

CITY OF PASADENA
City Council Minutes
November 18, 2013 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:32 p.m. (Absent: Councilmember Robinson)

On order of the Mayor, the regular meeting recessed at 5:32 p.m., to discuss the following closed sessions:

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL – LITIGATION Existing litigation pursuant to Government Code Section 54956.9(D)(1) (one case)

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organization: Service Employees International Union (SEIU), Local 721

Mayor Bogaard left the meeting at 6:14 p.m.

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organization: Pasadena Firefighters Management Association (PFMA)

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organization: Pasadena Fire Fighters Association (PFFA), Local 809

The above four 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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck
Employee Organization: International Brotherhood of Electrical Workers (IBEW), Local 18

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck
Employee Organization: American Federation of State, County and Municipal Employees (AFSCME), Local 858

The above two closed session items were not discussed.

On the order of Councilmember McAustin, the regular meeting reconvened at 6:35 p.m. The Pledge of Allegiance was led by Councilmember Madison.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard (Returned at 6:57 p.m.)
Vice Mayor Jacque Robinson (Absent)
Councilmember Victor Gordo
Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Margaret McAustin
Councilmember Terry Tornek

Staff:

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

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Donn Quintos, representing Filipino American Television, provided information on the upcoming Philippine Typhoon Disaster Relief Donation Drive for typhoon victims being held at the Rose Bowl on November 20, 2013.

The following individuals spoke on the recent officer involved shooting of Paris Holloway, requested a neutral, independent, and comprehensive investigation by an outside agency, and/or advocated for a citizen oversight committee of the Pasadena Police Department:

Michelle White, American Civil Liberties Union (ACLU) Southern California Chapter
Kris Ockershauser, ACLU Southern California Chapter
Boualem Bouseloub, Pasadena resident

CONSENT CALENDAR

CONTRACT AWARD TO GEORGE SALINAS TREE PRESERVATION FOR HARDWOOD PRUNING FOR AN AMOUNT NOT TO EXCEED \$630,300 AND FOR PALM TREE PRUNING SERVICES FOR AN AMOUNT NOT TO EXCEED \$379,500

Recommendation: It is recommended that the City Council:

(1) Acknowledge the project (Contracts for Tree Trimming Services) to be categorically exempt under Section 21084(a) of the California Environmental Quality Act of 1984 in accordance with Article 19, Section 15301 (Class 1), Subsection (h) of the Guidelines (maintenance of existing landscaping) and authorize the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk;

(2) Accept the bid dated November 5, 2013, submitted by George Salinas Tree Preservation in response to the Notice Inviting Bids for the Tree Pruning Services, and authorize the City Manager to enter into such contract for hardwood pruning as is required for an amount not to exceed \$630,300 over a three-year period. This contract will have an option of two additional one-year terms not to exceed \$210,100 per year, renewable at the discretion of the City Manager, for a total length of five years; and

(3) Accept the bid dated November 5, 2013, submitted by George Salinas Tree Preservation in response to the Notice Inviting Bids for the Tree Pruning Services, and authorize the City Manager to enter into such contract for palm tree pruning as is required for an amount not to exceed \$379,500 over a three-year period. This contract will have an option of two additional one-year terms not to exceed \$126,500 per year, renewable at the discretion of the City Manager, for a total contract length of five years. (Contract Nos. 21,628 and 21,629)

AUTHORIZE ISSUANCE OF PURCHASE ORDER WITH HUNTINGTON HONDA FOR PURCHASE OF FIVE REPLACEMENT POLICE PATROL MOTORCYCLES IN AN AMOUNT NOT TO EXCEED \$132,277

Recommendation: It is recommended that the City Council:

(1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061 (b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;

(2) Neither competitive bidding nor competitive selection is required pursuant to the City Charter Section 1002(A-H), and Pasadena Municipal Code Section 4.08.09; and

(3) Authorize the issuance of a purchase order to Huntington Honda in an amount not to exceed \$132,277 for the purchase of five replacement police patrol motorcycles without competitive bidding pursuant to City Charter section 1002(A-H), contracts with other governmental entities or their contractors for labor, material, supplies or services.

Item discussed separately

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) FOR SUPPLEMENTAL LAW ENFORCEMENT SERVICES FOR NEW YEAR'S ACTIVITIES

PUBLIC SAFETY COMMITTEE: PREPARATION OF AN ORDINANCE ADOPTING THE CALIFORNIA CODE OF REGULATIONS TITLE 24, INCORPORATING THE 2013 CALIFORNIA BUILDING CODE AND APPENDIX CHAPTERS C, D, H, I, AND J; THE 2013 CALIFORNIA RESIDENTIAL BUILDING CODE AND APPENDIX CHAPTERS E, G, AND H; THE 2013 CALIFORNIA MECHANICAL CODE; THE 2013 CALIFORNIA PLUMBING CODE; THE 2013 CALIFORNIA ELECTRICAL CODE; THE 2013 CALIFORNIA FIRE CODE; AND THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE

Recommendation: It is recommended that the City Council direct the City Attorney to prepare an ordinance and return within 30 days adopting the California Code of Regulations Title 24, incorporating the 2013 California Building Code and Appendix Chapters C, D, H, I, and J; the 2013 California Residential Building Code and Appendix Chapters E, G, and H; the 2013 California Mechanical Code; the 2013 California Plumbing Code; the 2013 California Electrical Code; the 2013 California Fire Code; and the 2013 California Green Buildings Standards Code, with modifications as detailed in the background section of the agenda report.

REJECTION OF ALL BIDS FOR CIVIL CONSTRUCTION RELATED TO THE INSTALLATION OF ELECTRICAL EQUIPMENT AND AUTHORIZATION TO AMEND THE CURRENT CONTRACT NO. 20,643 WITH VCI CONSTRUCTION, INC. FOR CIVIL CONSTRUCTION FOR THE WATER AND POWER DEPARTMENT

Recommendation: It is recommended that the City Council:

(1) Affirm that on April 25, 2011, the Council found the project to be exempt from environmental review pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15301 (Existing Facilities) and Section 15302 (Replacement or Reconstruction), and the proposal

in the agenda report does not constitute a substantial change in the project description, nor is there new information or changed circumstances that would trigger further environmental review;

(2) Reject all bids received on October 2, 2013, in response to Specifications LD-13-7 for the civil construction of overhead, underground and substation electrical conduit systems for the Water and Power Department (“PWP”); and

(3) Authorize the City Manager to amend current Contract No. 20,643 with VCI Construction, Inc. and authorize an expenditure not to exceed \$2,000,000 for one year. (Contract Amendment No. 20,643-3)

AMENDMENTS TO TICKET POLICY

Recommendation: It is recommended that the City Council adopt a resolution of the City Council of the City of Pasadena Adopting the Ticket Policy for the Rose Bowl Stadium, the Rose Parade, Pasadena Convention Center, and Other Tickets Provided by the City for Entertainment Purposes (2013). (Resolution No. 9320)

RESIGNATION OF WARREN SATA FROM THE ACCESSIBILITY AND DISABILITY COMMISSION (District 3 Nomination)

APPOINTMENT OF YUAN CHEN TO THE NORTHWEST COMMISSION (District 7 Nomination)

APPOINTMENT OF HOYT HILSMAN TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (District 7 Nomination)

MINUTES APPROVED

SEPTEMBER 23, 2013

CLAIMS RECEIVED AND FILED

Claim No. 12,042	Richard Benoit	\$ 5,089.00
Claim No. 12,043	Houri Yeghiayan	Not Stated
Claim No. 12,044	Sarine Yeghiayan	Not Stated
Claim No. 12,045	Michael Barakat	Not Stated
Claim No. 12,046	Mark & Shakea Markarian	170.00
Claim No. 12,047	Imelda Jimenez De Solis	Not Stated
Claim No. 12,048	Dyane & Brandon Quinn	100.00
Claim No. 12,049	Fidel De La Torre	1,475.00
Claim No. 12,050	Nabila Ebrahimi	10,000,000.00
Claim No. 12,051	Araksi Abgaryan	Not Stated
Claim No. 12,052	Margaret Reynoso	Not Stated
Claim No. 12,053	Michele Akbar	Not Stated
Claim No. 12,054	Thomas D. Leddy	1,364.35
Claim No. 12,055	Anne Shircore	100.00

It was moved by Councilmember Gordo, seconded by Councilmember Masuda, to approve all items on the Consent Calendar with the exception of Item 3 (Authorization to Enter into a Contract with the Los Angeles County Sheriff's Department (LASD) for Supplemental Law Enforcement Services for New Year's Activities), which was discussed separately. (Motion unanimously carried) (Absent: Vice Mayor Robinson and Mayor Bogaard)

**CONSENT ITEM
DISCUSSED SEPARATELY**

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) FOR SUPPLEMENTAL LAW ENFORCEMENT SERVICES FOR NEW YEAR'S ACTIVITIES

Recommendation: It is recommended that the City Council authorize the City Manager to:

- (1) Enter into a contract, not to exceed \$900,000 with the County of Los Angeles for supplemental law enforcement services for New Year's activities. Neither competitive bidding nor competitive selection is required pursuant to City Charter Section 1002(A-H), and Pasadena Municipal Code Section 4.08.049(A)(3); and
- (2) Authorize the City Manager to extend the contract for up to two additional one-year periods without further City Council authorization. (Contract No. 21,636)

Following a clarification of the cost sharing methodology between the City and the Tournament of Roses for New Year's Day events, it was moved by Councilmember Gordo, seconded by Councilmember Masuda, to approve the staff recommendation. (Motion unanimously carried) (Absent: Vice Mayor Robinson and Mayor Bogaard)

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CONFIRMING THE AWARD OF ITS ELECTRIC REVENUE/REFUNDING BONDS 2013A SERIES

Recommendation: It is recommended that the City Council adopt a resolution confirming the award of its Electric Revenue/Refunding Bonds, 2013A Series. (Resolution No. 9321)

Andy Green, Director of Finance, introduced the agenda item, and Vic Erganian, City Treasurer/Deputy Director of Finance, reviewed the agenda report as part of a PowerPoint presentation.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: Vice Mayor Robinson and Mayor Bogaard)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**FINANCE/AUDIT
COMMITTEE**

Mayor Bogaard returned at
6:57 p.m.

**FISCAL YEAR JUNE 30, 2013 ANNUAL FINANCIAL
REPORTS**

Recommendation: It is recommended that the following reports for the year ending June 30, 2013 be received by the City Council and/or the Successor Agency to Pasadena Community Development Commission:

- (A) Comprehensive Annual Financial Report
- (B) Management Letter – City of Pasadena
- (C) Pasadena Center Operating Company Basic Financial Statements
- (D) Rose Bowl Operating Company Basic Financial Statements
- (E) Pasadena Community Access Corporation Basic Financial Statements
- (F) Pasadena Fire and Police Retirement System Report and Audited Financial Statements and Required Supplemental Information
- (G) Air Quality Improvement Fund Financial and Compliance Report
- (H) Independent Accountant’s Report on Agreed-Upon Procedures Applied Appropriation Limit Worksheets
- (I) Independent Accountant’s Report on Agreed-Upon Procedures Applied to Employee Deductions for the Internal Revenue Code Section 457 Deferred Compensation Program
- (J) The Auditor’s Communications with the City’s Audit and Finance Committee
- (K) Independent Auditor’s Report on Internal Control Over Financial Reporting and on Compliance and Other Matters based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

Andy Green, Director of Finance, introduced the agenda item, Robert Ridley, City Controller, and Andrew J. Paulden, Certified Public Accountant (CPA) representing the Brown Armstrong Accountancy Corporation, reviewed the agenda report as part of a PowerPoint presentation.

In response to stated concerns regarding extensive annual financial reports, the City Manager noted that staff will be working to provide the City Council with a CAFR-In-Brief in the near future, in an effort to make the presentation of the annual financial information a less complicated, more succinct report.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Masuda, to approve the staff recommendation. (Motion unanimously carried) (Absent: Vice Mayor Robinson)

MUNICIPAL SERVICES
COMMITTEE

GREENHOUSE GAS EMISSIONS INVENTORY

Recommendation:

(1) Find that the adoption of the Greenhouse Gas (GHG) Emissions Inventory is exempt from the California Environmental Quality Act (CEQA) under §153078 - Actions by Regulatory Agencies for Protection of the Environment and §15262 - Feasibility and Planning Studies; and

(2) Adopt the GHG Emissions Inventory.

Environmental Advisory Commission

Recommendation: The Environmental Advisory Commission reviewed the Emissions Inventory on February 19, 2013. The Commission unanimously recommended approval to the City Council and recommended that completion of a Climate Action Plan (CAP) be a priority.

Planning Commission Recommendation: On May 8, 2013, the Planning Commission reviewed the Emissions Inventory. The Commission unanimously recommended that the City Council approve the Emissions Inventory and a recommendation to expedite the development of a CAP with specific timelines for completion. The Commission requested that staff clarify that the baseline year is 2009, and that the City would be credited for any GHG reductions that occurred after 2009.

Councilmember Madison was excused at 7:25 p.m.

Councilmember McAustin, Chair of the Municipal Services Committee, introduced the agenda item. Vincent Bertoni, Director of Planning and Community Development, and Denver Miller, Principal Planner, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Shauna Callery, Master in City and Regional Planning (MCRP), consultant with Rincon Consultants, Inc., provided an analysis of the Greenhouse Gas Emissions inventory results and the climate actions plans.

Councilmember Kennedy requested that staff clarify a statement on page 22 of the Greenhouse Gas Emissions Inventory report, Section 3.2.8, which states, "The City owns the Rose Bowl Stadium and has jurisdictional control over the Tournament of Roses". The City Manager acknowledged that the City does not have jurisdiction over the Tournament of Roses but instead jurisdictional control over the events organized by the Tournament of Roses that take place in Pasadena, and stated that the statement will be clarified in the final version of the report.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo, to approve the staff recommendation, with the clarifying statement that the City has jurisdictional control over the events organized by the Tournament of Roses that take place in Pasadena. (Motion unanimously carried) (Absent: Councilmember Madison and Vice Mayor Robinson)

MUNICIPAL SERVICES
COMMITTEE

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PROCESSES UNLIMITED INTERNATIONAL, INC., FOR PROJECT MANAGEMENT AND CONSTRUCTION MANAGEMENT SERVICES FOR THE GLENARM REPOWERING PROJECT

Recommendation: It is recommended that the City Council:

(1) Find that on April 8, 2013, the City Council made findings pursuant to the California Environmental Quality Act, adopted a Statement of Overriding Considerations, and approved the Glenarm Repowering Project; and there are no changed circumstances or new information which would trigger further environmental review;

(2) Find that the proposed contract with Processes Unlimited International, Inc. ("PROU") is exempt from competitive bidding pursuant to City Charter Section 1002(f), contracts for professional or unique services; and

(3) Authorize the City Manager to enter into a contract with PROU, to provide project management and construction management services for the Glenarm Repowering Project in an amount not to exceed \$3,304,000.

Municipal Services Committee Recommendation: On November 12, 2013, the Municipal Services Committee recommended that the City Council enter into a contract with Processes Unlimited International, Inc. for Project Management and Construction Management services for the Glenarm Repowering Project. (Contract No. 21,637)

Councilmember McAustin, Chair of the Municipal Services Committee, introduced the agenda item. Phyllis Currie, General Manager of the Water and Power Department, and Gurcharan Bawa, Assistant General Manager, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Tornek stated concerns regarding the City's recent issues with other \$100 million projects, and requested assurances that the recommendation for this project is the best process for the City to move forward, the project will be managed appropriately, and will protect the City's interests adequately.

Following questions and discussion on the 25% local hire component of the project's bid specifications, the City Manager pointed out that the goal of 25% of the certified payroll designated for local hiring is an aggressive approach and may not be fully achievable, but noted that gauging local hiring based on payroll versus employees is a much stronger measurement of the benefit to the local economy.

Councilmember Kennedy asked the City Attorney to provide information as to when and under what authority was City staff allowed to enforce 25% local hire.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Tornek, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Madison and Vice Mayor Robinson)

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: DRAFT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (2012-2013 PROGRAM YEAR) FOR PROJECTS FUNDED FROM COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), EMERGENCY SOLUTIONS GRANT (ESG), HOME INVESTMENT PARTNERSHIP ACT (HOME) AND HUMAN SERVICES ENDOWMENT FUND (HSEF) PROGRAMS

Recommendation: It is recommended that the City Council continue the public hearing to December 9, 2013, at 7:00 p.m.

It was moved by Councilmember Gordo, seconded by Councilmember Masuda, to continue the public hearing to December 9, 2013 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmember Madison and Vice Mayor Robinson)

PUBLIC HEARING: ZONING CODE AMENDMENT TO ALLOW EMERGENCY SHELTERS (FOR 12 PERSONS OR LESS) BY RIGHT IN SPECIFIC ZONING DISTRICTS

Recommendation:

(1) Adopt a Negative Declaration under Section 15070 of the Guidelines for the California Environmental Quality Act (CEQA), because, based on the Revised Initial Study (see Attachment C of the agenda report), there is no substantial evidence that the proposed Zoning Code amendments may have a significant impact on the environment and direct the staff to file a Notice of Determination within five days;

(2) Adopt the following findings of consistency for Zoning Code amendments as supported by the evidence contained in the agenda report and in the administrative record: (1) The proposed amendment is in conformance with the goals, policies, and objectives of the General Plan, and (2) The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) Approve the amendments to the Zoning Code as outlined in the agenda report with the additional Planning Commission recommendation that after three years, the City conduct a review of the ordinance to determine if there is still an unmet need for shelter beds and whether the ordinance should be amended; and

(4) Direct the City Attorney to draft an ordinance and return within 60 days.

Planning Commission Recommendation: On September 25, 2013, the Planning Commission recommended that the City Council adopt:

(1) The Negative Declaration, the findings of consistency for Zoning Code amendments, and the proposed Zoning Code Amendments regarding emergency shelters for the homeless in compliance with applicable State law;

(2) A recommendation that after three years, the City conduct a review of the ordinance to determine if the City continues to have an unmet need for emergency shelters and whether this amendment is still needed; and

(3) A recommendation that as part of the three-year review cycle, the City would consider additional distance requirements for public and private schools and parks and to conduct a Citywide review to determine if allowing emergency shelters by right can be allowed in additional zoning districts.

The Mayor opened the public hearing.

The City Clerk reported that the notice of public hearing was published on October 31, 2013, and November 7 and 14, 2013, in the Pasadena Journal; no correspondence was received.

No one appeared for public comment.

Vincent Bertoni, Director of Planning and Community Development, introduced the agenda item, and Denver Miller, Principal Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Gordo requested that staff include, as one of the listed operational standards, a mandate for the operators to keep the operating space to specific cleanliness standards, investigate whether or not the City can impose random drug testing for individuals residing in the homeless shelter, and if not, ask potential operators to address this issue.

Councilmember Kennedy asked staff about best practices in terms of addressing the issue of substance abuse within homeless shelters, and suggested that staff arrange a meeting with the Executive Director of Union Station to obtain further information on this issue from an expert on this issue.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Madison and Vice Mayor Robinson)

It was moved by Councilmember Kennedy, seconded by Councilmember Gordo, to approve the staff recommendation, amended to include a mandate for cleanliness standards, and implementing random substance abuse testing (by mandate or by request). (Motion unanimously carried) (Absent: Councilmember Madison and Vice Mayor Robinson)

PUBLIC HEARING: CONDITIONAL USE PERMIT NO. 6036 TO ALLOW THE CONSTRUCTION OF A 128-UNIT MIXED-USE PROJECT AND STREET VACATION OF THE NORTHERN TERMINUS OF MERIDITH AVENUE AT 1727-1787 EAST WALNUT STREET AND 235 NORTH ALLEN AVENUE

Recommendation: It is recommended that the City Council conduct a public hearing and upon its conclusion take the following actions:

- (1) Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in Attachment C of the agenda report for the project;
- (2) Adopt the findings in Attachment A of the agenda report and approve Conditional Use Permit No. 6036 with the conditions of approval in Attachment B of the agenda report to allow the construction of housing units (as part of a mixed-use project) on the CG-zoned portion of the site;
- (3) Find that the subject portion of land proposed for vacation is consistent with the General Plan Mobility Element and is unnecessary for present or prospective public use for street purposes;
- (4) Declare that the City's interest in the subject portion of land proposed for vacation is in easement only, for public street purposes; and that the land is not owned

by the City as fee title; and that it is not subject to the provisions of Chapter 4.02, Sale of Surplus Real Property, of the Pasadena Municipal Code;

(5) Adopt a resolution ordering the vacation of Meridith Avenue from Walnut Street to North End, in accordance with the conditions and recommendations contained in the agenda report and subject to the conditions in the agenda report (and referenced as Exhibit C of the resolution);

(6) Authorize the City Manager to execute a Condition Satisfaction Contract between the City and the applicants; and

(7) Direct staff to file a Notice of Determination within five days.

Planning Commission Recommendation: At a public hearing on October 23, 2013, the Planning Commission voted 8-0 to recommend that the City Council:

(1) Adopt the environmental documents;

(2) Approve the Conditional Use Permit; and

(3) Approve the street vacation as recommended by staff and listed in the above recommendation.

In recommending approval of the project to the City Council, the Planning Commission requested a memorandum memorializing some of the underlying assumptions and methodologies (contained in Attachment E of the agenda report 'East Walnut Mixed-Use Project Addendum Traffic Impact Analysis'). (Resolution No. 9322)

The Mayor opened the public hearing.

The City Clerk reported that the notice pertaining to the street vacation portion of the public hearing was published on October 31, 2013 and November 14, 2013 in the Pasadena Journal; 2 copies of the notice pertaining to the street vacation were posted on October 31, 2013; 226 copies of the notice pertaining to the street vacation were mailed on October 31, 2013. He also reported that 46 copies of the notice pertaining to the Conditional Use Permit portion of the public hearing were posted on October 31, 2013; 249 copies of the notice pertaining to the Conditional Use Permit were mailed on October 31, 2013; 6 letters of opposition to the proposed 128-Unit Mixed-Use project were received by the City Clerk's Office.

Vincent Bertoni, Director of Planning and Community Development, introduced the agenda item, and David Sinclair, Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Gordo stated concerns regarding the impacts large projects have on abutting single-family residences, and inquired about the type of buffers planned for the proposed project to protect adjacent residents.

Mr. Bertoni indicated that additional mitigation measures to provide more screening for the adjacent properties will be further addressed in the landscape element of the plan.

The following persons spoke in favor of the proposed 128-Unit Mixed-Use project:

Joseph E. Davis, III, Pasadena resident
Darin Hansen, Vice President of AMCAL (Applicant)

The following persons spoke in opposition to, and/or expressed concerns with, the proposed 128-Unit Mixed-Use project:

Mary Acosta, Homeowner Association (President)
Harald Zechner, Pasadena resident
Ronald Stewart, Pasadena resident
Ray Akramian, Pasadena resident
Helen Lundgren, Pasadena resident
Per Alexander Lichtman, Pasadena resident

Councilmembers McAustin and Tornek expressed concerns regarding the proposed parking for the project, and pointed out that no overnight street parking permits will be issued to residents for this project, highlighting the importance of 23 additional on-site parking spaces for the project as agreed upon by the applicant (for a total of 226 on-site parking spaces).

Mike Bagheri, Transportation Development Manager, provided an overview of traffic concerns related to the proposed project. Members of the City Council expressed support for mandating a right-turn only exit on Meridith Avenue in an effort to lessen the impact on traffic flowing through the project area.

The Mayor inquired about the public art plan for the project, stated concerns regarding the developer's use of the 1% Public Art set-aside requirement on items other than "artistic art", and asked how much of the project's public art plan will be related to "artistic" public art.

Mr. Bertoni mentioned that staff has addressed this issue with the applicant, requested that the concept plan be re-examined in terms of the public art program, and noted that the new concept plan will come back to the Arts and Culture Commission within 90 days.

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

It was moved by Councilmember McAustin, seconded by Councilmember Kennedy, to approve the staff recommendation, amended to include landscaping to further buffer the impacts of the project for adjacent residential homes, require a right-turn only exit onto Meredith Avenue and 23 additional on-site parking spaces, with the applicant to submit a new public art concept plan within 90 days to the Arts and Culture Commission. (Motion unanimously carried) (Absent: Councilmember Madison and Vice Mayor Robinson)

Councilmember Tornek restated his request to have a discussion on the corner radius standard condition, which is being imposed on development projects, and reiterated his request that staff bring forward a discussion on the issue to the City Council.

INFORMATION ITEM

UPDATE ON THE FOOTHILL TRANSIT PARK AND RIDE PARKING STRUCTURE GRAND OPENING SCHEDULED FOR FRIDAY, NOVEMBER 22, 2013 (Councilmember McAustin)

Councilmember McAustin, City's representative on the Executive Board of Foothill Transit, spoke briefly regarding the completion of the Foothill Transit Park and Ride Parking Structure, provided a PowerPoint presentation highlighting the features and the costs associated with the construction project, and announced that the project's Grand Opening is scheduled for November 22, 2013, in the City of Industry.

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

COUNCIL COMMENTS

Councilmember Tornek reported on a joint meeting that was held between the Burbank Airport Authority and the Burbank City Council to approve the Environmental Impact Report (EIR) process for a new replacement terminal building and the development of a 58 acre site area.

Councilmember Kennedy invited the community and the City Council to the District 3 Community meeting to be held at Jackie Robinson Park on November 20, 2013, at 6:00 p.m.

Councilmember Gordo spoke on the recent University of California Los Angeles (UCLA) game held on Friday, November 15, 2013, noting that there were no complaints/problems due to an increase in traffic on a Friday evening, and commended everyone involved for a successful game.

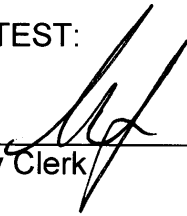
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:51 p.m. in memory of Carole Gardner, a 35-year employee of the City's Finance Department.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk