

CITY OF PASADENA
City Council Minutes
February 7, 2005 - 5:30 P.M.
Pasadena Senior Center, Multi-purpose Room
85 East Holly Street

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting of the City Council to order at 5:45p.m. (Absent: Councilmembers Holden, Little)

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

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

Councilmember Little
arrived at 5:49 p.m.
Councilmember Holden
arrived at 5:56 p.m.

Name of Case: Rene Amy v. City of Pasadena, et al., and consolidated appeals
Case Nos.: California Ct. of Appeal, B159223, B160037, B162530, and B164794

Motion by Councilmember Madison, seconded by Councilmember Little, to seek review by the Supreme Court. (Motion unanimously carried) (Absent: None)

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: Rose Bowl Stadium and surrounding parking areas
Agency Negotiators: Cynthia Kurtz, Darryl Dunn, and Jay Goldstone

Councilmember Holden
was excused at 6:59 p.m.

Negotiating Party: National Football League
Under Negotiation: Price and terms of payment

The above closed session was discussed at the conclusion of the meeting.

On order of the Mayor, the regular meeting of the City Council reconvened at 7:00 p.m. The Pledge of Allegiance was led by Justin Liu, Boy Scout Troop 351.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Sidney F. Tyler, Jr.
Councilmember Victor Gordo
Councilmember Steve Haderlein (Returned at 7:10 p.m.)
Councilmember Chris Holden (Absent)
Councilmember Paul Little
Councilmember Steve Madison
Councilmember Joyce Streater

Staff:

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

CEREMONIAL MATTERS

Councilmember Haderlein
returned at 7:10 p.m.

Mr. Stephen Macala, Human Relations Commission Chair, Meta McCullough, Essay Contest Chair & Commission member, and Mayor Bogaard, presented certificates to the 2005 Human Relations Commission Essay Contest winners as follows: Lisa Pallay, first place; Liza Williams, second place; and Rachel Lee, third place.

Peggy Sisson and Mayor Bogaard presented certificates in recognition of this year's Tournament of Roses Student Ambassadors.

Bobby Samuels, student at Polytechnic School, Ben Samuels, student at Chandler School, Justin Leung, student at Polytechnic School, Jason Leung, student at Polytechnic School, Max Child, student at Polytechnic School, Neil Child, student at Polytechnic School, Justin Liu, student at Chandler School, and Brian Ulmer, student at Chandler School, discussed a fundraising project they put together for UNICEF relief for the victims of the recent tsunami in southeast Asia by creating blue wristbands and selling them to students at both schools and interested community members. They presented wristbands to the Mayor and Councilmembers.

The Mayor and various members of the Council commended the students on their efforts.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Ms. Julia Conklin, Pasadena resident, spoke regarding 60-day notices sent to tenants in the apartment building which she resides increasing rents between 40-90%, and the need for affordable housing.

The City Manager noted staff was convening a meeting with the Housing Rights Center with respect to recent activities at this apartment building and indicated she would invited all of the tenants to participate.

Mr. Kurt Thorgerson, Pasadena resident, echoed Ms. Conklin's comments.

Kathy Mahony, and Mr. Robert Ettleman, Pasadena residents, echoed Ms. Conklin's comments.

As a follow up to the above speakers, Councilmember Gordo asked that staff following this issue closely, to review the City's Tenant Protection Ordinance to see if it needs to be amended to avoid this type of situation, and to report back to Council with a recommendation.

The City Manager responded the Housing Rights Center has lawyers to assist with tenants' rights violations, and if it is

determined that the City's ordinance is not applicable in this case, staff will look at what changes should be recommended.

Ms. Marcia Secord, representing Women at Work, announced the organization's upcoming African American Women's Conference on February 26th and invited Councilmembers to attend.

Ms. Hannah Roberts, Pasadena resident, asked why her reservation to hold a family reunion had been canceled at Brookside Park, and noted the lack of underground lighting and pedestrian walkways in northwest Pasadena.

The City Manager stated she would have staff contact Ms. Roberts regarding her issues.

CONSENT CALENDAR

Councilmember Holden was excused at 7:52 p.m.

AUTHORIZATION TO SUBMIT AN APPLICATION TO THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) FOR A NATURAL GAS REFUELING STATION INFRASTRUCTURE GRANT

Recommendation of City Manager: Authorize the City Manager to execute a grant agreement, amendments, and any other documents necessary to secure and implement such grant.

RESCIND CONTRACT AUTHORIZATION FOR GREAT SCOTT TREE SERVICES, INC., AND ESTABLISH A NEW AUTHORIZATION TO ENTER INTO A CONTRACT WITH GEORGE SALINAS COMPANY FOR PALM TREE PRUNING SERVICES

APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA POLICE SERGEANTS ASSOCIATION FOR THE PERIOD SEPTEMBER 6, 2004 THROUGH SEPTEMBER 3, 2007

Recommendation of City Manager: Approve a successor Memorandum of Understanding between the City of Pasadena and the Pasadena Police Sergeants Association (PPSA) for the period September 6, 2004 through September 3, 2007, and authorize a journal voucher entry appropriating \$119,353 from the Personnel Reserves to the Police Department FY 2005 Operating Budget. (Contract No. 18,772; Journal Voucher 2005-42)

APPROVAL OF MINUTES

January 10, 2005
January 17, 2005 (Cancelled)

CLAIMS RECEIVED AND FILED

Claim No. 9753	Alyce Wallace	\$ 3,235.16
Claim No. 9754	SBC	10,284.90
Claim No. 9755	Frances M. Turner	605.28
Claim No. 9756	Hai Feng Su	25,000.00+
Claim No. 9757	Gilchrist & Rutter, representing Joseph Dumbacher and Mr. & Mrs. William Cleary	Not Stated
Claim No. 9758	Danny Williamson	Not Stated

PUBLIC HEARINGS SET

March 21, 2005, 8:00 p.m. - Governor Markham Landmark District

March 28, 2005, 8:00 p.m. - Public Comment on Housing Authority Annual Plan

It was moved by Vice Mayor Tyler, seconded by Councilmember Haderlein, to approve the Consent Calendar, with the exception of Item 2 (Rescind Contract with for Great Scott Tree Services, Inc., for Palm Tree Pruning), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Holden)

**CONSENT ITEM
DISCUSSED SEPARATELY**

RESCIND CONTRACT AUTHORIZATION FOR GREAT SCOTT TREE SERVICES, INC., AND ESTABLISH A NEW AUTHORIZATION TO ENTER INTO A CONTRACT WITH GEORGE SALINAS COMPANY FOR PALM TREE PRUNING SERVICES

Recommendation of City Manager:

(1) Rescind the contract authorization for Great Scott Tree Service for palm pruning services;

(2) Accept the bid dated November 9, 2004, submitted by George Salinas Company in response to Specifications for Palm Pruning Services for the Department of Public Works; and

(3) Authorize the City Manager to enter into a contract with George Salinas Company for a period of three years or until \$322,500 is expended, whichever occurs first, with two additional one-year extensions, each not to exceed \$107,500 per year.

(Contract No. 18,773)

In response to Councilmember Little's question, Martin Pastucha, Public Works Director, indicated the original bidder, Great Scott Tree Service, was unable to honor its bid and that staff would be looking into the terms of the performance bond with regard to recovering funds for non-performance.

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the City Manager's recommendation, with the expectation that staff will pursue recovering bond funds for non-performance. (Motion unanimously carried) (Absent: Councilmember Holden)

ORDINANCE - ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220(b) AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO THE TEMPORARY SUSPENSION OF THE HOURS OF AMPLIFIED SOUND AND NOISE SOURCES FOR A PERMITTED EVENT AT VICTORY PARK FROM 7:00 AM - 9:30 AM ON SUNDAY, MARCH 27, 2005 (THE CALVARY CHAPEL OF PASADENA'S EASTER SUNRISE SERVICE)" (Introduced by Councilmember Haderlein) (Ordinance No. 7003)

The above ordinance was adopted by the following vote:
AYES: Councilmembers Gordo, Haderlein, Little, Madison,
Streator, Vice Mayor Tyler, Mayor Bogaard
NOES: None
ABSENT: Councilmember Holden

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:57 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 7:58 p.m. (Absent: Councilmember Holden)

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW FOR NEW CONSTRUCTION OF A 124-UNIT STUDENT HOUSING STRUCTURE WITH GROUND FLOOR RETAIL AND UNDERGROUND PARKING FOR THE ART CENTER COLLEGE OF DESIGN AT 1000 SOUTH RAYMOND AVENUE (PPR 2004-00048)

Recommendation of City Manager: This report is for information.

Ms. Laura Dahl, Senior Planner, summarized the agenda report and responded to questions regarding the parking spaces and number of beds per unit.

In response to Vice Mayor Tyler's comments regarding the Transportation Advisory Commission's role in reviewing this project, the City Manager indicated that the Commission would review the project if it was determined that an environmental impact report was required.

Vice Mayor Tyler stated he would like to review the criteria/threshold requirements included in the recently adopted Mobility Element, and the City Manager noted she would provide him with the information on when an environmental review is required for a project and under what circumstances.

In response to Councilmember Haderlein's question, the City Manager stated she would check whether this project was within a transit-oriented zone and implications that would have.

On order of the Mayor, the above item was received and filed.

PUBLIC HEARING

Councilmember Gordo
recused himself at 8:16 p.m.
du to a conflict of interest

Councilmember Haderlein
was excused at 8:21 p.m.

PUBLIC HEARING: ZONE CHANGE TO DESIGNATE A LANDMARK DISTRICT OVERLAY FOR THE CRAWFORDS VISTA LANDMARK DISTRICT

Recommendation of City Manager: It is recommended that the City Council:

(1) Acknowledge that the application for a zone change to create a landmark district is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Section 15308: Class 8, Actions by Regulatory Agencies for

Protection of the Environment).

(2) Acknowledge the decision of the Historic Preservation Commission on October 4, 2004, that the Crawfords Vista Landmark District meets the criteria for designation (Pasadena Municipal Code Section 17.52.40).

(3) Acknowledge the finding of the Planning Commission that the proposed zone change is consistent with the General Plan (Objective 6 of the Land Use Element, "to promote preservation of historically and architecturally significant buildings and revitalization of traditional neighborhoods.") and the purposes of the Zoning Ordinance (Pasadena Municipal Code Section 17.04.030, "preserve the character and quality of residential neighborhoods.").

(4) Approve the landmark district, the zoning map overlay and the chapter amendment to the *Design Guidelines for Historic Districts* for the Crawfords Vista Landmark District, LD-8.

(5) Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena established by Section 17.08.040 of the Pasadena Municipal Code to designate the landmark district with the LD-8 overlay zone.

Recommendation of Historic Preservation Commission: On October 4, 2004, the Historic Preservation Commission determined that the proposed district meets the criteria in the Pasadena Municipal Code Section 17.52.040 for establishment of a landmark district and voted unanimously to recommend approval of the amendment to the zoning map and the designation to the Planning Commission and the City Council.

Recommendation of Planning Commission: Following a public hearing on December 8, 2004, the Planning Commission found that the proposed zone change to create a landmark district is consistent with the General Plan and the purposes of the Zoning Ordinance and voted unanimously to recommend that the City Council approve the amendment to the zoning map for the Crawfords Vista Landmark District.

The Mayor opened the public hearing.

The City Clerk reported that 37 copies of the notice were posted and 219 copies of the notice were mailed on January 24, 2005; no correspondence in support or opposition had been received.

Ms. Emily Stadnicki, Planner, summarized the agenda report.

Mr. Kenneth Ayala, Pasadena resident, spoke in support of the Landmark District.

Ms. Donna Milton, Pasadena resident, withheld her comments as it pertains to another landmark district proposal.

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

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

Councilmember Streater requested the Historic Preservation Commission look at imposing a minimum size for landmark districts, and report back to the Council with a recommendation.

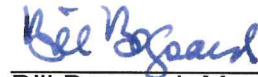
RECESS/ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council recessed at 8:29 p.m., to continue discussion of the following closed session item:

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: Rose Bowl Stadium and surrounding parking areas
Agency Negotiators: Cynthia Kurtz, Darryl Dunn, and Jay Goldstone
Negotiating Party: National Football League
Under Negotiation: Price and terms of payment

The above closed session was discussed with no reportable action at this time.

On order of the Mayor, the regular meeting adjourned at 9:35 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk