

333CITY OF PASADENA
City Council Minutes
August 24 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 17, 2020, and was held solely by videoconference/teleconference

OPENING: Mayor Tornek called the special meeting to order at 2:02 p.m. The pledge of allegiance was led by Councilmember McAustin.

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 Councilmember McAustin spoke on the City's scheduled events commemorating the 100th Anniversary of the Women's Right to Vote, Women's Equality Day (Wednesday, August 6, 2020), the cancellation of recent and future events due to the pandemic, and the new all virtual social media campaign designed to encourage residents to register to vote.

Mayor Tornek requested that the meeting be adjourned in memory of those that have suffered due to death and illness caused by COVID-19 in Pasadena, the nation and around the world.

CONSENT CALENDAR **RECOGNIZE AND APPROPRIATE \$1,966,000 TO THE FISCAL YEAR 2021 PUBLIC HEALTH DEPARTMENT OPERATING BUDGET AND INCREASE THE DEPARTMENTAL PERSONNEL ALLOCATION BY 6.0 FULL-TIME EQUIVALENT (FTE) FOR THE COVID-19 EPIDEMIOLOGY AND LABORATORY CAPACITY (ELC) PROGRAM**
Item discussed separately

Item discussed separately **ADOPT A RESOLUTION OF THE CITY COUNCIL CANCELLING THE CITY MANAGER'S FOURTH SUPPLEMENT TO THE DECLARATION OF A LOCAL EMERGENCY AND AUTHORIZING THE CITY MANAGER TO REINSTATE PROVISIONS OF THE PASADENA MUNICIPAL CODE BANNING PLASTIC CARRYOUT BAGS**

APPROVAL OF MINUTES

June 22, 2020
June 29, 2020
July 6, 2020
July 13, 2020

CLAIMS RECEIVED

Claim No. 13,595	Blue Hill Specialty Insurance Company as subrogee for UBER TECH INCP23	\$ 4,945.82
Claim No. 13,596	Manibog Law PC, representing Sara Moreno	25,000.00+
Claim No. 13,597	Ed Kanouse	768.00

PUBLIC HEARING SET

September 14, 2020, 2:00 p.m. – Declaration of Surplus Properties located at 78 N. Marengo Ave and 280 Ramona Street

It was moved by Councilmember Wilson, seconded by Councilmember Masuda, to approve all items on the Consent Calendar, with the exception of Item 1 (Recognize and Appropriate \$1,966,00 to the Fiscal Year 2021 Public Health Department Operating Budget...), and Item 2 (Adopt a Resolution of the City Council Cancelling the City Manager’s Fourth Supplement to the Declaration of a Local Emergency...), which were discussed separately:

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

CONSENT ITEMS
DISCUSSED SEPARATELY

RECOGNIZE AND APPROPRIATE \$1,966,000 TO THE FISCAL YEAR 2021 PUBLIC HEALTH DEPARTMENT OPERATING BUDGET AND INCREASE THE DEPARTMENTAL PERSONNEL ALLOCATION BY 6.0 FULL-TIME EQUIVALENT (FTE) FOR THE COVID-19 EPIDEMIOLOGY AND LABORATORY CAPACITY (ELC) PROGRAM

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 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) Authorize the City Manager to enter into a contract with Los Angeles County to accept and administer federal grant funds on behalf of the City of Pasadena to expand epidemiology, surveillance, and testing capacity to combat COVID-19;
- (3) Adopt a resolution establishing new classifications and setting salary control rates for Public Health Nurse Manager and Epidemiologist Analyst; and

(4) Amend the Fiscal Year 2021 Public Health Department operating budget by recognizing and appropriating \$1,966,000 in Los Angeles County grant pass-through funding from the Centers for Disease Control & Prevention and increase the departmental personnel allocation by 6.0 new full-time equivalent (FTE) limited-term grant-funded positions. (Resolution No. 9803, Budget Amendment No. 2021-08)

Mark Jomsky, City Clerk, read aloud comments from Phyllis Chestang, Altadena resident, in support of the staff recommendation. He also reported that one letter of correspondence was received from Ms. Chestang in support of the staff recommendation.

Vice Mayor Hampton reiterated his request for information on the City's Health Department's plan to inspect the senior care facilities in the City. He also spoke on the need for the Health Department to provide grief counselors to City residents when in need of mental health support.

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

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

ADOPT A RESOLUTION OF THE CITY COUNCIL CANCELLING THE CITY MANAGER'S FOURTH SUPPLEMENT TO THE DECLARATION OF A LOCAL EMERGENCY AND AUTHORIZING THE CITY MANAGER TO REINSTATE PROVISIONS OF THE PASADENA MUNICIPAL CODE BANNING PLASTIC CARRYOUT BAGS

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the Common Sense Exemption that CEQA only applies to projects that may have an effect on the environment; and
- (2) Direct the City Manager to reinstate the requirements set forth in the Pasadena Municipal Code banning plastic carryout bags; and Adopt a resolution of the City Council of the City of Pasadena Cancelling the City Manager's Fourth Supplement to the Declaration of a Local Emergency and Reinstating the Provisions of the Pasadena Municipal Code Banning to Plastic Carryout Bags.

City Clerk Jomsky read aloud comments from the following members of the public in support of the staff recommendation:

Mary Villanueva, Pasadena resident
Bin Lee, Pasadena resident
Susan Dembowski, Pasadena resident
Cheryl Auger, Alhambra resident
Wesley Reutimann, Pasadena resident
Io Sara McNaughton, Pasadena resident
Blair Miller, Pasadena resident
Jonathan Levy, Pasadena resident
David Cutter, Pasadena resident
Rona Bortz, South Pasadena resident
Molly Morabito, San Francisco resident

City Clerk Jomsky reported that 8 letters in support of the staff recommendation, including suggestions and comments, were received, distributed to the City Council, posted on-line, and made part of the public record from the following individuals:

Therese Brummel, Pasadena resident
Candace Seu, Pasadena resident
Susan Dembowski, Pasadena resident
Kathy Berlin, Pasadena resident
Paula Kelly, Pasadena resident
Jasmine De La Torre, Pasadena resident
Lauren Cook Hummel, Pasadena resident
Nancy Youngblut, Pasadena resident

In addition, Mr. Jomsky reported that one letter in opposition to the staff recommendation was received, distributed to the City Council, posted on-line, and made part of the public record by an anonymous individual.

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

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

OLD BUSINESS

CREATION OF A COMMUNITY POLICE OVERSIGHT COMMISSION AND AN INDEPENDENT AUDITOR

Recommendation: It is recommended that the City Council direct the City Attorney to prepare and return with an ordinance amending the Pasadena Municipal Code, within 30 days, establishing a Community Police Oversight Commission and an Independent Auditor function as described in the Background section of the agenda report.

Councilmember Kennedy, Chair of the Public Safety Committee, spoke on the need to provide community oversight to the Pasadena Police Department, and spoke in favor of establishing a Community Police Oversight Commission (CPOC). Mayor Terry Tornek summarized the agenda report, including the modifications related to the composition of a proposed CPOC, and the Independent Police Auditor (IPA) appointment process; and responded to questions.

Councilmember Madison expressed disappointment on the lack of detailed information in the agenda report, including the lack of a fiscal impact statement; and spoke on the need for further discussion on the details pertaining to the creation of a CPOC and IPA. He spoke in favor of the City Council moving forward with police oversight with true independence, which he believes is the City Council, who are accountable to the voters, and an IPA that would report through the City Manager's Office to the City Council and the CPOC. He expressed concerns with placing an IPA in the City Attorney's Office, which he believes creates a conflict of interest and lack of independence, and a constitutional crisis under the City's Charter.

Steve Mermell, City Manager, provided information on staff's communication related to the consultant that provided an analysis on police oversight in 2016, and staff's effort to update the City's 2016 analysis by retrieving information from various City's (listed in the analysis); and responded to questions.

Michele Beal Bagneris, City Attorney/City Prosecutor, provided information on the legal requirement for the City Council to take an action as a body, and the required information to be included in the City's agenda reports; and responded to questions.

Vice Mayor Hampton expressed concerns with the release of the video and information related to the Pasadena Police Officer Involved Shooting (OIS) of Anthony McClain without the knowledge of the City Council. He spoke in opposition to community members being cited and pulled over for missing license plates. He asked staff for detailed information regarding the OIS, including why officers chased Mr. McClain, why the officer did not engage his body-worn camera, details of the shooting, public endangerment issues committed by the officer, questions regarding the investigation where the officer's body worn camera was turned off, and why the officer has not been fired for acting out of policy.

Councilmember Gordo expressed concerns as to why his request of a thorough analysis of true independent accountability that is separate from the City Manager's Office was not provided by staff. He stated that anytime the City Council is asked to delegate any authority, the community and the City Council has the right to see

such an analysis in writing. He reiterated his request for information on a model CPOC and IPA that does not require Charter reform with an IPA placed in the City Attorney's Office, by contracting an IPA that will report directly to the City Council.

Javan Rad, Chief Assistant City Attorney, provided information on the definition of a "compelled statement," and responded to questions.

Councilmember Masuda restated his position that the highest form of police oversight is the Public Safety Committee and the City Council. He expressed concerns with an IPA placed in the City Attorney's Office; and stated his preference that members of a CPOC be nominated by the City Council in order to ensure there is balance in the Commission's membership.

Vice Mayor Hampton stated his preference that the IPA position be hired as an independent contractor, with a contractual agreement to report directly to the City Council; and expressed concerns as to why such an option was not presented to the PSC as additional options for civilian police oversight.

Councilmember Gordo stated for the record, "That is exactly the model that I asked be analyzed... exactly that model."

City Clerk Jomsky reported on the correspondence received by the City Clerk's Office: in support of a Community Police Oversight Committee made up of community members, including provisions for an Independent Police Auditor with subpoena powers; advocating for the Pasadena Community Bill of Rights, expressing concerns and requesting additional information related to the officer involved shooting of Anthony McClain; and/or providing suggestions on the model being discussed by the City Council, from the following individuals:

- Allan Shay, Vice-Chair of the Northwest Commission
- Rev. Dr. Sally Howard, residence not stated
- Fabio Tesei, Pasadena home owner
- Jane Ward, residence not stated
- Remy De La Peza, Pasadena resident
- Lynndi Scott, Pasadena resident
- Vanessa Lee, Pasadena resident
- Reo Glancey, Pasadena resident
- Donna Perkins, Pasadena resident
- Jenifer Morrison, residence not stated
- Susan Dembowski, Pasadena resident
- Robin Kinman, Pasadena resident
- Karen Scauzillo, Pasadena resident
- Dr. Brinell Anderson, residence not stated
- Elise Wetzel, Pasadena resident

Gail Whitacre, Eagle Rock resident
Tiffany Mai, South Pasadena resident
Kaci, Pasadena resident
Valerie Okorochoa, Pasadena resident
Lauren Lo Coco, residence not stated
Susan Deming, Pasadena homeowner
Vanessa Kale, residence not stated
Donna Chaney, residence not stated
Phyllis M. Chestang, residence not stated
Autumn Cunningham, residence not stated
Didi Matthews, Pasadena resident
Alice Auyang, residence not stated
Patricia O'Reilly, Pasadena resident
Gerald Orcholski, Pasadena resident
Barbara Masters, Pasadena resident
Marc Weiss, Pasadena resident
Joselyn Lai, Pasadena resident
Laura Solomon, Pasadena resident
Ron Placone, residence not stated
Mary Bucci Bush, Pasadena resident
Noelle and Kinsey Ito, Pasadena residents
Mayra Macedo-Nolan, Pasadena resident
Lorynne Young, Pasadena resident
John McCall, Senior Pastor with Bethel Missionary Baptist
Church of Pasadena
Gleason Bauer, Pasadena resident
Jessica Wolf, non-Pasadena resident
Pastor Eric Johnson, New Abbey Church Pasadena
Clara Hill-Williams, residence not stated
Alexandra Jacqueline Annala, Pasadena resident
Heather Ross, Eagle Rock resident
Mariann H. M. Reardon, Minister of Congregational Care at
Pasadena Mennonite Church
Sonja K. Berndt, Pasadena resident
Paula Kelly, Pasadena resident
Blair Miller, Pasadena resident
Madeline Crowley, residence not stated
Jim Morris, residence not stated
Jazmine De La Torre, Pasadena resident
Scott White, Pasadena resident
Chiara Tellini, member of the public
B.R.E.A.T.H.E Justice 365
Lydia Pech, residence not stated
Kristi Colmenero, Pasadena resident
Una Lee Jost, Pasadena resident
James Joyce, Pasadena resident
Petrea Burchard Sandel, Pasadena resident
Jocelyn Gajeway, residence not stated
Gulnar Tuli, Pasadena resident
Layla Hunter, Pasadena resident

Celestine McFearn Walker, Managing Director with NATHA
Jason Kramer, residence not stated
John J. Kennedy, Pasadena resident
Alma Stokes, residence not stated
Mary Anne Berry, Pasadena resident
Jonathan Kwok, residence not stated
Georgia Sanders, residence not stated
Vanessa Bailey, Pasadena resident
Andy Bertolucci, Pasadena resident
Carlos Chan, Pasadena resident
Andrea Connell, Altadena resident
Mary Crosby, Pasadena resident
Jill DeBiase, Pasadena resident
June Diarra, Pasadena resident
Natalie Dunbar, Pasadena resident
Paul Gibson, Pasadena resident
Kristen Hansen, Pasadena resident
Zoila Herrera, Pasadena resident
Theresa Kennedy, Pasadena resident
Samantha Kinne, Pasadena resident
Rev. Jerred K. McDaniel, with First A.M.E. Zion Church
Pasadena
Leah Mendelson, Pasadena resident
Duy Nguyen, Pasadena resident
Aki Ohdera, Pasadena resident
Anna Lou Parker, Pasadena resident
Charles H. Pulilam, Pasadena resident
Janet Ramirez, Pasadena resident
Paul Slocum, Pasadena resident
Oliver Stephenson, Pasadena resident
Janet Swartz, Pasadena resident
Sara Tatum, Pasadena resident
Trude Todd, Pasadena resident
Amy Turilli, Pasadena resident
Stephen Watts, Pasadena resident
Ira West, Pasadena resident
Ryan Willison, Highland Park resident
Delia France, Pasadena resident
Johnny DeBiase, Pasadena resident
Matthew Ortiz, Pasadena resident

City Clerk Jomsky, Latasha Reese, Assistant City Clerk, and Sandra Robles, Deputy City Clerk, read aloud comments received regarding the proposed Community Police Oversight model advocating for diverse membership composed community members, including provisions for an Independent Police Auditor with subpoena powers; advocating for the Pasadena Community Bill of Rights, expressing concerns and requesting additional information related to the OIS; and/or providing suggestions on the

model being discussed by the City Council, from the following individuals:

Beverly Bogar, Pasadena resident
Michael Warner, Pasadena resident
June Diarra and family, Pasadena residents
Maimouna Diarra, Pasadena resident
Leslie Caldwell, Pasadena resident
Geraldine Kennedy, Pasadena resident
Julian Spratling, Pasadena resident
Mrs. Rosalinda Spratling, Pasadena resident
Arnold Siegel, Pasadena resident
Brandon, Pasadena resident
Exola Jones, Pasadena resident
Zoila Herrera, Pasadena resident
Monette Adams, Pasadena resident
Elizabeth Ray Ellis, Pasadena resident
Marcia Talbert, Pasadena resident
Letitia Uko, Pasadena resident
Jahmal Ellis, Pasadena resident
Shellese Ziegler, Altadena resident
Jairus Q. Ellis, Altadena resident
Redell Ellis, South Pasadena resident
Anita Otaño, Pasadena resident
Jonni Sykes-Flemings, Altadena resident
Barbra McPheeters, Pasadena resident
Leanne Moore, Pasadena resident
Mya Taylor, Pasadena resident
Annice Jackson, Pasadena resident
Rev. Jerred McDaniel, Pasadena resident
Bonnie James, Pasadena resident
Julie Ryan-Davis, Pasadena resident
Daniel James, Pasadena resident
Carlos Chan, Pasadena resident
Paul Slocum, Pasadena resident
Alana Dunne, Pasadena resident
CP, San Marino resident
Samantha Kin, Pasadena resident
Rev. Peter Huang, Pasadena resident
Joselyn Lai, Pasadena resident
Zsaaleh Rahimi, Pasadena resident
Claire Marco, Pasadena resident
Steven Williams, Pasadena resident
Alexandra E. Hartman, Los Angeles resident
Carly Lopez, Pasadena resident
Annette Bizal, Burbank resident
Maya Porcelli, La Crescenta resident
Steven Gibson, Altadena resident
Oliver Stevenson, Pasadena resident
David Monkawa, Pasadena resident

Ira West, Pasadena resident
Peggy Renner, Pasadena resident
Kathryn Kroger, Pasadena resident
Allen Shay, Pasadena resident
Jon, Pasadena resident
J, Pasadena resident
Jennifer Collins, Pasadena resident
Catherine O'Neal-Petterson, Pasadena resident
Gennia Cui, Pasadena resident
Phyllis Chestang, Altadena resident
Stephanie Bolton, Pasadena resident
Rachel Abelson, Pasadena resident
Margaret Starbuck, Pasadena resident
Jess T Joswick, Pasadena resident
Ivie Lewis, Pasadena resident
Elisia Ligons Farmer, Pasadena resident
Elsa D. Santiago, Pasadena resident
Ana Whilchez, Pasadena resident
Jermon Farmer, Pasadena resident
Dianne Lewis, Director of Akelbu-Lan Cultural Center
Carolyn A. Jacobson, Pasadena resident
Cori Esperanza, City of Orange resident
Samantha Robinson Bloom, Pasadena resident
Dan Huynh, Pasadena resident
Io McNaughton, Pasadena resident
Terri Ann Johnson, Altadena resident
Petrea B. Sandel, Pasadena resident
James Triplett, Altadena resident
Michael Tulskey, Pasadena resident
Sue Chang, Pasadena resident
Clementina Benitez, Pasadena resident
Susan Rickman, Altadena resident
Robyn Javier, Pasadena resident
James Rickman, Altadena resident
Ajeenah Samad, Pasadena resident
Laura Brody, Pasadena resident
Mary Christine Boomhower, Pasadena resident
David Johnson, Pasadena resident
Wendy Roskin, Altadena resident
Kamesha Savage, Pasadena resident
Kate Kessler, Pasadena resident
Samantha Bennett, Altadena resident
Hermell Bennett, Altadena resident
Darla Thompkins, Altadena resident
Loara Owen, Pasadena resident
China Star Spratling, Pasadena resident
Lorinda Hawkins Smith, Pasadena resident
Edwina Dunlap, Pasadena resident
Jan McFarlane, Pasadena resident
Wei-min Chiu, Pasadena resident

Lindsay Barnett, Monrovia resident
Tomas J. Martin-Mur, Pasadena resident
Kate Scharer, Pasadena resident
Lugenia Anderson, Pasadena resident
Bob Snodgrass, Pasadena resident
Dr. Roseline Dauphin, Pasadena resident
James Cark, Pasadena resident
Elena Johansen, Pasadena resident
Jason Johansen, Pasadena resident
Thomas Djan, Pasadena resident
Ei Toshinari, Pasadena resident
Gloria Yourse Leufroy, Pasadena resident
Ben V., Pasadena resident
Kyle Leufroy, Pasadena resident
Rene Aldridge, Pasadena resident
Rudy Leufroy, Pasadena resident
Maxwell Millar-Blanchaer, Pasadena resident
Heavenly Hughes, Altadena resident
Dana Leufroy, Pasadena resident
MaryEtta Knox, Pasadena resident
Olden Denham, Pasadena resident
Anne-Marie Colwell, Pasadena resident
Jeffrey Fenstermaker, Pasadena resident
Candace S., Pasadena resident
Jim Barry, Pasadena resident
Darlene Royal, Pasadena resident
Brigid Connors, Pasadena resident
Jason Rabinovitch, Pasadena resident
Sandy Lee Schaupp, Los Angeles resident
Shirlette Butler, Pasadena resident
Katy Townsend, Pasadena resident
Butler-Elder Day Care, Pasadena resident
Alice Custance-Baker, Pasadena resident
Slomique Elder, Pasadena resident
Fabienne Doiron, Pasadena resident
Greta Banks, Pasadena resident
Janneke Briggs, Pasadena resident
Drueciel Bolton Ford, Pasadena resident
Kathee Hennigan Bautista, Monrovia resident
Jessica Valentine, Pasadena resident
Caryn Clayton, Pasadena resident
Helen Carter, Pasadena resident
Jacqueline Collier, Altadena resident
Tony Collier, Altadena resident
Wesley Reutimann, Pasadena resident
Delano Yarbrough, Pasadena resident
Pamela Gasper, Altadena resident
Tyesa Morey, Pasadena resident
Ann Hassett, Pasadena resident
Traci Glover, Pasadena resident

Maya Krisseli, La Crescenta resident
Lisa Henderson, Pasadena resident
Barbara M. Williams, Pasadena resident
Ia Brown, Pasadena resident
Katherine Hunter-Blyden, Pasadena resident
Angela G. Jones, Pasadena resident
Dori Larsuel, Altadena resident
Charmayne Mills-Ealy, Altadena resident
Stephanie Mire Robinson, Pasadena resident
Alycia Gardner Moore, Altadena resident
Helen Nicholson-Dotson, Pasadena resident
Lesley Richard, Pasadena resident
Joyce Richey, Altadena resident
Allison Williams, Altadena resident
Kathi Younker, Pasadena resident
Johanna Fontenot, Altadena resident
Lourdes Gonzalez, Pasadena resident
Rev. Argola Hanyes, Pasadena resident
Kristin Reutimann, Pasadena resident
Lester Estrada, Pasadena resident
Bridget, Pasadena resident
Mary Villanueva, Pasadena resident
Carol Potter, Pasadena resident
Hazel Clayton, Altadena resident
Bin Lee, Pasadena resident
April, Pasadena resident
Joanne Long, Pasadena resident
Brad D. Strawn, Pasadena resident
Gwen Lisboa, Altadena resident
Lynda Thomas, Altadena resident
Lorie Washington, Pasadena resident
Kyung Min Lee, Pasadena resident
Caitlin Diaz, Pasadena resident
Cecile Davis Anderson, Pasadena resident
Norweta Milburn, Pasadena resident
Shalamar Grissom, Pasadena resident
Nancy Stiles, Pasadena resident
Katja Guenter, Pasadena resident
Marsha Reed, Altadena resident
Leah Bartels, Glendale resident
Sondra Anita Ware, Altadena resident
Andrea Mills, Pasadena resident
Azerlene Demus-Cox, Pasadena resident
William Dickson, Pasadena resident
Jaz Persing, Monrovia resident
Lauren Siegel, Pasadena resident
Ana, Pasadena
Cathy Farrar, Pasadena resident
Sharon Calkin, Pasadena resident
Delia phance, Altadena resident

Charles H. Pulliam, Pasadena resident
Eileen Snead, Altadena resident
Christopher Morey, Pasadena resident
Jesse Saler, Pasadena resident
Theresa Taylor, Altadena resident
Yolanda Oliver, Pasadena resident
Brian Dance, Pasadena resident
Sara Ann Hamilton, Pasadena resident
Naomi Hirahara, Pasadena resident
Dana Weaver, Altadena resident
Christopher Lopez, Pasadena resident
Maximilian J. Boyle, Altadena resident
Elizabeth Barrios, Pasadena resident
Blair Miller, Pasadena resident
Jasmine Boyle, Pasadena resident
Danny Parker, Pasadena resident
Michael Sanders, Pasadena resident
Curt Gibson, Pasadena resident
Julie McKune, Pasadena resident
Jason Bowie, Pasadena resident
Mary Bucci Bush, Pasadena resident
Michelle Woo, Pasadena resident
Allie Altschuler, Pasadena resident
Mercedes Bowie, Pasadena resident
Banaf Rahimi, Pasadena resident
Lydia Breen, Pasadena resident
Brenda Bullock, Pasadena resident
Kelley, Altadena resident
Serge Nelson, Pasadena resident
Georgia Sanders, Pasadena resident
Sylvia Wiggins, Pasadena resident
David Kahn, Pasadena resident
Ellen Finkelppearl, Pasadena resident
Rebekah Scheys, Pasadena resident
Corey Harmon, Altadena resident
Topher Mathers, Pasadena resident
Karlene Brown, Los Angeles resident
Amanda Devine, Pasadena resident
Rollence Patugan, Pasadena resident
Karen Hirsch, Pasadena resident
Melissa E. Griffin, Pasadena resident
Jennifer, Pasadena resident
Kimberly Williams, Pasadena resident
Samella Yarbrough, Pasadena resident
Maria Cano, Pasadena resident
Nicole Virdone, Pasadena resident
Charles Hunt, Pasadena resident
Lola Mallory, Pasadena resident
Christina Honchell, Pasadena resident
David Cutter, Pasadena resident

Brad Griffin, Pasadena resident
Jennifer Park, San Marino resident
Faith Romasco, Pasadena resident
Jessica Erin Blackshaw, San Francisco resident
Julianne Hines, representing Planned Parenthood Pasadena
and San Gabriel Valley
Anna Joy Griffin, Pasadena resident
Sarah Hilbert, Pasadena resident
Brian Biery, Pasadena resident
Mikala Rahn, Pasadena resident
Kat Jenkins, Glendale resident
Mary Molnar, Pasadena resident
Linda P. Wright, Pasadena resident
Rosa Candida Ramirez, Pasadena resident
Sonja K. Berndt, Pasadena resident
Jerlisia Farmer, Pasadena resident
Vinshanisha Cleveland-Farmer, Pasadena resident
Treasure Sheppard, Pasadena resident
Kenichi Yoshida, Pasadena resident
Christopher D. Nolan, Pasadena resident
Chiara Tellini, Pasadena resident
Dan Sharp, Pasadena resident
Chris Hamilton, Pasadena resident
Robert Born, Pasadena resident
Ray Briggs, Pasadena resident
Pastor Kerwin Manning, Pasadena resident
Fern Hayes, Pasadena resident
Ralph Frammolino, Pasadena resident
John Lo, Pasadena resident
Anthony McFarland, Pasadena resident
Madeline Crowley, Pasadena resident
Karen L. Stoke, Pasadena resident
Christy Zamani, Pasadena resident
Juliana Serrano, La Verne resident
Robert Webber, Pasadena resident
Edward J. Washatka, Pasadenans Organizing for Progress
(POP)
Martin A. Gordon, Pasadena resident
Jeannine Briggs, Pasadena resident
Breath Justice, Pasadena resident
Regina Major, Pasadena resident
Chris Walker, Pasadena resident
Dianne Magee, Pasadena resident
Erica G., Pasadena resident
George Korzen, Pasadena resident
Marcos, Pasadena resident
Michele Nielsen, Pasadena resident
Brinell Anderson, Pasadena resident
Sandra Mitchell, Pasadena resident
Jim Reynolds, Pasadena resident

Len Tang, Pasadena resident
Donna Sider, Pasadena resident
Alma M. Stokes, Pasadena resident
Quincy Nolan, Pasadena resident
Jane Ward, Pasadena resident
Randy VanDeventer, Pasadena resident
Lena L. Kennedy, Pasadena resident
Una Lee Jost, Pasadena resident
Serina Diniega, Altadena resident
David Chavez, Pasadena resident
Ryan Bell, Pasadena resident
Gina Dance, Pasadena resident
Jill S. Shook, Pasadena resident
Anthony Manousos, Pasadena resident
Bert Newton, Pasadena resident
Brian Niemack, Pasadena resident

Councilmember Kennedy spoke in favor of the recommendation to direct staff to prepare an ordinance amending the Pasadena Municipal Code (PMC) to establish a Community Police Oversight Commission (CPOC) and an Independent Police Auditor (IPA).

Councilmember McAustin spoke in favor of the staff recommendation as a starting point for the implementation of a CPOC and IPA. She stated her preference that an IPA report directly to the City Council and CPOC, and that the IPA be a contractor and not a direct employee. She also expressed a strong desire to include a prequalification process to be implemented for individuals that would like to apply to become a member of the CPOC. The prequalification includes all applicants be required to complete training and participate on a ride-along with a Pasadena Police Officer; and recommended that the City provide child care assistance to provide support during training and/or ride-alongs.

Councilmember Madison expressed concerns with the recommendation and stated his preference that a recommendation on police oversight should come from the City Council with additional current information on best practices. He spoke in favor of separating the City Attorney and City Prosecutor Offices. In addition, the creation of a CPOC utilizing the City's regular commission models with training to be completed in advance. He would also like the training to include the Citizens Police Academy. He expressed concerns with the proposed 13 members to make up a CPOC, and recommended 9 members with each councilmember, the Mayor and the City Manager to provide an appointee. He stated preference that all CPOC members live in the City and that each Councilmember appoint a member that resides in their respective districts. He also spoke in favor of an IPA that reports directly to the City Council, with the position to be established outside the City Attorney's Office. He defines reporting as; the IPA will create

reports related to the City's public safety policies, practices, procedures, individual cases, and elevating the City's best practices. Such reports should go to the City Council, City Manager, Chief of Police, and the CPOC. However, related to whomever gives direction to the IPA, should be directly to and from the City Council not the CPOC. In addition, he stated his preference that the CPOC and IPA should make presentations and reports at the Public Safety Committee (PSC). Councilmember Madison expressed concerns with the subpoena power issue, which he believes is a "red-herring." The City Council has the authority to issue subpoenas, however, he is not sure the City Council is able to delegate such authority. He stated that the City Council must be clear that the IPA is reporting and taking direction from the City Council, and that it would be appropriate to delegate subpoena power to the extent that it is legal to do so in the City Charter. He also suggested that the City consider using the County of Los Angeles' Inspector General (costs are associated for such use), which is a sensible independent auditor option with expertise.

The Mayor expressed concerns with including the issue of separating the City Attorney and City Prosecutor in the motion without information or discussion on the merits of separating the two positions.

Councilmember Gordo spoke in favor of separating the functions of the City Attorney and City Prosecutor as an additional form of transparency; and expressed concerns with the lack of analysis and information from staff on an Inspector General, CPOC, and IPA. He also expressed concerns with the process of the current model that excluded input from Councilmember Madison, Vice Mayor Hampton, other members of the City Council, and the community to provide input on the CPOC and IPA. He also spoke in favor of the City Council utilizing the County of Los Angeles' Inspector General as an opportunity to review Police Officer involved use of force incidents. Councilmember Gordo spoke in support of Councilmember Madison's substitute motion and requested that the substitute motion be amended to ensure that an Independent Inspector General can commence working immediately on the OIS of Anthony McClain.

In response to Councilmember McAustin's inquiry to summarize his substitute motion, Councilmember Madison responded that his amendment to the motion includes: the use of County of Los Angeles' Inspector General, a CPOC made up of 9 nominated members approved by the City Council (one nomination per City Council district and the City Manager), members of CPOC would live within the districts they are nominated from, members of the CPOC receive 30 hours of training (preferably in advance) and have graduated or enrolled in the City's Community Police Academy (when feasible), and an IPA that would prepare reports for the City

Council, CPOC, City Manager, Police Chief and community, but would take direction from the City Council and through the Public Safety Community, and the IPA would have subpoena power to the extent such is legally delegated by the City Council.

Councilmember Masuda spoke in favor of the Tornek/Kennedy model of a creation of CPOC and IPA; and in favor of each Councilmember nominating a CPOC member for City Council approval.

Councilmember Wilson stated that the proposal to split the City Attorney and City Prosecutor may be a valid move, but he is not prepared to take a position on that issue at this time without sufficient data and further opportunity for deliberation. He stated he does not believe the Tornek/Kennedy proposal was formulated behind the scenes and spoke on the need to find a path forward to be responsive to the community. He spoke in favor of the Kennedy/Tornek recommendation.

Vice Mayor Hampton stated that he does not believe CPOC members should be mandated to take the 30 hours of training prior to being selected. He suggested to provide an appropriate time frame to allow the members to complete the mandatory training. He expressed concerns with the Independent Review process, which he believes it is an "after the fact investigation", and would prefer a "real time" review of the Pasadena Police Department. He asked the City Manager to conduct a totally independent investigation of the OIS of Anthony McClain. He also requested that the IPA workload include such reviews of PPD in real time. He spoke in favor of the amended motion, specifically that the IPA is independent of the City Manager.

City Manager Mermell provided information on his plans to solicit proposals from consultants to conduct an independent review of the OIS of Anthony McClain; and responded to questions. Javan Rad, Chief Assistant City Attorney, provided general information on the City's actions related to Independent Reviews of officer involved shootings; and responded to questions.

Councilmember McAustin spoke on the need to be transparent when Councilmembers nominate and the City Council appoints members to the CPOC, and advocated for a public process which includes an application, attending a City Council meeting, public review of individual resumes, and providing an opportunity for applicants to express their interests in becoming CPOC members. She does not agree that members should be appointed by district, and advocated for two or three members to be chosen from community organizations (i.e. ACLU, non-profit organization). She shared information from her constituents related to CPOC, including the need for diversity in memberships, overlapping terms to ensure

consistency in membership, and representation by community groups most impacted by policing issues. She also suggested providing stipends or allowances for child care or other expenses that may be incurred when attending CPOC meetings. She stated that she is unable to support the substitute motion, as she prefers a more responsive process to the community for transparency.

Councilmember Kennedy stated that he is not supportive of the substitute motion as there has not been adequate discussion centered on the bifurcation of the City Attorney/City Prosecutor Office. He noted, however, that is agreeable to incorporating elements of the substitute motion to the proposed recommended creation of a CPOC and IPA. He spoke in favor of the CPOC members be made up 50% women.

Mayor Tornek spoke in favor of representation from each of the City Council and Mayor, and citywide representation from non-profit organizations (on a rotating basis) for a total of 11 members. He spoke in favor of vetting CPOC members by inviting applicant's to complete applications and conduct interviews in the public view. He stated that he believes it is impractical to request applicants to complete training as a prerequisite to serving on the CPOC, as he would like to move forward with implementing CPOC as quickly as possible.

Councilmember Madison spoke on the need for the City Council to come to an agreement and move forward; and stated that he is prepared to withdraw the first part portion of his motion (the bifurcation of the City Prosecutor and City Attorney), however he would like to agendize at a future City Council meeting a discussion to consider the bifurcation of City Prosecutor and City Attorney positions. He reiterated his request that advanced training is attainable and desirable; and he is acceptable to 11 members of a CPOC made up of the Mayor, City Councilmembers appointees and 3 community members.

Councilmember McAustin stated that training for CPOC members should be independent training not from the Pasadena Police Department; and asked staff to provide information including expenditure and time frame for such training. She also spoke in favor of creating a "wait list" or "qualified list of candidates" in the event a sitting CPOC member needs to step down, to avoid lengthy vacancies and delays in appointing replacements.

Councilmember Gordo expressed concerns with the proposed 30 hours of training for CPOC members as insufficient to understand the complexity of policing issues; and requested that the members receive additional hours and on-going training. He spoke on the importance of the City Council retaining "direct report" authority of the IPA/Inspector General, as well as the ability to make

recommendations to the CPOC to review in advance the Pasadena Police Department's policies, such as Use of Force, Traffic Stops, and other community policing policies, to ensure the City is employing best practices, procedures, and policies. The IPA/Inspector General should have authority to give the City Council and CPOC recommendations on practices that keeps the public safe and ensures the Police Department is operating and training at its best.

Councilmember Wilson spoke on the need to track the progress of the Pasadena Police Department, the CPOC, and the IPA, as well as the need to develop performance metrics to monitor progress, and determine if Charter reform should be considered; with staff to recommend and the City Council to establish a feedback and benchmark system.

Following discussion, the Mayor summarized the original motion to include the following:

- The City Council will direct staff to return to the City Council with language on the creation a Community Police Oversight Commission (CPOC) and an Independent Police Auditor (IPA);
- The CPOC will consist of 11 members (a combination of one nominee by each Councilmember and the Mayor, and 3 at large community based organizations, to be approved by the City Council);
- Staff will provide suggestions regarding a public process for the appointment of members to the CPOC, with the idea of having a method for public vetting of the applicants;
- Staff to provide a mechanism for the selection of the 3 community organizations appointees to CPOC;
- Approving the general purpose and required training of CPOC members, as described in the agenda report;
- Clarification with regards to the role of the Public Safety Committee(PSC) with the intent that the PSC will continue to maintain its general responsibilities, CPOC to strive to avoid duplication of work, effort, repetitive reporting, and not to preempt the role of PSC;
- The IPA will be hired through the City Attorney's Office as a financial intermediary;
- The IPA is anticipated to be a firm rather than an individual, and will report to the City Council and CPOC;
- The IPA will have subpoena powers (independent of the City Council and CPOC);
- With regards to the investigatory role, there will be exploration and exposition on how the IPA may observe the investigation in "real time" as apposed to conclusions reached at the end;

- It is understood that consideration of the bifurcation of the City Attorney/City Prosecutor functions will be agendized at a future City Council meeting no later than October 2020;
- Direct staff to provide recommendations on potential stipends (i.e. for childcare) for CPOC members; and
- Direct staff to provide a concept on reporting and developing performance metrics to track CPOC's progress.

Councilmembers McAustin, Wilson and Gordo thanked and acknowledged Councilmember Kennedy, Mayor Tornek, and Vice Mayor Hampton, for all their hard work on police oversight.

Motion:

It was moved by Councilmember Kennedy, seconded by Councilmember McAustin, to approve the recommendation to direct the City Attorney to prepare and return with an ordinance amending the Pasadena Municipal Code, within 30 days, establishing a Community Police Oversight Commission and an Independent Auditor function as described in the Background section of the agenda report:

Substitute Motion:

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to formally reestablish a separate independent City Prosecutor Office; the creation of a Community Police Oversight Commission and an Independent Police Auditor. (MOTION WITHDRAWN)

Motion:

It was moved by Councilmember Kennedy, seconded by Councilmember McAustin, to approve the recommendation to direct the City Attorney to prepare and return with an ordinance amending the Pasadena Municipal Code, within 30 days, establishing a Community Police Oversight Commission and an Independent Auditor function, including the direction as detailed above:

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

ORDINANCE – ADOPTION

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 6, CHAPTER 6.16 OF THE PASADENA MUNICIPAL CODE TO ELIMINATE DOG LICENSE FEE PRORATION” (Introduced by Councilmember McAustin) (Ordinance No. 7366)

The above ordinance was adopted by the following vote:

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

NOES: None
ABSENT: None
ABSTAIN: None

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

Property: 280 Ramona Street (APN 5723-018-910) and 78 N. Marengo Avenue (APNs 5723-026-902, 5723-026-903 and 5723-026-900)

Agency negotiator: Steve Mermell

Negotiating parties: Abode Communities; a joint venture of East to West Development Corporation and HDS Group, LLC; National Community Renaissance of California; HRI Properties with Bridge Housing Corporation; and Edgewood Realty Partners, LLC with Abode Communities

Under negotiation: Price and terms of payment

The above closed session item was not discussed.

ADJOURNMENT

On order of the Mayor, the special meeting of the City Council adjourned at 10:13 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