

CITY OF PASADENA
City Council Minutes
June 19 2017 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING: Mayor Tornek called the regular meeting to order at 6:00 p.m.
(Absent: Councilmembers Hampton, Wilson)

On the order of the Mayor, the regular meeting recessed at 5:42 p.m., to discuss the following closed session:

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

The above closed session item was discussed, with no reportable action at this time.

On the order of the Mayor, the regular meeting reconvened at 6:30 p.m. The pledge of allegiance was led by Councilmember Masuda.

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 (Absent)

Staff:

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

CEREMONIAL MATTERS

The City Clerk administered the oaths of office to Mark Waterson as Accessibility and Disability Commissioner, Fred Pickel, as Garfield Heights Historic Preservation Commissioner, and Jennifer Vanore as Recreation and Parks Commissioner.

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

Genevieve Clavreul, Pasadena resident, asked that the City provide traffic enforcement on Hudson Avenue and Locust Street, due to the high speed of traffic, which she believes is a dangerous intersection.

Emanuel Najera, Pasadena resident, asked the City for assistance in ensuring the restrooms and parking structures at Victor Park are available during operating hours.

Kim Santell, Eaton Canyon Network, and Brian Green, Pasadena resident, expressed concerns with the re-striping of street traffic markings (without resident notification) on Sierra Madre Boulevard, which has caused confusion and traffic congestion.

In response to the public comment, City Manager Mermell stated that the Transportation Department staff would contact the public speakers to address their concerns.

Deirda Duncan-Gonzalez, residence not stated, spoke on the need for affordable housing in the City, and utilizing Measure M, Homeless Initiative funds, to help with homelessness in the City.

Shahé Mankerian, Pasadena Rose City Poets, recited poetry.

CONSENT CALENDAR

ADOPTION OF GANN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2018

Recommendation: It is recommended that the City Council adopt a resolution that:

- (1) Selects the California per capita income and the population increase for the City of Pasadena as the indices to be used in calculating the appropriations limit for Fiscal Year (FY) 2018;
- (2) Establishes the appropriations limit for FY 2018 at \$286,551,718; and
- (3) Establishes appropriations subject to the limit for FY 2018 at \$133,435,169. (Resolution No. 9581)

Item discussed separately

AUTHORIZATION TO INCREASE PURCHASE ORDER NO. 1171263 WITH CALE AMERICA BY \$82,000 FOR A TOTAL AMOUNT NOT-TO-EXCEED \$156,995 FOR CALE WEB OFFICE FEES AND PURCHASE OF METER REPLACEMENT PARTS

PURCHASE ORDER AWARD TO BODYWORKS EQUIPMENT INC., FOR PURCHASE OF HEIL AUTOMOTIVE PARTS FOR REFUSE COLLECTION VEHICLES FOR A NOT-TO-EXCEED AMOUNT OF \$360,000

Recommendation:

- (1) Find that the action proposed in the agenda report 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; and
- (2) Accept the bid dated May 8, 2017, submitted by Bodyworks Equipment, Inc., in response to specifications for Heil Original Equipment Manufactured Parts and authorize the issuance of a purchase order with Bodyworks Equipment Inc., in an amount

not-to-exceed \$360,000 over a three-year period with the option for two additional one-year terms in the annual amount of \$120,000, at the discretion of the City Manager, for a maximum total contract length of five years.

ADOPT A RESOLUTION APPROVING THE FISCAL YEAR 2018 GENERAL FEE SCHEDULE

Recommendation: It is recommended that the City Council adopt a resolution approving the Fiscal Year (FY) 2018 Recommended General Fee Schedule consistent with the action taken on June 12, 2017. (Resolution No. 9574)

AUTHORIZE THE CITY MANAGER TO AMEND CONTRACT NO. 30723 WITH TOBY B. HAYWARD, INC., TO FURNISH LABOR AND MATERIALS FOR CONSTRUCTION OF TEMPORARY BRIDGES AT ARROYO SECO CANYON

Recommendation:

(1) Acknowledge that a lawsuit was filed against the City seeking to invalidate the City's approval of the Initial Study Mitigated Negative Declaration ("IS/MND") for the underlying Arroyo Seco Canyon Project, the court issued a decision in March 2017 partially against the City, the City is currently awaiting the terms of a final judgement which may allow the work proposed in the report to move forward, and such work will only move forward if in compliance with the judgement;

(2) Authorize the City Manager to amend Contract No. 30723 with Toby B. Hayward, Inc., to extend the contract duration by an additional one year with an option for three additional one-year terms subject to the approval of the City Manager, and increase the contract not-to-exceed amount from \$440,000 to \$470,000 to provide labor and materials for the construction of the temporary bridges at Arroyo Seco Canyon; and

(3) To the extent this could be considered a separate procurement subject to the Competitive Selection process, grant the contract an exemption pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 30723-1)

Item discussed separately

AUTHORIZE AN INCREASE TO THE CITYWIDE CONTRACT WITH OFFICE DEPOT, INC., (FORMERLY OFFICE MAX) BY \$490,000 FOR A TOTAL AMOUNT NOT-TO-EXCEED \$1,240,000 FOR THE PURCHASE OF OFFICE-RELATED SUPPLIES

AUTHORIZE A CITYWIDE PURCHASE ORDER WITH FEDEX CORPORATE SERVICES, INC., FOR SMALL PACKAGE DELIVERY SERVICES FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$125,000

Recommendation:

(1) Find that the action proposed in the agenda report 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 issuance of a contract with FedEx Corporate Services, Inc., (FedEx) for small package delivery services in an amount not-to-exceed \$125,000 from July 1, 2017 through November 27, 2021. Competitive bidding is not required pursuant to City Charter Section 1002(H) for contracts with other governmental entities or their contractors for labor, materials, 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.

Item discussed separately

AMENDMENTS TO FISCAL YEAR 2017 ADOPTED OPERATING BUDGET

ADOPTION OF A RESOLUTION AMENDING THE NON-REPRESENTED NON-MANAGEMENT SALARY RESOLUTION EXHIBIT I – SCHEDULE OF HOURLY PAY RATES AND APPROVAL OF AMENDMENT TO THE 2015-2018 AFSCME MOU EXHIBIT I – 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 I (Schedule of Hourly Pay Rates) of the Non-Represented Non-Management salary resolution; and

(3) Approve an amendment to Exhibit I (Salary Schedule) of the July 1, 2015 – June 30, 2018 American Federation of State, County, and Municipal Employees (AFSCME) Memorandum of Understanding (MOU). (Resolution No. 9575)

APPROVAL OF COMMITMENT OF GENERAL FUND BALANCE FOR THE GENERAL FUND EMERGENCY CONTINGENCY COMMITMENT AND GENERAL FUND OPERATING RESERVE FOR FISCAL YEAR 2017

Recommendation:

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

(2) Adopt a resolution approving the City of Pasadena General Fund Emergency Contingency commitment of \$35,672,250 and General Fund Operating Reserve commitment of \$11,890,750 from fund balance of the General Fund for Fiscal Year 2017. (Resolution No. 9576)

CONTRACT AWARD TO ENTERPRISE FLEET MANAGEMENT, INC. FOR MASTER EQUITY LEASE FOR THE LEASING OF FLEET VEHICLES FOR A NOT-TO-EXCEED AMOUNT OF \$107,624

Recommendation:

(1) Find that the contract is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects with the potential for causing a significant effect on the environment;

(2) Authorize the City Manager to enter into a contract with Enterprise Fleet Management, Inc., for two years in an amount not-to-exceed \$107,624 to include a 2% increase for Consumer Price Index (CPI) detailed in the Master Contract Agreement. 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. (Contract No. 30922)

**COMMISSIONS/BOARDS/
ADVISORY BODIES**

APPOINTMENT OF PERLETTE MICHELE JURA TO THE SANTA MONICA MOUNTAINS CONSERVANCY ADVISORY COMMITTEE EFFECTIVE JULY 1, 2017 (City Representative)

APPOINTMENT OF TYRON HAMPTON TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2017 (City Council Nomination)

APPOINTMENT OF DAVID AZEVEDO TO THE ACCESSIBILITY AND DISABILITY COMMISSION EFFECTIVE JULY 1, 2017 (District 1 Nomination)

APPOINTMENT OF ANGEL MEDINA TO THE CODE ENFORCEMENT COMMISSION EFFECTIVE JULY 1, 2017 (District 4 Nomination)

APPOINTMENT OF JULIE VALLANTE TO THE ENVIRONMENTAL ADVISORY COMMISSION EFFECTIVE JULY 1, 2017 (District 4 Nomination)

APPOINTMENT OF JOHN ARBOGAST TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2017 (District 4 Nomination)

APPOINTMENT OF ROBERT KARATSU TO THE LIBRARY COMMISSION EFFECTIVE JULY 1, 2017 (District 4 Nomination)

APPOINTMENT OF PERRY HELM TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD EFFECTIVE JULY 1, 2017 (District 4 Nomination)

APPOINTMENT OF DONALD C. NANNEY TO THE PLANNING COMMISSION EFFECTIVE JULY 1, 2017 (District 4 Nomination)

APPOINTMENT OF JONATHAN FUHRMAN TO THE RECREATION AND PARKS COMMISSION EFFECTIVE JULY 1, 2017 (District 4 Nomination)

APPOINTMENT OF ADRIANA LIM TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2017 (District 4 Nomination)

APPOINTMENT OF WARREN SATA TO THE ARTS AND CULTURE COMMISSION EFFECTIVE JULY 1, 2017 (District 6 Nomination)

APPOINTMENT OF SONIA SINGLA TO THE HUMAN RELATIONS COMMISSION EFFECTIVE JULY 1, 2017 (District 6 Nomination)

APPOINTMENT OF ALEJANDRO MENCHACA TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2017 (District 7 Nomination)

REAPPOINTMENT OF CHARLOTTE BLAND TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2017 (District 4 Nomination)

AUTHORIZATION AND APPROVAL TO RENEW PROPERTY AND CASUALTY INSURANCE FOR THE CITY OF PASADENA FOR FISCAL YEAR 2018

Recommendation:

(1) Find that the action proposed in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15378;

(2) Authorize City staff to place and bind the City's Property and Casualty insurance coverages outlined in the agenda report, effective July 1, 2017, with the total amount not-to-exceed \$2,791,204.50, for premium of all policies plus additional surcharges, taxes and fees; and

(3) Grant an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code Chapter 4.08, pursuant to Section 4.08.049(B) contracts for which the City's best interests are served. The proposed insurance coverages are exempt from the competitive bidding process pursuant to the City Charter Section 1002 (F), contracts for professional or unique services.

APPROVAL OF MINUTES

June 5, 2017

CLAIMS RECEIVED AND FILED

Claim No. 12,895	Lidia Medina	\$	500.00
Claim No. 12,896	Cliff Christie		Not stated
Claim No. 12,897	Hastings Village Investment Company, LP		846.00
Claim No. 12,898	Wawanesa General Insurance Company as subrogee for Christopher Argueta		3,352.66
Claim No. 12,899	Halina Wojcik		120.69
Claim No. 12,900	Frederick W. Freeman		724.00
Claim No. 12,901	Grotefeld Hoffmann, Attorney at Law, representing USAA Insurance Company		Not stated

It was moved by Vice Mayor Kennedy, seconded by Councilmember Gordo, to approve all items on the Consent Calendar, with the exception of Item 2 (Authorization to Increase Purchase Order No. 1171263), and Item 6 (Authorize an Increase to the Citywide Contract with Office Depot, Inc.), which were discussed separately. (Motion unanimously carried) (Absent: Councilmember Wilson)

CONSENT ITEMS DISCUSSED SEPARATELY

AUTHORIZATION TO INCREASE PURCHASE ORDER NO. 1171263 WITH CALE AMERICA BY \$82,000 FOR A TOTAL AMOUNT NOT-TO-EXCEED \$156,995 FOR CALE WEB OFFICE FEES AND PURCHASE OF METER REPLACEMENT PARTS

Recommendation:

(1) Find that the action proposed in the agenda report is exempt under 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 an increase to Purchase Order No. 1171263, with CALE America, for \$82,000 for a total purchase order amount not-to-exceed \$156,995 for CALE meter hosting services and purchase of meter replacement parts for Fiscal Year (FY) 2017. Competitive bidding is not required pursuant to City Charter Section 1002 (C), contracts for labor, materials, supplies or contract services available from only one vendor;

- (3) Authorize the City Manager to enter into a one-year purchase order beginning FY 2018 with two additional one-year options, with CALE America for meter hosting services, labor, and the "Partsmart" extended warranty program at an annual cost not-to-exceed \$103,594 per year. The total amount of this purchase order if all options were exercised would be \$310,782; and
- (4) Grant the proposed action 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.

Jon Hamblen, Parking Manager, provided a PowerPoint presentation on the item, and responded to questions.

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

AUTHORIZE AN INCREASE TO THE CITYWIDE CONTRACT WITH OFFICE DEPOT, INC., (FORMERLY OFFICE MAX) BY \$490,000 FOR A TOTAL AMOUNT NOT-TO-EXCEED \$1,240,000 FOR THE PURCHASE OF OFFICE-RELATED SUPPLIES

Recommendation:

- (1) Find that the action proposed in the agenda report 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 City Manager to extend Contract No. 30234 with Office Depot Inc., for an additional year and increase the contract from \$750,000 to \$1,240,000, an increase of \$490,000 to continue purchasing office-related supplies. 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) To the extent this action is considered a separate procurement; 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 interest are served.

Matt Hawkesworth, Director of Finance introduced the item and Erika Estrada, Purchasing Administrator, provided a PowerPoint presentation on the item, and respond to questions.

Karl Percell II, Supplymates, LLC., and Marvin Walker, Arise Hospitality Solutions, spoke in opposition to the staff recommendation and requested that the office-related supplies contract be opened up for competitive bidding process to all office supply companies.

In response to public comment, City Manager Mermell asked Mr. Hawkesworth and Ms. Estrada to reach out to the public speakers to review office supply pricing.

Councilmember Hampton stated his opposition to the staff recommendation and requested that the office-related supplies contract be opened up for competitive bidding process to all office supply companies.

Vice Mayor Kennedy asked staff to provide information on the amount of the Office Depot, Inc., rebates the City has received during the two-year contract; and spoke in favor of analyzing local office supply pricing to determine if the City can receive more favorable pricing and service from local vendors.

Councilmember Gordo suggested that the current office-related supplies contract be extended for 60 days to avoid disruption of City business, while also allowing sufficient time for staff to complete the appropriate comparative analysis of pricing between the proposed action and those of local suppliers.

Following discussion, it was moved by Councilmember Hampton, seconded by Vice Mayor Kennedy, to approve a 60-day extension in the amount of \$82,000, to the existing contract with Office Depot, Inc., and direct staff to review and provide an analysis of pricing between Office Depot, Inc., and those of local suppliers. (Motion unanimously carried) (Absent: Councilmember Wilson)

AMENDMENTS TO FISCAL YEAR 2017 ADOPTED OPERATING BUDGET

Recommendation:

(1) Find that the proposed action in the agenda report 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; and

Amend the Fiscal Year (FY) 2017 Adopted Operating Budget as detailed in the background section of the agenda report. (Budget Amendment No. 2017-26)

Matt Hawkesworth, Director of finance stated that a typographical correction is noted on Page 4 of the agenda report, section Fiscal Impact, "Approval of the proposed budget amendments will

Councilmember Hampton left the dais at 7:13 p.m.

increase FY 2017 total authorized operating appropriations across multiple funds by ~~\$545,000~~ \$315,000...”

Following discussion, it was moved by Vice Mayor Kennedy, seconded by Councilmember Masuda, to approve the necessary correction to the agenda report, as detailed above. (Motion unanimously carried) (Absent: Councilmembers Hampton, Wilson)

PUBLIC HEARING

Councilmember Hampton
returned at 7:16 p.m.

CONTINUED PUBLIC HEARING: ADOPTION OF FISCAL YEAR 2018 OPERATING BUDGET

Recommendation:

- (1) Close the public hearing and adopt by resolution the City's Fiscal Year (FY) 2018 Operating Budget as presented in the May 8, 2017 City Manager's Recommended Budget or as subsequently amended during the budget hearing process (Resolution No. 9577); and
- (2) Adopt a resolution determining the amount to be transferred from the Light and Power Fund to the General Fund is 10 percent for FY 2018. (Resolution No. 9578)

Steve Mermell, City Manager, made introductory comments, and Matt Hawkesworth, Director of finance, provided a PowerPoint presentation on the item, and responded to questions.

Councilmember McAustin expressed appreciation to the City Manager for the work associated with presenting the budget, including achieving the 20% budget reserve policy.

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

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

PUBLIC HEARING: LEVY OF ASSESSMENT AGAINST HOTEL AND MOTEL BUSINESSES FOR FISCAL YEAR 2018 IN CONNECTION WITH THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT

Recommendation: It is recommended that the City Council (i) conduct a Public Hearing on the levy of an assessment against Hotel and Motel Businesses for Fiscal Year (FY) 2018 in connection with the Pasadena Tourism Business Improvement District (the "District") and (ii) at the conclusion of the public hearing in the absence of a majority protest, adopt a resolution confirming the Annual Report of the Advisory Board as originally filed and levying the assessment for Fiscal Year 2018 in connection with the District. (Resolution No. 9579)

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on May 18, 2017; no correspondence was received by the City Clerk's office regarding this item.

Mike Ross, Chief Executive Officer of Pasadena Center Operating Company (PCOC) provided an overview of the staff report, and responded to questions.

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

The City Clerk announced that no majority protest existed.

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

PUBLIC HEARING: ZONING CODE TEXT AMENDMENTS TO SECTION 17.50.275 TO REVISE THE CITY'S ACCESSORY DWELLING UNIT REGULATIONS

Recommendation:

- (1) Acknowledge that the proposed Zoning Code text amendments are exempt from the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.17;
- (2) Adopt the Findings of Consistency (Attachment A of the agenda report);
- (3) Approve the proposed Zoning Code Amendments as contained in the agenda report; and
- (4) Direct the City Attorney to prepare an ordinance within 60 days amending Title 17 of the Pasadena Municipal Code (Zoning Code) as presented in the agenda report.

Recommendation of the Planning Commission: On May 24, 2017, the Planning Commission considered a series of proposed amendments to the City's existing accessory dwelling unit regulations, and voted to recommend the approval of the staff recommendation, with two additional modifications as follows:

- (1) The minimum lot size requirement applicable to accessory dwelling units created by adding new square footage be lowered to 5,000 square feet; and
- (2) Require that the size of detached accessory dwelling units be smaller than the existing primary dwelling.

In addition, the Planning Commission requested the ordinance language clearly state: 1) standards applicable to accessory dwelling units located within Landmark Overlay Districts are also applied to accessory dwelling units located within National Registry Districts;

2) standards applicable to original windows and doors for accessory dwelling units located within historic districts and individually designated properties are also applied to non-original windows and doors that previously replaced original windows and doors with an approval of a Certificate of Appropriateness; and 3) the difference between accessory structures and accessory dwelling units

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on June 1, 2017, June 8, 2017 and June 15, 2017; and 19 letters of correspondence providing comments and suggestions were received regarding the item, which were distributed to the City Council, posted online, and made part of the public hearing record.

David Reyes, Director of Planning, and Joanne Hwang, Associate Planner, provided a PowerPoint presentation on the item, and responded to questions.

Barbara E. Kautz, Goldfarb & Lipman (special counsel to the City), responded to questions regarding local ordinances applicability to state law related to accessory dwelling units.

The following individuals spoke in opposition to the staff recommendation, and/or provided comments and/or suggestions:

Peggy Renner, Bungalow Heaven Neighborhood Association
Nina Chomsky, Linda Vista-Annandale Association
Mary Dee Romney, Pasadena resident
Erika Foy, Pasadena resident
Joe Feinblatt, Pasadena resident
Harald Zechner, Pasadena resident
Avram Gold, Pasadena resident
Carol Polanskey, Pasadena resident
Blaine Cavena, Pasadena resident
Dawn O'Keefe, Pasadena resident
Collen Schwab, Pasadena resident

The following individuals spoke in favor of the staff recommendation, and/or provided comments and/or suggestions:

Anthony Manousos, Greater Pasadena Area Housing Group
(GPAHG)
Jill Shook, GPAHG
Lorynne Young, Pasadena resident
Michelle White, Affordable Housing Services/GPAHG
Kim Hopkins, Pasadena resident
Jazmine De La Torre, Altadena resident
Catalina Gonzalez, Pasadena resident
David Whitehead, Pasadena resident

Bryan Zaragoza Hurtado, Pasadena resident
Kimberly Douglas, Pasadena resident
Marge Nichols, Pasadena resident
Blair Miller, Pasadena resident
Elsa M. Rodriguez, Pasadena resident
Maria Kowal, GPAHG
Barbara J. Miller, Pasadena resident
Phil Burns, GPAHG
Sylvester Williams, Pasadena resident
Emanuel Najera, Pasadena resident
Chris Peck, Pasadena resident
Mary Osborn-Fick, Pasadena resident

Councilmember Kennedy spoke in favor of establishing a new minimum lot size for Accessory Dwelling Units (ADU) regulations for single-family properties.

Councilmember Masuda expressed concerns with reducing the minimum lot size requirement to 5,000 square feet for single-family properties, and stated his preference for a 7,500 square feet minimum regulation; expressed concerns with the possibility of an increase in overnight parking permits in residential areas, and the possibility of excessive trees being removed to allow for ADU's.

Councilmember Gordo expressed his opposition to staff's recommendation reducing the minimum lot size requirement to 5,000 square feet for single-family properties, which heavily impacts and overdevelops residential neighborhoods, and stated his willingness to consider a minimum lot size of 7,500 square feet, with staff to evaluate the impacts.

Councilmember McAustin expressed concerns with the proposed exterior ADU's maximum size of 800 square feet, asked staff to reconsider the limitations and suggested no more than 50% of the primary dwelling unit and not-to-exceed 800 square feet. In addition, Ms. McAustin requested the following:

- Confirm that the City's Tree Protection Ordinance will apply to ADU construction;
- Develop a mechanism to reward homeowners who utilize ADU's for affordable housing through covenants;
- Consider a tree policy/canopy fee to protect private trees that may be impacted by ADU construction;
- Implement tree diameter limitations for removal or other considerations in order to protect and preserve the City's tree canopy;
- Examine the enforcement of the City's rental homeownership requirements;
- Evaluate potential impacts and consider potential protections to ensure the integrity of the City's Landmark

- Districts through design considerations; and
- Provide information on any potential impacts of ADU's to narrow streets in the City, excluding the Hillside Districts.

Councilmember Hampton expressed the need for additional public outreach and input regarding ADU's in the City; and recommended that the City consider amending the General Plan in order to comply with state legislation and reduce density in other areas of the City.

The Mayor noted the impact of state legislation that is constraining and preempting the City's authority on this issue, and expressed concerns with reducing the existing minimum lot size requirement of 15,000 to 5,000 square feet for ADU's.

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

Following discussion, it was moved by Vice Mayor Kennedy to approve the staff recommendation amended to set the minimum lot size requirement to 7,200 square feet for ADU's with regard to single-family properties. (MOTION FAILED due to lack of second)

The City Council thanked Mr. Reyes and the Planning Department staff for all their hard work and on their excellent presentation.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo, to direct staff to review the issues raised regarding tress, covenants, impacts and protections to Landmark Districts, and density (as detailed above), and return to the City Council with an analysis and recommendation at a future date:

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

CONTINUED PUBLIC HEARING: ZONING CODE AMENDMENT - HILLSIDE OVERLAY DISTRICTS (HD, HD-1, HD-SR)

Recommendation:

(1) Find that the proposed Zoning Code Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15308 (Class 8, Actions by Regulatory Agencies for Protection of the Environment);

- (2) Approve the Findings for Zoning Code Amendments (Attachment A of the agenda report);
- (3) Approve the proposed Amendments to Section 17.29 (Hillside Overlay District) of the Zoning Code; and
- (4) Direct the City Attorney to prepare an ordinance within 60 days amending Title 17 of the Pasadena Municipal Code (Zoning Code) Section 17.29 (Hillside Overlay Districts).

Recommendation of the Planning Commission: On April 26, 2017, the Planning Commission considered a series of proposed amendments to Section 17.29 (Hillside Overlay District) of the City's Zoning Code, regulating development in the HD, HD-1, and HD-SR overlay zones. The Commission voted to recommend that the City Council:

- (1) Find that the proposed Zoning Code Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15308 (Class 8, Actions by Regulatory Agencies for Protection of the Environment);
- (2) Approve the Findings for Zoning Code Amendments; and
- (3) Approve the proposed Zoning Code Amendments to Section 17.29 (Hillside Overlay District) of the Zoning Code.

In addition, the Planning Commission requested the following modifications:

- 1) Upon approval of the proposed amendments by the City Council, staff will return to the Planning Commission 18 months later with a status update on amendment effectiveness;
- 2) Retain Pasadena Municipal Code (PMC) Section 17.29.080(G) which allows for adjustments to any Hillside District development standard; and
- 3) Consider a house size threshold, below which projects would not be subject to Neighborhood Compatibility size requirements.

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on May 25, 2017, June 1, 2017 and June 8, 2017; no correspondence was received by the City Clerk's office regarding this item.

David Reyes, Director of Planning, provided introductory comments, and Martin Potter, Associate Planner, provided a PowerPoint presentation on the item, and responded to questions.

The following individuals spoke in favor of the staff recommendation, provided comments, and/or suggestions:

Nina Chomsky, Linda Vista-Annandale Association
Mary Dee Romney, San Rafael Neighborhood Association
(distributed literature)
Collen Schwab, Pasadena resident
Richard A. McDonald, Pasadena resident

Blaine Cavena, West Pasadena Residents' Association

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

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

PUBLIC HEARING: TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) HEARING AND ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS (FRONT PORCH COMMUNITIES AND SERVICES), SERIES 2017, IN AN AGGREGATE AMOUNT NOT-TO-EXCEED \$175,000,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, RENOVATION AND EQUIPPING OF A SENIOR LIVING COMMUNITY AND CERTAIN OTHER MATTERS RELATED THERETO

Recommendation:

(1) Find that the proposed action is not a project subject to California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project; and

(2) Hold a TEFRA hearing and adopt a resolution approving the issuance of the California Statewide Communities Development Authority (CSCDA) Revenue Bonds (Front Porch Communities and Services), Series 2017, in an aggregate amount not-to-exceed \$175,000,000 for the purpose of financing and refinancing the acquisition, construction, improvement, renovation and equipping of a senior living community and certain other matters relating thereto. (Resolution No. 9580)

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on June 1, 2017; no correspondence was received by the City Clerk's office regarding this item.

Matt Hawkesworth, Director of Financing, provided introductory comments, and Vic Erganian, City Treasurer, provided a PowerPoint presentation on the item, and responded to questions.

Following a brief discussion, It was moved by Vice Mayor Kennedy, seconded by Councilmember Hampton, to close the

public hearing. (Motion unanimously carried) (Absent: Councilmember Wilson)

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

PUBLIC HEARING: CONSIDER GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISES

Recommendation:

(1) Find that the non-exclusive Solid Waste Collection Franchise System Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3);

(2) After closure of the public hearing, grant renewal of a non-exclusive franchise to 22 existing franchises from the date of execution through June 30, 2018, with up to four, one-year renewal terms at the sole discretion of the City Manager, consistent with the Solid Waste Collection Franchise Ordinance. The franchisees shall have no vested or contract right in any of the four additional, one-year renewal terms; and

(3) Direct the City Attorney to prepare the necessary ordinances for the approved applications and authorize the City Manager to enter into the franchise agreements on or after the effective date of the ordinance approving such franchise.

Recommendation of the Municipal Services Committee: On May 23, 2017, the Municipal Services Committee received a presentation on this item. The Committee unanimously recommended the City Council to set a public hearing for June 19, 2017 to consider granting the franchises and approve the recommendations outlined above.

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on June 8, 2017; no correspondence was received by the City Clerk's office regarding this item.

Ara Maloyan, Director of Public Works, and Carmen Rubio, Program Coordinator, responded to questions regarding the City's qualifying haulers.

In response to Vice Mayor Kennedy's comments, City Manager Mermell stated that staff will provide a report to the City Council in 2018 addressing concerns and future changes to the City's Non-Exclusive Solid Waste Collection Franchise System.

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

It was moved by Councilmember McAustin, seconded by Councilmember Gordo, to approve the staff recommendation.

(Motion unanimously carried) (Absent: Councilmember Wilson)

ORDINANCES – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE LIGHT AND POWER RATE ORDINANCE, TITLE 13, CHAPTER 13.04 OF THE PASADENA MUNICIPAL CODE” (Introduced by Councilmember McAustin) (Ordinance No. 7305)

The above ordinance was adopted by the following vote:

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

COUNCIL COMMENTS

Councilmember Madison invited the City Council and the public to the Bridge Renaming Ceremony honoring John K. Van de Kamp, to be held on June 24, 2017.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:27 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk