

CITY OF PASADENA  
City Council Minutes  
January 29, 2018 – 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)

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 -  
ANTICIPATED LITIGATION**

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

Councilmember Gordo  
arrived at 5:46 p.m.

Councilmember Hampton  
arrived at 5:47 p.m.

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

**Property Location: 614 East Colorado Blvd.  
Agency Negotiators: Steve Mermell and Eric Duyshart  
Negotiating Parties: Scott Martin and John Martin  
Under Negotiation: Price and terms of payment**

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

**CITY COUNCIL CONFERENCE REGARDING PUBLIC  
EMPLOYEE PERFORMANCE EVALUATION pursuant to  
Government Code Section 54957 and CITY COUNCIL  
CONFERENCE with Labor Negotiator pursuant to Government  
Code Section 54957.6**

**Employee Title and Unrepresented Employee: City  
Attorney/City Prosecutor  
City Representative: Terry Tornek**

**CITY COUNCIL CONFERENCE REGARDING PUBLIC  
EMPLOYEE PERFORMANCE EVALUATION pursuant to  
Government Code Section 54957 and CITY COUNCIL  
CONFERENCE with Labor Negotiator pursuant to Government  
Code Section 54957.6**

**Employee Title and Unrepresented Employee: City Clerk  
City Representative: Terry Tornek**

The above closed session items were not discussed.

On the order of the Mayor, the regular meeting reconvened at 6:38 p.m. The pledge of allegiance was led by Councilmember Madison.

**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

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

Erika Foy, Pasadena resident, expressed frustration with the number of high density projects in the City and safety concerns associated with declined Metro Rail ridership, and requested a response to a letter submitted to the City by the Madison Heights Neighborhood Association on January 9, 2018.

In response to public comment, Vice Mayor Kennedy suggested that Ms. Foy attend the joint meeting between the City Council and Los Angeles County Board of Supervisor, Kathryn Barger, scheduled for March 28, 2018 to express her concerns; and City Manager Mermell stated that the Legislative Policy Committee will discuss the State's legislation to limit local control on land use issues.

The following individuals spoke on the need for municipal broad band internet, and net neutrality in the City:

Ronald Placone, Pasadena resident  
Geoffry Jost, Pasadena resident  
Melissa Michealson, San Gabriel Valley Progressive Alliance  
Todd Jones, Feel the Bern Democratic Club, Los Angeles  
County  
Jeremy White, California for Progress  
Michelle Manos, California for Progress

Councilmember Wilson requested that the Municipal Services Committee discuss the issue of free internet in the City.

Robert Ellison, residence not stated, expressed concerns with stalkers.

Gerda Govine Ituarte, Pasadena Rose City Poets, recited poetry.

Ana Seco, John Kim, and Katie Yu, Global Initiatives Alliance (GIA), a youth social advocacy group, distributed an informational flyer and advocated for the protection of environment and habitat of such wildlife as orangutans by avoiding the use of palm oil.

Kyle Douglas, Principle of Wilson Middle School, spoke on the Wilson's Drum Corps, and requested City Council support in fundraising efforts for the Drum Corps so they can participate in the Heritage Music Festival in San Francisco and Carnegie Hall in New York.

Michelle Manos, California for Progress, expressed concerns with the density on the west side of the City; and spoke on the need to address issues related to homelessness.

**CONSENT CALENDAR**

Item discussed separately

**CONTRACT AWARD TO CALIFORNIA PROFESSIONAL ENGINEERING, INC., FOR METRO GOLD LINE AT-GRADE CROSSING MOBILITY ENHANCEMENTS FOR AN AMOUNT NOT-TO-EXCEED \$945,000**

**AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH WESTERN WATER WORKS SUPPLY COMPANY TO FURNISH AND DELIVER MISCELLANEOUS WATER UTILITY MATERIALS FOR AN AMOUNT NOT-TO-EXCEED \$1,500,000 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 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 November 20, 2017, submitted by Western Water Works Supply Company in response to Specifications WD-17-11, to furnish and deliver miscellaneous water utility materials for the Water and Power Department ("PWP"), and authorize the issuance of a purchase order with Western Water Works Supply Company for an amount not-to-exceed \$1,500,000 per year for a period of two years; and
- (3) Subject to the approval of the City Manager extend the purchase order for two optional one-year terms not-to-exceed \$1,500,000 per year. If the two additional one-year terms are exercised, the total contract value would be \$6,000,000 for a maximum contract duration of four years.

Item discussed separately

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH PSOMAS FOR PREPARATION OF ENVIRONMENTAL DOCUMENTATION AND ENVIRONMENTAL PERMITTING ASSISTANCE FOR THE OAK GROVE AREA IMPROVEMENT PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$227,000**

**MUNICIPAL SERVICES COMMITTEE: ADOPT REVISIONS TO THE PASADENA WATER AND POWER DEPARTMENT ("PWP") RENEWABLE PORTFOLIO STANDARD ("RPS") ENFORCEMENT PROGRAM AND RPS PROCUREMENT PLAN IN ACCORDANCE WITH THE CALIFORNIA PUBLIC UTILITIES CODE SECTION 399.30**

**Recommendation:**

- (1) Find that the adoption of the Pasadena Water and Power (PWP) Renewable Portfolio Standard (RPS) Enforcement Program and the PWP RPS Procurement Plan is exempt from the California Environmental Quality Act ("CEQA") per Section 15061(b)(3) (General Rule) of the State CEQA Guidelines;
- (2) Adopt the proposed PWP RPS Enforcement Program (Attachment 1 of the agenda report) pursuant to Section 399.30(e) of the California Public Utilities Code; and
- (3) Adopt the proposed PWP RPS Procurement Plan (Attachment 2 of the agenda report) pursuant to Section 399.30(f) of the California Public Utilities Code.

**Recommendation of the Municipal Services Committee:** The Municipal Services Committee recommended that the City Council approve these recommendations at its January 9, 2018 meeting.

CLAIMS RECEIVED  
AND FILED

Claim No. 13,043    Ginga J. Anderson                    \$        1,025.15

It was moved by Councilmember Wilson, seconded by Councilmember McAustin, to approve all items on the Consent Calendar, with the exception of Item 1 (Contract Award to California Professional Engineering, Inc.), and Item 3 (Authorization to Enter Into A Contract With PSOMAS), which were discussed separately. (Motion unanimously carried) (Absent: None)

**CONSENT ITEM  
DISCUSSED SEPARATELY**

**CONTRACT AWARD TO CALIFORNIA PROFESSIONAL ENGINEERING, INC., FOR METRO GOLD LINE AT-GRADE CROSSING MOBILITY ENHANCEMENTS FOR AN AMOUNT NOT-TO-EXCEED \$945,000**

**Recommendation:**

- (1) Find the project proposed 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, Class 1, 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 that there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances; and
- (2) Accept the bid dated January 17, 2018, submitted by California Professional Engineering, Inc., in response to the Plans and Specifications for Metro Gold Line At-Grade Crossing Mobility Enhancements, reject all other bids received, and authorize the

City Manager to enter into such contract for an amount not-to-exceed \$945,000. (Contract No. 31131)

Ara Maloyan, Director of Public Works, Richard Yee, Principal Engineer, and Fred Dock, Director of Transportation, responded to questions regarding the project, and funding sources of future projects related to METRO.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Hampton, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH PSOMAS FOR PREPARATION OF ENVIRONMENTAL DOCUMENTATION AND ENVIRONMENTAL PERMITTING ASSISTANCE FOR THE OAK GROVE AREA IMPROVEMENT PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$227,000**

**Recommendation:**

(1) Find that the actions proposed in the agenda report are exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA does not apply to actions which have no potential for causing a significant effect on the environment; and

(2) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Psomas for Preparation of Environmental Documentation and Environmental Permitting Assistance for the Oak Grove Area Improvement Project in an amount not-to-exceed \$227,000, which includes the base contract amount of \$206,325 and a contingency of \$20,675 to provide for any necessary change orders. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (Contracts for professional or unique services). (Contract No. 31130)

Ara Maloyan, Director of Public Works, and Charles Peretz, Public Works Administrator, responded to questions regarding grant funds that were lost by the City related to the Oak Grove Area Improvement Project.

Councilmember Wilson expressed concerns with the loss of funding and asked the City Manager to determine what actions can the City take to ensure that such losses do not occur in the future.

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**RECOMMENDATIONS FROM  
OFFICERS AND  
DEPARTMENTS**

**SUBMITTAL OF A LETTER TO THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO) REGARDING THE STATE ROUTE 710 NORTH EXTENSION EARLY ACTION PROJECTS LIST**

**Recommendation:**

- (1) Find that the following proposed action is exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3)(General Rule); and
- (2) Authorize the Mayor to send a letter to Metro on behalf of the City of Pasadena requesting funding for Early Action Projects within the City of Pasadena in lieu of the State Route 710 North Extension Tunnel Alternative.

**Recommendation of the Transportation Advisory Commission:** A draft list of potential projects was presented as an information item at the October 25, 2017, regular meeting of the Transportation Advisory Commission and suggestions for projects were received.

Fred Dock, Director of Transportation, and Steve Boland, Senior Associate Nelson/Nygaard (the City's consulting associate), provided PowerPoint presentations, and responded to questions.

Councilmember Madison spoke in favor of the staff recommendation, and suggested that staff consider utilizing Orange Grove Boulevard as an additional artery for commuter traffic.

Councilmember Hampton, distributed handouts submitted by David Wolfe (public speaker), spoke in favor of waiving transit fees for college and high school students, and asked staff to consider including electric buses as part of the City's request for funding for Early Action Projects.

Councilmember Gordo encouraged staff to reach out to the individuals in the community that have advocated for greening the freeway overpasses to increase pedestrian safety and walkability, as a possible additional project; and stated his preference that METRO funds be used to fix the "concrete canyon" on the 210 stub and corridor. In addition, Mr. Gordo expressed concerns with any strategy that would de-emphasize Orange Grove Boulevard as a thoroughfare through the City, citing potential impacts and congestion to surrounding neighborhoods.

Councilmember McAustin, member of the Arroyo Verdugo Communities Joint Powers Authority, reported that the Governing Board's next action item is to approve the process of a Request for Proposals for the consultants for Measure M 5-year Multi-Year Subregional Program; and spoke on the challenges of prioritizing the six-entity allocation dates and funds.

Vice Mayor Kennedy asked staff to consider providing internships to the City's young residents to provide them with skill sets related to the City's Transportation Department, including reaching out to the Transportation Advisory Committee for their assistance. In addition, Mr. Kennedy asked staff to provide data regarding emergency vehicle response times from the east City limits to Huntington Hospital to the City Council.

Councilmember Wilson asked that a nexus study be completed on the significant impact of north and south cut-through traffic on El Molino Avenue and Oak Knoll Avenue, which may fall under the 710 mitigation service area project list in order to utilize Measure M funds to mitigate the impacts.

The following individuals spoke in favor on various aspects of the proposed recommendation, and provided comments and/or suggestions:

Sarah Gavit, West Pasadena Residence Association  
Blair Miller, Transportation Advisory Commission  
Colin Bogart, Pasadena resident  
David Azevedo, Pasadena resident  
Dr. Gene Wester, Pasadena resident  
Pilar Reynaldo, Los Angeles resident  
Misch Anderson, Pasadena Complete Streets Coalition  
David Wolf, Pasadena resident  
Deborah Dentler, Pasadena resident  
Rachel Wing, Pasadena resident  
West Reutmann, Pasadena resident  
Dorothy Wong, Altadena resident  
Greg Gunther, Pasadena resident  
Jasmine De La Torre, Altadena resident  
Peaches Forte-Woods, Pasadena resident  
Jennifer Jimenez, Pasadena resident

Councilmember McAustin requested an update on the parking projects associated with Washington Boulevard.

Councilmember Masuda requested information on the schedule of public information meetings related to Orange Grove Boulevard road diet.

Following discussion, it was moved by Councilmember Madison, seconded by Vice Mayor Kennedy, to approve the staff recommendation, amended to recommend as part of the City's funding request to replace the City's transit fleet of buses with electric buses, and to provide transit passes for Pasadena college students and Pasadena Unified School District high school students travelling to and from school. (Motion unanimously carried) (Absent: None)

**PROPOSED FISCAL STRATEGY TO MAINTAIN CITY SERVICE LEVELS AND ADDRESS NEEDED CAPITAL INVESTMENT**

**Recommendation:** It is recommended that the City Council endorse the proposed fiscal strategy outlined in the agenda report to maintain City service levels and address needed capital investment and direct staff to return to the City Council as appropriate to proceed with a revenue measure and an advisory vote on the November 2018 ballot.

Steve Mermell, City Manager, and Matt Hawkesworth, Director of Finance, jointly provided a PowerPoint presentation on the item, and responded to questions.

Vice Mayor Kennedy cited the need to fund additional affordable housing in the City and spoke in favor of staff's recommendation. He also questioned whether the proposed fiscal strategy was reviewed by the Finance Committee.

In response to the Vice Mayor's comments, the Mayor stated that the Finance Committee will review and discuss the staff recommendation at their next meeting.

Councilmember Madison stated his belief that staff's revenue projections may be too conservative, especially during the current upswing in the economy; asked staff to consider alternatives to a revenue measure, such as a tax on business-based revenue, or a property tax assessment to fund services provided by fire stations; and expressed concerns with the City providing tax revenue to the Pasadena Unified School District (PUSD) without having oversight on how the funds will be utilized.

Councilmember Member Masuda reported on receiving support from many of his constituents related to a tax measure to maintain City service levels.

Councilmember Wilson asked staff to provide projected fiscal trends beyond Fiscal Year 2023 and to provide narrative on the City's long-term solutions to offset increases in the City's operating costs; and stated his preference that prior to providing tax generated funds to PUSD, the School District will need to provide transparent and accountable budgeting. In addition, Mr. Wilson asked staff to consider structuring the tax measure in such a way that if the advisory measure for PUSD is not approved, the City would only collect a half percent sales tax rather than the full three-quarter percent proposed. Finally, he requested additional information regarding the dates other municipalities passed local revenue measures to gauge the trends in terms of increased numbers of local tax revenue efforts.



Councilmember McAustin requested information on other revenue opportunities, specifically any measures akin to tax exempt voluntary payments to institutions, such as those that involve large scholastic institutions, where supporters of the City and School District can agree to pay an additional assessment as part of property tax payments; and requested additional information on the services and infrastructure projects that will receive investment and funding from the tax measure to provide City residents with as much information as possible.

Councilmember Gordo expressed concerns with voter fatigue related to taxes, citing the recent Los Angeles County tax measure to counter homelessness, and asked staff to consider and provide information to the City Council on all other alternatives to a tax measure, with the information to be provided to the community for comment and feedback. Mr. Gordo asked for a historical comparison of year-by-year budget projections to budget actuals, to gain a better understanding of budget projections vs. actual budget outcomes. In addition, Mr. Gordo stated the need for the City to understand the PUSD's financial position and in what capacity the additional funding will be utilized, including potential reporting requirements to the Finance Committee or City Council, to ensure accountability.

The Mayor agreed with the suggestion that staff investigate the possibility of a structured tax measure that would reduce the City's collection of tax revenues to a half percent if voters reject an advisory measure to share tax revenue with PUSD. The Mayor, however, cautioned the City Council to be mindful that PUSD is an elected body, and as such, are responsible for their budget, and expressed concerns in placing PUSD in a subordinate role to the City.

Following discussion, by consensus of the City Council, and on order of the Mayor, the information was received and filed.

#### COUNCIL COMMENTS

Councilmembers Gordo and Hampton, were excused and left the dais at 11:24 p.m. and 11:25 p.m., respectively

Councilmember Wilson spoke on the annual, 2018 Pasadena Homeless Count, held on January 23, 2018, which he participated, and thanked all the volunteers who engaged in this important effort.

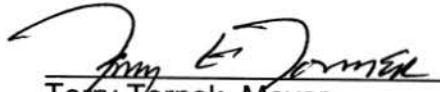
Councilmember Madison, spoke on Fred Korematsu Day of Civil Liberties and the Constitution, which is celebrated annually on January 30 to commemorate Mr. Korematsu's journey as a civil rights activist.

The Mayor spoke on the well-attended Red, Black & Green Honors Dinner held on January 27, 2018, which celebrates Martin Luther King, Jr., and Black History Month, and honors local people who make a difference in the community; and thanked the City staff for their hard work on organizing this successful event. He also

reported on the Pasadena Armenian Genocide Memorial Appreciation Dinner, held on January 25, 2018, which honors volunteers, partners, and sponsors of the important Pasadena Armenian Genocide Memorial Project that is located in Memorial Park.

**ADJOURNMENT**

Following discussion, on order of the Mayor, the regular meeting of the City Council adjourned at 11:26 p.m.

  
Terry Tornek, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk