

CITY OF PASADENA  
City Council Minutes  
January 23, 2012 – 5:30 P.M.  
City Hall Council Chamber

Teleconference Location:  
Residence  
27812 Greenway Drive  
Lake Arrowhead, California

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:50 p.m.  
(Absent: Councilmember Madison)

On order of the Mayor, the regular meeting recessed at 5:50 p.m., to discuss the following closed session:

Councilmember Madison joined the meeting at 5:58 p.m. via the teleconference location.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING CONSIDERATION OF INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(c): One potential case**

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

On order of the Mayor, the regular meeting reconvened at 6:56 p.m. The Pledge of Allegiance was led by Councilmember Robinson.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Margaret McAustin  
Councilmember Victor Gordo  
Councilmember Chris Holden  
Councilmember Steve Madison (Rejoined via teleconference beginning at 6:56 p.m.)  
Councilmember Gene Masuda  
Councilmember Jacque Robinson  
Councilmember Terry Tornek

Staff:

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

**CEREMONIAL MATTERS**

The Mayor presented a proclamation declaring February 2012 as Bright Futures Scholars Month, which was received by Dr. Sandra Thomas, Quality of Life Center, Inc. Founder and Chief Executive Officer. Dr. Thomas acknowledged the delegation of participating students who were present, and thanked the City Council for continuing to support this mentorship program.

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

Martin A. Gordon, Lutheran Social Services representative, expressed concerns regarding the lack of quality customer service shown by the Housing Department in responding to questions regarding the Community Development Block Grant (CDBG) program.

The City Manager apologized for the delay in responding to the information requested by Lutheran Social Services.

Thomas L. House, Altadena resident, stated and submitted his written suggestions to institute a new parking exemption program for businesses and residents.

Kurt Thorgerson, Pasadena resident, stated and submitted his written proposal for an expansion of the organ donor program to include the scanning of the remains of deceased persons for use in medical research.

Egerton Forster, Pasadena resident, expressed concerns regarding the need for the City Council to equally distribute the burden of the City's budget shortfall over all City employees, consider the impacts on services being provided, and explore all forms of revenues.

**CONSENT CALENDAR**

**CONTRACT AWARD TO CONNEXIONZ LTD. FOR THE DEPLOYMENT OF A TRANSIT VEHICLE ARRIVAL INFORMATION SYSTEM FOR THE PASADENA AREA RAPID TRANSIT SYSTEM (ARTS)**

**Recommendation:**

(1) Find that the implementation of the Transit Vehicle Arrival Information System (TVAIS) project is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301, existing facilities; and

(2) Authorize the City Manager to enter into a contract with Connexionz Ltd., for the deployment of the TVAIS for the City of Pasadena ARTS buses in an amount not to exceed \$1,391,319. (Contract No. 20,914)

**APPOINTMENT OF DR. XILIAN CHEN STAMMER TO THE ACCESSIBILITY AND DISABILITY COMMISSION (District 7 Nomination)**

**RESIGNATION OF KEN FARLEY FROM THE ENVIRONMENTAL ADVISORY COMMISSION (District 7 Nomination)**

**MINUTES APPROVED**

January 9, 2012  
January 16, 2012

**CLAIMS RECEIVED AND FILED**

Claim No. 11,547	Venus Angelic Rachal	\$ 25,000.00+
Claim No. 11,548	Lajuana Malone	25,000.00+
Claim No. 11,549	Erika Kikuye Whittemore (Bryant)	242.00

Claim No. 11,550	Nance Nickels	7,717.78
Claim No. 11,551	Jay Wagner	6,113.59
Claim No. 11,552	Jose De La Cruz	Not Stated
Claim No. 11,553	Larry A. Picchi	5,700.00
Claim No. 11,554	Radhica Tulpule	2,154.03
Claim No. 11,555	Leandro R. Franco	Not Stated
Claim No. 11,556	Nancy Torres	120.00
Claim No. 11,557	Rodney K. Jones, DDS	750.00
Claim No. 11,558	VCI Construction, Inc.	2,275.00
Claim No. 11,559	Mercury Casualty Company as Subrogee for Joanne Topol	4,578.60
Claim No. 11,560	Maria L. Depner	25,000.00+
Claim No. 11,561	Mildred S. Matthews	750.00
Claim No. 11,562	Mary Derparseghian	276.88

**PUBLIC HEARINGS SET**

January 30, 2012, 7:00 p.m. – Ambassador West Entitlements – Time Extension

March 12, 2012, 7:00 p.m. – All Saints Master Plan

It was moved by Councilmember Gordo, seconded by Vice Mayor McAustin, to approve all items on the Consent Calendar:

AYES: Councilmembers Gordo, Holden, Madison, Masuda, Robinson, Tornek, Vice Mayor McAustin, Mayor Bogaard

NOES: None

ABSENT: None

**ORDINANCE – FIRST READING**

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 13.04.177 OF THE LIGHT AND POWER RATE ORDINANCE, CHAPTER 13.04 OF THE PASADENA MUNICIPAL CODE, TO CONFORM TO RECENT CHANGES TO SECTION 2827 OF THE CALIFORNIA PUBLIC UTILITIES CODE”**

The above ordinance was offered for first reading by Vice Mayor McAustin:

AYES: Councilmembers Gordo, Holden, Madison, Masuda, Robinson, Tornek, Vice Mayor McAustin, Mayor Bogaard

NOES: None

ABSENT: None

**ORDINANCE – ADOPTED**

**Adopt “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 (RAYMOND-ESTHER LANDMARK OVERLAY DISTRICT) (Introduced by Councilmember Gordo) (Ordinance No. 7217)”**

The above ordinance was adopted by the following vote:  
AYES: Councilmembers Gordo, Holden, Madison, Masuda,  
Robinson, Tornek, Vice Mayor McAustin,  
Mayor Bogaard  
NOES: None  
ABSENT: None

## PUBLIC HEARING

### **PUBLIC HEARING: ADOPTION OF THE REVISED OPEN SPACE AND CONSERVATION ELEMENT OF THE GENERAL PLAN**

**Recommendation:** It is recommended that the City Council:

- (1) Adopt the Initial Environmental Study and Negative Declaration (Attachment B of the agenda report); and
- (2) Approve a resolution adopting the Open Space and Conservation Element of the General Plan (Attachment A of the agenda report) which replaces the 1976 Open Space Element, the 1976 Conservation Element and the 1983 Energy Element. (Resolution No. 9171)

**Recommendation of Planning Commission:** On October 26, 2011, the Planning Commission adopted the September 12, 2011 recommendation of the Open Space and Conservation Element Advisory Committee and recommended that the City Council:

- (1) Adopt the Initial Environmental Study and Negative Declaration (Attachment B of the agenda report).
- (2) Adopt the Open Space and Conservation Element with the following amendments:
  - (a) Change the 2nd implementation measure under Residential Impact Fee on page 25 to read: "The residential impact fee shall be used only for acquiring, increasing, or expanding active and passive usable open spaces, and not for repairs and maintenance."
  - (b) Change the 5th implementation measure under Zoning Changes on page 25 to read: "Re-evaluate and revise if necessary the existing Hahamongna Watershed Park Master Plan in the context of current City policies."
- (3) That the City Council create an Open Space Committee whose charge would be to implement the Open Space and Conservation Element, comprised of members from the Planning Commission, Environmental Advisory Commission, and the Recreation and Parks Commission, and which would meet at least quarterly or more frequently as needed.
- (4) That the City Manager designate a point person within staff for implementation of the Open Space and Conservation Element.

**Recommendation of Environmental Advisory Commission:** On August 23, 2011, the Environmental Advisory Commission reviewed the draft element and adopted the following motion: Recommend to the City Council the adoption of the Open Space and Conservation element of the General Plan with the following amendments:

- (1) Change the 2nd implementation measure under Residential Impact Fee on page 25 to read: "The residential

impact fee shall be used only for acquiring, increasing, or expanding active and passive usable open spaces, and not for repairs and maintenance.”

(2) Change the 5th bullet point under Zoning Changes on page 25 to read: “Re-evaluate and revise if necessary the existing Hahamongna Watershed Park Master Plan in the context of current City polices.”

(3) Change the 6th implementation measure on page 51 to read: “Identify the Environmental Advisory Commission and the Recreation and Parks Commission to lead the implementation of the element, and to hold joint commission meetings as needed, with a minimum of one joint meeting per year.”

**Recommendation of Recreation and Parks Commission:**

On September 6, 2011, the Recreation and Parks Commission reviewed the draft element and adopted the following motion:

Recommend to the City Council the adoption of the Open Space and Conservation Element of the General Plan with the following amendments:

(1) Recommend that the City Manager designate a point person within staff for implementation of the Open Space and Conservation Element.

(2) Recommend that the City Council create an Open Space Committee whose charge would be to implement the Open Space and Conservation Element, comprised of members from the Planning Commission, Environmental Advisory Commission, and the Recreation and Parks Commission, and which would meet at least quarterly or more frequently as needed.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on January 2, 2012 in the Pasadena Star-News and on January 12 and 19, 2012 in the Pasadena Journal; and 6 letters expressing concerns and/or suggestions were received.

Vince Bertoni, Director of Planning Department, introduced the agenda item, and responded to questions.

Laura Dahl, Senior Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Loren Pluth, Project Manager, responded to questions regarding issues involving Hahamongna Watershed Park.

The following persons spoke in support of the Open Space and Conservation Element and/or proposed changes to specific provisions in the Element:

Richard Janisch, Open Space and Conservation Element  
Committee Chair

Don Bremner, Open Space and Conservation Element  
Committee member

Edwina Travis-Chin, Open Space and Conservation  
Element Committee Vice Chair  
Nina Chomsky, Pasadena resident  
Laura Garrett, Open Space and Conservation Element  
Committee member

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

It was moved by Councilmember Holden, to approve the staff recommendation, with the Planning Commission's recommendations cited above integrated into the staff recommendation. (Motion failed, due to lack of a second)

Discussion followed on issues involving use of the residential impact fee/identification of funding sources, oversight of the implementation of the Open Space and Conservation Element, and use of the Hahamongna Watershed Park (HWP).

The City Manager responded to questions regarding staff oversight of the implementation portion of the Element, and environmental reviews of the HWP.

Stephanie DeWolfe, Deputy Director of Planning, responded to questions regarding Commission/Committee oversight of implementation of the Element.

Vice Mayor McAustin stated support for Planning Commission recommendation Nos. 1, 2, and 4 cited above, especially as it pertains to the use of residential impact fees exclusively for acquiring, increasing, or expanding active and passive usable open spaces, and not for repairs and/or maintenance; and with recommendation No. 3 (pertaining to the matter of creating an Open Space Committee) to be referred to the Legislative Policy Committee (LPC) to make a recommendation, in the near future, regarding who should provide oversight for implementation of the Element, as part of the LPC's expanded review of the City's overall Commission/Committee structure.

Councilmember Gordo expressed concerns with changing or prohibiting the use of residential impact fees for park maintenance and repair, arguing that flexibility is essential to protecting, preserving, and providing access for existing open spaces.

Councilmember Madison echoed Vice Mayor McAustin's position on the use of residential impact fees exclusively for acquiring, increasing, or expanding active and passive usable open spaces; and stated his reluctance and concerns about opening up the existing HWP Master Plan for further discussion or consideration.

Councilmember Tornek stated support for the draft Element's implementation measures listed on Page 25 that call for: development of a "plan to establish a fixed ratio for spending the residential impact fee so that it emphasizes acquisition rather than repairs with the goal of reallocating a higher proportion of the responsibility for park improvement and repairs to the General Fund"; and for protection of "the existing natural open space within the Hahamongna Watershed Park Master Plan area", while also taking into consideration that any proposed projects (e.g., a soccer field) will be subject to a public environmental review process.

Councilmember Holden clarified that issues related to the HWP Master Plan may be placed on the agenda by the City Council at some future time, if so requested.

The Mayor noted that the fiscal climate in the City is changing in terms of the current budget deficit, unexpected windstorm costs, loss of redevelopment funds, and increased health and pension costs; and will impact the capacity of the City when implementing the Element.

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember Gordo, to approve the staff recommendation, as amended to include Planning Commission recommendation No. 4 – That the City Manager designate a point person within staff for implementation of the Open Space and Conservation Element; and with the understanding that the issue of designating an oversight committee for implementation of the Element is referred to the Legislative Policy Committee, to be made a part of the Committee's broader discussion of the City's Commission/Committee structure, with a recommendation to be presented to the City Council for their future consideration:

AYES: Councilmembers Gordo, Holden, Madison, Masuda, Robinson, Tornek, Vice Mayor McAustin, Mayor Bogaard

NOES: None

ABSENT: None

## **COUNCIL COMMENTS**

Councilmember Holden asked the Mayor to reaffirm the City's support of Senate Bill (SB) 659 – Community redevelopment.


The Mayor reported that the California League of Cities is working in support of SB 659, and he will convey the City's position to Senator Padilla (co-author of the bill).

Councilmember Tornek, City's representative on the San Gabriel Valley Council of Governments (SGVCOG), reported on issues involving the preliminary Regional Housing Needs Assessment (RHNA) numbers that will impact the City's General Plan, Zoning Code, and Housing Plan; and asked staff


to review and report on these new numbers in the City Manager's weekly newsletter. He also asked that staff report on the City's participation in the Los Angeles County sanitary storm sewer permitting process via the newsletter.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:10 p.m.

  
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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk