

CITY OF PASADENA
City Council Minutes
December 9, 2019 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

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

Armando Herman, residence not stated, provided comment.

On the order of the Mayor, the regular meeting recessed at 5:36
p.m. to discuss the following closed session:

**CONSIDERATION OF INITIATION OF LITIGATION pursuant to
Government Code Section 54956.9(d)(4) (one potential case)**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
regarding pending litigation pursuant to Government Code
Section 54956.9(d)(1)**

**Name of Case: Salvador Flores v. City of Pasadena, et al.
USDC Case No. 2:18-CV-03792-DDP-JC**

The above closed session items were discussed, with no
reportable action at this time.

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

**Employee Title and Unrepresented Employee: City
Attorney/City Prosecutor
City Representative: Terry Tornek**

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 7:04
p.m. The pledge of allegiance was led by Councilmember Gordo.

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

Human Resources Director Jennifer Curtis and Mayor Tornek, along with Fire Chief Bertral Washington, Michelle Perera, Director of Library and Information Services Director, and Ara Maloyan, Director of Public Works, recognized the following City employees for 40 years and 35 years of dedicated service to Pasadena:

40 Years of Service

Keith Holloway, Fire Department
Veneranda Manuel, Information Services (not present)
John Wilusz, Public Works (not present)

35 Years of Service

Naoko Takarabe, Library and Information Services
Anthony Jenkins, Public Works
Darin Craddolph, Police Department, (not present)
Alejandro Peinado, Police Department, (not present)
Jayce Ward, Police Department, (not present)
Victor Holloway, Public Works (not present)
Jose Banuelos, Public Works (not present)
Nathanial Cooke, Public Works (not present)

The City Council thanked the staff for their many years of dedicated service to the City.

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

The following individuals spoke in support and advocated for affordable housing efforts, including housing for the homeless, rent control, and additional tenant protections:

Armando Herman, residence not stated
Anthony Manousos, Greater Pasadena Affordable Housing Group (GPAHG)
Bert Newton, GPAHG
Debra A. Johnson, Pasadena resident
PJ Johnson, residence not stated

Laura Hackett, Pasadena resident, expressed concerns with the tree removal and solar energy installation at Don Benito Elementary School adjacent to the playground areas.

In response to public comment, Councilmember Gordo requested that staff follow up with Pasadena Unified School District regarding the proposed trees to be removed at Don Benito

Elementary School and other school sites; and the lack of public notice of the tree removal.

In response, City Manager Mermell stated that he would convey the concerns of the City Council and the public to PUSD's Superintendent.

Vice Mayor Hampton requested that staff agendize for Public Safety Committee discussion, security and safety concerns at METRO rail stations. City Manager Mermell responded that he is working with Metro representatives to attend a future City Council meeting in the near future to discuss all the concerns raised at past Council meetings.

Kea Yegan, Pasadena resident, requested assistance with a 60-day notice (Notice to Quit) she received regarding her rental agreement claim and the City's Tenant Protection Ordinance (TPO) as her rental management company is not abiding by the City's ordinance.

Councilmember McAustin asked staff to provide additional TPO enforcement and suggested looking into the terms of company's business license regarding their ability to do business in the City. Councilmember Gordo suggested the City commit additional resources to enforce the City's TPO regulations.

Councilmember Kennedy requested that staff analyze the Housing Department to ensure that adequate resources exist to support TPO enforcement. In addition, he spoke on the need to adequately fund affordable housing in the City and determine if a funding stream can be developed for this much needed resource; with the item to be agendized at the appropriate City Council committee.

In response to Councilmember McAustin's inquiry related to what is the City's recourse for landlords who do not abide by the City's TPO, Michele Beal Bagneris, City Attorney/City Prosecutor, stated that there are civil remedies, and depending on the circumstances possible complaints may result in the filing of a criminal case.

In response to public comment, City Manager Mermell responded that he will discuss with staff and contact Ms. Yegan to address her concerns; and will agendize the approval of additional resources to the Housing Rights Center to assist tenants at the next City Council meeting.

CONSENT CALENDAR
Item discussed separately

AMENDMENTS TO THE FISCAL YEAR 2020 GENERAL FEE SCHEDULE

AUTHORIZATION TO ENTER INTO A CONTRACT WITH TMG UTILITY ADVISORY SERVICES, INC., TO PROVIDE ORGANIZATIONAL CHANGE MANAGEMENT SERVICES FOR THE CUSTOMER INFORMATION SYSTEM REPLACEMENT PROJECT

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) (Common Sense Exemption or General Rule); and
- (2) Authorize the City Manager to enter into a services contract, based on a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, with TMG Utility Advisory Services, Inc., ("TMG") to provide Organizational Change Management ("OCM") services for the CIS Replacement Project ("Project") in an amount not-to-exceed \$1,123,200. (Contract No. 31635)

ESTABLISH NEW CLASSIFICATIONS AND SALARIES

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines, and as such, is not subject to environmental review; and
- (2) Adopt a resolution establishing new classifications and setting salary control rates. (Resolution No. 9756)

REJECTION OF BID FOR LABOR AND SERVICES FOR WOOD POLE INSPECTION, REPAIR, AND TREATMENT

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 bid received on April 3, 2018 in response to the Notice Inviting Bids for Labor and Services for Wood Pole Inspection, Repair, and Treatment.

Item discussed separately

AUTHORIZATION TO ENTER INTO A CONTRACT WITH ORGANIC PLANET TRUCK AND TRANSPORT, INC., TO FURNISH LABOR AND EQUIPMENT FOR DEBRIS HAULING AND DISPOSAL SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$377,950 PER YEAR

AUTHORIZATION TO EXTEND A HOUSING ASSISTANCE PAYMENTS CONTRACT (AGREEMENT NO. CDC-733) WITH CENTENNIAL PLACE LIMITED PARTNERSHIP TO PROVIDE PROJECT-BASED VOUCHERS FOR PERMANENT SUPPORTIVE HOUSING

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the "General Rule" that CEQA only applies to projects that may have a significant effect on the environment; and
- (2) Authorize the City of Pasadena to extend Agreement CDC-733 with Centennial Place Limited Partnership for a period of ten years to continue to provide 142 Project-Based Vouchers for permanent supportive housing for homeless individuals.

FINANCE COMMITTEE: FINANCING THE MOTOROLA PUBLIC SAFETY RADIO COMMUNICATIONS EQUIPMENT AND ACCESSORIES

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is not a "project" subject to California Environmental Quality Act (CEQA) as defined in Section 15378(b)(4) of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project;
- (2) Adopt a resolution of the City Council of the City of Pasadena authorizing the execution and delivery of a lease schedule No. 1000145982, an escrow agreement, and related instruments, and declaring its intention to reimburse itself from the proceeds of one or more tax-exempt financings for certain expenditures made and/or to be made in connection with the acquisition, construction, and equipping of certain public safety radio communication system;
- (3) Amend the Fiscal Year (FY) 2020 Capital Improvement Program for the Radio Communication Equipment Upgrade and Replacement Project 71166 by increasing the appropriation for equipment lease financing by \$800,000 to \$6,800,000, and increasing the total estimated cost of the project by a like amount;
- (4) Grant an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interest are served; and
- (5) Authorize the City Manager or the Director of Finance to execute the documents on behalf of the City. (Resolution No. 9755)

Item discussed separately

FINANCE COMMITTEE: ANNUAL ADJUSTMENTS TO THE FISCAL YEAR 2020 SCHEDULE OF TAXES, FEES, AND CHARGES RELATED TO NEW YEAR'S DAY AND THE ROSE BOWL

FINANCE COMMITTEE: AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH FRITTS FORD TO FURNISH AND DELIVER TWO FLATBED TRUCKS FOR AN AMOUNT NOT-TO-EXCEED \$291,000

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") in accordance with Section 15061(b)(3), the Common Sense Exemption that CEQA only applies to projects that have the potential for causing a significant effect on the environment;
- (2) Accept the bid dated November 12, 2019, submitted by Warren Anderson Ford, dba Fritts Ford ("Fritts Ford"), in response to specifications to furnish and deliver Class 5 Custom Flatbed Work Trucks for the Water and Power Department ("PWP") and authorize a purchase order with Fritts Ford for an amount not-to-exceed \$291,000; and
- (3) Amend PWP's Fiscal Year ("FY") 2020 Operating Budget with an appropriation of \$291,000 from the unappropriated fund balance of the Water Capital Fund 412.

RESIGNATIONS, APPOINTMENTS, & REAPPOINTMENTS

RESIGNATION OF ALFRED LOMAX CARR FROM THE HUMAN SERVICES COMMISSION (District 1 Nomination)

CLAIMS RECEIVED

Claim No. 13,431	Paul Mialovich	\$	25,000.00+
Claim No. 13,432	Andy Adrian Rodriguez		2,750.00
Claim No. 13,433	Shaun Cunningham, representing Oscar Conejo		3,791.51
Claim No. 13,434	State Compensation Insurance Fund as subrogee for Elizabeth Suarez		10,000.00+
Claim No. 13,435	Indra Pessumal		700.00
Claim No. 13,436	David Krause-Leemon, representing Joseph Zhou		25,000.00+
Claim No. 13,437	AAA Insurance, as subrogee for Beroj Kasbarian		Not stated
Claim No. 13,438	Todd Stitt, Jeffrey Farrow, and Vincent Loh, Michelman & Robinson,		25,000.00+

LLP, representing
National Union Fire
Insurance Company of
Pittsburgh, PA

Claim No. 13,439 Cyril D. Musson

Not stated

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

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

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Madison, to approve all items on the Consent Calendar, with the exception of Item 1 (Amendments to the Fiscal Year 2020 General Fee Schedule), Item 5 (Authorization to Enter into a Contract With Organic Plant Truck and Transportation, Inc.), and Item 8 (Annual Adjustments to the Fiscal Year 2020 Schedule of Taxes, Fees, and Charges), which were discussed separately. (Motion unanimously carried) (Absent: None)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

AMENDMENTS TO THE FISCAL YEAR 2020 GENERAL FEE SCHEDULE

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 per Section 15061(b)(3), the common sense exemption (formerly the general rule) that CEQA only applies to projects that may have an effect on the environment; and
(2) Adopt a resolution amending the Fiscal Year 2020 General Fee Schedule to ensure that water service reconnection fees are compliant with Senate Bill 998, the Water Shutoff Protection Act of 2018 ("SB-998") as follows:

- a. Clarify that the existing utility reconnect fee of \$43.11 is applied during normal business hours
- b. Clarify that the existing after-hours utility service fee of \$238.53 does not apply to residential water service reconnections; and
- c. Establish a new after-hours Residential Water Service Reconnect Fee of \$150.00 (Resolution No. 9757)

Gurcharan Bawa, General Manager of Water and Power, responded to questions related to the recommended reconnection fees, and cost and analysis of after-hours utility service fees. City Manager Mermell provided information on the City's notification process of disconnecting utility services.

Vice Mayor Hampton expressed concerns with the proposed reconnection fees, stating that such fees for low-income households is a burden; and spoke in opposition to the staff recommendation.

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, Mayor Tornek

NOES: Vice Mayor Hampton

ABSENT: None

ABSTAIN: None

AUTHORIZATION TO ENTER INTO A CONTRACT WITH ORGANIC PLANET TRUCK AND TRANSPORT, INC., TO FURNISH LABOR AND EQUIPMENT FOR DEBRIS HAULING AND DISPOSAL SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$377,950 PER YEAR

Recommendation: It is recommended that the City Council:

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

(2) Accept the bid dated November 1, 2019, submitted by Organic Planet Truck and Transport, Inc., in response to Specification WD-19-18, to furnish labor and equipment for debris hauling and disposal services for the Water and Power Department ("PWP"), reject all other bids received, and authorize the City Manager to enter into a contract with Organic Planet Truck and Transport, Inc., for an amount not-to-exceed \$377,950 for one year; and

(3) ~~Authorize the City Manager to extend the contract for three optional one-year terms not to exceed \$377,950 per year. If the three additional one-year terms are exercised, the total contract amount will be \$1,511,800 for a maximum duration of four years.~~
(Contract No. 31636)

Vice Mayor Hampton expressed concerns with the lack of outreach to Pasadena area contractors and stated that his preference to support the approval of the contract for one year, and direct staff to conduct another Request For Proposals (RFP) process in order to provide an opportunity for all parties in Pasadena to bid on the contract.

City Manager Mermell responded to questions related to the City's RFP process, and the proposed vendor's bid.

Following discussion, it was moved by Vice Mayor Hampton, seconded by Councilmember Kennedy, to approve staff recommendations 1 and 2 only, as detailed above. (Motion unanimously carried) (Absent: None)

FINANCE COMMITTEE: ANNUAL ADJUSTMENTS TO THE FISCAL YEAR 2020 SCHEDULE OF TAXES, FEES, AND CHARGES RELATED TO NEW YEAR'S DAY AND THE ROSE BOWL

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed rate increases are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Approve the scheduled rate increases effective February 1, 2020 for the Grandstand Permit Application, the Rose Bowl Admission Tax, and for the New Year's Day Related Business Grandstand Seat Surcharge as set forth in the body of the agenda report.

Councilmember Wilson asked staff to determine whether it is possible to increase the Rose Bowl Admission Tax to a higher rate than the recommended Consumer Price Index (CPI) and provide an update to the City Council.

Matt Hawkesworth, Director of Finance, responded that he will work with staff to review the City's options in increasing the Rose Bowl Admission Tax beyond the recommended CPI; and responded to questions related to the revenue tax funds. Michele Beal Bagneris, City Attorney/City Prosecutor, explained that the Rose Bowl Admission Tax is technically a fee, which could be increased based on the cost of providing the services; and an analysis and further review is required to determine if an adjustment is feasible.

Councilmember McAustin stated that a discussion on additional revenue resources for the Rose Bowl should be agendized at a future City Council Meeting.

Councilmember Gordo, Council representative on the Rose Bowl Operating Company (RBOC), informed the City Council that the Rose Bowl's future finances will be agendized for discussion and presented to the Finance Committee and/or the City Council; and requested that staff work with the Rose Bowl staff to determine what flexibility exists to increase the admission tax.

Councilmember Kennedy spoke on the need for RBOC to provide a comprehensive vision and leadership analysis.

Following discussion, it was moved by Councilmember Wilson, seconded by Vice Mayor Hampton, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

PUBLIC HEARINGS

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

PUBLIC COMMENT ON MULTIPLE PUBLIC HEARINGS

The following individuals provided comments on multiple public hearings:

Herman, residence not stated
Debra A. Johnson, Pasadena resident
Wayne from Encino, residence not stated

PUBLIC HEARING: SUBSTANTIAL AMENDMENT TO THE ANNUAL ACTION PLAN (2019-2020) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Recommendation: It is recommended that upon close of the public hearing the City Council take the following actions:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment; and
- (2) Approve the submission to the U.S. Department of Housing and Urban Development of a Substantial Amendment to the Annual Action Plan (2019-2020) as described in the agenda report to reprogram \$861,127 in Community Development Block Grant funds.

The City Clerk reported that the public hearing notice was published in the Pasadena Journal and the Pasadena Weekly on November 7, 2019, November 14, 2019, and December 5, 2019; no correspondence was received by the City Clerk's Office regarding this item.

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

In response to Councilmember Wilson's questions related to ADA audible pedestrian signal upgrades at six intersections in terms of how they were selected and prioritized, and if additional

intersections require upgrades, City Manager Mermell stated that he will provide the information in the weekly newsletter.

Following discussion, it was moved by Vice Mayor Hampton, seconded by Councilmember Masuda, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Vice Mayor Hampton, seconded by Councilmember McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING: EXTENSION OF URGENCY ORDINANCE NO. 7354 OF THE CITY OF PASADENA TEMPORARILY PROHIBITING DEMOLITION AND "MAJOR PROJECTS" AFFECTING ELIGIBLE, UNDESIGNATED HISTORIC RESOURCES

Recommendation: It is recommended that the City Council:

- (1) Find that, on November 18, 2019, the City Council found the proposed interim ordinance exempt from the California Environmental Quality Act (CEQA Guidelines Sections 15061(b)(3) and 15262) because the interim ordinance does not have the potential for causing a significant effect on the environment and because the project involves only feasibility or planning studies for possible future actions which the City has not approved, adopted, or funded, and does not involve adoption of a plan that will have a legally binding effect on later activities, and no further environmental review is necessary for this extension of the same ordinance;
- (2) Find that the proposed moratorium is consistent with the objectives and policies of the General Plan;
- (3) Find that there is a current and immediate threat to public health, safety and welfare pursuant to the standards and policies set forth in the General Plan in that the proposed interim ordinance extension is necessary to preserve eligible, undesignated historic resources; and
- (4) Adopt an urgency ordinance extending Ordinance No. 7354 to November 3, 2020.

The City Clerk reported that the public hearing notice was published in the Pasadena Journal and the Pasadena Weekly on November 28, 2019; no correspondence was received by the City Clerk's Office regarding this item.

David Reyes, Director of Planning and Community Development, summarized the staff report as part of the oral presentation and responded to questions.

The following individuals spoke in opposition to the staff recommendation:

Celina Meng, Pasadena resident
Amy, Pasadena resident

Andrew Salimian, representing Pasadena Heritage, spoke in favor of the staff recommendation.

Vice Mayor Hampton and Councilmember Kennedy expressed concerns with the staff recommendation negatively affecting one homeowner, and asked staff to work closely with the homeowner to address the stated concerns.

Following discussion, it was moved by Councilmember Masuda, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Councilmember Masuda, seconded by Councilmember Wilson, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

ORDINANCES – FIRST READING

Conduct first reading of “AN EXTENSION OF THE INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY PROHIBITING DEMOLITION AND “MAJOR PROJECTS” AFFECTING ELIGIBLE, UNDESIGNATED HISTORIC RESOURCES

The above ordinance was offered for first reading by Councilmember Masuda:

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

PUBLIC COMMENT ON REGULAR BUSINESS ITEMS

The following individuals spoke on multiple regular business items:

Herman, residence not stated (submitted documents)
Debra A. Johnson, Pasadena resident
Wayne from Encino, residence not stated

Councilmember Gordo stated the following for the record, “There are students who are in this room who are being subjected to this hate speech and these students are trying to learn civic

involvement; trying to learn about the decision making process. It's an important part of their education. I've watched these students, over the course of the night, get up and leave. That is unfair; and it's wrong. There are also employees and members of the public who are subjected to this speech who are here to participate in the decision making process, and that's wrong too. To subject our employees, and to subject members of the public who are here to participate in the civic process, and to subject students to this barrage of hate speech is wrong."

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

UPDATE ON RECENT HOUSING LEGISLATION

Recommendation: It is recommended that the City Council receive this report and provide direction as appropriate.

David Reyes, Director of Planning and Community Development, Arlene Granadosin-Jones, Planner, and Andre Sahakian, Senior Planner, presented a PowerPoint presentation, and jointly, responded to questions. Barbara Kautz, Attorney with Goldfarb & Lipman LLP, summarized housing State legislation that modifies local legislation and control; and responded to questions.

Councilmember Madison spoke on the need for staff to develop a comprehensive approach to a housing policy with a diverse housing stock; and supported the City moving forward with the City's legislative agenda to continue to push for the resources the City needs.

Councilmember Wilson expressed concerns with the state mandates that are not consistent with the key assumptions of the City's General and Specific Plans, and staff's plan to move forward updating those plans by spending a large sum of money under the changing dynamic of the State's legislation and what amounts to be a moving target.

Councilmember McAustin expressed concerns with Accessory Dwelling Units (ADU's) parking requirements, which allows individuals to park their vehicles in random fashion. She expressed concerns with legislation related to super density bonuses, which allows a developer an 80% density bonus on a 100% affordable project. She stated the need to find a way, by legal action or working with the state, to help educate the State legislature and make them understand that local control is necessary to manage development in the City; and research what action other municipalities are taking to keep local control over land use decisions; suggesting that if a developer proposed a project over the City's development caps, it should require a California Environmental Quality Act (CEQA) review.

Councilmember Gordo suggested that staff revisit the City's major transit routes and stops to ensure the City understands the precise impacts created by Assembly Bill 1763 on surrounding neighborhoods adjacent to such stops. He also stated that staff should review all the Specific Plans in context with all the changes in legislation, including the underline thresholds in order to assess any appropriate changes. Councilmember Gordo state that he believes that staff must be aggressive in the defense of the City's local control, and would like additional information on what thresholds are flexible related to the proposed state mandates, including thresholds specifically related to buffer zones. He asked staff to invite the City's state representatives to the City Council for an opportunity to question them on their legislative platforms and work with them to change the course of the state's mandates that are being pressed on the City. In addition, he spoke in favor of considering litigation against the state over the local control issue and requesting other cities to join with Pasadena.

The Mayor spoke in opposition to staff reviewing transit stops as he doesn't see the City stripping transit or reducing thresholds in order to avoid triggering legislation; and expressed concerns with the City's ability to protect single-family neighborhoods. He spoke in favor of working and strategizing with state legislators on where the City may be most effective from a litigation point of view.

The following individuals provided comments related to the item:

Nina Chomsky, Pasadena resident
Javier Roa, Pasadena resident
Sonja Berndt, Pasadena resident
Andrew Salimian, Pasadena Heritage
Ed Washatka, POP-Pasadenans Organizing for Progress
Jill Shook, Pasadena resident
Erika Foy, Pasadena resident (distributed documents)

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

INFORMATION ITEM

UPDATE ON 10 WEST WALNUT PUBLIC ART AND LOCAL HIRE INITIATIVE; MENTORING/APPRENTICESHIPS

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

David Reyes, Director of Planning and Community Development, provided introductory comments and Matt Hawkesworth, Director of Finance, presented provided a PowerPoint presentation on the item, and responded to questions.

Councilmember Madison was excused and left the dais at 11:21 p.m.

Robert Kane, Executive Vice President with Lincoln Property Company (LPC), presented a PowerPoint presentation on the projects procurement process, procurement results, outreach activities, and market landscape; and responded to questions.

City Manager Mermell responded to questions related to City staff's responsibilities to work with the developer to meet the agreed upon local requirements, citing efforts by the Finance and Planning Departments. He has also noted that staff has provided recommendations to the development team to try to support the overall effort for local hire.

Michele Beal Bagneris, City Attorney/City Prosecutor, responded to questions related to 10 West Walnut Development Agreement, which consistent with applicable laws, does not provide a quota or a minimum requirement, rather it established targets, goals, and objectives.

Councilmember Wilson was excused and left the dais at 11:44 p.m.

Councilmember Kennedy stated that he would like staff to review and analyze the project's Development Agreement, as well as the audio recording of the April 27, 2015 City Council meeting, where he requested 20% local hire, 15% local material sourcing, and 20% sub-contracting requirements. He noted these were not to be best efforts, and that the company was required to return to the City Council with regular updates. He expressed severe disappointment with the developer's inability to satisfy the agreed upon local hire goals; and suggested that Mr. Kane contact Mr. Ron Mathews, who is able to identify numerous Pasadena contractors, vendors, and suppliers who have yet to be involved in the project.

Vice Mayor Hampton and Councilmember Gordo also expressed concerns with the number of local hires by LPC; and suggested that they contract with local sub-contractors who will improve their local hire numbers.

Vice Mayor Hampton requested that staff provide a monthly update on LPC local hires, local material sourcing, and local subcontracting data.

Councilmember Gordo spoke on the need for a benefits agreement that includes enforcement capabilities. He recommended that LPC work with organizations similar to the Flintridge Center's pre-apprentice program. He also spoke on the lack of data and metrics in LPC's report, specifically the number of work hours worked by the reported 43 local hires. Finally, he

requested data and metrics on LPC's subcontractors, including information on the various trades included to determine local strengths and weaknesses.

Daniel Torres, Co-Executive Director of the Flintridge Center, spoke in favor of the developer utilizing local hires, material resourcing and sub-contractors; and offered his services to LPC to assist in meeting their local hire goals.

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

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

Rene Gonzalez, Padres PUSD, stated he would like the City to work with Pasadena Unified School District and the families to ensure they stay enrolled in PUSD schools, and provide affordable housing; and expressed concerns with the solar installation vendor and their practices at PUSD schools.

Ozzy Simpson, Sequoyah School student, asked the City Council to take climate action by supporting a new green deal and pledge to not accept contributions from fossil fuel companies.

Allison Henry, Pasadena Tenants Union, requested assistance for an elderly tenant in the City who is having difficulties with her landlord, and the lack of heating in her apartment; and spoke in favor of criminal penalties for landlords who violate the City's TPO.

In response to public comment, the Mayor stated that staff will contact the tenant and provide assistance. Councilmember Kennedy requested that staff connect the tenant with all available supportive services from the City and other agencies that may provide assistance.

COUNCIL COMMENTS

Councilmember Kennedy noted that all the 2019 titleholders of Miss Universe, Miss USA, Miss Teen USA and Miss America are women of color.

ADJOURNMENT

Following comments, on order of the Mayor, the regular meeting of the City Council adjourned at 12:26 a.m.

ATTEST:

Terry Tornek, Mayor
City of Pasadena

City Clerk