

CITY OF PASADENA
City Council Minutes
July 18, 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 5:38 p.m.
(Absent: Councilmembers Gordo, Holden, Vice Mayor Madison)

On order of the Mayor, the regular meeting recessed at 5:38 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/Laborers International Union of North America, Local 777; American Federation of State, County and Municipal Employees, Local 858; Pasadena Management Association; International Brotherhood of Electrical Workers, Local 18; International Union of Operating Engineers, Local 501; Service Employees International Union, Local 347; Pasadena Police Officers Association; Pasadena Police Sergeants Association; Pasadena Fire Fighters Association; Pasadena Firefighters Management Association; and all Unrepresented Employees

Vice Mayor Madison arrived at 5:51 p.m.

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 City of Pasadena
Negotiators: Cynthia Kurtz (City); Champion Broadband
Under Negotiation: Price and terms of payment

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL LITIGATION pursuant to Government Code Section 54956.9(b)(1): One potential case

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

On order of the Mayor, the regular meeting reconvened at 6:52 p.m. The Pledge of Allegiance was led by Councilmember Tyler.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Madison
Councilmember Victor Gordo (Absent)
Councilmember Steve Haderlein
Councilmember Chris Holden (Absent)
Councilmember Paul Little
Councilmember Joyce Streater
Councilmember Sidney F. Tyler, Jr.

Staff:

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

CEREMONIAL MATTERS

The City Clerk administered the oaths of office to Lainie Rose Miller as Community Development Committee member, Richard Schammel as Pasadena Center Operating Company Board member, Samuel Estrada as Arts Commissioner, Rita Turner as member of the Commission on the Status of Women, Tim Wendler as Recreation and Parks Commissioner, Eddie Rigdon as Utility Advisory Commissioner, and David Leming as Human Relations Commissioner.

Ms. Jodi Huston, Citibank Vice President and Regional Manager, presented a grant of \$5,000 to the Human Relations Commission. The grant was received by Nat Nehdar, Human Relations Commissioner, who expressed the appreciation of the Commission.

OLD BUSINESS**MANAGEMENT AGREEMENT BETWEEN THE CITY OF PASADENA AND THE PASADENA ICE SKATING CENTER AND AGREEMENT FOR ARCHITECTURAL AND ENGINEERING DESIGN FOR A PROPOSED NEW ICE SKATING FACILITY LOCATED BETWEEN FOOTHILL AND ORANGE GROVE BOULEVARDS**

Vice Mayor Madison and Councilmember Haderlein requested the above agenda item be held for a future meeting when the full Council could be present for the discussion.

The following persons spoke in support of the ice skating center:

Ms. Susan Austin, City of Angels Ice Theatre Director
Mr. Archie Chin, Sierra Madre resident
Mr. Glenn Rothner, Pasadena business owner
Mr. Dominic Menton, Monrovia resident
Ms. Joan Horvath, Pasadena resident and Pasadena Figure Skating Club Past President
Ms. Nimnual Jurgensen, Pasadena Figure Skating Club President

Mr. John Stifel, South Pasadena resident
Ms. Taryn Jurgensen, Pasadena Figure Skating Club
Junior Board President
Ms. Olivia Ouyang, Pasadena Figure Skating Club member
Ms. Robin Neudorfer, San Marino resident
Ms. Betty Newton, Arcadia resident
Ms. Debbie Ouyang, Pasadena resident

On order of the Mayor, the above item was held to the Council meeting of August 8, 2005.

PUBLIC COMMENT

Ms. Mary Dee Romney, Pasadena resident, expressed concerns regarding the lack of code compliance by a contractor who has been cited, issued a stop work order, and still continues to work on the project; and commented on the attitude of contractors in ignoring compliance with the City's Code.

The City Attorney briefly described the stop work order process and responded to questions regarding fines and penalties.

The City Manager and Richard Bruckner, Director of Planning and Development Department, explained the status of the situation described by Ms. Romney and responded to questions.

Following brief discussion, the City Manager indicated staff would explore options for Council's consideration to discourage contractors from ignoring compliance with the City's Code and regulations.

Councilmember Little suggested staff explore enforcing compliance through the business licensing process.

Councilmember Tyler suggested staff review the process used by the City of San Marino to address this issue.

CONSENT CALENDAR

SIGN AGREEMENT BETWEEN THE CITY OF PASADENA, AMERCO REAL ESTATE COMPANY, AND U-HAUL CO. OF CALIFORNIA FOR AN EXISTING SIGN COLUMN AND FOUNDATION AT 524 SOUTH RAYMOND AVENUE FOR THE STATE ROUTE 710 MITIGATION - CALIFORNIA BOULEVARD RIGHT TURN LANE AT RAYMOND AVENUE PROJECT

Recommendation of City Manager:

(1) Adopt a resolution approving a Sign Agreement with Amerco Real Estate Company ("AREC") and U-Haul Co. Of California ("U-Haul") for an existing sign column and foundation located at 524 South Raymond Avenue.

(2) Authorize the City Manager to execute the Sign Agreement on behalf of the City. (Resolution No. 8497; Agreement No. 18,883)

REJECT ALL BIDS FOR THE PURCHASE OF A CRANE FOR PASADENA WATER AND POWER'S WAREHOUSE

Recommendation of City Manager: It is recommended that the City Council reject all bids to purchase a crane for Pasadena Water and Power's Warehouse.

MINUTES APPROVED

June 20, 2005

CLAIMS RECEIVED AND FILED

Claim No. 9862	Robinson W. Collins	\$	1,800.75
Claim No. 9863	Margaret Haber		400.00 - 600.00
Claim No. 9864	Tracy L. Fielding		64.94
Claim No. 9865	Savit Noiniyom		850.00
Claim No. 9866	Freya Schmus		25,000.00+
Claim No. 9867	Tea Anderson		Not Stated
Claim No. 9868	Safeco Insurance Company of America		200,000.00

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve all items on the Consent Calendar. (Motion unanimously carried, with Vice Mayor Madison abstaining on Item 1 [Sign Agreement with Amerco Real Estate Company and U-Haul Co. of California]) (Absent: Councilmembers Gordo, Holden)

Vice Mayor Madison noted the vote should reflect his abstention on Item 1 (Sign Agreement with Amerco Real Estate Company and U-Haul Co. of California), due to a conflict of interest.

COUNCIL COMMENTS

Councilmember Little discussed the sale of illegal fireworks out of ice cream trucks, and suggested efforts to eliminate this activity be coordinated by various City departments (business licensing, Public Health, and Fire/Police).

Councilmember Streater commended staff on the recent opening of a water play area at La Pintoresca Park, which was designed and constructed by City staff and based on a suggestion made by a City employee. Ms. Streater acknowledged the following employees for their contributions: Efrain Montes, Parks Services Specialist from Human Services and Recreation Department, who is a day camp supervisor and offered the original idea for the water play area; and Public Works Department employees: Todd Holmes, Design and Construction; Jeff Khun, Design and Project Management; Marcy Hoie-Anderson, Research; Fernando Lizardo, Construction Inspection; Mike Monroe, Public Works Supervisor; Lewis Blades, Crew Supervisor; and the crew: Ronnie Winn, Yusef Martin, Freddy Garibay, John Green, Ahmad Andrews, and Eugene Taylor.

Vice Mayor Madison commented on the opening of the Arlington Mediterranean Garden, which is a work in progress and originated with an idea from City residents Charles and Betty McKinney and is located at the corner of Arlington Drive and Pasadena Avenue. He recognized the City Manager, staff from the Public Works and Water and Power Departments, the Metropolitan Water District of Southern California, California Department of Transportation, and City Council for their contributions in moving the project forward.

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**REAPPOINTMENT OF PETER WONG TO THE CODE
ENFORCEMENT COMMISSION** (District 3 Nomination)

**REAPPOINTMENT OF JOHN KENNEDY TO THE
COMMUNITY DEVELOPMENT COMMITTEE** (District 3
Nomination)

**REAPPOINTMENT OF CHANNA ARVISO TO THE
NORTHWEST COMMISSION** (District 3 Nomination)

**REAPPOINTMENT OF SANDEEP BAWEJA TO THE UTILITY
ADVISORY COMMISSION** (District 3 Nomination)

**REAPPOINTMENT OF LISA SUGIMOTO TO THE
PASADENA COMMUNITY ACCESS CORPORATION**
(Pasadena Community College Nomination)

**APPOINTMENT OF KELLY WHITE TO THE SENIOR
COMMISSION** (Senior Commission Nomination)

**APPOINTMENT OF PATTY WATSON-WOOD TO THE
SENIOR COMMISSION** (Senior Commission Nomination)

**APPOINTMENT OF MELISA L. WILSON TO THE UTILITY
ADVISORY COMMISSION** (At Large/District 7 Nomination)

It was moved by Councilmember Haderlein, seconded by Councilmember Streater, to approve the above appointments and reappointments. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden)

**TERMINATION OF LEASE WITH D'VEAL FAMILY AND
YOUTH SERVICES AND APPROVAL OF NEW RE-STATED
LEASE WITH COMMUNITY HEALTH ALLIANCE OF
PASADENA AT THE PASADENA HEALTH CENTER,
BUILDING THREE, 1855 NORTH FAIR OAKS AVENUE**

Recommendation of City Manager:

(1) Approve the termination of the three-year Lease for medical office space to D'Veal Family and Youth Services (D'Veal) at the Pasadena Health Center.

(2) Authorize the City Manager to enter into a new, five-year, re-stated lease with (two 5-year options to extend) with the

Community Health Alliance of Pasadena (CHAP) that states, in addition to \$1 annual rent, CHAP will also pay the City for its utility costs, structural maintenance costs associated with maintenance of the heating, air conditioning, and plumbing; and maintain their own housekeeping directly. CHAP will be responsible for any costs related to minor maintenance repair. The new re-stated lease will increase the lease space from 9,517 to 10,684 rentable square feet, with the inclusion of the former D'Veal space.

(3) Authorize the City Manager to execute the Lease Termination and all other documents pertaining thereto, to perform such other and further acts as required for the new Lease and take such other steps as necessary to promote the City's interest in the new Lease. (Agreement Nos. 18,685 and 18,884)

The City Manager summarized the agenda report

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:41 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 7:42 p.m. (Absent: Councilmembers Gordo, Holden)

INFORMATION ITEMS

PREDEVELOPMENT PLAN REVIEW FOR THE PROPOSED NEW CONSTRUCTION OF SELF STORAGE USES ON SOUTHERN CALIFORNIA EDISON RIGHT-OF-WAY PROPERTY LOCATED AT 3111 SIERRA MADRE BOULEVARD

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

PREDEVELOPMENT PLAN REVIEW FOR PROPOSED NEW CONSTRUCTION OF SELF STORAGE USES ON SOUTHERN CALIFORNIA EDISON RIGHT-OF-WAY PROPERTY LOCATED AT 1405 KINNELOA AVENUE BETWEEN GREEN STREET AND DEL MAR BOULEVARD

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

The above two agenda items were discussed concurrently.

Mr. Fred Jones, Senior Project Manager, reviewed the two agenda reports and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, indicated an analysis of the projects would be conducted regarding the construction of self storage uses at these sites, outlined the relocation issue with Persson's Nursery, and responded to questions.

Discussion followed on the proposed amendment to the General Plan that is necessary to allow the development of the self storage facilities, the process that would be involved with this change in the Plan, the public noticing process that would be followed, the process for review by advisory bodies and the Council, and the offer of public benefits.

Councilmember Little asked that the public noticing be broadened to ensure that interested residents are made aware of when and where the various advisory bodies will be reviewing and discussing these projects.

The City Manager indicated staff would clarify the information provided on the public benefits being offered.

Councilmember Haderlein suggested the Pasadena Unified School District and other groups be contacted regarding partnerships for sharing costs of enhancements to the proposed recreation field/park, if the project at 1405 Kinneloa Avenue is approved.

Mr. Bruckner confirmed the staff will be working with the Recreation and Parks Commission to coordinate the information being gathered for the Green Space/Open Space Element regarding the identification of areas of need with the offers for public benefits being proposed by developers; and verified the projects would be reviewed by the Planning Commission, Design Commission, Recreation and Parks Commission, and the Transportation Advisory Commission, if deemed necessary because of traffic issues.

Councilmember Streater suggested a joint meeting of the Council and the Recreation and Parks Commission be scheduled for September 2005 to discuss and review the Green Space/Open Space Element; and also suggested agendizing soon a discussion of the requirements of the Planning Commission and the roles and duties of the other advisory bodies.

The Mayor noted that informal advice from the advisory bodies might also prove to be helpful in certain instances.

Mr. Scott Jenkins, Hahn and Hahn LLP, representing Public Storage, outlined issues and concerns regarding the projects being proposed by Pacific Storage Partners and the process to be followed in moving these projects forward.

On order of the Mayor, the above two reports were received and filed.

PUBLIC HEARINGS

Councilmember Streator
recused herself at 8:19 p.m.,
due to a conflict of interest.

PUBLIC HEARING: ST. PHILIP THE APOSTLE CHURCH AND SCHOOL MASTER DEVELOPMENT PLAN AND ZONE CHANGE FOR 83-115 SOUTH HILL AVENUE AND 112-113 SOUTH HOLLISTON AVENUE

Recommendation of City Manager:

- (1) Adopt the Mitigated Negative Declaration (Attachment 1 of the agenda report)
- (2) Approve the De Minimis Impact Finding on the State Fish and Game (Attachment 2 of the agenda report)
- (3) Find that the proposed zone change from RM-48 PK (48 units du/acre Parking Overlay District to PS(Public and Semi Public District) are consistent with the purposes of Chapter 17.26 - Special Purpose Zoning Districts.
- (4) Adopt findings (Attachment 3 of the agenda report) that the proposed St. Philip The Apostle Master Development Plan is consistent with Pasadena Municipal Code (PMC) Title 17 (Zoning Code) and the General Plan; and the proposed tree removals are consistent with PMC Title 8 (Health and Safety Code);
- (5) Approve the St. Philip The Apostle Master Development Plan (Attachment 4 of the agenda report), and the Conditions of Approval (Attachment 5 of the agenda report);
- (6) Adopt a resolution establishing the St. Philip The Apostle Master Development Plan at 83-155 South Hill Avenue and 112-113 South Holliston Avenue (Attachment 6 of the agenda report);
- (7) Direct the City Attorney to prepare an ordinance amending the official Zoning map established by Section 17.74 of the Pasadena Municipal Code for Parcel No. 5736-002-017 from RM 48PK (48 units du/acre to PS (Public and Semi-Public District);
- (8) Direct the City Clerk to file a Notice of Determination with the Los Angeles County Recorder within five days. (Resolution No. 8498)

Recommendation of Planning Commission: On June 22, 2005, the Planning Commission unanimously recommended approval of the Master Development Plan and zone change for the Church with modified conditions of approval as presented by staff.

Recommendation of Design Commission: On May 9, 2005, the Design Commission reviewed the proposed Master Development Plan for proposed tree removals and the overall project for consistency with the Principles of Design Review and the Citywide Design Guidelines. The Design Commission made the following recommendations:

- (1) Acknowledged that future development phases of the proposed St. Philip The Apostle Master Development Plan are subject to the thresholds for Design Review in the municipal

code and the Citywide Design Principles such that design review will be conducted by the Director; and
(2) Agreed with staff's determination in the Draft Initial Study that potentially significant effects on traffic and biological resources (trees) can be mitigated to a level of insignificance with the mitigation measures described, acknowledging that public comments may still be received; and
(3) Recommended that the Planning Commission endorse the Draft Initial Study recommending adoption of a Mitigated Negative Declaration and approval of the proposed Master Development Plan; and
(4) In addition, Design Commission made the following recommendations on trees in accordance with the Tree Protection Ordinance: Tree No. 25 (Hong Kong Orchid) and Trees Nos. 87 and 88 (Jacarandas) will be removed, Tree No. 100 (Jacaranda) will be kept, and Trees Nos. 74 and 101 (Jacarandas) will be removed or retained at the Owner's discretion.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 4, 7, and 13, 2005 in the Pasadena Star-News; 35 copies of the notice were posted on June 30, 2005; 150 copies of the notice were mailed on June 30, 2005; and no correspondence was received.

Ms. Carol Hunt Hernandez, Planner, reviewed the agenda report and responded to questions.

Mr. Charles Kluger, Kluger Architects, representing St. Philip the Apostle Church, spoke in support of the project and responded to questions from Council.

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

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

PUBLIC HEARING: RECOMMENDED ADOPTION OF A ZONE CHANGE TO DESIGNATE A LANDMARK DISTRICT OVERLAY FOR THE HOLLISTON AVENUE LANDMARK DISTRICT (LD-10)

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

(1) Find that the application for a zone change is categorically exempt from environmental review under the California

Environmental Quality Act, (Class 8, Actions by Regulatory Agencies for Protection of the Environment).

(2) Find that the proposed zone change is consistent with the General Plan and the purposes of the Zoning Ordinance.

(3) Acknowledge that the petition with signatures in support of the landmark overlay district petition exceeds the 51 percent requirement in Pasadena Municipal Code Section 17.52.070.

(4) Based on these findings, approve the landmark district and the zoning map overlay for the Holliston Avenue Landmark District, LD-10 (Attachment 1 of the agenda report).

(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-10 overlay zone.

Recommendation of Historic Preservation Commission: At a public hearing on November 15, 2004, the Historic Preservation Commission unanimously determined that the proposed district meets the criteria in Section 17.52.040 of the Pasadena Municipal Code for designation of a landmark district and unanimously recommended approval.

Recommendation of Planning Commission: Following a public hearing on June 8, 2005, 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 designation of the Holliston Avenue Landmark District.

Councilmember Streater
returned at 8:30 p.m.

The Mayor opened the public hearing.

The City Clerk reported 6 copies of the notice of public hearing were posted on June 30, 2005; 20 copies of the notice were mailed on June 30, 2005; and 10 letters in support of and 1 letter in opposition to the landmark district were received.

The City Manager introduced the agenda item.

Ms. Mary Jo Winder, Senior Planner, summarized the agenda report and responded to questions.

The following persons spoke in support of the landmark district:

Mr. Bob Kneisel, Pasadena Neighborhood Coalition Chair

Ms. Laura Kaufman, Pasadena resident, submitted a letter of support.

Mr. David Thurman, Pasadena resident

The Mayor noted a card had been submitted for the record by Karen Jones, Pasadena resident, in support of the landmark district.

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

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

CONTINUED PUBLIC HEARING: DESIGNATION OF 636 NORTH HOLLISTON AVENUE AS A LANDMARK

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

(1) Find that the bungalow court, Holliston Court, at 636 N. Holliston Avenue does not meet the criteria for landmark designation in Section 17.62.040(B) of the Pasadena Municipal Code for the reasons identified in Attachment A of the agenda report, Application of Landmark Criteria; and

(2) Deny the application for designation of the property as a landmark.

Recommendation of Historic Preservation Commission:

On February 7, 2005, the Historic Preservation Commission voted unanimously to recommend to the City Council that it approve the designation of 636 N. Holliston Avenue as a landmark.

The Mayor opened the continued public hearing.

The City Clerk reported 28 copies of the notice of public hearing were posted on April 7, 2005; 108 copies of the notice were mailed on April 7, 2005; and 3 letters in support of and 17 letters in opposition to staff's recommendation to deny the landmark designation were received.

The City Manager summarized the agenda report.

The following persons spoke in support of staff's recommendation to deny the landmark designation:

Mr. Johnny Lu, representing the property owner of Holliston Court

Ms. Carrie Chasteen, T4 and Associates, LLP representative

The following persons spoke in opposition to staff's recommendation to deny the landmark designation:

Ms. Laura Kaufman, applicant, submitted her letter in support of the landmark designation and also submitted a letter of support from Bruce Bearfeld and Jill Levin.

Mr. David Thurman, Pasadena resident

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

Mr. Richard Bruckner, Director of Planning and Development Department, clarified the bungalow court's status under the designation as a contributor in a landmark district or with a designation as a landmark, and explained the protections that would be afforded the bungalow court as any proposed project is developed.

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

CONTINUED PUBLIC HEARING: RECOMMENDATION FOR AN AMENDMENT TO THE ZONING CODE TO PROHIBIT MEDICAL MARIJUANA DISPENSARIES

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

- (1) Find that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3);
- (2) Find that the proposed amendment as contained in the agenda report is consistent with the General Plan;
- (3) Approve the recommendation to amend the Zoning Code to define medical marijuana dispensaries and prohibit this use within the City of Pasadena; and
- (4) Direct the City Attorney to prepare an ordinance amending Title 17.

Recommendation of Planning Commission: The Commission voted to recommend that the City Council approve the amendment as recommended by staff and that the Pasadena Public Health Department monitor changes in State and Federal laws and policies regarding the use of medical marijuana and return at an appropriate time to evaluate the prohibition on medical marijuana dispensaries. The Planning Commission considered this amendment on January 26, 2005.

The Mayor opened the continued public hearing.

The City Clerk reported the notice of public hearing was published on March 7 and 11, 2005 in the Pasadena Star-News and on March 17, 2005 in the Pasadena Journal; and 4 pieces of correspondence were received in opposition to the staff's recommendation.

The City Manager introduced the agenda item, noted the background information in the report included staff's intention

to track any new developments regarding medical marijuana dispensaries and update the Planning Commission within one year, and responded to questions.

The City Attorney summarized the legal positions/opinions on the U.S. Supreme Court's ruling and State Attorney General's bulletin related to dispensaries, outlined the process for preparing an ordinance for Council's consideration, and responded to questions.

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

Dr. Takashi Wada, Health Officer, provided information on the State Medical Marijuana Identification Card Program.

Police Chief Bernard Melekian described some of the problems reported by cities that have marijuana dispensaries in operation.

No one appeared for public comment.

The Mayor noted a card had been submitted for the record by Tahra Goraya, Day One representative, in support of the staff's recommendation to prohibit dispensaries.

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

Discussion followed on the conflicts between the Federal law and the State law regarding medical marijuana, the preemption of State law by Federal law, and the need to codify the City's position regarding dispensaries.

The City Manager confirmed that an application for a dispensary had been received by the City and rejected by the Zoning Administrator, based on the Zoning Administrator's interpretation of the Zoning Code.

Councilmember Little suggested the City's legislative representatives be asked to devise a means to meet the needs of those persons requiring medical marijuana.

Following discussion, the City Attorney indicated the language for the definition of medical marijuana dispensaries, as stated in the agenda report, could be amended to exclude the writing of a prescription by a medical doctor, the legal findings would address Council's concerns regarding the Federal vs. State laws and aspects of the nuisance issues, and the ordinance could be presented to Council in 30 days.


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

PUBLIC COMMENT
(Continued)

Mr. Ronald Koehl, Pasadena property owner, addressed alleged complaints regarding his apartment rental property.

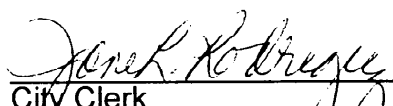
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:43 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk