

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

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:42 p.m.
(Absent: None)

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 pending litigation pursuant to Government Code
Section 54956.9(d)(1)

Name of Case: Jacob Maarse, Inc. v. City of Pasadena
Los Angeles County Superior Court Case No. BC627568

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

Agency Designated Representatives: Jennifer Curtis and
Steve Mermell

Employee Organization: Pasadena Firefighters Association
(PFFA)

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 6:44 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

Staff:

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

CEREMONIAL MATTERS

Teresa Gonzalez, Public Information Specialist with Water and Power, presented information on the Department's educational scholarship winners, Axel Tanner (Blair High School graduate)

and Mary Ting (Pasadena High School graduate), as well as the "Water is Life" Student Art contest winners, Katie Chiang (2nd grade student at Field Elementary) and Abigail Estrada (2nd grade student at Hamilton Elementary), which the Mayor presented with certificates.

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

Sam Burgess, South Pasadena resident, thanked the City of Pasadena for their efforts and assistance in defeating the proposed 710 freeway tunnel project.

Ellen Finkelpearl, San Gabriel Valley Progressive Alliance, spoke on her concerns with climate change and requested the City to agree to abide by the Paris Climate Accord.

Richard McDonald, Burke Farrar, and Bob Tyler, Pasadena residents, expressed concerns with the delays of appeals to the Board of Zoning Appeals (BOZA), which are occurring in part due to a number of BOZA meetings being cancelled, resulting in developers paying additional fees and causing delays in the development of very low income inclusionary housing units; and asked the City Council to consider an expedited appeal process for projects that include affordable housing units.

Shahé Mankerian, Pasadena Rose City Poets, recited poetry.

CONSENT CALENDAR

ADOPTION OF A RESOLUTION TO ADD "LICENSING AND CERTIFICATION" CATEGORIES TO DEPARTMENT OF JUSTICE AUTHORIZATION FOR EMERGENCY MEDICAL TECHNICIANS IN THE FIRE DEPARTMENT

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; and

(2) Adopt a resolution approving access to State and Federal level summary criminal history information and subsequent arrests for employment, licensing and certification. (Resolution No. 9570)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH UNION STATION HOMELESS SERVICES IN THE AMOUNT OF \$75,000 FOR THE PROVISION OF MOTEL VOUCHERS FOR HOMELESS PERSONS

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), 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 contract with Union Station Homeless Services in the amount of \$75,000 to provide motel vouchers for homeless persons. Competitive bidding is not required pursuant to City Charter Section 1002(F) contracts for professional or unique services; and

(3) Amend the Housing and Career Services Department's Fiscal Year 2017 Operating Budget by appropriating expenditures of \$75,000 for the Motel Voucher Program. (Contract No. 30909, Budget Amendment No. 2017-24)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH HYAS GROUP FOR FINANCIAL ADVISOR SERVICES RELATED TO THE CITY'S DEFERRED COMPENSATION PROGRAM

Recommendation:

(1) Find that the proposed 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 issuance of a contract with Hyas Group for financial advisor services related to the City's Deferred Compensation Program in an amount not-to-exceed \$175,000 for five years. Competitive bidding is not required pursuant to City Charter Section 1002(F) contracts for professional or unique services. (Contract No. 30903)

APPROVAL OF AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY ATTORNEY/CITY PROSECUTOR

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; and

(2) Approve an amendment to the employment agreement for City Attorney/City Prosecutor Michele B. Bagneris to provide an increase to her annual salary and position's salary control rate. It is further recommended that the Mayor be authorized to sign the second amendment to the employment agreement to reflect City Council approved changes. (Contract No. 22,129-2)

The Mayor announced the details of the salary increase for the City Attorney/City Prosecutor's employment agreement.

RESIGNATION OF WARREN SATA FROM THE HUMAN RELATIONS COMMISSION (District 6 Nomination)

APPOINTMENT OF THOMAS CANAVAN TO THE SOUTH LAKE PARKING PLACE COMMISSION EFFECTIVE JULY 1, 2017 (At Large/District 7 Nomination)

APPOINTMENT OF DEBORAH RAUPP TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2017 (District 7 Nomination)

REAPPOINTMENT OF CYBELE GARCIA KOHEL TO THE ARTS AND CULTURE COMMISSION EFFECTIVE JULY 1, 2017 (At Large/District 3 Nomination)

REAPPOINTMENT OF ELLIE PODWAY TO THE CODE ENFORCEMENT COMMISSION EFFECTIVE JULY 1, 2017 (At Large/District 4 Nomination)

REAPPOINTMENT OF PHILIP CHIAO TO THE DESIGN COMMISSION EFFECTIVE JULY 1, 2017 (At Large/District 6 Nomination)

REAPPOINTMENT OF ALAN LOOMIS TO THE DESIGN COMMISSION EFFECTIVE JULY 1, 2017 (At Large/District 1 Nomination)

REAPPOINTMENT OF EMMA OSHAGAN TO THE HUMAN RELATIONS COMMISSION EFFECTIVE JULY 1, 2017 (At Large/District 4 Nomination)

REAPPOINTMENT OF MYRA MARTIN BOOKER, PH.D. TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2017 (Mayor Nomination)

REAPPOINTMENT OF GAIL SCHAPER-GORDON TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD EFFECTIVE JULY 1, 2017 (Mayor Nomination)

REAPPOINTMENT OF PAUL LITTLE TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2017 (At Large/District 2 Nomination)

REAPPOINTMENT OF JENNIFER HIGGINBOTHAM TO THE SOUTH LAKE PARKING PLACE COMMISSION EFFECTIVE JULY 1, 2017 (At Large/District 7 Nomination)

REAPPOINTMENT OF JULIUS METOYER TO THE ARTS AND CULTURE COMMISSION EFFECTIVE JULY 1, 2017 (District 1 Nomination)

REAPPOINTMENT OF JEFFERY POTTER TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2017 (District 1 Nomination)

REAPPOINTMENT OF JORGE J. LAMBRINOS TO THE ACCESSIBILITY AND DISABILITY COMMISSION EFFECTIVE JULY 1, 2017 (District 2 Nomination)

REAPPOINTMENT OF LORRAINE MONTGOMERY TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2017 (District 2 Nomination)

REAPPOINTMENT OF PATRICIA KEANE TO THE PLANNING COMMISSION EFFECTIVE JULY 1, 2017 (District 2 Nomination)

REAPPOINTMENT OF AARON MILAM TO THE RECREATION AND PARKS COMMISSION EFFECTIVE JULY 1, 2017 (District 2 Nomination)

REAPPOINTMENT OF PETER J. WONG TO THE CODE ENFORCEMENT COMMISSION EFFECTIVE JULY 1, 2017 (District 3 Nomination)

REAPPOINTMENT OF MOREY WOLFSON TO THE ENVIRONMENTAL ADVISORY COMMISSION EFFECTIVE JULY 1, 2017 (District 3 Nomination)

REAPPOINTMENT OF LESLIE ANNE CALDWELL TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2017 (District 3 Nomination)

REAPPOINTMENT OF ROGELIO RAMIREZ TO THE NORTHWEST COMMISSION EFFECTIVE JULY 1, 2017 (District 3 Nomination)

REAPPOINTMENT OF FRANK T. SATA TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2017 (District 3 Nomination)

REAPPOINTMENT OF SANDRA CHEN LAU TO THE NORTHWEST COMMISSION EFFECTIVE JULY 1, 2017 (District 6 Nomination)

REAPPOINTMENT OF JANICE SEGALL TO THE LIBRARY COMMISSION EFFECTIVE JULY 1, 2017 (District 6 Nomination)

REAPPOINTMENT OF LORENA YEPEZ HERNANDEZ TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2017 (District 7 Nomination)

REAPPOINTMENT OF JAMES DE PIETRO TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2017 (District 7 Nomination)

APPROVAL OF MINUTES

May 15, 2017

CLAIMS RECEIVED AND FILED

Claim No. 12,872	Armenian Apostolic Church	\$	1,073.97
Claim No. 12,873	Susan McDonald		75.00
Claim No. 12,874	Telazena Jones		175.00
Claim No. 12,875	Project Resources Group for Charter Spectrum		6,328.78
Claim No. 12,876	Geico as subrogee of Martin Paul Sanchez		7,470.62

Claim No. 12,877	Law Offices of Estel S. Richeda, representing Jose Jesus Barreto and Carmen Ochoa	25,000.00+
Claim No. 12,878	East Pasadena Water Company	4,523.91
Claim No. 12,879	Dulce Velasquez	3,804.60
Claim No. 12,880	LaToya Harvey	443.00
Claim No. 12,881	Shant Jivalagian	3,144.88
Claim No. 12,862	Project Resource Group for Time Warner Cable	3,063.03
Claim No. 12,883	Donna Smith	Not stated
Claim No. 12,884	Interinsurance Exchange of the Automobile Club as subrogee of Marsa Yee	10,000.00+
Claim No. 12,885	Catherine Mestas	1,015.00
Claim No. 12,886	Quarry Williams	877.91

PUBLIC HEARING SET

June 12, 2017, 7:00 p.m. – Bridge Name Change – La Loma Bridge to John K. Van De Kamp Bridge

July 17, 2017, 7:00 p.m. – Appeal of the Board of Zoning Appeals' Decision to Disapprove Tentative Parcel Map No. 073535 Regarding the property at 349 East California Boulevard

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

ADOPTION OF A RESOLUTION AND SETTING A PUBLIC HEARING ON JUNE 19, 2017 TO CONSIDER GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISE RENEWALS

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) (General Rule);
- (2) Adopt a resolution declaring its intention to consider granting renewal of a non-exclusive franchise to 22 existing franchises;
- (3) Set a public hearing for June 19, 2017 to consider granting these franchises; and
- (4) Direct the City Clerk to publish the resolution at least once in a newspaper of general circulation in the City not less than ten days prior to the date set for the public hearing. (Resolution No. 9569)

Ara Maloyan, Director of Public Works, introduced the item, and Carmen Rubio, Program Coordinator III, provided a PowerPoint presentation on the item, and responded to questions.

Councilmember McAustin, Chair of the Legislative Policy Committee, reported on the Committee's discussion and the unanimous decision of the Committee to support the item.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Masuda, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING

CONTINUED PUBLIC HEARING: APPEAL OF THE BOARD OF ZONING APPEALS' DECISION ON MODIFICATION OF EXPRESSIVE USE PERMIT NO. 3537 REGARDING THE PROPERTY LOCATED AT 490 EAST UNION STREET – PASADENA MUSEUM OF CALIFORNIA ART

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

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

PUBLIC HEARING: DESIGNATION OF THE APARTMENT BUILDING AT 1128 – 1134 NORTH LOS ROBLES AVENUE AS A LANDMARK

Recommendation:

- (1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (CEQA Guidelines Section 15308: Class 8 – Actions by Regulatory Agencies for Protection of the Environment);
- (2) Find that the property located at 1128-1134 North Los Robles Avenue meets Criterion "C" for designation as a landmark (Pasadena Municipal Code Section 17.62.040) because it embodies the distinctive characteristics of a locally significant property type, architectural style and period. It is a rare, intact example of a Tudor Revival style multi-family residence;
- (3) Adopt a resolution approving a Declaration of Landmark Designation for 1128-1134 North Los Robles Avenue, Pasadena, California;
- (4) Authorize the Mayor to execute the Declaration of Landmark Designation for 1128-1134 North Los Robles Avenue, Pasadena, California; and
- (5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder (Resolution No. 9571)

Recommendation of the Historic Preservation Commission:
At its regular meeting of March 21, 2017, the Historic Preservation Commission recommended that the City Council approve the designation of 1128-1134 N. Los Robles Avenue as a landmark under Criterion "C" of PMC Section 17.62.040.

The City Clerk opened the public hearing and reported 28 copies of the notice were posted and 90 copies of the notice were mailed on May 18, 2017; no correspondence was received by the City Clerk's office regarding this item.

David Reyes, Director of Planning, provided introductory comments, and Kevin Johnson, Senior Planner, provided a PowerPoint presentation on the item, and responded to questions.

It was moved by Vice Mayor Kennedy, seconded by Councilmember Hampton, to close the public hearing. (Motion unanimously carried) (Absent: None)

Following a brief discussion, it was moved by Vice Mayor Kennedy, seconded by Councilmember Hampton, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

CONTINUED PUBLIC HEARING: FISCAL YEAR 2018 RECOMMENDED 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 19, 2017 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 adopt the Fiscal Year 2018 Recommended Operating Budget.

Darryl Dunn, General Manager of the Rose Bowl Operating Company (RBOC), provided a PowerPoint presentation on the RBOC's fiscal year 2018 recommended budget, and responded to questions.

Councilmember McAustin requested that staff prioritize the golf program and Brookside Club House improvements to take advantage of available financial benefits from golf operations.

Councilmember Hampton thanked Mr. Dunn for their security procedures and street protection measures that have been implemented during stadium events; and asked staff to provide information on the diversity of the RBOC staff.

Vice Mayor Kennedy expressed concerns with the proposed termination of the golf lease with American Golf and spoke on the need to expose the sport of golf to young Latinos and African-Americans.

The Mayor asked staff to provide information regarding growth patterns of RBOC's Full-Time employees over the past five years.

Bill Huang, Director of Housing and Career Services, provided a PowerPoint presentation on the Housing and Career Services Department's fiscal year 2018 recommended budget, and responded to questions.

Councilmember McAustin requested that when staff returns to the City Council with information on the Inclusionary Housing In-lieu fee, the analysis include an evaluation on In-Lieu expenditures for affordable housing; specifically on the types of housing the City is producing from such expenditures, and with staff to consider rental housing as a future focus of the City and as a way to address the demand for affordable housing, noting that rental housing provides the easiest access for those seeking affordable housing opportunities.

Councilmember Masuda asked staff to provide information on the One-Stop Career Center placement rates.

Councilmember Madison left the dais at 8:16 p.m.

Vice Mayor Kennedy asked the City Manager to provide available balances on all the City trust fund accounts; and provide information on the performance measures associated with the Foothill Workforce Development Board.

Councilmember Wilson spoke on the need for a broader budget discussion on the City's priorities and the funding of departments, programs, and projects.

Councilmember McAustin left the dais at 8:38 p.m.

Councilmember Hampton thanked the Foothill Workforce Investment Board (WIB) for their assistance with youth employment and spoke in support of continued funding of the WIB; and asked staff to connect with the new supermarket that is will be opening at Fair Oaks Renaissance Plaza to assist with providing additional City youth employment opportunities.

Ara Maloyan, Director of Public Works, provided a PowerPoint presentation on the Public Works Department's fiscal year 2018 recommended budget, and responded to questions.

Councilmember Hampton thanked Public Works staff for amending their tree-trimming schedule, and stated the need to ensure the Public Works mobile app is working correctly, based on complaints received from his constituents.

Councilmember Wilson asked staff to provide information on the Department's street sweeping expenditures.

Councilmember Gordo asked staff to provide a recommendation on how to address street sweeping issues resulting from the issuance of a high volume of overnight street parking permits, to ensure the City is complying with the storm water mandates.

In response to the concerns raised regarding street sweeping, City Manager Mermell stated that the Transportation and Public Works Departments are working with Julie Gutierrez, Assistant City Manager, to prepare a recommendation for discussion at a future Municipal Services Committee meeting.

Vice Mayor Kennedy requested that staff provide a cost benefit analysis between contracted services for sidewalk repair, and those same repair services provided by Maintenance Assistance for Homeowners (MASH) employees, utilizing a hypothetical sidewalk frontage repair of 60 feet in length by 5 feet in width; and amending the Public Works formula of the "point of sale funding" for sidewalk replace/repair when taking into consideration the use of City provided labor by MASH employees as a way to potentially reduce costs.

Councilmember Masuda asked staff to provide information on the number of City trees that were uprooted and/or removed in Fiscal Year 2017.

Following discussion, it was moved by Councilmember Hampton, seconded by Councilmember Wilson, to continue the public hearing to June 12, 2017 at 7:00 p.m., with budget presentations continuing at the joint Finance Committee and City Council meeting occurring at 3:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Madison, McAustin)

CONTINUED PUBLIC HEARING: FISCAL YEAR 2018 RECOMMENDED SCHEDULE OF TAXES, FEES, AND CHARGES

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 12, 2017 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 2018 Schedule of Taxes, Fees, and Charges.

On order of the Mayor, and by consensus of the City Council, to continue the public hearing to June 12, 2017 at 7:00 p.m.

CONTINUED PUBLIC HEARING: FISCAL YEAR 2018 RECOMMENDED GENERAL FEE SCHEDULE

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 12, 2017 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 2018 General Fee Schedule.

On order of the Mayor, and by consensus of the City Council, to continue the public hearing to June 12, 2017 at 7:00 p.m.

INFORMATION ITEM

CITY ATTORNEY 5 MINUTE BRIEFING REGARDING RECENT GENERAL MUNICIPAL LAW CASES OF INTEREST

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

Michele Beal Bagneris, City Attorney/City Prosecutor, provided introductory comments, and Javan Rad, Chief Assistant City Attorney, provided a PowerPoint presentation on the item, and responded to questions.

Councilmember Gordo asked staff to provide historical information on the number of attempts to amortize a non-confirming legal use in the City.

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

COUNCIL COMMENTS

Councilmember Hampton spoke on various scholarship award events he attended, as well as the Gamma Zeta Boulé Foundation's LAMP Mentor Program 2017 luncheon held on June 04, 2017, where Vice Mayor Kennedy and Councilmember Wilson addressed the graduates; congratulated all the Class of 2017 college and high school students in Pasadena, and recognized and commended Sergeant Glenn Thompson of the Pasadena Police Department, for his community policing.

Councilmember Wilson spoke on two events he attended, the Pasadena Police & Citizen Awards Ceremony that honors Pasadena Police officers and community members who have served the community, held on June 1, 2017; and Fire Ops 101, held on May 31, 2017, an immersion program to better understand the training and duties of the City firefighters, and thanked the Fire Department staff.

Vice Mayor Kennedy echoed Councilmembers Hampton's and Wilson's comments regarding the Pasadena Police & Citizen Awards Ceremony, and provided information regarding the following events he attended: Lions Club International California Council of Governors meeting, Girl Scouts Greater Los Angeles Gold Award Ceremony held on June 3, 2017, the Music Under the Stars 2017 event held on June 3, 2017, and the Gamma Zeta Boulé Foundation's LAMP Mentor Program 2017 luncheon held on June 04, 2017.

The Mayor spoke on the well-attended and touching Pasadena Enduring Heroes Memorial Dedication event held on Memorial Day, May 29, 2017.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:57 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk