

CITY OF PASADENA
City Council Minutes
September 19, 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: Councilmembers Gordo, Hampton, Madison)

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 REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

Property Location: 1015 North Lake Avenue, Pasadena, California

Agency Negotiators: Steve Mermell

Negotiating Parties: Jacquelynne Jones-Corby, Chris Montana, and Iris Alvarado

Under Negotiation: Price and terms of payment

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

Property Location: 275 East Cordova Street, Pasadena, California

Agency Negotiators: Steve Mermell

Negotiating Party: Anders Plett

Under Negotiation: Price and terms of payment

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 6:38 p.m. The pledge of allegiance was led by Vice Mayor Masuda.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek

Vice Mayor Gene Masuda

Councilmember Victor Gordo (Absent)

Councilmember Tyron Hampton (Absent)

Councilmember John J. Kennedy

Councilmember Steve Madison (Absent)

Councilmember Margaret McAustin

Councilmember Andy Wilson

Staff:

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

CEREMONIAL MATTERS

The City Clerk administered the oaths of office to Carla Boykin as Northwest Commissioner, and Eileen Williamson as Recreation and Parks Commissioner.

Hall Daily, Director of Government Relations of California Institute of Technology (Caltech), Anya Biferno, Public Engagement Specialist of Jet Propulsion Laboratory, and Jeff Rich, Outreach Coordinator of Carnegie Observatories provided an informational PowerPoint presentation on the various events scheduled for Astronomy Week, October 16-22, 2016.

Beth Kuchar, representing Innovate Pasadena, presented information on various science, tech, design and entrepreneurship events to be held in Pasadena during Connect Week, October 17-23, 2016.

The Mayor presented a proclamation to Mike DeLucia, President of the First Tee of Pasadena Board of Directors, declaring October 2016 as "First Tee of Greater Pasadena Month." Mason Chiu, member of the First Tee, spoke on the positive impacts the program has had on his life and golfing career.

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

Sharon Jackson, Los Angeles resident, and Yvonne Trice, Pomona resident, spoke on an unsolved fatal shooting that occurred in Pasadena on August 21, 2015; requested City assistance regarding any available video footage from the traffic cameras placed on/near Washington Boulevard and Sinaloa Avenue; and expressed safety concerns in Pasadena.

In response to the public comments, Steve Mermell, City Manager, responded that the Police Department staff will contact Ms. Jackson and Ms. Trice and will respond accordingly.

CONSENT CALENDAR

REJECT ALL BIDS FOR CITYWIDE TREE WATERING SERVICES

Recommendation: It is recommended that the City Council reject all bids in response to the Notice Inviting Bids for Citywide Tree Watering Services.

Item discussed separately

CONTRACT AWARD TO WEST COAST ARBORISTS, INC., FOR CITYWIDE TREE PLANTING SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$289,140

ADOPT A RESOLUTION FOR THE SUMMARY VACATION OF A 15-FOOT WIDE PORTION OF LAND FRONTING PROPERTY AT 700 EAST MOUNTAIN STREET

Recommendation:

- (1) Adopt a resolution summarily vacating a 15-foot wide portion of land fronting the property at 700 East Mountain Street pursuant to Sections 8331, 8333, and 8334 of the California Streets and Highways Code; and
- (2) Certify the summary vacation to be categorically exempt from the California Environmental Quality Act ("CEQA") in accordance with Article 19, Sections 15301 Existing Facilities, and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the summary vacation with the Los Angeles County Recorder's Office. (Resolution No. 9521)

AUTHORIZE A PURCHASE ORDER WITH LOS ANGELES FREIGHTLINER FOR PURCHASE OF FOUR REPLACEMENT AUTOCAR/NEW WAY COMPRESSED NATURAL GAS POWERED SIDE LOADING REFUSE PACKERS FOR AN AMOUNT NOT-TO-EXCEED \$1,293,340

Recommendation:

- (1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize a purchase order with Los Angeles Freightliner for the purchase of four Autocar/New Way compressed natural gas powered side loading refuse packers in an amount not-to-exceed \$1,293,340. Competitive Bidding is not required pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, materials, supplies or services; and
- (3) Grant the proposed purchase order an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

AUTHORIZE A PURCHASE ORDER WITH MAR-CO EQUIPMENT COMPANY FOR PURCHASE OF ONE REPLACEMENT TYMCO COMPRESSED NATURAL GAS STREET SWEEPER FOR AN AMOUNT NOT-TO-EXCEED \$309,329

Recommendation:

- (1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize a purchase order with MAR-CO Equipment Company for the purchase of one TYMCO compressed natural gas street sweeper vehicle for an amount not-to-exceed \$309,329. Competitive Bidding is not required pursuant to City

Charter Section 1002(H), contracts with other governmental agencies or their contractors for labor, materials, supplies or services; and

(3) Grant the proposed purchase order an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B) contracts for which the City's best interests are served.

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER WITH ALTEC INDUSTRIES, INC., FOR PURCHASE OF ONE REPLACEMENT ARTICULATING TELESCOPIC 35-FOOT AERIAL FORD F550 TRUCK IN AN AMOUNT NOT-TO-EXCEED \$92,700

Recommendation:

(1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize a purchase order with Altec Industries, Inc., for one replacement articulating telescopic 35-foot aerial device in an amount not-to-exceed \$92,700. Competitive Bidding is not required pursuant to City Charter Section 1002(H) contracts with other governmental entities or their contractors for labor, materials, supplies, or services; and

(3) Grant the proposed purchase order an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B) contracts for which the City's best interests are served.

MUNICIPAL SERVICES COMMITTEE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH LIVE TRAFFIC DATA, LLC, TO PROVIDE CITYWIDE TRAFFIC MONITORING

Recommendation:

(1) Find the proposed action is exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);

(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 Live Traffic Data, LLC, to provide Citywide Traffic Monitoring for a term of five (5) years. The contract has no direct monetary value; and

(3) Grant the proposed contract an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interest are served. (Contract No. 22,656)

APPOINTMENT OF PATRICIA KEANE TO THE DESIGN COMMISSION (Planning Commission Nomination)

CLAIMS RECEIVED AND FILED

Claim No. 12,715	Josephine Kouyoumdjian	\$ Not stated
Claim No. 12,716	Amie St. John	5,767.59
Claim No. 12,717	Nicola Annie Moore	283.67
Claim No. 12,718	Hannah R. Baldwin	2,682.56

PUBLIC HEARING SET

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

It was moved by Councilmember Kennedy, seconded by Vice Mayor Masuda, to approve all items on the Consent Calendar, with the exception of Item 2 (Contract Award To West Coast Arborists, Inc.), which was discussed separately. (Motion unanimously carried) (Absent: Councilmembers Gordo, Hampton, Madison)

CONSENT ITEMS DISCUSSED SEPARATELY

CONTRACT AWARD TO WEST COAST ARBORISTS, INC., FOR CITYWIDE TREE PLANTING SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$289,140

Recommendation:

- (1) Find the proposed project to be categorically exempt under Section 21084(a) of the California Environmental Quality Act ("CEQA") in accordance with Article 19, Section 15301 (Class 1), Subsection (h) of the guidelines (maintenance of existing landscape) and authorize the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk;
- (2) Accept the bid dated August 11, 2016 submitted by West Coast Arborists, Inc., in response to project specifications for citywide tree planting; reject all other bids received; and authorize the City Manager to enter into a three-year contract not-to-exceed \$289,140, which includes the base contract amount of \$275,370 and a contingency of \$13,770 to provide for any necessary change orders; and
- (3) Authorize the City Manager to extend the contract for up to two additional one-year terms not-to-exceed an annual amount of \$96,380 per year for an additional total amount of \$192,760, for a maximum contract length of five years. (Contract No. 30726)

Ara Maloyan, Director of Public Works, introduced the item and Charles Peretz, Parks Administrator, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Hampton, Madison)

PUBLIC HEARING

PUBLIC HEARING: LA SALLE HIGH SCHOOL MASTER PLAN – 3880 EAST SIERRA MADRE BOULEVARD

Recommendation: It is recommended that the City Council take the following actions:

- (1) Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program set forth in Attachment G of the agenda report for the project;
- (2) Adopt by resolution the Specific Findings (Attachment A of the agenda report) for the approval of the La Salle High School Master Plan, acknowledging that the Master Plan, as conditioned, is consistent with the General Plan and Zoning Ordinance; and
- (3) Approve the Private Tree Removal Permit for the removal of two protected mature trees on the La Salle High School campus, acknowledging that the replacement tree canopy is sustainable over the long-term by adhering to the adopted replacement matrix. (Resolution No. 9522)

Recommendation of the Planning Commission: On July 13, 2016, the Planning Commission voted to recommend approval of the Master Plan to the City Council. The Commission discussed a variety of topics, including third-party uses, swimming pool operation hours, and the compatibility of school use with adjacent single-family uses. The Commission added conditions of approval that all pool activities cease by 7:00 p.m. and that parking information for large events be included on tickets for such events.

Recommendation of the Design Commission: On November 10, 2015, the Design Commission conducted an Advisory Review of the proposed Master Plan. Based on comments from the Design Commission, conditions of approval have been added to address the height and visibility of the proposed solar panels, green treatment of the proposed sound wall at the pool areas, use of the pool, lighting, and historic preservation (Attachment B of the agenda report). As recommended by the Design Commission, La Salle staff met with the Department of Transportation (DOT) staff to modify the circulation plan. The revised circulation plan has been reviewed and approved by DOT and implemented by La Salle.

The City Clerk opened the public hearing and reported that 86 copies of the notice were posted, and 187 copies of the notice were mailed on August 31, 2016; and that the City Clerk's Office received 48 letters in support and 1 letter in opposition to the staff recommendation, which were distributed to the City Council and made part of the record of the public hearing.

David Reyes, Director of Planning and Community Development, introduced the item, Ha Ly, Associate Planner, presented a PowerPoint summarizing the project and agenda report, and responded to questions.

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

Scott Jenkins, representing the applicant (La Salle High School)

Dr. Richard Gray, President of La Salle High School

David Goodale, project architect, provided a PowerPoint on the proposed project

Dennis A. Jebbia, Pasadena resident

Carlos Rico, La Salle High School student

Elijah Griffin, La Salle High School student

Annabel Genton, La Salle High School student

Tom Brady, San Marino resident

Robert Griffith, Pasadena resident

Kevin Wheeler, Pasadena resident, spoke on behalf of seven community members, spoke in opposition to the proposed project, and expressed concerns regarding the staff recommendation.

Councilmember Kennedy expressed concerns with the proposal to print parking information on parking tickets sold on the day of the event, and stated his preference to require that parking information be distributed prior to events held at the School.

Councilmember Wilson requested that the Conditions of Approvals be amended to apply amplified sound requirements to the aquatics area, as well as include language regarding the placement of school bleachers to ensure that noise impacts to the neighborhood are minimized. In addition, Mr. Wilson suggested that staff provide a clearer definition for third-party users and asked the La Salle High School president to encourage his students to use active transportation, such as walking and biking, to mitigate neighborhood traffic concerns.

Following discussion, it was moved by Vice Mayor Masuda, seconded by Councilmember McAustin, to close the public hearing. (Motion unanimously carried) (Absent: Councilmembers Gordo, Hampton, Madison)

Following discussion, the City Council requested the following changes to the Condition of Approvals:

- No. 21, amend the definition of third-party user events as those sponsored by another organization other than La Salle High School and for the benefit of persons other than La Salle High School students, such that La Salle High School sponsored events are defined as events benefiting La Salle High School students;
- No. 24, amend the requirement related to parking information so that information may be printed on event tickets, but will also be required to be provided in advance, online, and/or distributed on preprinted advertisements prior to each event;
- Nos. 33 & 36, correct references that refer to Condition of Approval No. 34 to appropriately refer to Condition of Approval No. 35;
- No. 45, amend to reflect that regulations related to power amplified sound apply to the aquatics center, and require the placement of aquatics center bleachers to be positioned in such a way as to minimize noise impacts to the surrounding neighborhood;
- Second No. 98, correct a typographical error by changing the second No. 98 to No. 99; and
- Add new Condition of Approval No. 100, encouraging La Salle High School students to utilize active transportation, such as walking and biking to school.

Following further discussion, it was moved by Vice Mayor Masuda, seconded by Councilmember McAustin, to approve the staff recommendation, incorporating the changes and amendments, as detailed above. (Motion unanimously carried) (Absent: Councilmembers Gordo, Hampton, Madison)

On the order of the Mayor, the meeting recessed at 9:31 p.m. and reconvened at 9:38 p.m.

CONTINUED PUBLIC HEARING: AMENDMENT TO THE TRANSIT-ORIENTED DEVELOPMENT ORDINANCE, PASADENA MUNICIPAL CODE SECTION 17.50.340 (ZONING CODE)

Recommendation:

(1) Adopt the Mitigated Negative Declaration (Attachment A of the agenda report) under Section 15070 of the California Environmental Quality Act (CEQA) State Guidelines as the Initial

Study prepared for the proposed amendment, which is supplemented by an Errata, determined that there will not be a significant effect on the environment with the implementation of a mitigation measure related to Air Quality and Cultural Resources;

- (2) Adopt the Findings of Consistency (Attachment B of the agenda report);
- (3) Direct the City Attorney to prepare an ordinance within 60 days amending Title 17 of the Pasadena Municipal Code (Zoning Code), Section 17.50.340 (Transit Oriented Development) as presented in the agenda report; and
- (4) Direct staff to consider the feasibility of recommending policies incentivizing unbundling of parking spaces during the upcoming Specific Plan Update process.

Recommendation of the Planning Commission: The Planning Commission initially reviewed the proposed amendment to the Transit-Oriented Development (TOD) Ordinance on December 9, 2015. At this meeting, the Planning Commission discussed the importance of maintaining the intent of the TOD Ordinance, and requested for further research to occur. The Planning Commission also requested that the proposed amendment to the TOD Ordinance be reviewed by the Transportation Advisory Commission prior to returning back to the Planning Commission. Subsequently on April 27, 2016, the Planning Commission reviewed the revised amendment to the TOD Ordinance, and voted unanimously to recommend approval of the proposed amendment to the TOD Ordinance with two additional recommendations: 1) direct staff to study the feasibility of implementing policies incentivizing unbundling of parking spaces during the upcoming Specific Plan Update process, and 2) provide additional public notification to the existing auto-repair businesses that are impacted by the proposed amendment. Overall, the Planning Commission stated that the proposed amendment strikes the right balance between the different areas of the City while providing an appropriate level of opportunity to further the City's goals and policies of reducing trips and encouraging transit use.

Recommendation of the Transportation Advisory Commission: On February 25, 2016, the Transportation Advisory Commission reviewed the draft amendment to the TOD Ordinance that was presented to the Planning Commission on December 9, 2015. The Transportation Advisory Commission was generally in support of the draft amendment, but had two additional recommendations: 1) eliminate the minimum parking requirements within all of the TOD areas, and 2) explore other parking alternatives such as increasing bus access and valet services for bicycles to facilitate use of the Allen Gold Line Station without negatively impacting surrounding residential neighborhoods.

The City Clerk opened the public hearing; reported that the notice of public hearing was published in the Pasadena Journal on June 30, 2016, July 7, 2016, and July 14, 2016. The City Clerk's office received 1 letter advocating for changes to parking requirements, which was distributed to the City Council, and made part of the record of the public hearing.

David Reyes, Director of Planning and Community Development, introduced the item, and Arthi Varma, Principal Planner, presented a PowerPoint presentation on the item, and responded to questions.

Councilmember Wilson suggested that staff analyze current office building parking structures, to determine the parking demands within a collaborative work space; and spoke on the need for the staff report to include the City's policy stance on parking and parking regulations.

Following discussion, the following individuals spoke in favor of the staff recommendation and/or provided comments on various aspects of the proposed action:

Blair Miller, Pasadena Complete Streets Coalition
Jonathan Edwards, Pasadena resident

It was moved by Councilmember McAustin, seconded by Councilmember Wilson, to close the public hearing. (Motion unanimously carried) (Absent: Councilmembers Gordo, Hampton, Madison)

Councilmember McAustin requested that staff contact commercial building owners close to the Lake Station (Metro Gold Line) to determine any willingness on the part of owners to allow access to public rail transit system users to commercial parking facilities in exchange for incentives offered by the City.

Following further discussion, it was moved by Vice Mayor Masuda, seconded by Councilmember McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Hampton, Madison)

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

LOS ANGELES 2024 EXPLORATORY COMMITTEE (LA24)

As noted by the Mayor, this item was held for one week at the request of the City Council and staff.

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 5.02 TO TITLE 5, ARTICLE I OF THE PASADENA MUNICIPAL CODE TO CLARIFY AND MAKE MINOR REVISIONS TO THE CITY-WIDE MINIMUM WAGE ORDINANCE” (Introduced by Councilmember Gordo) (Ordinance No. 7285)

The above ordinance was adopted by the following vote:

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

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$140,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE/REFUNDING BONDS, 2016A SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND, AND APPROVING THE EXECUTION AND DELIVERY OF A NINTH SUPPLEMENT TO ELECTRIC REVENUE BOND FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION THEREWITH” (Introduced by Councilmember Kennedy) (Ordinance No. 7286)

The above ordinance was adopted by the following vote:

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

COUNCIL COMMENTS

Councilmember Kennedy reported on the Congressional Black Caucus Annual Legislative Conference that he attended on September 17, 2016.

In response to Councilmember McAustin’s concerns regarding medical marijuana dispensaries, Steve Mermell, City Manager, informed the City Council that the Council’s Economic Development and Technology Committee has directed staff to provide information on the legislation to be voted on as part of the November 8, 2016 General Election, as well as the City’s ability to legislate impacts if the legislation is successful.

The City Clerk provided information on National Voter Registration Day, Tuesday, September 27, 2016, providing the public with voter registration assistance.

Councilmember Wilson spoke on the importance of "see something, say something" in regards to domestic terrorism, and the benefits and importance of video surveillance to assist police personnel.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:58 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk