

CITY OF PASADENA
City Council Minutes
June 6, 2016 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:36 p.m.
(Absent: Councilmember Madison)

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

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

Name of Case: Pasadena Police Officers Association v. City
of Pasadena

LASC Case No.: BC556464

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)

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

Agency Designated Representative: Jennifer Curtis

Employee Organization: American Federation of State,
County and Municipal Employees, Local 858 (AFSCME)

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

On the order of the Mayor, the regular meeting reconvened at 6:53 p.m. The pledge of allegiance was led by Councilmember Kennedy.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor Gene Masuda
Councilmember Victor Gordo
Councilmember Tyron Hampton
Councilmember John J. Kennedy
Councilmember Steve Madison (Absent)
Councilmember Margaret McAustin
Councilmember Andy Wilson

Staff:

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

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

The following individuals spoke on behalf of Jasmin Richards (Jasmin Abdullah) and in opposition to her prosecution in connection with a Los Angeles County court case, requesting that the City intervene on behalf of Ms. Richards and request leniency:

Gary Moody, National Association For The Advancement of Color People (NAACP)
Philip Koebel, Pasadena resident
Michael Williams, residence not stated
Dale Gronemeier, Eagle Rock resident

In response to the public comments Michele Beal Bagneris, City Attorney/City Prosecutor, clarified that the case is outside the City's jurisdiction and the City does not have the ability to intervene in the case.

Councilmember Hampton requested information on the number of individuals who have been charged with California Penal Code Section 405a within the last five years.

Hudson Warren, Pasadena resident, expressed concerns regarding homelessness and transients loitering in city parks.

In response to Mr. Warren's concerns, the Mayor stated that the City Council directed staff to modify the City's ordinance regarding loitering in city parks, which will address some of his concerns.

Danny Parker, Robinson Park Community Center Renovation Steering Committee, thanked the City Council and staff for their leadership in bridging the funding gap to complete the Center's renovation.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) FOR SUPPLEMENTAL LAW ENFORCEMENT SERVICES FOR MAJOR EVENTS OTHER THAN NEW YEAR'S ACTIVITIES

Recommendation:

(1) Find the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize the Interim City Manager to enter into a contract, not-to-exceed \$500,000 per year, with the Los Angeles County Sheriff's Department for supplemental law enforcement services for special events other than New Year's activities, for a period of five years; and

(3) The proposed contract is exempt from competitive bidding and competitive selection pursuant to City Charter, Section 1002(H), and Pasadena Municipal Code, Section 4.08.049(A)(3), contracts with other government entities. (Contract No. 30623)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH PROFORCE FOR 150 REPLACEMENT TASERS (CONDUCTIVE ENERGY WEAPONS)

Recommendation:

(1) Find the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize the issuance of a purchase order to ProForce for the replacement purchase of 150 Tasers, holsters, and batteries in an amount not-to-exceed \$154,250. Competitive bidding is not required pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or services available from only one vendor; and

(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.

AUTHORIZE AN INCREASE TO THE PURCHASE ORDER WITH FLOWSERVE CORPORATION FOR THE REPAIR OF THE BROADWAY UNIT 3 STEAM DRIVE BOILER FEED PUMP FOR A TOTAL AMOUNT NOT-TO-EXCEED \$182,614.10 ISSUED UNDER EMERGENCY PURCHASE PROVISIONS

Recommendation:

(1) Find that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301, Class 1, Existing Facilities;

(2) Authorize the Interim City Manager to increase the amount of Purchase Order No. 59110 with Flowserve Corporation ("Flowserve") originally issued under the emergency purchase provisions of the Pasadena Municipal Code, Section 4.08.150 by

an amount of \$5,041.33 for a total of \$182,614.10 for repairs of the Broadway Unit 3 Boiler Feed Water Pump; and

(3) Find that competitive bidding is not required pursuant to City Charter Section 1002(G), contracts for labor, material, or supplies for actual emergency work. It is further recommended that the City Council grant this contract an exemption from the Competitive Selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Section 4.08.049(B), contracts for which the City's best interests are served.

AUTHORIZE THE APPLICATION FOR A GRANT FROM THE UNITED STATES BUREAU OF RECLAMATION FOR FISCAL YEARS 2016 AND 2017

Recommendation:

(1) Find that the proposed grant authorization is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301(a), Existing Facilities;

(2) Authorize the Interim General Manager to apply for a \$100,000 grant from the Federal Bureau of Reclamation ("Bureau") to expand the City's current Laundry-to-Landscape Greywater Recycling Program; and

(3) Designate the Interim General Manager, or his designee, as the authorized representative with signature authority for grant application and all contract documents pursuant to the identified grant.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH APPLIED EARTHWORKS, INC., TO CONDUCT AVIAN, BAT, VEGETATION, CULTURAL, AND SPECIAL-STATUS HERPETOLOGICAL SURVEYS FOR THE AZUSA HYDROELECTRIC PLANT

Recommendation:

(1) Find that the contract is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), General Rule; and

(2) Authorize the Interim City Manager to enter into a contract without competitive bidding pursuant to City Charter Article X, Section 1002(F), contracts for professional or unique services, with Applied EarthWorks, Inc., for conducting Avian, Bat, Vegetation, Cultural, and Special-Status Herpetological Surveys for the Azusa Hydroelectric Plant in an amount not-to-exceed \$89,500, which includes the base contract amount of \$77,782.52, and a contingency of \$11,717.48, to provide for any necessary change orders. (Contract No. 30635)

Item discussed separately

AUTHORIZE A CONTRACT WITH OPOWER, INC., FOR THE PROVISION OF BEHAVIORAL ENERGY EFFICIENCY AND CUSTOMER ENGAGEMENT PROGRAM SERVICES

AUTHORIZE THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH TRANSCORE, LLC., FOR \$198,289 FOR THE EXPANSION OF THE SYDNEY COORDINATED ADAPTIVE TRAFFIC CONTROL SYSTEM (SCATS) ALONG CORRIDORS ADJACENT TO THE METRO GOLD LINE

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) Authorize the Interim City Manager to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(F), Contracts for Professional or Unique Services, with Transcore, LLC, for the expansion of the Sydney Coordinated Adaptive Traffic System (SCATS) (as part of the Metro Gold Line At-Grade Crossing Mobility Enhancement Project (75517) under City Agreement No. 19,810-4) for an amount not-to-exceed \$198,289, which includes the base contract amount of \$180,263 and a contingency of \$18,026 to provide for any necessary change orders; and
- (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. (Contract No. 30626)

ADOPTION OF RESOLUTION AMENDING NON-REPRESENTED NON-MANAGEMENT SALARY RESOLUTION EXHIBIT 1 – SALARY SCHEDULE AND APPROVAL OF AMENDMENT TO 2014-2015 AFSCME MOU EXHIBIT 1 – SALARY SCHEDULE TO CONFORM TO THE MINIMUM WAGE ORDINANCE

Recommendation:

- (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;
- (2) Adopt a resolution amending Exhibit 1 (Salary Schedule) of the Non-Represented Non-Management salary resolution; and
- (3) Approve an amendment to Exhibit 1 (Salary Schedule) of the January 1, 2014- June 30, 2015 American Federation of State, County, and Municipal Employees (AFSCME) Memorandum of Understanding (MOU). (Resolution No. 9502)

Item discussed separately

APPROVAL OF HOUSING ACQUISITION LOAN AGREEMENT WITH HERITAGE HOUSING PARTNERS TO PROVIDE PURCHASE MONEY FINANCING IN AN AMOUNT NOT-TO-EXCEED \$275,000 TO IMPLEMENT A PURCHASE OPTION ON A CITY-ASSISTED AFFORDABLE HOMEOWNERSHIP UNIT AT 596 N. FAIR OAKS AVENUE, UNIT NO. 117

AUTHORIZATION TO INCREASE PURCHASE ORDER NO. 1162219 WITH MUNICIPAL EMERGENCY SERVICES, INC., BY \$74,001, FROM \$74,999, TO AN AMOUNT NOT-TO-EXCEED \$149,000 FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR THE FIRE DEPARTMENT

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;

(2) Authorize the Interim City Manager to increase the contract with Municipal Emergency Services, Inc., (MES) for the purchase of Personal Protective Equipment by \$74,001 for an amount not-to-exceed \$149,000. 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; and

(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.

Item discussed separately

APPROVAL TO AMEND KEY BUSINESS TERMS OF LOAN AGREEMENT WITH HHP CAPITAL, INC., IN CONNECTION WITH THE DEVELOPMENT OF A 21-UNIT AFFORDABLE HOMEOWNERSHIP PROJECT AT 104-124 EAST ORANGE GROVE BOULEVARD AND 677 NORTH SUMMIT AVENUE ("SUMMIT GROVE PROJECT") BY HHP-SUMMIT, LLC

APPOINTMENT OF JOE FORD TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2016 (Agency Nomination)

APPOINTMENT OF DEBORAH DENTLER TO THE ENVIRONMENTAL ADVISORY COMMISSION (District 5 Nomination)

REAPPOINTMENT OF ROB SHEPHERD TO THE RECREATION AND PARKS COMMISSION EFFECTIVE JULY 1, 2016 (Mayor Nomination)

REAPPOINTMENT OF GARY FLOYD TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2016 (District 2 Nomination)

REAPPOINTMENT OF SAHAG YEDALIAN TO THE HUMAN RELATIONS COMMISSION EFFECTIVE JULY 1, 2016 (District 2 Nomination)

REAPPOINTMENT OF ROBIN ALLEN TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2016 (District 2 Nomination)

REAPPOINTMENT OF JUSTIN JONES TO THE HUMAN RELATIONS COMMISSION EFFECTIVE JULY 1, 2016 (District 3 Nomination)

REAPPOINTMENT OF SHARON CALKIN TO THE LIBRARY COMMISSION EFFECTIVE JULY 1, 2016 (District 3 Nomination)

REAPPOINTMENT OF JOHN ORR TO THE ACCESSIBILITY AND DISABILITY COMMISSION EFFECTIVE JULY 1, 2016 (District 6 Nomination)

REAPPOINTMENT OF JONATHAN EDEWARDS TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2016 (District 6 Nomination)

REAPPOINTMENT OF JUAN DE LA CRUZ TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2016 (Bungalow Heaven Nomination)

REAPPOINTMENT OF BARBARA LAMPRECHT TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2016 (Orange Heights Nomination)

REAPPOINTMENT OF ANN RECTOR TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2016 (Pasadena Unified School District Nomination)

REAPPOINTMENT OF HECTOR LA FARGA TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2016 (Agency Nomination)

REAPPOINTMENT OF HOWARD HABERMAN TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2016 (Hotel Nomination)

REAPPOINTMENT OF JOE TITIZIAN TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2016 (Hotel Nomination)

REAPPOINTMENT OF GENE GREGG TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2016 (Tournament of Roses Nomination)

REAPPOINTMENT OF ALEXANDER BOEKELHEIDE TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD EFFECTIVE JULY 1, 2016 (Pasadena City College Nomination)

REAPPOINTMENT OF BETH LEYDEN TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD EFFECTIVE JULY 1, 2016 (PUSD Nomination)

MINUTES APPROVED

May 2, 2016
May 9, 2016
May 16, 2016 (Amended)
May 23, 2016
May 30, 2016

The City Clerk distributed an amended version of the May 16, 2016 regular City Council meeting minutes.

CLAIMS RECEIVED AND FILED

Claim No. 12,646	Kamine Law PC representing Mall Craft, Incorporated	\$ Not stated
Claim No. 12,647	Law Offices of Mauro Fiore, Jr., A.P.C. representing Anna Zuniga	25,000.00+
Claim No. 12,648	James Floyd, on behalf of Jane Floyd	Not stated
Claim No. 12,649	Helen Hu	122.00
Claim No. 12,650	Cathy Ann Westerlund	10,000.00+
Claim No. 12,651	DK Law Group, David M. Karen, Esq. representing Jeanette Broussard	25,000.00+
Claim No. 12,652	Margie Renee Edwards	Not stated
Claim No. 12,653	Movses Boyadjian	161.32

It was moved by Councilmember McAustin, seconded by Vice Mayor Masuda, to approve all items on the Consent Calendar, including the amended version of the May 16, 2016 regular City Council meeting minutes, as noted above; and excluding Item 6 (Authorize A Contract With Opower, Inc.), Item 9 (Approval Of Housing Acquisition Loan Agreement With Heritage Housing Partners), and Item 11 (Approval To Amend Key Business Terms Of Loan Agreement With HHP Capital, Inc.), which were discussed separately. (Motion unanimously carried) (Absent: Councilmember Madison)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

AUTHORIZE A CONTRACT WITH OPOWER, INC., FOR THE PROVISION OF BEHAVIORAL ENERGY EFFICIENCY AND CUSTOMER ENGAGEMENT PROGRAM SERVICES

Recommendation:

(1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), as it does not have the potential for causing a significant environmental effect, and therefore, falls under the "General Rule" exemption; and

(2) Authorize the Interim City Manager to enter into a contract without competitive bidding pursuant to City Charter Section 1002(F), Contracts for Professional or Unique Services, with Opower, Inc., ("Opower"), in the amount of \$1,909,500, for five years of services to implement a behavior-based energy efficiency and customer engagement program. (Contract No. 30628)

Shari Thomas, Assistant General Manager of Water and Power, introduced the agenda item, and Wendy De Leon, Marketing Manager, presented a PowerPoint presentation on the agenda item, and responded to questions.

Following a brief discussion, it was moved by Councilmember Wilson, seconded by Councilmember McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Madison)

Councilmember McAustin recused herself, and left the dais at 7:33 p.m.

APPROVAL OF HOUSING ACQUISITION LOAN AGREEMENT WITH HERITAGE HOUSING PARTNERS TO PROVIDE PURCHASE MONEY FINANCING IN AN AMOUNT NOT-TO-EXCEED \$275,000 TO IMPLEMENT A PURCHASE OPTION ON A CITY-ASSISTED AFFORDABLE HOMEOWNERSHIP UNIT AT 596 N. FAIR OAKS AVENUE, UNIT NO. 117

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

- (1) Find that the proposed housing financing and acquisition activity, as described in the agenda report, does not have a significant effect on the environment and has been determined to be categorically exempt under Class 26 (Acquisition of Housing) of the State California Environmental Quality Act ("CEQA") and, specifically, Section 15326 of the State CEQA Guidelines;
- (2) Approve a budget amendment and a journal voucher appropriating \$275,000 from the Inclusionary Housing Fund Balance to the Housing Department's Fiscal Year (FY) 2016 Operating Budget Account No. 8167-619-684140 for the HHP Housing Acquisition Project;
- (3) Approve certain key business terms, as described in the agenda report, of the proposed Housing Acquisition Loan Agreement with Heritage Housing Partners; and
- (4) Authorize the City Manager to execute any and all documents necessary to effectuate the staff recommendation. (Contract No. 30642, Budget Amendment No. 2016-31)

William Huang, Director of Housing, responded to questions regarding components of the proposed loan agreement.

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

APPROVAL TO AMEND KEY BUSINESS TERMS OF LOAN AGREEMENT WITH HHP CAPITAL, INC., IN CONNECTION WITH THE DEVELOPMENT OF A 21-UNIT AFFORDABLE HOMEOWNERSHIP PROJECT AT 104-124 EAST ORANGE GROVE BOULEVARD AND 677 NORTH SUMMIT AVENUE ("SUMMIT GROVE PROJECT") BY HHP-SUMMIT, LLC

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 per Section 15061(b)(3), the "General Rule" that CEQA only applies to projects that may have an effect on the environment;
- (2) Amend the Fiscal Year 2016 Adopted Operating Budget of the Housing Department by appropriating \$1,300,000 in City affordable housing monies to fund the City loan for the Summit Grove project (the "City Loan") consisting of: a) \$1,000,000 in Inclusionary Housing Trust Funds (Account No. 23916003-816700); and b) \$300,000 in Housing Successor Low/Moderate Income Housing Asset Funds (Account No. 23716003-816700), and reduce the revised budget in the amounts of \$1,114,267

from HOME Investment Partnership ("HOME") Funds (Account No. 22116002-816700) and \$185,733 from Inclusionary Housing Trust Funds (Account No. 23916003-816700); and
(3) Amend the key business terms of the Summit Grove project transaction to reflect the modified funding sources for the City loan, consisting of \$1,000,000 in Inclusionary Housing Trust Funds and \$300,000 in Housing Successor Low/Moderate Income Housing Asset Funds. (Contract Nos. 22,596, 30613-1, Budget Amendment No. 2016-30)

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

PUBLIC HEARING

Councilmember McAustin returned at 7:40 p.m.

PUBLIC HEARING: RENEWAL OF THE PLAYHOUSE DISTRICT ASSOCIATION PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT (PDA, PBID)

Recommendation:

- (1) Conduct a public hearing on the proposed renewal of the Playhouse District Association Property-based Business Improvement District (PBID); and
- (2) Find that adopting a resolution renewing the Playhouse District Association Property-based Business Improvement District is exempt from the California Environment Quality Act (CEQA) per Section 15061(b)(3).

It is further recommended that upon closing of Public Comment portion of the Public Hearing, that the City Council:

- (3) Order the tabulation of all ballots received and not withdrawn, and request a report on the tabulation results as soon as possible.

Upon receipt of the report on the tabulation of ballots, if the results of said tabulation show that a majority protest does not exist, it is recommended that the City Council:

- (4) Authorize the City Manager to enter the Baseline Services Contract and the Agreement for Services in the amount of \$212,474 with PDA-PBID;
- (5) Appoint the Playhouse District Association (acting by and through its Board of Directors) as the owners association for the purpose of making recommendations to the City Council on expenditures derived from the assessment, property classifications, as applicable, and on the method and basis of levying assessments; and
- (6) Adopt a final resolution "Renewing the Playhouse District Association, Property-based Business Improvement District." (Contract Nos. 30632 and 30633, Resolution No. 9503)

The City Clerk opened the public hearing and reported that 474 copies of the notice of the public hearing and ballots were mailed on April 20, 2016, and that one letter of correspondence in support of staff's recommendation was received by the City Clerk's office, which was distributed to the City Council and made part of the record.

Steve Mermell, Interim City Manager introduced the item and David Klug, Senior Project Manager, provided a PowerPoint presentation on the Playhouse PBID boundaries, activities, and PDA budget; and responded to questions.

Erlinda Romo, Playhouse District Association, spoke in favor of the renewal of the Playhouse District Association Property-Based Business Improvement District.

The City Council acknowledged and thanked Ms. Romo for her many years of service to the community, and wished her well on her upcoming retirement.

It was moved by Councilmember Wilson, seconded by Vice Mayor Hampton, to close the public comment portion of the public hearing and approve staff recommendations Nos. 1, 2 and 3, with City staff and the consultant directed to tabulate the results of the ballots received. (Motion unanimously carried) (Absent: Councilmember Madison)

(Item continued on Page 16)

The item recessed at 7:53 p.m., until such time as the tabulation of votes is completed.

PUBLIC HEARING: AMENDMENT TO THE ANNUAL ACTION PLAN (2015-2016) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

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

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061(b)(3), the "General Rule" that CEQA only applies to projects that may have an effect on the environment; and
- (2) Approve the submission to the U.S. Department of Housing and Urban Development of an Amendment to the Annual Action Plan (2015-2016), specifically for repayment of Section 108 Loan.

The City Clerk opened the public hearing, reported that the public hearing notice was published on January 21, 2016 and February 4, 2016 in the Pasadena Journal, and no correspondence was received by the City Clerk's Office.

William Huang, Director of Housing, introduced the item.

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

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

CONTINUED PUBLIC HEARING: CITY MANAGER'S RECOMMENDED FISCAL YEAR 2017 OPERATING BUDGET

Recommendation: Receive public comment and continue this public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until June 20, 2016 or such other date as the City Council may determine, and, at which time, the City Council will be asked to close the public hearing and formally adopt the Fiscal Year 2017 Recommended Operating Budget.

Mayor Tornek, Chair of the Finance Committee, provided a brief summary of the budget presentations and discussion that occurred at the special Joint Finance Committee and City Council meeting held at 3:00 p.m.

The City Clerk reported that two letters of correspondence expressing support for funding additional positions in the Pasadena Police Department were received by the City Clerk's Office, which were distributed to the City Council, and made part of the record.

Police Chief Phillip Sanchez presented a PowerPoint presentation on the Police Department's recommended Fiscal Year (FY) 2017 operating budget, and responded to questions.

Councilmember Gordo expressed concerns with the current capacity of the Pasadena Police Department to address violence in the community given the Department's current staffing levels. He requested that Chief Sanchez analyze benefits of the 10 "over hire" positions and the impacts this will have to fully staff Special Enforcement Section (SES) and Neighborhood Action Team (NAT) programs. He also requested historical data (number and type of arrests, intervention results) when SES and NAT teams were previously fully staffed. In addition, he requested analysis regarding the current number of Park Safety Specialists in relation to the number of parks in the City, a review of the City's reintegration program for formerly incarcerated individuals, and provide long-term retention goals for Police Officers, in consultation with the Pasadena Police Officers Association (PPOA).

Steve Mermell, Interim City Manager, clarified questions regarding budgeted/unbudgeted and non-sworn/sworn full time employees that have been recommended as part of the proposed Police Department budget.

The City Council requested that Chief Sanchez provide a breakdown of costs associated with the Foothill Air Support Team (FAST) Program. In addition, analyze and provide information on the City's acquisition of helicopters, and the Police Department's budget, to determine if additional savings and shared costs are available for helicopters utilized by the Pasadena Police Department.

Councilmember Wilson requested information on Pasadena Police performance measures regarding foot patrols.

Councilmember McAustin stated the need for City staff to evaluate the impact of homelessness issues throughout the various City departments, consider opportunities to improve the City's current approach in terms of resources and programs to address and assist with homelessness in the City, and asked that this issue be agendaized for future discussion.

Following discussion, the following individuals spoke in support of, and/or provided suggestions regarding, various aspects of the Pasadena Police Department's proposed budget:

Dale Gronemeier, Coalition for Increased Civilian Oversight for the Pasadena Police (CICOPP), (Distributed a handout with comparative data)
Skip Hickambottom, CICOPP
Ed Washatka, CICOPP
Michael Warner, Pasadena resident
Roger Roldan, PPOA
Joe Kahraman, Pasadena resident
Michelle White, Pasadena resident

On order of the Mayor, the continued public hearing on the FY 2017 Recommended Operating Budget recessed at 9:38 p.m. to announce the results of the PBID ballot tabulation.

(Continued from Page 12)

PUBLIC HEARING: RENEWAL OF THE PLAYHOUSE DISTRICT ASSOCIATION PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT (PDA, PBID)

On order of the Mayor, the public hearing on the Renewal of the Playhouse District PBID reconvened at 9:38 p.m.

David Klug reported the following results on the 155 assessment ballots received and tabulated by City staff:

It has been determined that ballots representing \$393,306.82 in financial obligation were returned in support of the proposed assessment and ballots representing \$51,625.90 in financial obligation were returned in opposition to the proposed assessment. Therefore 88.4% of ballots received, as described above, were cast in support of the renewal of the Playhouse District Association Property-based Business Improvement District – no majority protest exists.

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

It was moved by Councilmember Wilson, seconded by Councilmember Hampton, to approve staff Recommendation Nos. 4, 5, and 6 (as detailed on page 11). (Motion unanimously carried) (Absent: Councilmember Madison)

CONTINUED PUBLIC HEARING: CITY MANAGER'S RECOMMENDED FISCAL YEAR 2017 OPERATING BUDGET

On order of the Mayor, the continued public hearing on the FY 2017 Recommended Operating Budget reconvened at 9:41 p.m.

Councilmember Kennedy referred to Mr. Gronemeier's handout and asked that he provide his data sources and citations used to create the graphs. Councilmember Gordo asked staff to independently verify the presented data with the Federal Bureau of Investigation (FBI) reporting information.

Councilmember Kennedy suggested that staff review the Pasadena Police Department for potential salary saving opportunities (e.g. positions held by sworn officers that may be replaced with non-sworn personnel), as well as advocated for all City departments to be reviewed from the top down for potential salary savings (citing the need to do more with less), and for staff to submit a report on the results of these reviews to one of the Council Committees for discussion.

In addition, Mr. Kennedy requested information on the Police Department's best practices in terms of work shifts, comparable work hours with other municipalities, and suggested that Chief Sanchez review the Shift Length Experiment publication produced by the Police Foundation, Washington, D.C.

Councilmember Kennedy stated the following for the record, "I just would like to simply say to my colleagues who serve with me on Public Safety and also to Councilmember Madison, in his absence as a distinguished member of the Committee, that if there is a priority that the Council, any individual Councilmember or the Police Chief would like brought to discussion or agendized, I personally would welcome that and I believe all of my colleagues would equally welcome such an approach. Thank you Chief."

Councilmembers Gordo and Hampton asked staff to consider utilizing future Transient Occupancy Tax (TOT) revenues generated by future hotels to support the Pasadena Police Department, as well as examine the feasibility of a parcel tax dedicated to fund public safety, including crime prevention.

Councilmember Hampton suggested exploring the use of the Police Department's overtime fund to hire additional officers, which would alleviate the complaints regarding fatigue and being overworked.

Following discussion, it was moved by Vice Mayor Masuda, seconded by Councilmember Hampton, to continue the public hearing for the Fiscal Year 2017 Recommended Operating Budget, to June 13, 2016 at 7:00 p.m., noting the continued Joint Finance Committee and City Council meeting will occur at 3:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Madison)

CONTINUED PUBLIC HEARING: FISCAL YEAR 2017 RECOMMENDED GENERAL FEE SCHEDULE

Recommendation: Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until June 20, 2016 or such other date as the City Council may determine, and at which time, the City Council will be asked to close the public hearing and formally adopt the Fiscal Year 2017 General Fee Schedule

CONTINUED PUBLIC HEARING: FISCAL YEAR 2017 RECOMMENDED SCHEDULE OF TAXES, FEES, AND CHARGES

Recommendation: Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until June 20, 2016 or such other date as the City Council may determine, and at which time, the City Council will be asked to close the public hearing and formally adopt the Fiscal Year 2017 Schedule of Taxes, Fees, and Charges.

It was moved by Vice Mayor Masuda, seconded by Councilmember Hampton, to continue the public hearing for the Fiscal Year 2017 Recommended Operating Budget, to June 13, 2016 at 7:00 p.m., noting the continued Joint Finance Committee and City Council meeting will occur at 3:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Madison)

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

Recommendation:

(1) Find that the demolition of 180 South Euclid Avenue is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code Section 21080(b)(9); Administrative Code, Title 14, Chapter 1, Class 1 Section 15301, Existing Facilities). This exemption applies to demolition of up to three single-family residences or small commercial structures in urbanized areas;

(2) Find that no protected native, specimen, or landmark tree under the tree protection ordinance (Pasadena Municipal Code, Chapter 8.52) will be removed in conjunction with this application;

(3) Find that the project is consistent with the purposes of design review and the Design Guidelines in the Central District Specific Plan;

(4) Find that the project will not cause a significant adverse effect on a historical resource as defined in the State CEQA Guidelines; and

(5) Based on these findings, approve the application for consolidated design review for demolition, subject to the following conditions:

1. The existing conditions of the building exterior shall be documented in photographs as specified in the archival photographic requirements for the Planning Division, which are adapted from the Historic American Building Survey and copies of the photographs shall be submitted to the Planning Division prior to issuance of a demolition permit; and
2. The applicant shall study the incorporation into any future development project on the site features on the street-facing elevation that recall the scale, covered and elevated front porch, porte cochere and former pergola of the existing house on the property. Such features need not be exact replicas of the existing features, should be stylistically compatible with the design of the new project, and shall be subject to review and approval by the Design Commission.

The continued public hearing was reopened and the City Clerk reported that in addition to the previous correspondence received and reported at the April 18, 2016 City Council meeting, the City Clerk received 4 letters in opposition to the staff recommendation which were distributed to the City Council and made part of the official record of the public hearing.

David Reyes, Interim Director of Planning & Community Development, introduced the item, and Leon White, Principal Planner, provided a PowerPoint presentation on the item; and responded to questions.

Richard McDonald, Applicant's representative, and Dale Brown, Applicant, spoke in favor of staff's recommendation and the proposed project and responded to questions.

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

Mayor Tornek expressed opposition to the project as proposed and stated his preference in preserving the building.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Wilson, to approve the staff recommendation, including the conditions detailed above. The following vote was taken on the motion:

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

No further action was taken regarding this item and the lower body decision of the Design Commission stands.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

AUTHORIZATION TO ENTER INTO A CONTRACT WITH TASER INTERNATIONAL FOR A POLICE BODY WORN CAMERA

It was noted by the Mayor that this item has been pulled by staff from the agenda to be considered at a later date.

COUNCIL COMMENTS


Councilmember McAustin provided an update on Governor Brown's "By Right Housing Proposal," which will be reviewed and discussed at the Legislative Policy Committee.

Councilmember Wilson stated that he attended the Girl Scouts Gold Awards Ceremony event and reported that 20 recipients from Pasadena were honored and awarded for their participation and hard work in the community.

Mayor Tornek and Vice Mayor Masuda reported on their trip to the City's sister-city of Mishima, Japan and displayed various artful artifacts gifted to the City.


ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:39 p.m.



Terry Tornek, Mayor
City of Pasadena

ATTEST:



City Clerk