

CITY OF PASADENA
City Council Minutes
February 5, 2024 – 4:30 P.M.
City Hall Council Chamber

The regular meeting was convened and held virtually by videoconference/teleconference, as well as in-person in the Council Chamber.

OPENING:

Mayor Gordo called the regular meeting to order at 4:30 p.m.
(Absent: Councilmember Hampton)

CLOSED SESSION

On the order of the Mayor, the regular meeting recessed at 4:31 p.m.
to discuss the following closed session item:

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding
pending litigation pursuant to Government Code Section
54956.9(d)(1)

Name of Case: DC Lake Holdings, LLC v. City of Pasadena
First LASC Case No.: 19STCP04588
Second LASC Case No.: 22STCP04461

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding
pending litigation pursuant to Government Code Section
54956.9(d)(1)

Name of Case: Murphy v. City of Pasadena
LASC Case No.: 21STLC07424

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

Property Locations: 1500 E. Villa Street, Pasadena, CA
Agency Negotiators: Miguel Márquez
Negotiating Parties: Dr. Elizabeth J. Blanco
Under Negotiation: Price and terms

Mayor Gordo stated a
potential conflict with Item
C, recused himself, and
left the closed session
meeting at 5:38 p.m.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding
**significant exposure to potential litigation pursuant to
Government Code Section 54956.9(d)(2): One (1) case**

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

Mayor Gordo stated a
potential conflict with Item
D, recused himself, and
left the closed session
meeting at 8:57 p.m.

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS** pursuant to Government Code Section 54956.8
Property Locations: 299 N. Euclid Ave., Pasadena, CA 91101
Agency Negotiator: Miguel Marquez
Negotiating Party: Scott Unger
Under Negotiation: Price and terms of Lease

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

On the order of the Mayor, the regular meeting reconvened at 6:06 p.m. The pledge of allegiance was led by Queen Naomi Stillitano and the 2024 Rose Court. (Absent: None)

ROLL CALL:

Councilmembers:

Mayor Victor M. Gordo
Vice Mayor Steve Madison
Councilmember Tyron Hampton
Councilmember Justin Jones
Councilmember Jason Lyon
Councilmember Gene Masuda
Councilmember Jessica Rivas
Councilmember Felicia Williams

Staff:

City Manager Miguel Márquez
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky

Mayor Gordo reported that due to a potential conflict, he recused himself from participating in Closed Session Agenda Item C, and had left the closed session meeting during the City Council's discussion.

CEREMONIAL MATTERS

Mayor Gordo introduced the 2024 Rose Court Chair/Director Missy Baiunco Augustyn. Ms. Augustyn introduced the 2024 Rose Court Queen Naomimi Stillitano and Princesses Olivia Bohanec, Trinity Delacruz, Phoebe Ho, Mia Moore-Walker, Jessica Powell, and Emmerson Tucker. Mayor Gordo presented certificates of recognition to the 2024 Rose Court for their dedicated service in representing the City.

Koko Panossian, Parks, Recreation & Community Services Director provided introductory remarks about upcoming events to celebrate Black History Month, and introduced Jennifer Colby, Public Information Coordinator, who shared information and event details on the upcoming Black History Parade on Saturday, February 17, 2024, and the Mardi Gras themed Senior Night Out on Friday, February 23, 2024.

Mayor Gordo invited the community, City staff, and City Council to the upcoming Mayor's State of the City on Thursday, February 29, 2024.

Mayor Gordo requested that the meeting be adjourned in memory of Marty Coleman, a long-time Pasadena resident who previously served as the Outreach Director for the Inter-Faith Center at All Saints Church and reflected on her social activism within the community.

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

Allen Shay, Pasadena resident, expressed concerns regarding the lack of time provided to the public to review an amended agenda item.

The following individuals urged the City to work with the School District in ending the City's lease at Jefferson Elementary School and allowing the school to be used by the District as a temporary site for students Longfellow Magnet School during renovations:

Ryan Thiha, Pasadena resident
Emily Stough, Altadena resident

Ed Washatka, Pasadena resident, expressed concerns regarding campaign rhetoric occurring in City elections.

City Clerk Jomsky reported that 10 letters advocating for the City to support PUSD Longfellow Magnet School students to temporarily relocate to Jefferson Elementary school site were received by the City Clerk's office, distributed to the City Council, posted online, and made part of the public record.

CONSENT CALENDAR

City Manager/ Executive
Director

AUTHORIZE THE CITY MANAGER TO EXTEND THE DURATION OF CONTRACT NO. 32334 WITH MICHAEL BAKER INTERNATIONAL INC., FOR THE DESIGN OF THE WALNUT STREET CORRIDOR SIGNAL IMPROVEMENT PROJECT (Transportation Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended actions in the agenda report are exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines per Section 15061(b)(3), the "Common Sense" exemption that CEQA only applies to projects that may have an effect on the environment; (Contract No. 32334-1)
- (2) Authorize the City Manager to extend Contract No. 32334 with Michael Baker International for one year, for a total contract period beginning from November 15, 2022, to November 15, 2024, for consulting services for the design and development of construction plans, specifications and estimates (PS&E) of the Walnut Street Corridor Project; and
- (3) It is further recommended the City Council grant the proposed contract extension an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B) contracts for which the City's best interests are served.

ADOPT A RESOLUTION ESTABLISHING ONE NEW CLASSIFICATION AND SALARY AND UPDATING THE SALARIES OF TWENTY EXISTING CLASSIFICATIONS (Human Resources Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3) "Common Sense" exemption; and
- (2) Adopt a Resolution Establishing One New Classification and Salary and Updating the Salaries of Twenty Existing Classifications. (Resolution No. 10032)

Item discussed separately

CONTRACT AWARD TO A&Y ASPHALT CONTRACTORS INC., TO FURNISH LABOR AND MATERIALS FOR UTILITY AND MISCELLANEOUS STREET REPAIRS FOR AN AMOUNT NOT-TO-EXCEED \$1,500,000 FOR THE WATER AND POWER DEPARTMENT (Water & Power Dept.)

AUTHORIZATION TO AMEND CONTRACT NO. 32329 WITH RAFTELIS FINANCIAL CONSULTANTS INC., DBA RAFTELIS FOR WATER COST OF SERVICE ANALYSIS AND RATE DESIGN SERVICES FOR AN AMENDED NOT-TO-EXCEED AMOUNT OF \$211,708 FOR THE WATER AND POWER DEPARTMENT (Water & Power Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project; and
- (2) Authorize the City Manager to amend Contract No. 32329 with Raftelis Financial Consultants Inc., dba Raftelis ("Raftelis") for Water Cost of Service Analysis ("COSA") and rate design services from a not-to-exceed amount of \$157,724 to \$211,708 and extend the expiration to December 31, 2024. The total \$53,984 amendment includes the base amendment of \$46,943 and a 15% contingency of \$7,041, to provide for any necessary change orders. (Contract No. 32329-2)

REJECT ALL BIDS TO FURNISH AND DELIVER CONCRETE MATERIALS FOR THE WATER AND POWER DEPARTMENT (Water & Power Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(5) (projects which a public agency rejects or disapproves) and Section 15270 of the State CEQA Guidelines; and
- (2) Reject all bids received on December 5, 2023, in response to the Notice Inviting Bids to Furnish and Deliver Concrete Materials.

MUNICIPAL SERVICES COMMITTEE: SET PUBLIC HEARING FOR APRIL 8, 2024, FOR PROPOSED SEWER USE FEE RATE STRUCTURE AND RATE ADJUSTMENTS (Public Works Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act (CEQA) Public Resources Code Section 21065 and Section 15378(b)(4), and that the proposed sewer use fee increases are statutorily exempt pursuant to Section 15273 (Rates, Tolls, Fares, and Charges) under State CEQA Guidelines, and as such, is not subject to environmental review;
- (2) Set a public hearing for April 8, 2024, regarding proposed Sewer Use Fee rate structure and rate adjustments; and

(3) Direct the Public Works Department to mail notices of public hearing set for April 8, 2024, regarding proposed Sewer Use Fee rate structure and rate adjustments.

Recommendation of the Municipal Services Committee: On January 23, 2024, the Municipal Services Committee (MSC) voted unanimously to forward this item to the City Council to set the public hearing date. A committee member suggested that the proposed rate should be phased-in over the next five-years to allow customers to adjust to the overall proposed increase over time.

MUNICIPAL SERVICES COMMITTEE: SET PUBLIC HEARING FOR APRIL 8, 2024, FOR PROPOSED REFUSE COLLECTION FEE INCREASES (Public Works Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action in the agenda report is not a project as defined in the California Environmental Quality Act (CEQA) Public Resources Code Section 21065 and Section 15378(b)(4) of the State CEQA Guidelines, and that the proposed refuse collection fee increases are statutorily exempt pursuant to Section 15273 (Rates, Tolls, Fares, and Charges) of the State CEQA Guidelines, and as such, is not subject to environmental review;

(2) Set a public hearing on April 8, 2024, regarding proposed refuse collection fee increases; and

(3) Direct the Public Works Department to mail notice of public hearing set for April 8, 2024, regarding proposed refuse collection fee increases.

Recommendation of the Municipal Services Committee: On January 23, 2024, the Municipal Services Committee (MSC) voted unanimously to forward this item to the City Council to set the public hearing date. A committee member suggested that the proposed rate increase for the residential 32, 60, and 100 gallon containers should be equal. The proposed monthly rate increases are \$8.47, \$8.75, and \$5.62 respectively.

City Council

RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS

RESIGNATION OF JACQUE ROBINSON-BAISLEY FROM THE CHARTER STUDY TASK FORCE (At Large Nomination)

ACKNOWLEDGE THE VACANCY CREATED BY THE DEPARTURE OF MIKE OWEN FROM THE PASADENA CENTER OPERATING COMPANY BOARD (Hotel Nomination)

APPOINTMENT OF DAVID DiCRISTOFARO TO THE TRANSPORTATION ADVISORY COMMISSION (District 6 Nomination)

REAPPOINTMENT OF CYNTHIA KURTZ AS THE CITY'S REPRESENTATIVE ON THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA EFFECTIVE JANUARY 1, 2025 (City Nomination)

DESIGNATION OF COUNCILMEMBER FELICIA WILLIAMS TO SERVE AS THE CITY'S VOTING DELEGATE AT THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) ANNUAL GENERAL ASSEMBLY TO BE HELD ON MAY 2, 2024

City Clerk/ Secretary

November 6, 2023	City Council
November 6, 2023	Successor Agency to the Pasadena Community Development Commission
November 13, 2023	City Council – Special Meeting
November 13, 2023	City Council
November 13, 2023	Successor Agency to the Pasadena Community Development Commission

MINUTES APPROVED

CLAIMS RECEIVED AND FILED

Claim No.	Claimant	Claim Amount
2024-0160	Theo Apartments – CSCDA Community Improvement	\$ 850.00
2024-0161	CCMSI	Not stated
2024-0162	Christina J. Maldonado	25,000.00+
2024-0163	Danielle Valencia	25,000.00+
2024-0164	Theodore Rouadi	25,000.00+
2024-0165	Ricci Bonwell	25,000.00+
2024-0166	David J. Jalate	25,000.00+
2024-0167	Jewell Williams	9,500.00
2024-0168	Arturo, Olga, Dayanna Martinez Sainz	25,000.00+
2024-0169	Mercury Insurance Company as subrogee of Laura Hall	10,000.00+
2024-0170	State Farm Mutual Automobile Insurance Company a/s/o Elliot J. Ehlig	2,604.20
2024-0171	Michael Groff	475.00

PUBLIC HEARING SET

FEBRUARY 26, 2024, 5:30 P.M. – Appeal of the Design Commission's Approval of a Concept Design Review Application for the Property at 141 South Lake Avenue

MARCH 11, 2024, 5:30 P.M. – Substantial Amendment to Annual Action Plans and 5-Year Consolidated Plan For Community Development Block Grant And Emergency Solution Grant

MOTION:

It was moved by Councilmember Lyon, seconded by Councilmember Jones, to approve all items on the Consent Calendar, with the exception of Item 3.

AYES:	Councilmembers Hampton, Jones, Lyon, Masuda, Rivas, Williams, Vice Mayor Madison, Mayor Gordo
NOES	None
ABSTAIN:	None
ABSENT:	None

Item discussed separately

CONTRACT AWARD TO A&Y ASPHALT CONTRACTORS INC., TO FURNISH LABOR AND MATERIALS FOR UTILITY AND MISCELLANEOUS STREET REPAIRS FOR AN AMOUNT NOT-TO-EXCEED \$1,500,000 FOR THE WATER AND POWER DEPARTMENT (Water & Power Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for this action;
- (2) Accept the bid dated November 13, 2023, submitted by A&Y Asphalt Contractors Inc., ("A&Y") in response to Specifications WD-23-04; reject all other bids received; and
- (3) Authorize the City Manager to enter into a contract with A&Y for an amount not-to-exceed \$1,500,000 for an initial period of one year, whichever comes first, with an option for two additional one-year terms at \$1,500,000 per year, at the discretion of the City Manager, for a maximum total amount not-to-exceed \$4,500,000. (Contract No. 32845)

Greg Fleming, Paveco Construction, Inc., expressed concerns about the bid process as the current contractor, and provided comments on what his company's bid amount would have been if Paveco would have received notice of the process.

Sidney Jackson, General Manager of Pasadena Water & Power, spoke on the City's procurement process for this project, and stated that selected bidder, A&Y Asphalt Contractions, Inc., was the lowest bid received.

In response to questions, Yan Qu, Water & Power Principal Engineer, stated that staff reached out to the current contractor, Paveco Construction, Inc., when bidding opened in October 2023.

Councilmember Hampton expressed concerns with the OpenGov bidding and contracting system, noting that some companies may not use or be familiar with the system, and are at times unaware of the timing to rebid expiring contracts; and he advocated for the City Council to reject all received bids and start the bidding process over.

City Attorney Bagneris clarified that the City Council can either approve the staff recommendation, continue the item and request staff to present additional information on the bids received, or reject all bids and restart the bidding process, which may delay projects.

Mayor Gordo expressed concerns that starting the bidding process over would be unfair to those who submitted bids, noting issues of equity/fairness and potentially undermining the City's competitive bidding system.

General Manager Jackson stated that the City has ongoing watermain replacement projects pending, and delaying this procurement would create time challenges to address these important issues.

It was moved by Councilmember Hampton to continue the item, with direction to City staff to gather additional information on the details of the bidding process, based on public testimony, and report back to the City Council. Motion failed due to lack of second.

MOTION:

Following discussion, it was moved by Councilmember Williams, seconded by Councilmember Lyon, to approve staff recommendation.

AYES: Councilmembers Jones, Lyon, Masuda, Rivas, Williams,
Vice Mayor Madison, Mayor Gordo
NOES Councilmember Hampton
ABSTAIN: None
ABSENT: None

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

City Council

**APPOINTMENT OF AN ALTERNATE REPRESENTATIVE TO THE
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
GOVERNING BOARD (City Nomination)**

It was moved by Councilmember Williams, seconded by Councilmember Hampton, to appoint Councilmember Lyon as the alternate representative to the San Gabriel Valley Council of Governments Governing Board.

AYES: Councilmembers Hampton, Jones, Lyon, Masuda, Rivas,
Williams, Vice Mayor Madison, Mayor Gordo
NOES None
ABSTAIN: None
ABSENT: None

**ORDINANCE – FIRST
READING**

**CONDUCT FIRST READING OF “AN ORDINANCE OF THE CITY OF
PASADENA AMENDING AND ADDING VARIOUS SECTIONS OF
TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE
PERTAINING TO RESEARCH AND DEVELOPMENT (R&D) LAND
USES”**

Nina Chomsky, Pasadena resident, inquired if the Ordinance carves out elementary school sites from R&D land uses.

City Manager Márquez clarified that the Ordinance does include a carve out in PS Zones, as indicated by the footnote stating the exclusion of K-12 schools.

The ordinance above was offered by Councilmember Hampton.

AYES: Councilmembers Hampton, Jones, Lyon, Masuda, Rivas,
Williams, Vice Mayor Madison, Mayor Gordo
NOES None
ABSTAIN: None
ABSENT: None

Councilmember Jones
stated a potential conflict
of interest with the
proposed action, recused
himself, and left the dais
at 7:10 p.m.

CONDUCT FIRST READING OF “AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF TITLE 17 (ZONING CODE) OF THE CITY OF PASADENA MUNICIPAL CODE TO IMPLEMENT THE CENTRAL DISTRICT SPECIFIC PLAN UPDATE INCLUDING CHANGES PERTAINING TO RESEARCH AND DEVELOPMENT LAND USES, MODIFYING THE OFFICIAL ZONING MAP ESTABLISHED BY THE ZONING CODE (CHAPTER 17.20, SECTION 17.20.020) TO UPDATE THE BOUNDARIES OF THE CENTRAL DISTRICT SPECIFIC PLAN, AND MAKING TECHNICAL CHANGES TO THE LINCOLN AVENUE, EAST COLORADO, AND SOUTH FAIR OAKS SPECIFIC PLANS FOR INTERNAL CONSISTENCY”

The ordinance above was offered by Councilmember Hampton.

AYES: Councilmembers Hampton, Lyon, Masuda, Rivas,
Williams, Vice Mayor Madison, Mayor Gordo
NOES None
ABSTAIN: None
ABSENT: Councilmember Jones

INFORMATION ITEM

Councilmember Jones
returned to the dais at
7:12 p.m.

ORAL REPORT: PASADENA POLICE DEPARTMENT “YEAR IN REVIEW 2023” PRESENTATION

Recommendation: This matter is presented for information only; no action is required.

Eugene Harris, Police Chief, provided a brief introduction and reviewed the item as part of PowerPoint presentation, highlighting retirements within the command structure of the Department, transition priorities, structural and cultural changes, statistics on computer aided dispatch, crime and response-time data, hiring and personnel demographics data, and the Police Department’s process of contemporary rebranding.

In response to Councilmember Williams inquiry about recruitment, Police Chief Harris stated that the Department is trying to develop financial incentives to increase participation in recruitments to find higher level applicants.

In response to Councilmember Lyon’s questions and concerns regarding the data indicating an overrepresentation of African Americans in traffic stops and arrests, Police Chief Harris noted that the statistics also include visitors to the City, whose population grows exponentially during the daytime and on weekends.

Councilmember Hampton suggested incentivizing employees to become residents of Pasadena, as a way to promote and foster community engagement and connection. Police Chief Harris shared that employees are encouraged to join local organizations such as Rotary, Kiwanis, etc., to engage and be part of the community they serve.

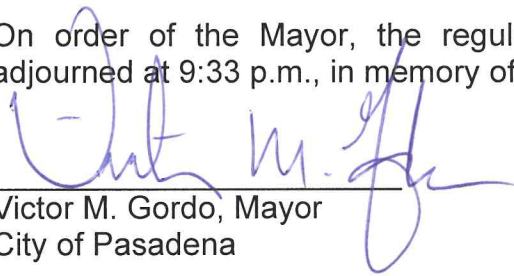
In response to Councilmember Masuda's inquiry regarding employee training, Police Chief Harris stated that emotional intelligence training is critical aspect of the Department's focus, noting that many of the personnel being hired are individuals that come from a variety of backgrounds and experiences, which can influence their policing practices.

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

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council recessed to closed session at 8:42 p.m.

On order of the Mayor, the regular meeting of the City Council adjourned at 9:33 p.m., in memory of Marty Coleman.



Victor M. Gordo, Mayor
City of Pasadena

ATTEST:



City Clerk