

CITY OF PASADENA
City Council Minutes
April 18, 2016 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 6:31 p.m. The pledge of allegiance was led by Vice Mayor Masuda. (Absent: None)

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:

Interim City Manager Steve Mermell
City Attorney Michele Beal Bagneris
City Clerk Mark Jomsky

CEREMONIAL MATTERS

Kayleen Maya-Avles, District Director of Assemblymember Holden's Office, introduced Dr. Cynthia Olivo, who was honored as the 41st Assembly District's Woman of Distinction, selected to represent Pasadena.

The Mayor presented a proclamation declaring April 18, 2016 as "Day of Remembrance of the Armenian Genocide" in Pasadena. Vahe Majarian, Chair of the Armenian National Committee/Pasadena Chapter, and Boghos Patatian, Committee Secretary, received the proclamation, thanked the City Council, and provided information on the Armenian Genocide.

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

Genevieve Clavreul, Pasadena resident, expressed her concern with abandoned construction material on Hudson Avenue by the 210 Freeway, and asked that the material be cleared away.

Doug McNaughton, Pasadena resident, expressed concerns regarding the costly service of Charter Communications cable, and stated the need for the City to repair sidewalks and water the magnolia trees located throughout the City.

Councilmember Gordo was excused at 6:47 p.m., and left the dais

David Whitehead, Pasadena resident, expressed his concerns with the numerous shootings in Northwest Pasadena; and asked that the City Council support the Pasadena Police Department.

Leanette J. M. Beard urged the City Council to help end chronic homelessness in Pasadena.

Jill Shook, Pasadena resident, spoke in opposition to the City Council's actions on April 11, 2016 regarding Approval of Measures to Address Issues Associated with Homelessness and Panhandling.

CONSENT CALENDAR

APPROVAL OF FINAL VESTING TRACT MAP NO. 071842 FOR CONSOLIDATION OF FIVE PARCELS INTO THREE AND CREATION OF 60 RESIDENTIAL AIR PARCELS AT 158-188 SOUTH SIERRA MADRE BOULEVARD

Recommendation:

(1) Adopt a resolution to approve Final Vesting Tract Map No. 071842 for the consolidation of five parcels into three and the creation of 60 residential air parcels; and

(2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map.

Recommendation of the Hearing Officer: The subject vesting tentative map was approved on May 16, 2012 by the Subdivision Hearing Officer, to be recorded within three years. (Resolution No. 9495)

APPROVAL OF FINAL TRACT MAP NO. 072615 FOR CONSOLIDATION OF TWO LAND LOTS AND CREATION OF 17 RESIDENTIAL AIR PARCELS AT 2424 EAST DEL MAR BOULEVARD

Recommendation:

(1) Adopt a resolution to approve Final Tract Map No. 072615 for the consolidation of two land lots and the creation of 17 residential air parcels; and

(2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map.

Recommendation of the Hearing Officer: The subject tentative map was approved on February 19, 2014 by the Subdivision Hearing Officer, to be recorded within three years. (Resolution No. 9496)

RENEWAL OF GENERAL SERVICES AGREEMENT WITH THE COUNTY OF LOS ANGELES

Recommendation:

(1) Find that the General Services Agreement is exempt from the California Environmental Quality Act (CEQA), pursuant to Public Resources Code Section 21080 and State CEQA Guidelines Section 15061(b)(3) (General Rule);

- (2) Adopt a resolution approving renewal of the General Services Agreement with the County of Los Angeles;
- (3) Authorize the Interim City Manager to enter into a five-year renewal on behalf of the City, and to request various functions or services from the County of Los Angeles as needed and in accordance with applicable City ordinances and policies. Neither Competitive Bidding nor Competitive Selection are required pursuant to City Charter Section 1002(H) and Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities; and
- (4) Authorize the Interim City Manager or his designee to request from time to time, various functions and services from the County of Los Angeles, in accordance with applicable City ordinances and policies. (Resolution No. 9497, Contract No. 17,620-2)

CONTRACT AWARD TO SLATER WATERPROOFING, INC., FOR THE ARROYO PARKWAY STORM DRAIN REHABILITATION – PHASE 4 PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$268,000

Recommendation:

- (1) Find the project in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) State Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination; and
- (2) Accept the bid dated March 16, 2016, submitted by Slater Waterproofing, Inc., in response to the Project Specifications for the Arroyo Parkway Storm Drain Rehabilitation – Phase 4 Project, reject all other bids received, and authorize the Interim City Manager to enter into a contract not-to-exceed \$268,000. (Contract No. 30577)

CONTRACT AWARD TO CALIFORNIA PROFESSIONAL ENGINEERING, INC., FOR STREET LIGHTING IMPROVEMENTS ON WALNUT STREET FROM GREENWOOD AVENUE TO SIERRA MADRE BOULEVARD FOR AN AMOUNT NOT-TO-EXCEED \$170,000

Recommendation:

- (1) Find the project proposed in the agenda report to be exempt under the California Environmental Quality Act (CEQA) State Guidelines in accordance with Title 14, Chapter 3, Class 2 and 3, Section 15302 (Replacement or Reconstruction) and 15303 (New Construction or Conversion of Small Structures), and find that there are no changes to the project, changed circumstances or new information that would warrant further environmental review; and

(2) Accept the bid dated March 1, 2016, submitted by California Professional Engineering, Inc., in response to the Project Specifications for the Street Lighting Improvements on Walnut Street from Greenwood Avenue to Sierra Madre Boulevard, and authorize the Interim City Manager to enter into such contract as is required for an amount not-to-exceed \$170,000. (Contract No. 30578)

CONTRACT AWARD TO RAMONA, INC., FOR 2015-2016 SEWER CAPACITY UPGRADES PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$1,060,000

Recommendation:

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

(2) Accept the bid dated February 17, 2016, submitted by Ramona, Inc., in response to the Project Specifications for the 2015-2016 Sewer Capacity Upgrades Project, reject all other bids received, and authorize the Interim City Manager to enter into a contract not-to-amount \$1,060,000. (Contract No. 30579)

AUTHORIZATION TO AMEND CONTRACT NO. 22,305 WITH VCI UTILITY SERVICES DBA VANTAGE UTILITY SERVICES FOR UTILITY DISTRICT HILL AVENUE (VILLA STREET TO NORTH CITY LIMIT) PRIVATE PROPERTY OVERHEAD TO UNDERGROUND ELECTRIC SERVICE CONVERSION, FROM AN AMOUNT NOT-TO-EXCEED \$1,601,700 TO AN AMOUNT NOT-TO-EXCEED \$2,190,482 \$2,081,724.

Recommendation:

(1) Find the project proposed in the agenda report to be exempt from California Environmental Quality Act ("CEQA") review pursuant to State CEQA Guidelines Section 15302(d), Replacement or Reconstruction, Conversion of Overhead Electric Utility Distribution System Facilities to underground;

(2) Authorize an amendment to Contract No. 22,305 with VCI Utility Services to increase the contract amount by \$480,024, thereby increasing the not-to-exceed amount from \$1,601,700 to \$2,190,482; and to extend the contract duration from June 6, 2016 to August 31, 2016; and

(3) Find that it is in the public interest to amend Contract No. 22,305 with VCI Utility Services, as set forth above, and, to the extent such amendment could be considered a new contract subject to the competitive bid process, find that the contractor was previously selected through a competitive bid process, is mobilized and currently performing related work, and the public interest would not be served by undertaking a new bid process. (Contract 22,305-1)

MUNICIPAL SERVICES COMMITTEE: AMENDMENT TO THE PASADENA MUNICIPAL CODE SECTION 10.40.030 TO ALLOW FOR IMMOBILIZATION OF VEHICLES AS AN ALTERNATIVE TO TOWING

Recommendation:

- (1) Find that the following proposed action is exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) (General Rule); and
- (2) Direct the City Attorney to prepare an ordinance and return within 60 days, amending Section 10.40.030 of the Pasadena Municipal Code to allow for the immobilization of vehicles by booting upon adoption.

MINUTES APPROVED

April 4, 2016

CLAIMS RECEIVED AND FILED

Claim No. 12,617	William M. Paparian, Attorney for Michelle D. Rodgers and Selah Chavet	Not stated
Claim No. 12,618	21 st Century Insurance as subrogee of Edward Paparteys	\$ 5,216.34
Claim No. 12,619	Chet Rondinella	150.00
Claim No. 12,620	Gustavo De La Cruz	520.00

Councilmember Gordo was excused at 6:47 p.m., and left the dais.

Steve Mermell, Interim City Manager, corrected the agenda item, "Authorization to Amend Contract No. 22,305 with VCI Utility Services dba Vantage Utility Services" by changing the total not-to-exceed amount from \$2,190,482 to the correct not-to-exceed amount of \$2,081,724.

It was moved by Councilmember McAustin, seconded by Vice Mayor Masuda, to approve all items on the Consent Calendar, amending Item 7 (Authorization to Amend Contract No. 22,305 with VCI Utility Services dba Vantage Utility Services) as detailed above. (Motion unanimously carried) (Absent: Councilmember Gordo)

ORDINANCE – ADOPTED

Councilmember Gordo returned at 6:49 p.m.

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE LIGHT AND POWER RATE ORDINANCE, TITLE 13, CHAPTER 13.04 OF THE PASADENA MUNICIPAL CODE TO ESTABLISH ECONOMIC DEVELOPMENT INCENTIVES FOR NEW COMMERCIAL CUSTOMERS OR EXPANDED SERVICES BY EXISTING CUSTOMERS UNDER SPECIFIED CONDITIONS" (Introduced by Councilmember McAustin) (Ordinance No. 7280)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Hampton, Kennedy,
Madison, McAustin, Wilson, Vice Mayor Masuda,
Mayor Tornek

NOES: None

ABSENT: None

ABSTAIN: None

PUBLIC HEARING

**PUBLIC HEARING: APPEAL OF DESIGN COMMISSION
DECISION: CONSOLIDATED DESIGN REVIEW –
DEMOLITION OF THE HOUSE AT 180 SOUTH EUCLID
AVENUE (To be heard at 6:45 p.m., or thereafter)**

Recommendation:

(1) Find that the demolition is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21080(b)(9); Administrative Code, Title 14, Chapter 1, Class 1, Section 15301, Existing Facilities). This exemption applies to demolition of up to three single-family residences or small commercial structures in urbanized areas;

(2) Find that no protected native, specimen, or landmark trees under the tree protection ordinance (Pasadena Municipal Code, Chapter 8.52) will be removed in conjunction with this application;

(3) Find that the project is consistent with the purposes of design review and the Design Guidelines in the Central District Specific Plan;

(4) Find that the project will not cause a significant adverse effect on a historical resource as defined in the State CEQA guidelines; and

(5) Based on these findings, approve the application for consolidated design review to demolish the house at 180 South Euclid Avenue.

Recommendation of the Design Commission: On November 24, 2015, the Design Commission denied an application for Consolidated Design Review for the demolition of the house at 180 South Euclid Avenue. The applicant appealed the Commission's decision on November 30, 2015. Prior to the City Council consideration of the applicant's appeal, the applicant submitted new information and on February 1, 2016, the City Council remanded the appeal to the Design Commission for a report on the new information submitted. The Design Commission considered the new information at its February 23, 2016 meeting and retained its previous determination that the house is a historical resource and that its demolition should be denied.

The City Clerk opened the public hearing and reported 35 copies of the notice were posted, and 207 copies of the notice were mailed on March 24, 2016. The City Clerk's office received 132 letters of correspondence, with 5 letters expressing support for the staff's recommendation and the proposed project, 126 letters expressing opposition to staff's recommendation and/or concerns, and one letter providing suggestions, which were all distributed to the City Council and made part of the public hearing record.

David Reyes, Interim Director of Planning & Development, and Kevin Johnson, Senior Planner, provided a PowerPoint presentation regarding the agenda item; and responded to questions.

The following person spoke in favor of the appeal and the staff's recommendation:

Richard McDonald, Applicant/Appellant representative

The following persons spoke in opposition to the appeal and the staff's recommendation, expressed concerns, and/or, provided suggestions regarding the proposed action:

Ann Scheld, Pasadena Heritage, distributed and discussed 1979 street walker survey
Jesse Lattig, Pasadena Heritage
Dale Trader, Pasadena resident
Maurice Shrader-Frechette, Pasadena resident
Kristen Shrader-Frechette, Pasadena resident
Pamela Scrape, Pasadena resident
Susan N. Mossman, Pasadena Heritage

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

Councilmember Wilson stated his opposition to the staff's recommendation and suggested that if a demolition permit is approved, the approval include an agreement that the property maintains the essential characteristics of the buildings current facade.

Councilmember Hampton voiced his support in approving the building demolition but also supported the preservation of the building facade. In addition, Mr. Hampton requested that staff consider developing a formula in coordination with historical preservation groups, utilizing building structure, to deem a property as a historical structure.

Mayor Tornek and Vice Mayor Masuda expressed support for the Design Commission's decision to deny the application and spoke in opposition to the demolition of the house.

Councilmember McAustin stated her support of staff's recommendation and requested that staff require the developer to work with the Historic Preservation staff to preserve important elements of the building in the design and construction phase of the proposed project.

Councilmember Kennedy requested that the Design Commission appointment requirements be agendaized for a discussion by the appropriate City Council Committee.

Councilmembers Kennedy, Madison, and Gordo spoke in support of the staff's recommendation, as well as the preservation of the building facade and other historically significant elements of the building.

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

Richard McDonald, Applicant/Appellant representative, clarified that a demolition approval can be conditioned to a scope of limitations and confirmed the willingness of the applicant to work with City staff to preserve historically significant elements of the building.

Following further discussion, it was moved by Councilmember Gordo, seconded by Councilmember McAustin, to continue the public hearing to May 16, 2016, 7:00 p.m., to allow for the developer and stake holders to meet with the City staff regarding the preservation of historically significant elements of the building. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING: AMENDMENT TO THE ANNUAL ACTION PLAN (2015-2016) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(To be heard at 7:00 p.m., or thereafter)

Recommendation: It is recommended that upon close of the public hearing the City Council take the following actions:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment; and
- (2) Approve the submission to the U.S. Department of Housing and Urban Development of an Amendment to the Annual Action Plan (2015-2016) as described in the agenda report

The City Clerk opened the public hearing; reported that the notice of public hearing was published on March 17, 2016 and March 31, 2016 in the Pasadena Journal; no correspondence was received by the City Clerk's office regarding this item.

William Huang, Director of Housing, and Randy Mabson, Program Coordinator, provided a PowerPoint presentation on the agenda item; and responded to questions

Steve Mermell, Interim City Manager, and Ara Maloyan, Director of Public Works responded to questions regarding the City's sidewalk repair and improvements assessment program.

Councilmember Madison expressed concerns with utilizing Community Development Block Grant (CDBG) funds to fund the City's sidewalk repair and improvements program in the proposed locations detailed in the agenda report.

Councilmembers Madison and Hampton, and the Mayor suggested that the recommended sidewalk repair and improvements be completed in communities' with moderate incomes or in the northwest region of the City.

Councilmember Wilson stated that the CDBG funds should be utilized for The Americans with Disabilities Act (ADA) ramps and curb cuts required throughout the City and requested a copy of the map referred to in staff's presentation.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember McAustin, to continue the Public Hearing to April 25, 2016, 7:00 p.m. and for staff to return to the City Council with the suggestions detailed above. (Motion unanimously carried) (Absent: None)

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:18 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk