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April 26, 2007

John Kennedy: You have the agenda. It's Thursday, April 26, 2007. It's now 6:15 p.m.; want to apologize to our audience for uh, convening the meeting late. Um, um, John will you please call the roll?

John Andrews: Yes thank Mr. Chair. Uh, Member Duvall is absent. Member Estrada?

Member Estrada: Here.

John Andrews: Member Hess.

Member Hess: Here.

John Andrews: Member [sounds like "Kamuro"] is absent. Member Miller is absent. Member Yen?

Member Yen: Present.

John Andrews: Commissioner Cooper is absent. Chair John Kennedy?

John Kennedy: Here. Um, before we get into our business for uh this evening I just want to bring to the attention of the committee members that Hortense Cooper had surgery I believe last week, and maybe as a group we need to send her a um, a get well card. That would be appropriate. Um, I did visit her when she was in the hospital. She had experienced some postoperative pain but um, she seemed to be doing well and uh I think they released her either earlier this, I believe earlier this week she was released from the hospital. So that's good news. I got to meet her daughter who came in from um, um Arizona. Um, [clearing throat] normally for the audience's benefit after the roll call we ask for comments from the audience and uh I suspect that several of you are here to address uh, possibly one or several of the action items. So I would invite you to um, speak about um, those items as they come up in this process as

opposed to speaking about them now. Unless you feel compelled to share your thoughts with us now according to the agenda and this is the comments from the audience period. Hearing no comments from the audience at this time and reserving them for you later uh we have minutes from the March 22nd meeting?

[Pause]

John Kennedy: Do I hear a motion to accept the minutes?

UM1: I make a motion.

UM2: Second.

John Kennedy: Second. Let's take a couple seconds to review them. [Clearing throat]

[Pause]

John Kennedy: Are you prepared to vote? All those in favor please signify by saying aye.

Multiple Voices: Aye.

John Kennedy: Opposed? Abstentions; motion carries. The next item on the agenda.

John: Mr. Chairman?

John Kennedy: Go ahead.

John: I apologize. Uh recall we, I want to take a quick second to introduce the committee members, Ms. Kelly [sounds like "Tedestado"].

John Kennedy: Please do.

John: ...if I may, I apologize.

John Kennedy: Please do.

John: Uh before we move to the business matters in the meeting, committee members, we wanted to introduce uh the city's new Real Property Manager, Kelly Tedestado. She's here and uh we wanted to introduce her to the committee members who will see her at points down the road where uh properties or projects that involve disposition of city property, appraisals and other information regarding city assets. So we wanted to introduce the committee members to...

John Kennedy: Well welcome Kelly and Kelly if you'd like to take a minute and share anything you would like to share with us and the audience please do so.

Kelly Tedestado: Well glad to be here in the City of Pasadena. I've worked uh, in a couple different public agencies and um really looking forward to the role here uh, supporting uh the housing division a lot, the commission of course and all the various departments um with their accompanying management and as uh John mentioned the disposition [UI, someone clearing throat].

John Kennedy: Thank you.

Kelly Tedestado: So if you ever need any assistance, any questions please feel free to contact me.

John Kennedy: Thank you very much and welcome to the City of Pasadena.

Kelly Tedestado: Thank you Mr. Chairman.

John Kennedy: Is that it John?

John: That's it. Thank you very much.

John Kennedy: Okay the next item on the agenda uh is the Heritage Square Development Site, 1925 East uh, Orange Grove Boulevard through 710, 790 North Fair Oaks

Avenue; designation of the [sounds like "Bakewell"] Company and Century Housing Corp., Southern California Housing Development Corp., Union Station Foundation, Triad Ventures as developer, finalist for further consideration. John are you going to...

John: Actually Mr. Chairman I'm going to introduce Jim Wong...

John Kennedy: Okay.

John: Our housing division, City Manager's Office, to give the staff report.

John Kennedy: Thank you.

Jim Wong: Thank you. Uh thank you, uh good evening Chair Kennedy, members of the committee and staff. Uh, I'm going to present the staff recommendation on this uh particular action item. Um, just by way of background, the Heritage Square Development Site is a 2.82 acre site owned by the [UI] Development Agency. In January uh, let's go back to November. In November of last year, the city council approved the issuance of a Request for Proposals. Uh, on January 17th, four proposals were received. Uh, and uh those uh proposals were submitted by four entities. The first one uh, was the Bakewell Company and Century Housing Corporation, the second uh developer was Heritage House of Partners and LA Community Design Center, the third developer was a limited liability company called Renaissance Oak and the fourth developer was a uh, a joint venture uh enterprise comprised of Southern California Housing Development Corporation, Union Station Foundation and Triad Ventures. Uh, pursuant to the RFP, uh these proposals were uh evaluated. They were evaluated per the criteria set forth in the RP. Uh, which uh, [UI

phrase, someone coughing] uh capacity of development team and architects, project design, project financials and local business preference. Uh, the evaluation uh of the uh four proposals took uh two branches essentially. The first uh, one was conducted by a development selection committee which uh, is a 15 member, uh panel, voluntary panel comprised of representatives of the various uh advisory bodies to the city council uh, community, uh, uh, uh leaders. Uh and also Kersen's who have specific uh expertise, professional expertise in the areas of development, finance and design. That developer selection committee uh convened um between January and April, uh convened uh six, uh six meetings culminating in an all day meeting on March 31, 2007 at which the four developers uh were invited and in fact they did uh present their presentations. They were, each developer was given uh anywhere, at least 30 minutes and I think in most cases the uh, the presentations were allowed to go 45 minutes to present their proposals and their uh, their uh background and experience and so forth. Followed with uh at least 30 minutes of question and answer uh from the uh members of the Developer Selection Committee. After which uh the meeting was closed and the Developer Site Committee continued its deliberations and critique of the, critique and evaluation of the four proposals. At the end of that, at the end of that Saturday, uh the Developer Selection Committee uh arrived at a uh score and ranking. And that ranking is uh, uh, uh memorialized in the letter that's in your agenda packet uh Exhibit D. Uh, that uh essentially summarized the results of the uh evaluation process undertaken by the Developer Selection Committee. Uh as,

as indicated in the uh letter to the City Manager, uh the results uh of that process by the Developer Selection Committee uh was as follows: um the Bakewell Company received an average score of 80.2. And this is on a scale of 100 so they received 80.2; Heritage Housing Partners 62.7, Renaissance Oak 63.7, Southern California Housing 63.7. In addition to that uh numerical score, uh what's also reported out in the summary is for each developer is the number of high scores, highest scores that it is, uh received by each developer by the uh 14 member DSC panel present on that Saturday. Uh, Bakewell received nine top scores, Heritage House received one top score, Renaissance Oak received one top score and Southern California Housing received three top scores. And so on the basis of that uh the, the uh, uh Developer Selection Committee uh made a motion uh which was adopted to forward the Bakewell Company as the preferred uh selection to the city council to enter into an exclusive negotiation agreement for the uh development of Heritage Square Site. So that was one uh, uh, uh branch uh, track if you will of the evaluation. Another evaluation process which was undertaken by a staff consultant review team uh which uh is comprised of staff from the uh Housing and Community Development Department, Planning and Development, Northwest Programs and the Assistant City Manager. Also included in that review team uh, is a financial consultant, [sounds like "Kaiser Marsten Associates"] and a design consultant Butterman and Associates. The um summary of our uh, of the review team evaluation, which I was a member of that panel, uh is uh indicated at the top of page five of your um agenda report. Uh as you can see

there's a similar table that is presented which shows the uh four developers uh and the average score. As you can see uh the spread here was uh was much closer uh but based upon the uh numerical results uh we have the Bakewell Company scoring 71 points, Heritage Housing scoring 61, Renaissance Oaks scoring 69.8 and Southern California Housing 70.7. On the basis of this particular evaluation conducted by the Staff Consulting Review Team, the staff recommendation is recommending uh, because of the uh, uh relative closeness of the two top scorers which is the Bakewell Company and Southern California Housing, we are recommending uh, and this is the staff recommendation this evening, that those two developers be designated as the uh finalists if you will. And uh, uh and, and that the city staff uh will be uh requesting a uh period of 30 days to further evaluate the [UI someone coughing] and the proposals uh with the uh, uh expectation of bringing back to the city council a final selection in early June, June 4th I believe is what is indicated in the staff report.

John Kennedy: Is that your report?

Jim Wong: That is my report.

John Kennedy: Thank you very much. Um before I would entertain, um if the developer would like to address the committee for maybe um three to five minutes or developers, um I would invite the committee members to ask questions of uh Mr. Wong. Are there questions for Jim?

[Pause]

John Kennedy: Hearing no questions from other committee members I have one or two questions Jim. Um, is it your personal recommendation and professional recommendation combined that we advance two developers? Is that the...

Jim Wong: ...Um...

John Kennedy: ...directly from you?

Jim Wong: Well uh that is the recommendation of the staff consultant review team which is comprised of six individuals including myself. And the recommendation is to designate those two specified developers to basically go into a uh, another evaluation round to be conducted by staff. Uh in which we'll take an even more rigorous uh review of the uh proposals and the developer teams. After that, approximately 30 days, the evaluation period, uh staff will come back with its final selection between those two developers.

John Kennedy: So it was not your massaging of the process to reach the conclusion that we have two developers recommended? Not you?

Jim Wong: Certainly not, no, that's correct.

John Kennedy: Okay, all right, all right. So on the one hand the Developer Selection Committee and I would just like to remind the committee that I served on the Developer Selection Committee and was voted the Chair by approximately 15 members at that time of the committee. And um from this committee Matt Duval was our representative but initially we had two representatives Hortense Cooper and Matt Duval. And then I was contacted after they were uh recommended or appointed to the committee along with myself, that we would have only one additional representative. So because Matt was our

regularly, is our regularly voting member of the CDC, I advanced his name uh and he agreed to serve in that capacity with one caveat. If his job took him away then we would have Hortense Cooper as the alternate, In fact that is exactly what occurred and Hortense had to serve in that role and she served gladly. Um, I would like to um share with the committee in Hortense's absence I was not able to reach her today but in our, my previous conversations with her um as a senior she was very much interested in um ensuring that seniors were represented in this development. You may recall last year or however many years ago it's been when Mr. Tom Scott came to this committee and asked for support. And what held that particular project was the nine million or thereabouts um lack of funding and tax credits. So um Hortense overwhelmingly supported um the Bakewell uh Company's proposal. Um why is it Jim that if in fact the professionals that were involved in the community committee recommended exponentially one developer over all the rest? Why do we have a position now where two developers are being moved forward in the process in your own analysis? The Bakewell Company came out number one in the city's staff process and also with the professionals who served on the "community" process.

Jim Wong: I can't, uh candidly answer that question. I was directed by my superiors to uh organize the staff review team.

John Kennedy: Okay.

Jim Wong: Uh and to conduct a uh, separate process.

John Kennedy: Okay. Well I'd like what candor you can share with us. At this point...

Jim Wong: Mr. Chair, I neglected to actually report what the advisory body recommendations. I see certain members of those advisory bodies in the audience and I guess assumed that they would be reporting but at your uh pleasure I can report.

John Kennedy: I think the committee would like to go there. [UI]

Jim Wong: Oh okay, certainly. Um, uh on Tuesday, the Fair Oaks PAC, Fair Oaks Project Area Committee. And the Northwest Commission, both advisory bodies to the city council uh received the same uh staff recommendation that I just presented to this body. And if I can just summarize uh what advisory bodies uh essentially rejected unanimously the uh staff recommendation and instead uh, placed uh their own recommendation to the city council uh which is to designate the Bakewell Company Century Housing Corporation as the sole developer finalist to enter into an exclusive negotiation agreement with the commission and also to direct staff to cease from conducting any further evaluation of the two proposals. That essentially is what both advisory bodies um, uh, uh, unanimously uh adopted as their motion and passed.

John Kennedy: Are there questions from the committee for Mr. Wong?

Member Yen: I guess you were trying to get uh, why did staff or not staff but the review team choose to do two versus one?

Jim Wong: Uh well because based upon the numerical scores uh those were the two developers that [sounds like "mandered"] on top. So Bakewell had 71, Southern California Housing had 70.7, uh and so we uh that was the consensus of the group to go with those two.

John Kennedy: Any other questions from uh committee members? At this time I'd like to invite the developers, if they would like to share anything with the committee. Um, let's see would five minutes be appropriate? Five minutes and so first um on the list here is the Bakewell Company Century Housing. So I invite you to give us a high level overview or just share your thoughts about um, of the selection process. And is there someone here representing um, Southern Cal. Union Triad? Okay and your name again?

Alfredo: Alfredo [UI].

John Kennedy: Alfredo.

Alfredo: That's fine.

John Kennedy: Sorry about that.

Alfredo: It's all right.

John Kennedy: Sorry. Mr. Bakewell.

Danny Bakewell: Um, Mr. Chairman and members of the committee, uh staff. Um to some degree I'm a little, as I said to the previous two organizations that we've met with, the Fair Oaks PAC well as the Northwest Commission. I'm kind of amazed at this process and part of it is because I think all of the developers received the RFP and put together their best foot forward in uh presenting what we understood the community wanted, the City of Pasadena wanted in our development proposal. Um, all of a sudden after what we believed we put forward as the best proposal uh, understanding what the community wanted, we were then called in and basically directed by staff to change our proposal. Our original proposal was all senior housing which we understood was what

the community had wanted and had been promised way back when Tom Scott had made a proposal. Um we then modified that because that was the instruction of staff. We then all showed up on a Saturday, uh first we all submitted an amended proposal. We all showed up on a Saturday um, put our best foot forward, not knowing how the process was going to fair out. Then understood, you know, then not heard anything, thought we were moving forward um, but obviously overwhelmingly as reflected in Mr. Wong's report have you know got the vote. Turn around and then staff does a review. Um staff basically we still end up with 71. We end up with the highest score. Being at the smallest, you know 3.3 difference we still end up in first place in my opinion. Now all of a sudden staff says, "Well we want to review your financial [UI]." City hire Kaiser Marsten, number one or one of the top fiscal advisors in the entire country but certainly the state to review it. Paid them a contract did that, they reviewed it which was part of the original bid process. They also hired a different contract to a developer or to a design committee who reviewed it and gave their comments. Now all of a sudden we find ourselves, well we want to change the process; we're going to reduce it down to two people. In my personal opinion somebody is playing hard and fast with the rules. I'm not sure who it is, I don't think it's anybody here. I also think it's a slap in the face of the community that you would have 15 people that give up weeks as Mr. Wong said, of their time to go through this process, turn around spend an entire Saturday listening to all these proposals. There were staff in the room who heard the proposals and then all of a sudden after they

make a decision, that decision isn't even, as you read the report, being considered because as Mr. Wong said we have a 71 and a 70.7 and that's why we're recommending two developers. Why did all of those people? Why did members of your committee, why did the members of the Fair Oaks PAC, why did members of the Northwest Commission even bother to be involved in the process if their recommendation was not going to be heard and, and brought? Again I think the rules are being you know played with, not by Mr. Wong but I think somewhere from the city administrator on down somebody is playing hard and fast with the rules. It's kind of like, hey the three pointer almost went in so we're going take the game into overtime anyway. Well the three point didn't go in and even by the smallest of margins the Bakewell Company scores, as reflected in the report, ended up number one. And I just think that it's a disgrace beyond what is happening to myself and to Bakewell Company and Century Housing but to the community at large who have spoken overwhelmingly on what they want. I also think as the gentleman from So. Cal. Housing said at the last meeting. So. Cal Housing didn't even know that this was going on. They got a call five minutes to five and they said, "Hey you're still in the game. Suit back up and show up." That just seems kind of crazy. That was, you know the rabbi who comes from Union Station and said, "We don't even know what's going on." I think all the people who were there would time it as well as well as Mr. Wong that even he said this is a disgrace to the process. Because we all showed up, put in a lot of time, a lot of energy to make presentations to the DSC which basically at this point they're now just

saying, "Hey thanks for your time but we're throwing all of that out the window until we get the outcome that we want." And this was supposed to be a fair, honest and earnest process and that's what we all came to the table to do. So.

John Kennedy: Are there any questions for um the Bakewell Company, um Mr. Bakewell is representing the company? Any questions?

Danny Bakewell: And for those of you, I apologize, I started off, my name is Danny Bakewell Junior. I'm the president of Bakewell Company. I realize I went into my tirade without introducing myself.

John Kennedy: Are there any questions for Mr. Bakewell?

Lynn Hess: Well.

John Kennedy: Go ahead.

Lynn Hess: If I could ask a question?

John Kennedy: You have the right as a committee member to do what you want.

[Laughter]

Lynn Hess: Can you give me, that since I wasn't, I'm Lynn Hess.

Danny Bakewell: Certainly.

Lynn Hess: One of the members, um and wasn't at uh the other presentations of the two of them. Um could you give me a sense of other than what has been put in writing, what the feelings were that were expressed about coming back?

Danny Bakewell: Well I think as both the Fair Oaks PAC and the Northwest Commission said and as members here who I assume are going to speak that the overwhelming response was that the community's wishes and these body's wishes were

completely ignored. And as I said why did we go through that process? Why did we spend, you know an entire, give up an entire Saturday and all of the time it took preparing for that? If that was just going to be ignored and all of a sudden now the rules are going to change at the last minute. Again you know if we had an hour I could tell you all the time that, every time the rules got laid out somebody said, "Oh those rules don't really work. We're not really, we didn't really mean that. Now we're going to follow these rules." And this would happen and then they say, "Oh we didn't mean those rules [UI phrase]." And that is, you know I'll let the rest of the members, I'll let the members of the Fair Oaks PAC and the Northwest Commission convey those sentiments.

Lynn Hess: In another part of my life I hear that that kind of thing frequently and I, do you have a sense of why this happened that you can share?

Danny Bakewell: Yeah I can speculate on a lot of different things but I would choose not to speculate as to why.

Lynn Hess: I don't blame you. Thank you. I just wanted to ask.

John Kennedy: Okay I'd like to invite Alfredo, give me your last name again.

Alfredo Ismontevic: [sounds like "Ismontevic"].

John Kennedy: Ismontevic, got it right, Alfredo to come and share with us from Union Station Triad So. Cal. Housing.

Alfredo Ismontevic: Thank you Committee, uh Mr. Chairman. Um I think I'm going to start off by echoing what Mr. Bakewell said in that we are like him very confused by this process. Um, I'll even go a step further and say that as I read the staff

report I'm further confused because when you read the RFP, the RFP specifically says you must provide 148 senior units. We called the city confirming that is that the minimum that you're requiring? The answer was yes. And so our proposal, when I look at the four proposals is the only one that achieves what the RFP asked for. There was a subsequent meeting, as Mr. Bakewell said that um the city called in the four proposers and said please realize that you cannot put some family in it as part of the proposal. And so we called again to Mr. Robinson, uh and Mr. Wong and said, "Okay we're still confused by what you're asking us. Is the 148 units still a minimum requirement for the RFP and we were told yes it is. So our proposal remained the same. We left the senior 148 units as we were instructed by city staff. In that same meeting it was also conveyed to the developers that the city expressed that they wanted all the proposals reformatted so that the request for any financial assistance from the city would only include land. And so we worked our finances and did that and if you look at the summary here of the four proposals, we have land plus 130,000 and all of the other proposals are land plus substantial amount of financial assistance. So once again following directions from City based on the RFP process, we think we're trying to be responsive, trying to be compliant and yet in the scoring system, which we've never been told how it works or how, you know, it's never been disclosed ahead of time. Uh, the other proposals seemed to score and higher and we really have no idea how.

Danny Bakewell: Mr. Chair, not to cut you off. I do want to make this point. In our proposal, we didn't ask for 5.2 million plus land. We made the modification as you did.

Alfredo Ismontevic: Okay.

Danny Bakewell: So that's wrong and at the meeting the other day I said well...

John Kennedy: Mr. Bakewell you had your time.

Danny Bakewell: Oh I, they had corrected me in a meeting last week about this on...

John Kennedy: This is my meeting. Okay.

Alfredo Ismontevic: No, I'm not going to...

John Kennedy: No, no, no.

Alfredo Ismontevic: I had no idea. I've never seen his proposal.

John Kennedy: Alfredo we're not debating. Just share your presentation.

Alfredo Ismontevic: Okay, my apologies. So to, to to go to the issue which is now we read this recommendation. We still don't really understand how the scores are arrived at or what you're looking for. Um it appears to be the case that we followed the RFP per the guidance of the RFP which is in writing. We followed staff recommendations as to maintaining those guidelines. Um, and when you look at the score especially on the staff uh consultant scores, the area that we seemed to lose on, because we have much better capacity and much better uh developer experience, based on the scoring system, we lose on design. And we are the most dense project of the four proposals maybe because we are the ones that followed what the RFP said to do. So we didn't reduce our density because we were following guidelines. So to a certain extent I'm thinking we followed the rules and as Mr. Bakewell said the rules seem to be changing all

the time and so we try to achieve following them as best we can. And um we want to be responsive and quite frankly uh, you know if there is an additional 30 days per the staff recommendation, what I would love is a clear, written guideline from the city saying this is what we want. We want you to tell us what you can do on the site. Here is the guidelines and I think that would be fantastically fair as Mr. Bakewell said for us to know what the rules are. And then have a competition based on set set of rules and then you can really evaluate because like I said it keeps moving. Um, you know we're excited. We want to be a part of this process and do a good job and be responsive to the city's needs but obviously it's been very challenging. And so that's all I want to convey.

John Kennedy: Are there questions for um Alfredo and um Triad So. Cal. and Union House, Union Station. Are there questions from the committee? Thank you very much.

Alfredo Ismontevic: Thank you.

John Kennedy: Appreciate it. Um at this point uh by a show of hands may I find out how many people would like to address the um committee? One, two, three, four, five, okay I think we can get through this. Um John if you would help me with keeping time I would allow, I would like to allow with the committee's concurrence um up to two minutes for each speaker unless the committee uh feels that's um too restrictive.

Lynn Hess: Well having tried to testify in two minutes, [laughs] I know how difficult it is and I would give them three minutes each.

John Kennedy: Three minutes?

Member Estrada: Yeah, I think two is too short.

John Kennedy: Okay. Do I hear a motion for three minutes at most?

Lynn Hess: I move that we make it three minutes.

John Kennedy: Do I hear a second.

Member Estrada: Second.

John Kennedy: Three, all those in favor please signify by saying aye.

Multiple Voices: Aye.

John Kennedy: Opposed absentia there will be three minutes. Um I think I saw Mr. Pool, Mr. Trone, Mr. Bryant, uh Joe, Mr. Brown and um Mr. Terek Ross. Did I miss anyone who would like to address the committee? Mr. Morris; and if you could come to us in that order. If you don't need to take the whole three minutes, please do not take the whole three minutes particularly if the party that has gone before you has already hit on the points that you are hoping to address. Mr. Pool.

Mr. Pool: Good evening Chairman and members of the committee. My name is Ralph Pool. I am the Chair of the Fair Oaks Project Area Committee and I also served as a member of the selection committee. My displeasure, my concern is that in both processes there was a number one rating given to a developer. But seemingly that isn't good enough. They have to go back to staff "have to go back and re-evaluate." I don't understand number one, what it is they are re-evaluating and number two, why when there is an obvious winner? Someone made an analogy of a sporting event. You know when the game is over

whoever has the highest score has won. And the referees don't say, "Well it was pretty close so let's play a few more minutes." If you won, you won. Someone also alluded to the fact of the time that was put in of the 14 members on the selection committee which is true. And it was more than just that Saturday, many hours more than that. We had to look at each one of the proposals. On our days off, on our evenings at home and come prepared to do some questions and answers and make deliberations after we had heard the presentations. We just don't think that the 30 day process that they're asking the, the extension is necessary. It's unwarranted and someone made an illusion that there was, well just to put it mildly they don't know why. You know and Ms. Hess asked if you had an idea of why. I'm sure we all do but we'll go demur, we won't say at this juncture. I'm just saying that as a member of the selection committee and as a member of the Fair Oaks PAC and more than that as a member of this community for 35 years and not just a member but an active member, I think that this reeks to the high heavens and we, we don't think that it's, it's warranted. We would like to see it go to the city council with one developer, the winning developer presented. Thank you. If there are any questions.

John Kennedy: Thank you. Do you have any questions? Thank you very much Mr. Pool. The next gentleman Mr. Trone. I should add that Mr. Trone was voted by the um, Developer Selection Committee as the vice chair of that committee and you should tell us a little bit more about you before you start talking about this issue.

UM1: It will cut into your three minutes.

Mr. Trone: Really?

John Kennedy: That's all.

[Simultaneous conversations]

Mr. Trone: I'm so glad you went from two minutes to three minutes. I have to speed talk up here. I've been in the community for over 40 years. I'm a licensed tax preparer. I'm co-chair of the Fair Oaks PAC and I was elected co-chair of the Developer Selection Committee. My concern is number one we do not want to stop this project from moving forward. There is road blocks coming up continuously. The city staff is continuously refining the project criteria and every time it happens it drops us back a couple of months. We started this project over eight years ago and we're very close to coming to a close of selecting the correct developer, according to the community and the Developer Selection Committee and the City Staff Selection Committee and it needs to go to council at this point with a unanimous decision from the Fair Oaks PAC, the Northwest Commission and ultimately your commission. This project needs to move forward. The community needs to have this project; redefining project criteria, having constant inconsistencies from the city, failure to inform the PAC, the Northwest Commission and your committee of these changes. No input from any of us in regards to these RFP changes that are going on back door. I was really perturbed Tuesday at the Fair Oaks PAC meeting. Not at Mr. Wong but the fact that he walked into the meeting with all of this documentation for us to make a immediate recommendation to come

up with 30 more days and allow what's in here to proceed forth without the opportunity to review the information. Make a decision right now, that's hard to do. I served on that Developer Selection Committee. I own my own business. A lot of us did. We closed our doors. We lost money volunteering for this city. Our decision is not being taken seriously. We never received a thank you from the City of Pasadena to volunteer our time to serve on that committee. Mr. Wong thanked us, we the committee members thanked each other but we haven't heard a word from the city. We need to move forward. We need your committee to vote in the correct way. We need the voices from the community to go to the city council saying, "We're all in accord on this situation. We want the developer. The community has spoken. They've selected the person they feel is going to represent them in the correct way."

John Kennedy: Thank you very much. Are there any questions for Mr. Trone? Uh, the next person who I acknowledged, Mr. Bryant tell us where your business is located Mr. Bryant.

Charles Bryant: Absolutely. Mr. Chairman, members of the committee, my name is Charles Bryant. Um, I'm an architect and I'm on the architect on the team of Bakewell Century Housing. Uh my building is located directly across the street from this development site and um quite frankly I feel that it is an advantage quite frankly because we get a chance to look at this everyday. And I think that had a lot to do with us actually winning the selection process because we understand how this community flows, this section of the city flows. So our design, if you notice, it scores the highest points. Um we had well over a

hundred objectives to meet with this RFP and we responded to all of them. And that's why our package actually won. We were selected by the Development Selection Committee. We're proud to have been selected. We appreciate that. Uh, in addition to that we were also selected by the staff which, you know we don't know where that came from. It did seem a little arbitrary. Nevertheless we scored the highest points anyway and um I think we're the right team for this project. Um, we have done an excellent job with the entire package. We have the best group to put this package together and I don't think there needs to be any further review of these teams. You know? As somebody said we won, we came in first so you know, why should there be further review? Uh, the city had the opportunity to review it when we were short listed and if you notice there were four um, teams that were selected for review by the Developer Selection Committee and that's fairly typical. The city reviews it first before there's any further review. So I think we should stop it right here and now choose the right developer, the team that won.

John Kennedy: Thank you Mr. Bryant. Are there any questions for Mr. Bryant? Any questions? Thank you very much. Uh Lynn?

Lynn Hess: I'm sorry.

John Kennedy: Go ahead.

Lynn Hess: Um I know you've got, you personally, you bring [UI] probably [UI] but what do you think the adding of the 30 days, given it's been eight years so obviously it's a lot more expensive than it was before. But continuing it in a

practical sense of dollars and cents what do you think another 30 days does?

Uh doesn't it add tremendously? No that's a leading question I'm sorry.

Danny Bakewell: Can I?

Charles Bryant: So that is the question?

John Kennedy: [To Danny Bakewell] No.

Charles Bryant: Wait, wait.

John Kennedy: [To Charles Bryant] Go ahead.

Charles Bryant: I think that is the question right? What, what benefit would the 30 days have?

Lynn Hess: Well actually what detriment?

Charles Bryant: What detriment?

Lynn Hess: Financially.

Charles Bryant: I, I think that there's a possibility you never know uh that another rule might be interjected or uh you know another stumbling block or another scoring method. Uh there's no telling that there could be something that uh might uh, they might find a point, uh a tenth of a point that was missing that might give the other team an additional advantage or something. You never know, you know I just don't think another 30 days is going to be helpful in any way. Uh, you know I think that another day, 30 days is just going to delay the process.

John Kennedy: Are there any other questions for Mr. Bryant? Thank you very much. Mr. Brown.

Joe Brown: To each of you good evening. I'm Joe Brown from the Pasadena NAACP.

John Kennedy: What role do you have there?

Joe Brown: President.

John Kennedy: Oh thank you.

Joe Brown: The role that you formerly uh...

John Kennedy: Oh okay thank you.

Joe Brown: Okay let me just say for the record I'm not here at the request of any developer. But when you see the playing field continue to be extended, after the rules have already been established, it cause a lot of things into question. And no where in jurist prudence have it ever occurred that you begin the starting game and then instead of drop dead time frame and then turn around where again do overs. I don't know anywhere in uh community development spirit and intent memorandums of understanding do you start a process and at the middle of the game or the conclusion, you start off all over. Having said all that Mr. Chairman my recommendation is that uh the commission here tonight would reject the uh city staff proposal and move forward uh with the recommendation that you've already received. I have a bigger concern though and that is the precedent. If you choose not to do this what precedent are you really setting? That would not represent this City of Pasadena and where we say that we're going to do we turnaround and change all over again. I'll just leave that with you. Thank you.

John Kennedy: Thank you very much. Are there any questions for Mr. Brown? Mr. Morris? Welcome.

Jim Morris: For the record my name is Jim Morris and good evening. Um, I think pretty much everything has been said.

John Kennedy: Hold on [UI] for a second. Out of courtesy will ya'll turn that off so we can hear Mr. Morris? Mr. Morris sorry about that.

Jim Morris: No problem. I just want to address the issue on fairness and it, when you review this it, it doesn't appear to be fair. It appears to have another motive. When the developer wins by the selection committee and again to me that's an insult to have a selection committee; so why did you have one if you're not going to adhere to this selection committee uh ruling? That's one. The second part is we then go back and when I say "we" I'm talking about the City of Pasadena, we then go back and come with another review team or another selection committee and I think John Andrews was on that selection committee and Jim was on that selection committee. So that selection committee not looking like the community and staff, and in all fairness to Jim and John and Lola and etcetera, they work for the city so how do we know with this review team there were not some other instructions because none of these people. You weren't on that review team and none of the people from the community was part of that review team. But let's just say there were no instructions other than fairness. Okay? So the fairness took place and the score came up at 71 to 70. Well 71 in anyone's math book is higher than 70. So if the review team, picked by the City of Pasadena, and these two gentleman were sitting there and unfair to John because he wasn't there from the initial beginning. Uh if I understand that correctly in all the meetings that I went to, he was put in to this review team without having the uh presence of hearing the other developers uh make their presentation. Am I correct?

John Andrews: That's correct but I was not at the Saturday workshop.

Jim Morris: Okay. So taking that in consideration and the score came out as 71 and then the score came out at nine, how do we get to an executive summary saying two development teams have now emerged. I don't get where the fairness is. And so what I'm asking for the CDC to do is look at the fairness and send a message so obviously the city council is going to have to take this and ask about the fairness. But if you could just look at this as fairness and send a message and say look we've selected two people from CDC. They voted however way they voted. They've made a decision, the review team made a decision. So now we're going to put it in your hands and not delay it. We're going to put it in your hands to deal with fairness. We need to do that otherwise a message that is sent here, if you're African American there is no fairness. Someone is driving this and we really would like to know who it is and maybe when it gets to city council we're going to find out who's driving this for not to have the fairness. Thank you very much.

John Kennedy: Thank you very much Mr. Morris. Mr. Ross.

Terek Ross: Good evening members of the CDC and Mr. Chair.

John Kennedy: Yes sir.

Terek Ross: My name's [sounds like "Terek"] Ross. I'm a member of the Northwest Commission representing district three where this Heritage Square project will be developed hopefully real soon. I just want to be real brief and I would urge this committee to side with the Northwest Commission as well as the Fair Oaks Planning Area Committee in rejecting the staff's recommendation of

selecting two developers and to stick with the original recommendation of the Developer Selection Committee in which I labored on. Side with us and select one developer which is the Bakewell Company and Century Housing Corporation. Make the right decision. Stand with us and stand with the community and reject the staff recommendation of two developers and go with the original selection of one developer so we can go to city council on Monday and move forward. This is a long overdue project and the residents deserve a quality project. Thank you.

John Kennedy: Thank you very much. Are there any questions for either the two gentlemen who just spoke? Did I give everyone an opportunity to address the committee? Is there anyone in the audience who has not had the opportunity to address the committee who would like to address the committee? Hearing none at this point um, what is the pleasure of the committee? Well I can help us through this area. Um, as I said previously this committee had three appointees to the original developer selection committee. Um, that was changed where they only would allow us to have two after I had contacted the other two members, Hortense Cooper and Matt Duval. Um, the professionals that were on that committee and I'll invite anyone who can help me was a professor from USC, Dr. [sounds like "Bostic"], Dora Lang, a developer, architect.

[Pause]

John Kennedy: Yep, yep, yep, yep. Mike [sounds like "Volume"] who is a um well respected, relatively new uh developer in Pasadena, Joel Bryant who has been before this committee from Trademark Development, Hardin Carter who wrote the

update for the Northwest Plan and who is an urban planner, Abe [sounds like "Trabajien"] from DMJM Design who is an architect, our colleague Hortense Cooper, Maria Isenberg who is a Northwest Commissioner, Dora Leon Gallo who is from the Community of Friends and um who is a consultant helping on the project adjacent to New Revelation Missionary Baptist Church on Orange Grove and Manzaneta, Chris Peck from Peck Incorporated who came to us from the planning commission, Ralph Pool who you've met earlier from Fair Oaks Project Area Committee, Terek Ross a community activist and member of the Northwest Commission, Sean Spear who prior to working for the City of Los Angeles in the housing department worked for Fannie May, Hugo Suarez who has been before this committee before who is a respected local architect, Ishmael Trone who is the vice chair of the Fair, excuse me, the co-chair of the Fair Oaks Project Area Committee who we heard from tonight, a business man who in this season gave up several days where he could have been making much more money than we made uh, participating in this selection committee to participate. Of those 15 persons, 14 were present on that Saturday that we made a selection. Again nine of those individuals selected Bakewell as the number one um, Union Station, So. Cal. Housing, Triad received three votes; um, Heritage Housing Partners one vote, and Renaissance one. So I would invite my fellow committee members to give me some support um, in moving this process forward. And in a sense at this point to support what the community has said and the community has said, the Developer Selection Committee has said, staff has said that one developer

came out on top. It just so happens that um one of the speakers addressed some issues that I hope are not in any way impacting why staff recommended um another development team as well. The right thing to do, the fair thing to do as one of the speakers addressed, in my view would be for this committee to support as we have done on some occasions in the past a recommendation that came from the Northwest Commission in the Fair Oaks Avenue PAC. And that is that one developer, the Bakewell Company, would be advanced by this group as our recommendation for further consideration, hopefully final consideration by the city council and that we would not join in an additional 30 day process. I think that's the only fair thing to do particularly because you're chair and respected member Hortense Cooper um served judiciously on that committee. So I would invite my committee members to move that recommendation which is contrary and different from the recommendation of staff. And I'd hope that uh, if necessary by cajoling you, by trying to argue stronger that I can get someone to move that and hear a second to that.

Daniel Estrada: Okay can I make some comments?

John Kennedy: Absolutely.

Daniel Estrada: Based on what I heard tonight, it just seems like this whole process people were jumping through hoops and the hoops kept getting higher and moved around. Um and it seems like all the, well it seems like at least the two highest proposals that came through, the rules were changing from what I've heard. Um, and we have recommendations coming from the various other uh, committees and commission, the Northwest Commission, the PACs. And then

I come in tonight and there's this big ole package which I'm supposed to read in five minutes. This is very intimidating to read this, first of all in five minutes and then hearing, I heard tonight which is, which makes this decision making process for me very difficult. And, you know I don't want to extend this any further. I mean this thing has been going on for eight years. I remember when the first proposal was made when I was on the planning commission when this whole thing came across uh came, you know was presented and here it is finally happening eight years later and then all of this mess. So you know I'm not even sure if I'm even ready to make a decision tonight because how can I make a decision if I haven't been able to read all this?

John Kennedy: Well um, I think I need...

Daniel Estrada: We have recommendations made by the other committees and commissions. But you know I want to be able to read this and see what I'm voting on. How many decisions have we made that have been kind of pushed off and has been unfair to us and we've been down that road many times as you know.

John Kennedy: Absolutely and I concur with your assessment. The only difference is that by virtue of my role as Chair um, this committee expanded um, voted me in this role because certain of you respected my ability hopefully to be fair and do my homework and be knowledgeable about the issues that come around the table. And if that is true, and assuming it is true, I still would invite the committee to support the work of your Chair and the senior most member of the committee, I believe Hortense Cooper um in terms of the outcome of the

Developer Selection Committee. We represented in large measure this committee because I daresay I would not have been invited to be on the committee but for my chairmanship or my role um on this committee. Um, and certainly Hortense represents the rock of the development as originally envisioned by Tom Scott and that is a place where folks who lived in that area who became senior would have a place to have affordable, safe, visually appealing housing. And so Daniel I understand you're un-readiness. I believe your un-readiness is warranted but at this juncture even the city having been flawed, meaning city staff in terms of changing gears and changing – in terms of changing rules, in terms of um staff coming behind the developer selection committee. Even with those professionals as the developer selection committee was made up of professionals, you cant get around the fact that the Bakewell Company came out not just one but came out disproportionately higher than all the other developers; disproportionately higher. Don't lose sight of that.

Daniel Estrada: Oh I'm not losing sight.

John Kennedy: Not you, I don't want any of us to lose sight of that.

Daniel Estrada: But the thing is that you know I understand that we have a very strong opinion as who the winner is here.

John Kennedy: No it's not an opinion. It's a fact.

Daniel Estrada: Okay.

John Kennedy: It's a fact that it's written down by staff. It's a fact that it's written down...

Daniel Estrada: ...it's documented in here...

John Kennedy: ...by the developer selections committee.

Daniel Estrada: It's documented in here. But and I'm not trying to delay this any further by any means but how can, why didn't we receive this earlier in the week?

Lynn Hess: Mr. Chair may I?

John Kennedy: Ms. Hess.

Lynn Hess: [UI] Um, I have read a lot of this. You're not going to get your answer anyway.

[Laughter]

Lynn Hess: Um, if you have, if you read it for another 30 days. So I totally support fairness issue. They did win, um the competition and it was a competition. I think we should send it forward as they are the winner. My concern is that I still don't know why this was done and is there something that we don't know that we should know that would make sending this forward the wrong thing to do and there's no way to find that out. So since by two separate criteria they were selected as number one and it was set out as a competition, I don't see how we could not send just one. So I do support you.

John Kennedy: Is that a motion?

Lynn Hess: Yes.

John Kennedy: Do I hear?

Lynn Hess: But I do, may we ask the question at the bottom or may we say something?

John Kennedy: Let me get this, let me beg for a second and then we'll open it up for further discussion.

Lynn Hess: Oh okay, yes.

John Kennedy: Do I hear a second to the motion? Help me Daniel. Help me Daniels.

Member Yen: I will second the motion.

John Kennedy: Thank you. Further discussion.

Lynn Hess: I just, naively would like to know why it happened.

Member Yen: And what happened actually.

Lynn Hess: Yeah.

Member Yen: I don't mean why but what?

John Kennedy: I hate to do Jim like this.

Daniel Estrada: And why did we get this so late.

Daniel Yen: The other question I have...

John Kennedy: ...go ahead Daniel.

Daniel Yen: Is there any city legal liability for having a RFP that moves?

John Kennedy: Let me; let me not address this as a city representative but let me tell you what occurred during the process. During the process I invited city staff to provide us an attorney that would meet with us at each meeting. That was overruled by the city. So what they did have occur was that on at least two occasions the assistant city attorney joined us and spelled out the rules. And the rules were essentially this and this is not verbatim. That our expertise on the committee, however bias it may have been, was warranted and welcome. Bailey owned property in the area, Trone owned property in the area, Kennedy owned property in the area and all of that was disclosed. Also the open meeting log did not apply, Brown Act did not apply by virtue of the city staff, uh the city attorney who was there that day. What is his name?

Jim Wong: Brad Fuller.

John Kennedy: Brad Fuller sharing that with the committee. So um that's just a little bit of background in un-addressing your question. So as, I think it's really unfair to Jim uh to try to get him to address that question.

Lynn Hess: Oh I'm not asking...

John Kennedy: ...no, no, no I'm just trying to support him because I want to beat him up on that too but we'd be beating up the wrong person. That's the whole issue there. Um, are there any other questions about the motion on the floor?

John Andrews: Mr. Chairman if I may I just want ...

John Kennedy: ...go ahead...

John Andrews: ...to be very clear for the record on what the motion and the second is. Okay just for the record and for the minutes.

John Kennedy: I'll ask that um, would you like me to share it or would you like to share it?

Lynn Hess: I made a motion that we send just one proposal forward and that be the winner by all accounts two different reviews. And that would be the Bakewell project.

John Kennedy: And you had another question John?

John Andrews: No that was it, thank you very much. I just wanted to be very clear for the, for the record what the motion and the second was.

Danny Bakewell: And no 30 days, was that, that?

John Kennedy: Mr. Bakewell...oh okay all right. That's fair, that's fair. He just wants a clarification, this 30 day thing.

Lynn Hess: Well if we're sending one then.

John Kennedy: There's no need for 30 days.

Lynn Hess: Right.

John Kennedy: So John.

Lynn Hess: There's nothing to review if we send one.

John Kennedy: So, so just to be clear I'd like you to read back for the committee and the audience what the motion is.

John Andrews: I have a motion from Member Hess uh with a second from Member Yen that the committee recommend to the city council and Community Development Commission uh that a single proposal go forward uh, reflecting the outcomes of the uh, Developer Selection Committee review and recommendation and the results from the staff review uh results and review that a single proposal go forward to council with the recommended preferred developer being the Bakewell Company with Century Housing Corporation with uh no 30 day period uh of further discussion or evaluation as part of that recommendation.

John Kennedy: Okay um to the committee are you prepared to vote? Um

Lynn Hess: Could we change the wording to which would require no?

John Kennedy: Would you accept that Mr. Yen?

Daniel Yen: Sure.

John Kennedy: Okay. Are we prepared to vote? Can you call the role?

Daniel Estrada: Can I ask just one question?

John Kennedy: Sure.

Daniel Estrada: Is this going to require a unanimous decision or is it a majority vote?

John Kennedy: I would, I.

Daniel Estrada: No what is this going to require? Not our opinion, what is the requirement?

John Kennedy: Well I'm not God.

Daniel Estrada: I know.

John Kennedy: But let me just tell you in my role as chair I'll operate as God.

Daniel Estrada: But, no...

John Kennedy: ...It would only, wait a moment...

Daniel Estrada: ...ask a question

John Kennedy: ...no I'm going to answer your question. It would only require a majority vote.

Daniel Estrada: Okay that's all I wanted to know.

John Kennedy: Okay. A majority vote.

Daniel Estrada: And the reason why I'm asking is because I'm still way rate on this whole issue.

John Kennedy: I don't blame you. I don't blame you.

Daniel Estrada: I think with the whole, the whole process was probably very, it was fair at the beginning and then it became unfair during the whole process. I 'm sure they'll all agree but this whole thing has got me so confused as to why it happened.

John Kennedy: Well I don't think...

Daniel Estrada: ...and, and the fact that we have to try to read this and what I'm going to ask is in the future if we have documentation this large that we get it much more in advance.

John Kennedy: Absolutely. I don't think Jim by virtue of the questions I asked him...

Daniel Estrada: ...well I'm not, I'm not...

John Kennedy: ...excuse me...

Daniel Estrada: ...Jim.

John Kennedy: ...excuse me I allowed you to speak. Um, I don't think Jim is in a position to answer these types of questions. I think they're very good questions Mr. Estrada I just don't think he's in a position. Now unless John has some information that I'm not privy to I don't think you are. Are you?

John Andrews: I have not further information.

John Kennedy: Okay so having the staff that's present share that with, I think we need to move forward and vote on the motion. So I'd ask John Andrews as staff to call the role.

John Andrews: Member Duval is absent. Member Estrada?

John Kennedy: No. No coaching from the audience, Jesus.

[Laughter]

Daniel Estrada: That's coercion.

[Laughter]

Daniel Estrada: Can we come back to me? I just want to think about this for about a minute.

John Kennedy: Go ahead, I don't know.

John Andrews: Member Hess.

Lynn Hess: Yes.

John Andrews: Member Cranston Kamuro is absent. Member Lady Miller is absent. Member Yen?

Daniel Yen: I'll say yes.

John Andrews: Member Cooper is absent. Uh, Member Estrada?

Estrada: Yes.

John Andrews: Chair John Kennedy?

John Kennedy: Yes. No celebratory ru ha has and all that please.

[applause]

John Kennedy: The motion carries that the community development committee is recommending one developer go forward um in the process that developer is um, Bakewell and Century Housing Corporation with no extension as it relates to some 30 day that had been talked about. Thank you very much. Does anyone else would like to share any information before we go to our next uh item on the agenda?

Danny Bakewell: Thank you all.

John Kennedy: Yes.

[Background simultaneous conversations]

John Kennedy: Hey Danny. I wasn't too hard on you now was I?

Denny: No.

John Kennedy: Okay. I just was trying to make it fair to everyone.

[Background simultaneous conversations]

[End of Recording]