

CITY OF PASADENA
City Council Minutes
September 23, 2019 – 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: Councilmember McAustin, Vice Mayor Hampton)

The following individuals spoke in opposition to the City participating in pending litigation related to the City of Boise v. Robert Martin:

Sonja Berndt, Pasadena resident
Anthony Manousos, Greater Pasadena Affordable Housing Group (GPAHG)
Jill Shook, GPAHG

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 consideration of *amicus curiae* (friend of the court) participation in pending litigation pursuant to Government Code Section 54956.9(a)

Name of Case: City of Boise v. Robert Martin
U.S. Supreme Court Case No.: 19-247

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

Agency Designated Representatives: Jennifer Curtis and Steve Mermell

Employee Organizations: American Federation of State, County and Municipal Employees (AFSCME), Local 858

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

Agency Designated Representatives: Jennifer Curtis and Steve Mermell

Employee Organization: Pasadena Management Association (PMA)

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 Manager
City Representative: Terry Tornek

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

The above closed session items were not discussed.

On order of the Mayor, the regular meeting reconvened at 6:50 p.m. The pledge of allegiance was led by Councilmember Kennedy.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

The Mayor presented a proclamation to Bill Stewart, President of the First Tee of Pasadena Board of Directors, declaring October 2019 as "First Tee of Greater Pasadena Month." Mr. Stewart provided an update on the program, and thanked the community, Mayor and City Council for their continued support of the program.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

The following individuals spoke in support of affordable housing efforts, expressed concerns with efforts by Pasadena Unified School District in closing public schools, and/or the need to amend zoning regulations to allow nonprofit organizations the ability to build affordable housing:

Anthony Manousos, GPAHG
Jill Shook, GPAHG
Curtis Yardbough, Pasadena resident
Faithanne Truong, Sierra Madre resident

Councilmember Kennedy asked City staff to provide an update on the Pasadena Unified School District's (PUSD) school closure efforts, as well as information on possible available options for the City to acquire property for community needs.

Raymond Monge Jr, transient, expressed concerns with Pasadena Police Officers who harass him while in in the public right of way.

Margaret Danielak, representing Wohl Management Group/Pasadena Foothill Center, expressed concerns with the Home Depot development project and the plan to install a raised medium along Foothill Boulevard, which will cause great harm to surrounding businesses and property owners.

Councilmember Masuda stated that staff met with the community, including business owners to explain the installation of the traffic median.

Kelly Ann Mercer, Pasadena resident, asked staff to provide an update on the investigation related to her husband's death while incarcerated at the Pasadena Police station; and requested that staff review their policy related to incarcerated individuals with disabilities and/or need of medical care.

Councilmember Kennedy requested that staff follow up with Ms. Mercer and provide an update to the Public Safety Committee. In response, City Manager Mermell stated that staff will contact the public speaker and will also contact the City Attorney to determine what level of communication is appropriate.

Patricia G. Guzman and Rene Gonzalez, Pasadena residents, expressed concerns with PUSD's decision to close Roosevelt Elementary School.

Councilmember Gordo stated that Vannia de la Cuba, District 5 Liaison, is working with Mr. Gonzalez and other concerned parents to set up a meeting to discuss PUSD school closures and impacts to the surrounding neighborhoods.

**PUBLIC COMMENT ON
REGULAR BUSINESS ITEMS**

The following individuals spoke on multiple regular business items:

Armando Herman, residence not stated
Korie Schmidt, residence not stated

INFORMATION ITEM

UPDATE ON EFFORTS TO RECLAIM THE SR710 STUB
Recommendation: This report is intended to provide information to the City Council, no action is required

City Manager Mermell provided introductory comments, and Laura Cornejo, Director of Transportation, provided a PowerPoint presentation on the item and responded to questions. John Bulinski, District 7 Director for the California Department of Transportation (Caltrans), stated that his organization is working with the City to identify improvements to the SR710 stub; and responded to questions. David Grannis, President and CEO of Point C (consulting firm), provided information on the proposed SR710 stub project, and responded to questions.

The Mayor spoke on the City's objective to address current traffic patterns at the SR710 stub and how to best move traffic.

Councilmember Kennedy spoke on the need to rectify and make whole those minority property owners who lived in the 710 corridor and lost their homes to eminent domain, reintegrate acreage back into the City, and ensure the appropriate stakeholders are included in any related discussions.

City Manager Mermell stated his commitment, that when the community planning process related to the relinquishment of the SR710 stub is in place, staff will be thorough and inclusive.

Councilmember Wilson asked staff to provide a timeline of the proposed project in order to keep the community informed.

Councilmember Madison asked staff to be mindful of the Caltrans-owned hosing stock along the SR710 corridor, which are assets that may be used to provide affordable housing.

Councilmember Gordo asked staff, that when addressing the purpose and need of the SR710 corridor, to ensure they are consistent with what the community envisions.

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

CONSENT CALENDAR

CONTRACT AWARD TO SLOAN VAZQUEZ MCAFEE FOR FINANCIAL AUDITS OF FRANCHISE COMMERCIAL WASTE HAULERS FOR AN AMOUNT NOT-TO-EXCEED \$110,580

Recommendation:

- (1) Find the project in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) State Guidelines in accordance with Section 15061(b)(3), General Rule; and
- (2) Authorize the City Manager to enter into a contract, based on a competitive selection process pursuant to Pasadena Municipal Code 4.08.047, with Sloan Vazquez McAfee to perform financial audits of franchise commercial waste haulers for a contract period of one year in the amount of \$36,860, with the option of two one-year extensions, subject to the approval of the City Manager, for a maximum potential contract period of three years and a total contract amount of \$110,580. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 31587)

AUTHORIZE PURCHASE ORDER WITH CCG SYSTEMS, INC., FOR THE PURCHASE AND IMPLEMENTATION OF AN UPGRADE TO THE CITY'S FLEET MANAGEMENT INFORMATION SYSTEM, FASTER ASSET SOLUTIONS, FOR A TOTAL OF \$175,000

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 a purchase order with CCG Systems, Inc., (CCG) for the purchase and implementation of an upgrade to the City's Fleet Management Information System. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional and unique services; and
- (3) Grant the proposed purchase order an exemption from the competitive selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH JCL TRAFFIC SERVICES TO FURNISH LABOR AND MATERIALS FOR TRAFFIC CONTROL SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$49,185 PER YEAR

Recommendation:

- (1) Find that the proposed action is not considered a "project" per Section 21065 of the California Environmental Quality Act

("CEQA") and is therefore not subject to CEQA review pursuant to 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 August 13, 2019, submitted by JCL Traffic Services in response to Specification WD-19-11, to furnish labor and materials for traffic control services for the Water and Power Department ("PWP"), reject all other bids received, and authorize the City Manager to enter into a contract with JCL Traffic Services for an amount not-to-exceed \$49,185 for one year; and

(3) Authorize the City Manager to extend the contract for three optional one-year terms not-to-exceed \$49,185 per year. If the three additional one-year terms are exercised, the total contract amount is \$196,740 for a maximum duration of four years. (Contract No. 31569)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH ROBERTSON'S READY MIX TO FURNISH AND DELIVER CONCRETE MATERIALS FOR AN AMOUNT NOT-TO-EXCEED \$271,905 PER YEAR

Recommendation:

(1) Find that the proposed action is not considered a "project" per Section 21065 of the California Environmental Quality Act ("CEQA"), and is therefore not subject to CEQA review pursuant to Sections 15060(c)(2), 15060(c)(3), and 15378 of the CEQA Guidelines, as such, no environmental document pursuant to CEQA is required for the project;

(2) Accept the bid dated August 14, 2019, submitted by Robertson's Ready Mix in response to Specification WD-19-13, to furnish and deliver concrete materials for the Water and Power Department ("PWP"), reject all other bids received, and authorize the City Manager to enter into a purchase order with Robertson's Ready Mix for an amount not-to-exceed \$271,905 for one year; and

(3) Authorize the City Manager to extend the purchase order for three optional one-year terms not-to-exceed \$271,905 per year. If the three additional one-year terms are exercised, the total purchase order amount is \$1,087,620 for a maximum duration of four years.

CONTRACT AWARD TO WILLIAMS PIPELINE CONTRACTORS, INC., FOR WATER MAIN INSTALLATIONS

Recommendation:

(1) Find that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Section 21080.21 and State CEQA Guidelines Sections 15301 (Existing Facilities) and 15302 (Replacement or Reconstruction);

(2) Accept the bid dated August 13, 2019, submitted by Williams Pipeline Contractors, Inc., in response to Specification WD-19-08 for the installation of ductile iron water mains in Washington Boulevard;

(3) Reject all other bids received; and

(4) Authorize the City Manager to enter into a contract not-to-exceed \$1,885,505, which includes the base contract amount of \$1,714,095 and a contingency of \$171,410 to provide for any necessary change orders. (Contract No. 31567)

AUTHORIZE PURCHASE ORDER WITH ROTORCRAFT SUPPORT INC., FOR A MAIN ROTOR TRANSMISSION EXCHANGE FOR THE MD-500E HELICOPTER FOR A NOT-TO-EXCEED AMOUNT OF \$121,285

Recommendation:

(1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15378, as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment;

(2) Accept the bid dated July 30, 2019, submitted by Rotorcraft Support Incorporated in response to specifications for an MD-500E Helicopter Main Rotor Transmission Exchange, reject all other bids received, and authorize the issuance of a purchase order not-to-exceed \$121,285, which includes the base contract amount of \$105,465, and a \$15,820 contingency to provide for any necessary change orders; and

(3) Grant the proposed purchase order an exemption from the salvage ordinance pursuant to Pasadena Municipal Code Section 4.04.080. The helicopter industry functions with the expectation that in order for the Pasadena Police Department to receive a factory overhauled transmission the existing transmission must be a trade-in.

CONTRACT AWARD TO TRC ENGINEERING SERVICES, LLC FOR CONSULTANT SERVICES TO CONDUCT INSPECTIONS FOR THE PASADENA TRANSIT AND DIAL-A-RIDE VEHICLE FLEET

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; 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 TRC Engineering, LLC for consultant services to conduct inspections of the Pasadena Transit and Pasadena Dial-A-Ride vehicle fleet in an amount not-to-exceed \$130,085 for a period of eighteen (18) months with two, one-year options and a contingency of \$11,826 subject to the approval of the City Manager. (Contract No. 31568)

APPROVAL OF A SIDE LETTER OF AGREEMENT WITH THE PASADENA MANAGEMENT ASSOCIATION (PMA)

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 side letter of agreement with the Pasadena Management Association (PMA) clarifying use of leave time toward the calculation of overtime for non-exempt employees as well as the stand-by provision and rest periods after extended overtime for Power Distribution Crew Supervisors.

ADOPTION OF GUIDELINES FOR PUBLIC BENEFIT PAYMENTS RELATED TO DEVELOPMENT AGREEMENTS WITH TAX-EXEMPT INSTITUTIONS

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) (Common Sense Exemption); and
- (2) Adopt the proposed guidelines for Public Benefit Payments related to Development Agreements with tax-exempt institutions

Item was pulled from the agenda

~~**ADOPT A RESOLUTION ESTABLISHING NEW CLASSIFICATIONS AND SALARY CONTROL RATES; AND DIRECT THE PREPARATION OF AN ORDINANCE TO AMEND THE PASADENA MUNICIPAL CODE TO CREATE A RISK MANAGEMENT DIVISION IN THE CITY MANAGER'S OFFICE**~~

Item discussed separately

FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2020 CAPITAL IMPROVEMENT PROGRAM BUDGET

FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2020 ADOPTED OPERATING BUDGET

Recommendation:

- (1) Find that the proposed action is exempt from 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) Approve amending the Fiscal Year (FY) 2020 Adopted Operating Budget as detailed in the agenda report and increasing the citywide total Full-time Equivalents (FTE) by a net 4.57 FTEs; and

(3) Authorize the City Manager to enter into an agreement with the State of California Office of Traffic Safety for acceptance of Selective and Traffic Enforcement Program Grant funds (in connection with Item No. 5 of the agenda report). (Contract No. 23,260, Budget Amendment No. 2020-09)

FINANCE COMMITTEE: AMENDMENT TO FISCAL YEAR 2020 ADOPTED OPERATING BUDGET FOR ADDITIONAL MEASURE H FUNDING IN THE AMOUNT OF \$223,241 AND AUTHORIZATION TO ENTER INTO CONTRACTS FOR NEWLY APPROPRIATED AMOUNTS

Recommendation:

(1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the "General Rule" that CEQA only applies to projects that may have a significant effect on the environment;

(2) Amend the Department of Housing's Fiscal Year (FY) 2020 Operating Budget by recognizing and appropriating an additional \$223,241 in Measure H grant revenue and expenditures; and

(3) Authorize the City Manager to enter into previously approved contracts for increased amount of Measure H funding which incorporate the newly appropriated revenue as detailed in the table found in the Background section of the agenda report. (Contract Nos. 31386, 31391, 31392- Union Station; 31393, 31394 – Friendship in Deed; 31395 – Hathaway)

Item discussed separately

RESIGNATIONS, APPOINTMENTS, & REAPPOINTMENTS

APPROVAL OF MINUTES

September 9, 2019

CLAIMS RECEIVED

Claim No. 13,392	Tenny Mirzayan, Keller, Fishback & Jackson LLP, representing Ramona Budd	\$ 25,000.00+
Claim No. 13,393	Brent R. Poydras	10,000.00+
Claim No. 13,394	David Ko	937.63
Claim No. 13,395	Thomas Johnston, Esq. representing Mark- Anthony Ysaac Rodriguez	25,000.00+
Claim No. 13,396	Matilde Eiben	873.90

The following individuals provided comment on the consent calendar:

Armando Herman, residence not stated
Korie Schmidt, residence not stated
Emanuel Najera, Pasadena resident

In response to public comment, City Manager Mermell responded that several contracts for professional services on the Consent Calendar do not require competitive bidding, but rather competitive selection, and confirmed for each case that such a process was completed.

The Mayor reported that Item 10 (Adopt a Resolution Establishing New Classifications and Salary Control Rates) has been pulled from the agenda and will not be considered as part of the posted agenda.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Masuda, to approve all items on the Consent Calendar, with the exception of Item 10 (Adopt a Resolution Establishing New Classifications and Salary Control Rates), which was pulled from the agenda; and Item 12 (Amendments to Fiscal Year 2020 Adopted Operating Budget) and Item 15 (Resignations, Appointments & Reappointments), which were discussed separately. (Motion unanimously carried) (Absent: Councilmember McAustin, Vice Mayor Hampton)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

**FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR
2020 CAPITAL IMPROVEMENT PROGRAM BUDGET**

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; and
- (2) Amend the Fiscal Year (FY) 2020 Capital Improvement Program Budget as detailed in Attachment A of the agenda report. (Budget Amendment No. 2020-08)

Mayor Tornek, Chair of the Finance Committee, provided an overview of the Committee's discussion on the item, and responded to questions. City Manager Mermell responded to questions related to the Norton Simon Museum lease agreement and the City's contractual obligations under the agreements. Ara Maloyan, Director of Public Works responded to questions related to the condition of the Norton Simon Museum parking lot.

Councilmembers Wilson, Gordo, and Madison expressed concerns with using Residential Impact Fees for the Norton Simon Museum parking lot repairs.

Councilmember Madison requested information on the City's financial considerations for utilizing the Norton Simon Museum's parking lot on New Year's Day.

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

RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS

APPOINTMENT OF KELLEY FITZGERALD HOLMES TO THE URBAN FORESTRY ADVISORY COMMITTEE (Pasadena Beautiful Foundation Nomination)

By consensus of the City Council, and on order of the Mayor, the appointment of Kelly Fitzgerald Homes to the Urban Forestry Advisory Committee was approved.

REAPPOINTMENT OF VICTOR GORDO TO THE ROSE BOWL OPERATING COMPANY BOARD EFFECTIVE SEPTEMBER 27, 2019 (City Council Nomination)

Councilmember Kennedy stated the following for the record, "Tonight we are tasked with appointing a City Council Representative to the Rose Bowl Operating Company Board of Directors. Our appointee does not have to come from this body and in fact, can be a private citizen, as is the case for all other members.

The incumbent has served in that capacity since 2007 and we commend him for his present leadership as the Chair of the RBOC, his stewardship over one of the defining edifices and assets of the City of Pasadena. However, there comes a time when a fresh look, a new perspective, and different skills set is required with the changing atmosphere and economic pressures caused by hyper-competition, large-scale entertainment venues, and various new or newly renovated stadiums coming on board in Inglewood, including the USC iconic Los Angeles Coliseum. General Manager Darryl Dunn has done a phenomenal job as the top executive at the RBOC, but it is clear that succession planning must take place now. We must thank Councilmember Victor Gordo for his past services and leadership.

Additionally, it appears that we are about to begin what is potentially going to be an overly-charged election cycle. This Council, as you know, has an affirmative duty to protect and preserve the Rose Bowl and its surrounding treasures for present and future generations. Here is what we know today: (1) The Rose Bowl is holding-up under massive debt, that when I last checked was over \$200 million dollars; (2) The Rose Bowl and for that matter Brookside Golf Course is experiencing scary declining revenues; and (3) The Rose Bowl is still in need of considerable renovations and investments without a clear way to pay for them. Speaking about repayment of debt, if the Rose Bowl and Brookside fail to generate the necessary revenue to pay back the \$200 million dollars of debt, that obligation will fall to the taxpayers of Pasadena. That is something that our fiduciary duty to our residents requires that most judicious and feasible contemplation, consideration, and vision for solving this dilemma.

The appointment we make tonight is critically important on multiple levels. Such an appointment comes with great possibilities: (1) Councilmember Margaret McAustin has announced that she is not running for reelection, her appointment would be a smart decision; (2) When Councilmember McAustin retires from the City Council she can continue to serve on the RBOC or we will have the option of potentially appointing Councilmember Tyron Hampton, currently Vice Mayor as he is the Councilmember of the District where the Rose Bowl is located; (3) Councilmember McAustin has expressed an interest to serve on the RBOC in the past while asking the most relevant of questions; (4) It is simply time for someone with a financial background who can provide the necessary expertise for a time such as this; and finally; (5) Councilmember McAustin brings much needed diversity to the RBOC. Specifically, more women and minorities must be appointed to the RBOC. Let's not miss this opportunity for the Council to do its part to create and champion positive change and a more inclusive RBOC Board of Directors."

Motion: It was moved by Councilmember Kennedy, that the City Council appoint Councilmember McAustin to serve as the City Council's Representative to the Rose Bowl Operating Company Board of Directors. (MOTION FAILED DUE TO LACK OF SECOND)

Motion: Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Masuda, to approve the Reappointment of Victor Gordo to the Rose Bowl Operating Company Board, Effective September 27, 2019:

AYES: Councilmembers Gordo, Madison, Masuda, Wilson, Mayor Tornek

NOES: Councilmember Kennedy,
ABSENT: Councilmember McAustin, Vice Mayor Hampton
ABSTAIN: None

PUBLIC HEARINGS

The City Clerk opened the public hearings (additional information for each public hearing is detailed below):

**PUBLIC COMMENT ON
MULTIPLE PUBLIC
HEARINGS**

The following individuals provided comments on multiple public hearings:

Armando Herman, residence not stated
Korie Schmidt, residence not stated

PUBLIC HEARING: DRAFT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (2018-2019 PROGRAM YEAR) FOR PROJECTS FUNDED FROM COMMUNITY DEVELOPMENT BLOCK GRANT, EMERGENCY SOLUTIONS GRANT, AND HOME INVESTMENT PARTNERSHIP ACT

Recommendation:

- (1) Find that the recommended 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 a significant effect on the environment; and
- (2) Approve the submission to the U.S. Department of Housing and Urban Development, of the Consolidated Annual Performance and Evaluation Report for the 2018-2019 Program Year for projects funded under the Community Development Block Grant, Emergency Solutions Grant, and the HOME Investment Partnership Act programs.

The City Clerk reported that the public hearing notice was published in the Pasadena Journal and the Pasadena Weekly on September 12, 2019 and September 19, 2019; no correspondence was received by the City Clerk's office regarding this item.

William Huang, Director of Housing, provided introductory comments, and Randy Mabson, Program Coordinator II, presented a PowerPoint presentation on the item, and jointly, responded to questions.

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

It was moved by Councilmember Gordo, seconded by Councilmember Wilson, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember McAustin, Vice Mayor Hampton)

PUBLIC HEARING: SUBSTANTIAL AMENDMENT TO 2015-2019 (5-YEAR) CONSOLIDATED PLAN

Recommendation: It is recommended that the City Council continue the public hearing to October 28, 2019 at 7:00 p.m.

It was moved by Councilmember Gordo, seconded by Councilmember Wilson, to continue the public hearing to October 28, 2019, at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmember McAustin, Vice Mayor Hampton)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE: ADOPTION OF A RESOLUTION AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OR SUBSERIES OF CITY OF PASADENA PENSION OBLIGATION REFUNDING BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF SUPPLEMENTAL TRUST AGREEMENTS PROVIDING FOR SUCH ISSUANCE, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT AND ESCROW AGREEMENTS AND APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT, AND AUTHORIZING CERTAIN OTHER MATTERS RELATED THERETO

Recommendation:

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

(2) Adopt a resolution authorizing the issuance of one or more series or subseries of City of Pasadena Pension Obligation Refunding Bonds; approving the form of and authorizing the execution of supplemental trust agreements providing for such issuance, approving the form of and authorizing the execution of a bond purchase agreement, a continuing disclosure agreement and escrow agreements and approving the form of and authorizing the distribution of a preliminary official statement and official statement, and authorizing certain matters related thereto;

(3) Grant the proposed Trust Agreement Supplements an exemption from the competitive selection process pursuant to Pasadena Municipal Code Section 4.08.049B. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; and

(4) Approve contracts with Stifel, Nicolaus & Company, Incorporated and Bank of America Merrill Lynch as underwriters for the proposed refunding bonds at a discount rate (fee) not-to-exceed 0.30% of the bonds or an estimated \$393,000. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Resolution No. 9738)

Matt Hawkesworth, Director of Finance, presented a PowerPoint presentation on the item, and responded to questions.

In response to Councilmember Wilson's request for a reasonable timeline of the requested authorizations, staff agreed to return to the City Council with an update no later than 90 days if funding is not achieved.

Todd Jacobs, representing Stifel, Nicolaus & Company, an underwriter for the proposed transaction, responded to questions related to the interest rates of the bonds that are to be retired.

Councilmember Gordo spoke on the need for staff to have maximum flexibility to take action related to the refunding of the proposed bonds; and spoke in favor of staff returning within 90 with an update if funding is not achieved.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Gordo, to approve the staff recommendation, with staff to report to the City Council no later than 90 days if funding not achieved. (Motion unanimously carried) (Absent: Councilmember McAustin, Vice Mayor Hampton)

INFORMATION ITEM

ORAL PRESENTATION BY CITY ATTORNEY: "MINI BRIEFING" ON RECENT COURT DECISIONS REGARDING PUBLIC OFFICIALS' USE OF SOCIAL MEDIA PAGES

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

Michele Beal Bagneris, City Attorney/City Prosecutor provided introductory comments, and Javan Rad, Chief Assistant City Attorney presented a PowerPoint presentation on the item, and jointly, responded to questions.

Councilmember Kennedy requested written guidelines related to Councilmembers and their social media accounts.

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

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

Deidra Duncan, Pasadena resident, requested assistance with releasing a vehicle that was towed and impounded with excessive fees, which is registered to an ecclesiastical trust.

Councilmember Kennedy ask staff to provide information on the public speaker's inquiry, with staff to provide appropriate assistance related to the towed vehicle.

City Manager Mermell stated that he would meet with staff to gather more information and provide an update.

Armando Herman, residence not stated, spoke on various aspects of homelessness and politicians representing Los Angeles.

Korie Schmidt, residence not stated, stated his opinion related to the City of Boise v. Robert Martin case.

COUNCIL COMMENTS

City Manager Mermell reported that Friday, September 20, 2019 was the closing date to submit Request for Proposals (RFP's) for the YWCA building/Civic Center. He stated that staff has received 10 proposals, with proposed projects ranging from potential hotels, affordable housing, market rate housing, office space, and a museum. Staff is currently in the process of reviewing the proposals and will return to the City Council for further direction.

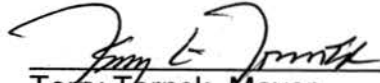
Councilmember Madison expressed concerns with recent articles reporting on events organized by Councilmembers; and stated the need for information on current City policies and potentially new policies related to Councilmember organized community events.

Councilmember Masuda, member of the Metro Gold Line Foothill Extension Construction Authority (Foothill Gold Line) reported on the various construction phases of the Gold Line Project; and responded to questions.

Councilmembers Wilson and Kennedy spoke on the Lifetime Achievement Award and Ceremony, honoring activist Dale Gronemeier, hosted by Pasadenans Organizing for Progress (POP!), held on September 21, 2019, which they attended along with Mayor Tornek.

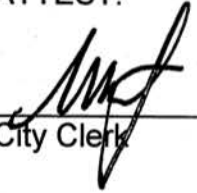
ADJOURNMENT

Following comments, on order of the Mayor, the regular meeting of the City Council adjourned at 10:05 p.m.



Terry Tornek, Mayor
City of Pasadena

ATTEST:



City Clerk