

CITY OF PASADENA
City Council Minutes
January 8, 2007 – 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 6:24 p.m.
(Absent: Councilmembers Holden, Streator, Vice Mayor Madison)

On order of the Mayor, the regular meeting recessed at 6:24 p.m., to discuss the following closed sessions:

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organization: International Brotherhood of Electrical Workers, Local 18

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

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding significant exposure to litigation pursuant to Government Code Section 54956.9(b): One potential case

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 6:49 p.m. The Pledge of Allegiance was led by Sergeant Tom Delgado.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Madison (Arrived at 8:52 p.m.)
Councilmember Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden (Absent)
Councilmember Paul Little
Councilmember Joyce Streator (Absent)
Councilmember Sidney F. Tyler

Staff:

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

CEREMONIAL MATTERS

Police Chief Bernard Melekian introduced Sergeant Tom Delgado who will be serving a rotation as the Sergeant-at-Arms for the next three months.

Chief Melekian provided an oral report on the police activities and arrests involving the New Year's events, Tournament of Roses Parade, and Rose Bowl game. The Chief noted that the Police Department will be more assertive in future enforcement of the ordinance involving the prohibition of spraying "silly string" or tossing tortillas in order to address ongoing problems involving pedestrians and traffic on the parade route.

Fire Chief Dennis Downs provided an oral report on the Fire Department's planning activities and reported incidents related to the New Year's events, parade, and Rose Bowl game.

Martin Pastucha, Director of Public Works Department, provided an oral report on the Department's New Year's parade/game pre-event preparation, event monitoring activities, and post-event clean up and re-establishment of the City's infrastructure.

The Mayor congratulated the Tournament of Roses for another successful parade and game and the City staff for their successful handling of the City's various New Year's activities.

Councilmember Little complimented staff for their accommodating treatment of the crowds and tourists who participated in the various events.

Councilmember Haderlein complimented staff on the work they performed in cleaning up the tremendous amount of trash related to the parade and float viewing events.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DIGITAL INSPECTION FOR THE PURCHASE AND INSTALLATION OF CASCADE MAINTENANCE SCHEDULING AND ASSET MANAGEMENT SOFTWARE, IN AN AMOUNT NOT TO EXCEED \$99,745

Recommendation of City Manager:

(1) Authorize the City Manager to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with Digital Inspections in an amount not to exceed \$99,745.

(2) Grant the proposed contract an exemption from the Competitive Selection Process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 19,278)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DESIGN SPACE MODULAR BUILDINGS, INC., FOR

FURNISHING, DELIVERY AND INSTALLATION OF A MODULAR OFFICE TRAILER FOR BROADWAY POWER PLANT

Recommendation of City Manager:

(1) Accept the bid dated December 5, 2006 submitted by Design Space Modular Buildings, Inc., in response to Specifications LD-06-09 for Furnishing, Delivery and Installation of a Modular Office Trailer for Broadway Power Plant; and

(2) Authorize the City Manager to enter into a contract with Design Space Modular Buildings, Inc., for an amount not to exceed \$90,000. (Contract No. 19,279)

AUTHORIZATION TO ENTER INTO CONTRACTS WITH PERRY C. THOMAS FOR CIVIL CONSTRUCTION AT SANTA ANITA SUBSTATION AND MIRON ELECTRIC FOR ELECTRICAL CONSTRUCTION AT SANTA ANITA SUBSTATION

Recommendation of City Manager:

(1) Accept the bid dated November 17, 2006 submitted by Perry C. Thomas Construction, Inc., in response to Specification LD-06-6;

(2) Accept the bid dated November 17, 2006 submitted by Miron Electric Construction Corp., in response to Specification LD-06-6;

(3) Authorize the issuance of a Labor and Materials contract to Perry C. Thomas for a total amount not to exceed \$1,029,362; and

(4) Authorize the issuance of a Labor and Materials contract to Miron Electric for a total amount not to exceed \$683,080. (Contract Nos. 19,280 and 19,281)

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

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PERRY C. THOMAS FOR THE CONSTRUCTION OF UNDERGROUND ELECTRICAL CONDUIT SYSTEMS, VAULTS AND OTHER MISCELLANEOUS WORK PER SPECIFICATION LD-06-7 FOR THE WATER AND POWER DEPARTMENT

MINUTES APPROVED

December 4, 2006
December 11, 2006
December 18, 2006
December 25, 2006 (Cancelled)
January 1, 2007 (Cancelled)

CLAIMS RECEIVED AND FILED

Claim No. 10,263	Pasadena Playhouse	\$	74,344.00
Claim No. 10,264	Progressive Choice Insurance Company as subrogee of Joon K. Lee		2,837.68
Claim No. 10,265	Maureen Johnston		Not Stated
Claim No. 10,266	Kaiser Permanente		4,855.00
Claim No. 10,267	Kurt Vaillancourt		Not Stated

Claim No. 10,268	Graciano Tan	226.54
Claim No. 10,269	Michael Bandzej	2,151.82
Claim No. 10,270	484 East California Homeowners Association	1,124.54

It was moved by Councilmember Little, seconded by Councilmember Haderlein, to approve the Consent Calendar, with the exception of Item 4 (Contract with Perry C. Thomas for the Construction of Underground Electrical Conduit Systems, Vaults and Other Miscellaneous Work), which was removed from the agenda at the request of the City Manager. (Motion unanimously carried) (Absent: Councilmembers Holden, Streator, Vice Mayor Madison)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FINANCE COMMITTEE

APPROVAL OF A JOURNAL VOUCHER AMENDING 18 PROJECTS IN THE FISCAL YEAR 2007 CAPITAL IMPROVEMENT PROGRAM BUDGET

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

- (1) Approve a journal voucher amending 18 projects in the Fiscal Year 2007 Capital Improvement Program, which represents a net increase of \$182,846 as detailed in Attachment A of the agenda report.
- (2) Amend the Fiscal Year 2007 Capital Improvement Program budget to create the *Arroyo Seco Bridge B-4 Repair* (1066) project and recognize and appropriate \$50,000 in Water Funds to the project.
- (3) Amend the Fiscal Year 2007 Capital Improvement Program budget to create the *Eaton Canyon Road Repair* (1067) project and recognize and appropriate \$1,200,000 in Federal Emergency Management Agency grant funds to the project.
- (4) Amend the Fiscal Year 2007 Capital Improvement Program budget to create the *Infrastructure and Amenities to Support Orange Line to Gold Line Regional Transit Link* (75705) project.
- (5) Amend the Fiscal Year 2007 Capital Improvement Program budget to create the *Sub-Regional Corridor Incident Traveler Information System* (75706) project.
- (6) Amend the Fiscal Year 2007 Capital Improvement Program budget to create the *Transit Operations and Maintenance Facility - Phase I* (75707) project. (Journal Voucher No. 2007-16)

Recommendation of Planning Commission: On November 8, 2006, the Planning Commission found the following projects to be consistent with the General Plan:

- *Arroyo Seco Bridge B-4 Repair*
- *Eaton Canyon Road Repair*

On December 13, 2006, the Planning Commission found the following projects to be consistent with the General Plan:

- *Infrastructure and Amenities to Support Orange Line to Gold Line Regional Transit Link*

- *Sub-Regional Corridor Incident Traveler Information System*
- *Transit Operations and Maintenance Facility - Phase I*

Councilmember Little, Chair of the Finance Committee, summarized the agenda report and responded to questions regarding the Eaton Canyon Road Repair project.

Martin Pastucha, Director of Public Works Department, responded to questions regarding the funding of various parks bathroom replacement projects and the Traffic Signal Installation – Orange Grove and Madison Avenue project.

Mark Yamarone, Principal Transportation Planner, confirmed that the Transit Operations and Maintenance Facility – Phase I project would provide the new maintenance facility for the ARTS bus system.

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

REPORTS FROM REPRESENTATIVES

Councilmember Tyler, representative for the San Gabriel Valley Council of Governments (SGVCOG), provided an oral report on the new Regional Housing Needs Assessment (RHNA) Plan that is being prepared by the Southern California Association of Governments (SCAG) and is about to be released, and noted the Plan will include a forecast of households over the next ten-year period by income category and will also include a determination of the housing needs by each jurisdiction to meet the increased number of households. He briefly discussed the Plan's fair share adjustment of the numbers by income category for each city, and outlined the public hearing process for releasing the RHNA report and the process for cities to appeal the recommended allocations for each city. He indicated staff will review the Plan when it is released and report to Council on the City's allocation, and noted the City's Housing Element will be required to be updated by July 2008 in order to comply with the new housing construction need figures.

Brief discussion followed on the new vacancy rate factors and possible impacts of the new allocations on the region's housing needs.

PUBLIC SAFETY COMMITTEE

JOINT USE SCHOOL/PARK SITE STUDY

Recommendation of City Manager:

(1) Direct City staff to work with the School District to prepare an agreement for the use of McKinley Elementary School as a joint use School/Park site and City staff prepare a cost estimate and scope of work for implementation of improvements to meet

park/school site criteria; and

(2) Direct City staff to work with the School District to prepare an agreement for the use of tennis courts by the public after hours and weekends at Blair High School, Pasadena High School, Marshall Fundamental School and McKinley Elementary, which includes the cost of court resurfacing as necessary. (Agreement Nos. 19,282 and 19,283)

Councilmember Haderlein, Chair of the Public Safety Committee, reviewed the agenda report, noted that the Committee had added the following recommendations to the above recommendations of staff, and responded to questions:

Recommendation of Public Safety Committee:

(1) Direct staff to prepare detailed comprehensive cost estimates for all seven school sites presented in the Joint Use School/Park Site Study including maintenance and security costs within 90 days.

(2) Direct staff to prepare detailed cost estimates and other improvement options for tennis courts at Wilson Middle School within 90 days.

Martin Pastucha, Director of Public Works Department, responded to questions regarding use of the two fields at the McKinley school site and additional options for public (park) usage of Pasadena Unified School District (PUSD) properties.

Councilmember Little suggested consideration of also setting aside middle school and/or high school sites for small playground areas.

Councilmember Haderlein suggested staff also be directed to study and report back to Council on the creation of open space for public (park) use at various school sites (Pasadena High School, Muir High School, Blair High School, and Marshall Fundamental School) and at the District's surplus properties.

Lisa Fowler, Special Assistant to the City Manager, responded to questions regarding the District's current/proposed surplus properties.

The City Manager discussed the possible future of the playground at the Linda Vista Elementary School and past use of Proposition A funding at the District's schools.

Discussion followed on the implications of City-invested funding of improvements at school sites as this relates to joint use of school areas, including surplus school properties.

Following additional discussion, it was moved by Councilmember Haderlein, seconded by Councilmember Little, to approve the City Manager's recommendation and the Public Safety Committee's recommendation as stated above, with

staff also directed to study and report back to Council in May 2007 on the creation of open space for public (park) use at various school sites (Pasadena High School, Muir High School, Blair High School, and Marshall Fundamental School) and at the Pasadena Unified School District's surplus properties. (Motion unanimously carried) (Absent: Councilmembers Holden, Streater, Vice Mayor Madison)

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: MONTE VISTA GROVE HOMES MASTER DEVELOPMENT PLAN, 2889 SAN PASQUAL STREET

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

- (1) Concur with the conclusions of the Initial Environmental Study, and approve a Mitigated Negative Declaration (Attachment 8 of the agenda report);
- (2) Adopt the findings that the proposed Monte Vista Grove Homes Master Development Plan is consistent with the Zoning Code and the General Plan (Attachment 5 of the agenda report);
- (3) Approve the Monte Vista Grove Homes Master Development Plan and Conditions of Approval (Attachment 6 of the agenda report);
- (4) Adopt a resolution establishing the Monte Vista Grove Homes Master Development Plan at 2889 San Pasqual Street; and
- (5) Direct the City Clerk to file a Notice of Determination (Attachment 8 of the agenda report) and Certificate of Exemption with the Los Angeles County Recorder (Attachment 7 of the agenda report). (Resolution No. 8698)

Commission Review: The Master Development Plan was reviewed by the Planning Commission on September 13, 2006, the Historic Preservation Commission on September 5, 2006, and the Design Commission on August 28, 2006. All three Commissions recommended approval of the Master Development Plan.

The Mayor opened the public hearing.

The City Clerk reported 16 copies of the notice of public hearing were posted on October 20, 2006; 179 copies of the notice were mailed on October 20, 2006; and no correspondence was received.

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

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

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

enforcement of ordinances that apply to the project and the development of the tree canopy in the future. He noted that staff would closely monitor the tree canopy as the project moves forward.

No one appeared for public comment.

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

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

CONTINUED PUBLIC HEARING: CALL FOR REVIEW OF TENTATIVE PARCEL MAP NO. 061676 AND HILLSIDE DEVELOPMENT PERMIT NO. 4395, 720 SOUTH SAN RAFAEL AVENUE (725 HILLSIDE TERRACE)

Revised Recommendation of City Manager:

- (1) Adopt the draft Initial Environmental Study and Negative Declaration that the proposed project will not create any significant adverse effects on the environment;
- (2) Direct the City Clerk to file a Notice of Determination with the County Clerk;
- (3) Affirm the decision of the Zoning Hearing Officer to approve Tentative Parcel Map No. 061676 to allow:
 - (a) Tentative Parcel Map - Subdivide one land lot into two land lots; and
 - (b) Hillside Development Permit - Subdivision of land within the Hillside Overlay District;
- (4) Approve Hillside Development Permit No. 4395 with amended conditions (as summarized in the memorandum and shown in Attachment A of said memorandum) to allow:
 - (a) Hillside Development Permit - Construction of single-family house; and
 - (b) Private Tree Removal - Removal of one Toyon (*heteromeles arbutifolia*) tree.

The Mayor opened the continued public hearing, and announced the absences of Councilmembers Holden and Streater as a result of being away on City-related business and the absence of Vice Mayor Madison due to illness. The Mayor noted that the City Attorney had advised Council to move forward on the matter at this time on the concept of due process that the applicant is entitled to have the matter resolved within a reasonable timeframe.

The City Clerk reported 32 copies of the notice of public hearing were posted on November 17, 2006; 60 copies of the

notice were mailed on November 17, 2006; and 8 new letters in opposition were received.

The City Manager introduced the agenda item, confirmed that the applicant would be responsible for updating/upgrading systems that are not adequate in fulfilling the needs for the project, and outlined the process and timing for performing the additional studies requested by Council in November 2005.

Richard Bruckner, Director of Planning and Development Department, provided an overview of the process and timing for the project/application up to the current time, and responded to questions regarding the project.

David Sinclair, Associate Planner, reviewed the agenda report and City Manager's memorandum dated December 11, 2006, and responded to questions.

Ross Khiabani, Principal Geotechnical Engineer for Arroyo Geotechnical (City's consultant), reviewed the geotechnical investigation performed by Arroyo Geotechnical; and responded to questions regarding aspects of the studies performed by Arroyo Geotechnical.

The following persons spoke in opposition to and/or expressed concerns regarding the project:

Carolyn Miller, Pasadena resident
Shari Thorell, Pasadena resident speaking for concerned neighbors

The following person spoke in support of the project:

Chris Madison, applicant, agreed to install an "industrial" drainage system for the project.

Discussion followed on the project's compliance with all current City ordinances; possible hydrology issues for the site; determination of the adequacy or necessary capacity of the proposed water drainage system; the timing and adequacy of the Arroyo Geotechnical studies; and concerns regarding slope stability of the site (especially in wet years), proposed excavation, and impacts on and efforts to preserve the tree canopy.

Councilmember Tyler questioned if provisions in the City's code would require the applicant to perform additional improvements to the drainage system if the system is not adequate in capturing/handling excess water flow/runoff in heavy rains and the system is later determined to be undersized, and expressed concerns regarding possible negative impacts on the neighborhood by construction activities that may take a protracted amount of time.

In response to Councilmember Tyler's questions and concerns, the City Attorney discussed imposing conditions of approval to the project, enforcing the conditions, and making required findings to support the conditions.

The City Manager suggested a condition that sets a period of time for completing construction on the exterior of the building based on findings regarding possible negative impacts on the neighborhood and traffic.

Councilmember Little suggested the drainage issue be addressed by imposing a condition that the drainage system be built to the worst case scenario and the parking and traffic concerns be addressed by requiring the contractor to shuttle workers to the site and prohibiting construction vehicles from standing or idling on the street.

The Mayor announced that Vice Mayor Madison had been watching the public hearing from a remote location and had requested an opportunity to appear at the Council meeting prior to this matter being decided.

*Public hearing continues on
Page 12.*

By consensus and on order of the Mayor, the public hearing was recessed at 8:44 p.m. to a later time in the meeting to allow time for the Vice Mayor to arrive and join the discussion.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

RESIGNATION OF BEN GREEN FROM THE SENIOR COMMISSION (Mayor Nomination)

APPOINTMENT OF CAROL CARMICHAEL TO THE ENVIRONMENTAL ADVISORY COMMISSION (At Large/District 7 Nomination)

Councilmember Little commented on the expertise that Carol Carmichael will bring to the Environmental Advisory Commission.

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to accept the above resignation with regrets and approve the above appointment, with the appointment to become effective upon the effective date of the ordinance below. (Motion unanimously carried) (Absent: Councilmembers Holden, Streater, Vice Mayor Madison)

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE PASADENA MUNICIPAL CODE TO CHANGE THE UTILITY ADVISORY COMMISSION TO THE ENVIRONMENTAL ADVISORY COMMISSION” (Introduced by Councilmember Streater) (*The terms of all Utility Advisory Commission members will expire upon the adoption and publication (on 1/11/07) of the above ordinance. (Ordinance No. 7082)*)

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Vice Mayor Madison arrived at 8:52 p.m.

CONSIDERATION OF A CALL FOR REVIEW TO THE BOARD OF ZONING APPEALS REGARDING A PRIVATE TREE REMOVAL AT 366 SOUTH MENTOR AVENUE, PLN2006-00617 (Councilmember Tyler)

Councilmember Tyler explained his concerns in attempting to save the tree and still solve the problems that the property owner has.

The following person expressed concerns regarding ongoing safety issues involving the tree:

William Tarkanian, property manager representing the adjacent property owner

It was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to call this matter for review to the Board of Zoning Appeals to determine if there is a way to save the tree and address safety issues, with involvement of staff in the process and resolution of the matter within 90 days. (Motion unanimously carried) (Absent: Councilmembers Holden, Streator)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:56 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 8:57 p.m. (Absent: Councilmembers Holden, Streator)

ORDINANCES – ADOPTED

Vice Mayor Madison recused himself at 8:57 p.m., due to a conflict of interest.

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE TO CHANGE THE DESIGNATION FOR THE PROPERTY LOCATED AT 220 NORTH SAN RAFAEL AVENUE (CHARLES RICHTER LABORATORY) (Introduced by Councilmember Little) (Ordinance No. 7083)

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

Vice Mayor Madison returned at 8:58 p.m.

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 5.72 OF THE PASADENA MUNICIPAL CODE (VEHICLES FOR HIRE) BY AMENDING THE ACCESSIBILITY STANDARDS FOR PERSONS WITH DISABILITIES AND OTHER RELATED ADMINISTRATIVE PROVISIONS" (Introduced by Councilmember Gordo) (Ordinance No. 7084)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Holden, Streator

PUBLIC HEARING

(Continued from Page 10)

CONTINUED PUBLIC HEARING: CALL FOR REVIEW OF TENTATIVE PARCEL MAP NO. 061676 AND HILLSIDE DEVELOPMENT PERMIT NO. 4395, 720 SOUTH SAN RAFAEL AVENUE (725 HILLSIDE TERRACE)

Revised Recommendation of City Manager:

(1) Adopt the draft Initial Environmental Study and Negative Declaration that the proposed project will not create any significant adverse effects on the environment;

(2) Direct the City Clerk to file a Notice of Determination with the County Clerk;

(3) Affirm the decision of the Zoning Hearing Officer to approve Tentative Parcel Map No. 061676 to allow:

(a) Tentative Parcel Map - Subdivide one land lot into two land lots; and

(b) Hillside Development Permit - Subdivision of land within the Hillside Overlay District;

(4) Approve Hillside Development Permit No. 4395 with amended conditions (as summarized in the memorandum and shown in Attachment A of said memorandum) to allow:

(a) Hillside Development Permit - Construction of single-family house; and

(b) Private Tree Removal - Removal of one Toyon (*heteromeles arbutifolia*) tree.

The Mayor reconvened the public hearing at 8:59 p.m.

Vice Mayor Madison affirmed that he had watched the discussion of the matter from a remote location. The Vice Mayor expressed disappointment and concerns regarding the timing and process followed in studying and acting on the issues that had been raised regarding the project and the size of the project, stated his position that findings would need to be made that this project does not have an impact on the environment if the project is to be approved, and expressed doubts about making such findings.

The City Attorney indicated that staff has proposed findings based on information that is in the record (for consistency and

compliance with various provisions) and that the decision and findings made by the lower body would stand if Council does not take action on the matter; and discussed due process issues related to further delay in taking action on the matter.

It was moved by Vice Mayor Madison to continue the public hearing for 60 days to allow time to pursue an additional hydrology study and mitigations. (Motion died due to lack of a second)

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

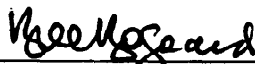
Following discussion, it was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the City Manager's revised recommendation and the amended "Attachment A – Conditions of Approval for Hillside Development Permit #4395 (Replaces Attachment D to City Council Agenda Report, September 26, 2005)", and to add the following three Conditions of Approval:

- the applicant shall use an "industrial" capacity drainage system to assure that there will be no overflow of water that would affect the neighborhood
- construction mitigation measures shall be utilized to reduce the impact of construction traffic on the neighborhood (e.g., construction vehicles shall not stand or "idle" on the street and workers shall be shuttled to the site from a remote area)
- the applicant shall complete all exterior work on the structure within 18 months (from the issuance date of the first building or grading permit)

(Motion carried, with Vice Mayor Madison objecting) (Absent: Councilmembers Holden, Streater)

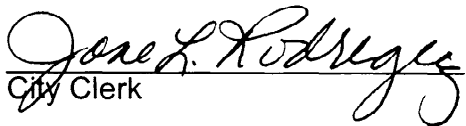
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:15 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk