

CITY OF PASADENA  
City Council Minutes  
March 14, 2016 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Tornek called the regular meeting to order at 5:46 p.m.  
(Absent: Vice Mayor Masuda)

On the order of the Mayor, the regular meeting recessed at 6:50 p.m., to discuss the following closed sessions:

**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

Title of Unrepresented Employee: City Attorney/City Prosecutor

City Representative: Terry Tornek

**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

Title of Unrepresented Employee: City Clerk

City Representative: Terry Tornek

The above two 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

Title: Interim City Manager

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 6:50 p.m. The pledge of allegiance was led by Councilmember Wilson.

**ROLL CALL:**

Councilmembers:

Mayor Terry Tornek  
Vice Mayor Gene Masuda (Absent)  
Councilmember Victor Gordo  
Councilmember Tyron Hampton

Councilmember John J. Kennedy  
Councilmember Steve Madison  
Councilmember Margaret McAustin  
Councilmember Andy Wilson

**Staff:**

Interim City Manager Steve Mermell  
Chief Assistant City Attorney Javan Rad  
City Clerk Mark Jomsky

**CEREMONIAL MATTERS**

The Mayor presented a proclamation declaring March 26, 2016 as "Arbor Day" in Pasadena to Darya Barar, Forestry Program Coordinator, and Emina Darakjy, Urban Forestry Advisory Committee Member.

Councilmember Gordo introduced Daniel Torres, Flintridge Center, and thanked Jaylene Mosely and Jacque Robinson for their work in the community. The Mayor presented Mr. Torres with a certificate of recognition for winning the Fast Pitch Competition.

Councilmember McAustin spoke on the passing of Sid Galley, a lifelong Pasadena resident and Pasadena historian; and requested that the meeting be adjourned in his memory.

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

The Reverend Michael Burns, Pasadena resident, spoke in favor of the current Interim City Manager, Steve Mermell, and asked the City Council to consider him for the permanent position of City Manager.

Mary Dee Romney, Pasadena resident, submitted a letter she sent Congressman Schiff regarding the Rim of the Valley Corridor Resources Study and an interactive map of the affected area; and spoke in opposition of approving the proposed Legislative Platforms for calendar year 2016.

**CONSENT CALENDAR**

**CONTRACT AWARD TO CROSTOWN ELECTRICAL & DATA, INC., FOR INSTALLATION OF DYNAMIC MESSAGE SIGNS AND GATEWAY SIGNS AT VARIOUS LOCATIONS, FOR AN AMOUNT NOT-TO-EXCEED \$852,000**

**Recommendation:**

- (1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) State Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, 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
- (2) Accept the bid dated February 2, 2016, submitted by Crosstown Electrical & Data, Inc., in response to the Project Specifications for Installation of Dynamic Message Signs and

Gateway Signs at Various Locations, and authorize the City Manager to enter into such contract as is required for an amount not-to-exceed \$852,000. (Contract No. 30552)

**CONTRACT AWARD TO ALL AMERICAN ASPHALT, INC., FOR SLURRY SEAL OF STREETS – 2016 FOR AN AMOUNT NOT-TO-EXCEED \$530,000**

**Recommendation:**

(1) Find the project in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) State Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, 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

(2) Accept the bid dated March 2, 2016, submitted by All American Asphalt, Inc., in response to the Specifications for the Slurry Seal of Streets – 2016, and authorize the City Manager to enter into such contract for an amount not-to-exceed \$530,000. (Contract No. 30553)

**AUTHORIZE THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH MCCAIN TRAFFIC CONTROL PRODUCTS FOR \$410,410 FOR THE UPGRADE OF THE TRAFFIC MANAGEMENT CENTER TRAFFIC CONTROL SYSTEM SOFTWARE**

**Recommendation:**

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

(2) Authorize the Interim City Manager to execute a contract with McCain Traffic Control Products for \$410,410 for the upgrade of the Traffic Management Center Traffic Control System Software as part of the Pasadena ITS Phase II Project (75910) under City Agreement No. 19,810-4. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; and

(3) Grant the proposed contract an exemption from the Competitive Selection Process pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contract for which the City's best interests are served. (Contract No. 30550)

**ADOPTION OF RESOLUTION AUTHORIZING SUBMITTAL OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) APPLICATION FOR CURBSIDE SUPPLEMENTAL PAYMENT PROGRAMS**

**Recommendation:**

- (1) Find that the recommended action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) (General Rule); and
- (2) Adopt a resolution authorizing the Interim City Manager, or his designee, to submit a Curbside Supplemental Payment Program application to the California Department of Resources Recycling and Recovery (CalRecycle), and execute all documents and agreements necessary to receive and appropriate funds from CalRecycle. (Resolution No. 9489)

**REJECTION OF BIDS FOR CONSTRUCTION OF SUNSET RESERVOIR WATER TREATMENT PROJECT, PHASE 1 (DISINFECTION FACILITY)**

**Recommendation:**

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA State Guidelines Section 15061(b)(3) (General Rule); and
- (2) Reject all bids received on February 9, 2016, in response to the Notice Inviting Bids to Furnish Labor and Materials for Construction of Sunset Reservoir Water Treatment Project, Phase I (Disinfection Facility).

**AUTHORIZATION TO EXECUTE AN ADDENDUM TO THE CITY/SCHOOL JOINT USE AGREEMENT FOR THE USE OF MADISON SCHOOL AS A NEIGHBORHOOD PARK**

**Recommendation:** It is recommended that the City Council authorize the Interim City Manager to execute an addendum to the City/School Joint Use Agreement for the use of Madison School as a Neighborhood Park. (Contract No. 13,991-16)

**ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE: AMENDMENT TO CONTRACT NO. 30173 WITH PASADENA HUMANE SOCIETY AND SPCA FOR ANIMAL CONTROL SERVICES AND CONTRACT UPDATE**

**Recommendation:**

- (1) Find the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment; and
- (2) Approve an amendment to Contract No. 30173 with the Pasadena Humane Society and SPCA for provision of animal control services to modify the payment remittance process for animal licensing revenue. (Contract No. 30173-1)

Item discussed separately

**FINANCE COMMITTEE: APPROVAL OF REPAYMENT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF \$112,882.84 IN SUPPORTIVE HOUSING PROGRAM FUNDS AND \$447,889.45 IN HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS**

**LEGISLATIVE POLICY COMMITTEE: APPROVAL OF THE FEDERAL & STATE LEGISLATIVE PLATFORMS FOR CALENDAR YEAR 2016**

**Recommendation:**

- (1) Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment; and
- (2) Approve the Federal Legislative Platform and the State Legislative Platform for calendar year 2016.

**MINUTES APPROVED February 29, 2016**

CLAIMS RECEIVED AND FILED	AND	Claim No.	Name	Amount
		12,592	Andy Hsiung	\$ 110.00
		12,593	Janey Garcia	Not stated
		12,594	William R. Hart and Sarina Vitale	2,466.75
		12,595	21 <sup>st</sup> Century Insurance Company as subrogee of Sonia Jaimes	10,000.00+
		12,596	Law Offices of Robin D. Perry & Associates, representing Jennifer Meza, guardian of Valeria Alayo	Not stated
		12,597	Peter Fahnestock	497.28
		12,598	Law office of Mauro Fiore, Jr. representing Wade B. Young	25,000.00+

**PUBLIC HEARING SET May 9, 2016, 7:00 p.m. – Fiscal Year 2017 General Fee Schedule**

**May 9, 2016, 7:00 p.m. – Fiscal Year 2017 Schedule of Taxes, Fees, and Charges**

**May 9, 2016, 7:00 p.m. – Fiscal Year 2017 Recommended Operating Budget**

It was moved by Councilmember Gordo, seconded by Councilmember Madison, to approve all items on the Consent Calendar, with the exception of Item 8 (Approval of Repayment to U.S. Department of Housing and Urban Development), which was discussed separately. (Motion unanimously carried) (Absent: Vice Mayor Masuda)

**CONSENT ITEMS  
DISCUSSED SEPARATELY**

**FINANCE COMMITTEE: APPROVAL OF REPAYMENT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF \$112,882.84 IN SUPPORTIVE HOUSING PROGRAM FUNDS AND \$447,889.45 IN HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS**

**Recommendation:**

- (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;
- (2) Appropriate \$560,772.29 from the Inclusionary Housing Trust Fund balance (Fund 619) for the repayment to the U.S. Department of Housing and Urban Development ("HUD") of Supportive Housing Program ("SHP") and HOME Investment Partnership Program ("HOME") funds that were expended on the development of the Nehemiah Court affordable housing project which was cancelled in Fiscal Year (FY) 2012; and
- (3) Authorize the Interim City Manager to execute, and the City Clerk to attest, any agreements or documents to effectuate the repayment of \$560,772.29 in federal SHP and HOME funds to HUD in connection with the Nehemiah Court project. (Budget Amendment No. 2016-22)

William Huang, Director of Housing, provided a PowerPoint presentation on the agenda item, and responded to questions.

Councilmember Madison requested a copy of the staff report that was provided to the Finance Committee regarding the analysis of the failed Nehemiah Court project and asked staff to conduct an internal financial expenditure audit on the project.

Councilmember Gordo requested that staff provide information on the elements of the project that serve as red flags and cause the City to avoid similar projects in the future.

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

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**PROPOSED MODIFICATION TO PASADENA MUNICIPAL  
CODE TO PROVIDE EXEMPTION FROM THE OVERNIGHT  
PARKING PROHIBITION FOR BUSINESSES**

**Recommendation:**

- (1) Find that the following proposed actions are exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) (General Rule);
- (2) Direct the City Attorney to draft an ordinance amending Chapter 10 of the Pasadena Municipal Code to provide an exemption from the overnight parking prohibition for businesses with early morning hours in business districts; and
- (3) Adopt the proposed criteria to establish an exemption from the overnight parking prohibition and direct the City Attorney to prepare a resolution establishing those criteria.

**Recommendation of Old Pasadena Parking Meter Zone**

**Advisory Commission:** On July 16, 2015, November 3, 2015 and January 21, 2016, following an information-only presentation of the proposal on April 16, 2015, the Old Pasadena Parking Meter Zone Advisory Commission considered the proposed modification and recommended that the City Council not adopt staff's recommendation. Concern expressed by the Commission included too broad of a time span for the proposed exemption, too general regulations for establishing an exempt area and potential increased costs to Property-Based Business Improvement Districts (PBID's) for added street cleaning.

**Recommendation of South Lake Parking Place**

**Commission:** On May 28, 2015, following an information-only presentation on April 9, 2015, the South Lake Parking Place Commission recommended that the City Council approve the proposed modification to the Pasadena Municipal Code to provide exemption from the overnight parking prohibition for businesses, as presented by the Department of Transportation staff.

Councilmember Wilson requested that staff monitor the administrative costs associated with the item, report to the City Council on any additional workload resulting from the proposed modification, and ensure cost recovery for expenses incurred.

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

**PUBLIC HEARING**

Councilmember McAustin recused herself, and left the dais at 7:42 p.m.

**CONTINUED PUBLIC HEARING: APPROVAL OF SUBSTANTIAL AMENDMENT TO ANNUAL ACTION PLAN 2015-2016 PERTAINING TO HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDING**

**Recommendation:** It is recommended that upon the 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 Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment; and
- (2) Adopt a resolution approving a Substantial Amendment to Annual Action Plan 2015-2016 pertaining to HOME Investment Partnerships program funding, as described in the agenda report. (Resolution No. 9490)

The City Clerk opened the public hearing; reported that the notice of public hearing was published in the Pasadena Journal on February 4, 2016. No correspondence was received by the City Clerk's office regarding this item.

William Huang, Director of Housing, introduced the agenda item, and Jim Wong, Senior Project Manager, provided a PowerPoint presentation on the Substantial Amendment to the Annual Action Plan 2015-2016, and responded to questions.

No one appeared for public comment.

Councilmember Gordo, Chair of the Economic Development and Technology Committee, reported that the Committee reviewed the item and supported the staff's recommendation.

Councilmember Kennedy requested baseline data and analyses from the Pasadena Police Department regarding calls for service to the Community Arms.

It was moved by Councilmember Gordo, seconded by Councilmember Hampton, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember McAustin and Vice Mayor Masuda)

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Kennedy, to approve staff recommendation. (Motion unanimously carried) (Absent: Councilmember McAustin and Vice Mayor Masuda)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES (CONTINUED)**

**KEY BUSINESS TERMS OF A DEVELOPMENT AND LOAN AGREEMENT WITH HHP-SUMMIT, LLC, FOR THE DEVELOPMENT OF A 21-UNIT AFFORDABLE**



**HOMEOWNERSHIP PROJECT AT 104-124 EAST ORANGE GROVE BOULEVARD AND 677 NORTH SUMMIT AVENUE**

**Recommendation:** It is recommended that the City Council take the following actions:

- (1) Amend the Fiscal Year 2016 adopted operating budget of the Housing and Career Services Department by appropriating a total of \$1,300,000 in City affordable housing funds consisting of: a) \$420,276 from HOME Investment Partnerships ("HOME") Program Year 2014 funds (Fund 221); b) \$693,991 from HOME Program Income funds (Fund 221); and c) \$185,733 from Inclusionary Housing Trust Funds (Fund 239) to assist the development of a 21-unit affordable homeownership project located at 104-124 East Orange Grove Boulevard and 677 North Summit Avenue (the "Summit Grove project" or "Project") to be developed by HHP-Summit, LLC ("HHP");
- (2) Approve the proposed key business terms of the Development and Loan Agreement (the "DLA") between the City and HHP for the development of the Summit Grove project; and
- (3) Authorize the City Manager to execute, and the City Clerk to attest, the DLA and all other related documents, agreements, or amendments that may be required to implement the DLA and effectuate the development of the Summit Grove project. (Contract No. 30561 and Budget Amendment No. 2016-23)

William Huang, Director of Housing, and Jim Wong, Senior project Manager, provided a PowerPoint presentation on the agenda item, and responded to questions.

In response to Councilmembers Kennedy's and Hampton's request for the developer to use local contractors, Charles Loveman, Heritage Housing Partners, stated that a contractor has already been hired for the proposed project, however, he stated that a good faith effort will be made to hire local sub-contractors and he will work to adhere to local hiring requirements.

Councilmember Kennedy clarified for the record that when he commented on the service calls to the Community Arms, it was not in a negative manner that in fact it his understanding that the numbers for police assistant have declined.

The following individuals spoke in support of the proposed action:

Gretchen Palmer, Pasadena resident  
James MacQuarrie, Pasadena resident  
Terri MacQuarrie, Pasadena resident

Martin Alvarez, Pasadena resident  
Carolina Alvarez, Pasadena resident  
Charles Loveman, Heritage Housing Partners

Councilmember Gordo asked staff to study policy to identify nuisance properties in the City that are on the market for sale and work with available developers to acquire the property.

Councilmember Hampton suggested that staff review policies where the City may provide incentives to nuisance property owners to sell their property and forward the item to the Economic Technology and Development Committee for discussion.

It was moved by Councilmember Gordo, seconded by Vice Mayor Masuda, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember McAustin and Vice Mayor Masuda)

**PUBLIC HEARINGS**  
**(CONTINUED)**

Councilmember McAustin  
returned at 8:42 p.m.

**PUBLIC HEARING: APPEAL OF THE BOARD OF ZONING APPEALS' DECISION ON HILLSIDE DEVELOPMENT PERMIT NO. 6196 – 920 HILLCREST PLACE**

**Recommendation:**

- (1) Adopt a determination that the proposed action is exempt from the California Environmental Quality Act (CEQA) under Section 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines; and
- (2) Uphold the Board of Zoning Appeals' (BOZA) decision and approve Hillside Development Permit No. 6196 for the construction of a new single-family residence.

The City Clerk opened the public hearing and reported 20 copies of the notice were posted and 41 copies of the notice were mailed on February 29, 2016; and 1 letter of support and 1 letter in opposition were received by the City Clerk's Office regarding the recommended action.

David Reyes, Interim Director of Planning & Development, introduced the item, and Jason Killebrew, Associate Planner, provided a PowerPoint presentation on the item, and responded to questions.

The following person spoke in favor of, and/or, expressed support regarding the request to Call for Review the BOZA decision:

Ryan Lapidus, Appellant representative

The following persons spoke in opposition to, and/or, expressed concerns regarding the request to Call for Review the BOZA decision:

Richard A. McDonald, Esq., Applicant representative  
Eric Hammerlund, Applicant architect  
Jim Schmidt, Applicant architect  
Sean Yu, Applicant  
Cynthia Chau, Pasadena resident  
Patty Chao, Temple City resident  
Richard Tang, Arcadia resident  
Sandy Yu, Pasadena resident

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

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Kennedy, to approve the staff recommendation based on the findings in Attachment A of the agenda report. (Motion unanimously carried) (Absent: Vice Mayor Masuda)

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES (CONTINUED)**

**FISCAL YEAR JUNE 30, 2015 ANNUAL FINANCIAL REPORTS**

**Recommendation:** It is recommended that the following reports for the year ending June 30, 2015 be received by the City Council and/or the Successor Agency to Pasadena Community Development Commission:

- A. Comprehensive Annual Financial Report
- B. Single Audit Reports – To be presented at a later meeting
- C. Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards (this replace what was called the "Management Letter")
- D. Pasadena Center Operating Company Basic Financial Statements
- E. Rose Bowl Operating Company Basic Financial Statements
- F. Pasadena Community Access Corporation Basic Financial Statements
- G. Pasadena Fire and Police Retirement System Independent Auditor's Report and Basic Financial Statements with Required Supplemental Information
- H. Air Quality Improvement Fund Financial and Compliance Report

- I. Independent Accountant's Report on Agreed-Upon Procedures Applied Appropriation Limit Worksheets
- J. Independent Accountant's Report on Agreed-Upon Procedures Applied to Employee Deductions for the Internal Revenue Code Section 457 Deferred Compensation Program
- K. The Auditor's Communications with the City's Audit Finance Committee

Matt Hawkesworth, Director of Finance, introduced the agenda item, and Richard Kikuchi and J'on Dennis, LSL CPA's and Advisors, provided a PowerPoint presentation on the agenda item, and responded to questions.

The Mayor, Chair of the Finance Committee, stated that the Committee reviewed and discussed the Fiscal Year 2015 annual financial reports and the audit reports, and supports the staff recommendation.

Councilmember Madison asked that staff consider a policy that will set forth the standard and frequency whereby each City fund be reviewed and periodically audited.

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

**PUBLIC HEARINGS**  
**(CONTINUED)**

**PUBLIC HEARING: DESIGNATION OF THE HOUSE AT 1587 NORTH LOS ROBLES AVENUE AS A LANDMARK**

**Recommendation:**

- (1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (CEQA State Guidelines Section 15308: Class 8 – Actions by Regulatory Agencies for Protection of the Environment);
- (2) Find that the house at 1587 North Los Robles Avenue meets landmark designation Criterion "C" in Pasadena Municipal Code (PMC) Section 17.62.040(C)(2)(c) because it embodies the distinctive characteristics of a locally significant property type, architectural style and period as well as the work of a locally significant architect. The building is a locally significant, intact example of the two-story Arts & Crafts Period House property type, designed by David M. Renton and retains integrity;
- (3) Adopt a resolution approving a Declaration of Landmark Designation for 1587 North Los Robles Avenue, Pasadena, California;

(4) Authorize the Mayor to execute the Declaration of Landmark Designation for 1587 North Los Robles Avenue, Pasadena, California; and

(5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder.

**Recommendation of the Historic Preservation Commission:**

At its regular meeting of January 19, 2016, the Historic Preservation Commission recommended that the City Council approve the designation of the house at 1587 North Los Robles Avenue as a Landmark under Criterion "C" of Pasadena Municipal Code Section 17.62.040. (Resolution No. 9488)

The City Clerk opened the public hearing and reported 30 copies of the notice were posted and 70 copies of the notice were mailed on February 25, 2016. No correspondence was received by the City Clerk's office regarding this item.

No one appeared for public comment.

It was moved by Councilmember Hampton, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: Vice Mayor Masuda)

Following a brief discussion, it was moved by Councilmember Hampton, seconded by Councilmember McAustin, to approve staff recommendations. (Motion unanimously carried) (Absent: Vice Mayor Masuda)

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES (CONTINUED)**

Councilmember Gordo recused himself at 10:09 p.m., and left the dais

**RECOMMENDED FINAL PROJECTS FOR COMPLETION OF  
THE UNDERGROUND UTILITY PROGRAM**

**Recommendation:**

(1) Find that the proposed action is not a project subject to the California Environmental Quality Act ("CEQA"), as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project;

(2) Discontinue the Underground Utility Program ("UUP") as described in Pasadena Municipal Code ("PMC") Chapter 13.14 upon completion of the two underground utility districts that are currently under construction, Hill Avenue and Alpine Street ("Recommended Projects");

(3) Direct staff to suspend collection of the light and power surtax ordinance described in Pasadena Municipal Code Chapter 4.24 and the general fee schedule ("Surtax"); and

(4) Direct staff to return with recommendations with respect to disposition of any remaining Surtax funds and permanent repeal of the Surtax within six months.

**Recommendation of the Municipal Services Committee:** On March 8, 2016, staff presented a recommendation to discontinue the Underground Utility Program (UPP) upon completion of the currently designated underground utility districts that include Hill Avenue, Alpine Street, Mountain Street, and North Raymond Avenue as described in Alternative 3 in the agenda report.

The Committee unanimously moved to recommend that the City Council adopt Alternative 1, including completion of Hill and Alpine projects only. Staff agrees with this recommendation. The Recommendations and description of Alternative 1 set forth in the agenda report have been updated to reflect the Committee's motion.

Shari Thomas, Interim General Manager, Water and Power, introduced the agenda item and Eric Klinkner, Assistant General Manager, Water and Power, provided a PowerPoint presentation on the agenda item, and responded to questions.

Councilmember McAustin, Chair of the Municipal Services Committee, reported that the Committee reviewed and discussed staff's recommendation, with the Committee recommending to the City Council to adopt Alternative 1, Discontinue surtax and terminate UUP upon completion of Hill Avenue and Alpine Street.

Councilmember Kennedy voiced his preference for the completion of the undergrounding of Mountain and Raymond Street utility districts and asked whether any legal ramifications existed in discontinuing the surtax collections.

Councilmember Madison expressed concerns with the equity of the program, the impact of collecting taxes and then terminating the program without major outreach, and suggested that staff reach out to the community, individual Council districts, and neighborhood associations for feedback regarding the project fund balance; and asked staff to review their files for a 75 year timeline schedule of the UPP project.

The following individuals spoke in opposition to the proposed action, and expressed concerns and/or provided suggestions regarding various aspects of the staff's recommendations:

Thomas Seifept, Pasadena resident  
James MacQuarrie, Pasadena resident

Therese Brummel, Pasadena resident, spoke in favor of staff's recommendation and shared her concerns regarding her

experience with undergrounding electrical work completed at her residence.

In response to Ms. Brummel's comments, Shari Thomas stated that she would contact her regarding her concerns.

Councilmember McAustin asked staff to provide information on the requirements and the initiating factors for residences that are required to underground their electrical services.

Following discussion, by consensus of the City Council, and on order of the Mayor, no action was taken on the staff recommendation.

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

Councilmember Gordo returned at 11:13 p.m.

**LICENSE AGREEMENT WITH RELEVANT SPORTS FOR AN INTERNATIONAL SOCCER MATCH TO BE HELD ON WEDNESDAY, JULY 27, 2016**

**Recommendation of Rose Bowl Operating Company:**

- (1) Find that the license agreement proposed in the agenda report is categorically exempt under the California Environmental Quality Act (CEQA) State Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings);
- (2) Make the required finding, pursuant to Pasadena Municipal Code Section 3.32.270, to authorize the presentation of the proposed July 27<sup>th</sup> soccer match to be held at the Rose Bowl as a displacement event; and
- (3) Direct the City Clerk to file a Notice of Exemption within 5 business days. (Contract No. 22,521)

Darryl Dunn, General Manager of the Rose Bowl Operating Company, summarized the agenda report, and responded to questions.

Councilmember Hampton voiced concerns with the number of events permitted at the Rose Bowl Stadium.

Following a brief discussion, it was moved by Councilmember Gordo, seconded by Councilmember Kennedy, to approve the Rose Bowl Operating Company recommendations. (Motion carried, with Councilmember Hampton objecting) (Absent: Vice Mayor Masuda)

**ORDINANCE – ADOPTED**

Adopt "AN ORDINANCE OF THE CITY OF PASADENA ADDING CHAPTER 5.02 TO TITLE 5, ARTICLE I OF THE PASADENA MUNICIPAL CODE TO REQUIRE THE PAYMENT OF A CITY-WIDE MINIMUM WAGE" (Introduced by Councilmember Gordo) (Ordinance No. 7278)

The above ordinance was adopted by the following vote:  
AYES: Councilmembers Gordo, Hampton, Kennedy,  
Madison, McAustin, Wilson, Mayor Tornek  
NOES: None  
ABSENT: Vice Mayor Masuda  
ABSTAIN: None

**INFORMATION ITEM**

**PREDEVELOPMENT PLAN REVIEW OF OLIVEWOOD VILLAGE MIXED-USE PROJECT LOCATED AT 530 AND 535 EAST UNION STREET, 95, 99, AND 119 NORTH MADISON AVENUE, AND 585 EAST COLORADO BOULEVARD**

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

David Reyes, Interim Director of Planning & Development, and David Sanchez, Planner, provided a PowerPoint presentation on the agenda item; and responded to questions.

Ken McCormick, Applicant representative, provided a summary of the proposed project, and stated his desire to present a planned development application.

Following a discussion regarding the appropriateness of designating this project as a Planned Development, Councilmember Kennedy suggested that staff continue to work with Mr. McCormick and attempt to achieve a mutually satisfactory resolution that abides by the City's current planning regulations.

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

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 11:14 p.m., in memory of Sid Galley, lifelong Pasadena resident and Pasadena historian.

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

ATTEST:

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