

CITY OF PASADENA
City Council Minutes
August 28, 2017 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

Teleconference Location:
The New York EDITION
Business Center
5 Madison Avenue
New York, NY 10010

OPENING:

Mayor Tornek called the regular meeting to order at 5:30 p.m.
(Absent: Councilmember Wilson)

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

Councilmember Wilson
arrived at 5:46 p.m.

**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**

Los Angeles County Superior Court Case No. BS164664

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

**Name of Case: City of Pasadena v. Brown Armstrong
Accountancy Corporation**

Los Angeles County Superior Court Case No. BC620201

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
REGARDING POTENTIAL LITIGATION - Consideration of
initiation of litigation pursuant to Government Code Section
54956.9(d)(4) (one potential case)**

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION pursuant to
Government Code Section 54957**

**Employee Title and Unrepresented Employee: City
Attorney/City Prosecutor**

City Representative: Terry Tornek

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 6:57 p.m. The pledge of allegiance was led Councilmember Masuda.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor John J. Kennedy
Councilmember Victor Gordo
Councilmember Tyron Hampton
Councilmember Steve Madison (participated via teleconference)
Councilmember Gene Masuda
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 oath of office to Jessica C. Rivas as Commissioner on the Status of Women.

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

William Mevrer, Pasadena resident, submitted literature, spoke in opposition to Senate Bill 649 Wireless Telecommunication Facilities, and asked that the City to oppose the legislation and uninstall Wi-Fi from public schools and buildings until there is a better understanding of potential public health impacts of Wi-Fi.

Following a request from Councilmember Kennedy to have the City's Public Health Department provide additional information regarding any potential health risks related to Wi-Fi, City Manager Mermell stated that a discussion will be agendized at a future Public Safety Committee meeting.

Kate Gale, Pasadena Rose City Poets, recited poetry.

Lucy Penido, Pasadena resident, expressed concerns on the recent road restriping on Sierra Madre Villa, without input or notification to surrounding neighborhood residents.

Creighton Penido, Pasadena resident, spoke in favor of dual-purpose roadways for bikes and vehicles to be implemented throughout the City.

In response to public comment, Councilmember Masuda stated that the Transportation Department will host a public meeting in September to discuss the restriping project on Sierra Madre Villa and can address the public's concerns as part of that meeting.

Gerda Govine, Pasadena Rose Poets, provided an update on Pasadena Rose Poets events, thanked the Mayor and the City Council for listening to their poetry, and stated that they would continue to recite poetry at future meetings.

Charles A. Hope, Altadena resident, expressed concerns and made several inquiries regarding the costs associated with firework displays organized and coordinated by the City.

Nadine Pensis, Pasadena resident, spoke on her experience at the Pasadena Humane Society and the need to care for abandoned animals; the lack of United States Postal Service mailboxes in her neighborhood; and suggested charging bike fees for bike lane users.

CONSENT CALENDAR

AUTHORIZATION TO INCREASE PURCHASE ORDER NO. 1171952 WITH LOS ANGELES FREIGHTLINER BY \$361,719.35 FOR A TOTAL AMOUNT NOT-TO-EXCEED \$723,438.70 FOR TWO ADDITIONAL DUMP TRUCKS

Recommendation:

(1) Find that the proposed action is exempt from 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; and

(2) Authorize an increase to Purchase Order No. 1171952 with Los Angeles Freightliner by \$361,719.35 for two additional Compressed Natural Gas ("CNG") Powered Dump Trucks for a total purchase order amount not-to-exceed \$723,438.70. The purchase of the additional vehicles complies with the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code (PMC) Chapter 4.08 and the rules and regulations promulgated thereunder.

AUTHORIZATION TO ENTER INTO CONTRACTS WITH R&M SERVICE SOLUTIONS, INC., AND SPINIELLO COMPANIES TO FURNISH LABOR AND MATERIALS FOR UTILITIES MAINTENANCE SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$315,600 PER YEAR AND \$968,500 PER YEAR, RESPECTIVELY

Recommendation:

(1) Find that the proposed action is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project;

(2) Accept the bid dated July 11, 2017, submitted by R&M Service Solutions, Inc., in response to Specification WD-17-01, to Furnish Labor and Materials for Utilities Maintenance Services for the Water and Power Department ("PWP"), and authorize the City Manager to enter into a contract with R&M Service Solutions, Inc., for an amount not-to-exceed \$315,600 per year for an initial period of one year with an option for three additional one-year terms of \$315,600 each at the approval of the City Manager; and

(3) Accept the bid dated July 11, 2017, submitted by Spiniello Companies in response to Specification WD-17-01, to Furnish Labor and Materials for Utilities Maintenance Services for PWP, and authorize the City Manager to enter into a contract with Spiniello Companies for an amount not-to-exceed \$968,500 per year for an initial period of one year with an option for three additional one-year terms of \$968,500 each at the approval of the City Manager. (Contract Nos. 30994 and 31024)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH WESTERN RENTALS, INC., TO FURNISH AND DELIVER HEAVY CONSTRUCTION EQUIPMENT RENTAL FOR AN AMOUNT NOT-TO-EXCEED \$91,321.73 PER YEAR

Recommendation:

(1) Find that the proposed action is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to Section 21065 and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project;

(2) Accept the bid dated June 5, 2017, submitted by Western Rentals, Inc., in response to Specification WD-17-02, to furnish and deliver heavy construction equipment rental for the Water and Power Department ("PWP"), reject all other bids, and authorize the City Manager to enter into a purchase order with Western Rentals, Inc., for an amount not-to-exceed \$91,321.73 for one year; and

(3) Authorize the City Manager to extend the purchase order for three optional one-year terms not-to-exceed \$91,321.73 per year. If the three additional one-year terms are exercised, the total contract value would be \$365,286.92 for a maximum contract length of four years.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH ADAMSON POLICE PRODUCTS FOR BALLISTIC VESTS AND POLICE SUPPLIES FOR A NOT-TO-EXCEED AMOUNT OF \$397,173

Recommendation:

(1) Find the proposed action is exempt from 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; and

(2) Accept the bid dated July 17, 2017, submitted by Adamson Police Products in response to Specifications for Ballistic Vests and Police Supplies, authorize the issuance of a purchase order to Adamson Police Products in an amount not-to-exceed \$226,956 for a period of four years, and authorize the City Manager to extend the purchase order for up to three additional one-year periods in the annual amount of \$56,739 without further City Council approval consistent with the terms of the specifications.

CONTRACT AWARD TO DBX, INC., FOR INTELLIGENT TRANSPORTATION SYSTEM, PHASE III FOR AN AMOUNT NOT-TO-EXCEED \$2,140,000

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, Article 19, 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 August 2, 2017, submitted by DBX, Inc., in response to the Project Plans and Specifications for the Intelligent Transportation System, Phase III; reject all other bids; and authorize the City Manager to enter into such contract for an amount not-to-exceed \$2,140,000. (Contract No. 31002)

APPROVAL OF FINAL TRACT MAP NO. 73162 FOR CREATION OF EIGHT AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES AT 545-553 NORTH WILSON AVENUE

Recommendation:

- (1) Adopt a resolution to approve final Tract Map No. 73162 for the creation of eight air parcels for residential condominium purposes; and
- (2) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 9588)

Recommendation of the Hearing Officer: The subject tentative map was approved on December 2, 2015 by the Subdivision Hearing Officer, to be recorded within three years.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH TELECOM LAW FIRM PC TO PROVIDE ON-CALL TELECOMMUNICATIONS FACILITIES CONSULTANT SERVICES IN AN AMOUNT NOT-TO-EXCEED \$1,000,000

Recommendation:

- (1) Find the proposed action is exempt from 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; and
- (2) Authorize the City Manager to enter into a contract, based on a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, for professional or unique services, with Telecom Law Firm PC for On-Call Telecommunications Facilities Consultant Services for three years with option for two, one-year extensions at the discretion of the City Manager in an amount not-to-exceed \$200,000 per year for a total of \$1,000,000. (Contract No. 31001)

CALTRANS LEASE RENEWAL FOR BELLEFONTAINE PROPERTY LOCATED AT 182 AND 234 BELLEFONTAINE STREET

Recommendation:

- (1) Find the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 (Existing Facilities); and
- (2) Authorize the City Manager to renew a five year lease agreement between the City of Pasadena and the California Department of Transportation (Caltrans) for the vacant lands, containing approximately 78,547 square feet, located south westerly and south easterly of Pasadena Avenue and south of Bellefontaine Street, as well as the triangle portion in between at a cost of \$100 per year. (Contract No. 19,871-3)

AUTHORIZATION TO ENTER INTO CONTRACTS WITH MNS ENGINEERS INC., CABRINHA, HEARN & ASSOCIATES, AND IMEG CORP (DBA TTG ENGINEERS), TO PROVIDE LAND SURVEY CONSULTING SERVICES IN AN AMOUNT NOT-TO-EXCEED \$1,000,000 FOR EACH CONSULTANT

Recommendation:

- (1) Find that the actions proposed in the agenda report are exempt from the California Environmental Quality (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 the City Manager to enter into a contract, based on a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, with MNS Engineers Inc., for Land Survey Consultant Services for three years with option for two, one-year extensions at the discretion of the City Manager in an amount not-to-exceed \$200,000 per year for a total of \$1,000,000;
- (3) Authorize the City Manager to enter into a contract, based on a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, with Cabrinha, Hearn & Associates for Land Survey Consultant Services for three years with option for two, one-year extensions at the discretion of the City Manager in an amount not-to-exceed \$200,000 per year for a total of \$1,000,000; and
- (4) Authorize the City Manager to enter into a contract, based on a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, with IMEG Corp (dba TTG Engineers) for Land Survey Consultant Services for three years with option for two, one-year extensions at the discretion of the City Manager in an amount not-to-exceed \$200,000 per year for a total of \$1,000,000. (Contract Nos. 30999, 31004, and 30998)

Item discussed separately

AUTHORIZE A CONTRACT WITH STAPLES ENERGY IN AN AMOUNT NOT-TO-EXCEED \$5,000,000 FOR THE PROVISION OF COMMERCIAL ENERGY AND WATER DIRECT INSTALLATION PROGRAM SERVICES

Item discussed separately

RECOGNITION AND APPROPRIATION OF CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) GRANT FUNDS RELATED TO CALIFORNIA PROPOSITION 47 (PROP 47)

LIBRARY COMMISSION AMENDMENTS TO BYLAWS TO ESTABLISH A PROCESS FOR SETTING REGULAR MEETINGS

Recommendation:

- (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 proposed amendments to the Pasadena Public Library Commission Bylaws.

Item discussed separately

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH ONESOURCE DISTRIBUTORS, TO FURNISH AND DELIVER MISCELLANEOUS ELECTRIC UTILITY PARTS AND MATERIALS

Item discussed separately

CONTRACT AWARD TO DKS ASSOCIATES FOR THE PREPARATION OF ENVIRONMENTAL DOCUMENTATION, PRELIMINARY ENGINEERING, PREPARATION OF PLANS, SPECIFICATIONS, ESTIMATE, RIGHT-OF-WAY AND PUBLIC OUTREACH FOR THE UNION STREET TWO-WAY PROTECTED BIKEWAY PROJECT

FINANCE COMMITTEE: CONTRACT AWARD TO CERCO ENGINEERING FOR CITYWIDE PARKS ACCESSIBILITY IMPROVEMENTS FOR AN AMOUNT NOT-TO-EXCEED \$355,000 AND AMENDMENT TO FISCAL YEAR 2018 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

Recommendation:

- (1) Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines in accordance with Title 14, Chapter 3, Article 19, Class 1, Section 15301, Existing Facilities, which exempts minor alteration of existing public facilities where no expansion of the use will take place;
- (2) Amend the Fiscal Year 2018 Capital Improvement Program Budget by appropriating \$86,000 in Residential Impact Fees to the Citywide Accessibility Improvements (78068) project; and
- (3) Accept the bid dated August 1, 2017, submitted by Cerco Engineering in response to the Project Plans and Specifications for the Citywide Parks Accessibility Improvements at various parks; reject all other bids; and authorize the City Manager to enter into such contract for an amount not-to-exceed \$355,000. (Contract No. 30996) (Budget Amendment No. 2018-03)

Item discussed separately

FINANCE COMMITTEE: APPROVAL OF ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SENATE BILL 1) PROJECT LIST AND AMENDMENT TO FISCAL YEAR 2018 CAPITAL IMPROVEMENT PROGRAM BUDGET

FINANCE COMMITTEE: CONTRACT AWARD TO ARAMEXX GROUP INC., FOR EAST ARROYO NEIGHBORHOOD CONNECTOR TRAIL IMPROVEMENTS FOR AN AMOUNT NOT-TO-EXCEED \$150,000 AND AMENDMENT TO FISCAL YEAR 2018 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation:

- (1) Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines in accordance with Title 14, Chapter 3, Article 19, Class 1, Section 15301, Existing Facilities, which exempts minor alteration of existing public facilities where no expansion of the use will take place;
- (2) Amend the Fiscal Year 2018 Capital Improvement Program Budget by appropriating \$60,000 in Residential Impact Fees to the East Arroyo Neighborhood Connector Trail Improvements (77377) project; and
- (3) Accept the bid dated August 11, 2017, submitted by Aramexx Group Inc., in response to Project Plans and Specifications for the East Arroyo Neighborhood Connector Trail Improvements at Central Arroyo Seco; reject all other bids; and authorize the City Manager to enter into such contract for an amount not-to-exceed \$150,000. (Contract No. 31000) (Budget Amendment No. 2018-05)

FINANCE COMMITTEE: CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT AWARDED TO THE CITY OF PASADENA FOR THE SAFER STREETS PASADENA – BIKE SAFETY OUTREACH PROGRAM

Recommendation:

- (1) Find that acceptance of this grant is exempt from the California Environmental Quality Act (CEQA), Section 15061(b)(3)(General Rule) of the State CEQA Guidelines;
- (2) Authorize the City Manager to enter into an agreement with the California Office of Traffic Safety (OTS) to receive Fiscal Year 2018 grant funding for the Safer Streets Pasadena – Bike Safety Outreach Program in the amount of \$112,000 and any subsequent agreements regarding this grant award; and
- (3) Amend the Department of Transportation's Fiscal Year 2018 Operating Budget to recognize and appropriate \$112,000 in grant funds awarded by OTS for the Safer Streets Pasadena – Bike Safety Outreach Program as detailed in the Fiscal Impact Section of the agenda report. (Contract No. 22,826) (Budget Amendment No. 2018-06)

**FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT
- QUARTER ENDING JUNE 30, 2017**

Recommendation: This report is for information purposes only.

**FINANCE COMMITTEE: JOINT ACTION: 2017-2018
INVESTMENT POLICY AND INVESTMENT STRATEGY**

Recommendation: It is recommended that the City Council and the Successor Agency to the Pasadena Community Development Commission:

- (1) Find that the proposed action is not a project subject to the 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 the City Treasurer's recommended Investment Policy and Investment Strategy for Fiscal Year 2017-2018.

**FINANCE COMMITTEE: ESTABLISHMENT OF INTERNAL
REVENUE SERVICE (IRS) SECTION 115 TRUST PUBLIC
AGENCY RETIREMENT SERVICES (PARS) PENSION RATE
STABILIZATION PROGRAM**

Recommendation:

- (1) Find that the proposed action is not subject to the 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;
- (2) Adopt a resolution authorizing the establishment of the PARS Retirement and Post-Employment Benefits Trust program to pre-fund pension obligations;
- (3) Authorize the City Manager or the Director of Finance to execute the Trust Agreement, the Adoption Agreement, the Master Plan Document, the Administrative Services Agreement, the Trustee Fee Agreement, and other documents related thereto. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; and
- (4) Grant the proposed Section 115 Trust 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. (Resolution No. 9589)

**FINANCE COMMITTEE: AUTHORIZATION TO ENTER INTO A
CONTRACT WITH BRILLIANT CORNERS FOR \$95,000 TO
PROVIDE RAPID RE-HOUSING ASSISTANCE TO HOMELESS
INDIVIDUALS**

Recommendation:

- (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;

(2) Approve the proposed contract with Brilliant Corners in the amount of \$95,000 to provide Rapid Rehousing Program services for homeless individuals. Competitive bidding is not required pursuant to City Charter Section 1002(H) contracts with other governmental entities or their contractors for labor, materials, services, or supplies;

(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 interests are served; and

(4) Amend the Housing & Career Services Department's Fiscal Year 2018 Operating Budget by appropriating expenditures in the amount of \$95,000 from the unappropriated fund balance of the Housing Successor Low Income Housing Asset Fund for the Rapid Rehousing Program (23716003-810500-51020). (Contract No. 31013) (Budget Amendment No. 2018-07)

APPOINTMENT OF JOSEPH RUEDAFLORES TO THE HUMAN RELATIONS COMMISSION (District 7 Nomination)

CLAIMS RECEIVED AND FILED

Claim No. 12,942	SCS Engineers	\$ 10,000.00+
Claim No. 12,943	Brian O'Neil	3,674.01
Claim No. 12,944	Panish Shea & Boyle, LLP, representing Floyd Allen	25,000.00+
Claim No. 12,945	Panish Shea & Boyle, LLP, representing Estate of Maureen Allen by and through its Successor in Interest, Floyd Allen	25,000.00+
Claim No. 12,946	SCS Engineers	736.40

Councilmember Gordo left the dais at 7:20 p.m.

It was moved by Vice Mayor Kennedy, seconded by Councilmember Masuda, to approve all items on the Consent Calendar, with the exception of Item 11 (Authorize a Contract with Staples Energy), Item 12 (BSCC Grant Funds), Item 14 (Authorize a Purchase Order with OneSouce Distributors), Item 15 (Contract Award to DKS Associates), and Item 17 (Approval of Road Repair), which were discussed separately:

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

NOES: None

ABSENT: Councilmember Gordo

ABSTAIN: None

CONSENT ITEMS DISCUSSED SEPARATELY

AUTHORIZE A CONTRACT WITH STAPLES ENERGY IN AN AMOUNT NOT-TO-EXCEED \$5,000,000 FOR THE PROVISION OF COMMERCIAL ENERGY AND WATER DIRECT INSTALLATION PROGRAM SERVICES

Recommendation:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities); and
- (2) Authorize the City Manager to enter into a contract, based on a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, with Staples Energy in an amount not-to-exceed \$3,685,285 over an initial two-year term with an option for one (1) one-year term extension not-to-exceed \$1,314,715 at the approval of the City Manager for the installation of energy and water-conservation devices, equipment and services for the Pasadena Water and Power ("PWP") Water and Energy Direct Install Program ("WeDIP"). (Contract No. 31017)

Councilmember Gordo returned to the dais at 7:24 p.m.

Gurcharan Bawa, General Manager of Water and Power, provided introductory comments, and Ursula Schmidt, Water Conservation Manager, provided a PowerPoint presentation on the item, and responded to questions.

Vice Mayor Kennedy recommended that the vendor consider the residences in Heritage Square, La Pintoresca Senior Housing, Kings Villages, Community Arms, and Pilgrims Towers for water and energy saving measures; and suggested that staff consider including a company profile for awarded vendors as part of the agenda report.

William Meurer, Pasadena resident, distributed literature, spoke in favor of the item, and asked that the City reserve 50% of the funds for Pasadena-based companies.

Councilmember Hampton spoke in support of staff recommending local businesses to vendors who are awarded contracts from the City.

Councilmember Gordo cautioned staff in recommending specific local businesses, but instead suggested that staff strongly encourage vendors to consider subcontracting with local businesses.

Following discussion, it was moved by Vice Mayor Kennedy, seconded by Councilmember McAustin, to approve the staff recommendation:

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

RECOGNITION AND APPROPRIATION OF CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) GRANT FUNDS RELATED TO CALIFORNIA PROPOSITION 47 (PROP 47)

Recommendation:

- (1) Find that acceptance of this grant is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project;
- (2) Adopt a resolution authorizing the City Manager to enter into an agreement with BSCC to accept and administer these grant funds on behalf of the City of Pasadena;
- (3) Amend the Police Department's Fiscal Year 2018 Operating Budget by recognizing revenue and appropriating expenditures of \$669,893 in grant funds awarded by BSCC as detailed in the Fiscal Impact section of the agenda report;
- (4) Amend the Health Department's Fiscal Year 2018 budget by recognizing and appropriating expenditures of \$167,286 and increasing by one limited-term full-time equivalent (1.0 FTE);
- (5) Authorize the City Manager to enter into a contract with Flintridge Center for reentry services in an amount not-to-exceed \$1,766,799 for the grant term of three years; and
- (6) It is further recommended that the City Council 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 interests are served. (Resolution No. 9590; Contract Nos. 22,827 and 31008; Budget Amendment No. 2018-02)

Police Chief Phillip Sanchez, provided introductory comments, and Police Lieutenant Jason Clawson, provided a PowerPoint presentation on the item, and responded to questions.

Daniel Torres and Jaylene Moseley, Flintridge Center, responded to questions regarding the Center's employment training apprenticeship preparation program and re-entry services and reintegration support for community members.

Vice Mayor Kennedy and Councilmember Gordo expressed admiration and gratitude to Police Chief Sanchez and the Pasadena Police Department staff in partnering with the Flintridge Center to apply for this grant funding that will support important reintegration services for Pasadena community members.

Councilmember Gordo asked that staff provide updates and progress reports on the supportive services provided to community members.

Councilmember Hampton reiterated his belief that all contracts should abide by the City's competitive bid process.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo, to approve the staff recommendation:

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

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH ONESOURCE DISTRIBUTORS, TO FURNISH AND DELIVER MISCELLANEOUS ELECTRIC UTILITY PARTS AND MATERIALS

Recommendation:

(1) Find that the proposed action is not a project subject to the 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) Accept the bid dated June 20, 2017, submitted by OneSource Distributors in response to Specifications LD-17-06 to Furnish and Deliver Electric Utility Equipment; reject all other bids; and authorize a Purchase Order with OneSource Distributors for an amount not-to-exceed \$10,500,000 for a period of three years.

Vice Mayor Kennedy requested that staff provide additional background on the agenda report related to the materials to be purchased for the electric distribution and transmission system.

City Manager Mermell provided information on the Pasadena Water and Power Department's electric distribution and transmission system inventory requirements, and stated that staff utilized the City's competitive bid process for the proposed supply contract.

Following discussion, it was moved by Vice Mayor Kennedy, seconded by Councilmember Gordo, to approve the staff recommendation:

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

CONTRACT AWARD TO DKS ASSOCIATES FOR THE PREPARATION OF ENVIRONMENTAL DOCUMENTATION, PRELIMINARY ENGINEERING, PREPARATION OF PLANS, SPECIFICATIONS, ESTIMATE, RIGHT-OF-WAY AND PUBLIC OUTREACH FOR THE UNION STREET TWO-WAY PROTECTED BIKEWAY PROJECT

Recommendation:

- (1) Find that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3)(General Rule); and
- (2) Authorize the City Manager to enter into a contract, based on a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, with DKS Associates for consultant services for the preparation of environmental documentation, preliminary engineering, preparation of plans, specifications, estimate (PS&E), right-of-way and public outreach for the Union Street Two-way Protected Bikeway (Cycle Track) Project for an amount not-to-exceed \$999,714. (Contract No. 30991)

The following individuals spoke in favor of the staff recommendation and the Union Street Two-Way Protected Bikeway Project:

Blair Miller, Pasadena Complete Streets Coalition
David Wolf, Montecito resident

Following public comment, it was moved by Vice Mayor Kennedy, seconded by Councilmember Masuda, to approve the staff recommendation:

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

FINANCE COMMITTEE: APPROVAL OF ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SENATE BILL 1) PROJECT LIST AND AMENDMENT TO FISCAL YEAR 2018 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation:

- (1) Find that the proposed action is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(4) and (5) of the State CEQA Guidelines and, as such, is not subject to environmental review;
- (2) Adopt by resolution the Road Repair and Accountability Act of 2017 project list; and

(3) Amend the Fiscal Year (FY) 2018 Capital Improvement Program (CIP) Budget by appropriating \$796,793 of Road Maintenance and Rehabilitation Account (RMRA) funding to the Resurfacing and Slurry Seal FY 2017 – 2021 project (budget account 73920) and increasing the project's total estimated cost by a like amount. (Resolution No. 9591; Budget Amendment No. 2018-04)

Following a brief discussion, it was moved by Vice Mayor Kennedy, seconded by Councilmember Gordo, to approve the staff recommendation:

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

PUBLIC HEARING

CONTINUED PUBLIC HEARING: APPROVAL OF SUBSTANTIAL AMENDMENT TO ANNUAL ACTION PLAN 2017-2018 PERTAINING TO HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDING

Recommendation: It is recommended that upon the 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 Substantial Amendment to Annual Action Plan 2017-2018 pertaining to HOME Investment Partnerships program funding, as described in the agenda report.

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on July 20, 2017, and also reported that a revised public hearing notice was published in the Pasadena Star News on August 9, 2017. No correspondence was received by the City Clerk's office regarding this item.

Bill Huang, Director of Housing and Career Services, provided introductory comments, and Jim Wong, Senior Project Manager, provided a PowerPoint presentation on the item, and responded to questions.

Councilmember McAustin left the dais at 8:26 p.m.

Following a brief discussion, it was moved by Councilmember Gordo, seconded by Councilmember Hampton, to close the public hearing:

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

It was moved by Councilmember Gordo, seconded by Councilmember Hampton, to approve the staff recommendation:

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

Councilmember McAustin returned to the dais at 8:31 p.m.

PUBLIC HEARING: CALL FOR REVIEW OF THE BOARD OF ZONING APPEALS DECISION ON VARIANCE NO. 11824 FOR THE PROPERTY LOCATED AT 615 LINDA VISTA AVENUE
Recommendation: It is recommended that the City Council continue the Public Hearing to September 25, 2017 at 7:00 p.m.

Following a brief discussion, it was moved by Councilmember Gordo, seconded by Vice Mayor Kennedy, to continue the public hearing on the item to September 25, 2017 at 7:00 p.m.:

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

ORDINANCES – ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE (ROSE VILLA-OAKDALE LANDMARK OVERLAY DISTRICT) (Introduced by Councilmember Wilson) (Ordinance No. 7308)

The above ordinance was adopted by the following vote:

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

**RECOMMENDATION FROM
OFFICERS AND
DEPARTMENTS**

**REQUEST FOR DIRECTION REGARDING POTENTIAL
AMENDMENTS TO THE CITY CHARTER THAT MAY BE
NECESSARY TO COMPLY WITH THE CALIFORNIA VOTER
PARTICIPATION RIGHTS ACT (CVPRA) AND CALIFORNIA
ATTORNEY GENERAL OPINION NO. 16-603**

Recommendation:

(1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), ("General Rule"); and
(2) Provide direction to staff regarding potential amendments to the City Charter that may be necessary to comply with the CVPRA and Attorney General Opinion No. 16-603, as follows:

- a. Consider the matter at the City Council level on whether and (if affirmed) how to comply with the CVPRA, including submitting amendments to the City Charter for voter consideration and approval at an upcoming election;
- b. Refer the matter to the Legislative Policy Committee (or other City Council Committee) for study and recommendation, prior to taking further action;
- c. Refer the matter to a Charter Study Task Force for study and recommendation, prior to taking further action; or
- d. Provide alternative direction to staff on how to proceed

The City Clerk summarized the agenda report as part of the PowerPoint presentation and responded to questions.

The Mayor stated that the objective of the discussion should be to address whether to comply with California Voter Participation Rights Act (CVPRA) and consolidate City's election dates with statewide election dates, and if it is determined to comply with CVPRA, what recommended transition plan should be submitted to the voters for approval.

Councilmember Wilson asked the City Clerk to provide information on the number of Charter Cities in the state of California, as well as the estimated cost for City elections should the City comply with the CVPRA and have the Los Angeles County Registrar of Voters (LACRV) administer future City elections on statewide dates.

Councilmember Member Madison spoke in favor of establishing a hierarchy of goals; and expressed concerns with the significant length of time between statewide Primary and General elections that candidates and campaigns would have to contend with should the City move to the statewide election schedule, and the reaction of City voters to an extended City election cycle that would result from complying with the CVPRA, and requested that the City Clerk discuss with the LACRV the possibility of an instant run-off election.

Councilmember Hampton spoke on the need to request that the California Secretary of State open their approved vendor list so that additional vendors can be approved to run local elections.

Dale Gronemeier, Sierra Madres resident, spoke in opposition to the City complying with CVPRA and stated that he and his associate are working on a legal opinion that will provide better analysis than what was prepared by the State Attorney General's Opinion, which he believes is flawed, and will submit a copy as soon as possible.

Emanuel Najera, Pasadena resident, spoke on his experience working as an election poll worker and stated the need to remove invalid registered voters from the LACRV list.

Councilmember Masuda disagreed with the State Attorney General Opinion regarding CVPRA, believing that the City's Charter protects the City's authority in municipal affairs, and expressed concerns with changing the election dates that would lengthen the run-off schedule from six weeks to possibly 6 or 8 months.

Councilmember Wilson expressed concerns with changing the City's election process, as well as the proposed run-off schedule, potential voter fatigue, and "down-ballot" issues, and spoke in favor of plurality voting. In addition, Mr. Wilson asked staff to return with additional information, providing a comparative analysis of competing scenarios for the City Council to consider, including scenarios where the City does and does not comply with CVPRA, include the pros and cons of each scenario, provide cost estimates, and recommendations regarding the scenario that best serves the City's constituency; and spoke in favor of maintaining local control of City elections.

Councilmember Hampton stated his opposition in complying with CVPRA, citing the potential increased expense of running a campaign for City Council during statewide dates when more races occur and messaging becomes more difficult to reach voters, suggesting that such a move would limit many residents in competing for City Council seats; and expressed his opposition to utilizing plurality voting, stating the need to continue with a diverse City Council that represents the City. In addition, Mr. Hampton spoke in favor of this item returning to the City Council for discussion and recommendation.

Vice Mayor Kennedy spoke on the need to increase voter participation in the City; spoke in favor of taking a strong stand as a Charter City to protect local control; stated that the PUSD is an extension of the City Council and therefore the City Council has significant input on how PUSD addresses CVPRA; and cited the many unintended consequences related to moving to plurality

voting. In addition, Mr. Kennedy spoke in support of a process where the City Council takes the primary role of determining a solution, with the assistance of staff and a quality consultant, scheduling a series of community meetings that are well publicized, taking into consideration the importance of intelligently deciphering the most important issues of CVPRA, to determine the direction the public would like the City to move. Furthermore, Mr. Kennedy asked City staff to contact other charter cities and determine what possibilities exist where other municipalities might join Pasadena in legally challenging the CVPRA and the Attorney General's determination regarding the applicability to Charter Cities.

Councilmember Madison expressed concerns with moving to a statewide election that may cause the local election to become partisan, and the delay between the Primary and General elections that would extend the period from 6 weeks to either 5 or 8 months; and spoke in support of creating a Charter Reform Taskforce to engage with the community and provide recommendations for the City Council to consider, which may avoid community criticism.

Councilmember Gordo expressed concerns with the short time the City Council has to adopt a plan; spoke in favor of addressing this issue at the City Council level for discussion and direction; and asked the City Clerk to confirm whether PUSD falls under the City's charter purview and/or whether the School District can unilaterally submit charter changes regarding Board of Education elections to the voters without City Council authorization.

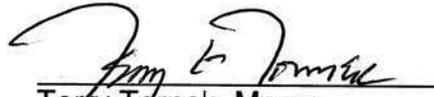
Councilmember McAustin expressed concerns with moving to statewide election dates that may not improve participation in local issues. She spoke in favor of staff recommendation B, refer the matter to the Legislative Policy Committee (or other City Council Committee) for study and recommendation prior to taking further action or staff recommendation C, refer the matter to a Charter Study Task Force for study (with only this matter for consideration) and recommendation prior to taking further action.

The Mayor expressed concerns with the States intervention in the City's municipal affairs and local election timing, and spoke on the preferable model of public debates on the matter, as opposed to a dispassionate presentation.

Following discussion, by consensus of the City Council, and on order of the Mayor, staff was directed to return to the City Council with information addressing the City Council's requests detailed above, as well as providing specific alternatives, flushing out the various scenarios, distilling the information in a compelling way for the City Council and ultimately the voters to consider and understand, in order to make an informed decision on how best to proceed regarding this issue.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:06 p.m.



Terry Tornek, Mayor
City of Pasadena

ATTEST:



City Clerk