

CITY OF PASADENA
City Council Minutes
March 22, 2021 – 4:30 P.M.
City Hall Council Chamber

UNOFFICIAL UNTIL
APPROVED BY CITY COUNCIL

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 Gordo called the meeting to order at 4:36 p.m. The pledge of allegiance was led by Councilmember Kennedy.

ROLL CALL:
Councilmembers: Mayor Victor M. Gordo
Vice Mayor Andy Wilson
Councilmember Tyron Hampton
Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Jessica Rivas
Councilmember Felicia Williams

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

CEREMONIAL MATTERS

Councilmember Hampton connected to the meeting at 4:38 p.m.

Mayor Gordo 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.

Councilmember Madison spoke on the passing of Mr. Gene Gregg, long-time Pasadena resident, retired partner of the law firm of Hahn & Hahn, and past Boardmember of both the Rose Bowl Operating Company and Pasadena Center Operating Company; and requested that the meeting also be adjourned in his memory.

Mayor Gordo announced the recognition of two Pasadena Legacy Businesses, the Langham Huntington Hotel and Krost Certified Public Accounting and Consulting firm, and provided a biographical summary of each business.

Paul Leclerc, Managing Director of Langham Hunting Hotel and Jason C. Melillo, Principal of Krost, expressed appreciation to the community, City Council, and staff for the support and recognition.

Mayor Gordo and Vice Mayor Wilson thanked the two businesses for their contribution to the community.

PUBLIC COMMENT

Mark Jomsky, City Clerk, reported that a number of letters and emails providing comments/suggestions advocating for a permanent shelter for homeless individuals in the City; and expressing appreciation to Dr. Ying-Ying Goh and her staff for their

service to the community, which were distributed to the City Council, posted on-line, and made part of the public record from the following individuals:

Sudhir D. Joshau, M.D., residence not stated
Lisa J. Cavelier, representing Boys & Girls Club of Pasadena

City Clerk Jomsky announced the availability of live public comment as part of the City Council meetings to commence on March 31, 2021, Special Joint Meeting with Supervisor Barger; and responded to questions.

CONSENT CALENDAR

AWARD PURCHASE ORDER TO CANON SOLUTIONS AMERICA, INC., FOR THE LEASE AND MAINTENANCE OF THREE DIGITAL PRINTING SYSTEMS, INCLUDING SUPPORTING SOFTWARE AND HARDWARE NOT-TO-EXCEED \$422,000 OVER A 60-MONTH PERIOD

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 enter into a contract with Canon Solutions America, Inc., for the lease, hardware/software and maintenance support of three digital printing systems in an amount not-to-exceed \$422,000, for 60 months. Competitive Bidding is not required pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, materials, supplies, or services;
- (3) It is further recommended that the City Council grant the proposed contract 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; and
- (4) Pursuant to Pasadena Municipal Code, section 4.04.080, find that the proposed contract is exempt from salvage requirements, as city-owned technology is obsolete and therefore of minimum value. Canon will be removing the equipment as a trade-in towards the contract. (Contract No. 32009)

CONTRACT AWARD TO CROSSTOWN ELECTRICAL AND DATA, INC., FOR INTELLIGENT TRANSPORTATION SYSTEM PHASE 1 – TRAFFIC MANAGEMENT CENTER, FEDERAL AID PROJECT HPLUL – 5064 (057) FOR AN AMOUNT NOT-TO-EXCEED \$460,000

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 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 March 10, 2021, submitted by Crosstown Electrical and Data, Inc., in response to the project plans and specifications for Intelligent Transportation System Phase 1 – Traffic Management Center project, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$460,000 which includes the base contract amount of \$399,300 and a contingency of \$60,700 to provide for any necessary change orders. (Contract No. 32006)

AUTHORIZE AN AGREEMENT WITH POWERFLEX SYSTEMS LLC IN AN AMOUNT NOT-TO-EXCEED \$178,832 FOR THE INSTALLATION AND PROVISION OF SUPPORT SERVICES FOR ELECTRIC VEHICLE SUPPLY EQUIPMENT FOR THE DEL MAR GARAGE

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 15301 (Class 1 – Existing Facilities) and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstance; and

(2) Accept the bid dated February 17, 2021, submitted by PowerFlex Systems LLC in response to specifications for Electric Vehicle Supply Equipment for the Del Mar Garage; reject all other bids received; authorize the City Manager to enter into a contract with PowerFlex Systems LLC in an amount not-to-exceed \$178,828 for three years which includes the base bid amount of \$155,502 plus a 15% contingency of \$23,326 to provide for any necessary change orders, with two optional one-year extensions each for an amount not-to-exceed \$2 each year, at the discretion of the City Manager, or his designee, for a maximum contract term of five years in an amount not-to-exceed \$178,832. (Contract No. 32003)

AUTHORIZE AN AGREEMENT WITH BARAN ELECTRIC IN AN AMOUNT NOT- TO-EXCEED \$405,650 FOR THE INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS AT VICTORY AND ROBINSON PARKS

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 15301 (Class 1 – Existing Facilities) and 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 January 19, 2021, submitted by Baran Electric in response to the Notice Inviting Bids for Electric Vehicle Supply Equipment for Victory and Robinson Parks; reject all other

bids received; authorize the City Manager, or his designee, to enter into a contract with Baran Electric in an amount not-to-exceed \$357,650 for three years which includes the base contract amount of \$311,000 and a contingency of \$46,650 to provide for any necessary change orders; and

(3) Authorize the City Manager to extend the contract for up to two additional one-year extensions each for an amount not-to-exceed \$24,000 each year, at the discretion of the City Manager, or his designee, for a maximum contract length of five years and total amount not-to-exceed \$405,650.(Contract No. 32004)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH TRICADE TECHNOLOGY SOLUTIONS, LLC TO FURNISH SERVER HARDWARE EXPANSION AND EXTEND MANUFACTURER SUPPORT OF EXISTING HARDWARE

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) Accept the bid dated December 8, 2020, submitted by Tricade Technology Solutions, LLC in response to specifications for a VxRail hardware node expansion and extended manufacturer's warranty and maintenance of existing hardware; reject all other bids received; and authorize the City Manager, or his designee, to enter into a Purchase Order with Tricade Technology Solutions, LLC not-to-exceed \$354,914.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH GPS INSIGHT TO FURNISH, DELIVER, AND MONITOR GLOBAL POSITIONING SATELLITE TRACKING SYSTEM FOR THE CITY OF PASADENA VEHICLES

Recommendation: It is recommended that the City Council:

(1) Find that the recommended 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;

(2) Authorize the City Manager to enter into a citywide contract for three years, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with GPS Insight LLC for Global Positioning Satellite ("GPS") devices and monitoring services for the vehicles owned by the City of Pasadena ("City") in an amount not to exceed \$514,232 with approval for two optional, one-year extensions for an amount not-to-exceed \$171,410 each, for a total contract amount not-to-exceed \$857,052; and

(3) Grant the recommended contract 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. (Contract No. 32005)

AUTHORIZATION TO INCREASE CONTRACT VALUE OF CONTRACT NO. 31566 WITH PERCEPTIV, INC., FOR HOMELESSNESS PUBLIC EDUCATION AND ENGAGEMENT CONSULTING SERVICES

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 "common sense" that CEQA only applies to projects that may have an effect on the environment; and

(2) Authorize the City Manager to amend Contract No. 31566 with Perceptiv, Inc., to increase the contract value to \$85,250. (Contract No. 31566-2)

Item discussed separately

APPROVAL OF AN EXTENSION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA MANAGEMENT ASSOCIATION (PMA) FOR THE TERM OF JULY 1, 2020 – SEPTEMBER 30, 2021

APPROVAL OF MINUTES

March 8, 2021

CLAIMS RECEIVED

Claim No. 13,695 Sandra Lopez \$ Not stated

PUBLIC HEARING SET

April 26, 2021, 4:30 P.M. – Designation of the House at 371 Patrician Way as a Landmark (William F. Staunton Residence)

It was moved by Councilmember Kennedy, seconded by Councilmember Williams, to approve all items on the Consent Calendar, with the exception of Item 8 (Approval of an Extension of the MOU Between the City and PMA...), which was discussed separately:

AYES: Councilmembers Hampton, Kennedy, Madison, Masuda, Rivas, Williams, Vice Mayor Wilson, Mayor Gordo

NOES: None

ABSENT: None

ABSTAIN: None

**CONSENT ITEMS
DISCUSSED SEPARATELY**

APPROVAL OF AN EXTENSION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA MANAGEMENT ASSOCIATION (PMA) FOR THE TERM OF JULY 1, 2020 – SEPTEMBER 30, 2021

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) Approve a 15-month extension of the Memorandum of Understanding between the City of Pasadena and the Pasadena Management Association (PMA) for the term of July 1, 2020 – September 30, 2021.

Councilmember Hampton stated that he will abstain from voting on this item, as he does not support approving City staff salary increases during a pandemic.

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

AYES: Councilmembers Kennedy, Madison, Masuda, Rivas, Williams, Vice Mayor Wilson, Mayor Gordo
NOES: None
ABSENT: None
ABSTAIN: Councilmember Hampton

PUBLIC HEARING

PUBLIC HEARING: SUBMITTAL OF PUBLIC HOUSING AGENCY ANNUAL PLAN (2021) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Recommendation: It is recommended that the City of Pasadena (the "City"), as Successor Agency to the Pasadena Community Development Commission, after a public hearing:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA"), pursuant to State CEQA Guidelines per 15061(b)(3), as it will not have a potentially significant environmental effect and, therefore, falls under the "common sense" exemption; and
- (2) Approve the City's Public Housing Agency Annual Plan (2021), and authorize the City Manager to execute any and all documents regarding its submittal to the U.S. Department of Housing and Urban Development.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the Pasadena Press on March 4, 2021; and no correspondence was received by the City Clerk's Office regarding this item.

William Huang, Director of Housing, provided introductory comments, and Anne Lansing, Project Planner, presented a PowerPoint presentation on the item, and responded to questions.

Councilmember Kennedy thanked staff for their work in encouraging landlords to participate in the Section 8 program.

City Clerk Jomsky read aloud comments in favor of the staff recommendation from the following individuals:

Stephanie M. Church, Pasadena resident
Jill S. Shook, Pasadena resident

Following public comment, it was moved by Councilmember Kennedy, seconded by Vice Mayor Wilson, to close the public hearing:

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

It was moved by Councilmember Kennedy, seconded by Councilmember Masuda, to approve the staff recommendation with extreme gratitude to staff and those who participated in an advisory capacity in bringing this matter to the City Council for approval:

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

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

CONSIDERATION OF HERO OR HAZARD PAY ORDINANCE

Recommendation: It is recommended that the City Council receive the following report and consider whether to take further action.

Councilmember Hampton, Chair of the Economic Development and Technology Committee (EdTech), summarized the discussion on the matter at the EdTech Committee meeting, and reported that two committee members were in support, and two members expressed concerns with the City adopting an ordinance establishing “hero pay” due to the timing and potential unintended impacts.

City Manager Mermell provided introductory comments, and Eric Duyshart, Business Development Administrator, presented a PowerPoint presentation on the item; and responded to questions.

Councilmember Madison spoke in favor of the City adopting an ordinance establishing “hero pay” or hazard pay in the City of Pasadena for grocery and pharmacy workers, which is a short term

(120 days) remedial action to provide mitigation for the enormous risks being taken by grocery and pharmacy workers during the COVID-19 pandemic.

Councilmember Kennedy spoke in favor of this proposed short-term ordinance in Pasadena for grocery and pharmacy workers, citing the risk to these workers and the financial gain and profit being gained by the large corporations.

Councilmember Masuda expressed concerns with the City adopting such an ordinance, which he believes will have such repercussions as higher priced groceries that will negatively impact the residents of the City.

Councilmember Williams asked staff to provide data on the possible impacts to City residents related to the City adopting a 'hero pay' ordinance.

Mark Jomsky, City Clerk, reported that two letters and emails in opposition to the proposed ordinance and/or providing comments/suggestions on the matter, which were distributed to the City Council, posted on-line, and made part of the public record from the following individuals:

Paul Little, representing Pasadena Chamber of Commerce
Ron Fong, California Grocers Association (representing 65 grocers, community advocates and business leaders)

He also reported that a number of letters and emails in support of the proposed ordinance and/or providing comments/suggestions on the matter, were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record from the following individuals:

Michelle Seyler J.D., representing Clergy & Laity United for Economic Justice (CLUE)
Bobbi Murray, Pasadena resident
Corey Powell, residence not stated
Brice Harris, residence not stated
Jennifer Collins, Pasadena resident
Chris R. Holden, 41st District Assemblymember
Florence Annang & Kim Douglas, representing Pasadenan's for Progress (POP!)
Scott Austin, representing Foothill Community Democrats
Amardeep Gil, representing LA Alliance for a New Economy (LAANE)

In addition the City Clerk reported and summarized public comment and correspondence on the matter that was received at the March 16, 2021, Special EdTech Committee meeting, which was also posted on-line as background material for this agenda item.

City Clerk Jomsky read aloud comments and suggestions in opposition to the City taking action on the proposed ordinance from the following individuals:

Stu Venable, Pasadena resident
Erika Foy, Pasadena resident

City Clerk Jomsky read aloud comments and suggestions in support of the City taking action to establish proposed ordinance from the following individuals:

Mark, Los Angeles resident
Mark Maier, representing POP!
Peter Dreier, Pasadena resident
Mariann H. M. Reardon, Pasadena resident
Angel M. Castillo, Pasadena resident
Jacque Robinson, Pasadena resident
Ella Hushagen, South Pasadena resident
Jill S. Shook, Pasadena resident
Rev. Dr. Sally Howard, Pasadena resident
Janice Pais, Pasadena resident
Hellen Tan, South Pasadena resident
Bert Newton, Pasadena resident
Juliana Serrano, Los Angeles County resident

Vice Mayor Wilson expressed his concerns with adopting the proposed ordinance as he believes the legislation is selective in nature; and raises the possibility of grocery prices increasing with the costs being passed on to the consumers.

Mayor Gordo and Councilmember Rivas spoke in favor of adopting the proposed "hero pay" ordinance in Pasadena for grocery and pharmacy workers for 120 days.

Councilmembers Hampton and Williams expressed concerns with adopting the proposed ordinance, which may negatively impact the City's unemployment rate, and the price of groceries.

Councilmember Williams expressed concerns with discussing the finances of grocery and pharmacy companies as those organizations have not reported their year-end earnings. She stated that she believes the issue is an income gap that the State or Federal government should address, and not the City. She recommended that staff expand the City's programs (i.e. rental and meal assistance) to assist everybody in the community, and work

with the grocery stores to partner in food donation programs and participate in the City's meal programs. In addition, she recommended that the City accelerate the COVID-19 vaccine distribution to the grocery and pharmacy store employees, and increase COVID-19 safety enforcement to ensure a safe working environment.

Michele Beal Bagneris, City Attorney, provided information on the proposed ordinance and its impact on governing law related to employees working in the City; and responded to questions.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Kennedy, to direct staff to prepare an ordinance establishing Hazard Pay (or "Hero Pay") in the City of Pasadena for grocery and pharmacy workers along the same parameters as the similar measure adopted by the County of Los Angeles County's Hazard Pay ordinance:

- AYES: Councilmembers Kennedy, Madison, Rivas, Mayor Gordo
NOES: Councilmembers Hampton, Masuda, Williams, Vice Mayor Wilson
ABSENT: None
ABSTAIN: None
(MOTION FAILED)

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA, CONDEMNING HATE AND XENOPHOBIC VIOLENCE AGAINST ALL PERSONS (Councilmember Hampton) (Resolution No. 9831)

Mayor Gordo, Chair of the Public Safety Committee, summarized the Committee's discussion on the matter, including the request by Councilmember Hampton to agendaize the issue for City Council consideration.

Councilmember Kennedy spoke in favor of the City Council adopting a resolution condemning hate and xenophobic violence against all persons, including people of color.

Vice Mayor Wilson spoke on the need to address gun violence in the City, and requested that the Public Safety Committee (PSC) agendaize the matter for discussion at a future Committee meeting.

Councilmember Masuda spoke on the recent actions of hate and violence towards Asian Americans and Pacific Islanders across the nation, and spoke in support of the proposed resolution.

Councilmember Williams spoke in support of the proposed resolution; and inquired whether a City committee/commission can review the City's quality of life issues (i.e. increase of gun violence, hate crimes).

Councilmember Kennedy reiterated his outrage related to the violence that is taking place in the community and requested that the matter be agendized at a future PSC meeting to provide recommendations to the City Council on possible actions to address and stop such violence.

Councilmember Madison expressed concerns with the proposed resolution, as the resolution started with specific target of xenophobia, in particular to Asians due to past violent events, likely sparked by the COVID-19 blame placed on China by the previous presidential administration, and stated that he believes the proposed resolution is too broad, and is difficult to understand.

Michele Beal Bagneris, City Attorney provided information on the authorship of the proposed resolution; and responded to questions.

Mark Jomsky, City Clerk, reported that a number of letters/emails providing comments/suggestions on the matter from an anonymous individual were received by the City Clerk's Office, which were distributed to the City Council, posted on-line, and made part of the record. He also read aloud comments from the same anonymous individual providing comment.

Following discussion, it was moved by Councilmember Hampton, seconded by Councilmember Kennedy, to adopt the proposed resolution:

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

Mayor Gordo, Chair of the PSC, stated that community violence will be agendized at a future Committee meeting, as well as potentially with the Human Relations Commission. He stated that "gang activity" in the City was discussed at the PSC, and will agendized at a future City Council meeting.

Councilmember Hampton stated that when "gang activity" in the City Council is agendized, he would like staff to provide a plan on how the City parks can be made safer for community members to use and visit.

CLOSED SESSION

On order of the Mayor, the special meeting recessed at 7:05 p.m. to discuss the following closed session (Absent None):

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property Location: 217 S. Marengo Avenue, #208, Pasadena, CA 91101**

**Agency Negotiator: Steve Mermell
Negotiating Party: Laura Bartholomew
Under Negotiation: Price and terms of Payment**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL—
ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO
LITIGATION PURSUANT TO GOVERNMENT CODE SECTION
54956.9(d)(2): One potential case**

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property Location: 1421 N. Fair Oaks Avenue, Pasadena, CA 91103**

**Agency Negotiator: Steve Mermell
Negotiating Party: Lynnelle Bryant and Lori Dynes
Under Negotiation: Price and terms of Payment**

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

ADJOURNMENT

On order of the Mayor, the special meeting of the City Council adjourned at 8:15 p.m., in memory of all those that are ill and have lost their lives during the COVID-19 pandemic; and Mr. Gene Gregg.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk