

CITY OF PASADENA
City Council Minutes
May 2, 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: None)

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)

Name of Case: Roldan v. Rose Bowl Operating Company
(RBOC), City of Pasadena

USDC Case No.: 2:15-cv-09964

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6

Agency Designated Representative: Jennifer Curtis

Employee Organization: Pasadena Police Officers
Association (PPOA)

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

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL –
ANTICIPATED LITIGATION pursuant to Government Code
Section 54956.9(d)(4) Consideration of initiation of litigation
(one potential case)

The Mayor reported that the City Council discussed the closed session item above regarding anticipated litigation, and voted unanimously to authorize initiation of litigation and the particulars shall later be disclosed upon inquiry consistent with the Brown Act.

On the order of the Mayor, the regular meeting reconvened at 6:41 p.m. The pledge of allegiance was led by Vice Mayor Masuda.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor Gene Masuda
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
City Attorney Michele Beal Bagneris
City Clerk Mark Jomsky

ANNUAL ORGANIZATIONAL MEETING

The Mayor called the City Council's Organizational meeting to order in accordance with Section 407 of the City Charter.

MOTION TO ADJOURN CITY COUNCIL – SINE DIE

It was moved by Councilmember Gordo, seconded by Councilmember McAustin, to adjourn the City Council sine die. (Motion unanimously carried) (Absent: None)

ELECTION OF VICE MAYOR

The Mayor opened nominations for Vice Mayor.

It was moved by Councilmember McAustin, seconded by Councilmember Gordo, to nominate Councilmember Gene Masuda as Vice Mayor for a term of one year. There being no further nominations, the Mayor declared the nominations closed, and the following vote was taken on the motion:

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

Mayor Tornek congratulated Vice Mayor Masuda on his re-election.

REMARKS BY ELECTED VICE MAYOR

Vice Mayor Masuda thanked the Mayor and Councilmembers for his re-election as Vice Mayor.

RECONVENED

It was moved by Councilmember Hampton, seconded by Councilmember Gordo, to reconvene the regular meeting of the City Council. (Motion unanimously carried) (Absent: None)

CEREMONIAL MATTERS

Police Chief Phillip Sanchez introduced the new Sergeant-at-Arms, Sergeant Sean Dawkins, and extended thanks to Sergeant Anthony Burgess for his service as the previous Sergeant-at-Arms.

The City Clerk administered the oath of office to Warren Sata as Human Relations Commissioner.

CONSENT CALENDAR

ADOPTION OF RESOLUTION AUTHORIZING EXECUTION OF CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES) DISASTER ASSISTANCE DOCUMENTS

Recommendation:

(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 for the project; and

(2) Adopt a resolution authorizing the City Manager, Assistant City Manager and Director of Finance to execute for and on behalf of the City of Pasadena applications with the California Emergency Management Agency. This is for the purpose of obtaining federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act. (Resolution No. 9499)

APPROVAL OF A MODIFICATION TO CONTRACT NO. 30377 TO INCREASE FUNDING BY AN AMOUNT OF \$60,000 AND A NEW CONTRACT FOR FISCAL YEAR (FY) 2017 IN THE AMOUNT OF \$114,000 BETWEEN THE CITY OF PASADENA, ACTING AS AGENT FOR THE FOOTHILL EMPLOYMENT AND TRAINING CONSORTIUM, AND THE COUNTY OF LOS ANGELES TO PROVIDE YOUTH WORK EXPERIENCE SERVICES

Recommendation: It is recommended that 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) (General Rule);

(2) Approve an amendment to Contract No. 30377 between the City of Pasadena (acting as an agent for the Foothill Employment and Training Consortium) and the County of Los Angeles to increase the funding by the amount of \$60,000, thereby increasing the not-to-exceed amount from \$137,000 to \$197,000 to operate a work experience program for area youth funded with Youth Jobs Program monies;

(3) Approve a contract between the City of Pasadena (acting as an agent for the Foothill Employment and Training Consortium) and the County of Los Angeles in the amount of \$114,000 to operate a work experience program in FY 2017 for area youth funded with Youth Jobs Program monies; and

(4) Authorize the Interim City Manager to enter into the subject contract and contract amendment for which neither Competitive Bidding nor Competitive Selection are required pursuant to City Charter Section 1002(H) and Pasadena Municipal Code Section 4.08.049(A)(3) ("Contracts with other governmental entities").
(Contract No. 30377-1)

MINUTES APPROVED

April 11, 2016
April 18, 2016

**CLAIMS RECEIVED
AND FILED**

Claim No. 12,626	Michael McGuharn II	Not stated
Claim No. 12,627	Tatyana Zolotarevsky	\$ 570.00
Claim No. 12,628	Alma Sangvesa Decker	25,000.00+
Claim No. 12,629	Aurora S. Isabel	25,000.00+
Claim No. 12,630	Beth Polson	1,966.26
Claim No. 12,631	Felicia Murphy	6,000.00
Claim No. 12,632	Veronica Rivera	140.00
Claim No. 12,633	Allen Higgins	650.00

PUBLIC HEARING SET

May 16, 2016, 7:00 p.m. – Designation of 1396 Inverness Drive as a Historic Landmark

June 13, 2016, 7:00 p.m. – Adoption of the 2015 Urban Water Management Plan

It was moved by Councilmember Gordo, seconded by Vice Mayor Masuda, to approve all items on the Consent Calendar.
(Motion unanimously carried) (Absent: None)

ORDINANCE – ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA, CALIFORNIA ADDING CHAPTER 13.11 TO TITLE 13 OF THE PASADENA MUNICIPAL CODE ESTABLISHING A MANDATORY NON-POTABLE WATER USE ORDINANCE"
(Introduced by Councilmember Madison) (Ordinance No. 7281)

The above ordinance was adopted by the following vote:

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

NOES: Councilmember Hampton

ABSENT: None

ABSTAIN: None

COUNCIL COMMENTS

Mayor Tornek, Secretary of the Burbank-Glendale-Pasadena Airport Authority, reported that the Environmental Impact Report for the Airport's new terminal is available on-line, at City libraries and in the City Clerk's Office.

Councilmember Madison, Commissioner of the Burbank-Glendale-Pasadena Airport Authority, reported that the Commission approved the re-naming of the airport to the Hollywood Burbank Airport.

Councilmember Kennedy provided information on Reverend Ed Bacon, Director of All Saints Church, who is retiring from his position and relocating to Birmingham, Alabama, and wished him well on his new endeavors. Mayor Tornek shared that on Sunday, May 1, 2016 Reverend Ed Bacon was given a certificate of recognition on behalf of the City.

Councilmember Wilson provided information on Break Through: The Caltech Campaign, a \$2 billion fundraising initiative.

Councilmember Wilson requested that the City Council agendize a discussion on the City's minimum wage ordinance in light of the recently adopted action by the State legislature on minimum wage, and asked that staff be directed to prepare a comparative analysis of the State's action versus the City's adopted ordinance. Following discussion, Councilmember Gordo, Chair of the Economic and Development Technology Committee (EDTech), stated that the issue would be agendized for discussion, including staff's presentation of the comparative analysis, at a future Committee meeting.

PUBLIC HEARING

CONTINUED PUBLIC HEARING: FISCAL YEAR 2017-2021 RECOMMENDED CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

Recommendation: It is recommended that the City Council continue the public hearing to May 9, 2016 at 7:00 p.m., and thereafter at each subsequent regular meeting of the City Council, until the City Council determines that the public hearing may close, and then formally adopt the FY 2017-2021 CIP Budget.

Mayor Tornek, Chair of the Finance Committee, provided a brief summary of the various departments' presentations on proposed CIP projects discussed at the Joint Finance Committee and City Council meeting held at 2:30 p.m. and stated that the Joint Meeting CIP review will continue on May 9, 2016 at 2:30 p.m.

Following a brief discussion, it was moved by Councilmember Hampton, seconded by Councilmember Wilson, to continue the public hearing listed above to May 9, 2016 at 7:00 p.m., noting the continued Joint Finance Committee and City Council meeting will occur at 2:30 p.m. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING: APPEAL OF THE BOARD OF ZONING APPEALS' DECISION ON HILLSIDE DEVELOPMENT PERMIT NO. 6347 REGARDING THE PROPERTY LOCATED AT 1835 KAWEAH DRIVE

Recommendation:

- (1) Adopt the Environmental Determination that the proposed project is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 1 Section 15303, New Construction or Conversion of Small Structures); and
- (2) Overturn the Board of Zoning Appeals' decision and approve Hillside Development Permit No. 6347 with a Minor Variance for a reduced front yard setback.

The City Clerk opened the public hearing and reported 34 copies of the notice were posted and 130 copies of the notice were mailed on April 18, 2016. The City Clerk's office received 7 letters of correspondence, with 4 letters expressing support for the appeal and proposed project, and 3 letters expressing opposition to the appeal and proposed project, which were distributed to the City Council and made part of the official record of the hearing.

David Reyes, Interim Director of Planning & Development, introduced the item, and Luis Rocha, Planner, provided a PowerPoint presentation, and responded to questions.

The following persons spoke in support of the appeal, and requested that the Board Of Zoning Appeals' (BOZA) decision be overturned by approving the staff recommendation:

Richard A. McDonald, Esq., Appellant/Applicant
representative
Sonia Nicholson, Appellant/Applicant
Patrick Nicholson, Appellant/Applicant
Angela Grandon, San Pedro resident
Patty Nalle, Pasadena resident
Richard Hart, Pasadena resident

The following persons spoke in opposition to the appeal, requested the City Council uphold the BOZA decision, and not approve the staff recommendation:

Nina Chomsky, Linda Vista Annandale Association
Daniel Grady, Pasadena resident
Barbara Grady, Pasadena resident
Ron Lamutt, Pasadena resident

Councilmember Hampton was excused at 9:09 p.m., and left the dais.

Carol Hicks, Pasadena resident
Richard Jacinto, Pasadena resident
Marian Coensgen-Luna, Pasadena resident
Arthur Drye, Pasadena resident
Laurie Taylor, Pasadena resident
Chul Paik, Pasadena resident
Mimi Paik, Pasadena resident
Scott Pyper, Pasadena resident
Marianne Lamutt, Pasadena resident
Paul Lerner, Pasadena resident
Gary Kuisler, Pasadena resident

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

Councilmember Hampton returned at 9:15 p.m.

Councilmember Madison suggested incorporating a requirement as part of the Conditions of Approval to plant additional landscaping (trees) on the property at 1835 Kaweah to mitigate privacy concerns.

Mayor Tornek and Councilmember Gordo requested that the Hillside Development and View Protection Ordinances be reviewed for possible changes/modifications, with the goal to adopt baseline metrics/measurements for protecting views that the public can rely upon when developing properties, while also still providing the staff and City Council some discretion in resolving future development disputes.

Following further discussion, it was moved by Councilmember Wilson, seconded by Councilmember Hampton, to approve staff recommendation amended to incorporate a requirement as part of the Conditions of Approval to plant additional landscaping (trees) in order to mitigate privacy concerns. (Motion unanimously carried) (Absent: None)

Councilmember Madison was excused at 9:21 p.m., and left the dais

PUBLIC HEARING: APPROVAL OF THE ANNUAL ACTION PLAN (2016-2017) AND RELATED FUNDING APPLICATIONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP ACT (HOME), AND EMERGENCY SOLUTIONS GRANT (ESG) PROGRAMS

Recommendation: It is recommended that upon close of the public hearing the City Council approve:

(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;

(2) An application for CDBG entitlement funds in the amount of \$1,794,088, and the expected \$225,000 in program income for a total availability of \$2,019,088 for the 2016-2017 CDBG program activities;

(3) An application for ESG entitlement funds in the amount of \$160,921 for 2016-2017 ESG funded activities;

(4) An application for HOME entitlement funds in the amount of \$507,945, and expected program income of \$116,023 for a total availability of \$623,968 for 2016-2017 HOME program activities; and

(5) Authorization of the Interim City Manager to execute, and the City Clerk to attest, the Annual Action Plan (2016-2017), the grant applications, certifications, and any and all other documents deemed necessary by Housing and Urban Development (HUD) to obtain the allocations for the aforementioned federal entitlement funds.

Recommendation of Advisory Bodies: On February 9, 2016, the Northwest Commission finalized recommendations for City Council consideration for CDBG non-public service projects listed in Attachment A of the agenda report.

On March 9, 2016, the Human Services Commission recommended that the City Council approve the two-year funding allocations for CDBG & ESG listed in Attachment A of the agenda report.

The City Clerk opened the public hearing, reported that the notice of public hearing was published on March 31, 2016, April 14, 2016, and April 28, 2016 in the Pasadena Journal, and no correspondence was received by the City Clerk's office regarding this item.

Jim Wong, Senior Project Manager introduced the item, and Randy Mabson, Program Coordinator provided a PowerPoint presentation, and responded to questions.

In response to Councilmember Wilson's concern with the format of the 2016-2017 Annual Action Plan, Steve Mermell, Interim City Manager responded that in the future, staff will expand upon the United States Department of Housing and Urban Development (HUD) report guidelines.

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

Councilmember Hampton asked staff to provide additional outreach to the community regarding CDBG agenda items.

Following further discussion, it was moved by Councilmember Hampton, seconded by Councilmember Kennedy, to approve staff recommendation as detailed above. (Motion unanimously carried) (Absent: Councilmember Madison)

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:42 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk