

CITY OF PASADENA
City Council Minutes
October 30, 2017 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:31 p.m.
(Absent: Councilmembers Madison, Masuda)

On the order of the Mayor, the regular meeting recessed at 5:31 p.m., to discuss the following closed session:

Councilmember Madison
arrived at 5:50 p.m.

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

**Agency Designated Representatives: Jennifer Curtis and
Steve Mermell**

**Employee Organization: Non-Represented Executive
Management, Non-Represented Management, and Non-
Represented Non-Management**

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section
54956.8**

**Property Location: 1001 Rose Bowl Drive and 1133 Rosemont
Avenue, Pasadena CA**

**Agency Negotiator: Darryl Dunn, GM of the Rose Bowl
Operating Company**

Negotiating Party: Skip Paige, AEG

Under Negotiation: Price and terms of payment

**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 Manager
City Representative: Terry Tornek**

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

On the order of the Mayor, the regular meeting reconvened at 6:33 p.m. The pledge of allegiance was led by Councilmember Madison.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

Michele Beal Bagneris, City Attorney/City Prosecutor, introduced Michael Dowd as the new Chief Assistant City Prosecutor, who expressed his appreciation for the opportunity to serve the residents of Pasadena.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Gerda Govine Ituarte, Pasadena Rose City Poets, recited poetry.

Benito Navas, Pasadena resident, spoke on his personal encounter with Pasadena Police Officers, and asked staff to follow up on his complaint.

In response to public comment, the Mayor and Councilmember Gordo informed Mr. Navas that staff will investigate the matter and setup a meeting in the near future to discuss Mr. Nava's concerns.

CONSENT CALENDAR

APPROVAL OF A CONTRACT IN AN AMOUNT NOT-TO-EXCEED \$1,000,000 BETWEEN THE CITY OF PASADENA, ACTING AS AGENT FOR THE FOOTHILL WORKFORCE DEVELOPMENT BOARD, AND THE SOUTH BAY WORKFORCE INVESTMENT BOARD, INC., TO PROVIDE INDIVIDUAL TRAINING ACCOUNT SERVICES

Recommendation:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines per Section 15061(b)(3) (General Rule);
- (2) Approve a contract between the City of Pasadena (acting as an agent for the Foothill Workforce Development Board) and the South Bay Workforce Investment Board, Inc., in an amount not-to-exceed \$1,000,000 to provide Individual Account Training Services for the contract period November 1, 2017 through December 31, 2018; and
- (3) Authorize the City Manager to enter into the subject contract 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.22,860)

PURCHASE ORDER AWARD TO CHAPMAN COAST ROOF COMPANY, INC., FOR ROOF RESTORATION AT FIRE STATION 32 FOR AN AMOUNT NOT-TO-EXCEED \$174,054

Recommendation:

(1) Find that this action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines in accordance with Title 14, Chapter 3, Article 19, Class 1, Section 15301, Existing Facilities, which exempts minor alteration of existing public facilities where no expansion of existing use will take place; and

(2) Accept the bid dated October 10, 2017, submitted by Chapman Coast Roof Company, Inc., in response to the specifications for Roof Restoration at Fire Station 32. Reject all other bids, and authorize the City Manager to enter into a purchase order for an amount not-to-exceed \$174,054.

CONTRACT AWARD TO CMB STRUCTURES, INC., FOR VARIOUS STORM DRAIN CATCH BASIN REPAIRS FOR AN AMOUNT NOT-TO-EXCEED \$118,000

Recommendation:

(1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) State Guidelines in accordance with Title 14, Chapter 3, Article 19, Section 15301, Class 1, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination; and

(2) Accept the bid dated October 20, 2017, submitted by CMB Structures, Inc., in response to the project Plans and Specifications for the Various Storm Drain Catch Basin Repairs project, reject all other bids, and authorize the City Manager to enter into such contract not-to-exceed \$118,000. (Contract No. 31063)

CONTRACT AWARD TO CORRAL CONSTRUCTION & DEVELOPMENT INC., FOR PUBLIC WORKS BUILDING RESTROOM RENOVATION FOR AN AMOUNT NOT-TO-EXCEED \$92,000

Recommendation:

(1) Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines in accordance with Title 14, Chapter 3, Article 19, Class 1, Section 15301, Existing Facilities, which exempts minor alteration of existing public facilities where no expansion of the use will take place; and

(2) Accept the bid dated October 17, 2017, submitted by Corral Construction & Development Inc., in response to the Project Plans and Specifications for the Public Works Building Restroom Renovation, reject all other bids, and authorize the City Manager to enter into such contract for an amount not-to-exceed \$92,000. (Contract No. 31060)

CONTRACT AWARD TO INCOTECHNIC, INC., FOR INDOOR FIRING RANGE HEPA FILTRATION SYSTEM ADDITION FOR AN AMOUNT NOT-TO-EXCEED \$99,000

Recommendation:

(1) Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines in accordance with Title 14, Chapter 3, Article 19, Class 1, Section 15301, Existing Facilities, which exempts minor alteration of existing public facilities where no expansion of the use will take place; and

(2) Accept the bid dated October 18, 2017, submitted by Incotechnic, Inc., in response to the Project Plans and Specifications for the Indoor Firing Range HEPA Filtration System Addition project and authorize the City Manager to enter into such contract for an amount not-to-exceed \$99,000. (Contract No. 31061)

REJECTION OF BIDS FOR FUEL ISLAND MAINTENANCE AND REPAIR SERVICES

Recommendation: It is recommended that the City Council reject all bids received on October 11, 2017, in response to the Notice Inviting Bids for Fuel Island Maintenance and Repair.

CLAIMS RECEIVED AND FILED

Claim No. 12,986	Gregory Kalaitzian	\$	8,301.87
Claim No. 12,987	Network Adjusters, Inc. (Allied World Assurance Company) as subrogee for Manuel Huerta Trucking, Inc.		350.00
Claim No. 12,988	Southern California Gas Company		25,000.00+
Claim No. 12,989	Azimi Law Firm, representing Concepcion Islas		50.00
Claim No. 12,990	Bristol West Insurance as subrogee for Octavio Tlaxca-Jimenez		8,710.68

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CITY COUNCIL ACTION TO COMPLY WITH THE CALIFORNIA VOTER PARTICIPATION RIGHTS ACT (CVpra) AND STATE ATTORNEY GENERAL'S ISSUED OPINION NO. 16-603

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");

- (2) Submit to the voters for approval a Charter Amendment to comply with the CVPRA;
- (3) Submit to the voters for approval the extension of the current terms for the Mayor and City Council on a one-time basis to facilitate the transition to statewide election dates held in even years;
- (4) Submit to the voters for approval an agreed upon format for future City elections, from one of the following options:
 - a. Utilize the Primary and General election format for the offices of Mayor and members of the City Council, with regular City elections to consolidate and occur on statewide election dates, and requiring the successful candidate for any Mayoral or City Council District race to receive a 50%+1 majority in either the Primary or General elections; or
 - b. Utilize plurality voting for Mayoral and City Council district elections, wherein the successful candidate for each race receives the highest number of votes for that race; or
 - c. Utilize the Primary and General election format for the Office of Mayor (requiring 50%+1 majority) to occur on statewide Primary and General election dates, and City Council district elections to utilize plurality voting wherein the successful candidate for each Council district race receives the highest number of votes for that race; and
- (5) If plurality voting is to be utilized for any elections in Pasadena, include for voter approval the timing of when future regular City municipal elections will occur:
 - a. On statewide March Primary election dates; or
 - b. On statewide November General election dates.

The City Clerk summarized the agenda report as part of the PowerPoint presentation and responded to questions

Dale Gronemeier, Sierra Madre resident, encouraged the City Council to maintain the City's current election format and timing.

Dorothy Keane, speaking on behalf of the League of Women Voters Pasadena area, spoke in favor of the City complying with the CVPRA in order to take advantage of additional voter turnout; and offered the League's assistance in reaching out to the public and inform them of potential changes to future Pasadena elections.

Emanuel Najera, Pasadena resident, spoke in favor of the City adopting plurality voting.

Councilmember McAustin stated her support for increased voter turnout, the need for terms of the City Council and Mayor to start at the same time and not vary based on run-off election schedules, and while acknowledging the shortcomings of plurality voting, the need to provide voters with an option to move to plurality voting in November.

The Mayor spoke on the need for additional public input on this item; and asked the City Clerk to work with League of Women Voters Pasadena Area on organizing a community forum, to be hosted jointly by the City and the League to articulate to the public the issues related to CVPRA compliance, analyze public reaction and input and return to the City Council with information. In addition, the Mayor noted the need to develop and approve a plan to comply with the CVPRA by December 31, 2017, as well as the short timeframe related to placing a charter amendment on the ballot for the June 2018 election.

Councilmember Madison noted the potentially flawed premise of increased voter turnout for local issues if contained on a shared ballot with federal and statewide issues and races; and stated his opposition to plurality voting, preferring a 50%+1 majority vote that will display a clear mandate from the community.

Michele Beal Bagneris, City Attorney/City Prosecutor, responded to questions related to City mandate and the Attorney General Opinion No. 16-603.

Vice Mayor Kennedy spoke on a discriminatory election law related to moving from an At-Large to district only elections that was overturned by the City's voters and a federal judge; and echoed the Mayor's comments regarding the need for community contribution on this matter, the need for elected officials to help increase voter turnout, spoke in favor of 50%+1 majority vote, and his preference in taking legal action to retain current voting practices. In addition, Mr. Kennedy spoke in favor of working with staff, community and local advocacy groups to educate the public and speak on voter turnout prior to making a decision on whether the City should comply or not comply with CVPRA and Attorney General Opinion No. 16-603.

Following discussion, by consensus of the City Council, and on order of the Mayor, the City Clerk was directed to work the League of Women Voters Pasadena Area and other community organizations, to organize public input and opportunities for the public to provide feedback on the various options for City Council consideration and return to the City Council for discussion and action.

ORDINANCE – ADOPTED

Councilmember Madison left the dais at 7:46 p.m.

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE (CRAFTSMAN HEIGHTS LANDMARK OVERLAY DISTRICT)” (Introduced by Vice Mayor Kennedy (Ordinance No. 7312))

The above ordinance was adopted by the following vote:

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

INFORMATION ITEMS

Councilmember Madison
returned to the dais at 7:50
p.m.

STRATEGY FOR REPURPOSING THE SR 710 STUB IN PASADENA

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

Fred Dock, Director of Transportation provided a PowerPoint presentation on the item, and responded to questions.

The following individuals provided comments and/or suggestions on the item:

John Kvammen, Pasadena resident
Robert Latting, South Pasadena resident
Audrey O'Kelley, California Preservation Program (CPP)
Steering Committee
Keith Demolder, Pasadena resident
Elena Phleger, Sequoya School

The City Council thanked Mr. Dock for the excellent presentation on the item, which is a complicated issue and for staff's desire to work with CPP.

Councilmember Hampton expressed his preference that the City build affordable housing on the City's SR 710 stub, asked staff to return with a plan to divert traffic from the stub, suggested staff provide bike lanes on Orange Grove Boulevard, and stated the need for additional electric vehicle charging stations throughout the City, including Metro train stations.

Vice Mayor Kennedy asked staff to provide the acreage of the property owned by the State and fiscal information on the City possibly acquiring the property. In addition, Mr. Kennedy stated that if the City is able and chooses to move forward in acquiring the property north and south of California Boulevard, that a high percentage of any housing built would need to be affordable.

Steve Mermell, City Manager, responded to questions regarding all the departments who are providing input on the strategies for repurposing the SR710 stub.

Councilmember Madison stated that he believes that the strategies for repurposing the SR710 stub warrants the establishment of a formal task force within the City. In addition, Mr. Madison spoke on the rising of carbon dioxide levels and the need for the City to consider light rail, grade separation for the Gold Line, and extending the Gold Line towards the west to the Burbank Airport; and on the need for the California Department of Transportation (Caltrans) concrete batch plant in the middle of the City to be resolved.

Councilmember McAustin praised the CCP for their efforts and work with the Connecting Pasadena Project; and stated that staff should consider an entity or principal to be the interaction point with the State, staff and public on repurposing the 710 stub.

Councilmember Gordo stated that staff should consider a fulltime employee or consultant to manage this comprehensive project that requires close attention to all the various elements (pedestrian and traffic circulation); and urged staff to determine if Measure R funds for corridor projects include additional alternative corridor projects (i.e. Fair Oak Avenue, Lake Avenue, Rosemead Boulevard) in order to make improvements in traffic circulation; and the overpasses on Fair Oaks Avenue, Lake Avenue and Marengo Avenue that are not pedestrian or bike friendly.

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

COUNCIL COMMENTS

Vice Mayor Kennedy acknowledged Dr. William Turner, Jr., Pastor of New Revelation Missionary Baptist Church, which held a 50th Jubilee Celebratory Gala on October 27, 2017 to honor Mr. Turner's long ministerial career; spoke on the events he attended that included a celebration honoring Pastor Jean Burch's 17 years of ministerial service at Community Bible Church on October 29, 2017, and the Walk In U.S., Talk on Japan event held on October 25, 2017.

The Mayor and Councilmember Masuda spoke on the celebration of the 60th Anniversary of Pasadena's City-Sister relationship with Mishima, Japan, held at the Rose Bowl on October 26, 2017.

Councilmembers McAustin and Wilson spoke on their joint, well attended event held on October 28, 2017, Community Emergency Response Team (CERT) training provided by the Pasadena Fire Department personnel, and another future training event to be held on January 20, 2018.

In response to Councilmember Madison's inquiry regarding the need to update the City's seismic codes, City Manager Mermell stated that a report with recommendations will be presented to the Public Safety Committee in December 2017.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:07 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk