

CITY OF PASADENA
City Council Minutes
September 24, 2007 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:41 p.m.
(Absent: Councilmember Haderlein)

On order of the Mayor, the regular meeting recessed at 5:41 p.m., to discuss the following closed sessions:

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
REGARDING PENDING LITIGATION pursuant to
Government Code Section 54956.9(a)
Name of Case: Omnipoint Com, (subsidiary of T-Mobile) v.
City of Pasadena
Case No.: USDC CV-007-3499**

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section
54956.8
Property: Rose Bowl Stadium and surrounding parking
areas
Agency Negotiators: Cynthia Kurtz and Darryl Dunn
Negotiating Parties: University of California, Los Angeles;
Tournament of Roses
Under Negotiation: Price and terms of payment**

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

**CITY COUNCIL AND COMMUNITY DEVELOPMENT
COMMISSION CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section
54956.8
Property Locations: 136 West Howard Street;
752 Manzanita Street; 1414 Washington Boulevard;
1303 North Summit Avenue; 615 South Pasadena Avenue;
1255 North Hudson Avenue; 1111 North Los Robles
Boulevard; 397 North Marengo Avenue; 1622 North Lake
Avenue
Agency Negotiators: Cynthia J. Kurtz, Brian K. Williams
Negotiating Parties: Arifur Rahman; John A. Giggar,
Trustee; Martha Valencia; JC Holdings LLC & Benny K.
Wang; Carolyn W. Martin, Trustee & Caroyln W. Martin,
Trustee; Hudson Street Apartments; Winwood Properties
Ltd.; German J. L. Salcedo; Roza Avesyan
Under Negotiation: Price and terms of payment**

The Mayor announced that the following properties were removed from the above closed session item: 752 Manzanita Street, 1255 North Hudson Avenue, 1111 North Los Robles Boulevard, and 397 North Marengo Avenue.

Fil Salcedo, representing Raymond-Summit-Marengo residents, submitted a letter to Council dated September 22, 2007, stating the residents' concerns about future construction related to the property located at 397 North Marengo.

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 6:35 p.m. The Pledge of Allegiance was led by Marvin Schachter.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Haderlein (Absent)
Councilmember Victor Gordo
Councilmember Chris Holden
Councilmember Steve Madison
Councilmember Margaret McAustin
Councilmember Jacque Robinson
Councilmember Sidney F. Tyler

Staff:

Assistant City Manager Julie Gutierrez
Assistant City Manager Brian Williams
City Attorney Michele Beal Bagneris
Senior Assistant City Clerk Mark Jomsky

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

The following persons expressed concerns regarding the rate of conversion of affordable housing units to condominiums and the loss of units in the City's affordable housing inventory; and urged Council to take action to save affordable housing units in the City and/or impose a moratorium on condominium conversions:

Marvin Schachter, AARP and Pasadena Senior Advocacy Council representative
Michelle White, Affordable Housing Services representative, submitted a handout titled "Pasadena Affordable Housing Group's Menu of Condo Conversion Policy Recommendations".
Jill Shook, Pasadena Affordable Housing Alliance (PAHA) representative

CONSENT CALENDAR

APPROVAL AND ACCEPTANCE OF AN EASEMENT DEDICATION FOR SANITARY SEWER PURPOSES AT 470 SYCAMORE GLEN AND 1835 KAWEAH DRIVE
Recommendation of City Manager: Adopt a resolution

approving and accepting a proposed easement dedication for sanitary sewer purposes at 470 Sycamore Glen and 1835 Kaweah Drive. (Resolution No. 8779)

Item discussed separately at the request of Councilmember Madison.

APPROVAL OF FINAL TRACT MAP NO. 065888, BEING A CONVERSION OF NINE EXISTING RENTAL UNITS INTO NINE CONDOMINIUMS, AT 1036-1044 EAST ORANGE GROVE BOULEVARD

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

Recommendation of City Manager:

(1) Approve the City of Pasadena's application and resolution to the State of California Resources Agency, Department of Parks and Recreation, for the Recreational Trails Program (RTP) in the amount of \$175,000 to implement the Eastside Neighborhood and JPL Connector Trail Reconstruction project (CIP Project No. 77507); and

(2) Approve the City of Pasadena's application and resolution to the State of California Resources Agency, Bonds and Grants Unit, for the California Proposition 50 River Parkways Program in the amount of \$898,700 to implement the Berkshire Creek Improvements project in Hahamongna Watershed Park (CIP Project Nos. 77508 and 77509). (Resolution Nos. 8780 and 8781)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE CITY OF AZUSA FOR THE SALE OF LOCAL RESOURCE ADEQUACY CAPACITY

Recommendation of City Manager: Authorize the City Manager to enter into an agreement with the City of Azusa for the sale of up to 10 MW of excess generation capacity for local capacity resource adequacy purposes during calendar year 2008 in the amount of \$165,000.

This contract is exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental agencies or their contractors. (Contract No. 19,448)

MINUTES APPROVED

September 10, 2007

CLAIMS RECEIVED AND FILED

Claim No. 10,447	Jennifer Burroughs	\$ 1,115.39
Claim No. 10,448	Helen Carter	8,000.00

It was moved by Councilmember Robinson, seconded by Councilmember McAustin, to approve the Consent Calendar, with the exception of Item 2 (Approval of Final Tract Map No. 065888), which was discussed separately. (Motion unanimously carried) (Absent: Vice Mayor Haderlein)

CONSENT ITEM
DISCUSSED SEPARATELY

**APPROVAL OF FINAL TRACT MAP NO. 065888, BEING A
CONVERSION OF NINE EXISTING RENTAL UNITS INTO
NINE CONDOMINIUMS, AT 1036-1044 EAST ORANGE
GROVE BOULEVARD**

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve Final Tract Map No. 065888; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8782)

Councilmember Madison expressed concerns regarding the number of condominium conversions being processed by the City and the impacts on the existing and future affordable housing inventory, and suggested consideration of a moratorium until Council can address the policy implications involving the conversions.

Martin Pastucha, Director of Public Works Department, responded to questions regarding the conversion process.

Julie Gutierrez, Assistant City Manager, noted that the conversions being presented to Council represent projects that have been in the pipeline for a couple of years, and that an ad hoc committee was being established to discuss the conversion issues.

The City Attorney clarified that Council does not have any discretion involving final tract map approvals if the project meets statutory requirements, and discussed stages during the process where the Council could consider imposing a moratorium.

Brian Williams, Assistant City Manager, indicated that the Housing Division had prepared a draft ordinance regarding condominium conversions that the Planning Commission has reviewed. He noted that the City Manager was putting together a task force, which should be established within the next couple of weeks and will be comprised of apartment owners, apartment renters, affordable housing advocates, affordable housing experts, and others, that will review the Planning Commission's recommendations regarding condominium conversions, what the community wants in the conversion process, and the number of tract maps being processed. He also noted that a proposed moratorium item was being placed on the October 8th Council agenda for consideration, and that the plan would be to have the ad hoc committee's study take place during any moratorium that might occur, with a report from the ad hoc committee on a unified strategy for addressing the conversion issues to be brought back to the Planning Commission and Council.

Councilmember Gordo suggested any moratorium regarding condominium conversions also take into consideration the number of workforce units being created, with staff to determine if it is possible to distinguish that conversions resulting in affordable and workforce units will be allowed and the moratorium will cover only market rate units.

Councilmember Holden indicated that it was his understanding that only market rate units will be included in the moratorium agenda item being brought to Council, with staff to determine if this meets legal requirements.

The Mayor asked the City Attorney to provide clarification regarding which applications will be covered by the moratorium and at what stage during the conversion process the moratorium will apply, when the matter is presented to Council.

Discussion followed regarding policy issues about maintaining the amount of affordable housing in the current inventory, creating additional affordable housing, and creating homeownership opportunities through condominium purchases.

The following persons spoke in support of a moratorium and expressed concerns regarding condominium conversions and the loss of affordable housing units:

Michelle White, Affordable Housing Services representative
Jill Shook, Pasadena Affordable Housing Alliance (PAHA) representative
Marvin Schachter, AARP and Pasadena Senior Advocacy Council representative

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FINANCE COMMITTEE

Councilmember Madison was excused at 7:09 p.m.

APPROVAL OF A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2008 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation of City Manager: Approve a journal voucher in the amount of \$1,237,242 amending 25 projects in the Fiscal Year 2008 Capital Improvement Program as detailed in Attachment A of the agenda report. (Journal Voucher No. 2008-4)

Councilmember Tyler, Chair of the Finance Committee, reviewed the agenda report.

Martin Pastucha, Director of Public Works Department, and Dan Rix, City Engineer, responded to questions regarding the project information contained in the report.

Councilmember Gordo clarified various improvement projects involving Lake Avenue.

Brief discussion followed on problems involving needed improvements that are driven/funded by development in areas that are least developed.

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

ADOPT ENERGY EFFICIENCY AND SOLAR PHOTOVOLTAIC PROGRAM AND GOALS, AND DIRECT THE CITY ATTORNEY TO PREPARE A RATE ORDINANCE FOR FUNDING THESE PROGRAMS

Recommendation of City Manager:

(1) Adopt Pasadena Water and Power Department ("PWP") energy efficiency ("EE") and demand reduction ("DR") program goals (Attachment 1 of the agenda report), to reduce forecast peak demand in 2012 by 10% and forecast annual energy consumption in 2016 by 13.3% in accordance with the City's Urban Environmental Accords ("UEA") goals and Assembly Bill 2021 ("AB 2021");

(2) Adopt the proposed PWP solar photovoltaic ("PV") incentive program (Attachment 2 of the agenda report), with the goal of installing 14 Megawatts of customer-owned PV systems in ten years to comply with Senate Bill 1 ("SB 1") and assist Pasadena in meeting certain UEA goals;

(3) Approve a journal voucher appropriating \$2,236,952 to Account No. 8176-410-831011-0914 (Utility Rebates) and \$300,000 to Account No. 8114-410-831011-0914 (Contract Services) from the unappropriated Light and Power Fund; and

(4) Direct the City Attorney to prepare an amendment to the Public Benefits Charge ("PBC") in Light and Power Rate Ordinance, Chapter 13.04.230 of the Pasadena Municipal Code to fund the above programs in addition to those programs currently funded by revenues from the PBC as described in the agenda report. (Journal Voucher No. 2008-5)

Recommendation of the Environmental Advisory Commission:

These recommendations, which support three of the City's UEA goals (Renewable Energy, Energy Efficiency, and Climate Change), were first presented to the Environmental Advisory Commission ("EAC") on July 17, 2007. On August 21, 2007, the EAC unanimously voted to adopt the initial energy efficiency and demand reduction program goals. On September 11, 2007, the EAC unanimously voted to adopt

the proposed PWP PV program to expand eligibility and funding for incentives.

Councilmember Tyler introduced the agenda item.

Councilmember Madison
returned at 7:14 p.m.

Eric Klinkner, Assistant General Manager, reviewed the agenda report and responded to questions.

Councilmember Gordo asked staff to keep in mind any changes or reasonably foreseeable changes that could be made in the City's planning documents that may drive the baseline assumptions and should be taken into account prior to the review in 2010.

Discussion followed on the cost effectiveness of installing a photovoltaic system, time-of-use rates, marketing and incentive programs, and possible need for additional staffing.

Councilmember Holden suggested one of the Council's standing committees review the programs as this moves forward (e.g., Finance Committee).

The following person spoke in support of the proposed programs:

David Czamanske, Sierra Club-Pasadena Group
Conservation Co-Chair

The Mayor asked staff to provide additional information to Council, in the near future, regarding the steps being taken to reduce the City's carbon footprint and the use of a revolving fund for the solar photovoltaic program.

Following discussion, it was moved by Councilmember Tyler, seconded by Councilmember Madison, to approve the City Manager's recommendation, with progress reports to be provided to Council on a biannual basis. (Motion unanimously carried) (Absent: Vice Mayor Haderlein)

INFORMATION ITEM

ORAL UPDATE ON THE ESTABLISHMENT OF THE AD HOC COMMITTEE ON YOUTH DEVELOPMENT AND VIOLENCE PREVENTION

Brian Williams, Assistant City Manager, reported on the proposed agenda for the first meeting of the Ad Hoc Committee on Youth Development and Violence Prevention, which is currently scheduled to be held on October 4, 2007 in the City Hall Council Chamber; and distributed a draft agenda for the meeting.

Discussion followed on the scheduling of the first meeting.

Councilmember Robinson asked staff to explore the feasibility of Saturday, October 6 as a date for the first meeting rather than Thursday, October 4.

Councilmember Gordo suggested staff consult with all of the involved agencies as to the best date to meet, and that a specific time be set for beginning and ending the meeting.

The Mayor noted that an arrangement would be sought to provide adequate time to accommodate public comment at the meeting, and Council would be informed when staff has confirmed a first meeting date for the Committee.

The following person offered suggestions regarding the scope of work of the ad hoc committee:

Josef Sanchez, State of California Department of Education School Violence Prevention Program representative

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

PUBLIC HEARING

PUBLIC HEARING: MASTER DEVELOPMENT PLAN AMENDMENT FOR THE WESTRIDGE SCHOOL FOR GIRLS, 324 MADELINE DRIVE

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

- (1) Adopt the Environmental Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Attachments 2, 3, and 4 of the agenda report);
- (2) Adopt by resolution the specific findings for the amendment of the General Plan land use designation from Medium Density Residential, 0-16 units per acre to Institutional, for the parcel located at 1066 South Orange Grove Boulevard, and approve the proposed General Plan Amendment, and adopt by resolution the specific findings for the Master Development Plan and approve the proposed Master Development Plan Amendment with conditions;
- (3) Find that the proposed zone change from RM-16-1 (Multi-Family Residential, 14 units per acre) to PS (Public, Semi-Public) is consistent with the purposes of Chapter 17.26 (PS, Public, Semi-Public District) of the Zoning Code, and approve the proposed zone change;
- (4) Find that the remaining sites identified in the adopted 2000-2005 Housing Element are adequate to accommodate the City's share of the regional housing need for the planning period pursuant to Government Code Section 65584 (Attachment 1 of the agenda report);
- (5) Find that the proposed removal of four of six protected trees and 38 non-protected trees are consistent with the criteria provided in the City's Tree Protection Ordinance, as discussed

in the body of the report (Attachment 1 of the agenda report), and approve the tree removal requests;

(6) Concurrently, conduct first reading of an ordinance amending the official zoning map of the City of Pasadena established by Section 17.20.020 of the Pasadena Municipal Code for the parcel at 1066 South Orange Grove Boulevard, from RM-16-1 (Multi-Family Residential, 14 units per acre) to PS (Public, Semi-Public); and

(7) Direct the City Clerk to file a Notice of Determination (Attachment 5 of the agenda report) in accordance with Section 15075 of the State of California Environmental Quality Act (CEQA) Guidelines with the Los Angeles County Recorder. (Resolution No. 8783)

Recommendation of Planning Commission: On July 11, 2007, the Planning Commission reviewed and recommended approval of the proposed amendment to the Westridge School Master Development Plan (MDP), including the proposed zone change and amendment to the General Plan Land Use designation of the parcel at 1066 South Orange Grove Boulevard, and other components of the MDP. The Commission recommended addition of conditions that maintains the current enrollment (502) as the maximum and the number of staff and faculty at 105 employees, requires the review and approval of the number and location of temporary structures, and clarifies protection of remaining trees in accordance with the Tree Protection Ordinance. These new conditions and modification have been incorporated into the recommended Conditions of Approval of the MDP amendment (Exhibit B of resolution).

Recommendation of Design Commission: On May 29 and June 11, 2007 the Design Commission reviewed the proposed Master Development Plan and concurred with staff recommendation to include four conditions of approval that pertain to design review of new construction, landscaping plans for each phase of the master plan with attention to specific protected trees that were identified for removal. Building height, setback and encroachment plane requirements on the new Science Center for view protection and privacy of adjacent residential developments were clarified. These conditions have been incorporated in the recommended Conditions of Approval of the Master Development Plan amendment (Exhibit B of resolution).

The Mayor opened the public hearing.

The Senior Assistant City Clerk reported 46 copies of the notice of public hearing were posted on August 30, 2007; 239 copies of the notice were mailed on August 30, 2007; and one letter in support and one letter expressing concerns were received.

Richard Bruckner, Director of Planning and Development Department, introduced the agenda item, and responded to

questions regarding the Master Development Plan Amendment.

Annabella Atendido, Planner, reviewed the agenda report and responded to questions.

The following persons spoke in support of the Westridge School for Girls (Westridge School) Master Development Plan Amendment:

Fran Scoble, Westridge School Head of School
David Mgrublian, Westridge School Board Trustee
Maureen Sullivan, Pica+Sullivan Architects representative
(architect for Westridge School)

The following persons spoke in opposition and/or expressed various concerns regarding the Westridge School for Girls Master Development Plan Amendment:

Bill Jernigan, Pasadena resident
Eleanor Sidenfaden, Pasadena resident
Whitney Chandler, representative for residents at
1040 S. Orange Grove Boulevard
David Lain, Pasadena resident
Samuel Losh, 1040 S. Orange Grove Boulevard
Homeowners Association President speaking as an
individual, submitted a packet of information materials.
Vincent Carabello, representative for 16 condominium
owners at 1200 S. Orange Grove Boulevard

Discussion followed on the allowable height of the proposed science building with and without rooftop appurtenances, use of "green building" elements in the proposed building(s), factors involving the 30% encroachment plane, the need for noise mitigation for adjacent neighbors in the northwest corner of the school property, and traffic/parking congestion and obstruction issues on State Street.

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

Mr. Bruckner indicated that staff can follow up with the neighbors and school to ensure that the traffic/parking concerns are addressed by the Conditions of Approval, and that the matter of allowing a variance to minimize the height of the rooftop vents would need to be reviewed by staff in terms of Building Code requirements. He outlined the steps that would be taken during the design review process for implementation of the three phases of the project and the community's participation in the review process as the phases are developed.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the City Manager's recommendation, as amended to require the applicant to explore options with staff regarding mitigation of the noise issues in the north portion of the Phase 1 project area (e.g., replacement and modification of the locations of the air conditioning units and improved fencing between the school and neighbors); and to limit the height of the proposed Science Center structure to 21½ feet, with the understanding that the cluster of vents on the rooftop may exceed the 21½-foot limit by as much as 3 feet, if necessary, and with the applicant to apply for the appropriate City approvals/variance to minimize the vent heights as much as possible. (Motion unanimously carried) (Absent: Vice Mayor Haderlein)

ORDINANCE – FIRST READING

Conduct first reading of “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 FOR THE PARCEL AT 1066 SOUTH ORANGE GROVE BOULEVARD” (WESTRIDGE SCHOOL)

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

AYES: Councilmembers Gordo, Holden, Madison, McAustin, Robinson, Tyler, Mayor Bogaard

NOES: None

ABSENT: Vice Mayor Haderlein

PUBLIC HEARING

Councilmember Madison recused himself at 9:36 p.m., due to a conflict of interest.

PUBLIC HEARING: PASADENA AVENUE ZONE CHANGE - 2007, ZONING CODE AMENDMENT, AND CONDITIONAL USE PERMIT NO. 4923 FOR 801 SOUTH PASADENA AVENUE (ROSE TREE COTTAGE)

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

- (1) Concur with the conclusion of the Initial Environmental Study, that the proposed changes will not have potentially significant impacts on the environment, and adopt a Negative Declaration and acknowledge the No Effect Finding for Fish and Game Resources (Attachment 7 of the agenda report);
- (2) Find that the proposed amendment to the Zoning Code to establish the Specialty Shop Overlay District, and an amendment to the Zoning Map to place the overlay on certain RS-4 (Single Family Residential) properties 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 of Pasadena as outlined in the body of the agenda report;
- (3) Amend Chapter 17.28 of the Zoning Code to add a new overlay entitled Specialty Shop Overlay District;
- (4) Amend the Zoning Map to reflect the boundaries of the Overlay District (Attachment 2 of the agenda report);

(5) Concurrently, conduct first reading of the ordinance amending the Zoning Code and Zoning Map; and
(6) Approve Conditional Use Permit No. 4923 for a restaurant/retail business (Rose Tree Cottage) to be located at 801 South Pasadena Avenue within the Specialty Shop Overlay District with the required Findings (Attachment 4 of the agenda report) and Conditions of Approval (Attachment 5 of the agenda report).

Recommendation of Planning Commission: After a public hearing on August 8, 2007, the Planning Commission unanimously recommended approval of the proposed establishment of the "Specialty Shop Overlay District" and an amendment to the Zoning Map to place the overlay district on two properties, and recommended approval of Conditional Use Permit No. 4923 with the Conditions of Approval shown in Attachment 5 of the agenda report.

The Mayor opened the public hearing.

The Senior Assistant City Clerk reported 49 copies of the notice of public hearing were posted on September 7, 2007; 230 copies of the notice were mailed on September 7, 2007; and 13 letters in support and 3 letters in opposition were received.

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

Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the proposed zoning changes/Conditional Use Permit and existing properties.

Discussion followed on possible impacts to the neighborhood and issues involving parking and signage.

The following persons spoke in support of the proposed changes and Rose Tree Cottage:

Edmund Fry, Rose Tree Cottage owner
Christopher Sutton, legal counsel for Edmund and Mary Fry and for the 710 Tenant Association
Mark Robinson, Pasadena resident
Marinel Robinson, Pasadena resident
Mic Hansen, Pasadena resident
Martha Williamson, Pasadena resident
Charles Coulombe, Arcadia resident
Catherine Haskett-Hany, Pasadena resident

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

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

The Mayor requested that staff review the 779 Pasadena Avenue property to determine if there are any violations of City rules or regulations and proceed with enforcement, if violations are found.

Councilmember McAustin suggested staff include photographs of sites that are the subject of proposed action to assist Council and the public in putting the sites in context, when future agenda reports are presented to Council.

ORDINANCE – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 OF THE PASADENA MUNICIPAL CODE (THE ZONING CODE), AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE TO CREATE THE ‘SPECIALTY SHOP OVERLAY ZONE’” (ROSE TREE COTTAGE)

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

AYES: Councilmembers Gordo, Holden, McAustin, Robinson, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Madison, Vice Mayor Haderlein

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

RESOLUTION ESTABLISHING GUIDELINES FOR IMPLEMENTATION OF THE DEVELOPMENT INTENSITY STANDARDS IN THE LAND USE ELEMENT OF THE GENERAL PLAN

Recommendation of City Manager: It is recommended that the City Council adopt a resolution establishing guidelines for implementation of the development intensity standards in the Land Use Element of the General Plan.

Recommendation of Planning Commission: On May 23, 2007, the Planning Commission considered initiating amendments to the Land Use Element to establish the administrative procedures outlined in this resolution. The Planning Commission voted to not establish these procedures and instead recommended that they be considered in the next Land Use Element update.

The Commission was concerned that changing the time of allocation from the building permit to the first discretionary approval would allow property owners and developers to hold on to their allocation without actively pursuing the project. The Commission recommends that this issue was better addressed in the next scheduled Land Use Element update.

The Commission did not believe that there was a need to preserve units for the vacant parcels of the housing-only areas of the Central District. They recommended that this could be done in the next update of the Land Use Element and that because the housing market is slowing down, it was likely that units would remain available in the Central District for these parcels.

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 current downturn in construction of residential units, construction of commercial vs. residential units, and timing issues related to establishing/changing the guidelines.

Richard McDonald, Planning Commissioner, summarized the Planning Commission's concerns and objections to the proposed guidelines, provided a brief history of the Commission's discussions of the issues, and clarified the concerns that these changes might be developer-driven and move risk from the developer to the City.

Discussion followed on the treatment of unit allocations for projects/applications that are in the pipeline, an option to transfer commercial units to residential units for allocation purposes, an option to continue to monitor and report on unit allocation until a trigger mechanism is met, and impacts of providing earlier discretionary approval on the planning process and on the allocation data that has been collected.

Councilmember McAustin reiterated the need for staff to let the developers/public know that the City is reaching its residential building limitations in the Central District Specific Plan and the approximate number of building units available (e.g., on the City web site and at the Permit Center) and to let the developers/public know that the Land Element will be updated in Spring 2008.

The Mayor suggested that a letter be given to interested developers with information on the residential unit limitations in the City, and that receipt of the letter be acknowledged by the developer.

Following discussion, it was moved by Councilmember Tyler, seconded by Councilmember Gordo, to continue the current practice of quarterly monitoring of residential housing units and not to adopt the proposed resolution. (Motion unanimously carried) (Absent: Councilmember Madison, Vice Mayor Haderlein)

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO LICENSE AGREEMENTS FOR TEMPORARY SHORING WITH RESPECT TO PRIVATE DEVELOPMENTS

Recommendation of City Manager: Adopt a resolution granting the City Manager authority to enter into license agreements approved as to form by the City Attorney's Office for temporary shoring purposes within the public right-of-way. (Resolution No. 8784)

The Mayor introduced the agenda item.

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

RESIGNATION OF JUDITH ZITTER FROM THE PASADENA CENTER OPERATING COMPANY (At Large Nomination)

APPOINTMENT OF SASHA ANAWALT TO THE ARTS AND CULTURE COMMISSION (District 5 Nomination)

Councilmember Gordo acknowledged Judith Zitter for her years of service to the City as a field representative and commissioner and her work with Day One.

It was moved by Councilmember Gordo, seconded by Councilmember McAustin, to accept the above resignation with regrets and to approve the above appointment. (Motion unanimously carried) (Absent: Councilmember Madison, Vice Mayor Haderlein)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 11:03 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 11:04 p.m. (Absent Councilmember Madison, Vice Mayor Haderlein)

ORDINANCES – FIRST READING

Conduct first reading of “AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA APPROVING THE MILFORD WIND CORRIDOR PHASE I PROJECT POWER SALES AGREEMENT WITH THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY AND APPROVING THE CITY'S SHARE OF PROJECT ENERGY AND ASSOCIATED ENVIRONMENTAL ATTRIBUTES”

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

AYES: Councilmembers Gordo, Holden, McAustin, Robinson, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Madison, Vice Mayor Haderlein

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA SUNSETTING THE MUNICIPAL SERVICES COMMITTEE"

Councilmember Holden commented on the responsibilities of the Municipal Services Committee that will be assumed by the Finance Committee.

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

AYES: Councilmembers Gordo, Holden, McAustin, Robinson, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Madison, Vice Mayor Haderlein

COUNCIL COMMENTS

Councilmember Tyler requested a special session of the Council be convened for a future discussion of the City's affordable housing program (e.g., priorities for the future; how the needs/crisis will be met; and a strategic plan with numbers, if possible).

Councilmember McAustin expressed support for a discussion that evaluates the affordable housing program (e.g., a numerical housing goal that can be measured from year to year and a funding source).

Councilmember Holden discussed the affordable housing task force report recommendations, the recent staff report with short-term, medium-term, and long-term plans/initiatives for housing, and use of these reports/recommendations as a basis for the discussion and update on what has and has not been accomplished.

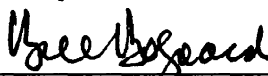
Brian Williams, Assistant City Manager, indicated that staff would be coming to Council in October/November with a workshop that would provide an update on the status of affordable housing in the City and, hopefully, some comprehensive plans on where the City wants to go, including numerical goals.

Councilmember Gordo reported on a meeting he had with the consultant that is advising the Pasadena Unified School District (PUSD) Board of Directors and Superintendent regarding the problems with Muir High School and other District matters, and suggested his fellow Councilmembers take advantage of the

opportunity to meet with the consultant or Superintendent regarding these matters. He also suggested the next joint meeting of the Council and District include a presentation by the Superintendent of his vision for John Muir High School and his vision for the District, and a discussion of how the City can be helpful in implementing these visions.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:14 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk