

CITY OF PASADENA  
City Council Minutes  
September 8, 2014 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:30 p.m.  
(Absent: Councilmember Madison )

On the order of the Mayor, the regular meeting recessed at 5:30 p.m., to discuss the following closed session:

**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**

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8**

**Property Location: 78 North Marengo Avenue**

**Agency Negotiators: Michael J. Beck and Steve Mermell**

**Negotiating Party: Jesse Stein**

**Under Negotiation: Price and terms of payment of proposed lease**

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

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8**

**Property Locations: 155 East Green Street, 300 East Colorado Boulevard, and 400 East Green Street**

**Agency Negotiators: Michael J. Beck and Steve Mermell**

**Negotiating Party: James Farrell**

**Under Negotiation: Price and terms of payment**

The above closed session item was discussed after the conclusion of the open session.

On order of the Mayor, the regular meeting reconvened at 6:44 p.m. The pledge of allegiance was led by Vice Mayor Robinson.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Jacque Robinson  
Councilmember Victor Gordo (Arrived at 6:45 p.m.)  
Councilmember John J. Kennedy  
Councilmember Margaret McAustin (Arrived at 6:47 p.m.)  
Councilmember Steve Madison (Arrived at 7:23 p.m.)  
Councilmember Gene Masuda  
Councilmember Terry Tornek

Staff:

City Manager Michael J. Beck  
Chief Assistant City Attorney Javan Rad  
City Clerk Mark Jomsky

**CEREMONIAL MATTERS**

Councilmember Gordo arrived at 6:45 p.m.

Police Chief Phillip Sanchez introduced the new Sergeant-at-Arms, Greg Afsharian, and extended thanks to Sergeant Chris Gutierrez for his term of service as Sergeant-at-Arms.

Councilmember McAustin arrived at 6:47 p.m.

Bruce Blomstrom, President of the Pasadena Bioscience Collaborative, spoke on behalf of the organization, and provided a brief background on its accomplishments over the past 10 years as part of a PowerPoint presentation.

Members of the City Council expressed gratitude to Mr. Blomstrom for his work, and wished him continued success in his endeavors.

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

Mustang Sally Ramirez, Los Angeles resident, spoke in support of local pilots and military aviators, and asked that they be given a salary increase and provided with improved medical/health benefits.

Floyd Folven, Pasadena resident, expressed concerns regarding the City's alleged financial practices in providing interest free loans to non-profit firms, paying high interest rates on debt issuances, collection methods related to delinquent utility accounts and judgments, and submitted written material.

Gerald Garza, Pasadena resident, stated concerns regarding the lack of available parking in the Lincoln Triangle during daytime hours, and recommended that the area be zoned for preferential parking as a solution to the problem.

Councilmember McAustin described staff's current work in addressing parking problems that exists in residential neighborhoods abutting businesses, and requested staff to provide information as to when an update on this issue will be coming forward to the City Council.

Jean Chong, Pasadena resident, spoke favorably about her experience as a new resident, and urged the City to expand its business connections by reaching out to Chinese investors to seek investment.

**CONSENT CALENDAR**

Madison arrived at 7:23 p.m.

**INCREASE EXISTING PURCHASE ORDER WITH KPMG FOR ACCOUNTING SERVICES ON CITYWIDE CONTRACTS AND PURCHASE ORDERS**

**Recommendation:**

- (1) Amend Purchase Order No. 57748 with KPMG to increase the amount from \$74,999 to \$275,000 to complete a detailed analysis on approved contract and purchase orders; and
- (2) Competitive bidding is not required pursuant to City Charter Section 1002(F) Contracts for Professional or Unique Services. Grant the proposed contract an exemption 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.

**CONTRACT AWARD TO ACCESS PACIFIC, INC., FOR MISCELLANEOUS CONCRETE REPAIR – 2015, FOR AN AMOUNT NOT TO EXCEED \$800,000**

**Recommendation:**

- (1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination; and
- (2) Accept the bid dated August 20, 2014, submitted by Access Pacific, Inc., in response to the Project Specifications for Miscellaneous Concrete Repair – 2015, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$800,000. (Contract No. 21,963)

**ADOPT A RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT 053-M1 TO ADMINISTERING AGENCY-STATE AGREEMENT 07-5064R FOR THE LA LOMA BRIDGE SEISMIC RETROFIT AND REHABILITATION PROJECT, FEDERAL-AID PROJECT NO. HP21L-5064(020)**

**Recommendation:**

- (1) Acknowledge the Final Environmental Impact Report (FEIR) for the project, certified on September 25, 2006, with an addendum that was approved in September, 2012;

(2) Authorize the City Manager to execute the Program Supplement Agreement for Construction of the La Loma Bridge Seismic Retrofit and Rehabilitation Project in the City of Pasadena; and

(3) Adopt a resolution approving a Program Supplemental Agreement to Administering Agency-State Agreement 07-5064R between the City of Pasadena and the State of California, for state reimbursement of costs for the Construction of the La Loma Bridge Seismic Retrofit and Rehabilitation Project, Federal-Aid Project No. HP21L-5064(020), Program Supplement Agreement No. 053-M1. (Contract No. 16,298-40; Resolution No. 9370)

**AUTHORIZATION TO ENTER INTO CONTRACT WITH VALI COOPER & ASSOCIATES, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR LA LOMA BRIDGE SEISMIC RETROFIT AND REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED \$1,100,000**

**Recommendation:**

(1) Acknowledge the Final Environmental Impact Report (FEIR) for the project, certified on September 25, 2006, with an addendum that was approved in September, 2012; and

(2) Authorize the City Manager to enter into a contract with Vali Cooper & Associates, Inc. for construction management services for the La Loma Bridge Seismic Retrofit and Rehabilitation Project in an amount not to exceed \$1,100,000. Competitive bidding is not required pursuant to City Charter Section 1002(F) Contracts for Professional or Unique Services. (Contract No. 21,964)

**ADOPT A RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT 095-N TO ADMINISTERING AGENCY-STATE AGREEMENT 07-5064R FOR CONSTRUCTION OF CITYWIDE RESURFACING PROJECT, FEDERAL-AID PROJECT NO. STPL-5064(081)**

**Recommendation:**

(1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination;

(2) Authorize the City Manager to execute the Program Supplement Agreement for the Construction of Citywide Resurfacing Project in the City of Pasadena; and

(3) Adopt a resolution approving a Program Supplement Agreement to Administering Agency-State Agreement 07-5064R between the City of Pasadena and the State of California, for state reimbursement of costs for the Construction of Citywide Resurfacing Project, Federal-Aid Project No. STPL-5064(081), Program Supplement Agreement No. 095-N. (Contract No. 16,298-41; Resolution No. 9371)

**FINANCE COMMITTEE: AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH VIDO ARTUKOVICH & SON, INC./VIDMAR, INC., A JOINT VENTURE FOR ADDITIONAL WORK PERFORMED UNDER CONTRACT NO. 21,341 WHICH EXPIRED ON JUNE 30, 2014**

**Recommendation:**

- (1) Find that the project described in the agenda report was subject to adequate environmental review in the Initial Environmental Study approved by the City Council on October 29, 2012, and that there are no changed circumstances or new information which could trigger additional environmental review;
- (2) Authorize the City Manager to enter into a purchase order contract with Vido Artukovich & Son, Inc./Vidmar, Inc., a Joint Venture, in the amount of \$237,145.73, for additional work performed as part of the East Side Well Collector Pipeline Construction Project ("Project"); and
- (3) It is further recommended that, to the extent some of this work might be viewed as a separate project which should be competitively bid, the City Council retroactively exempt this transaction from competitive bidding based on impracticality.

**FINANCE COMMITTEE: RECOGNITION AND APPROPRIATION OF STATE OFFICE OF TRAFFIC SAFETY (OTS), SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT REVENUES TO CONDUCT DRIVING UNDER THE INFLUENCE EDUCATION AND ENFORCEMENT PROGRAMS**

**Recommendation:**

- (1) Amend the Police Department's Fiscal Year 2015 Operating Budget by recognizing \$386,000 in grant funds awarded by the California Office of Traffic Safety, Selective Traffic Enforcement Program (STEP) as detailed in the Fiscal Impact Section of the agenda report;
- (2) Authorize the City Manager to enter into any agreement required by the State of California for acceptance of these funds; and
- (3) Find that acceptance of this grant is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines, Article 19, Categorical Exemption Section 15323. (Contract No. 21,962; Journal Voucher No. 2015-7)

**RESIGNATION OF DOLORES GIBBS FROM THE ACCESSIBILITY AND DISABILITY COMMISSION (Mayor Nomination)**

**APPOINTMENT OF C. SCOTT BOONE TO THE ROSE BOWL OPERATING COMPANY BOARD (District 2 Nomination)**

**APPOINTMENT OF JOHN S. "PETE" KUTZER TO THE SOUTH LAKE PARKING PLACE COMMISSION (Mayor Nomination/District 7)**

**APPOINTMENT OF JACQUES BOLTON TO THE HUMAN SERVICES COMMISSION (Agency Nomination)**

**APPOINTMENT OF CHARLOTTE BLAND TO THE COMMISSION ON THE STATUS OF WOMEN (District 4 Nomination)**

MINUTES APPROVED

July 21, 2014  
 July 28, 2014  
 August 4, 2014  
 August 11, 2014  
 August 18, 2014  
 August 25, 2014  
 September 1, 2014

CLAIMS RECEIVED AND FILED

**Item discussed separately**

Claim No. 12,224	Qinghua Peng	\$ 200.00
Claim No. 12,225	Joseph Woods	150,000.00
Claim No. 12,226	Elena Lozano Gomez	25,000.00+
Claim No. 12,227	Darryl Thomas	155.00
Claim No. 12,228	Liberty Mutual Fire Insurance Company (on behalf of Rafik Galstanya)	5,147.51
Claim No. 12,229	Laura Ursitti	327.00
Claim No. 12,230	Jennifer Riker	327.00
Claim No. 12,231	Sempra Energy	Not Stated
Claim No. 12,232	Linda Carol Cosentino	Not Stated
Claim No. 12,233	Sempra Energy	Not Stated
Claim No. 12,234	Sempra Energy	Not Stated
Claim No. 12,235	Billy Ray Burton	25,000.00+
Claim No. 12,236	Laura Vargas	1,650.83
Claim No. 12,237	Zusser Company Inc.	25,000.00+
Claim No. 12,238	Beatrice Jennings	25,000.00+
Claim No. 12,239	Sempra Energy	Not Stated
Claim No. 12,240	Sempra Energy	Not Stated
Claim No. 12,241	Tiffany Lopez	25,000.00+
Claim No. 12,242	Devika Patel	Not Stated

**PUBLIC HEARING SET**

September 15, 2014, 7:00 p.m. – Draft Consolidated Annual Performance and Evaluation Report (2013-2014 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

**Item discussed separately**

It was moved by Councilmember McAustin, seconded by Vice Mayor Robinson, to approve all items on the Consent Calendar, with the exception of item 14 (Claims Received and Filed) and item 15 (Set Public Hearing regarding the Draft Consolidated Annual Performance and Evaluation Report (CAPER) 2013-2014 Program Year) (Motion unanimously carried) (Absent: None)

**CONSENT ITEMS**  
**DISCUSSED SEPARATELY**

**CLAIMS RECEIVED AND FILED**

Claim No. 12,224	Qinghua Peng	\$ 200.00
Claim No. 12,225	Joseph Woods	150,000.00
Claim No. 12,226	Elena Lozano Gomez	25,000.00+
Claim No. 12,227	Darryl Thomas	155.00
Claim No. 12,228	Liberty Mutual Fire Insurance Company (on behalf of Rafik Galstanya)	5,147.51
Claim No. 12,229	Laura Ursitti	327.00
Claim No. 12,230	Jennifer Riker	327.00
Claim No. 12,231	Sempra Energy	Not Stated
Claim No. 12,232	Linda Carol Cosentino	Not Stated
Claim No. 12,233	Sempra Energy	Not Stated
Claim No. 12,234	Sempra Energy	Not Stated
Claim No. 12,235	Billy Ray Burton	25,000.00+
Claim No. 12,236	Laura Vargas	1,650.83
Claim No. 12,237	Zusser Company Inc.	25,000.00+
Claim No. 12,238	Beatrice Jennings	25,000.00+
Claim No. 12,239	Sempra Energy	Not Stated
Claim No. 12,240	Sempra Energy	Not Stated
Claim No. 12,241	Tiffany Lopez	25,000.00+
Claim No. 12,242	Devika Patel	Not Stated

Joseph Woods, San Diego resident, provided details surrounding his recently filed claim.

It was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to receive and file the above referenced claims. (Motion unanimously carried) (Absent: None)

**PUBLIC HEARING SET**

September 15, 2014, 7:00 p.m. – Draft Consolidated Annual Performance and Evaluation Report (2013-2014 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

It was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to set the above public hearing for September 22, 2014, at 7:00 p.m., due to the cancellation of the September 15, 2014 City Council meeting. (Motion unanimously carried) (Absent: None)

**PUBLIC HEARING**

**PUBLIC HEARING: TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) HEARING AND RESOLUTION FOR THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS FOR THE HUNTINGTON MEMORIAL HOSPITAL PROJECT**

**Recommendation:** It is recommended that the City Council hold a TEFRA hearing and:

- (1) Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project; and
- (2) Adopt a resolution approving the issuance of the California Statewide Communities Development Authority (CSCDA) Revenue Bonds (Huntington Hospital project); in an aggregate amount not to exceed \$200,000,000 to refinance all or any portion of the acquisition, construction, improvement, renovation, and equipping of the health facilities. (Resolution No. 9373)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on August 22, 2014 in the Pasadena Star News; and no correspondence was received.

No one appeared for public comment.

In response to Councilmember Kennedy's concern regarding the need for City Attorney signature/review of agenda reports where legal issues may exist, Javan Rad, Chief Assistant City Attorney, confirmed that staff does consult with the City Attorney's Office whenever legal matters are associated with an agenda item.



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

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

FINANCE COMMITTEE

**JOINT ACTION: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA AND A RESOLUTION OF THE PASADENA PUBLIC FINANCING AUTHORITY (PPFA) APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A STANDBY BOND PURCHASE AGREEMENT WITH BANK OF THE WEST; APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A REOFFERING MEMORANDUM; AND AUTHORIZING THE EXECUTION AND DELIVERY OF OTHER RELATED DOCUMENTS AND APPROVAL OF OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH**

**Recommendation:**

(1) It is recommended that the City Council:

(a) Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project;

(b) Adopt a resolution of the City of Pasadena approving the form of and authorizing the execution and delivery of a standby bond purchase agreement (SBPA), same as the substantially final draft form attached to the agenda report, with Bank of the West related to Paseo Colorado bonds for a period not to exceed five years; approving the form of and authorizing the distribution of a reoffering memorandum; and authorizing the execution and delivery of other related documents and approval of other documents and actions in connection therewith. Competitive bidding is not required pursuant to City Charter Section 1002 (F) Contracts for professional or unique services.

(2) It is recommended that the Pasadena Public Financing Authority adopt a resolution approving the form of and authorizing the execution and delivery of a standby bond purchase agreement related to Paseo Colorado bonds; approving the form of and authorizing the distribution of a reoffering memorandum; and authorizing the execution and delivery of other related documents and approval of other documents and actions in connection therewith. (Resolution No. 9372; Resolution No. PPFA-22)

Councilmember Tornek, Chair of the Finance Committee, introduced the agenda item.

Andy Green, Director of Finance, and Vic Erganian, City Treasurer, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

In response to Councilmembers Masuda and Kennedy's questions regarding the "12% per annum" referenced in the attachment, "Taxable Variable Rate Demand Lease Revenue Refunding Bonds Introduction", Mr. Green stated that it is a legal requirement to set a maximum limit in terms of interest rates, and noted that the City will take all necessary action to avoid paying the listed maximum 12% interest rate.

In response to Councilmember Kennedy's question as to the circumstances and conditions that might trigger or activate the maximum rate, Mr. Erganian noted that such a scenario might be due to the City's default or other extreme circumstance.

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

## MUNICIPAL SERVICES COMMITTEE

### **REBRANDING OF PASADENA AREA RAPID TRANSIT SYSTEM (ARTS)**

#### **Recommendation:**

- (1) Find that the rebranding of transit vehicles is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Direct staff to rebrand the *Pasadena Area Rapid Transit System (ARTS)* as *Pasadena Transit* and incorporate the *Connecting the dots* theme into the system brand.

#### **Transportation Advisory Commission Recommendation:**

On July 24, 2014, the Transportation Advisory Commission recommended that the City Council approve rebranding the Pasadena Area Rapid Transit System (ARTS) to Pasadena Transit.

**Design Commission Recommendation:** On October 8, 2013, the Design Commission reviewed the Pasadena Transit brand graphics and expressed support of the rebranding effort.

Fred Dock, Director of Transportation, introduced the agenda item, and Valerie Gibson, Transportation Services Manager, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

In response to Councilmember Madison's question as to how success will be measured, Mr. Dock indicated that staff will monitor ridership and chart its progress.

Councilmembers Kennedy and McAustin commended staff and all individuals involved in the process of rebranding the Pasadena Area Rapid Transit System (ARTS).

Councilmember Gordo stressed the importance for the proposed "Pasadena Transit" to be a convenient and reliable mode of transportation in an effort to reach the City's ridership goals, suggested an improvement in headway times and more effort in achieving an eligible operator status. He also inquired about transit system interconnectivity, and suggested that the City coordinate with other cities and their local transit programs to create a more regional approach to transportation and interconnectivity.

Councilmember Kennedy inquired whether there is an opportunity for State government involvement in removing the inertia as it relates to interconnectivity amongst the 18 local bus operators. In response, Mr. Dock stated that the rules operate under federal transit funding, however, noted that he will look into matter.

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**DISCUSSION OF MANSIONIZATION AND NEIGHBORHOOD COMPATIBILITY OF SINGLE-FAMILY HOMES**

**Recommendation:** Receive the report and direct staff to bring the issue of mansionization to the Planning Commission to develop a strategy and recommendation for potential revisions to the City's Zoning Code.

Vincent Bertoni, Director of Planning and Community Development, introduced the agenda item, and Laura Dahl, Senior Planner, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

The following individuals spoke in favor of the proposed action:

- Nina Chomsky, Linda Vista Annandale Association
- Laura Rodriguez, Lower Hastings Ranch Association
- Diane Kirby, Lower Hastings Ranch Association
- Brenda Jones, Lower Hastings Ranch Association

Councilmember Tornek expressed concerns regarding the emerging trend in the development of incompatible oversized residential houses in neighborhoods, noting that such developments have adverse impacts on adjacent homes and neighborhoods. He also stated his support of the staff recommendation and the suggestion by Councilmember Masuda to include the Lower Hastings Ranch as part of the analysis, and noted the importance of balancing the rights of private property owners and the neighborhood, in an effort to limit impacts on established neighborhoods.

Councilmember Gordo suggested that an analysis regarding the issue of mansionization be done citywide to ensure the protection of neighborhoods throughout the City.

Councilmember McAustin and Vice Mayor Robinson noted the challenges of accommodating growing families, while at the same time, preserving the character of the neighborhoods.

Mayor Bogaard inquired whether or not form-based zoning is appropriate as it relates to mansionization, and suggested that, in terms of an analysis, priority be given to the areas of greater risks as identified by staff, followed by other areas in the City.

Discussion ensued on the need for the Historic Preservation Commission and the Planning Commission to address the identified at-risk unprotected areas first, including the Lower Hastings Ranch area, and eventually include all areas of the City.

Councilmember Kennedy urged staff to thoroughly analyze the policies/practices and outcomes of other cities contending with the matter of mansionization, such as Arcadia and San Marino.

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember Masuda, to approve the staff recommendation, with the emphasis/priority to focus on areas of greater risk (currently unprotected), including Lower Hastings Ranch, with the Planning Commission to subsequently look at all areas of the City. (Motion unanimously carried) (Absent: None)

**CONSIDERATION OF A CALL FOR REVIEW OF A HEARING OFFICER DECISION TO THE BOARD OF ZONING APPEALS REGARDING HILLSIDE DEVELOPMENT PERMIT NO. 6190 TO ALLOW FOR THE CONSTRUCTION OF A NEW 3,620 SQUARE FOOT, ONE-STORY, SINGLE-FAMILY RESIDENCE AT 835 LINDA VISTA AVENUE (Councilmember Madison)**

Councilmember Madison introduced the agenda item, and briefly described the issues that had been raised concerning the proposed project as reasons for the call for review.

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

The following persons spoke in opposition to the call for review:

Deborah Ross, Pasadena resident (applicant), submitted material  
Floyd Folven, Pasadena resident (submitted material)

The following persons spoke in support of the call for review:

Nina Chomsky, Linda Vista Annandale Association  
Joe Dumbacher, Pasadena resident  
John Dumbacher, Pasadena resident

Councilmember Kennedy stated that he supports the proposed project moving forward, noted that it has been determined by staff that the applicant is meeting all the requirements of the existing code.

Councilmember Madison expressed concerns regarding the call for review, and stated that the basis for the proposed action is unclear. However, he did have questions regarding the size of the proposed accessory structure and the concern that it can be perceived as a second residence.

The Chief Assistant City Attorney outlined the scope of Council's review as it relates to the call for review.

In response to Councilmember Madison's question, David Reyes, Deputy Director of Planning and Community Development, indicated that staff has done the appropriate review of the project under current and existing rules and found that the project met all of the code standards.

Councilmember Tornek stated concerns regarding the proposed project and strongly urged that the matter be referred to the Board of Zoning Appeals (BOZA) for review as to whether or not the total project is consistent with the rules.

Councilmember Madison stated while he supported referring the matter to BOZA for review, he noted that this may point to a problem in the City's Zoning Code rather than the applicant's project.

Councilmember Gordo and McAustin expressed concerns regarding the existing code, specifically as it relates to the allowable size of an accessory structure in single-family residential neighborhoods, noting that the size of an accessory structure can potentially be equivalent to the main structure, and asked that the appropriate body, possibly the Planning Commission, re-examine the Zoning Code provisions related to accessory structures.

Councilmember Madison commended staff for their excellent work in applying the appropriate guidelines to the project.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Tornek, to call this matter for review to the Board of Zoning Appeals. (Motion unanimously carried) (Absent: None)

#### **DISCUSSION OF BUNGALOW COURT HISTORIC PRESERVATION CONCERNS**

**Recommendation:** Staff recommends that the City Council receive the report and direct staff to bring the issue of bungalow court preservation to the Historic Preservation Commission and the Planning Commission to develop a strategy and recommendations for further protection of historic bungalow courts.

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

Councilmember Tornek noted several areas of potential study as it relates to the preservation of bungalow courts; pointed out the appropriateness of staff's focus on both affordable housing and historic preservation goals; emphasized the need to educate property owners regarding eligible undesignated bungalow courts and the benefits such designations will have on properties designated as historic; and stated his support to refer this item to the Historic Preservation Commission and Planning Commission to develop a strategy and recommendations for further protection of historic bungalow courts, with the item to be considered by the City Council at a future date.

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**COUNCIL COMMENTS**

Councilmember Kennedy acknowledged the passing of Charlie Powell, a long time Pasadena resident, and an extraordinary humanitarian and athlete.

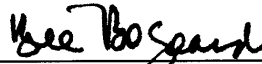
**RECESS TO CLOSED  
SESSION AND  
ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council recessed at 10:44 p.m., to continue discussion on the closed session matter listed below, and thereafter adjourned at 11:20 p.m.

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8**

**Property Locations: 155 East Green Street, 300 East Colorado Boulevard, and 400 East Green Street  
Agency Negotiators: Michael J. Beck and Steve Mermell  
Negotiating Party: James Farrell  
Under Negotiation: Price and terms of payment**

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



\_\_\_\_\_  
Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

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