

CITY OF PASADENA
City Council Minutes
August 20, 2018– 6:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

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

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

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6
Agency Designated Representative: Jennifer Curtis
Employee Organization: American Federation of State,
County and Municipal Employees, Local 858 (AFSCME)

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 6:35 p.m. The pledge of allegiance was led by Councilmember Hampton.

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 (Absent)

Staff:

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

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

David Llanes, Pasadena Police Officers Association (PPOA), thanked the City Council for their support in considering the approval of the Memorandum of Understanding (MOU) between the City and PPOA, which is agendized on consent calendar.

The following individuals expressed concerns with the proposed construction of Desiderio Neighborhood Park and public restroom :

Marci Solway, Pasadena resident
Vincent Montanelli, Pasadena resident (distributed literature)

The following individuals expressed concerns with the sediment removal project at Hahamonga Watershed Park and Arroyo Seco, the removal of number trees, and trees affected by the drought:

Dorothy Wong, Save the Hahamonga
Blair Hansen, Save the Hahamonga
Susan Campisi, Altadena resident

In response to Councilmember Hampton's request and inquiry, City Manager Mermell noted that the City provides information on the City's' website "Devil's Gate Sediment Removal Project", which includes Los Angeles County's information and updates; but agreed to provide follow up information in the City Manager's weekly newsletter regarding the Los Angeles County Fire Department's actions to remove various trees in the Arroyo Seco. In addition, Mr. Mermell stated that he would also provide information on the City's actions to protect the City's trees from severe heat and drought.

Shahe ManKevian, Pasadena Rose City Poets, recited poetry.

CONSENT CALENDAR

CONFIRM A CONTRACT AWARD TO REFLECT THE FULL BUSINESS NAME OF THE ENTITY AS: BTAC ACQUISITION CORPORATION, DOING BUSINESS AS BAKER & TAYLOR, LLC

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); and
- (2) Confirm a contract award to reflect the full business name of the entity as: BTAC Acquisition Corporation, doing business as Baker & Taylor, LLC. (Contract No. 31201)

APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA POLICE OFFICERS ASSOCIATION FOR THE TERM OF JULY 1, 2018 – JUNE 30, 2021

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 Police Officers Association (PPOA) for the term of July 1, 2018 through June 30, 2021. (Contract No. 23,013)

AUTHORIZATION TO ENTER INTO CONTRACTS WITH DAVID EVANS AND ASSOCIATES, INC.; DAVID VOLZ DESIGN LANDSCAPE ARCHITECTS, INC.; AND AHBE LANDSCAPE ARCHITECTS, INC., FOR ON-CALL LANDSCAPE ARCHITECTURAL SERVICES IN AN AMOUNT NOT-TO-EXCEED \$500,000 FOR EACH CONSULTANT

Recommendation:

- (1) Find that 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 5, Section 15061(b)(3), the General Rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment;
- (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 David Evans and Associates, Inc., for On-Call Landscape Architectural Services in an amount not-to-exceed \$500,000 over a five year term. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services); (Contract No. 31288)
- (3) Authorize 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 David Volz Design Landscape Architects, Inc., for On-Call Landscape Architectural Services in an amount not-to-exceed \$500,000 over a five year term. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services); and (Contract No. 31289)
- (4) Authorize 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 AHBE Landscape Architects, Inc., for On-Call Landscape Architectural Services in an amount not-to-exceed \$500,000 over a five year term. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services). (Contract No. 31290)

Item discussed separately

AUTHORIZATION TO ENTER INTO CONTRACTS WITH DEGENKOLB ENGINEERS; KPFF, INC., DBA KPFF CONSULTING ENGINEERS; IMEG CORP; AND HOHBACH-LEWIN, INC., FOR ON-CALL STRUCTURAL ENGINEERING SERVICES IN AN AMOUNT NOT-TO-EXCEED \$500,000 FOR EACH CONSULTANT

CONTRACT AWARD TO F S CONTRACTORS, INC., FOR COURT REPAIRS AT EATON-BLANCHE AND MCDONALD PARKS FOR AN AMOUNT NOT-TO-EXCEED \$230,000

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 July 19, 2018, submitted by F S Contractors, Inc., in response to the Project Plans and Specifications for Citywide Sports Facilities Improvements at Eaton-Blanche Park and McDonald Park, reject all other bids received July 19, 2018, and authorize the City Manager to enter into a contract not-to-exceed \$230,000 which includes the base contract amount of \$188,000 and a contingency of \$42,000 to provide for any necessary change orders. (Contract No. 31291)

RESIGNATION OF DR. ANGEL MEDINA FROM THE CODE ENFORCEMENT COMMISSION (District 4 Nomination)

APPOINTMENT OF JURA SLATTERY TO THE NORTHWEST COMMISSION (District 3 Nomination)

APPOINTMENT OF MIREYA ASTURIAS JONES TO THE COMMISSION ON THE STATUS OF WOMEN (District 6 Nomination)

APPROVAL OF MINUTES

July 9, 2018
July 16, 2018
July 23, 2018
July 30, 2018
August 6, 2018
August 13, 2018

CLAIMS RECEIVED

Claim No. 13,130	Cecilia Zelaya	\$ 10,000.00+
Claim No. 13,131	Ireneusz Gorzynski dba E.G. Automotive Repair	10,000.00+
Claim No. 13,132	Kenneth Frankel	85.00
Claim No. 13,133	Sunny Chark Kong	2,928.87
Claim No. 13,134	Christian Cunic	1,410.00
Claim No. 13,135	Gloria M. Nanez	Not stated
Claim No. 13,136	Wilshire Law Firm, representing Tony Juan Hermida	25,000.00+
Claim No. 13,137	Scolinos, Sheldon & Nevell, representing Desiree Acosta	25,000.00+
Claim No. 13,138	Linda Speil	575.00
Claim No. 13,139	Jorge Antonio Jaramillo	1,483.73
Claim No. 13,140	John Bradley Rushing	Not stated
Claim No. 13,141	Victor A. Motta	Not stated
Claim No. 13,142	Tierra Henderson	10,000.00+
Claim No. 13,143	Dora E. Mendoza	Not stated
Claim No. 13,144	William C. Prescott	2,268.00
Claim No. 13,145	Adam Bernier	Not stated
Claim No. 13,146	Erik and Andrea Brandon	10,000.00+

PUBLIC HEARING SET

September 24, 2018, 7:00 p.m. - Draft Consolidated Annual Performance and Evaluation Report (2017-2018 Program Year) for Projects Funded from Community Development Block Grant, Emergency Solutions Grant, and HOME Investment Partnership Act

It was moved by Councilmember Gordo, seconded by Councilmember Madison, to approve all items on the Consent Calendar, with the exception of Item 4 (Authorization to enter into a contract with Degonkolb Engineers, KPFF, Inc., dba KPFF Consulting Engineers, IMEG Corp., and Hohbach-Lewin, Inc.), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Wilson)

CONSENT ITEM
DISCUSSED SEPARATELY

AUTHORIZATION TO ENTER INTO CONTRACTS WITH DEGENKOLB ENGINEERS; KPFF, INC., DBA KPFF CONSULTING ENGINEERS; IMEG CORP; AND HOHBACH-LEWIN, INC., FOR ON-CALL STRUCTURAL ENGINEERING SERVICES IN AN AMOUNT NOT-TO-EXCEED \$500,000 FOR EACH CONSULTANT

Recommendation:

(1) Find that 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 5, Section 15061(b)(3), the General Rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment;

(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 Degenkolb Engineers for On-Call Structural Engineering Services for a total amount not-to-exceed \$500,000 over a five year term. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services); (Contract No. 31284)

(3) 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 KPFF, Inc., dba KPFF Consulting Engineers for On-Call Structural Engineering Services for a total amount not-to-exceed \$500,000 over a five year term. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services); (Contract No. 31285)

(4) 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 IMEG Corp for On-Call Structural Engineering Services for a total amount not-to-exceed \$500,000 over a five year term. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services); and (Contract No. 31286)

(5) 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 Hohbach-Lewin, Inc., for On-Call Structural Engineering Services for a total amount not-to-exceed \$500,000 over a five year term. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services). (Contract No. 31287)

Ara Maloyan, Director of Public Works, responded to questions regarding the bid qualification process used to determine the selection of consultants.

Following discussion, it was moved by Councilmember Hampton, seconded by Councilmember Masuda, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Wilson)

PUBLIC HEARING

CONTINUED PUBLIC HEARING: CONDUCT PUBLIC HEARING AND FIRST READING OF AN ORDINANCE TO GRANT A FRANCHISE TO SOUTHERN CALIFORNIA GAS COMPANY

Recommendation: It is recommended that the City Council continue the public hearing to August 27, 2018 at 7:00 p.m.

It was moved by Councilmember Gordo, seconded by Councilmember Hampton, to continue the public hearing to August 27, 2018, at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmember Wilson)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

UPDATE ON THE ARROYO ADVISORY GROUP AND ACTION TO SUPPORT EFFORTS TO ENHANCE AND IMPROVE THE ARROYO SECO ("ONE ARROYO" PROJECT)

Recommendation:

- (1) Receive and file the Arroyo Advisory Group's "One Arroyo Final Report."
- (2) Endorse the One Arroyo Foundation's Capital Campaign to raise \$7M in support of the One Arroyo capital improvement projects.

Steve Mermell, City Manager, provided introductory comments on the item, summarized the staff report; and responded to questions.

Doug Kranwinkle and Bill Bogaard, Co-chairs of the Arroyo Advisory Group (AAG), thanked all the members of AAG and staff for their assistance and guidance, summarized the details of the One Arroyo, A Final Report, as part of their oral presentation on the item, and responded to questions.

The City Council commended the leadership of City Manager Mermell in assembling AAG, and congratulated and expressed gratitude to Mr. Kranwinkle, Mr. Bogaard, AAG members, and staff for their work and efforts in providing a better understanding of the item.

Vice Mayor Kennedy stated his support for AAG's work; but noted his concerns regarding references in the Final Report to former United States President, Theodore Roosevelt, citing his legacy of mixed views and animosity towards Native Americans, especially in light of historical residents of indigenous settlements found in the Arroyo Seco and surrounding area.

Councilmember Madison stated his support for appropriating Measure A funds, when available, towards AAG's goals and objectives as detailed in the final report, while also seeking philanthropic contributions for these purposes; and spoke in favor of the staff recommendation.

Councilmember McAustin spoke in favor of the various funding strategies, including increasing tenant rents, user fees, and parking fees.

Theresa Fuentes, Assistant City Attorney, responded to questions related to future environmental review and California Environmental Quality Act (CEQA) issues.

Councilmember Gordo stated the need to continue to provide strong staff support to AAG as it transitions to non-profit status, and to submit a strong and energetic formal request to Supervisor Kathryn Barger seeking assistance with the stated goals and objectives, including efforts to raise public and private funds, given the benefits provided by the Arroyo Seco to Altadena residents.

Councilmember Hampton spoke in support of improving the Arroyo Seco; however, he suggested the need for single point of contact for all issues related to the Arroyo Seco. He also stated his preference that the One Arroyo Foundation Board/Non-Profit Group include Native American representatives.

The following individuals provided comments, suggestions, and/or submitted correspondence on the item:

Ann Scheid, Pasadena resident

Nina Chomsky, Linda Vista-Annandale Association

The Mayor reviewed his understanding of the intent of One Arroyo Foundation, which is to build on the tasks that the City alone is unable to manage, utilize the intellect and financial generosity of the residents, and function as a private supportive organization. He echoed Councilmember Hampton's comments that there needs to be single point of contact managing the Arroyo Seco. In addition, the Mayor reported on his meeting with Los Angeles County representatives related to the Devil's Gate Dam Sediment Removal project. He noted the ongoing discussions in trying to reduce the footprint of the proposed project and the County's plan to remove trees in the Fall of this year. He stated that the County intends to engage in outreach efforts prior to commencing work on the project.

In response to Vice Mayor Kennedy's inquiry and concerns, City Manager Mermell stated that he would provide an update on the sediment removal project in the weekly newsletter.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Hampton, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Wilson)

FISCAL YEAR 2019 GENERAL FUND BUDGET REDUCTION OPTIONS

Recommendation: It is recommended that the City Council amend the Fiscal Year 2019 Operating Budget to implement additional General Fund expenditure reductions as outlined in the Background Section of the agenda report. (Budget Amendment No. 2019-04)

City Manager Mermell provided a PowerPoint presentation on the item, and responded to questions.

Councilmember Madison spoke in favor of the following proposed reductions detailed in the staff report, as they do not negatively affect customer service:

1. Earning on debt reserve fund beyond minimum requirements;
2. Replacement of \$35,000 of General Fund with Measure H funds in Housing Department Budget;
3. Pasadena Community Access Corporation (PCAC) to draw down reserves thereby reducing General Fund contributions;
4. Reduction of Fleet Maintenance costs in the Fire Department; and
5. Shifting expenses from General Fund to Prideshare fund for transit passes.

Councilmember McAustin asked the City Manager to pursue reductions in three other areas (Gamble House, Rose Bowl Aquatic Center, PCAC) as detailed in the staff report.

Following discussion, City Manager Mermell noted that PCAC is an Operating Company of the City, and therefore, warrants City Council action. He suggested that an appropriate first step will be to agendize the matter for a future Economic Development and Technology Committee meeting, which will be scheduled.

Matthew Hawkesworth, Director of Finance responded to questions related to the City's general fund reserve budget.

Fire Chief Bertral Washington, responded to questions related to the Fire Department's discussion on the maintenance of their fleet vehicles and costs reductions.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Masuda, to approve the staff recommendation, Items 1 through 5, as well as directing staff to pursue the additional three reductions, as discussed above and detailed in the agenda report. (Motion unanimously carried) (Absent: Councilmember Wilson)

ORDINANCES – ADOPTED

Adopt “AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PASADENA AND ARTCENTER COLLEGE OF DESIGN RELATED TO THE MASTER PLAN FOR THE SOUTH CAMPUS (870, 888, 950, AND 988 S. RAYMOND AVENUE AND 1111 S. ARROYO PARKWAY) AND HILLSIDE CAMPUS (1700 LIDA STREET)” (Introduced by Councilmember Madison) (Ordinance No. 7331)

Staff distributed a handout with the highlighted amendment to the ordinance. Councilmember Madison spoke on the amended Development Agreement, and spoke in favor of the second reading to adopt the proposed ordinance.

Following discussion, the above ordinance was adopted by the following vote:

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

COUNCIL COMMENTS

Councilmember Madison asked the City Council to consider City policies and regulations to safeguard the City against inappropriate or nuisance use of electric scooters (as experienced in West Los Angeles), the usage of plastic straws, and greenhouse gas emissions from buildings.

In response, City Manager Mermell stated that after conferring with the City Attorney's Office, several Pasadena Municipal Codes have been identified that provides the City with the authority to impound abandoned electrical scooters, if necessary, and staff will provide updates as available to the Municipal Services Committee. The Mayor confirmed that the topic on

plastic straws will be discussed at a future Legislative Policy Committee meeting.

The Vice Mayor spoke on the passing of Aretha Franklin, a national musical and cultural icon.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:11 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk