

CITY OF PASADENA
City Council Minutes
September 25, 2006 – 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 6:40 p.m. The Pledge of Allegiance was led by Councilmember Little.

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATOR
pursuant to Government Code Section 54957.6
City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organization: Pasadena Police Officers
Association**

The Mayor announced the above closed session item was removed from the agenda at the request of the City Manager.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Madison
Councilmember Victor Gordo
Councilmember Steve Haderlein (Absent)
Councilmember Chris Holden (Arrived at 7:37 p.m.)
Councilmember Paul Little
Councilmember Joyce Streater (Absent)
Councilmember Sidney F. Tyler

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 Andrea Rawlings as Historic Preservation Commissioner, Heather Elayne Davis as Arts and Culture Commissioner, Dr. Leon Roisman as South Lake Parking Place Commissioner, and James Marlatt as Human Services Commissioner.

The Mayor presented a proclamation designating October 2006 as Community Planning Month. The proclamation was received by Mark Leon, Planning Commission Chair.

Mr. Leon introduced the following members of the Planning Commission who were present: Guadalupe Flores (Vice Chair) and Richard McDonald; commented on the value of the Commission's responsibilities in planning activities; and thanked past and present Commission members for their service and the City for this recognition.

The Mayor announced various activities to be held during the month of October (exhibit on history of planning in the City's Permit Center lobby, issuance of a planning report on development trends in the City, and a series of lectures on elements of planning).

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

Lucy Hino, League of Women Voters Pasadena Area representative, invited the community to a program to be held on October 4, 2006 at the Pasadena Central Library that will present information on the ballot propositions for the November 7, 2006 State General Election, and submitted a flier on the program.

Dawn O'Keeffe, Invest in Kids representative, announced that their organization is running a voter registration drive during the Back-to-School Nights to be held by all elementary, middle, and high schools in the Pasadena Unified School District (PUSD); commented on the recent musical event featuring Jessye Norman held at Blair High School as a result of the collaboration between Parsons, Target, Pasadena Pops Orchestra, PUSD, and the City; and thanked the Mayor and Councilmember Tyler for attending the event.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

AMENDMENT TO CHAPTER 5.72 OF THE PASADENA MUNICIPAL CODE, "VEHICLES FOR HIRE" RELATING TO SERVICES TO INDIVIDUALS WITH DISABILITIES

Recommendation of City Manager: Direct the City Attorney to draft an ordinance, within 90 days, amending Chapter 5.72 of the Pasadena Municipal Code, Vehicles for Hire, to prohibit taxi companies from refusing services to individuals with service animals; require taxi companies to arrange alternative service if unable to transport an individual in a wheelchair or with other mobility devices; require taxi companies to train drivers in transporting individuals with disabilities soon after hired and at least once per year thereafter; ensure the accuracy of taxi meters; require that taxi companies establish a citizen complaint procedure; and modify the penalty provision of the Municipal Code to enhance enforcement.

Recommendation of Accessibility and Disability Commission: The Accessibility and Disability Commission considered the recommended modifications to Chapter 5.72 of the Pasadena Municipal Code at its June 2006 meeting and, by consensus, indicated support of staff's recommendations. The Commission respectfully requests that the Commission be provided an opportunity to review the draft Ordinance before it is presented to the City Council for consideration.

The City Manager introduced the agenda item; noted staff was continuing to study additional issues involving taxicab regulations that might require additional changes in the ordinance, with a report to be presented to Council at some future date; and responded to questions.

Karyn Ezell, Director of Human Services and Recreation Department, summarized the agenda report and responded to questions.

Richard Kunz, Human Resources Manager, responded to questions regarding the customer complaint process and options to address problems with the current taxicab regulations.

Councilmember Gordo suggested inclusion of provisions in the ordinance that would give enforcement powers to the Police Department or Code Enforcement and would provide a mechanism for the City to receive monthly reporting of the customer complaints that are filed with the taxicab companies. He also expressed support for the establishment of taxi stands in Old Pasadena and enforcement of the prohibition of bandit taxicabs in the City, and proposed that surprise safety and meter inspections be conducted.

Councilmember Little suggested a City telephone number be posted in taxicabs to allow customers to report directly to the City on any problems that have occurred, and also suggested the City periodically monitor taxicabs for accuracy in taxicab charges/meters.

Councilmember Tyler expressed support for posting of a City telephone number that is visible to the customer to be used to register complaints directly to the City, and suggested the ordinance contain a nexus between complaints received regarding a taxicab company and the renewal process for that company's permit/license.

Discussion followed on enforcement measures, the City's role in the customer complaint process, and additional regulation issues that could be addressed in future changes to the Code.

The following persons spoke in support of the proposed Code amendments and expressed concerns regarding the need for additional taxicab operation regulations:

Terrie Allen, Accessibility and Disability Commission Chair, clarified that staff had deleted some of the Commission's recommendations from the above proposed recommendation.

Donna Pomerantz, Accessibility and Disability Commission Vice Chair, expressed concerns regarding: the need for a strong enforcement component in the ordinance, problems with any proposal that would allow a taxicab company to police itself, the need for a City telephone number for registering complaints, the need for the City to investigate complaints, and the need for a mechanism that mandates that drivers/independent operators will

transport persons who use service animals. She suggested the City's ordinance follow closely the ordinances of the cities of Los Angeles and Beverly Hills to aid compliance on the part of companies operating across various city boundaries, and urged the City to consider the formation of a citizens' complaint component in the process.

Mitch Pomerantz, Pasadena resident, stressed the need for City oversight of compliance with and violations of the ordinance, the need for the City to investigate complaints, the need to stipulate what conditions will allow a driver to refuse to transport a customer with a service animal, and the need to hold drivers responsible for their actions or lack of action.

Jim Kipper, Tri City Transportation General Manager, suggested changes to the regulations also include safety issues, requirements for trip sheets, and establishment of taxicab stands; expressed concerns regarding the operation of bandit taxicab companies and the possible need for a task force to study creating more uniformity between the taxicab regulations being used by neighboring cities; and offered his services in further study of outstanding issues.

It was moved by Councilmember Gordo, seconded by Councilmember Little, to approve the City Manager's recommendation, with the Accessibility and Disability Commission to review the proposed ordinance prior to Council taking further action on the matter and incorporating the above speakers' comments for the Commission's consideration. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden, Streater)

It was noted that staff will be responding to issues raised by the taxicab companies.

INFORMATION ITEM

ORAL UPDATE FROM SISTER CITIES COMMITTEE

The Mayor introduced the agenda item and distributed a handout titled "Guidelines for Proposing Pasadena Sister City Affiliations (effective January 1, 1997)". The Mayor explained the difference between a formal sister city relationship and a friendship city relationship, and thanked the Sister Cities Committee members for their work performed on behalf of the City.

Jane Hallinger, Sister Cities Committee President, provided an update on the Sister Cities program, cities currently participating in the program, and various Committee activities; discussed the sister city selection process; submitted information materials titled "Pasadena Sister Cities" and "Review of the Year, China Subcommittee: July 05-July 06";

and responded to questions regarding the search and selection process and outreach efforts to establish additional sister cities.

Vice Mayor Madison encouraged the Committee to establish a sister city relationship in Mexico.

Councilmember Holden arrived at 7:37 p.m.

Councilmember Little encouraged outreach to additional Spanish-speaking countries.

On order of the Mayor, the information was received and the materials filed.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**LEGISLATIVE POLICY
COMMITTEE**

Councilmember Little recused himself at 7:41 p.m., due to a conflict of interest.

SUPPORT PROPOSITION 86 – THE TOBACCO TAX ACT OF 2006

Recommendation of City Manager: It is recommended that the City Council support Proposition 86, the Tobacco Tax Act of 2006.

The Mayor, Chair of the Legislative Policy Committee, introduced the agenda item.

Dr. Takashi Wada, Health Officer, reviewed the agenda report and responded to questions.

The following person spoke in support of Proposition 86:

Janice Chow, American Cancer Society representative

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

CONSENT CALENDAR

AUTHORIZE A PURCHASE ORDER WITH PASADENA FORD FOR THE PURCHASE OF TEN NEW REPLACEMENT AND FOUR NEW ADDITIONAL POLICE VEHICLES FOR A TOTAL OF \$338,597

Recommendation of City Manager:

(1) Authorize the issuance of a purchase order to Pasadena Ford in an amount not to exceed \$338,597 for the purchase of ten replacement and four new police vehicles; and

(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.

AUTHORIZE A PURCHASE ORDER WITH HUNTINGTON BEACH HONDA FOR PURCHASE OF FIVE NEW REPLACEMENT POLICE MOTORCYCLES FOR A TOTAL OF \$99,097.45

Recommendation of City Manager:

(1) Authorize the issuance of a purchase order to Huntington

Beach Honda in an amount not to exceed \$99,097.45 for the purchase of five police motorcycles; and
(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.

AUTHORIZATION OF THE SUBMITTAL OF GRANT APPLICATIONS AND ADOPTION OF RESOLUTIONS FOR THE HABITAT CONSERVATION FUND, THE RECREATIONAL TRAILS PROGRAM, AND THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAM

Recommendation of City Manager:

(1) Approve the City of Pasadena's application and resolution to the State of California Resources Agency, Department of Parks and Recreation, for the Habitat Conservation Fund Program in the amount of \$196,750 to implement the Westside Trails project in Hahamongna Watershed Park [Capital Improvement Program (CIP) Project No. 77507]; (Resolution No. 8651)

(2) Approve the City of Pasadena's application and resolution to the State of California Resources Agency, Department of Parks and Recreation, for the Recreational Trails Program in the amount of \$575,600 to implement the Lower Arroyo Trail and Trail Wall Restoration project (CIP Project Nos. 77507 and 77509); and (Resolution No. 8652)

(3) Approve the City of Pasadena's application and resolution to the State of California Resources Agency, Bonds and Grants Unit, for the California River Parkways Program in the amount of \$1,478,000 to implement the Berkshire Creek Improvements project in Hahamongna Watershed Park (CIP Project Nos. 77508 and 77509). (Resolution No. 8653)

Recommendation of Recreation and Parks Commission: At their special meeting on September 12, 2006, the Recreation and Parks Commission recommended to the City Council support of the City of Pasadena's application to the State of California Resources Agency, Department of Parks and Recreation, for the Habitat Conservation Fund Program in the amount of \$196,750 to implement the Westside Trails project in Hahamongna Watershed Park, the Recreational Trails Program in the amount of \$575,600 to implement the Lower Arroyo Trail and Trail Wall Restoration project, and the California Rivers Parkways Program in the amount of \$1,478,000 to implement the Berkshire Creek Improvements project in Hahamongna Watershed Park.

LICENSE AGREEMENT WITH THE SUSAN G. KOMEN BREAST CANCER FOUNDATION LOS ANGELES COUNTY AFFILIATE (KOMENLAC) TO CONDUCT THE RACE FOR THE CURE

Recommendation of City Manager:

(1) Acknowledge that the proposed Race for the Cure License

Agreement and lifting of the Noise Ordinance are categorically exempt under California Environmental Quality Act (CEQA) Guidelines, Section 15323, normal operations for public gatherings;

(2) Approve an ordinance to suspend the Noise Ordinance by permitting amplified sound on a Sunday beginning at 8:30 a.m. and Notice of Exemption and hold the first reading of same on Monday, September 25, 2006, with respect to the Race for the Cure to be held at Area H and on the public right-of-way on Sunday, February 25, 2007;

(3) Authorize the City Manager to enter into a license agreement according to the business points set forth in the body of the agenda report with KOMENLAC; and

(4) Direct the City Clerk to file the Notice of Exemption with the Los Angeles County Registrar-Recorder/County Clerk. (Agreement No. 19,204)

AUTHORIZATION TO INCREASE THE AMOUNT OF CONTRACT NO. 18,782 WITH PCR SERVICES CORPORATION TO PROVIDE ADDITIONAL ENVIRONMENTAL SERVICES FOR FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) FOR THE FULLER THEOLOGICAL SEMINARY MASTER DEVELOPMENT PLAN

Recommendation of City Manager: Authorize the City Manager to amend Contract No. 18,782 with PCR Services Corporation to provide additional consultant services for the preparation of the FEIR for the Fuller Theological Seminary Master Development Plan in the amount of \$20,000. The new total contract amount will be \$145,000. (Contract Amendment No. 18,782-1)

MINUTES APPROVED

September 11, 2006

CLAIMS RECEIVED AND FILED

Claim No. 10,191	Eva Mendez	\$ Not Stated
Claim No. 10,192	Martha Soria	7,500.00
Claim No. 10,193	Ramsy Khoury	2,353.77
Claim No. 10,194	Lavonne M. Martin	190.82
Claim No. 10,195	Matthew Rayburn	75.76

It was moved by Vice Mayor Madison, seconded by Councilmember Tyler, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Little, Streator)

PUBLIC HEARING

Councilmember Gordo recused himself at 7:51 p.m., due to a conflict of interest, and Councilmember Little returned.

CONTINUED PUBLIC HEARING: ZONING CODE AMENDMENT TO CREATE THE WORKFORCE HOUSING OVERLAY

Recommendation of City Manager: It is recommended that the City Council, following a public hearing, approve an amendment to Title 17 (Zoning Code) to create the Workforce Housing Overlay District.

The Mayor announced now was the time for the continued public hearing.

The City Clerk confirmed the notice of public hearing was published on July 24, 2006 in the Pasadena Star-News and on July 27 and August 3, 2006 in the Pasadena Journal; and three letters in opposition and/or expressing concerns regarding the Zoning Code amendment were received.

Scott Reimers, Associate Planner, summarized the agenda report and responded to questions.

Richard Bruckner, Director of Planning and Development Department, clarified the density provisions allowed in the overlay district as this relates to the Zoning Code provisions and provisions under State law, and responded to questions.

The City Manager provided a brief history of the proposed overlay district and responded to questions.

Discussion followed on the need to preserve the character and scale of single-family residential areas that abut or include denser projects, and possible impacts of applying RM-32 development standards that would allow three-story units in the overlay district.

The following persons expressed concerns regarding some provisions in the proposed Zoning Code amendment and asked for changes to the proposed amendment:

Eric Winter, South Pasadena resident, referred to a letter from Liebold McClendon & Mann that had been presented to Council, and expressed concerns and asked for specific changes to the proposed Code amendment.

Michelle White, Affordable Housing Services representative, submitted a letter expressing concerns and asking for specific changes.

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

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

**ORDINANCES – FIRST
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE ZONING CODE (TITLE 17) TO CREATE THE WORKFORCE/AFFORDABLE HOUSING OVERLAY DISTRICT”

The City Attorney noted the following correction to Page 3 of the proposed ordinance, Section 2, Paragraph F, Subparagraph 2, second sentence should be revised to read: “If the Workforce/Affordable Unit also received a discounted residential impact fee pursuant to Chapter 4.17, the Workforce/Affordable Unit cannot be sold to an above Workforce Level Income, ~~Very Low, Low, or Moderate Income~~ purchaser until the expiration of the covenant required by Chapter 4.17.” The City Attorney also noted that the ordinance states that recovered funds will be deposited into the Inclusionary Housing Trust Fund.

Following discussion, the above ordinance, as revised above, was offered for first reading by Councilmember Little:

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

NOES: None

ABSENT: Councilmember Gordo, Haderlein, Streator

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY TITLE 17, CHAPTER 20, SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE TO IMPLEMENT THE WORKFORCE/AFFORDABLE HOUSING OVERLAY DISTRICT”

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

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

NOES: None

ABSENT: Councilmember Gordo, Haderlein, Streator

PUBLIC HEARINGS

PUBLIC HEARING: PROPOSED IMPROVEMENT TO THE EXISTING LA LOMA ROAD BRIDGE OVER THE ARROYO SECO TO MEET CURRENT SEISMIC CODES AND STANDARDS

Recommendation of Assistant City Manager: It is recommended that the City Council, following a public hearing:
(1) Adopt a resolution certifying the Final Environmental Impact Report (Attachment A of the agenda report) and the mitigation measures contained therein;
(2) Adopt the Findings of Fact and Statement of Overriding Considerations;
(3) Approve the De Minimis Impact Findings on the State Fish and Wildlife Habitat;

(4) Direct the City Clerk to file a Notice of Determination with the Los Angeles County Recorder;

(5) Authorize the Assistant City Manager to execute an amendment to Contract No. 18,252 with Jones & Stokes Associates, Inc. (formerly known as Myra L. Frank & Associates, Inc.), for the preparation of the environmental documents and regulatory permit support services increasing the total contract "not to exceed" amount by \$17,200 from \$240,000 to \$257,200;

(6) Authorize the Assistant City Manager to enter into a contract with HDR Engineering, Inc., for Phase II of the project design element of the Lo Loma Road Bridge Project over the Arroyo Seco, in an amount not to exceed \$560,000. Competitive bidding is not required pursuant to City Charter Section 1002(F), professional or unique services; and

(7) Approve the formation of a Design Advisory Committee to consult and advise staff during the bridge design and construction process. (Resolution No. 8654; Contract Amendment No. 18,252-1; Contract No. 19,205)

Recommendation of Design Commission: On Monday, June 12, 2006, the Design Commission was presented a report by staff and consultants on the La Loma Bridge Final Environmental Impact Report/Environmental Assessment (FEIR/EA), and approved staff recommendations to:

(1) Concur with the findings of the Environmental Impact Report that the Retrofit and Rehabilitation Alternative is the environmentally superior alternative.

(2) Concur with staff recommendation that the Retrofit and Rehabilitation Alternative is the City's preferred alternative.

(3) Concur with staff recommendation that a Design Advisory Committee be formed to consult and advise staff during the bridge design and construction process.

Recommendation of Historic Preservation Commission: On Monday, June 19, 2006, the Historic Preservation Commission reviewed and supported staff recommendations listed in the agenda report.

The City Manager recused herself at 8:16 p.m., due to a conflict of interest, and Councilmember Gordo returned.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on September 11, 2006 in the Pasadena Star-News; and no correspondence was received.

Martin Pastucha, Director of Public Works Department, introduced the agenda item and PowerPoint presentation that was provided by staff and a project consultant.

Lee Lisecki, Jones & Stokes Associates Project Manager (consultant), provided an overview of the environmental process and documents, community involvement in the process, and the three Bridge alternatives.

Steve Wright, Assistant City Engineer, outlined the project costs, funding sources for the alternatives, and the project schedule; and responded to questions.

Sherif Morcos, HDR Engineering, Inc. representative (consultant), responded to questions regarding the Retrofit and Rehabilitation Alternative.

Discussion followed on the retrofit/rehabilitation process for the project and project funding,

The following person spoke in support of the proposed project:

Susan Mossman, Pasadena Heritage representative

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

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

PUBLIC HEARING: HILLSIDE DISTRICT OVERLAY: GUIDELINES AND AMENDMENTS

Recommendation of City Manager:

- (1) Adopt the Initial Study and Negative Declaration (Attachment C of the agenda report) for the proposed Zoning Code Amendments;
- (2) Acknowledge the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment D of the agenda report); and
- (3) Approve the proposed Neighborhood Compatibility Guidelines and Minor Amendments and Clarifications (Attachment A of the agenda report) for the Hillside District Overlay of the Zoning Code.

Recommendation of Planning Commission: On July 12, 2006, the Planning Commission recommended approval of the amendments in Attachment A of the agenda report and guidelines to modify the neighborhood as defined by the Neighborhood Compatibility Guidelines. The Planning Commission did not recommend approval of guidelines to exceed the Neighborhood Compatibility maximum size, but asked that staff return in six months with an update.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on September 11, 2006 in the Pasadena Star-News; and one letter in support but expressing some concerns was received.

The City Manager introduced the agenda item and responded to questions.

David Sinclair, Associate Planner, reviewed the agenda report and responded to questions.

The following persons spoke in support of and suggested specific changes in the guidelines and amendments:

Nina Chomsky, Linda Vista-Annandale Association (LVAA) Board member, suggested the following changes as presented in LVAA's correspondence dated September 25, 2006:

- Page 2 of the agenda report, section titled Guidelines for Modifying the "Neighborhood": revise the first sentence of the second paragraph to read: "The Neighborhood Compatibility guideline permits the neighborhood area to be enlarged if neighborhood conditions warrant, but there have been cases where the 500-foot radius includes properties in other cities, in other zoning districts, or even where there is a significant manmade (i.e. freeway) or natural feature (canyon, ridge, etc.), which, to the extent determinable by staff, is not the result of grading or other manmade alteration of the natural terrain, that isolates or separates the project property from properties within 500 linear feet."
- Suggested using a starting date of June 18, 1980 for checking hillside records for those features that are natural and those features that are manmade.

Blaine Cavena, West Pasadena Residents Association (WPRA) Treasurer suggested:

- Page 3 of the agenda report, section titled Guidelines for Exceeding Neighborhood Compatibility Floor Area: delete guidelines B and C and renumber guideline A as guideline 3, with all three of the guidelines to be required for conformance to read:
 1. Compliance with View Protection provision (17.29.060(E)) of the Hillside District Ordinance; and
 2. Compliance with Ridgeline Protection provision (17.29.050(C)) of the Hillside District Ordinance; and
 3. Proposed FAR (not including garage) is consistent with the average FAR (not including garage) in the neighborhood.

LVAA and WPRA supported the Planning Commission's recommendation for an operational review in six months.

Richard Bruckner, Director of Planning and Development Department, confirmed that staff could support the suggestions offered by the LVAA and WPRA and incorporate these revisions into the staff recommendation, and responded to questions regarding the proposed guidelines.

Brief discussion followed on the consistency and flexibility of the Neighborhood Compatibility Floor Area guidelines/criteria.

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

It was moved by Vice Mayor Madison, seconded by Councilmember Tyler, to approve the City Manager's recommendation, including the suggestions proposed above by the LVAA and WPRA, with a six-month review of the guidelines and amendments by the Planning Commission. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Streater)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**PUBLIC SAFETY
COMMITTEE**

**APPROVAL OF THE CITY OF PASADENA'S
STANDARDIZED EMERGENCY MANAGEMENT SYSTEM
(SEMS)/NATIONAL INCIDENT MANAGEMENT SYSTEM
(NIMS) EMERGENCY RESPONSE PLAN**

Recommendation of City Manager: It is recommended that City Council approve the City of Pasadena's SEMS/NIMS Emergency Response Plan.

**AREA C AGREEMENT FOR AUTOMATIC EXCHANGE OF
FIRE SERVICES**

Recommendation of City Manager: Authorize the City Manager to approve and sign an Agreement for Automatic Exchange of Fire Services with Area C cities, which include: Alhambra, Arcadia, Burbank, Glendale, Monrovia, Monterey Park, Pasadena, San Gabriel, San Marino, Sierra Madre, and South Pasadena. (Agreement No. 19,206)

The above two agenda items were discussed concurrently.

Councilmember Gordo, Chair of the Public Safety Committee, introduced the agenda items.

Fire Chief Dennis Downs summarized the agenda reports, discussed the role of the Disaster Council that had been previously approved by Council, and responded to questions regarding the SEMS/NIMS Emergency Response Plan.

Lisa Derderian, Emergency Management Coordinator, highlighted information contained in the SEMS/NIMS Emergency Response Plan (Basic Plan and Emergency Organization Functions), and responded to questions regarding the Plan.

The City Manager responded to questions regarding the Systems and Plan and standardization of the City's response to a disaster; and invited Council to attend one of the Emergency Operation Center (EOC) exercises/drills, if individual Councilmembers or the Mayor would want to see the EOC in operation.

Calvin Wells, Operations Chief, explained the communications system to be implemented during a disaster.

Chris Vicino, Deputy Police Chief, discussed the Police Department's role and planning for using enforcement in conjunction with uncooperative person(s) during an emergency.

Discussion followed on planning for major disasters, applying the SEMS/NIMS Emergency Response Plan to regional disasters, implementing the Emergency Response Plan, conducting tests/drills of the Plan, the City's ability to be self-sustaining in a disaster, preparations and assistance for schools and vulnerable populations in the event of a disaster, notification and communications planning and operations for a disaster, and the need to collaborate in training school personnel and residents in emergency preparedness and response.

Councilmember Little commented on Council's role in facilitating staff's access to the public by communicating the need and opportunity for training citizens on how to prepare and what to do in an emergency, and complimented staff for the work in preparing the various materials and systems.

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

INFORMATION ITEM

ORAL REPORT REGARDING CITY COUNCIL'S ROLE DURING AN EMERGENCY

Fire Chief Dennis Downs provided an overview of the emergency response structure as presented in a handout titled "Incident Command System (ICS), Standardized Emergency Management System (SEMS), and National Incident Management System (NIMS)", which was distributed by staff; and responded to questions.

Lisa Derderian, Emergency Management Coordinator, noted that Huntington Memorial Hospital should be added to the EOC Liaisons list on Page 3 of the handout, and responded to questions.

Chief Downs and Ann Erdman, Public Information Officer, provided an overview of the Council's role during a disaster.

The Mayor affirmed the City's work in taking steps to prepare the City for an emergency and serve the public in times of disaster.

On order of the Mayor, the information was received.

OLD BUSINESS

RECOMMENDED AMENDMENTS TO SECTION 4.17.060 OF THE PASADENA MUNICIPAL CODE AND RELATED DOCUMENTS TO MAKE NECESSARY CHANGES TO THE LIST OF PARK AND OPEN SPACE AREAS TO WHICH RESIDENTIAL IMPACT FEES MAY BE EXPENDED

Recommendation of City Manager:

(1) Direct the City Attorney to prepare an ordinance, within 60 days, that will amend Chapter 4.17.060 of the Pasadena Municipal Code, maps associated with those sections and any related sections, to add one of the City's parks, amend the name of its newest park, correct a drawing number, and modify some of the maps referenced; and

(2) Acknowledge that the recommended changes to Title 4 of the Municipal Code are exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15378.

The Mayor introduced the agenda item.

The City Manager noted the Mediterranean Gardens had been included in the list of park and open space areas, as requested by Vice Mayor Madison at the Council meeting of September 18, 2005.

Following brief discussion, it was moved by Vice Mayor Madison, seconded by Councilmember Little, to approve the City Manager's recommendation, as amended to add the Mediterranean Gardens to the list of park and open space areas. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Streater)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FINANCE COMMITTEE

CITY HALL SEISMIC RETROFIT PROJECT - APPROVAL OF CONTINGENCY ADJUSTMENTS AND CHANGE ORDER NO. 7 TO THE GENERAL CONTRACTOR

Recommendation of City Manager:

(1) Approve the allocation of \$505,547 for Project Contingency for unforeseen conditions and activities, as identified in Attachment No. 1 of the agenda report, that were discovered during the retrofit of City Hall, thereby reducing the amount of Project Contingency from \$7,027,949 to \$6,522,402; and

(2) Authorize the City Manager to execute Change Order No. 7 to Contract No. 18,768-1 with Clark Construction Group - California, LP (Clark Construction) for increases in scope of work due to unforeseen conditions discovered during the retrofit of City Hall, as identified in Attachment No. 1 of the agenda report, thereby increasing the contract amount by \$505,547 from \$80,414,963 to \$80,920,510.

Recommendation of City Hall Restoration Oversight Committee: On September 13, 2006, the City Hall Restoration

Councilmember Gordo was excused at 10:32 p.m.

Oversight Committee reviewed the above topics of contingency adjustments, General Contractor Change Order No. 7, and recommended the following:

The Committee concurred that these changes are reasonable and consistent with ongoing construction activities of similar projects. The Committee recommended that the City Council authorize the allocation of \$505,547 from Project Contingency and increase Contract No. 18,768-1 with Clark Construction by \$505,547.

Councilmember Little, Chair of the Finance Committee, reviewed the agenda report; noted that it is anticipated that the targets for local hiring, contracting, and procurement will be met by the end of November 2006; and complimented staff and the City Hall Restoration Oversight Committee for their work on the project.

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

LEGISLATIVE POLICY COMMITTEE

SUPPORT FOR PROPOSITIONS 1A; 1B; 1C; AND OPPOSE PROPOSITION 90 FOR THE NOVEMBER 2006 ELECTION

Recommendation of City Manager: Support Propositions 1A; 1B; 1C; and oppose Proposition 90 in the upcoming November 7, 2006 State General Election.

SUPPORT FOR PROPOSITION 83 (JESSICA'S LAW): PUNISHMENT, RESIDENCE RESTRICTIONS, AND MONITORING FOR SEX OFFENDERS AND SEXUALLY VIOLENT PREDATORS

Recommendation of City Manager: It is recommended that the City Council support Proposition 83. This proposition addresses punishment, residence restrictions, and the monitoring of sex offenders and sexually violent predators.

SUPPORT FOR: PROPOSITION 84 - "SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006"

Recommendation of City Manager: It is recommended that the City Council support Proposition 84 - "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006."

The above three agenda items were discussed concurrently.

The Mayor, Chair of the Legislative Policy Committee, summarized the agenda reports.

Julie Gutierrez, Assistant City Manager, noted that the City's positions were aligned with the positions of the California League of Cities.

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

Councilmember Little suggested Council discuss the use of eminent domain at some time in the future.

The City Manager suggested Council's discussion of the eminent domain issue be held when there is a clearer picture of the State's legislative actions, and noted this matter will return at some time in the future through the Legislative Policy Committee.

The Mayor expressed interest in the telecom legislation that may be signed by the Governor in the near future and its impacts on the City regarding protection of the City's revenues, control of when private companies will dig up streets, the build out requirement, and net neutrality.

The City Manager indicated that staff will report to Council on the legislation's impacts on the City, the City's franchise with Charter Communications, the City's discussions with Champion regarding the Altrio Communications franchise, and related issues, when the legislation is signed.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

APPOINTMENT OF JAMES IPEKJIAN TO THE HISTORIC PRESERVATION COMMISSION (Design Commission Nomination)

APPOINTMENT OF PAUL SAWYER TO THE PASADENA COMMUNITY ACCESS CORPORATION (District 2 Nomination)

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 10:41 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 10:43 p.m. (Absent: Councilmembers Gordo, Haderlein, Streater)

**ORDINANCE – FIRST
READING**

Conduct first reading of “AN 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 ON A SUNDAY FROM 8:30 A.M. – 10:00 A.M. AND NOISE SOURCES FOR A PERMITTED EVENT TO BE HELD AT AREA H ON SUNDAY, FEBRUARY 25, 2007 (THE RACE FOR THE CURE)”

The above ordinance was offered for first reading by Vice Mayor Madison:

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

NOES: None

ABSENT: Councilmember Gordo, Haderlein, Streator

ANNOUNCEMENT

The Mayor announced the joint meeting of the City Council and the Pasadena Unified School District Board of Education to be held on October 3, 2006.

Councilmember Holden acknowledged the caliber of the City's executive committee team and the superior work being performed by department staff.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:45 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk