for Pasadena Ronald McDonald House

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

It was moved by Councilmember Little, seconded by Councilmember Gordo, to approve the City Manager's recommendation. (Absent: Councilmembers Haderlein, Madison)

ORDINANCE – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 OF THE PASADENA MUNICIPAL CODE, THE REVISED ZONING CODE, TO CREATE THE HOSPITALITY HOME USE CLASSIFICATION AND THE HOSPITALITY HOME OVERLAY DISTRICT, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.08.040 OF THE PASADENA MUNICIPAL CODE”

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

- AYES: Councilmembers Gordo, Holden, Little, Streator, Vice Mayor Tyler, Mayor Bogaard
- NOES: Councilmembers Haderlein, Madison
- ABSENT: None

PUBLIC HEARINGS

PUBLIC HEARING: CENTRAL DISTRICT SPECIFIC PLAN DEL MAR GOLD LINE STATION AREA DENSITY CLARIFICATION

Recommendation of City Manager: It is recommended that, following a public hearing, the City Council redirect staff regarding the Floor Area Ratios (FARs) in the Central District Specific Plan.

Councilmembers Haderlein and Madison returned at 8:21 p.m. It is also recommended that the City Council authorize the City Manager to increase the contract with Cotton/Bridges/Associates (CBA) - subconsultant Kaku Associates, for an amount not to exceed \$20,000.00 to provide additional traffic consulting services in the Environmental Impact Report (EIR). (Contract No. 17,732-1)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on February 13, 16, and 18, 2004 in the Pasadena Star-News; 940 copies of the notice were mailed on

February 10, 2004; and two letters were received in opposition, one of which requested a continuance.

MOTION

Following brief discussion, it was moved by Councilmember Madison, seconded by Councilmember Streater, to continue the public hearing for one month to allow additional public discussion of the issues by interested stakeholders.

The Mayor commented on several impacts of continuing the public hearing.

The City Manager summarized project impacts and possible use of moratoriums in conjunction with continuing the public hearing; noted staff needed Council direction on one aspect of the Environmental Impact Report (EIR); and indicated the EIR process could be completed with certification by the Council in June 2004, if this direction was provided. She also clarified that the visioning workshop to be held by the Old Pasadena Business Management District (OPMD) does not currently involve all of the stakeholders for this issue.

MOTION WITHDRAWN

Councilmember Madison withdrew his motion.

The City Manager introduced the agenda item, and indicated staff's recommendation would be Option A, as follows:

- Reduce the area where FAR is to be increased from a one-quarter mile radius around the Del Mar Station to a smaller parcel specific area (shown on Attachment 1 of the agenda report),
- Decrease the FAR in the Old Pasadena Management District from 2.50 to 2.00,
- Increase the FAR around the Del Mar Station to 3.00 rather than 3.50, and
- Clarify that height limits should be increased to 75 feet in the areas where the FAR increases to 3.00.

Mr. John Spaulding, Planning Consultant, reviewed the agenda report and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, clarified the means for calculating FARs and responded to questions.

Discussion followed on the differences between Council's direction to staff regarding FARs and the options presented in the agenda report, problems in achieving increased FARs in the Del Mar Station area by swapping/decreasing FARs in the Old Pasadena Business Management District, the goal of concentrating development around the Del Mar Station, and the relationship of required environmental documents to FARs.

Ms. Laura Dahl, Senior Planner, responded to questions.

The following persons spoke in opposition and/or expressed concerns regarding an increase in density:

Ms. Priscilla Flynn, Pasadena resident
Ms. Sonia Davis, Pasadena resident
Mr. Robert Phen, Pasadena resident

The following persons also asked for a time extension for the public hearing to allow additional study/discussion:

Mr. John Wilson, property owner in Old Pasadena
Mr. James Plotkin, Pasadena resident, noted a previous request for information on buildable parcels had resulted in no response from staff.
Mr. Patrick Chragchian, Pasadena resident and Old Pasadena stakeholder
Ms. Maggie Campbell, OPMD President, briefly explained the visioning workshop to be held by OPMD.
Mr. Dan Mellinkoff, OPMD member, distributed maps with notations regarding the area.
Mr. Steven Stathatos, Pasadena resident

The following persons expressed support for staff Option C as the "project" with staff Options A/B to be studied as "alternatives" in the EIR process:

Mr. Arnold Siegel, Chair of the Planning Commission
Ms. Diana Peterson-More, Planning Commissioner
Mr. James Lomako, Pasadena resident
Ms. Catherine Haskett Hany, Playhouse District Association representative
Mr. David Romney, West Pasadena Residents Association representative
Ms. Susan Mossman, Pasadena Heritage representative
Mr. Mark Nay, Pasadena resident

The City Attorney discussed issues involved with spot zoning.

The City Manager briefly explained scoping of an EIR.

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

Councilmember Madison suggested using Option A as the project with an adjustment to include the area bounded by Fair Oaks Avenue on the west, Del Mar Boulevard on the south, Arroyo Parkway on the east, and Green Street on the north, setting boundaries at the middle of the designated streets, using a FAR of 3.0, and reducing density in the Old Pasadena Management District.

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

Discussion continued regarding alternatives on the area being proposed for Option A, and the FARs to be used for the EIR study.

Councilmember Haderlein suggested a range of 1.0 to 1.5 cars/unit be studied in the EIR.

MOTION

It was moved by Councilmember Madison, seconded by Councilmember Little, to use staff Option A with the reduced area of Fair Oaks Avenue on the west, Del Mar Boulevard on the south, Arroyo Parkway on the east, and Green Street on the north as the project for the EIR, and staff Option C to be used as an alternative for study in the EIR. (Motion unanimously carried) (Absent: None)

It was noted the visioning workshop to be presented by OPMD is not connected to the EIR process.

The City Manager indicated staff will meet with OPMD regarding the options/scoping of the EIR and will accept comments that might be developed from the OPMD workshop/meeting.

CONTINUED 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 announced now was the time for the continued public hearing, and provided a brief history of the proceedings since the hearing was opened on February 9, 2004.

Mr. Charlie Munger, project developer, provided an update of changes to the proposed original project that was presented to Council on February 9, 2004, and commented on the density and massing of the revised project.

The City Manager confirmed staff would be able to solve the problem of curbcuts and ground floor parking with the developer, and responded to questions.

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

Mr. Steve Nakada, Nakada+Associates Inc., architect for the developer, described the changes in the two buildings of the project and efforts to bring the PD project into substantial compliance with conditions laid out in the Gray Book and by the Civic Center Implementation Task Force, and responded to questions.

Mr. Scott Jenkins, Hahn & Hahn LLP, representing the developer, responded to questions.

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

Mr. Arnold Siegel, Chair of the Planning Commission
Ms. Andrea Rawlings, Design Commissioner
Ms. Diana Peterson-More, Planning Commissioner
Mr. Richard Davis, Pasadena resident
Ms. Audrey O'Kelley, Save South Orange Grove member, submitted a letter expressing concerns.
Ms. Susan Holmes, Pasadena resident
Ms. Liz Trussell, Pasadena resident
Ms. Leslie Clarke Gray, West Pasadena Residents Association representative
Ms. Susan Mossman, Pasadena Heritage representative
Mr. Joe Feinblatt, Pasadena resident
Ms. Lisa Weinberg, legal counsel representing Save South Orange Grove
Mr. Mark Nay, Pasadena resident
Mr. Mike Vogler, Save South Orange Grove representative

Mr. James Lomako, Pasadena resident
Ms. Barbara Cole, Pasadena resident

The following persons spoke in support of the proposed project:

Mr. Martin Truitt, Chair of the Maryland Homeowners Association
Ms. Virginia Stever, Pasadena resident
Ms. Priscilla Flynn, Pasadena resident
Ms. Pat Conroy, Pasadena resident
Mr. Jon Fuhrman, Pasadena resident
Mr. Bill Podley, Pasadena resident

Mr. Jenkins responded to comments regarding the project.

Mr. Bill Trimble, Planner, discussed the calculation of FARs and responded to questions.

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

Discussion followed regarding the calculation of FARs, project impacts on transportation and pedestrian traffic, and the review process by various commissions.

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

MAIN MOTION

It was moved by Councilmember Holden, seconded by Councilmember Gordo, to direct staff to review the PD project as currently presented by the developer and provide a report with a comparison of the changes, with staff to return to Council with a recommendation.

Vice Mayor Tyler stated he could not support the staff recommendation unless the PD project followed the intent and provisions regarding open space as set out in the Gray Book, the Civic Center Specific Plan, and the Draft Central District Specific Plan. He noted staff's further review could be helpful regarding the building envelope and elevations.

Discussion followed on continuing the item to allow staff to review the project/changes and present a recommendation, and the role of various commissions in the process of reviewing the revised project.

It was moved by Councilmember Haderlein, seconded by Councilmember Madison, to reopen the public hearing. (Motion carried, with Councilmember Streator objecting) (Absent: None)

Mr. Munger encouraged Council to approve the project as currently presented.

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

SUBSTITUTE MOTION

It was moved by Vice Mayor Tyler, seconded by Councilmember Haderlein, to reject the staff recommendation and invite the developer to return with a project that comes closer to conforming with the design guidelines set out in the Gray Book, Civic Center Specific Plan, and Draft Central District Specific Plan.

AYES: Councilmembers Haderlein, Madison, Vice Mayor Tyler, Mayor Bogaard

NOES: Councilmembers Gordo, Holden, Little, Streator

ABSENT: None

(Motion failed)

VOTE ON MAIN MOTION

Vote on Councilmember Holden's main motion (to direct staff to review the PD project as currently presented by the developer and provide a report with a comparison of the changes, with staff to return to Council with a recommendation):

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

NOES: Councilmember Haderlein, Mayor Bogaard

ABSENT: None

It was noted staff would report back to Council on March 8, 2004.

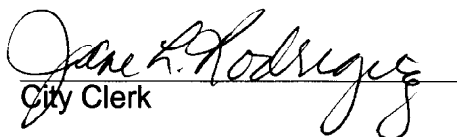
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 1:03 a.m. on February 24, 2004, in memory of Carter Barber, Pasadena Star-News reporter and World War II veteran.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane Rodriguez
City Clerk

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