

CITY OF PASADENA  
City Council Minutes  
February 1, 2016 – 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: Councilmembers Gordo, McAustin, Madison)

On the order of the Mayor, the regular meeting recessed at 5:30  
p.m., to discuss the following closed sessions:

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

Councilmember Gordo  
arrived at 5:42 p.m.

Name of Case: Rocky Easley v. City of Pasadena, et al.  
LASC Case No.: GC 047471

**CLOSED SESSION CONFERENCE WITH REAL PROPERTY**  
**NEGOTIATORS** pursuant to Government Code Section  
54956.8

Addresses of Properties: 155 East Green Street, Pasadena;  
300 East Colorado Boulevard, Pasadena; and 400 East  
Green Street, Pasadena

Agency Negotiators: Michael J. Beck, Steve Mermell

Negotiating Parties: Lance Taylor

Under Negotiation: Price and terms of payment

**CITY COUNCIL CONFERENCE REGARDING PUBLIC**  
**EMPLOYMENT** pursuant to Government Code Section  
54957

Position Title: City Manager

City Representative: Terry Tornek

**CITY COUNCIL CONFERENCE REGARDING PUBLIC**  
**EMPLOYEE PERFORMANCE EVALUATION** pursuant to  
Government Code Section 54957

Position Title and 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

Employee Title and Unrepresented Employee: City Clerk

City Representative: Terry Tornek

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

On order of the Mayor, the regular meeting reconvened at 6:31 p.m. The pledge of allegiance was led by Councilmember Kennedy.

**ROLL CALL:**

Councilmembers:

Mayor Terry Tornek  
Vice Mayor Gene Masuda  
Councilmember Victor Gordo (Arrived at 6:32 p.m.)  
Councilmember Tyron Hampton  
Councilmember John J. Kennedy  
Councilmember Steve Madison (Arrived at 6:45 p.m.)  
Councilmember Margaret McAustin (Absent)  
Councilmember Andy Wilson

Staff:

City Manager Michael J. Beck  
City Attorney Michele Beal Bagneris  
City Clerk Mark Jomsky

**CEREMONIAL MATTERS**

Councilmember Gordo arrived at 6:32 p.m.

The City Clerk administered the oaths of office to Marc Reusser as Historic Preservation Commissioner, and Rosemary Taliba Carr as Commissioner on the Status of Women.

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

Councilmember Madison arrived at 6:45 p.m.

Jen Suh, California Nurses Association, reported on the National Labor Relations Board ruling regarding the termination of two nurses and the unionizing efforts at the Huntington Memorial hospital.

Brigitte Bergman, Villa Parke Recreational Group, voiced concerns regarding the change of instructors at the Villa Parke Community Center.

In response to Ms. Bergman's concern, Councilmember Gordo requested that the City Manager examine the matter and report back to the City Council with further details.

Mykle Parker, Pasadena resident, voiced concerns with delayed contractor compensation.

**CONSENT CALENDAR**

**CONTRACT AWARD TO FLEMING ENVIRONMENTAL, INC., FOR EXPANSION OF TIME-FILL/FAST-FILL REFUELING SYSTEM AT CITY YARDS – PHASE II FOR AN AMOUNT NOT-TO-EXCEED \$309,200**

**Recommendation:**

(1) Find that on July 23, 2007, the City Council found the Installation of Time-fill/Fast-fill Refueling System at City Yards (Phase I) to be exempt from the California Environmental Quality Act (CEQA), that the scope of project construction

(Phase II) was anticipated by the action, and such scope of project construction does not constitute changed circumstances or new information which would trigger further environmental review pursuant to CEQA; and

(2) Accept the bid dated January 20, 2016, submitted by Fleming Environmental, Inc., in response to the Specifications for the Installation of Time-fill/Fast-fill Refueling System at City Yards (Phase II), and authorize the City Manager to enter into such contract as is required for an amount not-to-exceed \$309,200. (Contract No. 30,499)

Item discussed separately

**FINANCE COMMITTEE: APPROVAL OF INTERNAL AUDIT FRAMEWORK**

**APPOINTMENT OF MYRA MARTIN BOOKER, PH.D. TO THE HUMAN SERVICES COMMISSION (Mayor Nomination)**

**CLAIMS RECEIVED AND FILED**

Claim No. 12,570	Craig Bowlin	\$ 8,500.00
Claim No. 12,571	Mid-Century Insurance as subrogee for Esperanza Solorzano	2,365.72
Claim No. 12,572	United Financial Casualty Company a/s/o Marla Lefevre	3,243.51
Claim No. 12,573	Gloria Ruiz Adviento	Not stated
Claim No. 12,574	Paula Shatsky	Not stated

**PUBLIC HEARING SET**

**February 29, 2016, 7:00 p.m.** – Appeal of Board of Zoning Appeals Decision Regarding Conditional Use Permit No. 6116, Allowing the City of Pasadena to Use the Gymnasium at McKinley School After School Hours and On Weekends, 325 South Oak Knoll Avenue (PLN2013-00485)

**March 14, 2016, 7:00 p.m.** – Appeal of Board of Zoning Appeals Decision Regarding Hillside Development Permit No. 6196 to Allow for the Demolition of an Existing One-Story, 5,844 Square Foot, Single-Family Residence, and the Construction of a 7,843 Square Foot, One-Story, Single-Family Residence, a 750 Square Foot Attached Three Car Garage, and a 1,305 Square Foot Detached Pool House on a 35,897 Square Foot Lot, Within the Hillside Overlay District, for the Property Located at 920 Hillcrest Place (PLN2014-00252)

It was moved by Vice Mayor Masuda, seconded by Councilmember Gordo, to approve all items on the Consent Calendar, with the exception of Item 2 (Approval of Internal Audit Framework), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember McAustin)

**CONSENT ITEMS  
DISCUSSED SEPARATELY**

**FINANCE COMMITTEE: APPROVAL OF INTERNAL AUDIT  
FRAMEWORK**

**Recommendation:** It is recommended that the City Council:  
(1) Find that the proposed action is exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), ("General Rule"); and  
(2) Approve the Internal Audit framework as described in the agenda report.

**Recommendation of the Finance/Audit Committee:** On January 25, 2016, the Finance/Audit Committee reviewed the Internal Audit framework and recommended that the City Council approve staff's recommendation.

Ruthe Holden, Internal Audit Manager, provided a PowerPoint presentation on the item, and responded to questions.

The following individuals spoke in opposition to the proposed internal audit framework, especially as the framework might be applied to scope of an internal auditor position in the Pasadena Police Department:

Elbie J. Hickabottom, Coalition for Increased Civilian Oversight for the Pasadena Police (CICOPP)  
Dale Gronemeier, CICOPP,

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

**PUBLIC HEARINGS**

**PUBLIC HEARING: ADOPTION OF A RESOLUTION  
CERTIFYING AN ENVIRONMENTAL IMPACT REPORT (EIR)  
AND ADOPTING A MITIGATION MONITORING AND  
REPORTING PROGRAM FOR THE PASADENA NON-  
POTABLE WATER PROJECT**

**Recommendation:** It is recommended that the City Council continue the public hearing to the February 22, 2016 City Council meeting at 7:00 p.m.

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve staff recommendation to continue the public hearing to February 22, 2016 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmember McAustin)

Councilmember Wilson was excused at 7:05 p.m., and left the dais.

**CONTINUED PUBLIC HEARING: DESIGNATION OF 805  
SOUTH MADISON 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 CEQA Guidelines Section 15308: Class 8 – Actions by Regulatory Agencies for Protection of the Environment);

(2) Find that the property at 805 South Madison Avenue meets Criterion "C" for designation as a landmark (Pasadena Municipal Code Section 17.62.040) because the building is locally significant as a two-story Arts-and-Crafts period house designed by regionally significant architect Frederick L. Roehrig, and retains integrity;

(3) Adopt a resolution approving a Declaration of Landmark Designation for 805 South Madison Avenue, Pasadena, California;

(4) Authorize the Mayor to execute the Declaration of Landmark Designation for 805 South Madison 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 December 1, 2015, the Historic Preservation Commission recommended that the City Council approve the designation of 805 South Madison Avenue as a landmark under Criterion "C" of Pasadena Municipal Code Section 17.62.040. (Resolution No. 9481)

The City Clerk opened the public hearing and reported 30 copies of the notice were posted on January 7, 2016 and 55 copies of the notice were mailed on January 7, 2016; and 1 letter of support was received by the City Clerk's Office regarding the recommended action.

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember McAustin, Wilson)

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmembers McAustin, Wilson)

Councilmember Wilson returned at 7:27 p.m.

This item was discussed with the Ordinance item noted below

**CONTINUED PUBLIC HEARING: ADOPTION OF A ZONE CHANGE TO DESIGNATE A LANDMARK DISTRICT OVERLAY FOR THE GREEN STREET VILLAGE LANDMARK DISTRICT (LD-23)**

**Recommendation:**

- (1) Find that the application for a zone change to create a landmark district is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (CEQA), (State CEQA Guidelines Section 15308: Class 8, Actions by Regulatory Agencies for Protection of the Environment);
- (2) Find the proposed Green Street Village Landmark District meets the criteria for designation as a Landmark District as specified in Section 17.62.040.F of the Pasadena Municipal Code;
- (3) Find that the proposed zoning map amendment is consistent with the General Plan;
- (4) Find that the proposed zoning map amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;
- (5) Approve the landmark district designation and the zoning map amendment for the Green Street Village Landmark District, LD-23; and
- (6) Direct the City Attorney to prepare an ordinance within 60 days amending the official zoning map of the City of Pasadena established by Section 17.20.020 of the Pasadena Municipal Code to designate the landmark district with the LD-23 Overlay Zone.

**Recommendation of the Historic Preservation Commission:**

On October 20, 2015, the Historic Preservation Commission determined that the proposed Green Street Village Landmark District meets the criteria for designation in Section 17.62.040.F of the Pasadena Municipal Code and unanimously recommended approval of the designation

Kevin Johnson, Senior Planner, provided a PowerPoint presentation on the item, and responded to questions.

The following individuals spoke in support of the proposed action:

Carolyn Gray, High Low Vintage clothing store  
Clifford Green, High Low Vintage clothing store

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

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

**ORDINANCE – FIRST  
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE (GREEN STREET VILLAGE LANDMARK OVERLAY DISTRICT)”

Following discussion, the above ordinance was offered for first reading by Vice Mayor Masuda:

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

**PUBLIC HEARINGS  
(CONTINUED)**

**CONTINUED PUBLIC HEARING: DESIGNATION OF THE  
HOUSE AT 2480 OSWEGO STREET AS A LANDMARK**

**Recommendation:**

- (1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (CEQA) (State CEQA Guidelines Section 15308: Class 8 – Actions by Regulatory Agencies for Protection of the Environment);
- (2) Find that the house at 2480 Oswego Street is significant under Criterion “C” for designation as a Landmark (Pasadena Municipal Code Section 17.62.040) because it is a locally significant example of the “Airplane” subtype of California Arts and Crafts architectural style of the early twentieth century and retains integrity;
- (3) Adopt a resolution approving a Declaration of Landmark Designation for 2480 Oswego Street, Pasadena, California;
- (4) Authorize the Mayor to execute the Declaration of Landmark Designation for 2480 Oswego Street, 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 on October 20, 2015, the Historic Preservation Commission recommended that the City Council approve the designation of the house at 2480 Oswego Street as a Landmark under Criterion “C” of Pasadena Municipal Code Section 17.62.040. (Resolution No. 9482)

The City Clerk opened the public hearing and reported 84 copies of the notice were posted on January 7, 2016 and 328 copies of the notice were mailed on January 7, 2016; and no correspondence was received by the City Clerk’s Office regarding the recommended action.

Kevin Johnson, Senior Planner, provided a PowerPoint presentation on the item, and responded to questions.

It was moved by Councilmember Wilson seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember McAustin)

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

**PUBLIC HEARING: APPEAL OF DESIGN COMMISSION DECISION: CONSOLIDATED DESIGN REVIEW – DEMOLITION OF THE HOUSE AT 180 SOUTH EUCLID AVENUE**

**Recommendation:** It is recommended that the City Council (in light of the submittal of new information by the applicant) remand to the Design Commission for further review the appeal of the Design Commission's denial of an application for Consolidated Design Review to demolish the house at 180 South Euclid Avenue.

The City Clerk opened the public hearing and reported 35 copies of the notice were posted on January 15, 2016 and 203 copies of the notice were mailed on January 15, 2016; ~~4 letter of support~~ 3 letters of support of the appeal were received and ~~43 letters of opposition~~ 11 letters in opposition to the appeal were received (NOTE: the changes shown above reflect a reporting error that took place during the public hearing) by the City Clerk's Office regarding the recommended action.

David Reyes, Interim Director of Planning & Development, provided information on the Design Commissions' review and decision regarding the proposed project at 180 South Euclid Avenue; and responded to questions.

Richard McDonald, Esq., applicant representative, spoke in favor of the staff's recommendation to remand the matter back to the Design Commission for further review.

It was moved by Councilmember Madison seconded by Councilmember Kennedy, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember McAustin)

It was moved by Councilmember Madison, seconded by Councilmember Kennedy, to approve staff recommendation. (Motion unanimously carried) (Absent: Councilmember McAustin)

**ORDINANCE – ADOPTED**

Adopt “A SECOND EXTENSION OF THE INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY LIMITING SINGLE FAMILY HOME DEMOLITION AND CONSTRUCTION IN THE NEIGHBORHOOD OVERLAY DISTRICT IN ORDER TO PRESERVE THE POTENTIAL HISTORIC CHARACTER OF THE LOWER HASTINGS RANCH NEIGHBORHOOD” (Introduced by Vice Mayor Masuda) (Ordinance No. 7273)

The above ordinance was adopted by the following vote:

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

The City Council meeting recessed at 7:36 p.m. and reconvened at 7:46 p.m.

**DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE REQUIRING THE PAYMENT OF A CITY-WIDE MINIMUM WAGE** (*To be heard at 7:15 p.m., or thereafter*)

**Recommendation:**

(1) Find the actions proposed in the agenda report are exempt from environmental review pursuant to State California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (“general rule”), Section 15378(b)(4) (definition of project excludes government fiscal activities which do not involve any commitment to any specific project);

(2) Direct the City Attorney to prepare an ordinance and return within 30 days requiring the payment of a city-wide minimum wage, as follows:

- a. July 1, 2016 the hourly wage shall be \$10.50
- b. July 1, 2017 the hourly wage shall be \$12.00
- c. July 1, 2018 the hourly wage shall be \$13.25

(3) Direct staff: a) to return to the City Council no later than February 18, 2019 with a report assessing the impact of the local minimum wage on reducing poverty, unemployment, job creation, and the overall local business climate as further described in the background section of the agenda report; and, b) request direction from the City Council regarding an amendment to the Pasadena Minimum Wage ordinance to increase the wage, as follows:

- a. July 1, 2019 the hourly wage shall be \$14.25
- b. July 1, 2020 the hourly wage shall be \$15.00
- c. Beginning July 1, 2022 and each July 1 thereafter, the hourly wage shall adjust by an amount equal to the change in the Los Angeles-Riverside-Orange County consumer price index for Urban Wage Earners and Clerical Workers;

(4) Provide policy direction on elements of the proposed ordinance as outlined in the background section of the agenda report; and

(5) Direct staff to take appropriate actions and return as necessary to the City Council to increase compensation rates for City employees earning less than the City-wide minimum wage except those employed in job-training and youth employment programs as discussed in the body of the agenda report.

Councilmember Gordo, Chair of the Economic Development and Technology Committee (EDTech), introduced the item and summarized the various issues discussed and considered by the Committee and community at recent EDTech meetings.

Steve Mermell, Assistant City Manager, presented a PowerPoint presentation on the item, and responded to questions.

The following individuals spoke in favor of the City increasing the minimum wage to \$15.00/hour and provided comments and/or suggestions regarding various aspects of the proposed staff recommendations:

- Amie Vega, Pasadena resident
- Elbie J. Jr. Hickambottom, Pasadenans for a Livable Wage (PLW)
- Dale Gronemeier, PLW
- Glenn Rothner, Pasadena resident
- Ed Bacon, All Saints Church
- Frank Trejo, Pasadena resident
- Arturo Velasquez, Glendale resident
- Jacqueline Mejia, Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)
- Janet Bucio, Pasadena resident
- Pablo Alvarado, Raise The Wage
- Marta Salazar, residence not stated
- Jesus Buendia, Pasadena resident
- Angel Oliveira, Pasadena Community Job Center (PCJC)
- Cal Soto, PCJC
- Ed Washatka, PLW, submitted an article titled, The Pasadena City Council Should Pass a Minimum Wage Law Without Gaping Loopholes
- Robert Cristo, Clergy & Laity United for Economic Justice (CLUE)
- Manuel Villanueva, Restaurant Opportunities Center (ROC)
- Joe Kahram, Pasadena resident

Bert Newton, Pasadena Mennonite Church  
Jeylee Quiroz, UCLA Labor Center  
Janna Shaddock-Hernandez, UCLA Labor Center  
Juan Reyes, Pasadena resident  
Cristina Felipe, Pasadena resident  
Kathy Hoang, ROC  
Abel Tapia, Pasadena resident  
Tamara Haywood, American Civil Liberties Union (ACLU)  
Wes Reutimann, Pasadena resident  
Jen Sun, CNA & Huntington Nurses  
Marcy Crowley, Pasadena resident  
Kevin Liu, UCLA Labor Center  
Diana Bucio, Pasadena resident  
Rachel Torres, Unite Here!  
Rev. Tera Little, Throop Unitarian Universalist Church  
James Howard, Pasadena resident  
Juliana Serrano, All Saints Church  
Rabbi Jonathan Klein, CLUE  
David Gonzalez Jr., residence not stated  
Joseph Bautista, Pasadena resident  
Julia Figueroa-McDonough, CA Division of Labor Standards  
Enforcement  
Miguel Guillemos, Black Lives Matter  
Ed Honowitz, Pasadena resident  
Elizabeth Pomeroy, Pasadena Unified School District  
(PUSD)  
Jeremy Blasi, Unite Here!  
Carl Selkin, Pasadena resident  
Randy Renick, Pasadena resident  
Pamela Haymond, Los Angeles resident  
Ann Kam, University of California Irvine (UCI) Immigration  
Rights Clinic  
Alex McIntosh, UCI Immigrations Rights Clinic  
Emi Maclean, National Day Laborer Organizing Network  
(NDLON)  
Rick Cole, Los Angeles resident  
Alexis N. Teodoro, NDLON  
Joe Pardee, Pasadena resident  
Christina Gold, Pasadena resident  
Katherine Perez-Estolano, Pasadena resident  
Peter Dreier, Pasadena resident

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

Robert Simon, Altadena resident

Armen Shirvanian, Mi Piacce restaurant  
Paul Little, Pasadena Chamber of Commerce  
Robin Salzer, Pasadena resident

Councilmember Kennedy stated his support for the staff recommendation, which is a measured approach to the proposed city-wide minimum wage increase. In addition, he expressed concerns with the "Learners" exemption and asked staff to analyze unintended negative impacts on small businesses.

Councilmember Hampton requested that staff determine if incentives can be provided to small businesses to offset some of the fiscal impacts associated with the proposed action. He also advocated for the City to dedicate a staff person to wage enforcement, and spoke in support of the "Learners" exemption.

Councilmember Wilson stated for the record that he supports regional consistency in establishing a minimum wage, and voiced his support for staff's recommendation to return to the City Council no later than February 18, 2019 with an update prior to proceeding with the proposed increase to \$15.00 per hour. In addition, he requested that staff establish measures and reportable metrics for the City to understand the impacts of the proposed increase. Councilmember Wilson stated that he does not support an exemption for the City's youth employment programs, and expressed his disappointment that the staff did not include a "total income approach" as part of the recommendations.

Vice Mayor Masuda voiced his support for wage enforcement and expressed concerns regarding the possible negative impacts to Pasadena's businesses.

Councilmember Madison expressed his concerns regarding staff's recommendation that would require the City Council to take a second action in order to proceed to \$15.00 on July 1, 2020, and the lack of age requirements and hours with the "Learners" exemption. In addition, Councilmember Madison asked staff to return to the City Council with a robust public and private wage enforcement program.

Councilmember Gordo stated his support for a comprehensive wage/theft enforcement program that includes private action, treble damages, and attorney fees. He suggested a model for public enforcement that would include partnering with local non-profits organizations, employer/employee education, a posting

program, consumer action representation, and utilization of the City Prosecutor's Office, as well as Los Angeles County and State Labor Commissioner enforcement, to assist with wage enforcement. In addition, he expressed concerns with the "Learners" exemption and suggested utilizing the City of Los Angeles' model, with the age limit parameters of 14 to 17 years of age, and reducing the hours to 160 hours. Councilmember Gordo asked staff to establish and monitor economic metrics, including reported tax sales and statistics related to break-out businesses/industry, and return to the City Council with a report.

Discussion ensued on the seven discussion points articulated in staff's agenda report regarding the provisions to be included in the proposed ordinance, with the City Council providing the following direction on each point:

The City Council agreed by consensus to approve a "Small Business Deferral" providing a one-year delay in implementation of wage increases for employers with twenty-five or fewer employees.

The City Council agreed by consensus to approve the "Certain Non-Profits Deferral" (providing a one-year delay in implementation of wage increases) for those non-profits with 26 or more employees, that meet the following criteria:

- (a) The chief executive officer earns a salary which, when calculated on an hourly basis, is less than five times the lowest wage paid by the corporation; or
- (b) It is a Transitional Employer (i.e., an organization that provides transitional jobs for the long-term unemployed); or
- (c) It serves as a child care provider; or
- (d) It is funded primarily by City, County, State or Federal grants or reimbursements.

The City Council did not agree to Total Earnings exemption.

Motion

Following discussion it was moved by Councilmember Gordo, seconded by Councilmember Kennedy, to incorporate in the drafted ordinance a "Learners" Exemption; defining "Learners" as employees who are 14-17 years of age, and shall be paid no less than 85% of the applicable minimum wage for the first 160 hours of employment. (Motion carried with Councilmembers Hampton, Wilson objecting) (Absent: Councilmember McAustin)

Motion

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember Kennedy, to allow for the phased approach with regard to implementation of the minimum wage ordinance in order to achieve the \$15.00/hour minimum wage,

amended to require an affirmative vote (following staff's report back to City Council by February 18, 2019 on the impacts) as confirmation of the ordinance prior to proceeding with increases on July 1, 2019 (\$14.25) and July 1, 2020 (\$15.00), with CPI increases to occur annually after that.

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

Motion

Following further discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Wilson, to direct staff to develop an enforcement plan, with EDTech Committee to review the plan prior to full City Council consideration, with the following issues to be addressed in the proposed ordinance:  
(1) Private enforcement (allowing for the collection of attorney's fees, treble fines, etc.);  
(2) Strong commitment to a focused local enforcement piece (City staff), utilizing existing positions to assist in enforcement management;  
(3) Collaboration with other partner agencies (State and County) that are responsible for wage and theft enforcement; and  
(4) Utilization of non-profit and community organizations to assist with outreach and education. (Motion unanimously carried) (Absent: Councilmember McAustin)

Motion

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Gordo, to direct staff to apply increases, consistent with the proposed minimum wage increases and timeframes, to the City's workforce, through amendments of salary resolutions and Memorandum of Understandings (MOU's), including the "Learners" exemption.

The above motion was approved by the following vote:

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

Motion

It was moved by Councilmember Kennedy, seconded by Councilmember Wilson, to approve the staff recommendation, incorporating the actions related to the seven discussion points increasing the minimum wage to \$15.00/hour, to be included in

the proposed ordinance, and as detailed above. (Motion unanimously carried) (Absent: Councilmember McAustin)

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 12:19 a.m.

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

ATTEST:

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