

CITY OF PASADENA
City Council Minutes
November 7, 2016 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:30 p.m.
(Absent: None)

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

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

Name of Case: Pasadena Civic Center Coalition v. City of
Pasadena

LASC Case No.: BS164664

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL -
ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government
Code Section 54956.9(d)(2) (one potential case)

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

On the order of the Mayor, the regular meeting reconvened at
6:30 p.m.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor Gene Masuda
Councilmember Victor Gordo
Councilmember Tyron Hampton
Councilmember John J. Kennedy
Councilmember Steve Madison (Arrived at 7:25 p.m.)
Councilmember Margaret McAustin
Councilmember Andy Wilson

Staff:

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

CEREMONIAL MATTERS

Councilmember McAustin and Sonja Yates, Executive Director of
Habitat for Humanity, spoke on the Habitat for Humanity project,
Women Build Day, held on October 29, 2016 at the Desiderio
housing development site in Pasadena.

The Mayor announced that in recognition of Veterans Day, November 11, 2016, a ceremony will be conducted at City Hall to honor those that have served our military.

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

Councilmember Madison arrived at 7:25 p.m.

The following individuals expressed concerns with the Pasadena Police Body Worn Camera Policy, the lack of public input on the policy, and/or made comments regarding the officer involved altercation with Reginald Thomas, Jr:

Dale Gronemeier, Coalition for Increased Civilian Oversight for the Pasadena Police (CICOPP)

Skip Hickambottom, CICOPP

Vance M. Martin, Jr., CICOPP

Kris Ockerhauser, American Civil Liberties Union (ACLU) and CICOPP, submitted correspondence

Catherine Wagner, ACLU

Stephanie Ballard, Neighborhood Unitarian Universalist Church

Marge Nichols, League Women Voters Pasadena Area, submitted correspondence

Christian Harrison, Fuller Seminary, Peace and Justice Advocates

Brita Pinkston, Pasadena Foursquare Church

Reverend Tera Little, Throop Unitarian Universalist Church

Rabbi Jonathan Klein, Clergy & Laity United for Economic Justice (CLUE)

Boualem Bouseloub, Pasadena resident

Jasmine Abdullah, Black Lives Matter

Jill Shook, Pasadena resident

Robert Cristo, Brown Berets

Dylan Rodas, Brown Berets

Michele Beal Bagneris, City Attorney/City Prosecutor, responded to questions regarding "Meet and Confer" and collective bargaining requirements, and stated a memo will be forthcoming responding to questions raised by the City Council pertaining to the City's Body Worn Camera policy.

Steve Mermell, City Manager, reported that at the Public Safety Committee meeting scheduled on November 23, 2016, an update on the implementation and policy on the Pasadena Police Body Worn Camera Policy will be agendized.

Rodger Roldan, Pasadena Police Officers' Association, spoke in support of the Policy and provided information on the extensive training being conducted for Police Officers regarding the use of the cameras.

Councilmember Kennedy stated for the record, "If we are agendizing this matter [Pasadena Police Body Worn Camera Policy], and you, the [City] Council and myself have the right to do that, the purpose of agendizing that item is to discuss the policy that has been promulgated, determine if there are recommendations from the Public Safety [Committee] level based upon testimony received by the public to modify, change, or eliminate the policy and start all over again."

The following individuals expressed deep concern with the recent removal of three trees on South Lake Avenue:

Miriam Nakamura-Quan, Pasadena resident
Lori Paul, Altadena resident, distributed correspondence
Bryan Witt, Pasadena resident

The City Manager responded to the public comment that the property-owner stated that he will repair the sidewalk and replace the removed trees with 48-inch boxed trees, which are the largest available.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) FOR SUPPLEMENTAL LAW ENFORCEMENT SERVICES FOR NEW YEAR'S ACTIVITIES

Recommendation:

- (1) Find the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to enter into a contract with the Los Angeles County Sheriff's Department for supplemental law enforcement services for New Year's activities in the amount not-to-exceed \$1,100,000 per year, for a period of three years. Neither Competitive Bidding nor Competitive Selection is required pursuant to City Charter Section 1002(H), and Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other government entities; and
- (3) Authorize the City Manager to extend the contract for up to two additional one-year periods not-to-exceed \$1,100,000 per year without further City Council authorization. (Contract No. 30760)

Councilmember Hampton requested an itemized list of benefits for contracting with the Los Angeles County Sheriff's Department.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH HINDERLITER, DE LLAMAS AND ASSOCIATES FOR SALES/USE TAX REVENUE CONSULTING AND HDL COREN & CONE FOR PROPERTY AND TRANSFER TAX REVENUE CONSULTING SERVICES

Recommendation:

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

(2) Authorize the City Manager to enter into a contract without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with Hinderliter, de Llamas and Associates for sales and use tax revenue consulting services for a period of three years. Fixed costs will not exceed \$10,200 annually and auditing services will be conducted on a contingency basis;

(3) Authorize the City Manager to enter into a contract without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with HdL Coren & Cone for property and transfer tax revenue consulting services for a period of three years. Fixed costs will not exceed \$21,250 annually and auditing services will be provided on a contingency basis; and

(4) Authorize the City Manager to extend each contract for up to two additional 1-year terms not-to-exceed an annual fixed cost amount of \$10,200 per year for Hinderliter, de Llamas and Associates and \$21,250 per year for HdL Coren & Cone, for a maximum contract length of five years. (Contract Nos. 30761, 30762)

APPOINTMENT OF JAMES FARR TO THE ACCESSIBILITY AND DISABILITY COMMISSION (District 3 Nomination)

MINUTES APPROVED

October 17, 2016

October 24, 2016

October 31, 2016

CLAIMS RECEIVED AND FILED

Claim No. 12,744	William Porras	\$ 500.00
Claim No. 12,745	Charlotte Essex	25,000.00+
Claim No. 12,746	Juliana Astalis	Not stated
Claim No. 12,747	Wilber for USAA as subrogee of Juan A. Nestor	576.15
Claim No. 12,748	Mark Johnson	10,000.00+

Claim No. 12,749	KP Law representing Gail Howland	Not stated
Claim No. 12,750	Law Offices of Norman R. Nadel representing Kevin Gutierrez	25,000.00+

It was moved by Councilmember Gordo, seconded by Vice Mayor Masuda, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CONSIDERATION OF A CALL FOR REVIEW OF A HEARING OFFICER DECISION TO THE BOARD OF ZONING APPEALS REGARDING THE APPROVAL OF CONDITIONAL USE PERMIT NO. 6479 TO ALLOW THE OPERATION OF A TEMPORARY CULTURAL INSTITUTION FOR THE 2017 PASADENA SHOWCASE HOUSE OF THE ARTS IN A RS-2-HD ZONING DISTRICT, LOCATED AT 880 LA LOMA ROAD (Councilmember Madison)

David Reyes, Director of Planning and Development introduced the item, and Jason Killebrew, Associate Planner provided a PowerPoint presentation and responded to questions.

Dana Marevich, Pasadena Showcase House (applicant) and Lynn Mehl, Pasadena Showcase House (representative of the applicant) provided information on the Pasadena Showcase House of the Arts organization, the benefits to the City, and spoke in support of Board of Zoning Appeals decision.

Councilmember Madison stated that staff should develop future policies for similarly planned events to address potential traffic issues and mitigate impacts to neighbors.

Councilmember Wilson asked staff that any policies developed should consider peak traffic concerns and set a maximum capacity for trips allowed to the event site.

Following discussion, by consensus of the City Council, and on order of the Mayor, no action was taken on the call for review request and the Board of Zoning Appeals Decision stands.

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

Councilmember Kennedy, Chair of the Public Safety Committee, reported on the Committee's discussion on Police Department staffing levels and direction given to staff to conduct an in-house analysis of appropriate staffing levels for Police Officers, and report back to the Committee on the findings.

AUTHORIZE THE CITY MANAGER TO EXECUTE ALL AGREEMENTS WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ASSOCIATED WITH THE RECEIPT OF GRANT FUNDING AND IMPLEMENTATION AND MANAGEMENT OF UNION STREET CYCLE TRACK PHASE 1 PROJECT

Recommendation:

(1) Find that the following proposed actions are exempt from review pursuant to the California Environmental Quality Act ("CEQA"), pursuant to State CEQA Guidelines Section 15061(b)(3) (General Rule); and

(2) Authorize the City Manager to execute all agreements associated with the receipt of \$2,714,430 in reimbursable grant funding from the Los Angeles County Metropolitan Transportation Authority (Metro) for the implementation and management of the Union Street Cycle Track Phase I Project (Capital Improvement Project Number 75087).

Recommendation of the Municipal Services Committee: On October 11, 2016, the Municipal Services Committee, following a presentation by Department of Transportation staff, expressed its support for the project and recommended that the City Council authorize the City Manager to execute all agreements with Los Angeles County Metropolitan Transportation Authority associated with the receipt of grant funding and implementation and management of Union Street Cycle Track Phase I Project.

Councilmember Kennedy was excused at 8:26 p.m. and left the meeting.

Fred Dock, Director of Transportation introduced the item, and Richard Dilluvio, Pedestrian and Bicycle Coordinator, provided a PowerPoint presentation, and responded to questions.

The Mayor expressed concerns regarding the project's proposed 24-month timeframe for preparation of the plan specifications and the related impacts to the overall length of construction of the Cycle Track project.

(Item continued on page 7)

By order of the Mayor and consensus of the City Council, the discussion on the item was briefly suspended to discuss the item noted below:

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Continued

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CONFIRMING THE AWARD OF ITS ELECTRIC REVENUE/REFUNDING BONDS 2016A SERIES

Recommendation:

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

(2) Adopt a resolution confirming the award of the City of Pasadena Electric Revenue/Refunding Bonds, 2016A Series. (Resolution No. 9529)

Matt Hawkesworth, Director of Finance introduced the item, and Vic Erganian, City Treasurer, provided a PowerPoint presentation on the item and responded to questions.

Following a brief discussion, it was moved by Councilmember Hampton, seconded by Councilmember Wilson, to approve the staff recommendation. (Motion carried) (Absent: Councilmember Kennedy)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

Continued

(Continued from page 5)

Councilmember Madison was excused at 8:54 p.m. and left the meeting.

AUTHORIZE THE CITY MANAGER TO EXECUTE ALL AGREEMENTS WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ASSOCIATED WITH THE RECEIPT OF GRANT FUNDING AND IMPLEMENTATION AND MANAGEMENT OF UNION STREET CYCLE TRACK PHASE 1 PROJECT

The following individuals spoke in opposition of the item, and/or provided comments and/or suggestions:

- Mitchell Pomerantz, Pasadena resident
- Donna Pomerantz, Pasadena resident
- Joel Sheldon, Pasadena resident
- Brian Wallace, Playhouse District Association
- Ilna Linden, Linden Optometry

The following individuals spoke in favor of the item, and/or provided comments and/or suggestions:

- Michael Warner, Pasadena resident
- Blair Miller, Pasadena Complete Streets Coalition
- Colin Bogart, Pasadena Complete Streets Coalition
- Qrys Cunningham, Pasadena resident
- John Lloyd, Pasadena resident

Councilmember Gordo cited the safety concerns raised during public comment that might occur between pedestrians, cyclists, and automobiles along adjacent parking lots and the proposed cycle track, and stated the need for a strong public outreach element as part of the design stage of the proposed project.

Councilmember Wilson spoke in favor of public outreach that includes educational information, and suggested that staff reach out to other municipalities with similarly designed cycle tracks to identify best practices.

Vice Mayor Masuda spoke in support of the addressing American Disability Act (ADA) safety issues and concerns.

Following discussion it was moved by Councilmember McAustin, seconded by Councilmember Hampton, to approve the staff recommendation, including the direction to staff to ensure meaningful outreach with the affected constituencies during the project's design phase, and report back to the City Council on how the safety and ADA issues will be addressed and resolved. (Motion carried) (Absent: Councilmembers Kennedy, Madison)

ORDINANCE

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 17.50.340 OF TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO REVISE THE CITY'S TRANSIT-ORIENTED DEVELOPMENT ORDINANCE"

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING PASADENA MUNICIPAL CODE TITLE 3, CHAPTER 3.24, SECTION 3.24.110(A)(8) RELATING TO CAMPING IN PUBLIC PARKS AND FACILITIES AND TITLE 12, CHAPTER 12, SECTION 12.12.080 RELATING TO OBSTRUCTING A PUBLIC WAY OR PLACE" (Introduced by Councilmember Kennedy)

The Mayor reported that the first and second reading of the ordinances detailed above will be considered at the November 7, 2016 meeting due to the lack of a quorum.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:37 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk