

CITY OF PASADENA
City Council Minutes
April 6, 2009 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:31 p.m.
(Absent: Councilmember Madison)

On order of the Mayor, the regular meeting recessed at 5:31 p.m., to discuss the following closed sessions:

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

City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organizations: Pasadena Fire Fighters Association, Local 809; Pasadena Fire Management Association

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

City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organizations: American Federation of State, County and Municipal Employees, Local 858; International Brotherhood of Electrical Workers, Local 18; International Union of Operating Engineers, Local 501; Pasadena Fire Fighters Association, Local 809; Pasadena Fire Management Association; Pasadena Management Association; Pasadena Police Officers Association; Pasadena Police Sergeants Association; and unrepresented employees

Councilmember Madison arrived at 6:35 p.m.

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

Case Name: Dumbacher, et al. v. City of Pasadena
Case No.: Los Angeles Superior Court Case No. BC382910

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

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

City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organization: Service Employees International Union, Local 347

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

**City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organization: Pasadena Association of Clerical
and Technical Employees, LIUNA Local 777**

The above two closed session items were not discussed.

On order of the Mayor, the regular meeting reconvened at 6:51 p.m. The Pledge of Allegiance was led by Fred Alcantar, Sister Cities Committee President.

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:

Assistant City Manager Julie Gutierrez
Senior Assistant City Attorney Scott Rasmussen
City Clerk Mark Jomsky

CEREMONIAL MATTERS

The Mayor announced that a delegation from Pasadena's Sister City of Xicheng District, Beijing, China was present, and had been visiting the City in celebration of the 10th anniversary of their sister city relationship with Pasadena.

Fred Alcantar, Sister Cities Committee President, and Cathy Wei, China Subcommittee Chair, introduced the following members of the Xicheng District delegation: Zhang Jiandong (Governor); Zhang Bing (Counselor); Tian Jingsheng (Director-Commission of Education); Tang Jiaxuan ((Director-Foreign Affairs Office); Zhou Huilai (Director-Bureau of Finance); Ju Jin (General Manager of Beijing Huarong Investment Co., Ltd.); and Li Jun (translator). Governor Zhang presented various gifts to Vice Mayor Haderlein and the Council; and submitted a booklet titled, "Sister Cities – Pasadena ♦ Xicheng District, Beijing – Tenth Anniversary, 1999-2009 – Sister City Affiliation."

The Mayor presented a proclamation designating April 6-12, 2009 as Public Health Week. The proclamation was received by Dr. Takashi Wada, Director of Public Health Department, and Angelica Palmeros, Program Coordinator, who highlighted the 2009 Public Health Week theme of "Building a Foundation to a Healthy America", as this relates to the Health Department's services for HIV/Aids.

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

The following persons expressed various concerns regarding the proposed "opportunities site map" and other provisions in the telecommunications facilities ordinance to be presented for the City Council's consideration at a future date:

Miriam Nakamura-Quan, Public Regulation of Wireless (PROW) member, submitted a letter dated April 2, 2009 stating her concerns.

Raymond Quan, MD, PROW member

Freddie Hannan, West Pasadena Residents Association (WPRA) member

In response to Councilmember Tyler's questions, Richard Bruckner, Director of Planning and Development Department, indicated that meetings with the community had been held, during which information on the proposed telecommunications facilities regulations had been presented to the public, prior to Council's consideration of, and action on, the telecommunications facilities matter at two public hearings held in February 2009.

Following brief discussion, the Mayor affirmed that public comment on, and discussion of, the "opportunities site map" and telecommunications facilities regulations would be part of the process as the draft ordinance is considered at the Council meeting of April 27, 2009, with the community's concerns to be heard and dealt with at that time.

Terry LeMoncheck, Pasadena Arts Council Executive Director, asked the Council for an extension of the 90-day time period that Council had set for the review of the public artworks selection process for the Pasadena Center by the Arts and Culture Commission.

The Mayor indicated that Council would be open to an extension of the 90-day time schedule to give the Arts and Culture Commission an opportunity to complete the review.

Diane Cornwell, Pasadena Art Alliance Executive Director, discussed the Alliance's support of contemporary visual arts, and submitted a listing of the 2009 grant recipients and funds totaling \$270,000 that had been awarded by the Alliance.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

PUBLIC SAFETY
COMMITTEE

**AUTHORIZE THE CITY MANAGER TO EXECUTE AN
ADDENDUM TO THE MEMORANDUM OF
UNDERSTANDING BETWEEN THE PASADENA POLICE
DEPARTMENT AND PASADENA UNIFIED SCHOOL
DISTRICT (PUSD)**

The Mayor announced that the above agenda item had been pulled from the agenda, to allow time for the Public Safety

Committee to review the item prior to Council's consideration of the matter.

CONSENT CALENDAR

CONTRACT AWARD TO CALIFORNIA PAVING AND GRADING COMPANY, INC., FOR MISCELLANEOUS CONCRETE REPAIR AND CURB RAMPS 2009 - PHASE I, FOR AN AMOUNT NOT TO EXCEED \$250,000

Recommendation of City Manager:

(1) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 5301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (Maintenance of Existing Public Streets), pursuant to the findings of the Secretary of the Resources Agency; and a Notice of Exemption for the project has been filed with the Los Angeles County Clerk; and

(2) Accept the bid dated March 10, 2009, submitted by California Paving and Grading Company, Inc., for Miscellaneous Concrete Repair and Curb Ramps 2009 - Phase I; reject all other bids received; and authorize the City Manager to enter into such contract for a not to exceed amount of \$250,000. (Contract No. 19,885)

Item discussed separately at the request of Councilmember Madison.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PETER TOLKIN ARCHITECTURE, FOR PROFESSIONAL SERVICES FOR THE DESIGN AND CONSTRUCTION OF PROPOSED PARK IMPROVEMENTS AT CENTRAL AND MEMORIAL PARKS, IN AN AMOUNT NOT TO EXCEED \$162,800

CLAIMS RECEIVED AND FILED

Claim No. 10,841	Edward Bailey	\$	1,000.00+
Claim No. 10,842	Drake Financial, LLC		Not Stated
Claim No. 10,843	Michael G. Huckler		1,008.77
Claim No. 10,844	Barbara McMahon		3,789.85
Claim No. 10,845	Michael Lee Rose		Not Stated

It was moved by Councilmember Gordo, seconded by Vice Mayor Haderlein, to approve the Consent Calendar, with the exception of Item 2 (Contract with Peter Tolkin Architecture), which was discussed separately. (Motion unanimously carried) (Absent: None)

CONSENT ITEM DISCUSSED SEPARATELY

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PETER TOLKIN ARCHITECTURE, FOR PROFESSIONAL SERVICES FOR THE DESIGN AND CONSTRUCTION OF PROPOSED PARK IMPROVEMENTS AT CENTRAL AND MEMORIAL PARKS, IN AN AMOUNT NOT TO EXCEED \$162,800

Recommendation of City Manager:

(1) Find that the projects were subject to adequate environmental review in the negative declarations adopted by the City Council for the Central Park Master Plan on

July 16, 2007, and the Amended Memorial Park Master Plan on April 12, 1999, and that there are no changed circumstances or new information which would require further environmental review; and

(2) Authorize the City Manager to enter into a contract with Peter Tolkin Architecture, for professional services for design of the following improvements, in an amount not to exceed \$162,800, as provided for in the adopted Central and Memorial Park Master Plans: proposed restroom buildings in Central and Memorial Parks, leading to a standardized design for future restrooms; and exterior rehabilitation of the El Centro de Accion building and Lawn Bowlers Club House, pursuant to Charter Section 1002(F), contracts for professional or unique services. (Contract No. 19,886)

Councilmember Madison asked staff to continue to communicate with the Central Park Committee regarding this, and future projects related to the Central Park Master Plan.

Segun Abegunrin, Capital Projects Administrator, responded to questions regarding the costs and scope of work to be performed under the contract.

Councilmember McAustin expressed concerns regarding the architectural and engineering cost totals for the Memorial Park project.

Councilmember Tyler expressed concerns regarding the need for use of a low-bid criterion in the selection process.

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

PUBLIC HEARING

PUBLIC HEARING: DESIGNATION OF 60 EL CIRCULO DRIVE (THE KING RESIDENCE) AS A HISTORIC MONUMENT

Recommendation of City Manager:

(1) Acknowledge that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (CEQA) under Class 8, Actions by Regulatory Agencies for Protection of the Environment (CEQA Guidelines, Article 19, Section 15308);

(2) Find that the property (including main house with attached garage, pavilion, gazebo, and site features) at 60 El Circulo Drive is significant under Criterion C for designation as a historic monument, Pasadena Municipal Code Section 17.62.040(B), because they are exceptional examples of Contemporary residential architecture that are significant at the state-wide level and are important representations of the work of the local architectural firm of Buff & Hensman;

- (3) Approve the designation of the property at 60 El Circulo Drive as a historic monument;
- (4) Adopt a resolution approving a Declaration of Historic Monument Designation for 60 El Circulo Drive, Pasadena, California;
- (5) Authorize the Mayor to execute the Declaration of Historic Monument Designation for 60 El Circulo Drive, Pasadena, California; and
- (6) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 8935)

Recommendation of Historic Preservation Commission: On March 2, 2009, at a noticed public hearing, the Historic Preservation Commission voted unanimously to recommend approval of the designation of 60 El Circulo Drive as a historic monument under Criterion C of Pasadena Municipal Code Section 17.62.040(B).

The Mayor opened the public hearing.

The City Clerk reported 20 copies of the notice of public hearing were posted on March 20, 2009; 31 copies of the notice were mailed on March 20, 2009; and no correspondence was received.

Kevin Johnson, Acting Senior Planner, summarized the agenda report as part of a PowerPoint presentation.

The following persons spoke in support of the historic monument designation:

Renee Morgan-Hampton, Pasadena resident
Carol Soucek King, applicant

It was moved by Councilmember Madison, seconded by Councilmember Robinson, to close the public hearing. (Motion unanimously carried) (Absent: None)

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

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

CONSIDERATION OF A CALL FOR REVIEW OF A HEARING OFFICER DECISION TO THE BOARD OF ZONING APPEALS REGARDING REVOCATION/MODIFICATION OF CONDITIONAL USE PERMIT NO. 2051 FOR FULL ALCOHOL SALES FOR AN EXISTING RESTAURANT (VIVE) AND CONDITIONAL USE PERMIT NO. 2421 (WHICH INCLUDES MINOR CONDITIONAL USE PERMIT NO. 2863) FOR LIVE ENTERTAINMENT AND DANCING FOR AN EXISTING RESTAURANT (VIVE) AT 61 NORTH RAYMOND AVENUE (Councilmember Madison)

Councilmember Madison asked that his request for consideration of a call for review be withdrawn, since staff had imposed a stringent set of conditions on the restaurant; and also asked staff to monitor the restaurant's compliance with the conditions.

By consensus, Councilmember Madison's request for consideration of a call for review was withdrawn. The decision of the hearing officer stands.

Councilmember Madison was excused at 8:09 p.m.

APPOINTMENT OF STEVE HADERLEIN TO THE FIRE AND POLICE RETIREMENT SYSTEM EFFECTIVE MAY 4, 2009
(City Council Nomination)

It was moved by Councilmember Tyler, seconded by Councilmember Gordo, to approve the above appointment. (Motion unanimously carried) (Absent: Councilmember Madison)

REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES

**ECONOMIC DEVELOPMENT
AND TECHNOLOGY
COMMITTEE**

**2008-2014 HOUSING ELEMENT PROGRAM
RECOMMENDATIONS**

Recommendation of City Manager: It is recommended the City Council direct staff to:

- (1) Initiate an analysis of the Inclusionary Housing Program, as described in the agenda report; and
- (2) Investigate using the California Community Foundation Land Trust (CCFLT) for a share of affordable homeownership housing projects in the City.

Councilmember Gordo, Chair of the Economic Development and Technology Committee, introduced the agenda item; and noted that after the Draft 2008-2014 Housing Element had been returned by the California Department of Housing and Community Development (HDC) with its comments, the Council would have an opportunity to discuss and act on any proposed changes to the Draft Housing Element, and incorporate any recommendations that might arise out of the additional analysis and investigation being conducted.

Bill Trimble, Senior Planner, and William Huang, Director of Housing Department, reviewed the agenda report as part of a PowerPoint presentation; and responded to questions.

Richard Bruckner, Director of Planning and Development Department, confirmed that an analysis/discussion of environmental issues would be included as part of future reports on second unit development projects.

Jill Shook, Pasadena resident, spoke in support of the development of a sustainable community land trust and cooperative housing.

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to approve the City Manager's recommendation, as amended to include a statement of the sources and uses of the Inclusionary Housing funds from the inception of the Inclusionary Housing Program. (Motion unanimously carried) (Absent: Councilmember Madison)

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**EXEMPTION FOR NORTH LAKE AVENUE FROM THE
SUSPENSION OF TREE PLANTING PROJECTS IN
SPECIFIC PLAN AREAS AND INFORMATION UPDATE ON
PLAYHOUSE STREETSCAPE PLAN**

Recommendation of City Manager: Exempt tree planting on North Lake Avenue, from Orange Grove Boulevard to Walnut Street, from the suspension of tree planting as directed by City Council on March 23, 2009, to allow for Pasadena's 2009 Arbor Day event.

Kathy Woods, Parks and Natural Resources Administrator, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Dan Rix, City Engineer, confirmed that the north/south streets in the Playhouse District were not part of the suspension/moratorium, and that the Playhouse District trees on Colorado Boulevard were covered under the tree planting suspension/moratorium; and responded to questions regarding various tree-related issues on Colorado Boulevard and existing streetscape/tree plans.

Julie Gutierrez, Assistant City Manager, responded to questions regarding the Master Street Tree Plan and streetscape/specific plans reviews.

Councilmember McAustin asked staff to provide information (in the City Manager's weekly informational letter to Council) regarding the status of a proposal for a large specimen oak tree planting at the southern gateway of the North Lake Specific Plan area.

The following persons expressed concerns regarding the suspension of tree planting in the business districts/Playhouse District and/or requested exemption of these areas from the tree removal/planting moratorium:

Nancy Nelson, Pasadena resident
Gina Tleel, South Lake Business Association Executive
Director
Ken McCormick, Playhouse District Association member
Marjorie Lindbeck, Pasadena resident
Mark Nay, Pasadena resident
Caroline Cotten, Pasadena resident

Rhonda Bennett, South Lake Business Association member
Paul Jacoy, Playhouse District Association President

Discussion followed on various streetscape/tree plans in the business district area, issues related to implementation of the tree plans vs. removal of healthy trees that are not consistent with the tree plans, timelines for lifting the moratorium and the completion of the Master Street Tree Plan and streetscape/specific plans reviews, and development of a process for the various reviews.

Councilmember Robinson stated her objections to the exemption requested for North Lake Avenue and discussed equity issues related to the suspension/moratorium.

Councilmember Gordo stated his concerns regarding the need for Council to develop a review process for the Master Street Tree Plan that involves the community, stakeholders, and arborists/other experts.

Councilmember Tyler suggested that staff return to Council with a workplan and timeline for a Master Street Tree Plan review process that involves the community and includes the selection criteria previously discussed for the streetscape/specific plans reviews, with a goal of completing the Master Street Tree Plan review process by late fall 2009 and acceleration of the process for areas where grant funding for tree planting is a factor in future tree plantings.

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to approve the City Manager's recommendation. (Motion carried, with Councilmember Robinson objecting) (Absent: Councilmember Madison)

Following discussion, Councilmember Gordo requested that an item be agendaized for a future Council meeting that would reconsider the action taken by Council on March 23, 2009 that included the Playhouse District in the tree planting suspension, which would allow Council to consider moving forward to allow some level of tree plantings according to the existing Playhouse District streetscape/tree plan.

Scott Rasmussen, Senior Assistant City Attorney, indicated that Councilmember Gordo's request was appropriate.

Councilmember Tyler asked that his suggestion for a workplan and timeline for a Master Street Tree Plan review process (cited above) also be brought forward by staff to assist in future discussions on the tree issues/reviews.

PUBLIC COMMENT
(Continued)

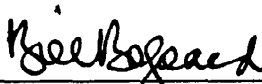
Joan Chin, Sunset Oaks Neighborhood Association member, expressed concerns regarding possible negative impacts of locating telecommunications facilities in their neighborhood.

The Mayor stated that the public would be provided the opportunity to comment on the telecommunications facilities regulations during Council's consideration of the first reading of the draft telecommunications ordinance at the Council meeting of April 27, 2009.

The Mayor, Vice Mayor Haderlein, and Councilmember McAustin commented on the formal opening and dedication of the Pasadena Convention Center project this past weekend.

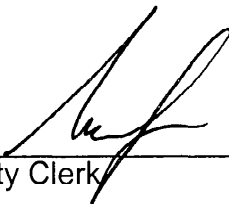
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:57 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk