

CITY OF PASADENA
City Council Minutes
April 11, 2005 – 5:30 P.M.
Pasadena Senior Center, Multi-Purpose Room
85 East Holly Street

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 session:

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
REGARDING POTENTIAL LITIGATION pursuant to
Government Code Section 54956.9(b)(1)**

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

On order of the Mayor, the regular meeting reconvened at 6:34 p.m. The Pledge of Allegiance was led by Councilmember Holden.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Sidney F. Tyler, Jr.
Councilmember Victor Gordo (Absent)
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Paul Little
Councilmember Steve Madison (Arrived at 6:55 p.m.)
Councilmember Joyce Streater

Staff:

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

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Karyn Rodriguez as Deferred Compensation Oversight Committee member.

The Mayor presented a proclamation designating April 24, 2005, as a Day of Remembrance of the Armenian Genocide. The proclamation was received by Raffi Hamparian, President of the Armenian National Committee, Pasadena Chapter.

Mr. Hamparian commented on the humanitarian response and generosity of the people of the United States to the Armenian

genocide, and recognized members of the Armenian Youth Federation who were present in the audience.

The City Manager welcomed Julie Gutierrez (former City employee) as Interim Assistant City Manager. She also thanked Svetlana Henderson for her temporary tenure of service as Assistant to the City Manager.

PUBLIC COMMENT

No one appeared for public comment.

OLD BUSINESS

Conduct first reading of "AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220(B) AND 9.36.230(B)(9) OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND FOR SPECIFIED HOURS AND AREAS ON JULY 15, 16, 17, 22, 23, AND 24, 2005 (ROSE BOWL SUMMER FAIR - HOURS OF OPERATION ONLY)"

Councilmember Haderlein was excused at 6:45 p.m.

Mr. Darryl Dunn, General Manager of the Rose Bowl, explained the process to be followed in regulating and monitoring noise during this Rose Bowl event, and responded to questions.

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

AYES: Councilmembers Holden, Little, Streater,
Vice Mayor Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Gordo, Haderlein, Madison

CONSENT CALENDAR

AUTHORIZE THE PURCHASE OF ONE JOHN DEERE 710G LOADER BACKHOE IN AN AMOUNT NOT TO EXCEED \$141,444

Recommendation of City Manager:

(1) Authorize the issuance of a purchase order to Coastline Equipment Company in an amount not to exceed \$141,444 for the purchase of one Loader Backhoe;

(2) Grant the proposed purchase order an exemption from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies, or services.

TERMINATION OF DECLARATION OF LOCAL EMERGENCY

Recommendation of City Manager: Terminate the Declaration of a Local Emergency initially issued February 28, 2005 and reissued on March 7, 2005.

Item held at the prior request of Councilmember Gordo.

CONTRACT AWARD TO SEQUEL CONTRACTORS, INC. FOR THE INSTALLATION OF MEDIAN ISLANDS ON ORANGE GROVE BOULEVARD AT LAKE AVENUE FROM ELMIRA STREET TO 286 FEET EAST OF LAKE AVENUE FOR AN AMOUNT NOT TO EXCEED \$120,000

MINUTES APPROVED

February 28, 2005

CLAIMS RECEIVED AND FILED

Claim No. 9810	Peter Araiza	\$	11,648.40
Claim No. 9811	Orean C. Thomas		260.00
Claim No. 9812	Louis Ponce		3,535.00

Councilmember Haderlein
returned at 6:49 p.m.

The Mayor noted Councilmember Gordo (who was unable to attend the Council meeting) had previously requested that Item 3 (Contract with Sequel Contractors, Inc.) be held for a future meeting.

It was moved by Councilmember Holden, seconded by Councilmember Streator, to approve the Consent Calendar, with the exception of Item 3 (Contract with Sequel Contractors, Inc.), which was held to the Council meeting of April 25, 2005. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FINANCE COMMITTEE

AWARD CONTRACT TO HAZELRIGG RISK MANAGEMENT SERVICES FOR WORKERS' COMPENSATION CLAIMS ADMINISTRATION FOR THE POLICE AND FIRE DEPARTMENTS IN THE AMOUNT OF \$375,000

Recommendation of City Manager:

(1) Authorize the City Manager to enter into a contract with Hazelrigg Risk Management Services in an amount not to exceed \$375,000 for administration of Workers' Compensation claims for the Police and Fire Departments; and
(2) Approve a journal voucher appropriating \$375,000 to the Department of Finance Budget Account No. 8114-506-326200 from the Workers' Compensation Fund unappropriated fund balance. (Contract No. 18,820; Journal Voucher No. 2005-52)

Councilmember Little, Chair of the Finance Committee, summarized the agenda report; reported the Committee had supported the City Manager's recommendation with the following amendments: 1) the contract is to return to the Committee and City Council for approval of any renewals, 2) the contract will be reviewed at the end of a year and at 18 months to determine if it is advantageous to continue with the contract or increase staff to perform this work, and 3) a baseline will be established for the current Police and Fire workers' compensation costs.

Councilmember Madison
arrived at 6:55 p.m.

Mr. Jay Goldstone, Director of Finance Department, explained the projected costs and possible savings for claims administration and amounts paid out in claims, the use of benchmarks in conjunction with the contract, and the basic operation of the contractor.

Councilmember Streator outlined the Committee's consideration of the claims work being performed by staff vs. contractor.

Vice Mayor Tyler complimented staff for having a study conducted on the workers' compensation costs, with the assistance of a third party.

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the City Manager's recommendation, amended by the Finance Committee to require the contract renewals be returned to the Committee and City Council for approval, the contract be reviewed at the end of a year and at 18 months to determine if it is advantageous to continue with the contract or to increase staff to perform this work, and a baseline be established for the current Police and Fire workers' compensation costs. (Motion unanimously carried) (Absent: Councilmember Gordo)

APPROVE A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2005 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation of City Manager: Approve a journal voucher in the amount of \$2,796,493, amending 14 projects in the Fiscal Year 2005 Capital Improvement Program as detailed in Attachment A of the agenda report. (Journal Voucher No. 2005-53)

Councilmember Little reviewed the agenda report, and noted the Finance Committee had requested Item 8 in the Background section of the agenda report (Complete Sidewalk along North and South Side of Seco Street) be held out for additional review.

Mr. Martin Pastucha, Director of Public Works Department, responded to questions regarding proposed traffic management projects in the East Foothill Boulevard area.

Mr. Dan Rix, City Engineer, responded to questions regarding staff's prioritization of traffic management projects in the East Pasadena Specific Plan area.

Councilmember Haderlein expressed concern regarding the need to consider alternative uses for the funding related to traffic management projects in East Pasadena, and requested Item 3 in the Background section of the agenda report (Kinneloa Avenue – Colorado to Foothill) be held out to consider alternative projects for the Foothill/Sierra Madre Villa area.

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the City Manager's recommendation, with Items 3 and 8 to be removed for additional discussion, as described above. (Motion unanimously carried) (Absent: Councilmember Gordo)

The City Manager indicated the two projects called out for additional review would be discussed in conjunction with the approval of the FY 2006-2010 Recommended Capital Improvement Program Budget, and Council could consider the merits of the projects during the budget process.

AUTHORIZE AN AMENDMENT TO THE FISCAL YEAR 2005 CAPITAL IMPROVEMENT PROGRAM BUDGET AND AMEND CONTRACT NO. 18,453 WITH R. W. BECK TO ASSIST WITH THE DEVELOPMENT OF AN IMPLEMENTATION AND FIVE-YEAR SPENDING PLAN FOR THE POWER DISTRIBUTION SYSTEM MASTER PLAN

Recommendation of City Manager:

(1) Authorize an amendment to Contract No. 18,453, increasing the not to exceed amount from \$498,493 to \$598,493, with R. W. Beck to assist with the development of a Five-Year Implementation and Spending Plan and, to the extent the proposed additional work scope could be considered separate, distinct, and subject to a competitive selection process, find that it is exempt from competitive selection pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

(2) Authorize a journal voucher transfer appropriating \$150,000 from the unappropriated Light and Power Fund fund balance to the Capital Improvement Program Budget No. 3184. Of this amount, \$100,000 is to cover the increase in the R. W. Beck contract and \$50,000 is to cover the cost of a financial advisor. (Contract Amendment No. 18,453-1; Journal Voucher No. 2005-54)

Councilmember Little summarized the agenda report.

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

INCREASE THE BUDGET OF THE *EATON WASH PARK - IMPLEMENT MASTER PLAN* CAPITAL IMPROVEMENT PROJECT AND AWARD OF CONTRACT TO FLEMING ENVIRONMENTAL INCORPORATED FOR DESIGN, CONSTRUCTION AND INSTALLATION OF A PREFABRICATED RESTROOM BUILDING AT EATON WASH PARK

Recommendation of City Manager:

(1) Amend the FY 2005 Capital Improvement Program to increase the budget of the *Eaton Wash Park - Implement Master Plan* project (Budget Account No. 78289) from \$1,473,454 to \$1,695,421;

(2) Approve a journal voucher recognizing and appropriating \$66,967 of unencumbered Residential Impact Fee funds to the *Eaton Wash Park - Implement Master Plan* project (Budget

Account No. 78289);

(3) Approve a journal voucher recognizing and appropriating \$70,000 of Pasadena Center Operating Company (Ice Rink) funds to the *Eaton Wash Park - Implement Mater Plan* project (Budget Account No. 78289);

(4) Approve a journal voucher recognizing and appropriating \$85,000 from BRE Properties, Inc. to *Eaton Wash Park - Implement Master Plan* project (Budget Account No. 78289);

(5) Accept the bid, dated March 8, 2005, submitted by Fleming Environmental Incorporated in response to the Specifications for Eaton Wash Park Restroom Building; reject all other bids; and

(6) Authorize the City Manager to enter into such contract as required, in the amount of \$155,900, that includes a base bid of \$148,453 and \$7,447 for any additional work the City may order pursuant to the project specifications. (Contract No. 18,821; Journal Voucher No. 2005-55)

Councilmember Little introduced the agenda item and responded to questions.

The City Manager discussed the funding of the ice rink project.

Mr. Martin Pastucha, Director of Public Works Department, confirmed the residential impact fees would be derived from the East District funding.

Councilmember Madison suggested future reports contain specific information on the district providing the funding when residential impact fees are allocated for a project.

Councilmember Haderlein clarified that the ice rink project and the Eaton Wash Park project are two distinct projects.

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

LEGISLATIVE POLICY COMMITTEE

Councilmember Streator asked that the Legislative Policy Committee review SB 926 (Flores) regarding the transporting of sludge from one county to another county. The bill had been reviewed by the Environmental Policy Committee of the California League of Cities, who had taken a position of opposition to the bill.

The Mayor noted the Committee would review the proposed legislation.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

ADOPT A RESOLUTION RATIFYING ALL PASADENA FIRE STATIONS AS SAFE SURRENDER SITES

Recommendation of City Manager: Adopt a resolution in

support of ratifying all Pasadena Fire Stations as Safe Surrender Sites and establishing procedures for accepting a newborn under the California Safely Surrendered Baby Law, as amended by the County of Los Angeles. (Resolution No. 8464)

Fire Chief Dennis Downs introduced the agenda item and responded to questions.

Mr. Kevin Costa, Emergency Medical Services Coordinator, reviewed the agenda report and responded to questions.

Following discussion, it was moved by Councilmember Streater, seconded by Councilmember Little, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Gordo)

AUTHORIZATION FOR A LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND SOUTHERN CALIFORNIA EDISON (SCE) FOR SCE OWNED PROPERTY LOCATED BETWEEN ORANGE GROVE BOULEVARD AND FOOTHILL BOULEVARD

Recommendation of City Manager:

- (1) Approve a License Agreement between the City of Pasadena and Southern California Edison for property located between Orange Grove Boulevard and Foothill Boulevard.
- (2) Authorize the City Manager to execute the Agreement on behalf of the City and to do any and all things necessary to complete the obligations of the City under said Agreement. (Agreement No. 18,822)

The City Manager introduced the agenda item.

Mr. Fred Jones, Senior Project Manager, reviewed the agenda report, noted a road permit for access to the ice rink would be presented to Council in the future, and responded to questions.

The City Manager discussed the California Public Utilities Commission restrictions on extensions of this type of agreement, and responded to questions.

Vice Mayor Tyler encouraged staff to include language in the contract confirming the flat annual fee of \$14,000 for use of the property, if possible.

Mr. Richard Bruckner, Director of Planning and Development Department, indicated a report with the various costs for the ice rink project will be brought to Council in the near future.

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

SUPPORT FOR SENATE BILL 466 (KUEHL), AN ACT TO ADD AND REPEAL SECTION 22368 OF THE VEHICLE CODE RELATING TO PHOTO RADAR TRAFFIC ENFORCEMENT

Recommendation of City Manager: Support Senate Bill 466 (Kuehl), an act to add and repeal Section 22368 of the Vehicle Code, relating to photo radar traffic enforcement.

Police Chief Bernard Melekian reviewed the agenda report and responded to questions.

The City Attorney noted the report cited the language as presented in the State legislation.

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

The Mayor indicated the appropriate letters in support of the legislation would be sent promptly.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:42 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 7:43 p.m. (Absent: Councilmember Gordo)

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW FOR THE PROPOSED SYMES TOYOTA DEALERSHIP LOCATED AT 3600 E. FOOTHILL BOULEVARD

Recommendation of City Manager: This report is being provided for information only at this time.

The City Manager introduced the agenda item.

Ms. Ruth Martinez, Project Manager, reviewed the agenda report, confirmed a master sign plan would be reviewed by the Zoning and Design Commissions, and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, responded to questions regarding sales tax revenues and sign design and regulations.

On order of the Mayor, the report was received and filed.

COUNCIL COMMENTS

Councilmember Madison reported on his observations of signage in England that provided information on a real-time basis for available spaces in parking lots and a congestion fee charged on a daily basis to vehicles using a restricted traffic area.

The City Manager discussed plans to implement a signage system that would monitor parking in City parking lots and to introduce a plan for a universal valet system in Old Pasadena.

In response to Vice Mayor Tyler's question, the City Manager indicated a report had been sent to the Transportation Advisory Committee for review of the traffic impact report preparation guidelines.

The Mayor announced the Council and staff were invited to attend an Art Center College of Design presentation on April 14, 2005 of a report on transportation policies based on the City's Mobility Element.

PUBLIC HEARINGS

PUBLIC HEARING: FY 2006-2010 RECOMMENDED CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation of City Manager:

- (1) Open the public hearing on the City Manager's Recommended FY 2006-2010 Capital Improvement Program (CIP) Budget;
- (2) Continue the public hearing to each subsequent regular meeting of the City Council at 8:00 p.m. until May 23, 2005, or such other later date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the FY 2006-2010 Capital Improvement Program Budget; and
- (3) Refer the City Manager's Recommended FY 2006-2010 Capital Improvement Program Budget to the Finance Committee and direct the meetings be noticed as joint meetings between the Finance Committee and the City Council.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published daily from March 28, 2005 through April 8, 2005, excluding the weekend, in the Pasadena Star-News; and no correspondence was received.

The City Manager briefly discussed the joint Finance Committee/City Council meeting process, discussed issues in determining funding sources for future identified parks projects, and responded to questions.

Mr. Martin Pastucha, Director of Public Works Department, outlined the joint Finance/City Council meeting dates and topics for discussion, and responded to questions.

At the request of Councilmember Streater, the City Manager will arrange to have the joint budget meetings held at the Senior Center, if possible.

Councilmember Holden suggested staff insert a category for projected funding of identified proposed parks projects to assist in developing a reasonable funding mechanism for these projects, which would take a look at the funding sources for the past ten years and help provide an analysis for locating future funding of park master plans for the next five years or longer. He noted parks funding might be derived from the Rose Bowl budget if outside funding becomes available for Rose Bowl renovation.

The City Manager indicated staff would attempt to provide information on past funding sources in order to estimate average resources to be used to develop a five-year plan for future parks projects.

The Mayor commented on the benefits of a retrospective of park funding and the status on achieving goals set out in the park master plans.

Mr. Pastucha noted staff would be bringing a report discussing various options and recommendations on the residential impact fee to Council in June 2005.

Vice Mayor Tyler expressed concerns in adopting a budget and then approving a work plan at a later date and the impacts of this process on accountability, and stressed the need to ensure the work plan is kept on schedule in terms of spending and completing projects in the plan.

The City Manager discussed problems with providing a budget and a work plan at the same time; outlined the current process of bringing a work plan to Council at the end of the first quarter, with reports made to the Finance Committee on a quarterly basis; and explained the need for adjustments and re-prioritization during the past fiscal year.

It was moved by Councilmember Streator, seconded by Councilmember Little, to approve the City Manager's recommendation and to continue the public hearing to April 25, 2005 at 8:00 p.m. (Motion unanimously carried) (Absent: Councilmember Gordo)

APPEAL HEARING: MODIFICATION TO EXPRESSIVE USE PERMIT NO. 4254 VILLA SORRISO, 168 WEST COLORADO BOULEVARD

Recommendation of City Manager: Acknowledge the Environmental Determination and the Specific Findings in Attachment A of the agenda report to deny the request to modify the conditions of approval for Expressive Use Permit No. 4254.

The Mayor opened the appeal hearing.

The City Clerk reported the notice of public hearing was published on March 28, 2005 in the Pasadena Star-News; 16 copies of the notice were posted on March 23, 2005; 81 copies of the notice were mailed on March 23, 2005; and no correspondence was received.

Mr. Jose Jiminez, Assistant Planner, reviewed the agenda report and responded to questions.

Police Chief Bernard Melekian reported on hours of operation and liquor sales for establishments in Old Pasadena, expressed concerns regarding possible impacts of this appeal on future requests by other establishments in Old Pasadena to grant the same conditions for hours of alcohol sales and dancing, and responded to questions.

The following persons spoke in support of the applicant's appeal:

Mr. Burke Farrar, Odyssey Development Services and applicant's representative, addressed concerns involving ambient noise and asked Council to consider the merits of the appeal based on the facts presented on this case.

Mr. Jack Huang, applicant

The following person spoke in opposition to the applicant's appeal:

Ms. Tahra Goraya, Day One-Drug-Free Coalition representative

Councilmember Madison complimented the applicant for the high standard set by his operation, noted the City had apparently not established a policy covering hours for liquor sales, and expressed support for modifying the use permit.

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

The City Attorney clarified that if a period of review was required, the review would be conducted by the lower body and based on whether the Conditions were met, and could be appealed to the Council.

Discussion followed on possible impacts of this appeal on future requests to grant the same extended hours of alcohol sales and dancing by other establishments in Old Pasadena, on concerns about setting a new City policy regarding closing times for establishments and the serving/selling of alcohol, on impacts caused by a change in ownership after a modified use

permit is granted, on steps that could be taken by the City if the conditions of the permit are violated, and on consideration of setting up a trial period of operation under modified conditions.

Lt. Keith Jones stated the Police Department's anecdotal observations show that problems related to these types of establishments are usually occurring at closing time.

The City Attorney discussed factors in setting a period of review to assess if there is compliance with the modified conditions and other means to take action on compliance.

Councilmember Madison suggested Council look at establishing a City policy on hours for serving alcohol in these establishments, if the proposed hours would be different than those hours set by the County.

It was moved by Councilmember Madison, seconded by Councilmember Streater, to overturn the decision of the Zoning Hearing Officer, and grant the modification of Conditions 3 and 11, as stated in Attachment B of the decision letter, in order to allow alcoholic beverage sales and patron dancing and live entertainment until 2:00 a.m., with review of the permit after 6 months by the Zoning Hear Officer.

AYES: Councilmembers Holden, Madison, Streater,

NOES: Councilmembers Haderlein, Little, Vice Mayor Tyler, Mayor Bogaard

ABSENT: Councilmember Gordo

(Motion failed)

The City Attorney affirmed the decision of the Zoning Hearing Officer would stand.

PUBLIC HEARING: 2004-2015 POLYTECHNIC SCHOOL MASTER DEVELOPMENT PLAN (1030 EAST CALIFORNIA BLVD)

Recommendation of City Manager:

(1) Approve the Environmental Initial Study and recommended Mitigated Negative Declaration (Attachment 1 of the agenda report);

(2) Adopt findings (Attachment 2 of the agenda report) that the proposed Polytechnic School Master Development Plan is consistent with Pasadena Municipal Code Title 17 (Zoning Code) and the General Plan; and that the proposed tree removal is consistent with Pasadena Municipal Code Title 8 (Health and Safety Code);

(3) Approve the Polytechnic School Master Development Plan (Attachment 3 of the agenda report) and the Conditions of Approval (Attachment 4 of the agenda report);

(4) Adopt a resolution establishing the Polytechnic School Master Development Plan at 1030 E. California Blvd. (Attachment 5 of the agenda report); and

(5) Direct the City Clerk to file a Notice of Determination with the Los Angeles County Recorder (Attachment 6 of the agenda report). (Resolution No. 8465)

Recommendation of the Planning Commission: On March 9, 2005, the Planning Commission reviewed the Master Development Plan, Initial Study, Mitigated Negative Declaration, and the request for tree removal. The Commission expanded the scope of the Five-Year Review to include a detailed analysis of the building program and financial commitments to the proposed parking garage. The Commission is recommending Council approval subject to the Conditions of Approval attached to the agenda report.

Recommendation of the Historic Preservation Commission: On January 18, 2005, the Historic Preservation Commission reviewed the proposed Master Development Plan. The Commission recommended that the Master Development Plan specify that the three historic classroom buildings (buildings #3, 19, 20) be relocated on campus and that any proposal to move the structures elsewhere in the city be strongly discouraged and would require review and approval from the Historic Preservation Commission for the rehabilitation of the buildings off site. The three structures cited for relocation to another site on campus during construction of the subterranean garage are attributed to important Pasadena architects. The Commission's recommendation has been incorporated into the environmental mitigation plan.

Recommendation of the Design Commission: On February 4, 2005, the Design Commission reviewed the proposed Master Development Plan for consistency with the Principles of Design Review and the Citywide Design Guidelines. The Commission recommended that the Master Plan identify a location on campus for the relocated historic buildings and depict said location on all figures and exhibits. The Commission's recommendation has been incorporated into the Conditions of Approval.

The Mayor opened the public hearing.

The City Clerk reported 109 copies of the notice of public hearing were posted on March 25, 2005; 347 copies of the notice were mailed on March 25, 2005; and 194 pieces of correspondence were received in support and 3 pieces of correspondence expressed concerns.

Councilmember Madison indicated that although his two children attended Polytechnic School, the City Attorney had confirmed there was no conflict of interest on his part in hearing and deciding this matter.

Mr. Robert Avila, Associate Planner, reviewed the agenda report; distributed revised Conditions of Approval (Attachment 4 to the agenda report), a letter in support of and a letter in

opposition to the Master Development Plan; and responded to questions.

The following persons spoke in support of the Master Development Plan:

Mr. Alfred Clark, Polytechnic School, Board of Trustees
President
Ms. Debbie Reed, Polytechnic School, Head of School
Mr. Kenneth Patton, Pasadena resident
Ms. Tammy Silver, Pasadena resident
Ms. Louisa Nelson, Pasadena resident
Mr. Rob Shepherd, Pasadena resident
Ms. Kishwar Jaffer, Pasadena resident
Ms. Olivia Garfield, Pasadena resident
Ms. Joyce Anderson, Pasadena resident
Mr. Earl Edwards, Pasadena resident

The following person expressed concerns regarding the Master Plan:

Mr. John Walsh, Pasadena resident

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

Mr. Dan Rix, City Engineer, responded to questions.

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

Mr. Clark responded to questions regarding the wording of Revised Attachment 4, which had been distributed by staff.

Following brief discussion, Vice Mayor Tyler affirmed an understanding by the Council and the School that wording would be substituted in the Conditions of Approval (Revised Attachment 4 to the agenda report as distributed by staff), Item 6, Five Year Review, At Year Five, Projects to Be Completed (Bullet 5) that would contain a statement of reaffirmation that the School had the financial means to move forward at the end of five years and an indication supported by rough figures as to where the finances are expected to be derived.

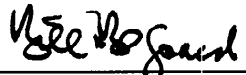
It was moved by Vice Mayor Tyler, seconded by Councilmember Little, to re-close the public hearing. (Motion unanimously carried) (Absent: Councilmember Gordo)

It was moved by Vice Mayor Tyler, seconded by Councilmember Holden, to approve the City Manager's

recommendation, with the following revision to the Conditions of Approval (Revised Attachment 4 to the agenda report as distributed by staff), Item 6, Five Year Review, At Year Five, Projects to Be Completed (Bullet 5) to read: "Update Status of ~~Fundraising Drive~~ Financing Plan/Building Program for New Development and Reaffirm that the Applicant Has a Commitment to Proceed with the Project. (Motion unanimously carried) (Absent: Councilmember Gordo)

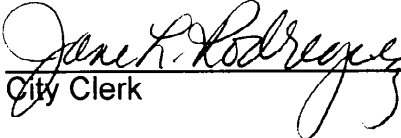
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:15 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk