

CITY OF PASADENA
City Council Minutes
March 9, 2011 – 4:00 P.M.
City Hall Council Chamber

SPECIAL MEETING

OPENING: Mayor Bogaard called the special meeting to order at 4:04 p.m. The Pledge of Allegiance was led by the Mayor.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Victor Gordo (Arrived at 4:08 p.m.)
Councilmember Steve Haderlein
Councilmember Chris Holden (Arrived at 4:07 p.m.)
Councilmember Steve Madison
Councilmember Margaret McAustin
Councilmember Jacque Robinson (Arrived at 4:17 p.m.)
Councilmember Terry Tornek

Staff:

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

JOINT ACTION: AUTHORIZE THE CITY MANAGER/CHIEF EXECUTIVE OFFICER TO TAKE CERTAIN ACTIONS RELATED TO THE TRANSFER OF REAL PROPERTY INTERESTS, CASH, AND OTHER ASSETS OF THE PASADENA COMMUNITY DEVELOPMENT COMMISSION TO THE CITY OF PASADENA

Recommendation:

It is recommended that the City Council/Pasadena Community Development Commission (PCDC) take the following actions:

- (1) Find that the transfer of any and all of PCDC's real property interests, cash, and other assets to the City of Pasadena, as proposed herein, is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);
- (2) Authorize the City Manager/Chief Executive Officer to take any and all actions necessary to transfer all real property interests, cash, and other assets of the PCDC to the City of Pasadena;
- (3) Authorize the City Manager to accept all deeds transferring real property interests from the PCDC, and that such real property is accepted by the City for the purposes of furthering the goals and objectives established in the Redevelopment Plans and for such other municipal purposes as may be deemed necessary and appropriate;
- (4) Adopt a Resolution approving certain actions related to the transfer of real property interests, cash, and other assets of the PCDC to the City of Pasadena; and
- (5) Authorize the City Manager/Chief Executive Officer to take

any and all actions necessary to transfer back to the PCDC all or a portion thereof former real property interests, cash, and other assets transferred to the City of Pasadena as a result of the actions set forth herein. (Resolution Nos. 9096 and 9099; Resolution Nos. CDR-272 and CDR-274; and Agreement No. CDC-778)

Councilmember Holden arrived at 4:07 p.m.

Vice Mayor Gordo arrived at 4:08 p.m.

Jim Lomako, Pasadena resident, spoke in support of the City's proposed actions and Governor Jerry Brown's proposal to eliminate redevelopment programs as they are currently formulated, and submitted his written comments sent to the Los Angeles Times.

Councilmember Robinson arrived at 4:17 p.m.

The City Manager introduced the agenda item, clarified the actions associated with the proposed transfers from the Pasadena Community Development Commission (PCDC) to the City, discussed the Governor's proposed legislation to eliminate the existing redevelopment program, and responded to questions.

Steve Mermell, Assistant City Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Andy Green, Director of Finance Department, explained the mechanics of the proposed PCDC to City transfers, and responded to questions.

Kelly Kitasato, Real Property Manager, clarified the deeds that will be issued, and stated that the City had performed an analysis and due diligence of the properties to be deeded.

Councilmember Madison expressed concerns regarding possible unintended consequences of the proposed Council/Commission actions (re: Paseo Colorado, Plaza Las Fuentes, and Singer Park); and suggested that indemnification language be included in the staff recommendation so that the PCDC will indemnify the City if legal action is taken against the City regarding these assets and actions.

The City Attorney indicated that language had been included in the resolutions to protect the City from unintended consequences.

Brad Fuller, Assistant City Attorney, noted that the assets will continue to be used for their original redevelopment purposes after the transfer from the PCDC to the City, discussed the legal implications of the proposed State legislation, and responded to questions.

Vice Mayor Gordo recused himself at 4:34 p.m., due to a conflict of interest.

Vice Mayor Gordo asked that the property located at 30 East Villa Street be acted upon separately, based on his need to recuse himself in regards to this property.

Councilmember Holden expressed concerns regarding the need for the City to protect itself against possible legal actions that could be taken by the State against the City, as this pertains to the staff recommendation.

The Mayor stressed the need for the City to balance the risks involved with taking the actions set out in the staff recommendation vs. the impacts to the City that might result from the proposed State legislation.

The Mayor was excused at 4:53 p.m.

Councilmember Haderlein asked that a strong statement of the City's opposition to the proposed State legislation to eliminate the redevelopment program be sent to the City's representatives (State Senator Carol Liu and Assemblymember Anthony Portantino), with emphasis given to the need for the Senator and Assemblymember to represent the City's interests on this matter, and with the statement to be publicized in the media.

Councilmember Madison recused himself at 5:04 p.m., due to a conflict of interest.

Councilmember Madison asked that the Singer Park property be acted upon separately, based on his need to recuse himself in regards to this location.

MOTION

Following discussion, it was moved by Councilmember Haderlein, seconded by Councilmember Robinson, to approve the staff recommendation, as amended to include only the 30 East Villa Street (Street Right of Way Adjacent to Throop Lumber) and 280 West California Boulevard (Singer Park) properties listed on Attachment A of the agenda report; to include that a strong statement of the City's opposition to the proposed State legislation to eliminate the redevelopment program be sent to the City's representatives (State Senator Carol Liu and Assemblymember Anthony Portantino), with the City's opposition to be publicized in the media; and to include language that the Pasadena Community Development Commission (PCDC) will indemnify the City if legal action is taken against the City regarding the actions by the PCDC/City Council. (Motion unanimously carried) (Absent: Councilmember Madison, Vice Mayor Gordo, Mayor Bogaard)

MOTION

Councilmember Madison and Vice Mayor Gordo returned at 5:05 p.m.

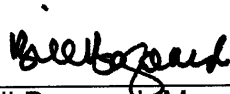
It was moved by Councilmember McAustin, seconded by Councilmember Robinson, to approve the remaining actions of the staff recommendation, excluding the 30 East Villa Street (Street Right of Way Adjacent to Throop Lumber) and 280 West California Boulevard (Singer Park) properties listed on Attachment A of the agenda report; amended to include a strong statement of the City's opposition to the proposed State legislation to eliminate the redevelopment program be sent to the City's representatives (State Senator Carol Liu and Assemblymember Anthony Portantino), with the City's opposition to be publicized in the media; and to include language that the Pasadena Community Development Commission (PCDC) will indemnify the City if legal action is taken against the City regarding the actions by the PCDC/City Council. (Motion unanimously carried) (Absent: Mayor Bogaard)

The Mayor returned at 5:06 p.m.

Councilmember Robinson asked staff to provide the City Council with additional information on the questions posed by Council that can only be answered once the State develops the final language for the proposed legislation.

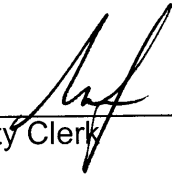
The Mayor announced that he had just finished a telephone conversation with the California League of Cities and no further information on the proposed State legislation is available at this time.

On order of the Mayor, the special meeting of the City Council adjourned at 5:09 p.m.



Bill Bogaard, Mayor
City Council

ATTEST:



City Clerk