

CITY OF PASADENA
City Council Minutes
February 15, 2018 – 5:30 P.M.
City Hall Council Chamber

SPECIAL JOINT MEETING

OPENING:

Mayor Tornek and President Boulghourjian called the Special Joint meeting of the City Council and Pasadena Unified School District (PUSD) Board of Education to order at 6:32 p.m. The Pledge of Allegiance was led by PUSD President Boulghourjian. (Absent: PUSD Member Phelps)

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor John J. Kennedy
Councilmember Victor Gordo
Councilmember Tyron Hampton
Councilmember Steve Madison
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

Board of Education:

President Roy Boulghourjian
Vice President Larry Torres
Member Michelle Richardson Bailey
Member Patrick Cahalan
Member Kimberly Kenne
Member Scott Phelps (Absent)
Member Elizabeth Pomeroy

Staff:

Dr. Brian McDonald, Superintendent of Schools

ADOPTION OF RESOLUTIONS RELATED TO THE CALLING OF A SPECIAL ELECTION OF THE CITY OF PASADENA CONSOLIDATED WITH THE STATEWIDE PRIMARY ELECTION HELD ON TUESDAY, JUNE 5, 2018, TO SUBMIT A CHARTER AMENDMENT MEASURE TO CHANGE THE TIMING OF FUTURE CITY ELECTIONS, AND AMEND THE FISCAL YEAR (FY) 2018 ADOPTED OPERATING BUDGET TO COVER ELECTION RELATED EXPENSES

Recommendation: It is recommended that the City Council:

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

(2) Adopt a resolution of the City Council of the City of Pasadena calling and giving notice of a special election of the City of Pasadena on Tuesday, June 5, 2018, for the submission of a Charter amendment measure to change the timing of future City elections to occur on statewide election dates held in even years, consistent with state law;

(3) Adopt a resolution of the City Council of the City of Pasadena requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of said special election of the City of Pasadena with the Statewide Primary Election to be held on Tuesday, June 5, 2018, and requesting the Los Angeles County Clerk/Registrar of Voters to administer said election on behalf of the City;

(4) Adopt a resolution of the City Council of the City of Pasadena setting priorities for filing written arguments pertaining to a proposed City Charter amendment measure changing the timing of City of Pasadena elections, and directing the City Attorney to prepare an impartial analysis;

(5) Adopt a resolution of the City Council of the City of Pasadena providing for the filing of rebuttal arguments with respect to the City of Pasadena's proposed Charter amendment; and

(6) Amend the Fiscal Year (FY) 2018 Adopted Operating Budget by appropriating \$147,000 from the City's General Fund balance to Account No. 10113002-811400 to cover election related expenses for the June 5, 2018 special municipal election. (Resolution Nos. 9621, 9622, 9623, 9624, Budget Amendment No. 2018-23)

ADOPTION OF RESOLUTIONS CALLING A SPECIAL MUNICIPAL ELECTION OF THE PASADENA UNIFIED SCHOOL DISTRICT CONSOLIDATED WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON TUESDAY, JUNE 5, 2018, FOR THE PURPOSE OF SUBMITTING A CHARTER AMENDMENT MEASURE TO CHANGE THE TIMING AND FORMAT OF FUTURE SCHOOL DISTRICT ELECTIONS

Recommendation: It is recommended that the City Council, on behalf of the Pasadena Unified School District, take the following actions:

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

(2) Adopt a resolution of the City Council of the City of Pasadena calling and giving notice of a special municipal election of the Pasadena Unified School District to be held in said City and in the territory annexed thereto for Pasadena Unified School District purposes on Tuesday, June 5, 2018, for the purpose of submitting a Charter amendment measure to change the timing and format of future School District elections to occur on Statewide General election dates held in even years, consistent with state law;

(3) Adopt a resolution of the City Council of the City of Pasadena requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of said special municipal election of the City of Pasadena and the territory annexed thereto for Pasadena Unified School District purposes with the Statewide Primary Election to be held on Tuesday, June 5, 2018, and requesting the Los Angeles County Clerk/Registrar of Voters to administer said election on behalf of the School District;

(4) Adopt a resolution of the City Council of the City of Pasadena setting priorities for filing written arguments pertaining to a proposed City Charter amendment measure to change the timing and format of future Pasadena Unified School District elections, and directing the City Attorney to prepare an impartial analysis; and

(5) Adopt a resolution of the City Council of the City of Pasadena providing for the filing of rebuttal arguments with respect to the Pasadena Unified School District proposed Charter amendment measure. (Resolutions Nos. 9625, 9626, 9627, 9628)

Agenda Items 2 and 3 were discussed concurrently.

Mark Jomsky, City Clerk, summarized the staff report, including the proposed resolutions, as part of a PowerPoint presentation, and responded to questions.

Councilmember Madison expressed concerns with the proposed ballot measure language in the City Council's Charter Amendment measure: "change the timing of the Mayor's thematic budget message?" Following discussion, it agreed that the language will be amended to read as follows: "move the Mayor's thematic budget message to February".

In response to questions regarding the City's next steps if voters do not approve the proposed Charter changes, Michele Beal Bagneris, City Attorney/City Prosecutor, stated that in the event the voters reject the measures, the City would likely pursue a declaratory relief action or something similar that would empower the City Council to make changes to the City Charter.

The City Council and the Pasadena Unified School District commended and expressed gratitude to the City Clerk for his extraordinary work on this complex subject.

Councilmember Hampton spoke in favor of the City bearing the election costs for the Charter amendments occurring in the City of Pasadena (estimated at \$172,000), with PUSD to cover the remaining costs to change the City Charter for the portions of PUSD outside the City (estimated at \$90,000), especially considering PUSD's current fiscal issues.

Councilmember McAustin stated her preference, in order to avoid confusing the voters, that the proposed ballot measure language, begin as follows, "Shall the Pasadena City Charter be amended to..." and insert "consistent with state law to" in the sentence.

Following discussion, the City Clerk confirmed that the proposed ballot measure language will read as follows: "Shall the Pasadena City Charter be amended consistent with state law to: 1) change the City's primary and general election dates to coincide with statewide primary and general election dates, beginning with the November 2018 general election; 2) extend the current terms for the Mayor and Councilmembers by 19 months on a one-time basis in order to transition to the statewide election cycle; and 3) move the Mayor's thematic budget message to February?"

Following discussion, the City Clerk was similarly directed to amend the PUSD's ballot measure question to read in the same format, and begin with the phrase, "Shall the Pasadena City Charter..."

Member Torres requested that the proposed Charter Amendment language regarding the terms of office for all members of the Board of Education be changed to commence on the fifth Monday following a PUSD election, in place of fifth Tuesday following an election.

In response, the City Clerk stated that City Charter, Section 702. – TERM OF OFFICE, last sentence in sub-section C, will read as follows, "The terms of office for all members of the Board of Education shall commence on the fifth Monday following their election and until their respective successors are elected and have duly qualified." He also stated that similar changes will be reflected in City Charter, Section 707, CANVASS OF RETURNS and Section 709, MEETING OF BOARD OF EDUCATION.

Member Kenne requested that the Charter amendment measure to change the timing and format of future PUSD elections read as follows: "Shall the Pasadena City Charter be amended consistent with state law to: 1) change the Pasadena Unified School District's election dates to coincide with statewide general election dates, utilizing the plurality voting format, beginning with the November 2020 general election; 2) extend the current terms of Board Members by 19 months on a one-time basis in order to transition to the statewide election cycle; and 3) change the timing of the Board President's annual address to May?"

Following discussion, it was moved by President Boulghourjian, seconded by Member Cahalan, that the Board of Education of the Pasadena Unified School District supports and affirms the proposed action to adopt resolutions related to the calling of a Special Municipal Election to amend the Pasadena City Charter to change the timing and format of future Pasadena Unified School Districts elections, consistent with prior direction given by the Board of Education to the Pasadena City Clerk at the January 25, 2018 meeting (and incorporating the proposed changes, as detailed above):

AYES: Members Bailey, Cahalan, Kenne, Pomeroy, Vice President Torres, President Boulghourjian
NOES: None
ABSENT: Member Phelps
ABSTAIN: None

It was moved by Councilmember Hampton, seconded by Vice Mayor Kennedy, to approve the staff recommendation related to Item 2, amended to adopt the updated resolutions presented by staff, incorporating the additional changes to City Charter Section 706, as well as those changes detailed above, and reflecting the City's agreement to be responsible for the election costs within the City of Pasadena, leaving the Pasadena Unified School District to cover the remaining election costs outside the City. (Motion unanimously carried) (Absent: None)

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember Gordo, amended to adopt the updated resolutions presented by staff, and incorporating the additional changes to City Charter Section 706, as well as those changes detailed above:

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

COLLABORATE PASADENA

Recommendation: The oral report is for information only; no City Council action is required.

Lisa Cavelier, Director of Collaborate Pasadena, presented a PowerPoint providing an update on Collaborate Pasadena's shared vision and mission statements, collaboration efforts with various organizations, and current and future goals; and responded to questions.

The Mayor spoke on the successful accomplishments of Collaborate Pasadena promoting cooperation between the City, PUSD, various non-profit organizations, students, and parents; and noted the financial challenges that lay ahead.

Vice Mayor Kennedy suggested that Collaborate Pasadena conduct a baseline survey to receive feedback from the public in order to measure their success.

Councilmember Wilson echoed the importance for Collaborate Pasadena to measure their impacts, and requested additional data be collected regarding the number of organizations involved, and the number of new initiatives that are generated, to assist with efforts in seeking alternative financing.

Following discussion, on order of the President and Mayor, the information was received and filed.

OFFICE OF THE YOUNG CHILD

Recommendation: The oral report is for information only; no City Council action is required.

Lila Guirguis, Early Childhood Coordinator, Office of the Young Child, presented an update on the 5 Year Master Plan for the Office of the Young as part of a PowerPoint presentation,

including trending data on early child development, volunteer efforts by members on the Council for the Young Child, work groups, and responded to questions.

Councilmember Madison requested that staff agendaize a discussion on issues related to school safety and gun control, and include any ordinances from other municipalities that may be available from around the country banning weapons used in school shootings.

Councilmember Hampton emphasized the need for Office of the Young Child to work closely with PUSD to ensure that young students are on a good trajectory in their educational development.

The City Council commended Ms. Guirguis on her work and accomplishments, including all the participants and volunteers involved with the Office of the Young; and expressed well wishes on her future endeavors as she leaves her current position to begin new employment.

Councilmember McAustin asked staff to e-mail her the PowerPoint presentation.

Councilmember Gordo stated the need to revisit the early development instrument results when the budget is discussed and non-profits organizations request funding, to determine their success on working with children and emotional maturity; and specifically include non-profit organizations who are working to draw-in outside funds (i.e. county, state, federal grants).

Vera Vignes, member of the Pasadena Council for the Young Child, spoke in favor of the item and thanked the City Council, PUSD and Dr. Brian McDonald, Superintendent of Schools for his support in implementing the Early Development Instrument (EDI), and spoke on the need to address violence in the City.

Following discussion, on order of the President and Mayor, the information was received and filed.

REPORT ON PUSD FISCAL STABILIZATION PLAN

Recommendation: The oral report is for information only; no City Council action is required.

Dr. Brian McDonald, Superintendent of Schools for PUSD, presented a PowerPoint presentation, highlighting fiscal data

related to PUSD's expenses and revenue, costs of employee benefits, budget reductions, and early retirement incentives; and responded to questions.

Councilmember Hampton asked the Mayor to agendaize for discussion the Housing Department's ability to leverage funds to assist PUSD and the City residents. In addition, Mr. Hampton spoke on the need for PUSD and the City to work together to identify revenue opportunities that may help to avoid closing PUSD schools. He suggested PUSD duplicate their dual immersion programs, perhaps working with a public and private partnership, and expand the School District's marketing efforts to promote the Dual/Concurrent Enrollment program.

Nelson Cayabyab, Chief Facilities Officer, PUSD, responded to questions regarding potential school facility closures and the District's surplus property, stating that PUSD must follow the 7-11 Advisory Committee process, and go through a formal bidding process in order to sell surplus property; and stated that he would follow up on Vice Mayor Kennedy's inquiry, if PUSD is able to provide the City with the Right of First Refusal (RFR) on any surplus property.

Vice Mayor Kennedy suggested that PUSD may have an opportunity to engage an advisory body of former-superintendents, due to a number of past PUSD and Pasadena City College superintendents living in the City, to help review, vet, and provide feedback on the School District's proposed Fiscal Stabilization Plan.

Councilmember Wilson spoke on the need for PUSD, when closing schools, to consider fewer schools but with more credible programs to increase enrollment, and suggested that the vacant YWCA building might be a suitable alternative for PUSD use.

Councilmember McAustin encouraged PUSD to seek the support of educational institutions in the City (i.e. Caltech, Museums), as a way to offer PUSD students a unique education.

Councilmember Gordo suggested prior to entering into lease agreements PUSD surplus property, School District staff work closely with the City to ensure any proposed alternate uses comply with local land use regulations. He supported the idea of utilizing available City parcels to relocate PUSD headquarters (i.e. YWCA building).

Following discussion, on order of the President and Mayor, the information was received and filed.

REPORT ON CITY'S GENERAL FUND FISCAL OUTLOOK

Recommendation: The oral report is for information only; no City Council action is required.

Steve Mermell, City Manager, presented a PowerPoint presentation on the City's current fiscal position, projected trends, options for maintaining fiscal stability, and responded to questions.

Lydia Finkley, Pasadena resident, spoke in favor of a sales tax measure, and suggested that the measure include language requiring that funds provided to individual schools be designated for use by School Site Councils.

Following a brief discussion, on order of the President and Mayor, the information was received and filed.

CLOSING COMMENTS

Vice Mayor Kennedy invited the City Council and public to the 36th Annual Black History Parade and Festival, to be held on February 17, 2018. Mr. Kennedy expressed sympathies and condolences on the passing of Mrs. Lois Catherine Banks Richard, long-time Pasadena resident and active community service member.

ADJOURNMENT

On the order of the President and Mayor, the special joint meeting of the City Council and Pasadena Board of Education adjourned at 9:45 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk