

CITY OF PASADENA
City Council Minutes
October 15, 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: Councilmembers Gordo, Holden, Madison)

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

Councilmember Holden
arrived at 5:47 p.m.

Councilmember Gordo
arrived at 5:50 p.m.

Councilmember Madison
arrived at 6:09 p.m.

**CITY COUNCIL AND COMMUNITY DEVELOPMENT
COMMISSION CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section
54956.8**

Property Locations: 136 West Howard Street; 1303 North
Summit Avenue; 306 South El Molino Avenue; 675-693 Del
Mar Boulevard

Agency Negotiators: Cynthia J. Kurtz, Brian K. Williams
Negotiating Parties: Arifur Rahman; JC Holdings LLC and
Benny K. Wang; Field Family Limited Partnership
Under Negotiation: Price and terms of payment

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL to
discuss pending litigation pursuant to Government Code
Section 54956.9(a)**

Case Name: Rose Ingber and Lawrence Ingber v. City of
Pasadena

Case No.: LASC No. GC037109

**CITY COUNCIL AND COMMUNITY DEVELOPMENT
COMMISSION CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section
54956.8**

Property Location: 45 North San Gabriel Boulevard
(Episcopal Housing Alliance dba Institute for Urban
Research and Development)

Agency Negotiators: Brian K. Williams, Greg Robinson
Negotiating Parties: Joe Colletti, PhD, Nava America
Under Negotiation: Price and terms of payment

The above three closed session items were discussed, with no
reportable action at this item.

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

City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organization: Unrepresented Top, Middle and

Professional Management and Non-Represented Employees

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 6:45 p.m. The Pledge of Allegiance was led by Mara Armenta and Zoë Zucco, members of Girl Scout Troop No. 637 (Mt. Wilson Vista Council). The Mayor also acknowledged the following members of Troop No. 637: Christy Caldwell, Stephanie Cox, Morgan Grana, Annie Lamb, Keeanna McGlone, Sabrina Olsen, Jasmine Thomas, and Caylee Walker, with Troop Leaders: Karla McGlone and Alex Zucco.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

Roberta Martinez, Latino Heritage representative, thanked the City Council and staff for their support in presenting the Latino History Parade and Jamaica held on October 13, 2007 at La Pintoresca Park; and acknowledged Councilmember Robinson and her Field Representative, Tina Williams, for their hospitality at La Pintoresca Park.

Zoë Zucco and Mara Armenta, members of Girl Scout Troop No. 637, explained the Troop's participation in earning the Cadette Leadership Award; thanked the Council, Councilmembers McAustin and Robinson, and Judy Kent (Mayor's Field Representative) for their time and assistance; and distributed boxes of Girl Scout cookies to Council.

Councilmember McAustin commented on her meeting with the Troop members and how impressed she was with their preparation and interest in discussing leadership qualities.

Councilmember Robinson congratulated the Troop members for earning the Leadership Award, apologized for being unable to meet with the Troop members prior to the Council meeting, and offered to re-schedule a meeting with the Troop at their convenience.

PRESENTATION BY ASSEMBLYMEMBER ANTHONY PORTANTINO REGARDING THE STATE OF THE STATE

Assemblymember Anthony Portantino updated Council on legislation involving funding for local street and road repairs; on available grants for new housing in existing neighborhoods, permanent housing for the homeless, construction and expansion of shelters, deferred payments on second mortgage loans, development and construction of transit-oriented housing, workforce housing projects, urban parks, and community college student aid; on programs for umbilical cord blood collection, concurrent enrollment in high school and community college, partnerships between the University of California and traditional/historical black colleges, and gang violence mitigation; on extension of survivor benefits to fallen Federal firefighters; and on providing more local empowerment regarding nuisance liquor stores. Assemblymember Portantino warned that next year's budget would be tight; extended his appreciation to the City Manager for all of her assistance; and introduced Julianne Hines (District Director) and Jarvis Emerson (Field Representative). He responded to questions regarding concurrent education; and funding for urban parks, workforce housing, extension of the Gold Line, and incentives for foster care homes; and indicated he would provide information on the amount of funding allocated in the urban parks legislation and the timeframe for the CalGRIP (Gang Reduction, Intervention and Prevention program) funding.

Councilmember Gordo asked the Assemblymember to assist in assuring that steps are taken to have affordable housing treated as a regional issue with each municipality doing their part to provide affordable housing.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Theresa Marie Moreau, La Crescenta resident, expressed concerns regarding alleged human rights violations in China and opposition to inclusion of a Chinese float in the 2008 Tournament of Roses Parade.

Benita Sager, Altadena resident, described her past experience with alleged racial discrimination activities related to her housing situation in the City of Pasadena and the lack of adequate response from the Fair Housing Council, and asked the Council to address these issues and look into better protecting people against discrimination in landlord/tenant disputes.

The City Manager explained the role of the Fair Housing Council in landlord/tenant disputes.

Brian Williams, Assistant City Manager, indicated staff will contact the Fair Housing Council regarding Ms. Sager's situation and respond to her regarding her experience.

Councilmember Holden asked staff to inform Council about the results of the contact with the Fair Housing Council and Ms. Sager in the City Manager's weekly information letter to Council.

Herminia Ortiz, Pasadena resident, stated she was speaking for 90 people, expressed support for a project (bed and breakfast) at Marengo Avenue and Maple Street that had been presented to the Planning Commission, and asked for an investigation regarding a possible conflict of interest involving Councilmember Gordo.

Councilmember Holden suggested staff gather the facts on the building ownership and project to ensure that Ms. Ortiz is given the correct information.

The Mayor noted that Councilmember Gordo had announced that he had recused himself from participation in this matter pursuant to State law pertaining to the proximity of property owned by him to the project property.

John Li, Caltech Falun Gong Club President, described an incident (demonstration) involving alleged amplified sound Pasadena Municipal Code (PMC) violations, asked for Council's assistance in resolving the sound issue, and distributed a copy of PMC Chapter 9.36.170 Amplified sound – Registration – Required.

The City Manager indicated that Mr. Li had applied for a sound permit, briefly explained the permit process, and noted that staff would work with Mr. Li regarding the permit request.

CONSENT CALENDAR

Item held at the request of the City Manager.

CONTRACT AWARD TO CALIFORNIA ENGINEERING AND CONTRACTING, INC., FOR THE INSTALLATION OF IN-FILL LIGHTING ON HALSTEAD STREET FROM ROSEMEAD BOULEVARD TO SOUTH OF FOOTHILL BOULEVARD FOR AN AMOUNT NOT TO EXCEED \$200,200

The Mayor announced that this item was being held at the request of the City Manager to allow staff to perform additional work on the item, with the item to be re-agendized for a future meeting.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DAVID EVANS AND ASSOCIATES, INC., IN THE AMOUNT OF \$400,000 FOR LANDSCAPE ARCHITECTURAL SERVICES FOR PARK CAPITAL IMPROVEMENT PROJECTS

Recommendation of City Manager: Authorize the City Manager to enter into a contract with David Evans and Associates, Inc., for landscape design services for park and landscape capital improvement projects in an amount not to

exceed \$400,000 per year pursuant to Charter Section 1002(F), contracts for professional or unique services. (Contract No. 19,463)

MINUTES APPROVED

October 1, 2007

CLAIMS RECEIVED AND
FILED

Claim No. 10,460	Vartan Kazezian	\$	Not stated
Claim No. 10,461	Steve Buchanan		Not stated
Claim No. 10,462	Letha Wilks aka Kenneth Yamada, Derrick Lobb		Not stated
Claim No. 10,463	Letha Pearl Wilks		Not stated
Claim No. 10,464	Allan Brayant Bonilla		1,400.00
Claim No. 10,465	Stacy White		625.00
Claim No. 10,466	Los Angeles Engineering, Inc.		Not stated

PUBLIC HEARING SET

November 5, 2007, 7:30 p.m. - Green Space, Recreation and Parks Element of the General Plan and Green Space, Recreation and Parks Master Plan, and Associated Negative Declaration

It was moved by Vice Mayor Haderlein, seconded by Councilmember Robinson, to approve the Consent Calendar, with the exception of Item 1 (Contract with California Engineering And Contracting, Inc.), which was held for a future meeting. (Motion unanimously carried) (Absent: None)

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

ADDITIONAL HISTORIC PROPERTY CONTRACTS (MILLS ACT) FOR 2007

Recommendation of City Manager:

- (1) Acknowledge that authorizing additional Historic Property Contracts is categorically exempt from the California Environmental Quality Act (CEQA) (Section 15308, Class 8 exemption, Actions by Regulatory Agencies for Protection of the Environment);
- (2) Acknowledge that the Historic Property Contracts program, as adopted by City Council in 2002 and amended in 2007, set annual limits on the number of contracts (maximum of 20 single-family residential properties each year and three multi-family residential, commercial, or industrial properties each year) and unrealized revenue to the City (\$75,000 annually, or \$25,000 for any one property);
- (3) Acknowledge that the Historic Property Contracts program allows for City Council to approve additional contracts beyond these limits;
- (4) Acknowledge that the unrealized revenues have been substantially less than anticipated (average of \$18,000 per year); and
- (5) Authorize the City Manager to enter into 6 Historic Property Contracts for multi-family and commercial properties in 2007 (calendar year).

The City Manager summarized the agenda report.

Stephanie DeWolfe, Deputy Director of Planning and Development Department, and Jeff Cronin, Principal Planner, responded to questions regarding the number of Historic Property contracts and expected revenues.

Brief discussion followed on promoting the program.

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

APPOINTMENT OF ROBIN SALZER TO THE PASADENA CENTER OPERATING COMPANY (Mayor Nomination/District 6)

APPOINTMENT OF ROSANNA ESPARZA TO THE COMMISSION ON THE STATUS OF WOMEN (Mayor Nomination/District 1)

RESIGNATION OF LAINIE ROSE MILLER FROM THE COMMUNITY DEVELOPMENT COMMITTEE (District 6 Nomination)

It was moved by Councilmember Madison, seconded by Councilmember Robinson, to approve the appointments and accept the resignation with regrets. (Motion unanimously carried) (Absent: None)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:54 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 7:55 p.m. (Absent None)

ORDINANCE – FIRST READING

Conduct first reading of “AN INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY PROHIBITING THE CONVERSION OF RENTAL APARTMENT UNITS TO FOR-SALE CONDOMINIUM UNITS”

The City Attorney responded to questions regarding the effective date of the ordinance, who would be subject to the moratorium, and possible exemption of applications involving the conversion of units that would result in affordable or workforce housing units.

Brad Fuller, Assistant City Attorney, commented on applications that are currently at various stages of the vesting process.

Councilmember Gordo asked that if the 45-day moratorium is extended, Council consider an exemption for projects that fall

into a category that includes projects involving conversion of rental units to various levels of affordable or workforce for-sale condominium units, with staff to explore how this will be enacted.

Councilmember Holden suggested staff and the Planning Commission include Mr. Gordo's proposed exemption in their study of the condominium conversion issue.

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

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

NOES: None

ABSENT: None

**PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA** (Continued)

Frank Minero, Pasadena Global Warming Group representative, asked for Council approval/assistance for two climate change and beautification projects (an educational mural to be located in a public place and tree planting).

The City Manager asked Mr. Minero to submit a written request regarding the two projects to allow further consideration by the Council and/or staff.

Councilmember Tyler suggested Mr. Minero also work with Pasadena Beautiful regarding tree projects.

Joe Dumbacher, Pasadena resident, reiterated prior concerns regarding sewer line and easement issues involving his property on Linda Ridge Road, asked for Council's assistance in reaching a solution to the problems, and submitted a letter stating these concerns.

Leslie Levy, West Coast Association of Chinese Political Refugees representative, read a poem she had written in protest to inclusion of a Chinese float in the 2008 Tournament of Roses Parade, and submitted copies of the poem and a letter to the Tournament of Roses dated October 3, 2007.

Henry Sherrod, Pasadena Neighborhood Coalition Chair, expressed concerns regarding continuing problems with abandoned shopping carts and the need for some type of mechanism to prevent carts from leaving the retailers' premises.

The City Manager indicated a recommendation regarding abandoned shopping carts would be heard at the next Economic Development and Technology Committee meeting.

COUNCIL COMMENTS

Councilmember Madison asked that his previous request for a Call for Review of Conditional Use Permit No. 4117 (42 S. De Lacey Avenue) be withdrawn; and that the matter be agendaized, if necessary.

The City Attorney indicated staff would determine the best way to handle Councilmember Madison's request.

Councilmember Holden commented on a letter that had been sent from the Pasadena Neighborhood Coalition to the California Public Utilities Commission dated September 25, 2007, expressing concerns about green space and proposed development on land owned by Southern California Edison; and expressed support for the Coalition's position on this matter and for referring the matter to the Legislative Policy Committee for discussion and consideration of the issues contained in the Coalition letter.

Councilmember McAustin asked that the Legislative Policy Committee and staff explore the impacts of the Coalition's position and whether the Council should take action on the matter.

The City Manager discussed the timeframe and process for discussing the Green Space Element, Open Space Element, and Park Master Plan, and establishment of a coordinating committee.

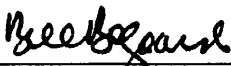
RECESS/ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council recessed at 8:32 p.m., to discuss the following closed session:

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

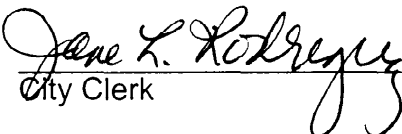
The above closed session was discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting of the City Council adjourned at 10:05 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane L. Rodriguez
City Clerk