

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

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:48 p.m.  
(Absent: Councilmembers Gordo, Madison)

On order of the Mayor, the regular meeting recessed at 5:48 p.m., to discuss the following closed sessions:

Councilmember Gordo  
arrived at 5:53 p.m.

Councilmember Madison  
arrived at 6:02 p.m.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL  
REGARDING PENDING LITIGATION pursuant to  
Government Code Section 54956.9(a)  
Case Name: City of Pasadena v. Trove Investments  
Corp., et. al.  
Case No: LASC BC437525**

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

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL  
REGARDING PENDING LITIGATION pursuant to  
Government Code Section 54956.9(a)  
Case Name: Marilyn Mathre v. City of Pasadena, et. al.  
Case No: San Bernardino Superior Court  
No. CIVRS 1105897**

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

On order of the Mayor, the regular meeting reconvened at 6:32 p.m. The Pledge of Allegiance was led by members of Boy Scout Troop 131.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Margaret McAustin  
Councilmember Victor Gordo  
Councilmember Chris Holden  
Councilmember Steve Madison  
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**

Robert Gorski, City Accessibility Issues Coordinator, acknowledged Boy Scout Troop 131 and Scout Master Greg Hankins for their assistance with the accessible viewing areas for disabled persons during past Rose Parades, and provided an informational handout on the requirements for the Scouts' Disabilities Awareness merit badge.

The City Clerk administered the oath of office to Dr. Xilian Chen Stammer as Accessibility and Disability Commissioner.

Wendy Fujihara Anderson and Soji Kashiwagi, Human Relations Commission Vice Chair, reported on the panel discussion held on January 30, 2012, to commemorate Fred Korematsu Day; and submitted various informational materials.

Michelle White, ACLU Pasadena/Foothills Chapter President, spoke in support of the annual celebration of Fred Korematsu Day.

Nat Nehdar, Human Relations Commission Chair, and the Mayor presented the Commission's Model of Unity Award to Tim Bowles and the Youth for Human Rights International group. Mr. Bowles submitted informational materials on the organization.

**ARDIS WILLWERTH, PASADENA MUSEUM OF HISTORY, TO DISCUSS 125th BIRTHDAY CELEBRATION AND WHAT WILL BE TAKING PLACE FOR THE 126th**

Ardis Willwerth, Pasadena Museum of History Director of Exhibitions and Programming, reported on the 2011 Happy Birthday Pasadena celebration festivities marking the City's 125th year; asked the City Council to contribute their ideas for the 2012 event; and submitted an invitation to the official Happy Birthday Pasadena – Then and Now – 126th birthday event to be held on June 23, 2012.

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

Tisha Marina and Tamir Yardenne, Tamirfilms representatives, presented information on a film about ending bullying that they had produced, in partnership with John Muir High School, as an adjunct to a film-making internship project for at-risk youth; invited the community to a fundraising event for the project to be held on March 10, 2012; and submitted a flyer on the event.

**CONSENT CALENDAR**

**ADOPT A RESOLUTION FOR THE SUMMARY VACATION OF A PIECE OF LAND ALONG THE NORTH SIDE OF WOODLYN ROAD ADJACENT TO THE PROPERTIES LOCATED AT 2079, 2091, 2101, AND 2111 WOODLYN ROAD**

**Recommendation:**

(1) Adopt a resolution summarily vacating a piece of land along the north side of Woodlyn Road pursuant to

Sections 8331, 8333, and 8334 of the California Streets and Highways Code; and

(2) Certify the summary vacation to be categorically exempt from California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15301, existing facilities, and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the summary vacation with the Los Angeles County Recorder's Office. (Resolution No. 9172)

**MEMORANDUM OF UNDERSTANDING/LETTER OF AGREEMENT APPROVAL FOR EAST COLORADO BOULEVARD PEDESTRIAN ENHANCEMENTS, PHASE 2**

**Recommendation:**

(1) Find the project to be categorically exempt under Section 21084 of the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15301, Class 1, subsection (c) of the Resources Agency of California Guidelines, minor alterations involving negligible expansion of use beyond that previously existing, pursuant to the findings of the Secretary of the Resources Agency, and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk; and

(2) Approve the Memorandum of Understanding/Letter of Agreement (MOU/LOA) for the East Colorado Boulevard Pedestrian Enhancements Project, Phase 2. (Agreement No. 20,924)

**APPROVAL OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$600,000 BETWEEN THE CITY OF PASADENA, ACTING AS AGENT FOR THE FOOTHILL EMPLOYMENT AND TRAINING CONSORTIUM, AND THE SOUTH BAY WORKFORCE INVESTMENT BOARD, INC. FOR WORKFORCE TRAINING RELATED SERVICES**

**Recommendation:**

(1) Find that the recommended action is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines per Section 15061(b)(3);

(2) Approve an exemption for the proposed contract from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served; and

(3) Approve a contract between the City of Pasadena (acting as an agent for the Foothill Employment and Training Consortium) and the South Bay Workforce Investment Board, Inc. (acting on behalf of the City of Hawthorne), in an amount not to exceed \$600,000 for the 2011-2012 program year, with the option for two one-year renewals at the discretion of the City Manager, for the provision of workforce training related services, without competitive bidding, pursuant to City Charter Section 1002(H), contracts with other governmental entities and their contractors. (Contract No. 20,921)

**LEGISLATIVE POLICY COMMITTEE: 2012 FEDERAL AND STATE LEGISLATIVE PLATFORMS**

**Recommendation:** Approve the Federal Legislative Platform and the State Legislative Platform for 2012.

**RESIGNATION OF SHARON YONASHIRO FROM THE TRANSPORTATION ADVISORY COMMISSION (Mayor Nomination/District 6)**

**APPOINTMENT OF RAPHY TIMOUR TO THE DEFERRED COMPENSATION OVERSIGHT COMMITTEE (City Council Nomination)**

**APPOINTMENT OF DAVE FOLZ TO THE SENIOR COMMISSION (District 1 Nomination)**

**CLAIMS RECEIVED AND FILED**

Claim No. 11,563	Lynda Whitlock\$	Not stated
Claim No. 11,564	Wilber Lane Law Firm o/b/o Liberty Mutual Group a/s/o Heather Tunis	963.92
Claim No. 11,565	Kerry and Karen Vahala	350.00
Claim No. 11,566	William & Wendi Moffly	1,500.00
Claim No. 11,567	Winifred Williams	25,000.00+
Claim No. 11,568	California Casualty for Edward Woods	3,901.25
Claim No. 11,569	Mercury Insurance Group	25,000.00+
Claim No. 11,570	Patricia Garibay	Not Stated

It was moved by Councilmember Gordo, seconded by Councilmember Robinson, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS FROM OFFICERS AND DEPARTMENTS**

**PUBLIC SAFETY COMMITTEE**

**APPROVAL OF THE CITY OF PASADENA'S UPDATED STANDARDIZED EMERGENCY MANAGEMENT SYSTEM (SEMS)/NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) EMERGENCY RESPONSE PLAN**

**Recommendation:** It is recommended that the City Council approve the City of Pasadena's SEMS/NIMS Emergency Response Plan.

Lisa Derderian, Emergency Management Coordinator, provided an overview of the City's updated Emergency Response Plan as part of a PowerPoint presentation, and responded to questions.

Councilmember Robinson, Public Safety Committee member, noted that the Plan had been reviewed by the Committee and was recommended for approval by the City Council, and also noted that the City Council's responsibilities in an emergency are listed in the Management Section of the Plan.

The City Manager indicated that the City's web site provides extensive information regarding emergency preparedness that lists steps residents can take in preparing for an emergency, and that the City is studying a "boots on the ground" approach as an additional communications system between the City and residents that could be implemented during a disaster.

Councilmember Gordo suggested that the City consider how to provide staff assistance for identified neighborhood areas so that residents can be educated and trained on how to become self-sustainable and work together during a disaster.

Following discussion, it was moved by Councilmember Robinson, seconded by Vice Mayor McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

### **ORDINANCE – ADOPTED**

**Adopt "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"** (Introduced by Vice Mayor McAustin) (Ordinance No. 7218)

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: AMBASSADOR WEST ENTITLEMENTS – TIME EXTENSION**

##### **Recommendation:**

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

(2) Acknowledge that City Ventures and Sunrise Senior Living submitted a joint application for a time extension in a timely manner;

(3) Make the specific findings listed in the body of the agenda report; and

(4) Approve a six-month time extension (expiration April 2, 2012) for the Ambassador West entitlements (Conditional Use Permit No. 4653, Adjustment Permit No. PLN2005-00582, Tree Removal Permits PLN2006-00223 through 00231, and Subdivision Modification PLN2007-00001).

The Mayor opened the public hearing.

The City Clerk reported 30 copies of the notice of public hearing were posted on January 12, 2012; 127 copies of the notice were mailed on January 12, 2012; and 2 letters expressing concerns were received.

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

Emily Stadnicki, Senior Planner, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

The following persons spoke in support of the time extensions:

Ben Besley, City Ventures Vice President of Development  
Philip Kroskin, Sunrise Senior Living Senior Vice President  
of Real Estate and Asset Management

Regina O'Brien, Los Angeles Conservancy Modern Committee Chair, spoke in support of preservation of certain historical buildings on the site that are proposed to be demolished.

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

Councilmember Tornek expressed concerns regarding the use of one application for what are essentially two proposed projects (City Ventures and Sunrise Senior Living), without the City's ability to address issues on the two projects separately, especially as this pertains to his concerns regarding the Sunrise Senior Living project.

Following discussion, it was moved by Councilmember Holden, seconded by Vice Mayor McAustin, to approve the staff recommendation. (Motion carried, with Councilmember Tornek objecting) (Absent: None)

**RECOMMENDATIONS FROM  
OFFICERS AND  
DEPARTMENTS**

**DISSOLUTION OF THE PASADENA COMMUNITY  
DEVELOPMENT COMMISSION (PCDC) PURSUANT  
TO AB X1 26**

**Recommendation:**

(1) Adopt a resolution confirming that the City will serve as the Successor Agency to the Pasadena Community Development Commission (PCDC), pursuant to Assembly Bill X1 26; and  
(2) Adopt a Resolution assuming all functions previously assigned to the Community Development Committee in the Pasadena Municipal Code. (Resolution Nos. 9173 and 9174)

Steve Mermell, Assistant City Manager, introduced the agenda item; clarified that staff will provide future reports to the City Council on aspects of the process for unwinding redevelopment, and possible roles to be played by a restructured Community Development Committee, Fair Oaks Avenue Project Area Committee, and Lincoln Avenue Project Area Committee; and responded to questions.

David Klug, Redevelopment Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Robin Harris, (Richards, Watson & Gershon) legal counsel for City, responded to questions regarding the City's role as Successor Agency to the Pasadena Community Development Commission (PCDC), and the process for carrying out Assembly Bill (AB) X1 26 and unwinding the existing redevelopment agencies.

The City Manager responded to questions/concerns regarding the impacts of the dissolution of the PCDC on the strategic goal plans for the City's economic development and housing programs.

Brad Fuller, Assistant City Attorney, confirmed that the resolutions will provide evidence of the City's actions to become the Successor Agency to the PCDC.

The following persons expressed concerns regarding the dissolution of the PCDC:

Michelle White, Affordable Housing Services Executive Director  
Joel Bryant, Pasadena resident

Discussion followed on actions to be taken by the City as the Successor Agency; constraints being placed on successor agencies by the State; issues involving the process for unwinding redevelopment agencies; and ramifications of AB X1 26 on the City's economic development, housing, and affordable housing programs.

Vice Mayor McAustin stressed the need for the City to develop economic strategies that incentivize economic growth and encourage people to do business in, and with, the City.

Councilmember Robinson asked staff to provide a list of the PCDC properties that were previously transferred to the City (March 2011).

Councilmember Holden suggested that the City be proactive in approaching the League of California Cities and the State

Legislature about strategies to address issues (e.g., affordable housing) that could help frame future "clean up" legislation that is currently being discussed by all stakeholders.

The City Manager noted that the City is supporting Senate Bill (SB) 184 Land use: zoning regulations; and that he has plans to meet with other stakeholders at the upcoming League of California Cities Annual Conference to discuss issues involving affordable housing, the unintended consequences arising from AB X1 26, and what steps can be taken by cities to address these issues.

It was moved by Councilmember Holden, seconded by Councilmember Tornek, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS  
FROM OFFICERS AND  
DEPARTMENTS**

**MUNICIPAL SERVICES  
COMMITTEE**

**CONSIDERATION OF CREATING A UTILITY ADVISORY BOARD**

**Recommendation:** It is recommended that the City Council review this report and provide direction to staff as appropriate.

**Recommendation of Municipal Services Committee (MSC):** MSC considered this report at their meeting of November 8, 2011 and December 13, 2011. Committee members discussed varying ideas as to how an appointed advisory board might be structured, including the size and scope of responsibilities. Although Committee members did not make a specific recommendation, such as how utility issues should be evaluated, they did recommend that the issue be brought before the full City Council for consideration and direction.

Vice Mayor McAustin, Chair of the Municipal Services Committee (MSC), provided an overview of the Committee's discussion of a possible change from use of the current advisory role of MSC on issues involving the Water and Power Department to use of some other type of governance structure, and responded to questions.

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

Councilmember Gordo expressed concerns about ceding the Council's authority to a governance body that is not elected; suggested that a pool of pre-qualified experts could be constituted for discussion of specific issues and used by the MSC at an advisory level; and asked that any proposed changes to the MSC structure or creation of an advisory board/body be factored into the current broader study of the City's commissions/committees structure that is being conducted by the Legislative Policy Committee.



Councilmember Tornek stressed the benefit of creating a governance structure with members having technical knowledge/expertise that could advise the Council on complex utility issues.

Phyllis Currie, General Manager of the Water and Power Department, commented on existing governance models, and on the use of experts acting in an advisory capacity that are constituted in a manner that preferably allows a consistent group membership when studying/considering policy issues over a period of time and different iterations.

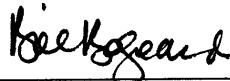
Councilmember Masuda suggested exploring a model that would add non-voting members to the MSC that would bring with them expertise that could assist and educate the MSC in its decision making.

Vice Mayor McAustin indicated that MSC will increase the scope of their discussion on this matter to include the various model options and suggestions that have been offered, and will return to the City Council with their recommendations.

By consensus and on order of the Mayor, this matter was referred back to the Municipal Services Committee to explore alternative models for possible changes to the City's standing committee and/or advisory body structure, as discussed above.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 10:06 p.m.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
\_\_\_\_\_  
City Clerk