

CITY OF PASADENA  
City Council Minutes  
January 27, 2020 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Tornek called the regular meeting to order at 5:31 p.m.  
(Absent: Councilmember Madison)

Armando Herman, residence not stated, provided comment.

Councilmember Madison  
arrived at 5:37 p.m.

Following public comment, on the order of the Mayor, the regular  
meeting recessed at 5:38 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: Ivis Moran v. City of Pasadena et al

LASC Case Nos.: EC064281, BS173993; USDC Case No.:  
2:15-cv-09136-JAK-MRV

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

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

Employee Title and Unrepresented Employee: City  
Attorney/City Prosecutor

City Representative: Terry Tornek

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

Property Location: 1191 North Summit Avenue, Pasadena,  
CA 91103

Agency Negotiator: Steve Mermell

Negotiating Party: Scala White

Under Negotiation: Price and terms of payment

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 Vice Mayor Hampton.

**ROLL CALL:**

Councilmembers:

Mayor Terry Tornek  
Vice Mayor Tyron Hampton  
Councilmember Victor Gordo (Absent)  
Councilmember John J. Kennedy  
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**

Councilmember Kennedy spoke on the passing of long-time Pasadena residents, Mildred Hawkins who served on the Human Services Commission (2011-2013), and Margaret "Maggie" Belton who served on the Arts and Culture Commission (2013-2018), and requested that the meeting be adjourned in their memory.

Police Chief John Perez introduced the new Sergeant-at-Arms, Sergeant Sam De Sylva, and extended appreciation to Sergeant Mike Gligorijevic for his service.

Kenny James, Senior Community Relations Representative, Brenda Harvey-Williams, Director of Human Services, and Del Yarbrough, volunteer, presented a video and spoke on Black History Month festivities, to be held throughout February 2020, including the Black History Parade Festival on February 15, 2020, and invited the City Council to participate and attend the events.

City Manager Mermell spoke on the passing of Robert Gorski, a long-time former City employee and advocate of improving accessibility in the Pasadena community; and requested that the meeting also be adjourned in his memory.

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

Debra Johnson, Pasadena resident, commented on various issues including: racial profiling, gentrification, rent control and safe harbor parking.

In response to Vice Mayor Hamptons' inquiry related to safe harbor parking in the City, City Manager Mermell stated that he is not aware of any location within the City, and provided information on past legislation of allowing safe harbor parking in community colleges.

Vice Mayor Hampton requested that the Chair of the Public Safety Committee agenzize at a future Committee meeting a discussion on safe harbor parking in the City.

Armando Herman, residence not stated, provided comment.

The following individuals requested that the City Council declare a climate emergency and take action to alleviate such an emergency:

Selina Yang, Arcadia resident  
Audrey Bluestone, Pasadena resident  
Ozzy Simpson, Sequoyah School student  
Doug Hill, Pasadena resident  
Kathryn Kroger, Pasadena resident  
Therese Brummel, Transition Pasadena

Councilmember Kennedy requested information on actions taken by the surrounding cities related to the climate emergency and commended the students for their work. The City Council spoke on the City's Climate Action Plan (CAP), process to make measured changes in the City, and the Green Cities Initiative. The Mayor and Councilmember McAustin encouraged the public speakers to work with the City to make recommendations to revise the CAP and participate in the Environmental Advisory Commission (EAC). Councilmember Wilson requested that a discussion regarding the declaration of a climate emergency be agendaized at a future EAC meeting.

City Manager Mermell reported on the City Council's discussion and direction to staff regarding the proposals for the redevelopment of the YWCA building and the Civic Center. He stated that staff is proceeding as directed and anticipates to return to the City Council in February 2020 to provide a progress report, and spoke on plans for future opportunities for community engagement and input regarding proposals from finalists.

### CONSENT CALENDAR

#### **PURCHASE ORDER WITH EMERGENCY VEHICLE GROUP, INC., FOR PURCHASE OF TWO ROAD RESCUE ULTRAMEDIC RESCUE AMBULANCES FOR A TOTAL AMOUNT NOT-TO-EXCEED \$677,450**

**Recommendation:** It is recommended that the City Council:

- (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 Emergency Vehicle Group, Inc., (EVG) for the purchase of two rescue ambulances in an amount not-to-exceed \$677,450. Competitive Bidding is not required pursuant to the City Charter Section 1002(H), contracts

with other governmental entities or their contractors for labor, materials, supplies, or services; and

(3) Grant the proposed contract an exemption from the Competitive Bidding process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served

**AUTHORIZATION TO SUBMIT A FUNDING APPLICATION WITH THE STATE OF CALIFORNIA IN RESPONSE TO A NOTICE OF FUNDING AVAILABILITY FOR HOMELESS HOUSING, ASSISTANCE AND PREVENTION GRANT FUNDS**

**Recommendation:** It is recommended that the City Council:

(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 an effect on the environment;

(2) Authorize the submittal of an application in the amount of \$638,478 in response to the Notice of Funding Availability ("NOFA") issued by the State of California Business, Consumer Services and Housing Agency to receive Homeless Housing, Assistance and Prevention funding for eligible programs and activities that serve people experiencing homelessness; and

(3) Authorize the City Manager to certify or execute, and the City Clerk to attest, the application and all other documents, agreements and amendments related to the application and subsequent State award.

**AUTHORIZATION TO ENTER INTO A 5-YEAR CONTRACT WITH SIRSI CORPORATION DBA SIRSIDYNIX TO PROVIDE INTEGRATED LIBRARY SYSTEM SUBSCRIPTION SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$491,772**

**Recommended:** It is recommended that the City Council:

(1) Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) (General Rule); and

(2) Authorize the City Manager to enter into a five (5) year contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with SirsiDynix to provide integrated library system subscription services in an amount not-to-exceed \$491,772, including the base contract amount of \$447,066 and a contingency of \$44,706 (10%) for any necessary change orders. (Contract No. TBD)

Item discussed separately

RESIGNATIONS,  
APPOINTMENTS, &  
REAPPOINTMENTS

**FINANCE/AUDIT COMMITTEE: FISCAL YEAR JUNE 30, 2019  
ANNUAL FINANCIAL REPORTS**

**RESIGNATION OF CAROLINA ROMO FROM THE  
NORTHWEST COMMISSION (District 2 Nomination)**

**RESIGNATION OF EMMELL BEECH FROM THE HUMAN  
RELATIONS COMMISSION (District 4 Nomination)**

**APPOINTMENT OF RENE H. GONZALEZ TO THE HUMAN  
RELATIONS COMMISSION (District 3 Nomination)**

**APPOINTMENT OF KIMBERLY FERREIRA TO THE  
PASADENA CENTER OPERATING COMPANY BOARD  
EFFECTIVE FEBRUARY 1, 2020 (At Large/District 7 Nomination)**

**AUTHORIZATION TO ENTER INTO A MULTI-YEAR  
CONTRACT WITH DESIGNATED INSURANCE BROKER OF  
RECORD FOR PROPERTY AND CASUALTY INSURANCE  
COVERAGE**

**Recommendation:** It is recommended that the City Council:  
(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 pursuant to Pasadena Municipal Code (PMC) Section 4.08.047, with Alliant Insurance Services, Inc., for five years in an amount not-to-exceed \$389,000, with the option for two additional one-year terms in an amount not-to-exceed \$82,000 annually at the discretion of the City Manager, for a total of \$553,000 for seven years. (Contract No. 31643)

**FINANCE COMMITTEE: ADOPTION OF A RESOLUTION OF  
THE CITY COUNCIL OF THE CITY OF PASADENA,  
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO  
EXECUTE THE COUNTY OF LOS ANGELES' SUB-AWARD  
AGREEMENT FOR AN AMOUNT NOT-TO-EXCEED \$73,895  
FOR CENSUS 2020 EDUCATION AND OUTREACH  
ACTIVITIES TO ENGAGE PASADENA'S HARD-TO-COUNT  
POPULATION**

**Recommendation:** It is recommended that the City Council:  
(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 an effect on the environment;

(2) Adopt a resolution authorizing the City Manager to execute the County's Sub-Award Agreement for an amount not-to-exceed \$73,895 for Census 2020 education and outreach activities to engage Pasadena's Hard-to-Count (HTC) Population; and

(3) Amend the Fiscal Year 2020 Operating Budget to recognize revenues and appropriate funds in the amount of \$73,895. (Resolution No. 9763, Contract No. 23,312, Budget Amendment No. 2020-23)

**CLAIMS RECEIVED**

Claim No. 13,466	Kiara Gilchrist/Byron Mayhan	\$	312.00
Claim No. 13,467	Project Resources Group		3,486.58
Claim No. 13,468	David Arqueta		1,883.79
Claim No. 13,469	Gwendolyn Hall		9,000.00
Claim No. 13,470	Elise Moss		2,063.67

The following individuals provided general remarks related to the consent calendar:

Debra A. Johnson, Pasadena resident  
Armando Herman, residence not stated

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Kennedy, to approve all items on the Consent Calendar, with the exception of Item 4 (Fiscal Year June 30, 2019 Annual Financial Reports), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Gordo)

**CONSENT ITEM  
DISCUSSED SEPARATELY**

**FINANCE/AUDIT COMMITTEE: FISCAL YEAR JUNE 30, 2019  
ANNUAL FINANCIAL REPORTS**

**Recommendation:** It is recommended that the following reports for the year ending June 30, 2019 be reviewed, discussed, and filed by the City Council and/or the Successor Agency to Pasadena Community Development Commission:

- A. Comprehensive Annual Financial Report \*
- B. Single Audit Report
- C. Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards (This replaces what was called the "Management Letter.")
- D. Pasadena Center Operating Company Basic Financial Statements
- E. Rose Bowl Operating Company Basic Financial Statements

- F. Pasadena Community Access Corporation Basic Financial Statements
  - G. Pasadena Fire and Police Retirement System Independent Auditor's Report and Basic Financial Statements with Required Supplemental Information
  - H. Air Quality Improvement Fund Financial Statements and Compliance Report
  - I. Housing Successor Basic Financial Statements and Compliance Reports
  - J. Foothill Workforce Development Board Basic Financial Statements and Compliance Report
  - K. Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets
  - L. Independent Accountant's Report on Agreed-Upon Procedures Applied to Employee Deductions for the Internal Revenue Code Section 457 Deferred Compensation Program
  - M. The Auditor's Communications with the City's Finance/Audit Committee
- \*Report previously delivered.

Matt Hawkesworth, Director of Finance, responded to questions related to reporting on the Foothill Workforce Investment Board funding, revenues and grant funds; and the Pasadena Center Operating Company's (PCOC) negative net position and the value of the building. City Manager Mermell stated that he will be meeting with Management staff, including the Economic Development Manager to discuss the City's federal funding levels.

Councilmember Wilson stated that the Rose Bowl Operating Company's (RBOC) financial report included an excellent summary of events that he found to be very informative and thanked staff for the information.

Mayor Tornek, Chair of the Finance Committee, summarized the Committee's discussion on the reports, and recommended for all individuals who are interested in the City's financial condition to review the Comprehensive Annual Financial Reports, which are available on the City's website. Councilmember Madison also recommended the City's Budget in Brief, which includes a summary of the City's revenues, costs and fund balances.

Councilmember McAustin spoke on the UCLA Athletic Department's reported financial deficit, which may fiscally impact the RBOC.

Councilmember Kennedy suggested inviting Douglas Kranwinkle, President of the RBOC, to present to the City Council to report on the RBOC's vision for the future and their finances.

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

## **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 individual provided comments on multiple public hearings:

Armando Herman, residence not stated

### **PUBLIC HEARING: TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) HEARING AND RESOLUTION FOR THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY (CMFA) FOR THE BENEFIT OF STANDARD VILLA RAYMOND VENTURE LP**

**Recommendation:** It is recommended that the City Council hold a TEFRA hearing and:

- (1) Find that the proposed action is not a "project" subject to California Environmental Quality Act (CEQA) as defined in Section 15378(b)(4) of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project; and
- (2) Adopt a resolution of the City Council of the City of Pasadena approving the issuance of the California Municipal Finance Authority (CMFA) Multifamily Housing Revenue Bonds in an aggregate principal amount not-to-exceed \$30,000,000 for the purpose of financing or refinancing the acquisition, rehabilitation, improvement and equipping of Villa Raymond Apartments and certain other matters related thereto. (Resolution No. 9764)

The City Clerk reported that the public hearing notice was published in the Pasadena Journal and the Pasadena Weekly on January 16, 2020; no correspondence was received by the City Clerk's Office regarding this item.

Matt Hawkesworth, Director of Finance, provided introductory comments, and Vic Erganian, City Treasurer, presented a PowerPoint presentation on the item, with both responding to questions.



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

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

Councilmember Madison recused himself due to a potential conflict, was excused and left the meeting at 8:10 p.m.

**CONTINUED PUBLIC HEARING: APPEAL OF PLANNING COMMISSION'S DECISION ON CONDITIONAL USE PERMIT: CANNABIS RETAILER APPLICATION #6759 FOR A PROPOSED CANNABIS RETAILER AT 908 EAST COLORADO BOULEVARD BY INTEGRAL ASSOCIATES DENA, LLC**

**Recommendation:** It is recommended that the City Council:

(1) Adopt a determination that an Environmental Impact Report (EIR) was certified for the Colorado at Lake Project; that corresponding CEQA Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program were adopted for the Colorado at Lake Project; and that there are no substantial changes to the project, changed circumstances, or new information of substantial importance that would trigger further environmental review as documented in an Addendum to the Colorado at Lake Project EIR that addresses the subject Conditional Use Permit. Find also that the proposed project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21080(b)(9)) and the State Guidelines for the Implementation of CEQA (California Code of Regulations, Title 14, Chapter 3, Section 15301, Class 1, Existing Facilities) and Section 15303, Class 3, New Construction or Conversion of Small Structures), and that there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances; and

(2) Adopt the required Findings in Attachment A of the agenda report to approve Conditional Use Permit No. 6759 with Conditions of Approval in Attachment B of the agenda report.

The City Clerk reported that 160 copies of the notice were mailed and 45 copies of the notice were posted on November 27, 2019; and that 4 letters in support, 5 letters in opposition of the staff recommendation, and 1 letter providing comments, were received by the City Clerk's office, which were distributed to the City Council, posted online, and made part of the public hearing record.

Michele Beal Bagneris, City Attorney/City Prosecutor, reminded the City Council that their consideration of this public hearing was in a quasi-judicial capacity; and responded to questions.

Vice Mayor Hampton stated that he has made comments related to the cannabis process, however, he stated that he will not be biased by previous cannabis related issues while participating in the public hearing.

On the order of the Mayor, the regular meeting recessed at 8:21 p.m. and reconvened at 8:29 p.m.

David Reyes, Director of Planning and Community Development provided introductory comments, Guille Nunez, Management Analyst, presented a PowerPoint presentation on the item; with both responding to questions.

Richard A. McDonald, Esq., representing the Appellant/Applicant, Integral Dena, LLC, spoke in support of the appeal of the Planning Commissions' denial of Conditional Use Permit (CUP) No. 6759; summarized their correspondence dated January 23, 2020, and responded to questions.

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

Emanuel Najera, Pasadena resident  
Al Cabraloff, Pasadena resident  
Nich Borrelli, Pasadena resident

The following individuals spoke on issues related to cannabis retailers in the City, social equity in the cannabis industry, and/or the City's cannabis license process:

Allen Edson, National Association for the Advancement of  
Colored People  
Florence Annang, Pasadenans Organizing for Progress

The following individuals spoke in opposition to the staff recommendation and/or provided comments:

Timothy James Dodd, Sweetflower  
Patty Kasparian, Pasadena resident  
Martin Truitt, Pasadena resident

Theresa Fuentes, Assistant City Attorney, responded to questions related to the application process for other cannabis uses (i.e. lab, cultivation), and staff's interpretation of the Pasadena Municipal Code (PMC) related to the distance requirement.

City Manager Mermell provided information on the City's cannabis licensing process, including the review of each applicant's community benefits plan.

Councilmember Kennedy requested a discussion be agendized at a future City Council meeting on the social equity component related to cannabis businesses in the City.

Following discussion related to the staff's interpretation of the PMC related to the distance requirement, Councilmember Kennedy stated the following for the record, "I want to ask the following question for the record. We are consistent with our interpretation today, as we were yesterday, as we were ten years ago?" In response to Councilmember Kennedy's question, Ms. Fuentes stated "Yes."

Vice Mayor Hampton expressed concerns with staff's interpretation of the "ending point" of the proposed location's 600 foot buffer to the residential zone boundary line. He stated he believes the "ending point" of the buffer should be measured to the property line and does not believe the facts are clear.

Councilmember McAustin expressed disappointment that the Planning Commission did not abide by the rules and guidance provided by the City Council, City Attorney and City staff. She asked that the City Council not consider the "ending point" of the distance requirement of Interpretation 4: "The commercially zoned portion of property lines of split zoned parcels which are partly residential and partly commercial," because she believes it is not applicable to a cannabis use. She spoke in favor of the staff recommendation as she believes the application is compliant with the City's Zoning Code regulations.

Following discussion, it was moved by Councilmember McAustin, seconded Councilmember Kennedy, to close the public hearing. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

It was moved by Councilmember McAustin, seconded by Councilmember Kennedy, to approve staff recommendation:

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

**INFORMATION ITEM**

**POLICE DEPARTMENT ORGANIZATIONAL STRUCTURE  
AND SERVICE MODEL**

This item was held to be discussed at a future City Council meeting.

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

Rene Gonzalez, Padres, requested assistance for a family of five with school age children who attend Pasadena Unified School District (PUSD) schools that have been evicted from their apartment in Pasadena.

City Manager Mermell responded that the Housing Department has contacted the Union Station's Family Solutions Center, and a case worker will be meeting with the family in the very near future, referred the family to PUSD's Social Program, and staff is exploring other types of assistance that may be provided.

Councilmember Kennedy thanked Mr. Gonzalez for advocating for families in need, and requested information on whether the City Council, by law or administrative action by the City Manager, can prioritize families with children attending PUSD schools to be considered first for affordable housing assistance in the City.

Emanuel Najera, Pasadena resident, inquired on the status of recycling centers returning to Pasadena; and spoke on the need for signage to identify the Temporary Overnight Permit Exemption Kiosk (TOPEK) at Victory Park, additional lighting for the kiosk, and the viability of adding a second kiosk.

Vice Mayor Hampton stated the he receives complaints from his constituents regarding the TOPEK's being out of order.

Eduardo Origel Gabriel, student at Pasadena City College, inquired of the City's action to prevent and combat the threat of a coronavirus outbreak, and the steps the City is taking to protect residents and homeless individuals.

In response to public comment, City Manager Mermell stated that Dr. Ying Ying Goh, Director of Public Health, is working closely with the Los Angeles County Public Health Department, distributing information precautionary measures to be taken, and

noted that there are currently no reports of coronavirus cases in the City, but that staff is closely monitoring the situation.

**COUNCIL COMMENTS**

Councilmember Wilson reported that the Senate Bill 50 Planning and Zoning: Housing development is scheduled for a senate vote this week.

The Mayor and Councilmember Kennedy invited all interested individuals to join the Mayor's organized trip to Pasadena's Sister City of Dakar-Plateau, Senegal scheduled for March 10, 2020.

The Mayor spoke on the Nikkei Senior Annual party, held at the Pasadena Buddhist Temple, on January 26, 2020; and the "Every Person Has a Name - 25-Hour Holocaust Vigil", community remembrance event held at City Hall from January 26-27, 2020.

**ADJOURNMENT**

Following comments, on order of the Mayor, the regular meeting of the City Council adjourned at 10:35 p.m. in the memory of Ms. Mildred Hawkins, Ms. Margaret "Maggie" Belton, and Mr. Robert Gorski.

ATTEST:

\_\_\_\_\_  
Terry Tornek, Mayor  
City of Pasadena

\_\_\_\_\_  
City Clerk