

CITY OF PASADENA
City Council Minutes
July 9, 2018– 5:30 P.M.
City Hall Council Chamber

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
regarding pending litigation pursuant to Government Code
Section 54956.9(d)(1)

Name of Case: Scott Shuster v. City of Pasadena et al
LASC Case No.: BC681038

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6

Agency Designated Representatives: Jennifer Curtis and
Steve Mermell

Employee Organization: Pasadena Police Officers
Association (PPOA)

**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

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

On order of the Mayor, the regular meeting reconvened at 6:40 p.m. The pledge of allegiance was led by Councilmember Masuda.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor John J. Kennedy
Councilmember Victor Gordo (Absent)
Councilmember Tyron Hampton
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Margaret McAustin
Councilmember Andy Wilson

Councilmember Hampton
arrived at 6:25 p.m.

Staff:

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

CEREMONIAL MATTERS

Dr. Janice Lee, Chair of AstroFest 2018, presented a PowerPoint presentation on the 42nd assembly of the Committee on Space Research (COSPAR), and Astro-Fest 2018, a week-long series of space-themed events and activities taking place in Pasadena. Dr. Lee accepted a proclamation declaring July 14, 2018 through July 20, 2018 as "Astronomy Week" in the City, and introduced the members of the various partnership organizations that will participate in Astro-Fest 2018.

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

The following individuals advocated for permanent supportive housing for seniors, urged the City to move forward with construction of the Heritage Square South Housing project, and/or distributed correspondence:

Sandra Olewine, Pasadena resident
Anthony Manousos, Greater Pasadena Affordable Housing
Group (GPAHG)
Larinda Hawkins Smith, GPAHG
Jill Shook, GPAG

Emanuel Najera, Pasadena resident, expressed concerns regarding issues related to the use and City scheduling of the Victory Park baseball field.

Christopher Sutton, Attorney representing several Caltrans tenants, distributed photos of dilapidated structures of Caltrans property located in Pasadena, and asked the City to pursue code enforcement actions against Caltrans.

In response to the Vice Mayor Kennedy's inquiry related to the Caltrans properties, City Manager Mermell confirmed that the Director of Planning and Community Development would investigate and pursue these issues. He also stated his intention to meet with the Mayor, Vice Mayor and City staff regarding the status of Caltrans properties.

Hazel Clayton Harrison, Pasadena Rose City Poets, recited poetry.

William Meurer, Go Green Solutions, spoke on the health dangers of radio and cellular radio frequency signals; and asked the City to prohibit all permits for 5G deployments in the City.

In response to the public comment, Vice Mayor Kennedy requested that City staff review the information provided by the public speaker and provide a report to the City Council.

City Manager Mermell, stated that the City may be limited in affecting the placement of cellular equipment due to State legislation, but committed to conferring with City Attorney staff to determine the City's standing in these matters; with the outcome of that discussion to be reported back through either the Municipal Services Committee or Public Safety Committee.

Vice Mayor Kennedy introduced his new City Council District Liasons, Alfred Carr and Roberto Alvarez.

CONSENT CALENDAR

APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA MANAGEMENT ASSOCIATION FOR THE TERM OF JULY 1, 2018 – JUNE 30, 2020

Recommendation:

(1) Find that the action proposed in the agenda report is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines and, as such, is not subject to environmental review; and

(2) Approve a Memorandum of Understanding (MOU) between the City of Pasadena (City) and the Pasadena Management Association (PMA) for the term of July 1, 2018 through June 30, 2020. (Contract No. 22,969)

ADOPTION OF A RESOLUTION AUTHORIZING PRE-TAX TREATMENT OF COST-SHARING CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM PAID BY MEMBERS OF THE PASADENA MANAGEMENT ASSOCIATION UNDER SECTION 414(H)2 OF THE INTERNAL REVENUE CODE

Recommendation:

(1) Find that the action proposed in the agenda report is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines and, as such, is not subject to environmental review; and

(2) Adopt a resolution to authorize the pre-tax treatment of cost-sharing contributions paid by members of Pasadena Management Association (PMA) to the California Public Employees' Retirement System. (Resolution No. 9662)

ESTABLISH NEW CLASSIFICATIONS AND SALARIES

Recommendation:

(1) Find that the action proposed in the agenda report is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section

15378(b)(2) of the State CEQA Guidelines and, as such, is not subject to environmental review; and

(2) Adopt a resolution, establishing new classifications and setting salary control rates and step schedules. (Resolution No. 9663)

CONTRACT AWARD TO ECONOLITE SYSTEMS, INC., FOR INTELLIGENT TRANSPORTATION SYSTEM (ITS) DEVICE MAINTENANCE SERVICES

Recommendation:

(1) Find this action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), Review for Exemption, General Rule; and

(2) Accept the bid dated May 16, 2018, from Econolite Systems, Inc., for Maintenance Services for Intelligent Transportation System (ITS) Devices; reject all other bids; and authorize a contract for a three year term in an amount not-to-exceed \$226,536 (\$75,512 a year), which includes a 10% contingency. (Contract No. 31261)

APPROVE CALIFORNIA ENERGY COMMISSION ("CEC") SENATE BILL ("SB") 1368 EMISSION PERFORMANCE STANDARDS COMPLIANCE FILING FOR THE INTERMOUNTAIN POWER PROJECT ("IPP") RENEWAL PROJECT

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 IPP Renewal Project; and

(2) Authorize the General Manager of the Department of Water and Power to submit the revised CEC SB 1368 Emission Performance Standards compliance filing for the IPP Renewal Project.

Item discussed separately

AUTHORIZATION TO AMEND CONTRACT NO. 22304 WITH MICHAEL BAKER INTERNATIONAL TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT BY \$350,000 FROM \$1,000,000 TO \$1,350,000 FOR CONTRACT PLANNING SERVICES

CONTRACT WITH WOODARD & CURRAN FOR PREPARATION OF THE WATER SYSTEM AND RESOURCES PLAN

Recommendation:

(1) Find that the proposed contract authorization is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15262, Feasibility and Planning Studies; 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 Woodard & Curran for preparation of the Water System and Resources Plan for an amount not-to-exceed \$660,000. (Contract No. 31260)

PURCHASE ORDER AWARD TO GANAHL LUMBER COMPANY FOR HARDWARE AND LUMBER SUPPLIES FOR AN AMOUNT NOT-TO-EXCEED \$102,744

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 a significant effect on the environment; and

(2) Accept the bid dated May 29, 2018, submitted by Ganahl Lumber Company (Ganahl) in response to the specifications for lumber and hardware supplies, reject all other bids received, and authorize the City Manager to enter into such purchase order for an amount not-to-exceed \$102,744 for a three-year period, inclusive of Consumer Price Index increases, and two one-year options in an amount not-to-exceed \$34,248 annually, subject to the approval of the City Manager, for a maximum purchase order length of five years and a total purchase order amount of \$171,240.

FINANCE COMMITTEE: AMENDMENTS TO THE FISCAL YEAR 2019 GENERAL FEE SCHEDULE TO ADD ELECTRIC VEHICLE CHARGING FEES

Recommendation:

(1) Find that the proposed 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) Adopt a resolution amending the Fiscal Year 2019 General Fee Schedule for Electric Vehicle ("EV") charging as detailed in the "Proposed Fee Schedule Amendments" section of the agenda report. (Resolution No. 9664)

RESIGNATION OF STEVE OLIVAS FROM THE ROSE BOWL AQUATICS CENTER BOARD (City Nomination)

APPOINTMENT OF MARTHA WARREN-ROSENFELD TO THE HUMAN SERVICES COMMISSION (District 7 Nomination)

APPOINTMENT OF KEN CHAWKINS TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (District 6 Nomination)

ADOPTION OF A RESOLUTION ACCEPTING THE CERTIFICATE OF CANVASS OF ELECTION RETURNS AS PREPARED AND CERTIFIED BY THE LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK FOR THE PASADENA SPECIAL MUNICIPAL ELECTION CONSOLIDATED WITH THE JUNE 5, 2018 STATEWIDE GUBERNATORIAL PRIMARY ELECTION

Recommendation:

(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; and

(2) Adopt a resolution accepting the Certificate of Canvass of Election Returns (Exhibit A to the resolution) as prepared and certified by the Los Angeles County Registrar-Recorder/County Clerk for the Pasadena Special Municipal Election, which was consolidated with the Statewide Gubernatorial Primary Election held on June 5, 2018. (Resolution No. 9661)

MINUTES APPROVED

June 11, 2018

CLAIMS RECEIVED

Claim No. 13,115	Arman Tahmizyan	\$ 5,850.00
Claim No. 13,116	Michael K. Spinelli	10,000.00+
Claim No. 13,117	Veda M. Scott	35,000.00
Claim No. 13,118	Elizabeth McCleery Phelps	25,000.00+

PUBLIC HEARING SET

August 27, 2018, 7:00 p.m. - Proposed Adjustments to Inclusionary In-Lieu Fee Rates

It was moved by Councilmember Masuda, seconded by Councilmember Hampton, to approve all items on the Consent Calendar, with the exception of Item 6 (Authorization to Amend Contract No. 22304), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Gordo)

CONSENT ITEM
DISCUSSED SEPARATELY

AUTHORIZATION TO AMEND CONTRACT NO. 22304 WITH MICHAEL BAKER INTERNATIONAL TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT BY \$350,000 FROM \$1,000,000 TO \$1,350,000 FOR CONTRACT PLANNING SERVICES

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) (General Rule);
- (2) Authorize the City Manager to amend Contract No. 22,304 with Michael Baker International to increase the contract amount by \$350,000, thereby increasing the total not-to-exceed amount from \$1,000,000 to \$1,350,000; and
- (3) To the extent this could be considered a separate procurement subject to the Competitive Selection Process, it is recommended that the City Council grant the contract an exemption pursuant to Pasadena Municipal Code (P.M.C.) Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 22,304)

David Reyes, Director of Planning and Community Development, provided introductory comments, and Alex Hernandez, Management Analysis, provided a PowerPoint presentation on the item, and responded to questions.

Following discussion, Councilmember Madison requested that staff provide drafts of similar proposed contracts as part of agenda material presented to the City Council in the future.

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

PUBLIC HEARING

PUBLIC HEARING: PLANNED DEVELOPMENT 36 – 3200 EAST FOOTHILL BOULEVARD MIXED USE PROJECT: 3200 EAST FOOTHILL BOULEVARD

Recommendation: It is recommended that, following a public hearing, the City Council:

- (1) Adopt a resolution approving the sustainable Communities Environmental Assessment (SCEA) (SCH No. 2018021017), adopting findings, and adopting the Mitigation Monitoring and Reporting Program (MMRP);
- (2) Adopt the Land Use Findings (Attachment A of the agenda report) for a Zone Map Amendment to change the zoning of the site from EPSP-d2-IG-B4 (East Pasadena Specific Plan, subarea

- d1, general industrial district) to Planned Development (PD) 36;
- (3) Adopt the Land Use Findings (Attachment A of the agenda report) to establish PD36 – 3200 East Foothill Boulevard Planned Development with the Conditions of Approval in Attachment B of the agenda report;
 - (4) Direct the City Attorney to prepare an Ordinance for a Zone Map Amendment to change the zoning of the site from EPSP-d2-IG-B4 (East Pasadena Specific Plan, subarea d1, general industrial district) to establish PD 36; and
 - (5) Direct the City Clerk to file a Notice of Determination with the Los Angeles County Recorder. (Resolution No. 9665)

The City Clerk opened the public hearing and reported that 490 copies of the notice were mailed and 45 copies of the notice were posted on June 25, 2018; and that the City Clerk's office received 4 letters in favor and 2 letters in opposition to the item, and one letter providing comments, which were distributed and made part of the public hearing record.

David Reyes, Director of Planning and Community Development, David Sanchez, Principal Planner, and John Bellas, provided a PowerPoint presentation on the item. Mike Bagheri, Transportation Development Manager, responded to questions related to vehicular and pedestrian access on Santa Paula Avenue on the proposed project.

Vice Mayor Kennedy cited a news article in the Los Angeles Times, dated March 2, 2018, which focused on the topic of residential development near freeways and related health concerns for residents living in close proximity to freeways, and expressed concerns regarding the impacts to residents of the City from unhealthy air particles.

Councilmember Hampton suggested that the City's Zoning Code be amended to increase the number of required electrical vehicle charging stations for large developments.

Brad Cox and Jim Andersen, representing Trammel Crow Company, provided introductory comments, and Simon Ha, Steinberg Hart, and Scott Baker, representing RELM Landscape Architecture, and Dale Goldsmith, Armbruster Goldsmith & Delvac LLP (all representing the applicant), provided a PowerPoint presentation on various aspects of the proposed mixed-use project; and responded to questions.

The following individuals spoke in opposition to the staff recommendation and/or provided comments and/or suggestions on various aspects of the staff recommendation:

Kevin Castaing, Pasadena resident
Josh Bourgeois, Golden State Environmental Justice Alliance
Peter Matthiessen, Pasadena resident
Kevin Cloud Brechner Pasadena resident
James Brenna, Lower Hasting Ranch Association (LHRA)
Diane Kiry, LHRA

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

Albert Duarte, Iron Workers Local 416
Paul Little, Pasadena Chamber of Commerce
Clarence Broussard, Sylmar resident
Ron Johnson, Pasadena resident
Carmen MacKinlay, Los Angeles resident
Don Fedde, Pasadena resident
Violet Coker, Carpenters/Contractors Cooperation Committee
Dawn Marchand, John Muir High School
Joy Forbes, Pasadena resident
Angeli Dilucca, Pasadena resident
Ben Caras, Pasadena resident
Sue Mossman, Pasadena Heritage
Mike Neumeister, Pasadena resident

Councilmember Wilson asked the applicant representatives to ensure that the Foothill Boulevard entrance is deemphasized and to keep to their transportation plan by funneling traffic to Kinneloa Avenue, for traffic purposes and the circulation of the open space design access point; and spoke in support of the proposed project.

Councilmember Masuda thanked the development team for reaching out to the surrounding neighborhoods to inform them of the proposed project, and stated that he will not support the project due to: health risks concerns with the development close to the freeway, the unknown severity of the toxic chemicals in the soil, the number of parking spaces to be provided that may negatively affect street parking for surrounding businesses, the aggregate of the number of units in the area, concerns of additional traffic and congestion along Sierra Madre Villa and Foothill Boulevard, accessibility to Fire Station 37, and additional congestion impacts to the freeway entrance and exit on Sierra Madre Villa.

Councilmember Madison spoke in support of the proposed project. He highlighted the important benefit the project provides in adding the much needed 69 on-site affordable housing units to the City's housing stock, as well as additional benefits for the City in terms of future residential impact fees (RIF) that will be collected if the project moves forward. He also noted that one potential use for the RIF fees could include the renewal of an ice rink project in the area.

Councilmember McAustin spoke on the need for the City's Economic Development staff to provide assistance to the surrounding business owners. She also noted the tremendous need for housing in the City, which the proposed project will provide; and stated her support for the project, which is consistent with the City's General Plan.

Vice Mayor Kennedy stated he will not support the project as it does not, in his opinion, provide safe and healthy housing for future residents of the project, especially given concerns regarding detrimental impacts associated with particulate pollution adjacent to freeways. He questioned staff regarding the testing conducted by the City, in comparison with State standards, and in comparison with past projects such as the Westgate development near the 210 Freeway stub.

The Mayor stated his support of the proposed project, which he believes is consistent with the planning polices for the sight and area; and emphasized the proposed construction includes the clean-up of a toxic site, and the supply of 69 affordable residential units.

Following discussion, it was moved by Councilmember Masuda, seconded by Councilmember Wilson, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Gordo)

Councilmember Madison requested that due to the size and importance of the project, this item be continued to a future City Council meeting when all Councilmembers are present.

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

- AYES: Councilmembers Hampton, Masuda, Vice Mayor Kennedy
- NOES: Councilmembers Madison, McAustin, Wilson, Mayor Tornek
- ABSENT: Councilmember Gordo

ABSTAIN: None
(MOTION FAILED)

Following further discussion, it was moved by Councilmember Madison, seconded by Councilmember McAustin to approve the Staff Recommendation No. 1:

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

NOES: None

ABSENT: Councilmember Gordo

ABSTAIN: None

Following further discussion, the Mayor stated that this item will be re-agendized at a future City Council meeting for further consideration and discussion when the full City Council is present.

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW OF A NEW MIXED-USE DEVELOPMENT AT 740-790 EAST GREEN STREET, 118 SOUTH OAK KNOLL AVENUE AND 111 SOUTH HUDSON AVENUE

Recommendation: This report is intended to provide information to the City Council; no action is required.

David Reyes, Director of Planning and Community Development Services, provided introductory comments and Luis Rocha, Planner, provided a PowerPoint presentation on the item, and responded to questions.

Richard McDonald, representing the applicant, provided updated information on the proposed project, and Sherwin Pineda, MVE + Partners, presented a PowerPoint presentation on their proposed design modification on the project; and responded to questions.

Vice Mayor Kennedy expressed concerns with the predevelopment review process where staff is not presenting the most updated information.

Councilmembers Wilson and Hampton, and Mayor Tornek expressed concerns with the size, massing and density of the proposed project, including the elevation on the south side of the site; and expressed hopes that the applicant will reduce the mass and scale of the proposed project.

Councilmember Hampton stated his preference that this project include solar panels.

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

COUNCIL COMMENTS

The Mayor reported on his trip to the Sister City of Ludwigshafen, Germany, celebrating 70 years of its connection with Pasadena, and his visit to Järvenpää, Finland, celebrating 35 years of its connection with the City, and thanked the Pasadena Sister Cities Committee for their assistance in organizing these trips.

Councilmember McAustin spoke on the extremely hot temperatures in the City and the importance of taking care of the Water and Power infrastructures, and expressed appreciation and gratitude to all Water and Power staff for their work.

In response to Councilmember McAustin's inquiry related to Heritage Square South, City Manager Mermell stated that the item has not been discussed at the Economic Development and Technology (EDTech) Committee due to meeting cancellations, however the item is agendized for the July 17, 2018 EDTech meeting. The Mayor stated that if EDTech does not discuss the item on July 17, 2018, Heritage Square South will be agendized at a future City Council meeting.

Councilmember Hampton also spoke on the hot temperatures and advocated for mandatory installation of solar panels on new construction.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:44 p.m.



Terry Tornek, Mayor
City of Pasadena

ATTEST:



City Clerk