

CITY OF PASADENA
City Council Minutes
September 26, 2016 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

Teleconference Location:
The Edition Hotel, Business Center
5 Madison Avenue, New York NY 10010

OPENING:

On the order of the Mayor, the regular meeting was called to order at 6:34 p.m. The pledge of allegiance was led by Vice Mayor Masuda.

ROLL CALL:

Councilmembers:

Councilmember Madison
connected telephonically at
6:30 p.m.

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

Staff:

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

CEREMONIAL MATTERS

Michael Warner, President of Pasadena Sister Cities Committee, introduced foreign exchange student Victor Lauth from Ludwigshafen, Germany, who spoke on his experience training with the Pasadena Fire Department; and thanked the City of Pasadena, Councilmember Gordo, and his hosting families in Pasadena.

The City Clerk administered the oath of office to Sharon M. Rogers, Ph.D., as Accessibility & Disability Commissioner.

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

Emanuel Najera, Pasadena resident, expressed concerns with any City proposal or action to apply Utility Users Tax (UUT) to Over the Top Television (OTT) services (i.e. Netflix, Hulu).

Steve Mermell, City Manager, clarified that the City is reviewing the applicability of the UUT on such services with the City Attorney and Finance Department staff, but stated for the record that there are no current efforts to amend the UUT as was last approved by the voters in February 2008.

Robert Cameron, Pasadena resident, distributed literature and spoke on negative and adverse personal experiences with the Pasadena Police Department.

In response to Mr. Cameron's comments, the Mayor stated that staff would review the information he submitted and will respond accordingly.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH ALTEC INDUSTRIES, INC., FOR THE PURCHASE OF THREE ARTICULATING TELESCOPIC AERIAL DEVICES, MODEL NO. AT40M ("BUCKET TRUCKS") IN AN AMOUNT NOT-TO-EXCEED \$404,672.58 FOR THE WATER AND POWER DEPARTMENT

Recommendation:

- (1) Find that 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;
- (2) Authorize the City Manager to enter into a purchase order with Altec Industries, Inc., ("Altec") dba National Auto Fleet Group ("NAFG") for an amount not-to-exceed \$404,672.58 for three Bucket Trucks. Competitive Bidding is not required pursuant to the City Charter Section 1002(H) contracts with other governmental entities or their contractors for labor, material, supplies, or services; and
- (3) 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.

APPOINTMENT OF YONG YOO TO THE DESIGN COMMISSION (Mayor Nomination/District 2)

MINUTES APPROVED

September 12, 2016

CLAIMS RECEIVED AND FILED

Claim No. 12,719	Grigoryan & Blum Law Group representing Daniel and Brandi DuCote	\$ 25,000.00+
Claim No. 12,720	Allstate Northbrook Indemnity Company as subrogee for Jack Holderer	12,967.34
Claim No. 12,721	Chou Jung Tsai on behalf of Philippe Wu	2,191.18
Claim No. 12,722	Jorge L. Arias	2,951.64

PUBLIC HEARING SET

October 17, 2016, 7:00 p.m. – Zoning Code Text Amendment: Section 17.40.100 (Public Art Requirements and Design Standards)

It was moved by Councilmember McAustin, seconded by Councilmember Wilson, to approve all items on the Consent Calendar:

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

NOES: None

ABSENT: Councilmember Kennedy

ABSTAIN: None

OLD BUSINESS

LOS ANGELES 2024 EXPLORATORY COMMITTEE (LA24)

Recommendation of Rose Bowl Operating Company: It is recommended that the City Council of the City of Pasadena:

(1) Find that the actions proposed in the agenda report are exempt from environmental review pursuant to State CEQA Guidelines Section 15272 (Olympic games);

(2) Approve the hosting of up to seven (7) Olympic soccer matches, which in conjunction with the 14 to 15 non-Olympic displacement events anticipated in 2024, exceeds the number of displacement events allowed at the stadium without City Council approval, and make the findings required pursuant to Pasadena Municipal Code Section 3.32.070 to authorize these additional displacement events at the Rose Bowl Stadium during calendar year 2024.

It is further recommended that the City Council:

(3) Acknowledge that, subject to approval of the items above by the City Council, the Rose Bowl Operating Company (RBOC) has authorized the RBOC General Manager to submit a written commitment to LA 24 (“Guarantee Letter”) that the Rose Bowl would host up to seven (7) Olympic soccer matches in the event that Los Angeles is selected as the host city for the 2024 Olympic Games, on the conditions that neither Pasadena nor the RBOC will have any financial exposure or increased liability as a result of the Games, and a stipulation that LA24 (or related successor organization) must make an investment in a capital improvement in the Rose Bowl Stadium;

(4) Authorize the Mayor to submit a letter to the International Olympic Committee in order to express its commitment to work with the City of Los Angeles in an effort to bring the Olympics to Southern California in 2024 (“Mayor’s Letter”); and

(5) Authorize the City and RBOC to work together in an effort to come to an agreement with LA24 on a Venue Use Agreement and a Venue City Agreement that would be contingent on Los Angeles being awarded the 2024 Olympic Games, subject to final approval by the RBOC and City Council.

Darryl Dunn, General Manager of the Rose Bowl Stadium, summarized the agenda report as part of the PowerPoint presentation, and responded to questions.

The Mayor expressed concerns with the language contained in Recommendation No. 2, which may be interpreted as the City approving 22 displacement events by approving the recommendation as written.

Theresa Fuentes, Assistant City Attorney, clarified that staff Recommendation No. 2 was requesting City Council approval for 7 Olympic soccer events (Displacement Events) at the Rose Bowl Stadium during calendar year 2024, beyond the 10-11 contractually required displacement events for that year.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember McAustin, to approve the staff recommendation, with the following amended language replacing Recommendation No. 2: "(2) Approve the hosting of up to 7 (seven) Olympic soccer matches, which, in conjunction with the 10-11 contractually required displacement events, exceeds the number of displacement events allowed at the Rose Bowl Stadium without City Council approval, and make the findings required pursuant to Pasadena Municipal Code Section 3.32.070 to authorize these additional displacement events at the Rose Bowl Stadium during calendar year 2024."

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

NOES: None

ABSENT: Councilmember Kennedy

ABSTAIN: None

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

SUPPORT PROPOSITIONS 51; 54; 56, AND 67; OPPOSE PROPOSITIONS 57 AND 65 FOR THE NOVEMBER 2016 STATE ELECTION AND SUPPORT MEASURE "M": LOS ANGELES COUNTY TRAFFIC IMPROVEMENT PLAN AND MEASURE "A": SAFE, CLEAN NEIGHBORHOOD PARKS AND BEACHES MEASURE FOR THE NOVEMBER 2016 LOS ANGELES COUNTY ELECTION

Recommendation: It is recommended that the City Council take the following positions on the upcoming November 8, 2016 Election:

A. Support the following State Propositions and Los Angeles County Ballot Measures on the upcoming November 8, 2016 Election:

(1) **Proposition 51:** School Bonds - Funding for K-12 School and Community College Facilities;

(2) **Proposition 54:** Legislature - Legislation and Proceedings; prohibit the Legislature from passing any bill unless it has been in print and published on the internet for at least 72 hours before the vote, except in cases of public emergency;

(3) **Proposition 56:** Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement;

(4) **Proposition 67:** Referendum to Overturn Ban on Single-Use Plastic Bags;

(5) **Los Angeles County Ballot Measure "M":** Los Angeles County Traffic Improvement Plan; and

(6) **Los Angeles County Ballot Measure "A":** Safe, Clean Neighborhood Parks and Beaches Measure of 2016.

B. Oppose the following State Propositions on the upcoming November 8, 2016 Election:

(1) **Proposition 57:** Public Safety and Rehabilitation Act to revise disposition of offenders; and

(2) **Proposition 65:** "the Dedication of Revenue from Disposable Bag Sales to Wildlife Conservation Fund Initiative".

Recommendation of the Legislative Policy Committee: On August 16, 2016, the Legislative Policy Committee held a special meeting and supported staff's recommendations to support Propositions 51, 54, 56, 67, and Measure "M" and to oppose Propositions 57 and 65. The Committee decided to refrain from taking a position on the Safe, Clean Neighborhood Parks and Beaches Measure of 2016 (Measure A) until the San Gabriel Valley Council of Governments has an opportunity to make a recommendation.

Julie Gutierrez, Assistant City Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Vasken Gourdikian, Pasadena Police Lieutenant and Michele Beal Bagneris, City Attorney/City Prosecutor, responded to questions regarding Proposition 57.

Councilmember Hampton stated his opposition to Proposition 56, and his inability to support or oppose Proposition 57 due to the lack of available information at this time.

Councilmember Wilson asked staff to provide a voter friendly informational memo synopsis of the City's position on the Propositions, to be posted on the City's website.

Beth Steckler, Move LA, distributed literature and spoke in favor of staff's recommendation No. 5, supporting Los Angeles County Ballot Measure "M" Los Angeles County Traffic Improvement Plan.

Emanuel Najera, Pasadena resident, expressed concerns with the bus fees required to travel east and south from Pasadena, where the Metro Gold Line ends.

Councilmember Gordo asked staff to forward Mr. Najera's concerns to the Los Angeles County Metropolitan Transportation Authority (METRO).

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Hampton, to approve the recommendations supported by the Legislative Policy Committee, with the exception of Proposition 56: Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement, and Proposition 57: Public Safety and Rehabilitation Act to revise disposition of offenders (to be voted on separately):

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

It was moved by Vice Mayor Masuda, seconded by Councilmember Gordo, to approve the recommendation supported by the Legislative Policy Committee, to support Proposition 56: Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement:

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

It was moved by Vice Mayor Masuda, seconded by Councilmember Gordo, to approve the recommendation supported by the Legislative Policy Committee, to oppose Proposition 57: Public Safety and Rehabilitation Act to revise disposition of offenders:

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

NOES: None

ABSENT: Councilmember Kennedy

ABSTAIN: Councilmember Hampton

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES (Cont.)**

The Mayor requested that at future City Council meetings, under Reports and Comments From Council Committees, Council Committee Chairs provide a brief synopsis of recent issues considered by each Committee so that the City Council and public are informed.

In response to the Mayor's request, Councilmember Gordo, Chair of the Economic Development and Technology Committee, provided information on the Committee's discussion regarding issues with short-term rental services (i.e. AirBNB), as well as the potential impacts of the upcoming state ballot initiative to legalize the use of marijuana.

PUBLIC HEARING

PUBLIC HEARING: IMPLEMENTATION OF LEVEL 1 WATER SUPPLY SHORTAGE MEASURES AS DESCRIBED IN THE PASADENA MUNICIPAL CODE ("PMC") TITLE 13, CHAPTER 13.10 AND AMEND PMC CHAPTER 13.10

Recommendation: It is recommended that the City Council cancel the public hearing.

The Mayor reported that this item would be rescheduled and re-noticed for a future City Council meeting.

PUBLIC HEARING: DESIGNATION OF 1211 WELLINGTON 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 property at 1211 Wellington Avenue meets Criterion "C" for designation as a Landmark (Pasadena Municipal Code [P.M.C.] Section 17.62.040) because it is a locally significant example of a Neoclassical style house and retains integrity;

- (3) Adopt a resolution approving a Declaration of Landmark Designation for 1211 Wellington Avenue, Pasadena, California;
- (4) Authorize the Mayor to execute the Declaration of Landmark Designation for 1211 Wellington Avenue, Pasadena, California; and;
- (5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 9524)

Recommendation of the Historic Preservation Commission:
 At its regular meeting of June 21, 2016, the Historic Preservation Commission recommended that the City Council approve the designation of 1211 Wellington Avenue as a landmark under Criterion "C" of PMC Section 17.62.040.

The City Clerk opened the public hearing and reported 32 copies of the notice were posted and 37 copies of the notice were mailed on September 8, 2016. No correspondence was received by the City Clerk's office regarding this item.

Councilmember McAustin left at 7:54 p.m.

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

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to close the public hearing:

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

Councilmember McAustin returned at 7:59 p.m.

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

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

PUBLIC HEARING: DESIGNATION OF THE HOUSE AT 895 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) pursuant to Section 15308 Class 8 of the CEQA Guidelines pertaining to Actions by Regulatory Agencies for Protection of the Environment;

(2) Find that the primary structure, detached garage and front yard decorative retaining wall at 895 South Madison Avenue are significant under Criterion "C" for designation as a Landmark (Pasadena Municipal Code [P.M.C.] Section 17.62.040(C)(2)(c) because they embody the distinctive characteristics of a locally significant property type, architectural style and period as well as the work of a locally significant architect. The main house with detached garage and retaining wall, is an intact example of a two-story Arts & Crafts period house (Swiss Chalet style) and designed by locally significant architect Joseph J. Blick, and retains integrity;

(3) Adopt a resolution approving a Declaration of Landmark Designation for 895 South Madison Avenue, Pasadena, California;

(4) Authorize the Mayor to execute the Declaration of Landmark Designation for 895 South Madison Avenue, Pasadena, California; and

(5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 9525)

Recommendation of the Historic Preservation Commission:

At its regular meeting of July 19, 2016, the Historic Preservation Commission recommended that the City Council approve the designation of the house at 895 South Madison Avenue as a Landmark under Criterion "C" of PMC Section 17.62.040.

The City Clerk opened the public hearing and reported 27 copies of the notice were posted and 62 copies of the notice were mailed on September 8, 2016. No correspondence was received by the City Clerk's office regarding this item.

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

Councilmember Wilson stated for the record that he received a letter in support of staff's recommendation from Louisa Nelson, Pasadena resident.

Following a brief discussion, it was moved by Councilmember Wilson, seconded by Vice Mayor Masuda, to close the public hearing:

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

NOES: None

ABSENT: Councilmembers Kennedy,

ABSTAIN: None

Following further discussion, it was moved by Councilmember Wilson, seconded by Councilmember Hampton, to approve the staff recommendation:

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

NOES: None

ABSENT: Councilmember Kennedy

ABSTAIN: None

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

ANNEXATION OF THE CITY OF PASADENA INTO THE SAN GABRIEL VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT

Recommendation:

(1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15319 Annexations of Existing Facilities and Lots for Exempt Projects and Section 15320 Changes in Organization of Local Agencies; and

(2) Adopt the attached resolution supporting the City's annexation into the San Gabriel Valley Mosquito and Vector Control District.

Michael Johnson, Director of Public Health, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Gordo expressed concerns with the City's annexation into the San Gabriel Valley Mosquito and Vector Control District (SGVMVCD) and District's ability to provide the required level of service.

Kenn K. Fujioka, Manager of SGVMVCD, responded to questions regarding timely services provided by SGVMVCD, program components, and reporting practices.

Councilmember Wilson expressed concerns with the lack of financial cost benefit analysis information in the staff report.

Councilmember Hampton expressed concerns regarding the City's annexation into the SGVMVCD without providing educational information to City residents.

The Mayor clarified that the proposed action and the City's annexation into the SGVMVCD will address a need in the event of a potential outbreak of a mosquito carrying disease that the City's Public Health Department is not capable of managing during an emergency.

Paul A. Novak, Executive Officer of Local Agency Formation Commission (LAFCO) responded to questions regarding the Greater Los Angeles vector control district services and stated that once the annexation finalized the City would need to take certain administrative steps (including approval from the District) to withdraw.

Following discussion, it was moved by Vice Mayor Masuda, seconded by Councilmember McAustin, to approve the staff recommendation.

Original Motion:

Following further discussion, it was moved by Councilmember Wilson, seconded by Councilmember Hampton, to table the proposed action and direct staff to provide a cost benefit analysis, additional information on the Greater Los Angeles Vector Control District, and information on alternative options:

Substitute Motion:

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

INFORMATION ITEMS

Councilmember Madison was excused at 8:43 p.m. and left the meeting.

PREDEVELOPMENT PLAN REVIEW (PPR) 2015-00019 ROSE BOWL AQUATIC CENTER (RBAC) MASTER PLAN - 360 NORTH ARROYO BOULEVARD

Recommendation: This report is for information only; no City Council action is required.

David Reyes, Director of Planning & Development, introduced the agenda item, and Arthi Varma, Principal Planner, reviewed the proposed project as part of a PowerPoint presentation, and responded to questions.

Councilmember McAustin expressed concerns with the proposed development blocking access to Reese's Retreat, and the need for better governance and management of events in the Arroyo Seco, including at Kidspace Children's Museum, the Aquatic Center, and the use of the parking lot.

Councilmember Hampton noted the need for improved signage throughout the Arroyo Seco, especially at Reese's Retreat.

The Mayor reported that staff is studying the various master plans, as well as reviewing the numerous events and projects held throughout the Arroyo Seco to recommend an organization, governance structure, and potential implementation measures for the Arroyo, with a report back to the City Council forthcoming.

Kurt Knop and Ella Hazard, representing the Rose Bowl Aquatics Center (Applicant), spoke on their submittal of a 25-year Master Plan, which includes renovations and construction of various facilities; and responded to questions.

Councilmember Wilson expressed concerns with the proposed expansion, and the potential that the park atmosphere of the Arroyo may be lost, and requested that the applicant consider a greater utilization of open space in the plan.

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

**PREDEVELOPMENT PLAN REVIEW (PPR) 2015-00012
WILLIAM CAREY INTERNATIONAL UNIVERSITY MASTER
PLAN AMENDMENT – 1539 EAST HOWARD STREET**

Recommendation: This report is for information only; no City Council action is required.

David Reyes, Director of Planning & Development, introduced the agenda item, and Arthi Varma, Principal Planner, provided a PowerPoint presentation on the agenda item, and responded to questions.

Councilmember Hampton expressed safety concerns with the site hosting high school students who will be driving in the surrounding area, and the need to consider traffic safety measures.

Dale Brown, Onyx Architects, Inc. (representing applicant), responded to questions regarding the design and various components of the proposed project.

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

COUNCIL COMMENTS

The Mayor reported on The Gamble House 50th Anniversary Celebration Week, held on September 21 – 25, 2016 and the 50th Anniversary Gala Dinner held on September 21, 2016.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:55 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk