

CITY OF PASADENA  
City Council Minutes  
March 12, 2007 – 5:30 P.M.  
Pasadena Senior Center, Multi-Purpose Room  
85 East Holly Street

REGULAR MEETING

Mayor Bogaard called the regular meeting to order at 5:45 p.m.  
(Absent: Councilmembers Holden, Streator)

**OPENING:**

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

**CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957**  
**Title: City Attorney**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL to discuss pending litigation pursuant to Government Code Section 54956.9(a)**  
**Case Name: Karin White v. City of Pasadena**  
**Case No.: LASC No. BC 344647**

Councilmember Holden arrived at 6:39 p.m.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL to discuss pending litigation pursuant to Government Code Section 54956.9(a)**  
**Case Name: City of Pasadena v. Hakopyan, et al.**  
**Case No.: LASC No. GC038367**

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 6:57 p.m. The Pledge of Allegiance was led by the Mayor.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Steve Madison  
Councilmember Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden  
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**

The Mayor presented a proclamation designating the month of March 2007 as American Red Cross Month. The proclamation was received by Ed Barlow, San Gabriel Pomona Valley Chapter of the American Red Cross Disaster Response Committee Chair, who described some of the services provided by the Red Cross and thanked the City and community for their contributions to the Red Cross.

The Mayor presented a proclamation designating March 11-17, 2007 as Girl Scouts Make the World a Better Place Week. The proclamation was received by members of Girl Scout Troop 412 with Carla Boykin, Troop Leader.

Maura Roundtree Brown, Tournament of Roses Student Ambassador Committee Chair, described the Student Ambassador Program and acknowledged the 2006-2007 volunteers/program participants who were present and received Certificates of Appreciation from the City for their services at the 2007 Rose Parade and Post Parade activities.

Michelle Bailey, Human Relations Commission Chair, described the Models of Unity Award program, and presented certificates to the following award recipients: Dr. Jackie Jacobs, Lorna Miller, Najeeba Syeed-Miller, Roosevelt Elementary School, and Women in Action.

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

Ken Kiessling, Pasadena resident, asked for Council's support for the Linda Vista Elementary School.

Vice Mayor Madison stated his position in opposition to locating a continuation high school at the Linda Vista Elementary School site, and commented on the Pasadena Unified School District's (PUSD) role in future decisions regarding the site. He announced that he had received recent information that the continuation school had withdrawn their application to locate at the Linda Vista site, and encouraged the community to continue to express their views to PUSD regarding the site.

## **ANNOUNCEMENT**

The City Clerk announced that the final run of the absentee and provisional ballots for the consolidated City of Pasadena and Unified School District Primary Nominating election held on March 6, 2007 had been completed, the final results were posted on the City's web site, and the outcome of each of the races had not changed from what was announced on the night of the election.

## **CONSENT CALENDAR**

**MAYFIELD SENIOR SCHOOL MASTER PLAN RESOLUTION**  
**Recommendation of City Manager:** It is recommended that the City Council adopt a resolution to adopt the Mayfield Senior School Master Plan. (Resolution No. 8708)

**APPROVAL OF FINAL TRACT MAP NO. 063462, BEING AN EIGHT-UNIT CONDOMINIUM PROJECT AT 111 NORTH MAR VISTA AVENUE**

**Recommendation of City Manager:** Adopt the following resolution to:

- (1) Approve Final Tract Map No. 063462;
- (2) Accept the offer of an easement dedication 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. 8709)

**APPROVAL OF FINAL TRACT MAP NO. 062071, BEING AN EIGHT-UNIT CONDOMINIUM PROJECT AT 208 SOUTH CHESTER AVENUE**

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

- (1) Approve Final Tract Map No. 062071; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8710)

**APPROVAL OF FINAL PARCEL MAP NO. 063527, BEING A 179-UNIT STUDENT HOUSING PROJECT AT 261-291 NORTH MADISON AVENUE**

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

- (1) Approve Final Parcel Map No. 063527;
- (2) Accept the offer of an easement dedication 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. 8711)

**CONTRACT AWARD TO CHRISTOPHER R. MORALES, INC., FOR THE INSTALLATION OF IN-FILL LIGHTING ON COLORADO BOULEVARD FROM NORTHUP AVENUE TO SYCAMORE AVENUE FOR AN AMOUNT NOT TO EXCEED \$351,000**

**Recommendation of City Manager:**

- (1) Accept the bid dated February 23, 2007 submitted by Christopher R. Morales, Inc., in response to the Specifications for the Installation of In-Fill Lighting on Colorado Boulevard from Northup Avenue to Sycamore Avenue; reject all other bids received; and authorize the City Manager to enter into a contract for an amount not to exceed \$351,000; 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 (minor alterations involving negligible expansion of use beyond that previously existing) 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. 19,322)

**REJECTION OF BIDS FOR THE CONSTRUCTION OF THE COMPRESSED NATURAL GAS (CNG) FUELING STATION**

**Recommendation of City Manager:** Reject the bids received on January 8, 2007, in response to the specifications to provide labor and materials for the construction of the Compressed Natural Gas (CNG) Fueling Station.

**RESOLUTION APPROVING REVISED FEDERAL MASTER AGREEMENT BETWEEN THE CITY OF PASADENA AND THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION FOR USE OF FEDERAL FUNDS ON LOCAL TRANSPORTATION PROJECTS**

**Recommendation of City Manager:** Adopt a resolution approving the revised Administering Agency - Federal Master Agreement No. 07-5064R between the City of Pasadena and the State of California, acting through the California Department of Transportation (Caltrans), for Federal-Aid transportation projects and authorizing the City Manager to execute the same on behalf of the City. (Resolution No. 8712; Agreement No. 19,323)

**CONTRACT AMENDMENT TO CONTRACT NO. 18,862 WITH SMITH-EMERY COMPANY TO PROVIDE CONSTRUCTION DEPUTY INSPECTION SERVICES AND MATERIAL TESTING RELATED TO THE CITY HALL SEISMIC RETROFIT PROJECT TO INCREASE THE CONTRACT AMOUNT FROM \$700,000 TO \$800,000**

**Recommendation of City Manager:** Authorize the City Manager to execute an amendment to Contract No. 18,862 with Smith-Emery Company to provide construction deputy inspection services and material testing for the City Hall Seismic Retrofit Project, to increase the total contract "Not to Exceed" amount from \$700,000 to \$800,000, an increase of \$100,000, for additional inspection and material testing. (Contract Amendment No. 18,862-2)

**RESOLUTION AMENDING THE POLICY FOR REIMBURSEMENT FOR TRAVEL AND EXPENSES FOR ELECTED OFFICIALS**

**Recommendation of City Manager:** Adopt a resolution amending the Policy for Reimbursement for Travel and Expenses for Elected Officials. (Resolution No. 8596-1)

**CONTRACT AWARD TO INSITUFORM TECHNOLOGIES, INC., FOR 2007 SEWER RELINING FOR AN AMOUNT NOT TO EXCEED \$261,000**

**Recommendation of City Manager:** Accept the bid dated February 28, 2007, submitted by Insituform Technologies, Inc., for the 2007 Sewer Relining; reject all other bids received; and

authorize the City Manager to enter into such contract as is required. (Contract No. 19,324)

CLAIMS RECEIVED AND FILED

Claim No. 10,305	Marie Ksarjian	\$ 735.77
Claim No. 10,306	Westridge School for Girls, Inc	Not Stated
Claim No. 10,307	Villa Esperanza Services	1,197.16
Claim No. 10,308	Pamela Milich	Not Stated
Claim No. 10,309	Jorge E. Amaya	165.00
Claim No. 10,310	N. Enrique Martinez	9,850.00
Claim No. 10,311	Suzanna Ramirez	2,868.54
Claim No. 10,312	Lawrence Lurvey	2,365.05
Claim No. 10,313	Xavier F. Suazo	Not Stated

PUBLIC HEARINGS SET

March 26, 2007, 7:30 p.m. – Zoning Code Amendment – Regulation of Group Homes in Residential Districts

April 2, 2007, 7:30 p.m. – Approval and Submission of the Public Housing Agency (PHA) Annual Plan (2007-2008) to the U.S. Department of Housing and Urban Development

April 2, 2007, 7:30 p.m. – North Lake Specific Plan and Related Zoning Code Amendments

April 2, 2007, 7:30 p.m. – Fiscal Year 2008 Recommended Capital Improvement Program Budget

April 9, 2007, 7:30 p.m. – Call for Review of Conditional Use Permit No. 4253 (Parking Structure on Cal-Tech Campus)

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

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

FINANCE COMMITTEE

**STATUS REPORT ON THE CITY'S WORKERS COMPENSATION PROGRAM AND AUTHORIZATION TO EXTEND CONTRACT NO. 18,820 WITH HAZELRIGG RISK MANAGEMENT SERVICES FOR A PERIOD OF ONE YEAR FOR AN AMOUNT NOT TO EXCEED \$392,950**

**Recommendation of City Manager:**

(1) Authorize an extension of Contract No. 18,820 with Hazelrigg Risk Management Services (HRMS) for administration of workers compensation claims for the City's Public Safety Departments (Police and Fire) for a period of one year and an amount not to exceed \$392,950; and

(2) To the extent that the additional contract term could be considered subject to a new competitive selection process, grant the proposed extension an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code chapter 4.08 pursuant to section 4.08.049(B), contracts for which the City's

best interests are served. (Agreement Amendment No. 18,820-2)

Vice Mayor Madison was excused at 7:22 p.m.

Councilmember Little, Chair of the Finance Committee, summarized the agenda report and responded to questions.

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**AUTHORIZE THE CITY MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT WITH CHAMPION BROADBAND, LLC, FOR THE SALE AND TRANSFER OF TITLE TO UNDERGROUND CONDUIT IN UNDERGROUND UTILITY DISTRICT 96-1, AVENUE 64 AND LA LOMA ROAD**  
**Recommendation of City Manager:** Accept the offer of \$168,557 submitted by Champion Broadband for the purchase and transfer of title for one two-inch underground conduit within the district boundary of Underground Utility District 96-1, and authorize the City Manager to execute the agreement. (Agreement No. 19,325)

Dan Rix, City Engineer, summarized the agenda report and responded to questions.

Vice Mayor Madison returned at 7:27 p.m.

Martin Pastucha, Director of Public Works Department, responded to questions regarding the agreement terms.

Councilmember Haderlein was excused at 7:31 p.m.

The City Manager clarified the impacts of State law on the agreement, and briefly discussed the legal liabilities of Champion as the new owner of Altrio Communications.

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

**DRAFT REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) ALLOCATION FOR CITY OF PASADENA HOUSING ELEMENT**

**Recommendation of City Manager:** Direct staff to file an appeal and a request for revision to the Draft Regional Housing Needs Assessment allocation for the City of Pasadena.

Councilmember Haderlein returned at 7:35 p.m.

The City Manager introduced the agenda item, provided an overview of the Regional Housing Needs Assessment (RHNA) process, explained the rationale for filing an appeal and a request for revision, and responded to questions. The City Manager indicated that information on the appeal to be submitted could be provided to Council when it is available.

Bill Trimble, Senior Planner, reviewed the agenda report, discussed the RHNA process, and responded to questions.

Richard Bruckner, Director of Planning and Development Department, explained the impacts of possible revisions to the RHNA assessment numbers, and responded to questions.

Discussion followed on the appeal process, the City's commitment to affordable housing, the issue of an equitable distribution of affordable housing throughout the region to be reflected in the final assessment numbers, and apparent lack of an enforcement mechanism to ensure that the allocation numbers are met.

The following persons expressed support for affordable housing and/or concerns regarding filing of an appeal:

Thomas Hubbard, Altadena resident  
James Lomako, Pasadena resident  
Tim Peters, Door of Hope Executive Director, speaking as  
an individual  
Jill Shook, Pasadena resident

Councilmember Tyler expressed concerns regarding a lack of information regarding the determination of a stated basis for the appeal and lack of an understanding of the nexus between filing an appeal/request for revision and a successful outcome in receiving a further allocation of units. He suggested additional Council discussion is needed in the future on how the allocation numbers relate to the current build-out numbers for housing and how this issue might be impacted by future RHNA requirements.

Councilmember Little expressed concerns about taking action to approve the filing of an appeal before Council has had the opportunity to review the appeal language.

Councilmember Holden expressed concerns regarding the apparent lack of enforcement of the housing goals that are being set in the RHNA allocation numbers.

Councilmember Gordo asked staff to provide information on affordable housing units produced in communities immediately adjacent to Pasadena, commented on the regional nature of the housing issue, and expressed support for encouraging all communities to pull their own weight in providing affordable housing.

It was moved by Vice Mayor Madison, seconded by Councilmember Haderlein, to approve the City Manager's recommendation. (Motion carried, with Councilmembers Little and Tyler objecting) (Absent: Councilmember Streator)

RECESS/JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 8:04 p.m. to a joint meeting with the Community Development Commission. (Absent: Councilmember Streator)

**JOINT ACTION: SUBMITTAL OF FUNDING APPLICATION TO THE STATE OF CALIFORNIA FOR THE WORKFORCE HOUSING REWARD PROGRAM FOR 2006**

**Recommendation of City Manager/Chief Executive Officer:**

It is recommended that the City Council/Pasadena Community Development Commission adopt a resolution:

(a) Approving the submittal of funding applications to the California Department of Housing and Community Development for affordable housing assistance funding under the Workforce Housing Reward Program; and

(b) Authorizing the City Manager/Chief Executive Officer to execute and the Secretary to attest any and all documents necessary to facilitate the submittal of applications, and the implementation and administration of the proposed program.

(Resolution No. CDR-248)

**Recommendation of Community Development Committee:**

The Community Development Committee at its meeting of February 22, 2007, recommended the Commission's approval of the recommendation.

Brian Williams, Assistant City Manager, summarized the agenda report.

Aldra Allison, Project Manager, clarified the use of the funds if the City receives the funding.

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

RECONVENED

On order of the Mayor, the joint meeting with the Community Development Commission adjourned at 8:05 p.m. and the regular meeting of the City Council reconvened at this time. (Absent: Councilmember Streator)

**APPOINTMENT OF ROSE MARIE PICO TO THE LIBRARY COMMISSION (District 5 Nomination)**

**RESIGNATION OF JESSE DILLON FROM THE NORTHWEST COMMISSION (District 4 Nomination)**

**REAPPOINTMENT OF DANIEL ESTRADA TO THE COMMUNITY DEVELOPMENT COMMITTEE (District 5 Nomination)**

**REAPPOINTMENT OF MARCIA SOLA TO THE HISTORIC PRESERVATION COMMISSION (District 5 Nomination)**



**REAPPOINTMENT OF RAFFI DJIGUERIAN TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD** (District 5 Nomination)

**REAPPOINTMENT OF RICHARD QUIRK TO THE PLANNING COMMISSION** (District 5 Nomination)

**REAPPOINTMENT OF JULIANNA DELGADO TO THE TRANSPORTATION ADVISORY COMMISSION** (District 5 Nomination)

**REAPPOINTMENT OF SANDRA LINDOERFER TO THE COMMISSION ON THE STATUS OF WOMEN** (Mayor Nomination)

**REAPPOINTMENT OF HORTENSE COOPER TO THE COMMUNITY DEVELOPMENT COMMITTEE** (Tenant/Senior Nomination)

**REAPPOINTMENT OF CHRIS PECK TO THE DESIGN COMMISSION** (Mayor Nomination/District 6)

**REAPPOINTMENT OF NICHOLAS LAMBAJIAN TO THE CODE ENFORCEMENT COMMISSION** (Mayor Nomination)

**APPOINTMENT OF RALPH HURTADO TO THE HUMAN SERVICES COMMISSION** (District 5 Nomination)

**REAPPOINTMENT OF ANDREW WILSON TO THE DESIGN COMMISSION** (Mayor Nomination/District 7)

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

**CONSIDERATION OF PLACING THE HERITAGE SQUARE DEVELOPMENT PROJECT MIX ON A FUTURE CITY COUNCIL MEETING AGENDA** (Councilmember Holden)

Councilmember Holden briefly discussed the community's concerns related to the Heritage Square Development Project being planned, and suggested that a discussion of the project be scheduled for the Council meeting of April 2, 2007, with the Fair Oaks Project Area Committee (PAC) and the selection committee that will be looking at the developer's project proposals to use the intervening time to meet and confer with the community to discuss the proposed mix for the project.

Discussion followed on the outreach process for the community meeting that the PAC and selection committee will hold.

The City Manager indicated a mailing list developed for broad community involvement in the Housing Summit would be used to notify various stakeholders interested in affordable housing or the Heritage Square project of the scheduling for both the community meeting and Council meeting.

It was moved by Councilmember Holden, seconded by Councilmember Haderlein, to agendize consideration of the Heritage Square Development Project mix for the Council meeting of April 2, 2007. (Motion unanimously carried) (Absent: Councilmember Streator)

**ORDINANCE – FIRST READING**

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL 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 465 ORANGE GROVE CIRCLE (MAYFIELD SENIOR SCHOOL)”**

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

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

NOES: None

ABSENT: Councilmember Streator

**ORDINANCES – ADOPTED**

**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 7:00 AM – 8:30 AM AND NOISE SOURCES FOR A PERMITTED EVENT AT VICTORY PARK ON SUNDAY, APRIL 8, 2007 (THE CALVARY CHAPEL OF PASADENA’S EASTER SUNRISE SERVICE)” (Introduced by Councilmember Haderlein) (Ordinance No. 7088)**

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmember Streator

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$25,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA WATER REVENUE BONDS, 2007 SERIES, PAYABLE OUT OF THE WATER FUND, AND APPROVING THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENT TO WATER REVENUE BOND INDENTURE AND A CONTINUING DISCLOSURE**

Councilmember Holden was excused at 8:14 p.m.

**AGREEMENT IN CONNECTION THEREWITH”** (Introduced by Councilmember Little) (Ordinance No. 7089)

Councilmember Tyler expressed concerns about not receiving a copy of the official circular behind these bonds as part of the documentation to be reviewed by Council prior to approval of issuance of the bonds.

The Mayor noted that this material should be shown to Council as a matter of process in showing due diligence on the Council’s part in reviewing the disclosure material.

The City Manager indicated that the material would be provided, and that in the future, this documentation will be provided to Council as a part of the process when bonds are requested to be issued.

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 HEARINGS**

**CONTINUED PUBLIC HEARING: CALL FOR REVIEW TO THE CITY COUNCIL OF CONDITIONAL USE PERMIT NO. 4657 FOR 940 AVENUE 64 (INSTALLATION, OPERATION, AND MAINTENANCE OF UNMANNED TELECOMMUNICATIONS EQUIPMENT FOR CINGULAR WIRELESS)**

**Recommendation of City Manager:** It is recommended that the City Council continue the public hearing to May 21, 2007, at 7:30 p.m.

It was moved by Councilmember Little, seconded by Vice Mayor Madison, to continue the public hearing to May 21, 2007 at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmembers Holden, Streator)

**PUBLIC HEARING: ZONE CHANGE FOR THE PARCEL AT THE SOUTHEAST CORNER OF DAISY AVENUE AND NINA STREET (40 NORTH DAISY AVENUE) FROM EPSP-D1-IG (EAST PASADENA SPECIFIC PLAN SUBAREA D1, GENERAL INDUSTRIAL DISTRICT) TO ECSP-CG-5 (EAST COLORADO SPECIFIC PLAN, LAMANDA PARK AREA) AND SPECIFIC PLAN BOUNDARY AMENDMENT**

**Recommendation of City Manager:** It is recommended that the City Council, following a public hearing:  
(1) Adopt the Initial Environmental Study and Negative Declaration (Attachment 1 of the agenda report);  
(2) Approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 2 of the agenda report);

(3) Find that the zone change from EPSP-d1-IG (East Pasadena Specific Plan, sub-area d1, general industrial) to ECSP-CG-5 (The Lamanda Park area) is consistent with the goals, objectives and policies of the General Plan and would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City (Zoning Code Section 17.74.070 B) as outlined in the body of the agenda report;

(4) Approve the Zone Change from EPSP-d1-IG (East Pasadena Specific Plan sub-area d1, general industrial) to ECSP-CG-5 (The Lamanda Park area);

(5) Adopt a resolution amending both East Colorado Specific Plan and East Pasadena Specific Plan boundaries to reflect the change in the zoning designation of the subject site;

(6) Direct the City Clerk to file a Notice of Determination and a Certificate of Fee Exemption for the California Department of Fish and Game, with the Los Angeles County Recorder; and

(7) Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena established by Section 17.08.040 of the Pasadena Municipal Code. (Resolution No. 8713)

**Recommendation of Planning Commission:** After a public hearing on December 13, 2006, the Planning Commission unanimously recommended approval of the proposed zone change from EPSP-d1-IG (East Pasadena Specific Plan sub-areas d1, general industrial) to ECSP-CG-5 (The Lamanda Park area), and the subsequent amendment to boundaries of the East Pasadena Specific Plan and the East Colorado Specific Plan, as a result of the zone change.

The Mayor opened the public hearing.

The City Clerk reported 51 copies of the notice of public hearing were posted on February 23, 2007; 96 copies of the notice were mailed on February 23, 2007; and no correspondence was received.

Annabella Atendido, Planner, reviewed the agenda report.

No one appeared for public comment.

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

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

**CONTINUED PUBLIC HEARING: AMBASSADOR WEST PROJECT – REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT FOR OPERATION OF A NEW 450,000 SQUARE FOOT SENIOR LIFE/CARE FACILITY; A TRANSFER OF DEVELOPMENT RIGHTS IN THE WEST GATEWAY SPECIFIC PLAN ZONE; AN ADJUSTMENT PERMIT TO MODIFY CERTAIN DEVELOPMENT CODES ON THE 19.7-ACRE AMBASSADOR WEST SITE FOR CONSTRUCTION OF THE SENIOR FACILITY AND 70 RESIDENTIAL CONDOMINIUMS; PRIVATE TREE REMOVAL REQUESTS; A VESTING TENTATIVE TRACT MAP; AND A SUBDIVISION MODIFICATION**

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

(1) Adopt a resolution which certifies the Final Environmental Impact Report (Attachment A of the agenda report) for the Ambassador West Project and adopts the Environmental Findings, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program;

(2) Adopt the findings that the proposed discretionary permits for the Ambassador West Project are consistent with the Zoning Code and General Plan (Attachment B of the agenda report);

(3) Approve the proposed Conditional Use Permit for a senior life/care facility, Transfer of Development Rights to the senior life/care facility, Vesting Tentative Tract Map, Adjustment Permit for design flexibility on this 19.7-acre site, Private Tree Removal Requests, and Subdivision Modification subject to the recommended Conditions (Attachment C of the agenda report); and

(4) Approve the dedication of a Park Easement in lieu of the payment of Residential Impact Fees in accordance with the Garden Preservation Plan (Attachment D of the agenda report) and the terms and conditions contained in the Ambassador Gardens Term Sheet (Attachment E of the agenda report).

**Recommendation of Design Commission:** On December 11, 2006, in advance compliance with two proposed mitigation measures of the Final EIR, the Design Commission reviewed the design of the Sunrise Senior Living facility and made unanimous recommendations for four design considerations. The applicant complied with two of those recommendations by dividing the long Upper Campus building into two modules connected by a short hallway and by considering again the adaptive reuse of the Hall of Administration and showing their decision-making process in a letter to staff (included in Attachment M of the agenda report). The other two recommendations were incorporated in the recommended conditions of approval No. 51, which requires additional vertical modulation, and No. 52, which requires massing, height and setback modifications to the south and west elevations of the Lower Campus building adjacent to Ambassador Auditorium (see Attachment C of the agenda

report).

Furthermore, the Design Commission reviewed the design implications of the proposed adjustment permit and unanimously recommended approval subject to three design conditions, one of which the applicants have accomplished by reducing the height of a building next to the historic Rankin House. Staff has incorporated the other recommendations as conditions of approval No. 53, which will reduce the height of the edge of the building on Parcel 5 next to the historic Terrace Villa, and No. 54, which will provide additional design modulation to a building on Parcel 9 that overlooks the Great Lawn.

**Recommendation of Planning Commission:** On January 10, 2007, following a public hearing, the Commission recommended (with a 4-3 vote) approval of the staff recommendation with revisions to conditions No. 52 and No. 67 (Attachment C of the agenda report). The Planning Commission recommended deletion of the following wording:

#52 For the Sunrise Senior Living units, the Design Commission shall have the leeway to consider design options at Concept Design Review regarding massing, height, and setback of the south and west facades of the "lower campus" building, including the bridge, as long as the overall square footage is not reduced below 450,000 square feet in the process.

Staff does not concur with this revision because it would allow the Design Commission to reduce the overall square footage of a building which is outside the authority of the Commission. Limitations on overall size and square footage would normally be determined through the Conditional Use Permit with the Design Commission focusing on massing, materials and other design elements. The staff recommendation is to retain the original wording of condition No. 52 to specify that the Design Commission may not reduce the size of the building below the 450,000 square feet permitted by the CUP.

**Recommendation of Recreation and Parks Commission:** The Commission met on January 2 and February 6, 2007, to consider the proposed dedication of an easement for park purposes in lieu of payment of the parks fee. The Commission recommended approval of the easement in accordance with the draft "Terms Sheet" (Attachment E of the agenda report) on a 7-1 vote.

**Recommendation of Urban Forestry and Advisory Committee (UFAC):** On February 5, 2007, UFAC met to consider the removal of eight trees on public rights-of-way to accommodate the project. On a 3-1 vote, removal of five trees was approved and removal of three others was deferred due to concerns that the location of the loading zone next to Ambassador Auditorium might be disturbing to patrons of the Auditorium.

Councilmember Holden  
returned at 8:28 p.m.

The Mayor opened the public hearing.

The City Clerk reported 202 copies of the notice of public hearing were posted on January 31, 2007; 228 copies of the notice were mailed on January 31, 2007; and 8 letters in support, 3 letters and a petition with 105 signatures in opposition, and 2 letters expressing concerns were received.

The City Manager announced that a model of the project was on display during the Council meeting on the back terrace area of the Pasadena Senior Center, and responded to questions regarding the project.

Richard Bruckner, Director of Planning and Development Department, introduced the agenda item, discussed the property line dispute between the applicant and Harvest Rock Church, and responded to questions regarding the project. Mr. Bruckner distributed two items that contained responses to points raised in writing by Harvest Rock Church regarding environmental impact issues of the project: a memorandum from Terry A. Hayes Associates LLC to Environmental Planning Associates dated March 8, 2007 re: "Response to Memorandum Submitted by Hans Giroux and Robert Silverstein dated February 16, 2007 and Titled Harvest Rock Church City Response to Comments" and a letter via email from Environmental Planning Associates to the City re: "Ambassador West – Responses to Robert Silverstein letter dated March 7, 2007".

Darrell Cozen, Senior Planner, reviewed the agenda report and responded to questions.

Martin Pastucha, Director of Public Works Department, clarified the information regarding the dedicated public park land and the easement for park purposes and the relationship between the City and the Master Property Owners Association (MPOA), and responded to questions.

John Poindexter, Planning Manager, responded to questions regarding the pedestrian mobility plan.

The City Attorney commented on the legal issues involving the disputed lot line adjustment, and indicated Condition of Approval No. 67 ("The applicant shall provide proof of clear title and ownership satisfactory to the City Attorney's office over all areas in the application prior to issuance of building permits on any of the parcels.") could be modified to include "and/or recordation of the vesting tentative tract map".

Discussion followed on the project's adherence to elements of the Gateway Specific Plan; the plan's balance of issues related to the use of open space, preservation of historic buildings, and landscaping; public access to the dedicated park land area and

terms for use of the park; transfer of development rights calculations and possible receipt of two benefits ("double dipping") by the developer (e.g., exchange of preservation of Great Lawn area for increased density in the Sunrise Development area of the site and as a credit for dedicated park land against the residential impact fee). Discussion also included issues related to the excess development potential that the developer chose not to use; legal status of the lot line adjustment between Harvest Rock Church and Maranatha High School (re: error in deed as this relates to the Purchase and Sale Agreement and the Certificate of Compliance); possible impacts of the lot line dispute on the time schedule for the project; and the City's exposure to possible legal action resulting from the lot line adjustment dispute.

Councilmember Little expressed concerns regarding the possibility of the City becoming involved in the lot line dispute and the Design Commission's authority and role in reviewing the massing/density of the project, and suggested the Council delay action on the project until the question on the lot line adjustment is resolved or written indemnification of the City by the applicant is in place.

The following persons spoke in support of the Ambassador West Project:

Greg Galletly, applicant, indicated he would be amenable to setting aside density for some or all of the excess density from the Great Lawn (re: issue of applicant receiving two benefits for the Great Lawn).  
Wayne Sant, Sunrise Senior Living representative  
Gordon De Lang, Pasadena resident  
Jon Catalani, Pasadena Chamber of Commerce External Affairs Manager  
Don Justin Jones, Caltrans Tenants Association representative  
Cecilia Torres, parent of Maranatha High School student  
John Lucas, San Marino resident  
Chet Crane, Maranatha High School Head of School  
Ayele Hailemariam, Pasadena resident  
Jeff Botsford, Pasadena resident  
Scott Jenkins, Hahn & Hahn LLP, legal counsel for applicant  
Marna Sharpe, Pasadena resident  
Rob Lyddon, Pasadena resident  
David Poole, Maranatha High School Board of Directors President  
Dave Harris, Maranatha High School Director of Facilities  
Ron Wolter, Pasadena resident  
Barbara Maxwell, Pasadena resident  
Joseph Henry, Pasadena resident  
Tecumseh Shackelford, MPYD representative  
Michael Vivans, John Muir High School student



Mark Waters, Marshall Fundamental High School student  
Ron Carter, Dorn-Platz & Company/Altadena Lincoln  
Crossing community outreach (job) consultant  
Bernardean Broadous, West Altadena Project Area  
Committee Chair speaking as an individual  
Steve Nakada, Maranatha High School Board of Directors  
member  
Tami Wolter, Pasadena resident  
Emina Darakjy, Pasadena Beautiful President  
Fred Zepeda, West Pasadena Residents Association  
President  
Mic Hansen, Pasadena resident  
Angela Ling, Sunrise Senior Living Executive Director  
Margaret McAustin, Pasadena resident  
Dale Goldsmith, Armbruster & Goldsmith LLP, legal  
counsel for applicant, indicated the applicant would be  
prepared to indemnify the City fully in the event of  
litigation regarding the lot line adjustment dispute.

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

Dr. Ché Ahn, Harvest Rock Church Senior Pastor  
Stephen Reed, Reed & Brown LLP, legal counsel for  
Harvest Rock Church  
David Woolley, Harvest Rock Church land surveyor  
Robert Silverstein, The Silverstein Law Firm, legal counsel  
for Harvest Rock Church, submitted a letter from Reed &  
Brown LLP to Attorney Mark C. Allen, III, of Laquer Urban  
Clifford & Hodge LLP dated March 12, 2007 re: "Lot Line  
Adjustment [Your Letter of March 9, 2007], Our File No.:  
HRC/Camden Lot Line Adjustment/4850"; a letter from  
The Silverstein Law Firm to the City dated March  
12,2007 re: "March 12, 2007 City Council Meeting,  
Agenda Item 6.C; Supplemental Public Comments on the  
Ambassador West Project by Harvest Rock Church"; and  
a copy of an email from Odyssey Development Services  
to the City dated March 11, 2007.  
Charles McKenney, Harvest Rock Church representative  
Katherena Higashi, Harvest Rock Church representative  
Burke Farrar, Harvest Rock Church representative  
Maria Hall, The Silverstein Law Firm, legal counsel for  
Harvest Rock Church  
Lolita Brewer, Harvest Rock Church member  
Whitney Chandler, Pasadena resident  
Gina Turner, Pasadena resident  
Tom Coombs, Pasadena resident  
Patricia Chang, Walnut resident  
Doug Huse, Harvest Rock Church/Ambassador Auditorium  
General Manager  
June Chan, Pasadena resident  
Jim Lomako, Pasadena resident

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

Discussion continued on the issue of the lot line adjustment dispute and the Design Commission's authority in reviewing the density/massing of the project.

The Mayor and Councilmember Haderlein indicated they had outstanding questions regarding the project, if Council action could be delayed for a short period of time to allow staff the opportunity to provide additional information.

Councilmember Tyler submitted his written comments, questions, and concerns dated March 12, 2007 and titled "Comments on West Ambassador Campus Proposal".


The City Manager and Richard Bruckner clarified the Design Commission's role in reviewing the size of the project as this related to the Planning Commission's recommendation cited above. The City Manager indicated that staff could provide additional information on the transfer of rights and use of the Great Lawn issues, the Design Commission's role as the project moves forward, and any other questions that Council would like to submit.

Mr. Galletly, applicant, consented to the continuance of the public hearing.

Following discussion, it was moved by Vice Mayor Madison, seconded by Councilmember Tyler, to reopen the public hearing and continue the hearing to April 2, 2007 at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmember Streator)

## ADJOURNMENT

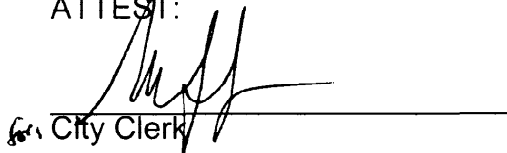
On order of the Mayor, the regular meeting of the City Council adjourned at 12:30 a.m., March 13, 2007, in memory of Judith Wolfe, long-time City resident and City employee who also advocated for children, youth, families, seniors, and the disabled.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



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City Clerk