

CITY OF PASADENA
City Council Minutes
April 26, 2010 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING: Mayor Bogaard called the regular meeting to order at 6:33 p.m. The Pledge of Allegiance was led by Steve Mermell, Assistant City Manager.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Victor Gordo (Absent)
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Steve Madison (Arrived at 7:04 p.m.)
Councilmember Margaret McAustin
Councilmember Jacque Robinson
Councilmember Terry Tornek

Staff:

City Manager Michael J. Beck
City Attorney Michele Beal Bagneris
City Clerk Mark Jomsky

CEREMONIAL MATTERS

The City Clerk administered the oath of office to P. Michael Brady as Environmental Advisory Commissioner.

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

The following persons expressed concerns regarding ongoing immigration issues and the need for comprehensive immigration reform; and asked the Council to continue to support the civil rights of all residents, including the immigrant community:

Suzanna Zamorano, Instituto de Educacion Popular del Sur de California (IDEPSCA) representative
Veronica Velez, La Escuelita de la Comunidad
Connie Rey Castro, ACLU Pasadena/Foothills Chapter member speaking as an individual, read a statement from Martin Gordon, ACLU Pasadena/Foothills Chapter Police Practices Committee Chair.
Michelle White, ACLU Pasadena/Foothills Chapter President, submitted her written statement regarding immigration reform.
Roberta Martinez, Pasadena resident

The Mayor asked the City Clerk to provide information to the Council on actions/positions taken by the City in recent times regarding immigration reform.

Councilmember Holden suggested staff also provide the relevant speakers with the information that is produced regarding Council's past actions/positions regarding immigration reform.

Mark Olson, Southern California Edison representative, introduced himself as Edison's liaison with the City and Water and Power Department.

Yuny Parada, Pasadena resident, expressed concerns regarding the Police Department's actions related to enforcement of the City's ordinance regulating the solicitation of day laborers and the impounding of cars of unlicensed drivers at sobriety check points; asked the Council to review these actions that are impacting the Latino community; and indicated she would submit a letter to the City Council.

Councilmember Madison arrived at 7:04 p.m.

Nancy Nelson, Pasadena resident, expressed concerns regarding an incident in her apartment building requiring cleanup to be performed by the property owner, and an alleged punitive rent increase she has experienced.

CONSENT CALENDAR

REJECTION OF ALL BIDS FOR THE PURCHASE OF SATEC PM174 POWERMETERS FOR THE WATER AND POWER DEPARTMENT

Recommendation: Reject all bids received on September 4, 2009 in response to Specifications LD-09-16, for the purchase of Satec Powermeters for the Water and Power Department.

AUTHORIZATION TO ENTER INTO A LETTER AGREEMENT WITH SOUTHERN CALIFORNIA EDISON FOR SERVICES TO REPLACE ONE 220 KV CIRCUIT BREAKER AT T.M. GOODRICH RECEIVING STATION

Recommendation:

- (1) Find that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to the State CEQA Guidelines, Section 15302 (Replacement or Reconstruction);
- (2) Authorize the City Manager to enter into a Letter Agreement with Southern California Edison (SCE), to replace 220-kV Circuit Breaker number 422 at T.M. Goodrich Receiving Station (Goodrich) for an amount not to exceed \$550,000; and
- (3) Grant the proposed agreement an exemption from the Competitive Bidding Process, pursuant to City Charter Section 1002(C), contracts for labor, material, supplies or services available from only one vendor. (Agreement No. 20,293)

EXTENSION OF CONTRACT NO. 19,572-1 WITH SCOTT FAZEKAS & ASSOCIATES, INC., FOR BUILDING, MECHANICAL, PLUMBING AND ELECTRICAL PLAN CHECK SERVICES FOR AN ADDITIONAL YEAR

Recommendation: Authorize a one year extension to Contract No. 19,572-1 with Scott Fazekas and Associates, Inc., for as needed, specialty building, mechanical, plumbing and electrical plan check services in an amount not to exceed \$250,000. (Contract Amendment No. 19,572-2)

MINUTES APPROVED

April 12, 2010

CLAIMS RECEIVED AND FILED

Claim No. 11,096	Paulette Skinner	\$ 2,342.00
Claim No. 11,097	Alex Rodriguez	Not Stated
Claim No. 11,098	AAA as subrogee for Esther and Adrian Sansone	653.15

PUBLIC HEARINGS SET

May 10, 2010, 7:30 p.m. – City Manager’s Recommended Fiscal Year 2011 Operating Budget and Fiscal Year 2011-2015 Capital Improvement Program

May 10, 2010, 7:30 p.m. – Annual Amendments to the General Fee Schedule for Fiscal Year 2011

June 14, 2010, 7:30 p.m. – Amendment to Schedule of Taxes, Fees, and Charges for Fiscal Year 2011

It was moved by Councilmember Holden, seconded by Councilmember McAustin, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Vice Mayor Gordo)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

BUDGET UPDATE

Recommendation: The presentation is made for information only.

FINANCE COMMITTEE

Andy Green, Director of Finance Department, provided an update of the Fiscal Year (FY) 2010 Budget as part of a PowerPoint presentation, and responded to questions.

The City Manager briefly clarified various proposed savings strategies for the budget, and noted the distinction between one-time and structural changes occurring in the FY 2010 Budget vs. what will be proposed for the FY 2011 Budget.

Karyn Ezell, Director of Human Resources Department, responded to questions regarding proposed benefits/salary changes that may be considered and will require negotiations with the existing coalition of bargaining units and/or bargaining units.

Martin Pastucha, Director of Public Works Department, clarified the cost savings for using seed rather than sod for park turf renovation.

The Mayor noted that a City Council Strategic Planning Workshop will be held on April 30, 2010, and will focus on the budget situation, as a foundation for the development of the FY 2011 Budget during the months of May and June.

By consensus and on order of the Mayor, the information was received.

AMENDMENT TO THE FISCAL YEAR 2010 CAPITAL IMPROVEMENT PROGRAM BUDGET TO INCLUDE A NEW PROJECT IN THE TECHNOLOGY SECTION ENTITLED, "OVERHEAD FIBER CABLE REPLACEMENT" AND APPROPRIATION OF FUNDS TO THE PROJECT

Recommendation:

(1) Amend the Fiscal Year 2010 Capital Improvement Program (CIP) budget to include a new project in the *Technology* section entitled, "Overhead Fiber Cable Replacement"; and

(2) Approve a journal voucher recognizing and appropriating \$282,130 from the unappropriated fund balance of the Telecommunications Fund (Fund 408) to the capital project entitled, "Overhead Fiber Cable Replacement". (Journal Voucher No. 2010-12)

Recommendation of Planning Commission: On March 24, 2010, the Planning Commission found this project to be consistent with the Public Facilities Element of the General Plan.

Councilmember Holden, Chair of the Finance Committee, summarized the agenda report.

It was moved by Councilmember Holden, seconded by Councilmember McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: Vice Mayor Gordo)

PUBLIC HEARINGS

REQUEST FOR CHANGE TO APPROVED AMBASSADOR WEST PROJECT AND VARIANCE NO. 11669 FOR 182 SOUTH ORANGE GROVE BOULEVARD (MAYFAIR MANSION)

Recommendation:

(1) Find that the activity described in the application for changes to the approved Ambassador West Project and related variance application was subject to environmental review in the Environmental Impact Report (EIR) adopted by the City Council for the Ambassador West Project on April 2, 2007, and that there are no changed circumstances or new information which would trigger further environmental

review;

(2) Make the specific findings listed in Attachment B of the agenda report; and

(3) Approve this application with the conditions listed in Attachment C of the agenda report.

Recommendation of Planning Commission: On March 10, 2010, the Planning Commission recommended that the City Council approve the request for a change to the approved Ambassador West Project and Variance No. 11669 for 182 South Orange Grove Boulevard with the above environmental finding, with the findings listed in Attachment B of the agenda report, and with modifications to the conditions of approval. These modifications, which are shown in boldface font, are listed in Attachment C of the agenda report.

The Mayor opened the public hearing.

The City Clerk reported 46 copies of the notice of public hearing were posted on April 8, 2010; 90 copies of the notice were mailed on April 8, 2010; and 1 letter in support of the application and modified conditions of approval was received.

Jason Wasmund, Assistant Planner, reviewed the agenda report as part of a PowerPoint presentation, and distributed a project site plan map of the Ambassador West Project.

John Poindexter, Planning Manager, provided an update on the Ambassador West Project (phasing of the project and status of the proposed residential condominiums and the Sunrise Senior Living units); confirmed that the applicant had not expressed objections to the staff changes involving the location of the garage and landscaping; clarified the steps to achieve a single-family occupancy use of the Mayfair Mansion property; and responded to questions.

Steve Mermell, Assistant City Manager, confirmed that the staff and Planning Commission recommendations on the Mayfair Mansion request for variance were in accord.

Chet Crane, Maranatha High School Head of School, spoke in support of the Mayfair Mansion application.

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

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

In response to the Mayor's questions, Mr. Poindexter discussed the status of the senior living project and related entitlements, and indicated that a building permit had not been issued for the senior living units.

PASADENA COMMUNITY DEVELOPMENT COMMISSION (PCDC) FIVE YEAR IMPLEMENTATION PLAN

Recommendation: It is recommended that the Pasadena Community Development Commission (PCDC) continue the public hearing to May 10, 2010, at 7:30 p.m.

By consensus and on order of the Mayor, the public hearing was continued to May 10, 2010 at 7:30 p.m.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember Haderlein recused himself at 8:32 p.m., due to a conflict of interest.

REQUEST TO CONSIDER INITIATION OF AN AMENDMENT TO THE SOUTH FAIR OAKS SPECIFIC PLAN

Recommendation:

(1) Find that the focused amendment study proposed in the agenda report is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15262 (Feasibility and Planning Studies); and
(2) Pursuant to Pasadena Municipal Code Section 17.74.030, initiate an amendment to the South Fair Oaks Specific Plan and related sections of the Zoning Code, Zoning Map and General Plan to permit residential uses west of Fair Oaks Avenue and north of Hurlbut Street.

Planning Commission Recommendation: At its regular meeting on Wednesday, March 10, 2010, the Planning Commission expressed support for Regency Park Senior Living, Inc.'s request that the City Council initiate a review of South Fair Oaks Specific Plan. The requested amendments would allow the development of senior housing at 909-915 South Fair Oaks Avenue. The Commission acknowledged that senior housing is an increasingly critical need in Pasadena, that Huntington Hospital supports the location of senior housing facilities in close proximity to its campus, and that the applicant has already proven itself capable of developing, constructing, and operating a high quality facility in the immediate area. These factors, as well as the 12-year time span since the Specific Plan's adoption and the underutilized status of the subject site, contributed to the Planning Commission's support for initiation of a limited review of the Specific Plan based on the application for development of senior housing that has been submitted to the City.

The Commission stipulated that this recommendation should not change the order of comprehensive specific plan reviews outlined in the Planning & Development Department's existing work plan or affect the General Plan update schedule.

Steve Mermell, Assistant City Manager, introduced the agenda item.

Erin Clark, Associate Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

John Poindexter, Planning Manager, outlined the focused review process of the study area and responded to questions.

John Yonai, Tierra West Advisors, Inc., representing Regency Park Senior Living, Inc. (applicant), spoke in support of the proposed amendment to the South Fair Oaks Specific Plan.

Councilmember Holden expressed concerns regarding the lack of a broad public outreach approach that would result in a stronger planning approach to changes in the Specific Plan.

Councilmember Tornek stated his objections regarding an amendment to the Specific Plan that is focused on a project block, rather than having staff complete a full review of the Specific Plan area, which is needed.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Robinson, to approve the staff recommendation. (Motion carried, with Councilmember Tornek objecting) (Absent: Councilmember Haderlein, Vice Mayor Gordo)

APPOINTMENT OF KATHLEEN ROONEY HAMILTON TO THE LIBRARY COMMISSION (District 6 Nomination)

RESIGNATION OF JAYLENE MOSELEY FROM THE ENVIRONMENTAL ADVISORY COMMISSION (District 3 Nomination)

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE

EXTENSION OF TIME LIMITS FOR CERTAIN LAND USE PERMITS AND ENTITLEMENTS

Recommendation:

- (1) Find that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15321 (Enforcement Actions by Regulatory Agencies);
- (2) Authorize the Director of Planning and Development to receive applications for, and grant one-year extensions to, planning permits and entitlements that expired between November 15, 2008 and November 15, 2009, for a sixty-day period after the effective date of the proposed ordinance; and

(3) Conduct the first reading of the ordinance set forth on the agenda.

Recommendation of Economic Development and Technology Committee: The subject recommendation was presented in concept to the Economic Development and Technology Committee at its meeting of April 7, 2010, and was unanimously endorsed by the Committee.

The Mayor introduced the agenda item.

It was moved by Councilmember Holden, seconded by Councilmember Tornek, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Haderlein, Vice Mayor Gordo)

ORDINANCE – FIRST READING

Conduct first reading of “AN EXTENSION OF INTERIM, UNCODIFIED ORDINANCE NO. 7180 OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) TO AUTHORIZE A ONE-YEAR EXTENSION FOR CERTAIN PLANNING PERMITS AND LAND-USE ENTITLEMENTS WITH EXPIRED TIME EXTENSIONS”

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

AYES: Councilmembers Holden, Madison, McAustin, Robinson, Tornek, Mayor Bogaard

NOES: None

ABSENT: Councilmember Haderlein, Vice Mayor Gordo

ORDINANCES – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 3.24.090 OF THE PASADENA MUNICIPAL CODE RELATING TO ALCOHOL SERVICE FOR A PERMITTED EVENT AT HAHAMONGNA WATERSHED PARK FOR SPECIFIED HOURS ON SUNDAY, MAY 16, 2010 (MIKE ANTONOVICH TRAIL RIDE) (Introduced by Councilmember Robinson) (Ordinance No. 7186)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Holden, Madison, McAustin, Robinson, Tornek, Mayor Bogaard

NOES: None

ABSENT: Councilmember Haderlein, Vice Mayor Gordo

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 8.78.051 OF THE TOBACCO USE PREVENTION ORDINANCE IN THE PASADENA MUNICIPAL CODE TO PROHIBIT SMOKING ON THE BROOKSIDE CLUBHOUSE PATIO, IN THE BROOKSIDE STARTERS SHOP AND ON PATHWAYS LEADING TO THE STARTERS SHOP, AND TO CLARIFY FURTHER THE GENERAL PROHIBITION AGAINST SMOKING IN PUBLIC PARKS” (Introduced by Councilmember McAustin) (Ordinance No. 7187)

The following persons spoke in opposition to and expressed concerns regarding the proposed ordinance:

Garen Feroyan, Bliss Café and Lounge owner
Kevork, Zephyr Coffee House and owner

The City Attorney confirmed that the proposed ordinance does not apply to Mr. Feroyan's business and that the issues raised by the speakers were not related to the proposed ordinance.

Councilmember McAustin suggested that the Public Safety Committee take a second look at a staff report that had been previously presented to the Committee on hookah lounges, as this relates to the City's smoking ordinance.

The above ordinance was adopted by the following vote:

AYES: Councilmembers Holden, Madison, McAustin,
Robinson, Tornek, Mayor Bogaard

NOES: None

ABSENT: Councilmember Haderlein, Vice Mayor Gordo

INFORMATION ITEM

PRE-DEVELOPMENT PLAN REVIEW OF THE VALLEY HUNT CLUB NEW MASTER PLAN

Recommendation: This report is being provided for information only.

Steve Mermell, Assistant City Manager, introduced the agenda item.

Robert Avila, Planner, reviewed the agenda report, and responded to questions.

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

COUNCIL COMMENTS

Councilmember McAustin asked staff to work with the Recreation and Parks Commission to identify potential locations on which an urban park could be located in the Central District, and report their findings to the City Council within approximately 90 days.

The City Manager indicated staff could provide this report and incorporate information on unfunded park projects that can be used in the parks planning process.

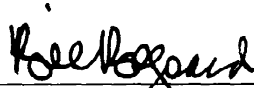
Councilmember Robinson submitted a letter to Assistant City Manager Steve Mermell regarding various issues on the General Plan Update, which she had received from the Chamber of Commerce (dated March 24, 2010).

Mr. Mermell indicated that staff will look into the usability of the internet links for the General Plan Update on the City's web page, staff is moving forward in updating the Economic

Development and Employment Element of the General Plan, and that the final report on the General Plan Update will be presented to Council in the near future.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:32 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk