

CITY OF PASADENA
City Council Minutes
September 12, 2016 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:33 p.m.
(Absent: Councilmembers Hampton, Kennedy)

On the order of the Mayor, the regular meeting recessed at 5:33 p.m., to discuss the following closed session:

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

Councilmember Kennedy
arrived at 5:41 p.m.

Councilmember Hampton
arrived at 5:47 p.m.

**Property Location: 1000 Rose Bowl Drive, Pasadena,
California**

Agency Negotiator: Darryl Dunn

**Negotiating Party: Jim Ford, Los Angeles 2024 Exploratory
Committee**

Under Negotiations: Price and terms of payment

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

On the order of the Mayor, the regular meeting reconvened at 6:31 p.m. The pledge of allegiance was led by Councilmember Madison.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor Gene Masuda
Councilmember Victor Gordo
Councilmember Tyron Hampton
Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Margaret McAustin
Councilmember Andy Wilson

Staff:

City Manager Steve Mermell
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky

CEREMONIAL MATTERS

Bill Davis, Human Services & Recreation Coordinator, and Lidia Garcia, member of the Latino Heritage Committee, invited City Council, staff, and the public to the Fiestas Patrias community event to be held on, September 16, 2016 and the Latino Heritage 2016 Parade and Grand Fiesta to be held on October 15, 2016.

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

Renee Wilson, Moreno Valley resident, expressed concerns with the day and overnight parking booths; and the difficulty in reading the small print on the back of the overnight parking permits providing street parking information.

In response to Ms. Wilson's comments, the City Manager stated that the Department of Transportation will review parking signage on both the hourly and overnight parking kiosks to clarify parking information for permits and avoid future confusion.

Thelma Herrera, Pasadena Department of Transportation, distributed a flyer inviting the City Council and public to attend an informational meeting regarding development of the Pasadena Transit Operations and Maintenance Facility to be held on September 20, 2016.

Casey Higgins, San Dimas resident, introduced himself as a candidate for California State Assembly District 41.

CONSENT CALENDAR

**REPORT ON EMERGENCY REPAIR OF THE BROADWAY 3
HIGH SPEED CIRCULATING WATER PUMP**

Recommendation: It is recommended that the City Council receive and file this information.

**AUTHORIZE THE CITY MANAGER TO ENTER INTO A FIBER
LICENSE AGREEMENT WITH TMT INTERNATIONAL
OBSERVATORY, LLC**

Recommendation:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301(Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures); and
- (2) Authorize the City Manager to enter into a license agreement with TMT International Observatory, LLC for use of City fiber, resulting in up to \$288,273 in revenue to the City over the 15 year term of the agreement. (Contract No. 22,649)

**AUTHORIZE THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH TOBY B. HAYWARD, INC., TO FURNISH
LABOR AND MATERIALS FOR CONSTRUCTION OF
TEMPORARY BRIDGES AT ARROYO SECO CANYON**

Recommendation:

- (1) Find that the previously adopted Final Initial Study/Mitigated Negative Declaration ("IS/MND") for the Arroyo Seco Canyon Project was adopted by the City of Pasadena City Council at a public hearing on June 1, 2015 and there are no changes to the project, changed circumstances, or new information that would trigger further environmental review; and

(2) Accept the bid dated July 20, 2016 submitted by Toby B. Hayward Inc., in response to Specification WD-16-01, "Furnish Labor and Materials for Construction of Temporary Bridges at Arroyo Seco Canyon for the Water and Power Department", reject all other bids, and authorize the City Manager to enter into a contract not-to-exceed \$440,000 which includes the base contract amount of \$382,600 and a contingency of \$57,400 to provide for any necessary change orders. (Contract No. 30723)

AUTHORIZE THE CITY MANAGER TO EXECUTE AN AMENDMENT TO A MEMORANDUM OF UNDERSTANDING WITH THE EL MONTE CITY SCHOOL DISTRICT TO PROVIDE NUTRITION EDUCATION SERVICES

Recommendation:

(1) Find that the action proposed is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3) as it will not have a potentially significant environmental affect and, therefore, falls under the "general rule" exemption; and

(2) Authorize the City of Manager to execute an amendment to Memorandum of Understanding No. 21808 with the El Monte City School District, for the additional amount of \$10,217 \$10,127, to provide nutrition education services, as a sub-contractor of the City of Pasadena under the Choose Health Los Angeles grant, thereby, bringing the grand total not-to-exceed amount to \$100,000. (Contract No. 21,808-2)

FINANCE COMMITTEE: RECOGNIZE AND APPROPRIATE \$100,000 OF LOS ANGELES COUNTY GRANT FUNDS TO THE PUBLIC HEALTH DEPARTMENT FISCAL YEAR 2017 OPERATING BUDGET AND INCREASE PERSONNEL ALLOCATION BY 0.50 FULL TIME EQUIVALENT (FTE) FOR THE SUBSTANCE USE DISORDER TREATMENT SERVICES PROGRAM

Recommendation:

(1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) as it will not have a potentially significant environmental effect and, therefore, falls under the "general rule" exemption; and

(2) Recognize and appropriate \$100,000 in grant funds to the Public Health Department's Fiscal Year (FY) 2017 Operating Budget including increasing the personnel allocation by 0.50 grant funded limited-term full time equivalent (FTE) to satisfy program objectives as required by the Substance Abuse Prevention and Control (SAPC) grant.

FINANCE COMMITTEE: RECOGNIZE AND APPROPRIATE \$327,511 TO THE PUBLIC HEALTH DEPARTMENT FISCAL YEAR 2017 OPERATING BUDGET AND INCREASE PERSONNEL ALLOCATION BY 1.0 FULL TIME EQUIVALENT (FTE) FOR THE PROJECT WRAPAROUND PROGRAM

Recommendation:

(1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) as it will not have a potentially significant environmental effect and, therefore, falls under the "general rule" exemption;

(2) Recognize and appropriate \$327,511 to the Public Health Department's Fiscal Year (FY) 2017 Operating Budget including increasing the personnel allocation by 1.0 limited-term full time equivalent (FTE) to satisfy program objectives as required by the Substance Abuse and Mental Health Services Administration (SAMHSA) grant; and

(3) Authorize an amendment to a pending contract with Welligent, Inc., increasing the contract value by \$8,279 to \$110,276 to provide a Behavioral Health Case Management Software System. (Contract No. 30677-1)

Item discussed separately

FINANCE COMMITTEE: ADOPTION OF RESOLUTIONS TO COMPLY WITH THE STATE OF CALIFORNIA'S APPLICATION REQUIREMENTS FOR A WATER RECYCLING FUNDING PROGRAM GRANT AND CLEAN WATER STATE REVOLVING FUND LOW-INTEREST LOAN FOR PHASE 1 OF THE NON-POTABLE WATER PROJECT

APPOINTMENT OF SHARON M. ROGERS TO THE ACCESSIBILITY AND DISABILITY COMMISSION (District 4 Nomination)

APPOINTMENT OF CARLA BOYKIN TO THE NORTHWEST COMMISSION (Mayor Nomination)

APPOINTMENT OF MIREYA ASTURIAS JONES TO THE SENIOR COMMISSION (District 1 Nomination)

APPOINTMENT OF RI-KARLO HANDY TO THE HUMAN SERVICES COMMISSION (District 1 Nomination)

APPOINTMENT OF EILEEN WILLIAMSON TO THE RECREATION AND PARKS COMMISSION (District 7 Nomination)

REQUEST TO ALLOW COMMISSIONER ANDREA ABRAMS (WHO HAS MOVED OUT OF PASADENA) TO CONTINUE TO SERVE ON THE LIBRARY COMMISSION THROUGH END OF CURRENT TERM PURSUANT TO PASADENA MUNICIPAL CODE SECTION 2.45.020 (Mayor)

MINUTES APPROVED

August 8, 2016
 August 15, 2016
 August 22, 2016
 August 29, 2016
 September 5, 2016

CLAIMS RECEIVED AND FILED

Claim No. 12,703	Pearl Phifer	\$ 25,000.00+
Claim No. 12,704	Antonio Guerrero	600.00
Claim No. 12,705	Carlos M. Padilla & Aleia N. Long-Padilla	1,649.37
Claim No. 12,706	Kazan, McClain, Satterley & Greenwood, a Professional Law Corporation, representing Mario Reyes-Jauregui	Not stated
Claim No. 12,707	Kazan, McClain, Satterley & Greenwood, a Professional Law Corporation, representing Sandra Reyes-Jauregui	Not stated
Claim No. 12,708	Hakop Avetisyan of United Auto Group	1,344.20
Claim No. 12,709	Michael Cadis	217.99
Claim No. 12,710	Pacific Bell/AT&T/Diane Mancini	4,696.56
Claim No. 12,711	Law Office of Werner R. Meissner representing Barbara Damerel	25,000.00+
Claim No. 12,712	Adam H. Braun, Braun & Braun, LLP representing Jeffrey C. Parcell	25,000.00+
Claim No. 12,713	Lily & Francis Wang	1,738.65
Claim No. 12,714	Benjamin Foo	7,309.73

PUBLIC HEARING SET

September 19, 2016, 7:00 p.m. – La Salle High School Master Plan – 3880 East Sierra Madre Boulevard

September 26, 2016, 7:00 p.m. – Implement Level 1 Water Supply Shortage Measures as described in the Pasadena Municipal Code (“PMC”) Title 13, Chapter 13.10 and Amend PMC Chapter 13.10

September 26, 2016, 7:00 p.m. – Designation of 1211 Wellington Avenue as a Landmark

September 26, 2016, 7:00 p.m. – Designation of 895 South Madison as a Landmark

October 10, 2016, 7:00 p.m. – Draft Consolidated Annual Performance and Evaluation Report (2015-2016 Program Year) for Projects Funded from Community Development Block Grant, Emergency Solutions Grant, and Home Investment Partnership Act

October 10, 2016, 7:00 p.m. – Zoning Code Amendment: Neighborhood District Overlay Zone (ND)

October 10, 2016, 7:00 p.m. – Zoning Code Amendment: Single Level Overlay Zone (SL)

It was moved by Councilmember Kennedy, seconded by Councilmember McAustin, to approve all items on the Consent Calendar, with the exception of Item 7 (Adoption of Resolutions To Comply With The State of California's Application Requirements), which was discussed separately. (Motion unanimously carried) (Absent: None)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

FINANCE COMMITTEE: ADOPTION OF RESOLUTIONS TO COMPLY WITH THE STATE OF CALIFORNIA'S APPLICATION REQUIREMENTS FOR A WATER RECYCLING FUNDING PROGRAM GRANT AND CLEAN WATER STATE REVOLVING FUND LOW-INTEREST LOAN FOR PHASE 1 OF THE NON-POTABLE WATER PROJECT

Recommendation:

(1) Find that Phase I of the Pasadena Non-Potable Water Project, and all funding thereof, was subject to adequate environmental review as part of the Pasadena Non-Potable Water Project Final Environmental Impact Report and corresponding Findings, as certified/adopted by City Council on February 22, 2016, and that there are no changes to the project, changed circumstances, or new information that would trigger further environmental review;

(2) Adopt a resolution authorizing and directing the General Manager of the Water and Power Department ("PWP") ("Authorized Representative") or designee to: sign and file on behalf of PWP, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board ("State Water Board") for the planning, design, and construction of the Pasadena Non-Potable Water Project, Phase 1 ("Project"); provide assurances, certifications, and commitments required for

both the application and execution of the agreement and any amendments or changes thereto; and, represent PWP in carrying out responsibilities of the agreement, including the certification of disbursement requests on behalf of PWP and compliance with applicable State and Federal laws;

(3) Adopt a resolution declaring the City's intention to reimburse itself from the proceeds of one or more tax-exempt financings for certain expenditures made and/or to be made in connection with the Project, prior to the issuance or the approval of the low-interest loan by the State Water Board for the Project; and

(4) Adopt a resolution dedicating and pledging net revenues from the Water Fund for payment of any and all Clean Water State Revolving Fund and/or Water Recycling Funding Program financing for the Project, and committing to collect such revenues and maintain the Water Fund throughout the term of such financing. (Resolution Nos. 9515, 9516, 9517)

Ken Kules, Pasadena resident, stated his support for the City's non-potable water project.

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

OLD BUSINESS

UPDATE ON COMMUNITY ARMS PROJECT AT 151 EAST ORANGE GROVE BOULEVARD; DECLINE OF HOME FUNDS BY COMMUNITY BIBLE COMMUNITY DEVELOPMENT CORPORATION

Recommendation: This report is for information only; no City Council action is required.

Jim Wong, Senior Project Manager, summarized the agenda report as part of the PowerPoint presentation, and responded to questions.

Steve Mermell, City Manager, responded to questions regarding the U.S. Department of Housing and Urban Development's (HUD's) inability to extend the commitment fund date.

Councilmember McAustin expressed concerns with the City's due diligence in reviewing the limited partnership, Alden Torch Financial, LLC, tax credit compliance period expiration date.

John A. Burch, Vice President of Community Bible Community Development Corporation (CBCDC), responded to questions regarding CBCDC's decision to decline the Home Investment Partnership Program (HOME) fund grant.

Councilmember Kennedy spoke on the continued need for the security camera system at Community Arms and stated his concerns regarding the need for increased due diligence when vetting similar projects in the future.

Councilmember Madison asked the City Manager to conduct a detailed analysis of the grant/loan award process to determine what lead to the failed agreement, any lessons to be learned to avoid future recurrences, and report back to the City Council.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Gordo, to direct staff to contact the equity partners of Community Arms, directly, and to engage the Department of Housing and Urban Development, directly, in a dialog with CBCDC, (1) to ensure that the equity partners are engaged and committed to the quality-of-life issues and ameliorate public safety challenges that have been detailed by City staff and CBCDC in conjunction with the residents; and (2) to insure that the equity partners are directing sufficient capital to necessary security and capital improvements at Community Arms on an on-going basis, and report back to the City Council. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

JOINT ACTION: 2016A ROSE BOWL REFUNDING BONDS

Recommendation: It is recommended that the City Council and the Pasadena Public Financing Authority take the following actions:

- (1) Find that the proposed action is not a project subject to 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;
- (2) Adopt a resolution of the City Council of the City of Pasadena approving the issuance of not-to-exceed \$27,500,000 aggregate initial principal amount of Refunding Lease Revenue Bonds (Rose Bowl Renovation Project), Series 2016A, approving the form and authorizing the execution and delivery of a First Amendment to Amended and Restated Lease, A Second Amendment to Amended and Restated Sublease, a Purchase Agreement, a Preliminary Official Statement, a Continuing Disclosure Agreement, an Escrow Agreement, an Indenture and other related documents, authorizing the distribution of an Official Statement and approving other related actions in connection therewith; and
- (3) Adopt a resolution authorizing the issuance of Lease Revenue Refunding Bonds in an amount not-to-exceed \$27,500,000 and the execution and delivery of a First Amendment to Amended and Restated Lease, Second Amendment to Amended and Restated Sublease, Purchase Agreement, Escrow Agreement, Preliminary Official Statement

and Final Official Statement in connection therewith, and authorizing the taking of certain actions in connection therewith. (Resolution No. 9518)

Matthew Hawkesworth, Director of Finance, provided a PowerPoint presentation on the item, and responded to questions.

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

ADOPTION OF A RESOLUTION AND THE FIRST READING OF AN ORDINANCE AUTHORIZING THE INVITATION OF BIDS FOR THE PURCHASE OF ELECTRIC REVENUE/REFUNDING BONDS 2016A SERIES OF SAID CITY; APPROVING A NOTICE OF INTENTION TO SELL BONDS, A PRELIMINARY OFFICIAL STATEMENT, A NOTICE INVITING BIDS; AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO SELL BONDS; AUTHORIZING THE ISSUANCE BY THE CITY OF NOT-TO- EXCEED \$140,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE/REFUNDING BONDS, 2016A SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND; APPROVING THE EXECUTION AND DELIVERY OF A NINTH SUPPLEMENTAL TO ELECTRIC REVENUE BOND FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH

Recommendation:

(1) Find that the proposed action is not a project subject to 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;

(2) Adopt a resolution authorizing the invitation of bids for the purchase of electric revenue/refunding bonds, 2016A series of said city, approving a notice of intention to sell bonds, a preliminary official statement, a notice inviting bids, authorizing the publication of a notice of intention to sell bonds, and authorizing certain other actions in connection therewith; and

(3) Conduct the first reading of "AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT-TO- EXCEED \$140,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE/REFUNDING BONDS, 2016A SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND, AND APPROVING THE EXECUTION AND DELIVERY OF A NINTH SUPPLEMENT TO ELECTRIC REVENUE BOND FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION THEREWITH." (Resolution No. 9519)

Matthew Hawkesworth, Director of Finance, provided a PowerPoint presentation on the item, and responded to questions. In addition, Mr. Hawkesworth noted a correction on Page No. 2 of the staff report, in the matrix, under Final Maturity, stating the correct date is 4/1/2027.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember McAustin, to approve the staff recommendations No. 1 and 2. (Motion unanimously carried) (Absent: None)

**ORDINANCE – FIRST
READING**

Conduct the first reading of "AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT-TO-EXCEED \$140,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE/REFUNDING BONDS, 2016A SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND, AND APPROVING THE EXECUTION AND DELIVERY OF A NINTH SUPPLEMENT TO ELECTRIC REVENUE BOND FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION THEREWITH"

The above ordinance was offered for first reading by Councilmember Kennedy:

AYES: Councilmembers Gordo, Hampton, Kennedy,
Madison, McAustin, Wilson, Vice Mayor Masuda,
Mayor Tornek
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC HEARING

PUBLIC HEARING: ACCEPT AND APPROVE THE WATER AND POWER DEPARTMENT'S 2016 PUBLIC HEALTH GOALS REPORT ON WATER QUALITY

Recommendation: It is recommended that the City Council conduct a public hearing, receive public testimony on the Water and Power Department's recommended 2016 Public Health Goals ("PHG") Report, and upon closing the public hearing:

- (1) Find that the following proposed actions related to the City of Pasadena's Report on Water Quality Relative to PHG's is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA State Guidelines Section 15060(c)(2), 15060(c)(3) and 15378, as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; and
- (2) Accept and approve the 2016 PHG Report.

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on July 14 2016. No correspondence was received by the City Clerk's office regarding this item.

Gurcharan Bawa, Interim General Manager of Water and Power, introduced the item and David Kimbrough, Water Quality Manager, provided a PowerPoint presentation on the item, and responded to questions.

Councilmember McAustin, Chair of the Municipal Services Committee (MSC), reported on the unanimous support of MSC at a recent Committee meeting.

Following a brief discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: None)

Councilmember Kennedy requested an analysis of particulates per billion on contaminates that are present in the City's water supply after a deluge of rain water

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

PUBLIC HEARING: PLANNED DEVELOPMENT 35 - COLORADO HILL HOTEL 1347-1355 EAST COLORADO BOULEVARD AND 39 NORTH HILL AVENUE; 1336 EAST COLORADO BOULEVARD

Recommendation: It is recommended that following a public hearing the City Council:

- (1) Adopt a resolution certifying the Final Environmental Impact Report (FEIR) (SCH No. 2013101060), adopting findings, adopting the Water Supply Assessment, and adopting the Mitigation Monitoring and Reporting Program (MMRP);

(2) Approve staff's recommendation to develop the north parcel with a hotel and ground-floor commercial uses (as proposed by the applicant, which includes preservation of the automobile showrooms) and develop the south parcel consistent with Alternative Three-single-room occupancy housing for students with ground-floor commercial, or Alternative Four – mixed-use residential with ground-floor commercial, as described in the Final EIR;

(3) Find that the project as described immediately above was adequately analyzed in the Final EIR, does not result in a new or increased environmental affects not already disclosed and mitigated, and that the project is not considerably different from the project and alternatives analyzed in the Final EIR;

(4) Adopt the Land Use Findings (Attachment A of the agenda report) for a Zone Map Amendment to change the zoning of the site from ECSP-CG-2 and RM-48-PK (East Colorado Specific Plan, Commercial General, College District and Multi-Family Residential, 0-48 units per acre, Parking Overlay) to Planned Development (PD);

(5) Adopt the Land Use Findings (Attachment A of the agenda report) to establish PD 35 – Colorado Hill Hotel Planned Development with the Conditions of Approval in Attachment B of the agenda report;

(6) Direct the City Attorney to prepare an Ordinance for a Zone Map Amendment to change the zoning of the site from ECSP-CG-2 and RM-48-PK (East Colorado Specific Plan, Commercial General, College District and Multi-Family Residential, 0-48 units per acre, Parking Overlay) to PD and amend Appendix A of the Zoning Code to establish PD 35; and

(7) Direct the City Clerk to file a Notice of Determination pursuant to the California Environmental Quality Act within five (5) days of second reading of the Ordinance. (Resolution No. 9520)

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission conducted public hearings on April 21, 2016 and June 8, 2016 to discuss the proposed project and potential alternatives, leading up to formal action on July 27, 2016. Their earlier discussions focused on:

- The size of the hotel proposed on the north parcel;
- Allowing development flexibility on the south parcel, specifically residential opportunities instead of or in addition to hotel;
- Providing exterior access to ground-floor commercial uses and creation of a lively streetscape; and
- Encourage the 'neighborhood village' feel envisioned for the East Colorado Specific Plan (ECSP) by the General Plan Land Use Element.

Letters expressing both support and opposition to the proposed project were submitted during the Planning Commission review. This correspondence has been provided as Attachment C of the agenda report.

On July 27, 2016, the Planning Commission recommended (6-0 vote, 3 members absent) that the City Council approve the staff-recommended alternative of the project, with additional recommended conditions of approval. These conditions of approval have been incorporated into Attachment B of the agenda report for City Council consideration:

- Enhance the pedestrian experience and improve pedestrian circulation at and near the designated valet court through the use of alternative paving materials that distinguish pedestrian versus automobile areas;
- Six months following the issuance of a Certificate of Occupancy, the project site shall be evaluated for compliance with the City's Noise Ordinance and all other conditions of approval or mitigation measures related to operational noise occurring at the project site; and
- Prohibit pool access between 10:00 p.m. and 6:00 a.m. daily. (Mitigation Measure MM-NOISE-2: (Restriction on Nighttime Outdoor Activities) would prohibit the use of the pool area between 10:00 p.m. and 5:00 a.m. daily. This additional condition of approval would extend this prohibition to 6:00 a.m. daily).

The Planning Commission additionally directed City staff and the applicant to work with the California Department of Transportation (Caltrans), as needed, regarding the conditions of approval requested by Caltrans related to improvements that would enhance traffic and/or pedestrian flow in the project vicinity and on State facilities near the project site.

In a separate motion, the Planning Commission recommended (5-1 vote, 3 members absent) that the PD Plan be revised to add hotel as a permitted use on the south parcel, whereas the staff recommended alternative did not allow for hotel on the south parcel. The staff recommendation is unchanged; hotel is not recommended as a permitted use on the south parcel.

Councilmember Kennedy was excused at 8:18 p.m., and left the dais

The City Clerk opened the public hearing and reported 70 copies of the notice were posted and 104 copies of the notice were mailed on August 25, 2016. The City Clerk's office received 1 letter of correspondence expressing support for the proposed Planned Development, which was distributed to the City Council and made part of the official record of the hearing.

David Reyes, Director of Planning & Development, introduced the agenda item, and Tracy Steinkruger, Senior Planner, provided a PowerPoint presentation on the agenda item, and responded to questions.

Councilmember Madison spoke in favor of the proposed project and highlighted the benefits the City will receive in generated Transit Occupancy Tax (TOT) dollars from the project.

The following individuals spoke in favor of the proposed project and/or various aspects of the proposed project, provided comments and/or suggestions regarding various aspects of the proposed staff recommendation:

Richard A. McDonald, representing the applicant
Stefanos Polyzoides, architect representing the applicant
Roger Roldan, Pasadena Police Officers' Association
Carl Bolte, General Manager at Hilton San Gabriel
Jason Chen, J&K Plus Investments LLC (applicant)

Charles Hong, Holliston United Methodist Church, spoke in opposition to the proposed project and expressed concerns regarding the staff recommendation.

Councilmember McAustin expressed concerns with the proposed project utilizing all the available commercial square footage in the East Pasadena Specific Plan (EPSP) and the consistency of the of the project with the EPSP; and spoke in favor of the South Parcel to be developed in a village-campus style, with commercial street frontage and residential options.

It was moved by Councilmember Gordo, seconded by Vice Mayor Masuda, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Kennedy)

Councilmember Gordo expressed concerns with restricting a hotel option on the proposed South Parcel project site, and recommended including discretionary action when a design is available. In addition, Mr. Gordo also expressed concerns with granting the increased the Floor Area Ration (FAR) bonus without requiring a superior design.

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember Madison, to re-open the public hearing. (Motion unanimously carried) (Absent: Councilmember Kennedy)

Stefanos Polyzoides, architect representing the applicant, responded to questions regarding the design parameters for the South Parcel.

It was moved by Vice Mayor Masuda, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Kennedy)

Theresa Fuentes, Assistant City Attorney, clarified that Conditional of Approval No. 31 will be amended to correct the typo by removing the reference to the Planning Commission, to be replaced with the Design Commission.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo to approve the staff recommendation, amended to allow for Alternative 3 and 4 for the South Parcel, with a hotel use available as an option on the South Parcel to the applicant through the Conditional Use Permit process, and amending Condition of Approval No. 31 to direct the Design Commission to evaluate the level of design excellence incorporated within the South Parcel of the project, and allowing the Design Commission to reduce the Floor Area Ratio (FAR) for the South Parcel below 2.9 FAR if the design excellence standards on that parcel are not met, with the Design Commission's decision appealable to the City Council. (Motion unanimously carried) (Absent: Councilmember Kennedy)

ORDINANCE – FIRST READING
(Continued)

Vice Mayor Masuda left at 10:59 p.m.

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 5.02 TO TITLE 5, ARTICLE I OF THE PASADENA MUNICIPAL CODE TO CLARIFY AND MAKE MINOR REVISIONS TO THE CITY-WIDE MINIMUM WAGE ORDINANCE”

The above ordinance was offered for first reading by Councilmember Gordo:

AYES: Councilmembers Gordo, Hampton, Madison, McAustin, Wilson, Mayor Tornek
NOES: None
ABSENT: Councilmember Kennedy, Vice Mayor Masuda
ABSTAIN: None

INFORMATION ITEMS

Vice Mayor Masuda returned at 11:04 p.m.

REPORT ON THE CITY COUNCIL'S PUBLIC HEARING PROCESS

Recommendation: The following report is for information only; no City Council action is required.

Mayor Tornek introduced the item, summarized the agenda report, and provided comments on how the City Council's public hearing process.

Councilmember McAustin suggested that Councilmembers e-mail staff with inquiries regarding consent calendar items as a way to efficiently work through the City Council's meeting agenda.

Following discussion, by consensus of the City Council, and on order of the Mayor, the information was received and filed.

COUNCIL COMMENTS

Councilmember Madison providing information regarding the community meeting on the "710 Tunnel Project" scheduled for Thursday, September 15, 2016 at the Pasadena Convention Center.

The Mayor reminded the City Council of Senator Carol Lui's farewell reception to be held on Friday, September 16, 2016 at the Glendale Library.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:23 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk