

CITY OF PASADENA
City Council Minutes
April 20, 2020 – 2:00 P.M.
City Hall Council Chamber

SPECIAL MEETING

The virtual meeting was convened pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 30, 2020 at 2:00 p.m., and was held solely by videoconference/teleconference

OPENING: Mayor Tornek called the special meeting to order at 2:07 p.m. The pledge of allegiance was led by City Manager Steve Mermell.

ROLL CALL:
Councilmembers:
Mayor Terry Tornek
Vice Mayor Tyron Hampton
Councilmember Victor Gordo
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 Mayor Tornek led the City Council and staff in a moment of silence to reflect on the very difficult circumstances facing the Pasadena community, and also to share together in the grief and pain that all are suffering through due to death and illness caused by COVID-19, in Pasadena, in the nation, and around the world. He called on the community to seek spiritual strength for comfort and support others, and to bring an end to this terrible time.

Mayor Tornek announced a proclamation declaring April 24, 2020 as “Day of Remembrance of the Armenian Genocide” in Pasadena; and a proclamation declaring April 29, 2020, as “Denim Day” in Pasadena.

CONSENT CALENDAR City Manager Mermell summarized the Consent Calendar’s expenses, and reported that the City continues to focus on the COVID-19 pandemic, however, the City must continue to provide essential services including trash pick-up, street and sewer systems maintenance, and janitorial services for City facilities.

AUTHORIZE PURCHASE ORDER WITH TRANS WEST TRUCK CENTERS LLC, FOR PURCHASE OF FOUR BIN SCOUT TRUCKS FOR A TOTAL OF \$237,773

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; and
(2) Accept the bid dated March 10, 2020, submitted by Trans West Truck Centers LLC in response to specifications for the purchase of four bin scout trucks, and authorize a purchase order with Trans West Truck Centers LLC, for the purchase of four bin scout trucks in an amount not-to-exceed \$237,773.

CONTRACT AWARD TO CALIFORNIA PROFESSIONAL ENGINEERING, INC., FOR FIBER OPTIC INSTALLATION ON COLORADO BOULEVARD, ROSE BOWL ACCESS SYSTEM, PART II FOR AN AMOUNT NOT-TO-EXCEED \$90,000

Recommendation: It is recommended that the City Council:

(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 Title 14, Chapter 3, Article 19, Section 15303, Class 3, new construction or conversion of small structures, and find 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 April 1, 2020, submitted by California Professional Engineering, Inc., in response to the project plans and specifications for Fiber Optic Installation on Colorado Boulevard – Rose Bowl Access System, Part II project, reject all other bids received, and authorize the City Manager to enter into a contract not-to-exceed \$90,000, which includes the base contract amount of \$62,752 and a contingency of \$27,248 to provide for any necessary change orders. (Contract No. 31703)

AUTHORIZE PURCHASE ORDER WITH LOS ANGELES TRUCK CENTERS, LLC FOR PURCHASE OF ONE COMPRESSED NATURAL GAS POWERED ROLL OFF TRUCK FOR A TOTAL OF \$262,667

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; and

(2) Accept the bid dated March 10, 2020, submitted by Los Angeles Truck Centers, LLC, in response to specifications for the purchase of one heavy duty Compressed Natural Gas (CNG) powered roll off truck, and authorize a purchase order with Los Angeles Truck Centers, LLC, for the purchase of one heavy duty CNG powered roll off in an amount not-to-exceed \$262,667

This item was not considered and removed from the agenda

~~**CONTRACT AWARD TO AXIOM GROUP FOR CONCRETE CONSTRUCTION SERVICES FOR ARTWORK FOUNDATIONS FOR AN AMOUNT NOT TO EXCEED \$140,868**~~

AUTHORIZE PURCHASE ORDER WITH MAR-CO EQUIPMENT COMPANY FOR PURCHASE OF TWO FULLY OUTFITTED STREET SWEEPERS FOR A TOTAL OF \$720,566

Recommendation: It is recommended that the City Council:

- (1) Find that this 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 a purchase order with MAR-CO Equipment Company for the purchase of two fully outfitted street sweepers, in an amount not-to-exceed \$720,566. Competitive bidding is not required pursuant to City Charter Section 1002(H) contracts with other governmental entities or their contractors; 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.

REJECTION OF BIDS FOR DEMOLITION OF FORMER BANNER BANK BUILDING LOCATED AT 717 EAST UNION STREET

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(5) (projects which a public agency rejects or disapproves) and Section 15270 of the State CEQA Guidelines; and
- (2) Reject the bids received on March 17, 2020, in response to the Notice Inviting Bids for Banner Bank Demolition.

Item discussed separately

AUTHORIZE PURCHASE ORDER WITH WESCAM-USA FOR PURCHASE OF ONE MX-10 EO/IR CAMERA SYSTEM FOR A TOTAL OF \$420,000

ADOPT A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO PARTICIPATE IN WATER AND POWER INDUSTRY GROUPS, APPROVE PAYMENT OF MEMBERSHIP DUES AND OTHER COSTS, AND EXECUTE AND IMPLEMENT AGREEMENTS FOR THE JOINT PROCUREMENT OF PRODUCTS AND SERVICES THROUGH JOINT POWER AUTHORITIES

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; and

(2) Adopt a resolution authorizing the General Manager of the Water and Power Department (“PWP”) to:

- a. Apply for membership, sign participation agreements, and authorize payment of membership dues for associations or agencies representing the interests of municipal water and power agencies;
- b. Act as a representative, or designate a representative, on the Board of Directors or any other committee established by an association or agency of which PWP is a member, and take actions as may be required in that capacity including, but not limited to, advocacy, policies, procurement, and selection of staff;
- c. Authorize payment of any pro-rata share of expenses for professional services incurred by such associations or agencies that may be allocated to Pasadena; and
- d. Participate in joint procurement activities conducted by Joint Powers Authorities (“JPA”) of which Pasadena is a member without competitive bidding pursuant to City Charter Section 1002(H), Contracts with other governmental entities or their contractors for labor, material, supplies, or services, when it is in the best interest of the City, by signing participation memos or task order agreements with the JPA that commit Pasadena to fund its pro-rata share of the associated products and services.
(Resolution No. 9777)

Michele Beal Bagneris, City Attorney/City Prosecutor, stated that the proposed resolution contains a scrivener error on Page 2, Section 1, last line, and noted that staff will change the date from March 23, 2020 to April 20, 2020.

AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ASSOCIATED WITH THE RECEIPT OF MEASURE R MOBILITY IMPROVEMENT PROJECTS FOR THE CITY OF PASADENA AND AMENDMENTS TO THE FISCAL YEAR 2020 – 2024 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action 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 execute agreements associated with the receipt of Measure R Mobility Improvement Projects (MIPs) Funds from the Los Angeles County Metropolitan Transportation Authority (Metro). These funds total \$11,350,000 for four (4) projects within the City of Pasadena;

- (3) Amend the Fiscal Year (FY) 2020 – 2024 Capital Improvement Program (CIP) budget as detailed in the body of the agenda report; and
- (4) Acknowledge that these new projects may not commence unless and until found to be consistent with the General Plan by the Planning Commission. (Budget Amendment No. 2020-37)

AUTHORIZE THE CITY MANAGER TO EXECUTE ALL AGREEMENTS WITH CALTRANS ASSOCIATED WITH THE RECEIPT OF GRANT FUNDS FOR DEVELOPING A LOCAL ROAD SAFETY PLAN FOR THE CITY OF PASADENA

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action 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 execute all agreements with the California Department of Transportation (Caltrans) associated with the receipt of Grant Funding for developing a Local Road Safety Plan for the City of Pasadena.

AUTHORIZATION TO AMEND CONTRACT NO. 30,991 WITH DKS ASSOCIATES FOR ADDITIONAL PRELIMINARY ENGINEERING AND PREPARATION OF PLANS OF UNION STREET TWO-WAY PROTECTED BIKEWAY

Recommendation: It is recommended that the City Council:

- (1) Find that the following proposed actions are exempt from review pursuant to the California Environmental Quality Act (“CEQA”), pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Authorize the City Manager to execute a contract amendment with DKS Associates to increase the contract by \$93,450 for a total not-to-exceed amount of \$1,093,164 for additional preliminary engineering, preparation of plans, and other design modifications not initially included in the scope for the Union Street Two-way Protected Bikeway project. (Contract No. 30991-1)

Item discussed separately

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DATA TICKET, INC., FOR A PARKING CITATION AND PERMIT MANAGEMENT SYSTEM (PCPMS)

Item discussed separately

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DMS FACILITY SERVICES FOR CITYWIDE JANITORIAL SERVICES IN AN AMOUNT NOT-TO-EXCEED \$6,784,024 OVER THREE YEARS

Item discussed separately

APPROVE TEMPORARY LICENSE, LIMITED RIGHT OF ENTRY, AND INDEMNITY AGREEMENT WITH SAN GABRIEL VALLEY HABITAT FOR HUMANITY FOR THE CONSTRUCTION OF AN ACCESSORY DWELLING UNIT AND RELATED

IMPROVEMENTS ON CITY-OWNED PROPERTY LOCATED AT 268 WAVERLY DRIVE

AUTHORIZATION TO EXTEND LEASE AGREEMENT NO. 17,304-3 WITH CCATT LLC FOR LEASE OF SPACE FOR WIRELESS TELECOMMUNICATIONS FACILITY

Recommendation: It is recommended that the City Council:

- (1) Find that the following proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301(C) (Existing Facilities); and
- (2) Authorize the City Manager to amend Agreement No. 17,304-3 with CCATT LLC to extend the term of the agreement for five years, and provide an option to renew for an additional 5-year term. (Contract No. 17,304-4)

EXTENSION OF CONTRACT NO. 30,054 WITH TYLER TECHNOLOGIES, INC., TO FURNISH AND DELIVER AN ENTERPRISE LAND MANAGEMENT SYSTEM

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Authorize the City Manager to amend Contract No. 30,054 with Tyler Technologies, Inc., to extend the performance term period of the contract to December 31, 2021. (Contract No. 30054-2)

AUTHORIZE AN INCREASE TO PURCHASE ORDER NO. 1200544 WITH OVERDRIVE INC., BY \$66,000 TO PROVIDE EBOOKS AND EAUDIOBOOKS FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$140,000

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed contract is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption); and
- (2) Authorize the City Manager to increase Purchase Order No. 1200544 with OverDrive Inc., by \$66,000, thereby increasing the total not-to-exceed amount from \$74,000 to \$140,000 to provide additional funding for the purchase of eBooks and eAudiobooks; Competitive Bidding is not required pursuant to the City Charter Section 1002(C), contracts for labor, materials, supplies available from only one vendor.

**RESIGNATIONS,
APPOINTMENTS &
REAPPOINTMENTS**

RESIGNATION OF MICHAEL COPPESS FROM THE DESIGN COMMISSION (Planning Commission Nomination)

APPOINTMENT OF JOHN ONDERDONK TO THE HAHAMONGNA WATERSHED PARK ADVISORY COMMITTEE (At Large/District 6 Nomination)

APPOINTMENT OF CAROL A. POLANSKEY TO THE HISTORIC PRESERVATION COMMISSION (Bungalow Heaven Nomination)

REAPPOINTMENT OF MARK WATERSON TO THE ACCESSIBILITY & DISABILITY COMMISSION EFFECTIVE JULY 1, 2020 (At Large/District 6 Nomination)

REAPPOINTMENT OF ELLIE PODWAY TO THE CODE ENFORCEMENT COMMISSION EFFECTIVE JULY 1, 2020 (At Large/District 4 Nomination)

REAPPOINTMENT OF PHILIP CHIAO TO THE DESIGN COMMISSION EFFECTIVE JULY 1, 2020 (At Large/District 6 Nomination)

REAPPOINTMENT OF C. ROBERT KURKJIAN TO THE ENVIRONMENTAL ADVISORY COMMISSION EFFECTIVE JULY 1, 2020 (At Large/District 4 Nomination)

REAPPOINTMENT OF JOHN H. BRINSLEY TO THE FIRE AND POLICE RETIREMENT BOARD EFFECTIVE JULY 1, 2020 (At Large/District 4 Nomination)

REAPPOINTMENT OF EMMA OSHAGAN, PH.D. TO THE HUMAN RELATIONS COMMISSION EFFECTIVE JULY 1, 2020 (At Large/District 4 Nomination)

REAPPOINTMENT OF KEVIN M. LITWIN TO THE OLD PASADENA PARKING METER ZONE ADVISORY COMMISSION EFFECTIVE JULY 1, 2020 (At Large/District 2 Nomination)

REAPPOINTMENT OF TYRON HAMPTON TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2020 (City Council Nomination)

REAPPOINTMENT OF BLAIR SALISBURY TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2020 (Mayor/Property Owner Nomination)

REAPPOINTMENT OF SIAMAK NASSIRPOUR TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2020 (Hotel Nomination)

REAPPOINTMENT OF MICHAEL COPPESS TO THE PLANNING COMMISSION EFFECTIVE JULY 1, 2020 (At Large/District 4 Nomination)

REAPPOINTMENT OF JENNIFER VANORE TO THE RECREATION AND PARKS COMMISSION EFFECTIVE JULY 1, 2020 (At Large/District 6 Nomination)

RECOGNIZE REVENUE OF \$88,107 TO AMEND THE FISCAL YEAR 2020 OPERATING BUDGET FOR THE PRIVACY AND PIRACY FUND

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3) and 15378; and, as such, no environmental document pursuant to CEQA is required for the project;

(2) Authorize the City Manager to enter into a Memorandum of Understanding (MOU) with the State of California Department of Justice to accept and administer these grant funds on behalf of the City of Pasadena; and

(3) Amend the City Attorney/City Prosecutor's Department's Fiscal Year 2020

Operating Budget by recognizing revenue of \$88,107 in State of California Department of Justice Privacy and Piracy grant funds to fund contract personnel costs. (Budget Amendment No. 2020-38)

APPROVAL OF MINUTES

February 10, 2020

February 17, 2020

February 24, 2020

March 2, 2020

CLAIMS RECEIVED

Claim No. 13,511	Irving Meyer, Esq. Attorney at Law, representing Rito Vasquez	\$ 25,000.00+
Claim No. 13,512	Allstate as subrogee for Jim Christodoulelis	Not stated
Claim No. 13,513	Michael Farrand	300.00
Claim No. 13,514	Terry Tom	613.82
Claim No. 13,515	Adolfo Medina	1,880.01

City Clerk Jomsky read aloud the following public comment as part of the record:

Paul Little, President of the Pasadena Chamber of Commerce, expressed concerns with the financial impacts to local businesses.

It was moved by Councilmember Kennedy, seconded by Vice Mayor Hampton, to approve all items on the Consent Calendar, including the amendment to the resolution related to Item 8 (Adopt a Resolution Authorizing the General Manager to Participate in Water and Power Industry Groups), as detailed above; and with the exception of Item 4 (Contract Award to Axiom Group) which

was not considered and removed from the agenda; and Item 7 (Authorize Purchase Order With Wescam-USA), Item 12 (Authorization to Enter Into a Contract with Data Ticket, Inc.), Item 13 (Authorization to Enter Into A Contract With DMS Facility Services), and Item 14 (Approve Temporary License, Limited Right of Entry, and Indemnity Agreement with San Gabriel Valley Habitat for Humanity), which were discussed separately:

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

**CONSENT ITEM
DISCUSSED SEPARATELY**

AUTHORIZE PURCHASE ORDER WITH WESCAM-USA FOR PURCHASE OF ONE MX-10 EO/IR CAMERA SYSTEM FOR A TOTAL OF \$420,000

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 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) Authorize the City Manager to enter into a purchase order with Wescam-USA in the amount not-to-exceed \$420,000. Competitive bidding is not required pursuant to City Charter Section 1002(H), "contracts with other governmental entities or their contractors for labor, material, supplies or 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."

City Clerk Jomsky read aloud comments expressing concerns with awarding the contract without competitive bidding, and the expenditure of \$420,000 on a camera system used for surveillance purposes during the current COVID-19 pandemic:

Mohammad Tajsar, Pasadena resident
David Chavez, Pasadena resident
Ed Washatka, Pasadena resident
Allison Henry, Pasadena resident

City Manager Mermell provided information on the City's helicopter camera system; and responded to questions. Police Chief John Perez provided information on the costs associated with maintenance of the Pasadena Police Department's current camera system; and responded to questions.

Vice Mayor Hampton requested that the item be held and agendaized at a future Public Safety Committee meeting for further discussion; asked staff to provide information on the terms of the purchase; and expressed concerns with awarding the contract without a Request For Proposal (RFP) process.

Councilmember Madison spoke in favor of the staff recommendation, noting that the camera system is an important tool for the operations of the Pasadena Police Department (PPD).

Councilmember Gordo and Vice Mayor Hampton expressed concerns with the amount of the expenditure of general funds to purchase the new camera system.

Councilmember Kennedy expressed some reservation with the staff recommendation, however, stated that police officer safety and equipment such as the system being requested is important. He asked staff to provide information on the effectiveness of the new and old camera systems at a future Public Safety Committee meeting. In addition, he requested that staff provide information on cost savings if the other security cameras need replacement.

Councilmembers Masuda and McAustin, and Mayor Tornek spoke in favor of the staff recommendation.

City Clerk Jomsky reported that two letters were received in opposition to the staff recommendation; and distributed to the City Council, posted online, and made part of the record.

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

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

NOES: Councilmember Gordo, Vice Mayor Hampton

ABSENT: None

ABSTAIN: None

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DATA TICKET, INC., FOR A PARKING CITATION AND PERMIT MANAGEMENT SYSTEM (PCPMS)

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; and

(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 Data Ticket, Inc., for a parking citation

and permit management system for a total amount not-to-exceed \$1,576,665, which includes the option for two one-year extension periods subject to the approval of the City Manager. (Contract No. 31704)

City Clerk Jomsky read aloud a public comment from William Papanian, Pasadena resident, inquiring on the need for a contract for parking citations, as the City has suspended parking enforcement during the current crisis.

City Manager Mermell provided information on the timeframe to put into place the proposed contract; and responded to questions. Laura Cornejo, Director of Transportation, provided information on Data Ticket, Inc.'s current services provided to the City; and responded to questions.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DMS FACILITY SERVICES FOR CITYWIDE JANITORIAL SERVICES IN AN AMOUNT NOT-TO-EXCEED \$6,784,024 OVER THREE YEARS

Recommendation: It is recommended that the City Council:
(1) Find that the Contract with DMS Facility Services (DMS) for Citywide Janitorial Services 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; and
(2) Accept the bid dated April 3, 2020 submitted by DMS in response to the Notice Inviting Bids for Citywide Janitorial Services; reject all other bids received; authorize the City Manager to enter into such contract for citywide janitorial services for an amount not-to-exceed \$6,784,024 over a three-year period. (Contract No. 31702)

City Manager Mermell provided information related to required janitorial services in City Buildings; and responded to questions. Ara Maloyan, Direct of Public Works, provided information on the details of the contract, which includes labor and material, and is based on the number of hours, square footage, and materials needed to service City facilities; and responded to questions.

Councilmember Wilson asked staff to determine whether the City is allowed to place requirements on the contractor in terms of hiring practices.

Councilmember Kennedy spoke in favor of amending the staff recommendation to include a clause in the contract that urges the contractor to give additional consideration to City residents who may have lost their job or been furloughed.

Councilmember Gordo spoke on the need to be cautious of displacing Pasadena residents from jobs where they have served the City for over 15-25 years; and asked staff to work with the contractor to ensure Pasadena residents and their years of service received consideration and priority in employment status. In addition, he asked staff to implement employment priorities in City contractual agreements to individuals who live in the City. He also asked staff to conduct a cost benefit analysis to determine if City staff should take on janitorial responsibilities in all City buildings.

Michele Beal Bagneris, City Attorney/City Prosecutor, responded that the City Council may approve the staff recommendation, with the inclusion of a clause that would provide for the employment provisions detailed above, subject to applicable legislation.

Councilmember McAustin expressed concerns with including hiring preferences for a single contract, and suggested that the City develop broader policies in terms of hiring preferences for City residents.

City Clerk Jomsky read aloud a public comment from William Papanian, Pasadena resident, expressing concerns with the proposed contract expenditure and suggested hiring Pasadena residents to perform the janitorial services in the City buildings.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Wilson, to approve the staff recommendation, amended to include the clause that urges hiring preferences related to Pasadena residents, as detailed above:

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

APPROVE TEMPORARY LICENSE, LIMITED RIGHT OF ENTRY, AND INDEMNITY AGREEMENT WITH SAN GABRIEL VALLEY HABITAT FOR HUMANITY FOR THE CONSTRUCTION OF AN ACCESSORY DWELLING UNIT AND RELATED

IMPROVEMENTS ON CITY-OWNED PROPERTY LOCATED AT 268 WAVERLY DRIVE

Recommendation: It is recommended that the City Council:

(1) Find and determine under the California Environmental Quality Act (Public Resources Code Section 21000 et seq. (referred to as "CEQA" in the agenda report) that the actions proposed in the agenda report are within the class of projects pursuant to Section 15303 of Title 14 of the California Code of Regulations that would not cause a significant effect on the environments and is, therefore, categorically exempt from the provisions of CEQA, and there are no features that distinguish this project from others in the exempt class and therefore there are no unusual circumstances applicable;

(2) Authorize the City Manager to execute a Temporary License, Limited Right of Entry, and Indemnity Agreement with the San Gabriel Valley Habitat for Humanity for the construction of an accessory dwelling unit on City property located at 268 Waverly Drive. (Contract No. 23,555)

City Clerk Jomsky read aloud a public comment from Anne Marie Molina, Chair of the ADU Committee of the Greater Pasadena Affordable Housing Group, expressing support for the staff recommendation and advocating for affordable housing for homeless individuals.

Following public comment, it was moved by Vice Mayor Hampton, seconded by Councilmember Kennedy, to approve the staff recommendation:

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

PUBLIC HEARINGS

PUBLIC HEARING TO BE RESCHEDULED: FISCAL YEAR 2021 RECOMMENDED SCHEDULE OF TAXES, FEES, AND CHARGES

Recommendation: It is recommended that the City Council receive and file this notification that the public hearing, published for April 27, 2020, has been rescheduled and published for May 4, 2020 for the public meeting, and June 1, 2020 for the public hearing.

It was moved by Councilmember Kennedy, seconded by Councilmember McAustin, to continue the public hearing to May 4, 2020 at 2:00 p.m.:

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

The City Council recessed at 3:43 p.m. and returned at 3:53 p.m.

PUBLIC HEARING: HOLD A PUBLIC HEARING AND APPROVE THE RECOMMENDED CLEAN UP AMENDMENTS TO THE ELECTRIC RATE ORDINANCE AND ADJUSTMENTS TO THE GREEN POWER SERVICE RATE

Recommendation: It is recommended that the City Council:

- (1) Find that the Public Hearing for the recommended adjustments to the electric rate structure is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges);
- (2) Open a public hearing to receive public comment on the recommended clean up amendments to the electric rate ordinance and adjustments to the green power service rate adjustments to be effective July 1, 2020, or as soon as practicable thereafter:
 - a) Revise the character of service criteria for residential and small commercial customers, as described in the agenda report, to eliminate inconsistencies or ambiguities in determining the applicable electric rates; and
 - b) Amend the Green power service rate to: (i) clarify that customers may elect to have 100% of their metered electric usage served under the Green power service rate in addition to the ability to elect Green power service in 100 kilowatt-hour ("kWh") per month blocks; (ii) reduce the premium from \$2.50 per 100 kWh block to \$1.80 per 100 kWh block, or \$0.018 per kWh; and (iii) clarify that Pasadena Water and Power ("PWP") will not utilize renewable energy procured to serve Green power service customers for mandatory compliance purposes.
- (3) Direct the City Clerk to report on written comments received from the public;
- (4) Close the public hearing;
- (5) Approve the aforementioned recommended electric rate adjustments; and
- (6) Direct the City Attorney to prepare an amendment to the Light and Power Rate Ordinance ("Ordinance") implementing the changes to the electric rates described in the agenda report.

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and the Pasadena Weekly on April 2, 2020; and two letters in support of the Banner Bank Project and 1 letter in support of "Priority 15" and against "Priority 37," and two letters providing comments on the CIP Budget 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.

Vice Mayor Hampton disconnected from the meeting at 3:53 p.m.

Gurcharan Bawa, General Manager of Water and Power, summarized the staff report as part of his oral presentation; and responded to questions. City Manager Mermell spoke on his priority in ensuring all City employees are safe and instituted practice in case an employee contracts COVID-19; and responded to questions.

Councilmember McAustin, Chair of the Municipal Services Committee, summarized the Committee's discussion on the item and the Committee's approval of the staff recommendation.

Councilmember Madison spoke on the need for staff to continue with best practices to protect City employees.

Following a brief discussion, it was moved by Councilmember McAustin, seconded by Councilmember Wilson, to close the public hearing:

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

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

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

PUBLIC HEARING: CITY MANAGER'S RECOMMENDED FISCAL YEAR 2021 – 2025 CAPITAL IMPROVEMENT PROGRAM BUDGET AND ADOPTION OF FISCAL YEAR 2021 – 2025 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation: It is recommended that the City Council:

- (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) Open the public hearing on the City Manager's Recommended Fiscal Year (FY) 2021 – 2025 Capital Improvement Program (CIP) Budget;
- (3) Acknowledge that any new projects set forth in the CIP Budget may not commence unless and until found to be consistent with the General Plan by the Planning Commission;

- (4) Close the public hearing and formally adopt the FY 2021 – 2025 CIP Budget; and
- (5) Adopt by resolution the City's Fiscal Year (FY) 2021 – 2025 Capital Improvement Program Budget as summarized in Exhibit B contained in the resolution and any changes passed by a motion of the City Council. (Resolution No. 9778)

City Manager Mermell provided introductory comments, and Ara Maloyan, Director of Public Works, presented a PowerPoint presentation on the item, with both responding to questions. Gurcharan Bawa, General Manager of Water and Power, presented information on the Water and Power's CIP projects, and Mitch Dion, Assistant General Manager of Water and Power, provided information on the water lab expenses and water quality goals; with both responding to questions. Phillip Leclair, Chief Information Officer, presented an update on the Department of Information and Technology's Enterprise Asset and Work Order Management Application project; and responded to questions.

Vice Mayor Hampton
reconnected to the meeting

Councilmember Kennedy expressed concerns with the Curb Ramp ADA Improvements project, specifically the installations of the curb ramps at intersections where safety concerns were raised by pedestrians. He asked staff to provide information on the expected lifespan for curb ramp installations and spoke on the need for staff to take an inventory of all the installed curb ramps to assess any installation failures of ramps. He also asked staff to provide an update on water safety to the Public Safety Committee at a future meeting. Councilmember Kennedy spoke on the need for staff to concentrate on sidewalk repair in the City, specifically the "hot spot" areas. He asked staff to gather information and inventory "hot spots" based on severity of repairs needed. He asked the City Council to strongly consider funding sidewalk replacement and improvement in the CIP Budget. Councilmember Kennedy expressed strong concerns related to the lack of funding for the roof replacement (leaking roof) at Jackie Robinson Park, asked staff to provide information on the roof, including the roof's age, the schedule for the roof replacement, and costs associated with replacing the roof.

City Clerk Jomsky read aloud comments related to the proposed CIP Budget from the following individuals:

William Paparian, Pasadena resident
Ken Kules, Pasadena resident

Following public comments, it was moved by Councilmember Masuda, seconded by Councilmember Wilson, to close the public hearing:

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

It was moved by Councilmember Kennedy, seconded by Councilmember McAustin, to approve the staff recommendation with direction given to staff to return with additional information as detailed above:

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

**COVID-19 UPDATE FROM CITY MANAGER:
REPORT FROM DR. GOH – ORAL REPORT**

Dr. Ying Ying Go, MD, Director of Public Health, thanked the community for abiding by the Safer at Home Order, and all essential workers, including City staff and healthcare workers; and expressed sincere condolences to families and loved ones of those individuals that have passed away due to COVID-19. She provided an update on the number of cases and deaths related to the COVID-19 pandemic occurring in the City, as well as on a national and worldwide scale, COVID-19 testing in the City, and additional measures taken by the Health Department to help stop the spread of the virus; and responded to questions.

Michele Beal Bagneris, City Attorney/City Prosecutor provided information on City staff's actions in tracking the City's emergency ratification extensions and renewal requirements; and responded to questions. In response to Councilmember Madison's request, she stated that she would provide a chart with the various levels of declarations, orders, and the corresponding authority provided by each action.

Councilmember Madison stated his preference that the Health Department's Proclamation of Local Emergency be ratified by the City Council to ensure all legislation is legal. He spoke on his preference that the City recover from the pandemic more quickly and robustly than surrounding cities; and that the Rose Bowl Loop be opened with modifications, including closed to auto traffic and staff serving as public guides.

Vice Mayor Hampton requested that the City Council adjourn in the memory of the Pasadena residents who succumbed to COVID-19. He asked staff to research the names of those individuals so they can be included as part of the record. Vice Mayor Hampton asked staff to confirm that Huntington Memorial Hospital (HMH) is at 70% vacancy. He advocated for re-opening retail stores in the City to allow individuals to return to work, as well as the Rose Bowl Loop. Vice Mayor Hampton expressed concerns with staff's response and actions to protect the senior population in the City.

Councilmember Gordo voiced support for Councilmember Madison's request to ratify the City Manager's and Health Officer's declarations and orders related to the COVID-19 emergency regardless of state law requirements. He asked the City Attorney to review each of the emergency declarations and provide information on the legislative process for Pasadena, including the affects of keeping the declarations in place, and a chart displaying the authority power. He also spoke on the need to commence discussions on returning to some type of "normalcy", while balancing it with being cautious and safe. He stated his preference to not wait for the State or Los Angeles County to act. He asked staff to breakdown the capacity information from HMH between general and Intensive Care Unit (ICU), and provide information on whether the hospital anticipates a problem with ICU capacity. Councilmember Gordo stated the he believes the April 27, 2020 City Council meeting should not be cancelled in order to discuss the issues raised during the current meeting, including the local economy, economic impacts, bond debts associated with both the Rose Bowl and Pasadena Convention Center, and federal and state funding to the City. In addition, he asked staff to provide information on the process used to help assisted living facilities in the City, related to COVID-19.

Councilmember McAustin requested that staff provide information on HMH's Personal Protective Equipment (PPE) inventory and the capacity of care that is augmented by the new trailer facilities. She also asked staff to provide information on the State's intention to strengthen enforcement of senior facilities in terms of COVID-19 operational adjustments, and if possible, for City staff to participate in making recommendations for stronger regulations.

Councilmember Masuda expressed concerns with re-opening businesses too soon.

Councilmember Kennedy requested Dr. Goh and City staff to research the Harvard University, Edmond J. Safra Center for Ethics, COVID-19 response initiative, "Roadmap to Pandemic Resilience," and stated that he believes with massive COVID-19 testing, the City can do a better job of isolating, tracing, warning, and supporting the City's residents. He asked staff to provide

information related to COVID-19 to community members through the City's InFocus newsletter. He requested that staff focus on disseminating COVID-19 information in hard to reach households and by other means than electronic outreach. Councilmember Kennedy echoed previous comments in support of opening the Rose Bowl Loop, with staff to provide information on the necessary steps to be taken to open the loop.

Mayor Tornek stated that the discussion on measures to be taken to re-open the economy needs to occur on state and regional levels, and expressed his concern with the City Council and staff determining which stores should be allowed to open. He spoke on the need to balance information that is useful, appropriate, and mandatory to the City Council, including the City Council's role in the decision-making and regulation of opening/closing shops/stores.

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

FEEDING AND MEAL PROGRAMS FOR PASADENA'S FOOD VULNERABLE RESIDENTS

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) (Common Sense Exemption);
- (2) Appropriate \$200,000 from Unappropriated General Fund balance to the Parks, Recreation and Community Services Fiscal Year 2020 Operating Budget;
- (3) Appropriate \$10,000 from Unappropriated General Fund balance to the City Manager's Office Fiscal Year 2020 Operating Budget;
- (4) Authorize the City Manager to expend an amount not-to-exceed \$200,000, without Competitive Bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with various Pasadena food pantries and meal programs as described in the body of the agenda report; and
- (5) Grant the proposed expenditure an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code (P.M.C.) Section 4.08.049(B), contracts for which the City's best interests are served. (Budget Amendment No. 2020-39)

City Manager Mermell provided introductory comments, and Brenda Harvey-Williams, Director of Parks, Recreation and Community Services, presented a PowerPoint presentation on the item, with both responding to questions.

Vice Mayor Hampton asked staff to ensure that City-assisted food banks/pantries maintain records on community members served in order to provide data on the number of residents that benefited

from these programs. He also asked staff to send information on the meals programs to all the senior housing facilities in the City; and to expedite the issuance of funds to the food banks/pantries as there is an immediate need for assistance.

Councilmember Gordo expressed concerns regarding the ability of the proposed meal programs being able to meet the needs of the many individuals in the community that find themselves unemployed, and asked staff to consider what actions can be taken to enhance feeding and meal programs. He asked staff to begin discussions on a meal program that includes working with the Pasadena Unified School District, existing non-profit organizations, and regional food banks.

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

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

FINANCIAL IMPACTS OF COVID-19 PANDEMIC

Recommendation: This report is for information only; no City Council action is required

City Manager Mermell and Matt Hawkesworth, Director of Finance, presented a PowerPoint presentation on the item, with both responding to questions.

Councilmember McAustin expressed concerns with the staff's financial projections as being too promising; and the Rose Bowl's key assumptions, citing cash positions allow it to stay in the positive through Fiscal Year 2021, especially assuming events will be held at the stadium by August 2020. She stated that these assumptions appear to be highly unlikely to occur. She asked staff, when completing the budget projections for the coming year, to build in scenarios that include the Rose Bowl Operating Company's and Pasadena Center Operating Company's inability to make debt service payments, and to provide a best, worst and middle case scenarios for the upcoming 2020-21 Fiscal Year budget. In addition, she asked staff to provide a list of support needed from the federal government, and for the City to approach and utilize City's lobbyist and relationships with elected officials

Councilmember Wilson asked staff to consider, when working on the FY21 budget, to contemplate the City's priority services, and determine what programs would benefit basic human needs.

Councilmember Gordo expressed concerns with the proposed budget, including the lack of information on the possibility of a loss of property tax income; and asked staff to provide information on all the City's debt services, including the Rose Bowl Operating Company and the Pasadena Center Operating Company. He also spoke on the need for staff to pressure Los Angeles County and California to assist local municipalities through the next stimulus package or other funding sources.

Vice Mayor Hampton spoke on the need to have a discussion on what budget cuts the City Council should consider.

Councilmember Kennedy echoed Vice Mayor Hampton's comments related to the discussion on budget cuts, and asked staff to return to the Finance Committee or City Council with various options for the City Council to consider.

City Clerk Jomsky reported that one letter from Paul Little, President and Chief Executive Officer of Pasadena Chamber of Commerce, providing comments on the item was received, distributed to the City Council, posted on-line and made part of the public record; and read aloud his comments providing suggestions to help support and retain local small businesses.

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

PASADENA'S COVID-19 RESPONSE MEASURES FOR PEOPLE EXPERIENCING HOMELESSNESS

Recommendation: This report is for information only; no City Council action is required.

William Huang, Director of Housing, summarized the staff report as part of his oral presentation; and responded to questions. City Manager Mermell provided information on potential properties/sites for affordable housing located in Los Angeles County; and responded to questions.

Councilmember McAustin asked staff to research opportunities to provide larger-scale housing for existing and future homeless individuals once the COVID-19 pandemic passes. She suggested staff consider motels or converting empty office buildings.

Councilmember Wilson asked staff to inquire if shower facilities at Pasadena City College and other organizations can be used for homeless individuals during the COVID-19 pandemic.

Councilmember Madison spoke in opposition to creating a homeless encampment utilizing FEMA trailers at the Central Arroyo, which is a family recreation area; and on the need for staff to continue their efforts to pressure the California Department of Transportation (Caltrans) to sell their properties so that the City can provide indirect or direct assistance to homeless individuals in transition.

Vice Mayor Hampton spoke on the need to allow some business to open and operate with safety measures in place, including social distancing techniques. He suggested that staff contact Pasadena Unified School District to inquire if schools with shower facilities can be used for homeless individuals. In addition, he asked staff to consider purchasing FEMA trailers to provide temporary and transitional housing for individuals in need.

Councilmember Kennedy asked staff to contact major churches located in the City to provide assistance with the homeless population by making available facilities (i.e. gyms, showers, etc.) during certain time periods, and to disseminate that information to the community. In addition, he asked staff to consider amending City regulations to facilitate construction of smaller units and infield housing projects (small lot subdivision ordinance) in the City.

Councilmember Gordo asked the Housing Department staff to provide a "wish list" of items they would like from Los Angeles County (LA County) in terms of resources provided by the State and Federal government that can be repurposed to the City of Pasadena, including stimulus funds, allowing the City to respond to the homeless population and assist in providing support to this vulnerable community.

Councilmember McAustin was excused and disconnected from the meeting at 9:45 p.m.

City Clerk Jomsky reported that 7 letters providing comment on the item were received, distributed to the City Council, posted on-line and made part of the public record; and read aloud comments related to the item, including advocating for affordable housing, supporting staff's actions to house homeless individuals in motels, requesting information on the number of individuals that have been provided housing, advocated for a creation of a Rental Assistance Fund, urging the suspension of rent payments, and advocating for the removing document requirements from the City's Eviction Moratorium ordinance, from the following individuals:

Sheri Johnson, Pasadena resident
Anthony Manousos, Pasadena resident
Connie Millsap, Pasadena resident

Lara Schubert, Pasadena resident
Donna Sider, Pasadena resident
Ferne E. Hayes, Pasadena resident
Angel M. Castillo, Pasadena resident
Teresa Eilers, South Pasadena resident
Jaylynn Bailey, Pasadena resident
Charles Xu, Pasadena resident
Nathaniel Sagman, Pasadena resident
Areta Crowell, Pasadena resident
Larene Woo, Pasadena resident
Ryan Bell, Pasadena resident
Ada Ramirez, Pasadena resident
Kayla Ephros, Pasadena resident

Michele Beal Bagneris, City Attorney/City Prosecutor, provided information on the City's eviction moratorium ordinance, including documentation requirements; and responded to questions.

Vice Mayor Hampton asked staff to inquire with the State or Federal government to determine if a foreclosure moratorium can be developed, whether it is possible to waive penalty fees for late property tax payments, and other measures to provide some relief to Pasadena property owners.

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

Councilmember Kennedy requested an update on a letter he submitted to City Manager Mermell and Mayor Tornek related to 5G network and stated the following for the record: "As Chair of the Public Safety Committee, because of plausible safety concerns that are articulated in a video that was provided by the retired head of Microsoft Canada, I'm requesting that the City Council adopt a temporary moratorium allowing the roll out of 5G Technology in the City of Pasadena. Additionally, I am requesting that the Mayor and City Manager assemble a Committee of experts that would include knowledgeable doctors, scientists, engineers and non-biased industry professionals and task them with producing a report for the City Council and our residents analyzing the safety of the referenced technology. On this point, I am requesting the City Manager Steve Mermell retain the services of an unbiased paid consultant expert in the field of "wireless technology" to support the work of the proposed committee and appropriate City Staff to buttress the yet to be formed Committee as well. Finally, in terms of the process, if the Mayor and the City Manager believe they do not internally possess the authority to take the actions I have requested, then I am only requesting that a formal agenda report be produced by staff seeking direction on the referenced issue from the City Council."

HOSPITALITY WORKPLACE PROTECTIONS

Due to time constraints, the City Council agreed to delay the discussion on the above item until the next City Council meeting.

ADJOURNMENT

On order of the Mayor, the special meeting of the City Council adjourned at 10:09 p.m., in memory of all those that have lost their lives during the COVID-19 pandemic.

/s/ Terry Tornek

Terry Tornek, Mayor
City of Pasadena

ATTEST:



City Clerk