

CITY OF PASADENA
City Council Minutes
December 10, 2018– 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:40 p.m. (Absent: Vice Mayor Kennedy)

On the order of the Mayor, the regular meeting recessed at 5:40 p.m. to discuss the following closed session:

CONSIDERATION OF INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(d)(4): One potential case

The above closed session item was discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:30 p.m. The pledge of allegiance was led by Vice Mayor Kennedy.

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

CEREMONIAL MATTERS

The City Clerk administered the oaths of office to Valinda M. Bowens as Commissioner on the Status of Women, Tammy Silver as South Lake Parking Place Commissioner, and Michelle Leon as Arts & Culture Commissioner.

Human Resources Director Jennifer Curtis and Mayor Tornek, along with Interim Chief of Police John Perez, and Michelle Perera, Library Director, recognized the following City employees for 35 years of dedicated service to Pasadena:

35 Years of Service

Marcia Taglioretti, Police Department
William Shipman, Police Department
Nicholas Smith, Information Services
Michael Villalovos, Police Department (not present)

The City Council thanked the staff for their many years of dedicated service to the City.

ORGANIZATIONAL MEETING

The Mayor announced it was time for the Organizational meeting of the City Council.

ELECTION OF VICE MAYOR

The Mayor noted that the timing of the City Council's Organizational meeting has now transitioned to the City's new voting cycle coinciding with statewide election dates. He stated that the current term of Vice Mayor Kennedy will not expire until May 6, 2019, and that the proposed action is to elect a new Vice Mayor whose term would cover the period beginning May 6, 2019 and ending December 14, 2020. The Mayor then opened the floor for nominations for Vice Mayor.

It was moved by Vice Mayor Kennedy, seconded by Councilmember Gordo, to nominate Tyron Hampton as Vice Mayor, for a term beginning May 6, 2019 and expiring on December 14, 2020. There being no further nominations, the Mayor declared the nominations closed, and directed the City Clerk to conduct a roll call vote, as follows:

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

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Pastor Burnes, Pasadena Panthers, thanked the City Council, and City staff for preserving the City's green space for recreational use; and spoke in favor of appointing John Perez as the Chief of Police.

Sylvia Holmes, Pasadena resident, spoke on the United Nations climate change report and urged the City to take actions to address climate change.

Robert Hall, residence not stated, spoke on legislation related to carbon dioxide emissions and the City's Integrated Resource Plan.

CONSENT CALENDAR

This consent calendar was reconsidered; see page 13 for additional information

AUTHORIZE INCREASE TO CONTRACT NO. 30458 WITH TEDRAS GLOBAL SOLUTIONS, LLC. BY \$162,500 FOR A TOTAL NOT-TO-EXCEED OF \$612,500 FOR ADDITIONAL PROJECT MANAGEMENT SERVICES FOR THE ENTERPRISE LAND MANAGEMENT SYSTEM PROJECT

Recommendation:

- (1) Find that the proposed contract is 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 increase Contract No. 30458 with Tedras Global Solutions, LLC., by \$162,500, thereby increasing the total not-to-exceed amount from \$450,000 to \$612,500 and to extend the performance period to December 31, 2019; 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 (PMC) Section 4.08.049(B), contracts for which the City's best interests are served.

CONTRACT AWARD TO GRFCO, INC., FOR FISCAL YEAR (FY) 2018 STORM DRAIN STRUCTURE REPAIRS AND IMPROVEMENTS FOR AN AMOUNT NOT-TO-EXCEED \$171,000

Recommendation:

- (1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) 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 November 27, 2018, submitted by GRFCO, Inc., in response to the plans and specifications for Fiscal Year (FY) 2018 Storm Drain Structure Repairs and Improvements; reject all other bids received; and authorize the City Manager to enter into a contract not-to-exceed \$171,000, which includes the base contract amount of \$142,721 and a contingency of \$28,279 to provide for any necessary change orders. (Contract No. 31363)

CONTRACT AWARD TO DEKAN CONSTRUCTION CORPORATION FOR GRANT PARK VARIOUS IMPROVEMENTS FOR AN AMOUNT NOT-TO-EXCEED \$308,800

Recommendation:

- (1) Find that the project proposed in the agenda report is categorically exempt under the California Environmental Quality Act (CEQA) 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 October 24, 2018, submitted by Dekan Construction Corporation in response to the Project Plans and Specifications for Grant Park Various Improvements; reject all other bids received October 24, 2018; and authorize the City Manager to enter into a contract not-to-exceed \$308,800, which includes the base contract amount of \$228,720 and a contingency of \$80,080 to provide for any necessary change orders. (Contract No. 31362)

CONTRACT AWARD TO UNITED IRRIGATION, INC., FOR MISCELLANEOUS CONCRETE IMPROVEMENTS – FISCAL YEAR (FY) 2019 FOR AN AMOUNT NOT-TO-EXCEED \$581,000

Recommendation:

(1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Class 1, 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 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 November 16, 2018, submitted by United Irrigation, Inc., in response to the plans and specifications for Miscellaneous Concrete Improvements – Fiscal Year (FY) 2019; reject all other bids received; and authorize the City Manager to enter into a contract not-to-exceed \$581,000, which includes the base contract amount of \$464,750 and a contingency of \$116,250 to provide for any necessary change orders. (Contract No. 31364)

RESOLUTION ELECTING TO JOIN OTHER COMMUNITIES IN LOS ANGELES COUNTY IN OPTING OUT OF THE REQUIREMENTS OF THE CONGESTION MANAGEMENT PROGRAM ESTABLISHED IN 1990 BY PROPOSITION 111

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) Adopt a resolution electing to be exempt from the Congestion Management Program (CMP) in accordance with the CMP State statute. (Resolution No. 9694)

APPROVAL OF AMENDMENT TO THE PASADENA TOURNAMENT OF ROSES ASSOCIATION MASTER LICENSE AGREEMENT REGARDING USE OF THE ROSEMONT PAVILION (NO. 20,502)

Recommendation:

(1) Find that the action proposed in the agenda report is exempt from environmental review pursuant to the California Environmental Quality Act ("CEQA") State Guidelines Section 15301 (Existing Facilities); and

(2) Authorize the City Manager to sign an amendment to the Amended and Restated Master License Agreement with the Pasadena Tournament of Roses Association regarding the use of the Rosemont Pavilion as set forth in the agenda report. (Contract No. 20,502-4)

FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT – QUARTER ENDING SEPTEMBER 30, 2018

Recommendation: This report is for information only.

FINANCE COMMITTEE: ANNUAL ADJUSTMENTS TO THE FISCAL YEAR 2019 SCHEDULE OF TAXES, FEES, AND CHARGES RELATED TO NEW YEAR'S DAY AND THE ROSE BOWL

Recommendation:

(1) Find that the proposed rate increases are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3)(General Rule); and

(2) Approve the scheduled rate increases effective February 1, 2019 for the Grandstand Permit Application, the Rose Bowl Admission Tax, and for the New Year's Day Related Business Grandstand Seat Surcharge as set forth in the agenda report.

This item was reconsidered; see page 13 for additional information

FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2019 CAPITAL IMPROVEMENT PROGRAM BUDGET AND AUTHORIZE AMENDMENTS TO CONTRACTS WITH YAKAR (CONTRACT NO. 31113), AWI BUILDERS, INC., (CONTRACT NO. 30791), TYLER TECHNOLOGIES, INC. (CONTRACT NO. 21,641); AND AMENDMENT TO PURCHASE ORDER WITH INTELLITIME SYSTEM CORPORATION (PURCHASE ORDER NO. 1191249)

Recommendation:

(1) Find that the proposed actions are not "projects" 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, are not subject to environmental review;

(2) Amend the Fiscal Year (FY) 2019 Capital Improvement Program Budget and the FY 2019 Operating Budget as detailed in Attachment A of the agenda report;

(3) Authorize the City Manager to amend Contract No. 31113 with Yakar to increase the contract amount by \$75,000 for a total not-to-exceed amount of \$2,095,000;

(4) Authorize the City Manager to amend Contract No. 30791 with AWI Builders, Inc., to increase the contract amount by \$250,000 for a total not-to-exceed amount of \$7,965,300;

(5) Authorize the City Manager to amend Contract No. 21,641 with Tyler Technology, Inc., to extend the performance term period of the contract to June 30, 2019; and

(6) Authorize the City Manager to amend Purchase Order (PO) No.1191249 with Intellitime Systems Corporation to increase the PO amount by \$150,000 for a total not-to-exceed amount of \$432,725.

ADOPTION OF A RESOLUTION ACCEPTING THE "CERTIFICATE OF THE CANVASS OF THE ELECTION RETURNS" AS PREPARED AND CERTIFIED BY THE LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK FOR THE PASADENA GENERAL MUNICIPAL ELECTION CONSOLIDATED WITH THE NOVEMBER 6, 2018 STATEWIDE GENERAL 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 the Canvass of the Election Returns" (Exhibit A to the resolution) as prepared and certified by the Los Angeles County Registrar-Recorder/County Clerk for the Pasadena General Municipal Election, consolidated with the Statewide General Election held on November 6, 2018. (Resolution No. 9695)

CLAIMS RECEIVED

Claim No. 13,198	Ira N. Katz, Esq, representing Minas Minasian	\$ 25,000.00+
Claim No. 13,199	Law Offices of Joe C. Hopkins, representing Silas Fuller	25,000.00+
Claim No. 13,200	Carrie M. Alston	149.00

It was moved by Vice Mayor Kennedy, seconded by Councilmember McAustin, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**ADOPT AND APPROVE PASADENA WATER AND POWER
2018 POWER INTEGRATED RESOURCE PLAN,
RENEWABLE PORTFOLIO STANDARD PROCUREMENT
PLAN, AND RENEWABLE PORTFOLIO STANDARD
ENFORCEMENT PROGRAM**

Recommendation:

- (1) Find that the proposed actions are categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15262 and 15271;
- (2) Approve and adopt the 2018 Power Integrated Resource Plan ("IRP") (Attachment 1 to the agenda report); and
- (3) Approve and adopt the revised Renewable Portfolio Standard ("RPS") Procurement Plan (Attachment 2 to the agenda report) and RPS Enforcement Program (Attachment 3 to the agenda report), as amended, to be consistent with the recommended 2018 Power IRP.

Recommendation of the Environmental Advisory Commission: The Environmental Advisory Commission recommended that the City Council approve the staff recommendations at its November 13, 2018 meeting.

Recommendation of the Municipal Services Committee: The Municipal Services Committee recommended that the City Council approve these recommendations at its November 27, 2018 meeting, with one member abstaining, provided that Council consideration was deferred by one week to allow additional time for Councilmembers to review and consider the IRP report and supporting documents.

Mandip Samra, Power Resource Planning Manager, provided a PowerPoint presentation on the item, and responded to questions.

Councilmember McAustin, Chair of the Municipal Services Committee, spoke on climate change and global emissions, summarized various aspects of the IRP process, reported on the Committee's discussion, and spoke in favor of the staff recommendation.

City Manager Mermell and Gurcharan Bawa, General Manager of Water and Power, responded to questions related to the 2018 Power Integrated Resource Plan (IRP) process, the IRP average

rate increase, costs associated with the IRP, the City's energy sales, and charging stations in the City.

Councilmember Madison expressed concerns with staff's IRP average projection rate increase of 2.7%, as the amount is undersized for a twenty-year span. He asked staff to provide information on the applicability of solar requirements in the City in 2020 related to new multi-family construction, Accessory Dwelling Units (ADU), and major retrofit and/or remodel. He also advocated for additional electric vehicle charging stations in the City to promote the use of electric vehicles.

Vice Mayor Kennedy was excused and left the meeting at 7:49 p.m.

Eric Klinkner, Deputy General Manager of Water and Power, responded to questions related to a customer's ability to generate excess energy and net metering rules.

The following individuals provided suggestions and/or comments related to City's 2018 Power Integrated Resource Plan (IRP) :

Vicki Kirschenbaum, Burbank resident
Tom Brady, representing Pasadena 100
Rhoads Stephenson, La Canada resident
Ronald Goldstein, Altadena resident
Joel Haber, Pasadena resident

Councilmember McAustin thanked the staff for their excellent work on this complicated issue.. Councilmember Hampton thanked City staff, Councilmember McAustin, and the Municipal Services Committee members for the work involved with this item.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

AUTHORIZATION TO ENTER INTO A CONTRACT WITH TIBA PARKING SYSTEMS FOR THE PURCHASE AND INSTALLATION OF A NEW PARKING ACCESS AND REVENUE CONTROL SYSTEM

Recommendation:

- (1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to enter into a contract, as a result of a competitive selection process pursuant to Pasadena

Municipal Code Section 4.08.047, with TIBA Parking Systems for the purchase and installation of a new parking access and revenue control system (PARCS) for the Paseo Subterranean, Marengo, Los Robles, Holly Street, Del Mar Station, Schoolhouse, DeLacey and Marriott garages for an amount not-to-exceed \$3,258,594, which includes a 15 percent contingency; (3) Authorize the City Manager to enter into a ten year contract, with Tiba Parking Systems for the maintenance of PARCS not-to-exceed \$858,406, which includes a 15 percent contingency; and (4) Appropriate \$3,258,594 for capital purchase from Fund 407 Off-Street Parking Facilities unappropriated fund balance to the various garage organizations in Fund 407 as listed in the Fiscal Impact section of the agenda report. (Contract No. 31372; Budget Amendment No. 2019-15)

Jon Hamblen, Parking Manager, provided a PowerPoint presentation on the item, and responded to questions. Mike Woolson, Management Analyst III, responded to questions regarding parking structures owned by the City, and Tiba Parking Systems equipment locations. City Manager Mermell provided information on the financing of the proposed contract, and the City's request for proposals and selection process.

Councilmember Gordo was excused and left the meeting at 8:32 p.m.

Councilmember Hampton expressed concerns with the proposed vendor's bid and the high score awarded in the "Experience and Staff" category, while managing only four garages in Los Angeles County. He stated the he could not support the staff recommendation without a performance bond from the proposed vendor.

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

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

DISCUSSION REGARDING IMPLEMENTATION OF MEASURE J

Recommendation: It is recommended that the City Council form an ad hoc committee with members of the Board of Education to develop and present to the City Council within 60 days parameters for the implementation of Measure J.

City Manager Mermell provided a PowerPoint presentation related to the City's Ballot Measures I and J, summarized the agenda report; and responded to questions.

Councilmember Wilson asked staff to provide information on the number of students attending Learning Works Charter School versus the total Pasadena Unified School District (PUSD) school student population.

The following individuals advocated for the use of sales tax measure funds appropriated to support public schools to include Pasadena charter schools, and provided comment on the item:

Chris Copolillo, California Charter Schools Association
Anne Lee, Alma Forte Public School
Carlos Garcia Saldana, Odyssey Charter School South
Billy Maker, Pasadena resident
Shawn Brumfield, Pasadena Rosebud Academy Charter School

The following individuals provided comments and suggestions related to the sharing of revenues from the tax measures to support public schools, including advocating for the formation of a citizen committee:

Mike Kassarian, Pasadena resident
Emanuel Najera, Pasadena resident

In response to Mr. Najera's comments, the Mayor reported that the additional information on the allocation of the sales tax revenue collected under Measure I will be provided at the Mayor's State of the City Address on January 17, 2019.

Councilmember Madison asked staff to provide information on the number of Pasadena students attending charter schools; and expressed concerns with the framing of Measure J, and the lack of disclosure or clarity related to revenue sharing with PUSD in terms of charter school funding.

In responses to concerns, the Mayor acknowledged that the measure's ballot language (to support Pasadena public schools) was more generic than specifically referring to PUSD. However, he noted that the political messaging in the campaign specifically referred to supporting PUSD schools. He agreed with the need to understand the definition of "public schools" and stated his support for gathering information on the number of Pasadena students enrolled in Charter schools in the City, as well as

substantive difference between Pasadena charter schools and Los Angeles County Office of Education charter schools. The Mayor expressed support for the formation of an ad hoc committee, whose charge would be to explore such questions, and provide recommendations on how to address these issues.

Councilmember Madison stated his preference for a transactional approach for sharing Measure I revenues with PUSD, similar to the submission of grant projects/funding requests that include program goals, performance criteria, and auditing provisions. Councilmember Madison stated the following for the record, "I think it is incumbent on us to have some way of measuring the efficacy of these tax dollars that we are going to spend, because it's going to be a lot of money." He suggested as an example of support for the School District, the City could utilize the YWCA building as a potential future location for PUSD Administrative Offices. He also reiterated his request for creating a City staff position to serve in a liaison capacity between PUSD and the City, with duties similar to a grants manager.

Councilmember Wilson expressed concerns with utilizing Measure I and J revenue funds in a way that would not provide direct budgetary relief that the PUSD needs and Measure J promised; and spoke in support of an ad hoc committee developing financial accountability, boundaries and structure for the revenue tax funds provided to the School District.

Councilmember McAustin stated that she does not see the allocation of funds to PUSD as a transactional process, but rather foundational, supportive and a commitment from the City to its public schools. She spoke in favor of developing accountability measures for the tax revenues spent in support of the City's public schools, supported the creation of the proposed ad hoc committee, and expressed interest in serving as a committee member.

Councilmember Hampton spoke in support of the proposed ad hoc committee. He also suggested that the City's first payment to PUSD be made to School District's reserve account to alleviate issues involving the County's Office of Education; and expressed interest in becoming a member of the ad hoc committee. He also opposed having the City share sales tax revenue directly with Pasadena charter schools, but was open to the possibility of such an arrangement being part of the determination made by PUSD as to how best utilize these funds in support of public schools in the City.

Councilmember Wilson expressed support for Councilmember Hampton's suggestion that the first payment to PUSD be made towards the required 3% reserve account as an alternative to having PUSD make additional budgetary cuts.

Larry Torres, President PUSD, responded to questions related to Learning Works Charter School and PUSD students.

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember Masuda, to approve the staff recommendation to form an ad hoc committee as recommended in the agenda report. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Kennedy)

**ORDINANCE – FIRST
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF AND ADDING A NEW CHAPTER 12.10 TO TITLE 12 OF THE PASADENA MUNICIPAL CODE RELATED TO REGULATION OF SIDEWALK VENDORS”

The City Clerk reported on the correspondence received noting that it was distributed to the City Council and posted online. Michele Beal Bagneris, City Attorney/City Prosecutor, distributed a handout summarizing changes to the ordinance; and responded to questions. Theresa Fuentes, Assistant City Attorney, responded to questions related to the definition of “immediate vicinity” in the ordinance, and the second phase of proposed revisions to the PMC. City Manager Mermell reported that staff is developing additional regulations related to general vending in the public right-of-way to comply with new State regulations; and will provide an update to the City Council within the next few months.

Councilmember Hampton spoke on the need to protect the area surrounding the Rose Bowl, in particular the residential neighborhoods and the various alleyways in old told Pasadena.

Councilmember Madison asked staff to consider a broader period for displacement events at the Rose Bowl in the second phase of the sidewalk vendor regulations.

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

Nina Chomsky, Linda Vista-Annandale Association
Steve Mulheim, Old Pasadena Management
Mic Hansen, West Pasadena Residents' Association

Following discussion, the above ordinance was offered for first reading, as amended, by Councilmember Hampton:

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

NOES: None

ABSENT: Councilmember Gordo, Vice Mayor Kennedy

ABSTAIN: None

CONSENT CALENDAR

(Continued)

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Hampton to reconsider the sweep motion of all consent Item Nos.1 through 11. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Kennedy)

It was moved by Councilmember Madison, seconded by Councilmember McAustin, to approve all items on the Consent Calendar, with the exception of Item 9 (Amendments to Fiscal Year 2019 CIP Budget), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Kennedy)

Item discussed separately

FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2019 CAPITAL IMPROVEMENT PROGRAM BUDGET AND AUTHORIZE AMENDMENTS TO CONTRACTS WITH YAKAR (CONTRACT NO. 31113), AWI BUILDERS, INC., (CONTRACT NO. 30791), TYLER TECHNOLOGIES, INC. (CONTRACT NO. 21,641); AND AMENDMENT TO PURCHASE ORDER WITH INTELLITIME SYSTEM CORPORATION (PURCHASE ORDER NO. 1191249)

Recommendation:

- (1) Find that the proposed actions are not "projects" 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, are not subject to environmental review;
- (2) Amend the Fiscal Year (FY) 2019 Capital Improvement Program Budget and the FY 2019 Operating Budget as detailed in Attachment A of the agenda report; (Budget Amendment No. 2019-14)
- (3) Authorize the City Manager to amend Contract No. 31113 with Yakar to increase the contract amount by \$75,000 for a total not-to-exceed amount of \$2,095,000; (Contract No. 3113-1)
- (4) Authorize the City Manager to amend Contract No. 30791 with AWI Builders, Inc., to increase the contract amount by \$250,000 for a total not-to-exceed amount of \$7,965,300; (Contract No. 30791-2)
- (5) Authorize the City Manager to amend Contract No. 21,641 with Tyler Technology, Inc., to extend the performance term

period of the contract to June 30, 2019; and (Contract No. 21,641-5)

(6) Authorize the City Manager to amend Purchase Order (PO) No.1191249 with Intellitime Systems Corporation to increase the PO amount by \$150,000 for a total not-to-exceed amount of \$432,725.

The Mayor, Chair of the Finance Committee, summarized the Committee discussion on the item and reported that he failed to disclose that the Committee did not recommend the use of Residential Impact Fees requested as part of the budgetary change for CIP Item No. 7, Hahamongna – Implement Master Plan – Trail Development (77507). He spoke in favor of appropriating \$146,717 from the General Fund instead to close the project.

Ara Maloyan, Director of Public Works, responded to questions related to the status of the trail development project. City Manager Mermell spoke on the appropriateness of utilizing Residential Impact Fees in the amount of \$146,717 to close this project; and reported that he has asked Ruthe Holden, City Auditor, to review the grant management of this project.

Motion:

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember McAustin, to approve the staff recommendation, with the exception of budgetary change, item No. 7, Hahamongna – Implement Master Plan – Trail Development (77507) in the staff's agenda report, which was amended to appropriate \$146,717 in General Fund money, and unappropriate \$80,000 in Proposition A funds from the project. (MOTION WITHDRAWN)

Councilmembers Wilson and Madison stated that they would prefer to use RIF's than the General Fund, as the trail development project was eligible for RIF's.

Councilmember Madison expressed frustration with the loss of \$800,000 in grant funds for the project; and stated his preference that the \$146,717 needed to close the project come from the Public Works Department budget.

Councilmember McAustin and the Mayor expressed concerns with utilizing RIF's without providing a new park or an enhancement to an existing City park.

Emanuel Najera, Pasadena resident, spoke in favor of staff recommendation, specifically the budgetary change, item Number 7, Hahamongna – Implement Master Plan – Trail Development (77507) in the staff's agenda report, and appropriate \$146,717 in RIF's.

Motion: Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Hampton, to approve the staff recommendation, amended to change Item Number 7, Hahamongna – Implement Master Plan – Trail Development (77507), to appropriate \$146,717 from the City's General Fund, and unappropriate \$80,000 in Proposition A funds from the project:

AYES: Councilmembers Hampton, McAustin, Mayor Tornek

NOES: Councilmembers Madison, Masuda, Wilson

ABSENT: Councilmember Gordo, Vice Mayor Kennedy

ABSTAIN: None

(MOTION FAILED)

Motion: Following additional discussion, it was moved by Councilmember Madison, seconded by Councilmember Wilson, to approve the staff recommendation:

AYES: Councilmembers Madison, Masuda, Wilson

NOES: Councilmembers Hampton, McAustin, Mayor Tornek

ABSENT: Councilmember Gordo, Vice Mayor Kennedy

ABSTAIN: None

(MOTION FAILED)

Motion: Following further discussion, it was moved by Councilmember Madison, seconded by Councilmember McAustin, to approve the staff recommendation, amended to exclude any action on Item No. 7, Hahamongna – Implement Master Plan – Trail Development (77507) at this time. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Kennedy)

COUNCIL COMMENTS

Councilmember Madison spoke on an incident at the Burbank Hollywood airport on December 6, 2018, when a Southwest Jet slid off the end of a runway due to inclement weather, lessons learned from the incident, and the outstanding response from airport's safety personnel.

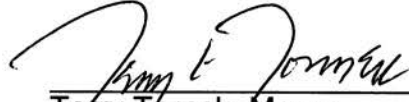
Councilmember Wilson and Hampton spoke on the well-attended Mayor's Annual Holiday Tree Lighting Ceremony event, held on Friday, December 7, 2018.

Councilmember Hampton asked staff to provide an update on the City's legal cannabis permit process, and for additional information on the social equity component as part of the process.

City Manager Mermell responded that the City's website includes the requested information on the social equity component.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:31 p.m.



Terry Tornek, Mayor
City of Pasadena

ATTEST:



City Clerk