

CITY OF PASADENA  
City Council Minutes  
October 9, 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 5:45 p.m.  
(Absent: Councilmember Gordo, Vice Mayor Madison)

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

Councilmember Gordo  
arrived at 5:48 p.m.

**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**

Vice Mayor Madison arrived  
at 6:17 p.m.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL  
REGARDING PENDING LITIGATION pursuant to  
Government Code Section 54956.9(a)  
Name of Case: Hakopyan v. City of Pasadena  
Case Number: U.S. District Court, CV 06 6202**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL  
REGARDING PENDING LITIGATION pursuant to  
Government Code Section 54956.9(a)  
Name of Case: 3570 East Foothill Boulevard, et al. v. City  
of Pasadena, et al.  
Case No.: Los Angeles Superior Court No. GC032788;  
Court of Appeal Case No. B181774**

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 6:36 p.m. The Pledge of Allegiance was led by Laksh Mital, Boy Scout Troop 27.

**ROLL CALL:**

Councilmembers:

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

Staff:

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

### **CEREMONIAL MATTERS**

The Mayor presented a commendation for Latino Heritage, which was received by Roberta Martinez, Latino Heritage Association representative.

Ms. Martinez invited the community to the "Harvesting Our Roots" parade and activities to be held on October 14, 2006, and thanked the City and volunteers for their assistance in putting on these activities.

The Mayor presented a proclamation designating October 2006 as National Arts and Humanities Month, which was received by Bettye Holliday, Arts and Culture Commission Chair.

Ms. Holliday highlighted some of the events scheduled in celebration of National Arts and Humanities Month.

The Mayor presented a proclamation designating October 12, 2006 as Lights On Afterschool Day, which was received by Hilary Crahan, Partnership for Children, Youth and Families Chair.

Ms. Crahan announced an event to be held on October 12, 2006 at the Kidspace Children's Museum, which will celebrate after-school programs and honor Sue Miele for her volunteer commitments involving children, youth and families; and submitted an information pamphlet titled "Lights On Afterschool ! 2006".

Councilmember Holden presented a Certificate of Appreciation to Brandi Armstrong Morrow as a recipient of the Junior Business Woman of the Year award. He also recognized Shirley Smith for her commitment in promoting families and youth and her role in foster parenting.

Ms. Morrow thanked the City for this recognition and expressed her goal to become a better artist and change the community.

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

The following persons expressed concerns regarding various issues involving the operation of the City's public and school tennis courts and/or alleged privatization of the City's public courts:

Henry Shaw, Pasadena resident and Brookside public tennis players representative, submitted information materials on his concerns about the City's contract with iTennis and the City's intentions regarding the refurbishment of the John Muir High School tennis courts.  
Sarah Wiggins, Pasadena resident

The City Manager described the selection process for the City's tennis program, which resulted in a contract being awarded to iTennis; discussed the City's intention to expand tennis facilities that are available to the public, as the school courts are refurbished; and confirmed that public courts may be used for private lessons, if the court usage rules are followed. She indicated staff will provide a written response to Mr. Shaw on questions raised in the materials he had submitted.

In response to Council's questions, the City Manager indicated staff would examine the possibility of scheduling more iTennis lessons at John Muir High School in order to free up more public courts at Brookside Park; and staff would be installing signage related to court usage rules for the public courts, with Park Rangers to enforce the rules, as necessary.

Councilmember Streator reminded Council and staff of scheduling conflicts that could occur with tennis court usage at John Muir High School when school is in session.

Councilmember Gordo expressed concerns regarding the availability of public courts for public usage and the need for court usage criteria.

Councilmember Holden suggested an information item be scheduled for a future Council meeting that would address the issues of tennis court availability for the public and public courts being used for paid private lessons.

Councilmember Streator suggested the report to Council also include information on the City's recreation (tennis) programs and what the court usage rules are, especially as this pertains to an individual's access to time on a court.

Councilmember Haderlein asked that an update on the status of the Pasadena High School tennis courts also be included in the information item.

The City Manager indicated information on the status of all potential joint uses of courts would be included in the report.

Morty Mittenthal, Pasadena resident, expressed concerns regarding future commercial building purchases in Old Pasadena by the Church of Scientology and possible code violations involving the Church's solicitation activities related to a building they currently occupy in Old Pasadena.

Vice Mayor Madison noted that he had discussed the solicitation issue with the Church of Scientology and that the City is aware of the issues raised by Mr. Mittenthal.

Inez Yslas, Pasadena Latino Forum representative, thanked the City for the ongoing dialogue between leaders and residents regarding the assaults that have occurred in the past year, which dialogue is spearheaded by the City and is focusing on making the City a safer and better community to live in.

Maritza Gomez, Pasadena business owner, described problems with a Code Enforcement supervisor regarding citations issued in conjunction with the opening and operation of her restaurant, submitted copies of the citations, alleged harassment on the part of Code Enforcement, and asked for Council's assistance with solving the problems caused by the citations.

The City Manager indicated staff will follow up with Ms. Gomez regarding the citations.

### **COUNCIL COMMENTS**

Councilmember Gordo thanked the volunteers and City staff (Kathy Woods, Stacy Houser, Nyles Gregory, Todd Holmes, and Antonio Sorcini) who worked on the renovation and participated in the Grand Re-Opening celebration of Washington Park held on September 30, 2006.

### **CONSENT CALENDAR**

#### **APPROVAL OF FINAL TRACT MAP NO. 062266 FOR THE CREATION OF A 31-UNIT CONDOMINIUM PROJECT AT 700 EAST UNION STREET**

**Recommendation of City Manager:** Adopt a resolution to:

- (1) Approve Final Tract Map No. 062266;
- (2) Accept the offer of easement dedications for street purposes as shown on said map; and
- (3) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8655)

#### **CONTRACT AWARD TO AMERICAN ASPHALT SOUTH, INC., FOR THE SLURRY SEAL OF STREETS - 2006 FOR AN AMOUNT NOT TO EXCEED \$390,000**

**Recommendation of City Manager:**

- (1) Accept the bid dated September 20, 2006, submitted by American Asphalt South, Inc., in response to the Specifications for the Slurry Seal of Streets - 2006, reject all other bids received, and authorize the City Manager to enter into a contract not to exceed \$390,000; and
- (2) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (repair of existing public streets) pursuant to the findings of the Secretary of the Resources Agency and authorize the City Manager to execute, and the City Clerk to file, a Notice of Exemption for the project with the Los Angeles County Clerk. (Contract No. 19,215)

**AUTHORIZE THE PURCHASE OF TWO REPLACEMENT BACKHOE LOADERS IN AN AMOUNT NOT TO EXCEED \$171,772.98**

**Recommendation of City Manager:**

(1) Authorize the issuance of a purchase order to Coastline Equipment Company in an amount not to exceed \$171,772.98 for the purchase of two replacement John Deere 410G Backhoe Loaders; 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.

**APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE INTERNATIONAL UNION OF OPERATING ENGINEERS FOR THE TERM MARCH 25, 2006 THROUGH MARCH 27, 2009**

**Recommendation of City Manager:** Approve a successor Memorandum of Understanding between the City of Pasadena and the International Union of Operating Engineers, Local 501 (IUOE) for a three-year term covering the period March 25, 2006 through March 27, 2009; and approve a journal voucher allocating funds from the unappropriated Light and Power Fund balance, as may be necessary. (Contract No. 19,216; Journal Voucher No. 2007-7)

Item removed from agenda at the request of the City Manager.

**AMENDMENTS TO "RULES AND REGULATIONS" FOR TRANSPORTATION ADVISORY COMMISSION**

**2006 LOCAL AGENCY BIENNIAL NOTICE OF AMENDMENT OF PASADENA CONFLICT OF INTEREST CODE**

**Recommendation of City Attorney:** This notice is required by law for informational purposes only.

**MINUTES APPROVED**

September 18, 2006

**CLAIMS RECEIVED AND FILED**

Claim No. 10,196	Rosina F. Brookman	\$ 725.00
Claim No. 10,197	Lilia Anonuevo	285.31
Claim No. 10,198	Cornell Greathouse	Not Stated
Claim No. 10,199	Raul DeLatorre	Not Stated
Claim No. 10,200	Rafael Jonathan Miza	30.00
Claim No. 10,201	Rafael Simental Banuelos	Not Stated
Claim No. 10,202	Felipe Ortega	156.00
Claim No. 10,203	Vittoni Albert Cantrell	7,000.00
Claim No. 10,204	Frank Schiff, M.D.	856.00

**PUBLIC HEARINGS SET**

October 16, 2006, 7:30 p.m. - Proposed Extension of Moratorium Prohibiting the Issuance of Expressive Use Permits for Adult Businesses - Public Hearing will not be set at the request of the City Attorney.

October 23, 2006, 7:30 p.m. - Public Comment on the Draft Consolidated Annual Performance and Evaluation Report (CAPER) July 1, 2005 - June 30, 2006 for Community Development Block Grant (CDBG); Emergency Shelter Grant (ESG); Home Investment Partnership Act; Human Services Endowment Fund (HSEF); other Federal Grant Programs; Approval of the Needs Assessments/Program Priorities for the Non-Public Service Projects under the CDBG Program for the 2007-2008 Program Year; and Approval of Modifications to the CDBG/ESG/HSEF Grants Allocation Process

November 6, 2006, 7:30 p.m. - William Carey International University Master Development Plan

November 6, 2006, 7:30 p.m. - Monte Vista Grove Homes Master Development Plan

The Mayor announced that Item 3.A.5. (Amendments to "Rules and Regulations" for Transportation Advisory Commission) was removed from the agenda at the request of the City Manager to allow staff to look at the ordinance under which the Commission was formed and to coordinate the changes in the rules with the ordinance.

The City Attorney announced that Item 3.C.3. (Public Hearing – October 16, 2006 - Proposed Extension of Moratorium Prohibiting the Issuance of Expressive Use Permits for Adult Businesses) will not be scheduled as it has been determined that an extension of the Moratorium is not necessary, since the work called for in the Moratorium (a study of the City's operational and location standards for adult businesses) is well under way and is expected to be completed soon.

It was moved by Councilmember Streater, seconded by Vice Mayor Madison, to approve the Consent Calendar, with the exceptions of Item 3.A.5. (Amendments to "Rules and Regulations" for Transportation Advisory Commission), which was removed from the agenda at the request of the City Manager, and Item 3.C.3. (Public Hearing – October 16, 2006), which will not be set at the request of the City Attorney. (Motion unanimously carried) (Absent: None)

#### RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:16 p.m. to the special meeting of the 457 Deferred Compensation Plan Trustees.

#### RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 7:33 p.m. (Absent: Vice Mayor Madison)

#### PUBLIC HEARING

**PUBLIC HEARING: INCORPORATING FEDERAL STANDARDS FOR NET METERING, SMART METERING, AND INTERCONNECTION STANDARDS IN PASADENA**

## **MUNICIPAL CODE CHAPTER 13.04**

**Recommendation of City Manager:** It is recommended that the City Council continue the public hearing to May 14, 2007.

It was moved by Councilmember Tyler, seconded by Councilmember Streator, to continue the public hearing to May 14, 2007 at 7:30 p.m. (Motion unanimously carried) (Absent: Vice Mayor Madison)

### **INFORMATION ITEMS**

Vice Mayor Madison returned at 7:34 p.m.

### **ORAL UPDATE ON BIRD FLU**

The City Manager introduced the agenda item.

Dr. Takashi Wada, Health Officer, provided an overview of the City's planning and funding for pandemic influenza preparedness and bioterrorism emergency preparedness, and responded to questions.

Ed Anderson, Bioterrorism and Emergency Preparedness Coordinator, reported on various plans that had been developed in order to stockpile/warehouse and distribute/dispense medications and on a bio-surveillance plan that is being developed; described a tabletop exercise that had been conducted with various City departments and other training that had been received by Public Health staff; and noted that interoperable radios, personal protective equipment for first responders and receivers, and medications had been purchased.

Natasha Morisawa, Management Analyst, reported on community outreach, education activities, and research that had been conducted and on components of a risk communication plan that had been developed, and described the role of the Pasadena Emergency Preparedness Partnership in sharing and communicating information and resources.

Dr. Sandeep Mital, Epidemiologist, provided an update on a possible bird flu pandemic, the composition and activities of a City committee that has been formed to address the pandemic flu issue, various outreach efforts related to providing information on bird flu, and a communications plan to provide a united message regarding a bird flu outbreak; and responded to questions.

Discussion followed regarding preventive steps that could be taken by community members, triggers related to social distancing in the event of a flu outbreak, development of a possible vaccine, and coordination with local partners/providers in planning and implementing the emergency plan.

The City Manager commented on the nature of the response to a flu pandemic situation in separating/isolating people from one another, and responded to questions.

Councilmember Tyler thanked staff for the information and presentation.

On order of the Mayor, the information was received.

### **ORAL UPDATE REGARDING PASADENA HEALTHCARE LINK**

The City Manager introduced the agenda item.

Dr. Takashi Wada, Health Officer, introduced the presentation on the Pasadena Healthcare Link project, submitted a handout of the PowerPoint presentation titled "Pasadena Healthcare Link (PHL)", and responded to questions.

Lorraine Reed, Program Coordinator, conducted a PowerPoint presentation that provided an overview of the Pasadena Healthcare Link pilot project that provides a free 24/7 call center for residents to call in and receive various types of health services; outlined the program's goals, services and links to services/providers; explained various options for accessing the Link program; discussed utilization and sustainability of the program, and responded to questions.

The City Manager responded to questions regarding funding and sustainability of the program.

Councilmember Tyler suggested staff explore obtaining funding from third-party providers (e.g. Medical), and requested staff to provide an update to Council in three months.

On order of the Mayor, the information was received and filed. The Mayor thanked the Public Health Department for the important health services and programs provided to the community.

### **RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

### **DESIGNATION OF THE PLANNING COMMISSION AS THE CITIZENS ADVISORY COMMITTEE FOR DEVELOPMENT OF A REUSE PLAN FOR THE DESIDERIO ARMY RESERVE CENTER**

**Recommendation of City Manager:** It is recommended that the City Council designate the Planning Commission to serve as the Citizens Advisory Committee for development of a reuse plan for the Desiderio Army Reserve Center.

The City Manager summarized the agenda report, discussed the process for obtaining input on the development of the reuse plan as the proposals for the redevelopment of the site are



studied and reviewed by the Citizens Advisory Committee, and responded to questions.

Stephanie DeWolfe, Deputy Director of Planning and Development Department, responded to questions regarding the composition of and membership criteria for the Citizens Advisory Committee and the timeline for development of the reuse plan.

Councilmember Little expressed concerns regarding the need to have a broad representation in the development of the reuse plan for groups that might have competing interests/agendas; and suggested inclusion of members from other advisory bodies such as the Community Development Committee and the Recreation and Parks Commission as part of an Advisory Committee and in the development process for the reuse plan.

Councilmember Holden suggested the Citizens Advisory Committee's report and recommendation include an open review of various options for the reuse plan when the information is presented to Council for consideration.

Councilmember Gordo asked that the report to Council contain a proposal-by-proposal analysis that applies the criteria and shows how the Committee rates each proposal.

Discussion followed on the Advisory Committee's process in reviewing the proposals and possible options for the reuse plan, criteria to be used in reviewing the proposals, content of the report to be presented to Council, the need to provide outreach to all of the interest groups during the process, and the timeline for the reuse plan.

Richard Bruckner, Director of Planning and Development Department, indicated the proposals could also be reviewed by the Recreation and Parks Commission for recommendations to the Advisory Committee.

Mark Leon, Planning Commission Chair, commented on the Commission's designation as the Citizens Advisory Committee, the current heavy work load of the Planning Commission, the need for review by and input from other advisory bodies on the proposals, and the need for some specificity in the directions to the Advisory Committee.

Michelle White, Affordable Housing Services, representing the Housing and Homeless Network, spoke in opposition to the designation of the Planning Commission as the Citizens Advisory Committee; spoke in support of inclusion of the Housing and Homeless Network as part of an ad hoc committee consisting of members from the Planning Commission, Community Development Committee, and other

advisory bodies; and expressed concerns regarding the need for accessibility and outreach for the public meetings to be held.

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

The Mayor affirmed consensus for a broad-based review of the proposals using the best resources of the City's advisory bodies and input from the community.

Councilmember Streater noted that this matter should be given priority by the Planning Commission to ensure that a report is presented to Council with adequate time for Council review prior to making a decision on the reuse plan.

#### **FOLLOW-UP DISCUSSION OF "ROUTE 710 TUNNEL TECHNICAL FEASIBILITY ASSESSMENT"**

**Recommendation of City Manager:** This information is provided in response to questions raised by the City Council regarding the "Route 710 Tunnel Technical Feasibility Assessment." This is background should the City Council choose to make comments.

Shahrzad Amiri, Los Angeles County Metropolitan Transportation Authority (Metro) Director of San Gabriel Valley Area Team, explained that Council's comments/concerns with responses would be made part of a compendium attached as a part of the final report on the Route 710 Tunnel Technical Feasibility Assessment to be presented to the Metro Board in December 2006; explained the California Department of Transportation's (Caltrans) role in the next phase of the project (environmental documentation); and responded to questions.

Lynda Bybee, Deputy Executive Officer of Metro Community Relations, outlined the process for the exchange of information from Metro to Caltrans regarding the final report on the Feasibility Assessment, provided a brief history of the steps taken by Metro and Caltrans to this point, and responded to questions.

Ron Kosinski, Caltrans Deputy District Director for Environmental Planning, clarified that Council's comments/concerns would be part of the environmental process, and responded to questions regarding the environmental review process.

The City Manager commented on options for the City's participation in a possible future environmental process if a tunnel project is proposed, and responded to questions.

Discussion followed on the steps to be taken to have Council's comments/concerns become part of the record presented to Caltrans, the process for Caltrans to respond to Council's comments/concerns and for Council to view the responses, and the relationship between the above Feasibility Assessment vs. the feasibility study proposed and funded by Congressman Adam Schiff, U.S. House of Representatives, District 29.

Councilmember Little suggested that Council's unadulterated comments (without the Metro responses) be provided to Caltrans as part of the record for consideration by Caltrans.

Vice Mayor Madison expressed concerns regarding the use of \$2.4 million in funding that was obtained by Congressman Schiff to be used for a comprehensive feasibility study to be conducted that would be non-route specific.

Ms. Bybee assured the Vice Mayor that the intent is to take the preliminary information from Metro's Feasibility Assessment and look at what the scope of a future comprehensive study should be, taking into consideration Congressman Schiff's desires as to what that study should accomplish.

The Mayor confirmed the request that Council's comments/concerns in unadulterated form continue to be a part of the record of research and studies that must be performed as this matter moves forward. He expressed Council's interest in seeing the final report that is presented to the Metro Board, the actions taken by the Metro Board in regards to this information, and future actions that might be taken by Caltrans regarding this matter.

#### **REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

#### **LEGISLATIVE POLICY COMMITTEE**

#### **OPPOSITION TO VARIOUS FEDERAL LEGISLATIVE BILLS PERTAINING TO FIREARMS**

**Recommendation of City Manager:** It is recommended that the City Council oppose the following House of Representative Bills:

- (a) HR 5005 - Firearms Corrections and Improvements Act introduced by Smith (Texas) to make changes to Federal firearms laws and for other purposes;
- (b) HR 5092 - Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) Modernization Act of 2006, introduced by Coble and Scott to modernize and reform the Bureau of Alcohol, Tobacco, Firearms and Explosives; and
- (c) HR 1384 - Firearm Commerce Modernization Act introduced by Gingry, Kingston, Bradley (New Hampshire) Jindal, Souder, Wilson (South Carolina), McCotter, Duncan, McHenry, Sessions, Hensarling, Musgrove, Barrett (South Carolina), Westmoreland, and Miller (Florida), to amend Chapter 44 of Title 18, United States Code, to update certain procedures applicable to commerce in firearms and remove certain Federal restrictions on interstate firearms transactions.

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

Police Chief Bernard Melekian summarized the agenda report.

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

**NEUTRAL POSITION FOR PROPOSITION 89 (POLITICAL CAMPAIGNS) FOR THE NOVEMBER 2006 STATE GENERAL ELECTION**

**Recommendation of City Manager:** It is recommended that the City Council take a neutral position on Proposition 89 (Political Campaigns, Public Financing, Corporate Tax Increase, Campaign Contributions and Expenditure Limits, Initiative Statute) in the upcoming November 7, 2006 State General Election.

The Mayor introduced the agenda item.

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

Brian Williams, Assistant City Manager, responded to questions regarding the provisions in the proposition.

The following persons spoke in support of Proposition 89:

Marvin Schachter, Senior Advocacy Council representative  
Marina Bass, California Nurses Association representative  
Glyniece Ortiz, California Nurses Association representative, submitted information material.

Dorsey Lawson, California Retired Teachers Association representative, submitted information material.

Donovan Steutel, California Clean Money representative  
Dr. Irma Strantz, League of Women Voters Pasadena Area representative, submitted a letter in support of Proposition 89 dated October 9, 2006 with a packet of information.

Brief discussion followed on provisions of the proposition.

It was moved by Councilmember Little, that the City Council support Proposition 89. (Motion died due to lack of a second)

The Mayor indicated Council would take no further action on the agenda item.

Vice Mayor Madison was excused at 9:50 p.m.

**SUPPORT FOR PROPOSITION 1E – “DISASTER PREPAREDNESS AND FLOOD PREVENTION BOND ACT OF 2006”**

**Recommendation of City Manager:** It is recommended that the City Council support Proposition 1E – “Disaster Preparedness and Flood Prevention Bond Act of 2006.”

The Mayor introduced the agenda item.

The City Manager noted that the Background section, Paragraph 1, third sentence should be corrected to read: “Specifically, the Central Valley Flood Control System and Delta levees would receive \$3 billion to repair and improve their levee system, another \$800 million would go to projects outside the Central Valley, and \$290 ~~billion~~ million for protecting flood corridors and improving flood hazard maps.”

Fred Lyn, Management Analyst, reviewed the agenda report.

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**RESIGNATION OF JULIANA DELGADO FROM THE HISTORIC PRESERVATION COMMISSION** (Bungalow Heaven Representative)

**APPOINTMENT OF JAMES IPEKJIAN TO THE DESIGN COMMISSION** (Historic Preservation Commission Nomination)  
(*This is a correction to the prior 9/25/06 agenda*)

**APPOINTMENT OF DANIEL P. YEN TO THE COMMUNITY DEVELOPMENT COMMITTEE** (District 2 Nomination)

It was moved by Councilmember Little, seconded by Councilmember Tyler, to accept the above resignation with regrets and to approve the above appointments. (Motion unanimously carried) (Absent: Vice Mayor Madison)

**REAPPOINTMENT OF MAYOR ROB HAMMOND, CITY OF MONROVIA, AS CITY OF PASADENA REPRESENTATIVE TO THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY** (Mayor Bogaard)

It was moved by Councilmember Little, seconded by Councilmember Tyler, to reappoint Mayor Rob Hammond, City of Monrovia, to serve at the pleasure of the Council as the City’s representative on the Metro Gold Line Foothill Extension Construction Authority for a term not to exceed December 31, 2007. (Motion unanimously carried) (Absent: Vice Mayor Madison)

**CONSIDERATION OF A CALL FOR REVIEW TO THE CITY COUNCIL OF MINOR CONDITIONAL USE PERMIT NO. 3942 FOR 1059 LAGUNA ROAD (SINGLE-FAMILY HOME ON VACANT LOT IN THE HILLSIDE OVERLAY DISTRICT)**  
(Councilmember Holden)

Councilmember Holden briefly described some of the issues involved with the Board of Zoning Appeals' denial of the Minor Conditional Use Permit (MCUP) and the rationale for calling this matter up to the Council.

The following persons spoke in support of the call for review and offered to compromise on the size of the house:

Vice Mayor Madison returned at 10:00 p.m.

Steve Jennings, applicant, submitted a letter dated October 9, 2006, stating his position.  
Ann Higginbotham, legal counsel for Steve Jennings

Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the Board of Zoning Appeals' (BZA) decision.

In response to Councilmember Streator's questions, the City Attorney clarified that the applicant could discuss a possible compromise with staff, with this information to be presented at the public hearing, if the matter is called for review.

It was moved by Councilmember Streator, seconded by Councilmember Gordo, to call this matter for review to the City Council, with staff to meet with the applicant to determine if this matter can be resolved:

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

NOES: None

ABSENT: None

Vice Mayor Madison recused himself at 10:10 p.m., due to a conflict of interest.

**CONSIDERATION OF A CALL FOR REVIEW TO THE CITY COUNCIL OF MINOR CONDITIONAL USE PERMIT NO. 4253 (PARKING STRUCTURE ON CAL-TECH CAMPUS)**  
(Councilmember Little)

Councilmember Little explained his reasons for calling the matter for review.

The following person spoke in support of the call for review:

Hall Daily, Assistant Vice President of Government and Community Relations for Caltech

The following person spoke in opposition to the call for review and expressed concerns regarding the use of the parking structure:

Richard Doren, Neighbors of Caltech representative

Councilmember Tyler expressed support for Council to defer any action on this matter to provide an opportunity for Caltech and the neighbors to work out the parking problems.

In response to Councilmember Streater's questions, the City Attorney clarified the time restrictions for the call up process.

It was moved by Councilmember Little, seconded by Councilmember Gordo, to call this matter for review to the City Council to be set at an appropriate time in the future. (Motion carried, with Councilmember Tyler objecting) (Absent: Vice Mayor Madison)

The Mayor urged Caltech and Mr. Doren to contact the City in regards to setting an appropriate time for the public hearing and to continue with discussions to solve the ongoing parking problems.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 10:26 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 10:27 p.m. (Absent: Vice Mayor Madison)

#### **ORDINANCES – ADOPTED**

Councilmember Gordo recused himself at 10:27 p.m., due to a conflict of interest, and Vice Mayor Madison returned.

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE ZONING CODE (TITLE 17) TO CREATE THE WORKFORCE/AFFORDABLE HOUSING OVERLAY DISTRICT”** (Introduced by Councilmember Little) (Ordinance No. 7071)

The following persons expressed concerns regarding some provisions in the proposed ordinance and requested changes be made:

Eric Winter, South Pasadena resident  
Michelle White, Affordable Housing Services representative

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmember Gordo

**Adopt "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"** (Introduced by Councilmember Little) (Ordinance No. 7072)

The following persons expressed concerns regarding some provisions in the proposed ordinance and requested changes be made:

Eric Winter, South Pasadena resident  
Michelle White, Affordable Housing Services representative

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmember Gordo

**Adopt "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)"** (Introduced by Vice Mayor Madison) (Ordinance No. 7073)

Councilmember Gordo  
returned at 10:38 p.m.

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

### **INFORMATION ITEM**

**PREDEVELOPMENT PLAN REVIEW FOR THE PROPOSED REHABILITATION OF THE LIVINGSTONE HOTEL AT 139 SOUTH LOS ROBLES AVENUE INTO 34 RESIDENTIAL UNITS AND THE CONSTRUCTION OF A 34 UNIT MIXED-USE PROJECT AT 123 SOUTH LOS ROBLES AVENUE**

**Recommendation of City Manager:** This report is for information only.

The City Manager introduced the agenda item.

Laura Dahl, Senior Planner, reviewed the agenda report and responded to questions.

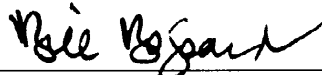


Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the proposed project.

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

**ADJOURNMENT**


On order of the Mayor, the regular meeting of the City Council adjourned at 10:47 p.m., in memory of Ron Woodford, Pasadena native and founder of Friends of Eaton Canyon.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
City Clerk