

CITY OF PASADENA
City Council Minutes
March 20, 2017 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 6:32 p.m. The pledge of allegiance was led by Councilmember McAustin. (Absent: Councilmember Gordo)

On the order of the Mayor, the regular meeting reconvened at 6:32 p.m.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor Gene Masuda
Councilmember Victor Gordo (Absent)
Councilmember Tyron Hampton
Councilmember John J. Kennedy
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

The Mayor presented a proclamation declaring March 25, 2017 as "Arbor Day" in Pasadena to Kenneth Graham, Public Works Superintendent, Michael King, Program Coordinator, and Charles Livingstone, President of Pasadena Beautiful Foundation.

The City Council expressed sympathies and condolences in the passing of Mr. John Van de Kamp, former California Attorney General, Los Angeles County District Attorney, and a long time Pasadena resident; and requested that the meeting be adjourned in his memory.

Councilmember Madison requested that a future discussion on the potential renaming of "The La Loma Bridge", in Northwest Pasadena to: "the John Van de Kamp Bridge", be agendaized in the near future.

Vice Mayor Masuda, reported on his trip to Washington, DC as part of the League of Cities Congressional City Conference, reported on California's infrastructure needs, the lack of funding to address those needs, and potential state budget cuts.

The Mayor reported that Item 14 (Formalization of the Arroyo Verdugo Subregion Steering Committee) has been held to a future meeting and Item 15 (Consideration of a Call for Review of a Hearing Officer Decision) is withdrawn from the agenda.

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

Councilmember Madison left
the dais at 6:23 p.m.

CONSENT CALENDAR

Item discussed separately

Gerda Govine, Pasadena Rose Poets, recited poetry and invited the City Council and the community to the Pasadena Rose Poets event on April 27, 2017 at the Pasadena Central Main Library.

Abel Medrano, Pasadena resident, spoke on the need for stronger relationships between the Pasadena Police and community.

Joan Chin, Pasadena resident, expressed concerns regarding the Fair Oaks Renaissance Plaza and the proposed new Vallarta market to replace the current Vons market located at the Plaza.

In response to public comment and Councilmember inquires, Steve Mermell, City Manager, stated that negotiations between the proposed new market and the developer do not include the City, however he will provide additional information to the City Council in the City Manager's Newsletter.

**AUTHORIZATION TO ENTER INTO A PURCHASE ORDER
WITH MILSOFT UTILITY SOLUTIONS, INC., IN AN AMOUNT
NOT-TO-EXCEED \$372,324 FOR SOFTWARE, TECHNICAL
SUPPORT AND MAINTENANCE OF THE OUTAGE
MANAGEMENT SYSTEM FOR THE WATER AND POWER
DEPARTMENT**

Recommendation:

(1) Find that the proposed action is not a project subject to the 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;

(2) Authorize the City Manager to enter into a purchase order without competitive bidding pursuant to the City Charter Section 1002(F), Contracts for Professional or Unique Services, with Milsoft Utility Solutions, Inc., to provide software, technical support and maintenance for the Outage Management System in an amount not-to-exceed \$372,324 for three years; 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.

**RENEWAL OF THE SOUTH LAKE AVENUE PROPERTY AND
BUSINESS IMPROVEMENT DISTRICT (SLA PBID).**

**AUTHORIZATION TO AMEND CONTRACT NO. 22304 WITH
MICHAEL BAKER INTERNATIONAL TO INCREASE THE
TOTAL NOT-TO-EXCEED AMOUNT BY \$250,000 FROM
\$600,000 TO \$850,000 FOR CONTRACT PLANNING
SERVICES**

Recommendation:

- (1) Find that actions proposed in the agenda report are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA State Guidelines Section 15061(b)(3) (General Rule);
- (2) Authorize the City Manager to amend Contract No. 22304 with Michael Baker International to increase the contract amount by \$250,000, thereby increasing the total not-to-exceed amount from \$600,000 to \$850,000; and
- (3) To the extent this could be considered a separate procurement subject to the Competitive Selection process, it is recommended that the City Council 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. 22,304-2)

Item discussed separately

AUTHORIZATION TO AMEND CONTRACT NO. 22,276 WITH ANDERSON PENNA PARTNERS, INC., TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT BY \$150,000 FROM \$323,000 TO \$473,000 FOR CONTRACTED CODE COMPLIANCE SERVICES

AUTHORIZATION TO ISSUE A PURCHASE ORDER TO CHURCHILL NAVIGATION FOR A HELICOPTER GPS MAPPING SYSTEM IN THE AMOUNT OF \$155,811.56

Recommendation:

- (1) Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15378, as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment;
- (2) Authorize the issuance of a Purchase Order to Churchill Navigation in an amount not-to-exceed \$155,811.56. Competitive bidding is not required pursuant to City Charter Section 1002(c), Contract for labor, material, supplies, or services available from only one vendor; and
- (3) Grant the proposed Purchase Order 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.

APPROVAL OF AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY CLERK

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 Clerk Mark Jomsky to provide an increase to his annual salary and position's salary control rate. It is further recommended that the Mayor be authorized to sign the amendment to the employment agreement to reflect City Council approved changes. (Contract No. 22,130-2)

The Mayor announced the details of the salary increase for the City Clerk's employment agreement.

APPOINTMENT OF CYNTHIA BOYD TO THE HISTORIC PRESERVATION COMMISSION (Washington Square Representative)

**CLAIMS RECEIVED
AND FILED**

Claim No. 12,825	Doreen Yamaoka	\$	483.13
Claim No. 12,826	Scolinos, Sheldon & Nevell, representing Erick Wallace		25,000.00+

PUBLIC HEARING SET

April 3, 2017, 7:00 p.m. - Economic Development Subsidy Report Pursuant to Government Code Section 53083 for a Ground Lease Agreement By and Between the City of Pasadena and KHP III Pasadena LLC (Kimpton)

April 19, 2017, 7:00 p.m. - Fiscal Year 2018-2022 Recommended Capital Improvement Program Budget

April 24, 2017, 7:00 p.m. - Adoption of a Zone Change to Designate a Landmark District Overlay for the Thorndike-Madrillo Landmark District (LD-24)

May 8, 2017, 7:00 p.m. - Fiscal Year 2018 Recommended Operating Budget

May 8, 2017, 7:00 p.m. - Fiscal Year 2018 Recommended Schedule of Taxes, Fees, and Charges

May 8, 2017, 7:00 p.m. - Fiscal Year 2018 Recommended General Fee Schedule

Following a brief discussion, it was moved by Vice Mayor Masuda, seconded by Councilmember McAustin, to approve all items on the Consent Calendar, with the exception of Item 2 (Renewal of The South Lake Avenue Property And Business Improvement District), and Item 4 (Authorization to Amend Contract No. 22,726 With Anderson Penna Partners, Inc.), which were discussed separately. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

CONSENT ITEMS
DISCUSSED SEPARATELY

**RENEWAL OF THE SOUTH LAKE AVENUE PROPERTY AND
BUSINESS IMPROVEMENT DISTRICT (SLA PBID)**

Recommendation:

- (1) Find that adopting a resolution renewing the South Lake Avenue Property and Business Improvement District is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) (General Rule); and
- (2) Adopt a Resolution of Intention to renew the South Lake Avenue Property and Business Improvement District, and set a Public Hearing for May 15, 2017 at 7:00 p.m.

Eric Duyshart, Economic Development Manager, responded to questions regarding the City's fiscal commitment to the SLA PBID.

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

Councilmember Madison
returned at 7:19 p.m.

**AUTHORIZATION TO AMEND CONTRACT NO. 22,276 WITH
ANDERSON PENNA PARTNERS, INC., TO INCREASE THE
TOTAL NOT-TO-EXCEED AMOUNT BY \$150,000 FROM
\$323,000 TO \$473,000 FOR CONTRACTED CODE
COMPLIANCE SERVICES**

Recommendation:

- (1) Find that actions proposed in the agenda report are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA State Guidelines Section 15061(b)(3) (General Rule);
- (2) Authorize the City Manager to amend Contract No. 22,276 with Anderson Penna Partners, Inc., to increase the contract amount by \$150,000, thereby increasing the total not-to-exceed amount from \$323,000 to \$473,000; and
- (3) To the extent this could be considered a separate procurement subject to the Competitive Selection process, it is recommended that the City Council grant the contract an exemption pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contract for which the City's best interests are served. (Contract No. 22,276-2)

David Reyes, Director of Planning, responded to questions regarding contracted employees and the City's Code Compliance cases.

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

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

NEW STREET DESIGN GUIDE

Recommendation: It is recommended that the City Council,

(1) Find that:

- a. The proposed actions are exempt from review of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3), General Rule;
- b. The Street Design Guide was supported by substantial evidence as summarized in the agenda report;
- c. The Street Design Guide has been formally subjected to a public review process; and

(2) Adopt a resolution adopting the Street Design Guide to implement City's Complete Streets policies. (Resolution No. 9555)

Recommendation of the Transportation Advisory Commission (TAC): After reviewing and discussing the proposed Street Design Guide over the course of joint workshop community meetings on January 26, 2017 and February 9, 2017, TAC unanimously supported staff's recommendation for adoption of the Street Design Guide by the City Council.

Fred Dock, Director of Transportation, and Paul Moore representing Nelson/Nygaard Consulting Associates, Inc., presented a PowerPoint presentation on the item, and responded to questions.

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

Councilmember Kennedy urged staff to disseminate information and communicate with District 3 constituents to ensure street design opportunities and focus are given to the streets north of the 210 Freeway in regards to the proposed New Street Design Guide.

Councilmember Hampton spoke on street safety concerns, and the need for the City to prioritize pedestrian safety.

Following discussion, the following individuals spoke in favor of the item and/or various aspects of the proposed recommendation, and provided comments and/or suggestions:

Blair Miller, Pasadena Design Commission
Buddy Bell, Pasadena resident
Jill Shook, North Fair Oaks Empowerment Initiative

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

POLICY CONSIDERATION FOR UNMANNED AIRCRAFT SYSTEMS

Recommendation:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and the "general rule" that CEQA only applies to projects which have the potential for causing a significant effect on the environment; and
- (2) Direct the City Attorney to prepare an ordinance and return within 60 days regulating the operation of drones, above or near critical infrastructure, and over permitted special events.

Steve Mermell, City Manager provided introductory comments, and Michelle Garrett, Project Manager, presented a PowerPoint presentation on the item, and responded to questions.

Following discussion and in response to questions, Steve Mermell, City Manager, clarified that the proposed ordinance will be prepared consistent with the following provision:

"Careless & Reckless Operation: As it pertains to the safety of non-participants, flights over public streets or sidewalks, staff is recommending that Council consider an ordinance related to preventing careless and reckless operation over public streets and sidewalks where people are present."

The City Manager further stated that the final language will be incorporated for City Council and public review as part of first reading of the ordinance.

Councilmember Kennedy, Chair of the Public Safety Committee, noted that the proposed action was supported by the Committee and is consistent with the developing federal and state laws regarding unmanned aircraft systems.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Wilson, to approve the staff recommendation with the direction to staff as detailed above. (Motion unanimously carried) (Absent: Councilmember Gordo)

PUBLIC HEARING

PUBLIC HEARING: SUBMISSION OF PUBLIC HOUSING AGENCY ANNUAL PLAN (2017) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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 15061(b)(3), as it will not have a potentially significant environmental effect and therefore falls under the "general rule" exemption; and

(2) Approve the City's Public Housing Agency Annual Plan (2017) and authorize the City Manager to execute any and all documents regarding its submission to the U.S. Department of Housing and Urban Development.

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on December 22, 2016; no correspondence was received by the City Clerk's office regarding this item.

Bill Huang, Director of Housing, provided introductory comments, and Myrtle Dunson, Housing Assistance Officer, presented a PowerPoint presentation on the item, and responded to questions.

Councilmember Kennedy requested that staff include the City Council adopted policy statement on Permanent Supportive Housing in the proposed City's Public Housing Agency Annual Plan (2017).

Councilmember Hampton asked staff to provide a map of Section 8 home vouchers in use throughout the City, information on the current fair market rental rates applicable to Pasadena (as determined by the United States Department of Housing and Urban Development (HUD), and information on the rate increases provided to City Section 8 landlords in the last three years.

Jill Shook, representing the North Fair Oaks Empowerment Initiative, spoke on the need for the City to provide support and training to Section 8 landlords in Pasadena.

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

It was moved by Councilmember Kennedy, seconded by Councilmember Madison, to approve the staff recommendation with the inclusion of the Permanent Supportive Housing policy statement as part of the Public Housing Agency Annual Plan 2017. (Motion unanimously carried) (Absent: Councilmember Gordo)

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**FORMALIZATION OF THE ARROYO VERDUGO SUBREGION
STEERING COMMITTEE INTO A JOINT POWERS AUTHORITY
WITH THE CITIES OF BURBANK, GLENDALE, LA CANADA
FLINTRIDGE, SOUTH PASADENA, AND COUNTY OF LOS
ANGELES FOR THE PURPOSES OF COORDINATED
TRANSPORTATION PLANNING AND OTHER PURPOSES**

By order of the Mayor and consensus of the City Council, this item was held for a future meeting.

CONSIDERATION OF A CALL FOR REVIEW OF A HEARING OFFICER DECISION TO THE BOARD OF ZONING APPEALS REGARDING AFFORDABLE HOUSING CONCESSION PERMIT NO. 11854 FOR THE PROPERTY LOCATED AT 245 SOUTH LOS ROBLES AVENUE (Mayor Tornek)

This item was withdrawn from the agenda at the request of Mayor Tornek.

CANVASS OF THE MARCH 7, 2017 CONSOLIDATED PRIMARY NOMINATING ELECTION

Recommendation: It is recommended that the City Council:

- (1) Accept the Certificate of Canvass (Exhibit A of resolution); and
- (2) Adopt a resolution declaring:
 - (a) The following persons, receiving a majority of the votes cast, are re-elected to the following offices:

John J. Kennedy, Member of the City Council, District 3
Victor M. Gordo, Member of the City Council, District 5

- (b) In the City Council, District 7 race, the following two candidates received the highest number of votes at the Primary Nominating Election, and their names shall be placed on the ballot at the General Municipal Election on April 18, 2017:

Phil Hosp, Member of the City Council, District 7
Andy Wilson, Member of the City Council, District 7

(Resolution No. 9556)

Mark Jomsky, City Clerk, provided a PowerPoint presentation reporting on the results of the March 7, 2017 Consolidated Primary Nomination Election.

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

ORDINANCES – ADOPTED

Adopt “AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA REAUTHORIZING THE PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) FEE ON STATE VIDEO SERVICE FRANCHISES OPERATING WITHIN THE CITY” (Introduced by Councilmember McAustin) (Ordinance No. 7299)

The above ordinance was adopted by the following vote:

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

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE RELATED TO STATE LICENSED RESIDENTIAL CARE FACILITIES WITH SIX OR FEWER PERSONS, TRANSITIONAL HOUSING, AND SUPPORTIVE HOUSING" (Introduced by Councilmember Hampton) (Ordinance No. 7300)

The above ordinance was adopted by the following vote:

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

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW OF THE KAISER PERMANENTE SCHOOL OF MEDICINE PROJECT LOCATED AT 94 SOUTH LOS ROBLES AVENUE

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

David Reyes, Director of Planning, introduced the item, and David Sanchez, Senior Planner, provided a PowerPoint presentation on the item, and responded to questions

Heidi R. Davis representing the applicant, Skyler Denniston, on behalf of Kaiser Permanente (Kaiser), responded to questions regarding existing parking lots, number of employees, anticipated number of students, potential new jobs, and details regarding medical courses to be offered at the school.

Councilmember Hampton expressed concerns with the lack of parking and the potential for increased traffic congestion at the proposed project site.

Councilmember Wilson asked the applicant representatives to consider the surrounding property, which is owned by Kaiser, as a school campus and use the open spaces to create circulation on the block, paying attention to egress on the El Dorado Street side, and for the School to encourage students to explore alternate modes of transportation.

Councilmember Kennedy asked the applicant to consider the City's local hiring requirements and the potential for job creation opportunities as the project progresses.

Roger Jelliffe, Pasadena resident, expressed his concerns with the teaching format at the proposed medical school.

In response to public comment, Patrick Brookhart, representing the applicant, provided information on Kaiser's teaching model, which includes combining medical centers with clinical support.

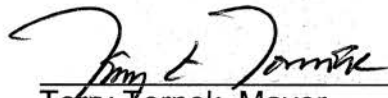
Following discussion, by consensus of the City Council, and on order of the Mayor, the information was received and filed.

COUNCIL COMMENTS

Councilmember Madison requested that a discussion on the President's initial budget proposal, which proposes to eliminate funding for the Corporation for Public Broadcasting, be agendaized at a future Legislative Policy Committee meeting.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:08 p.m., in memory of Mr. John Van de Kamp, former California Attorney General, Los Angeles County District Attorney, and a long time Pasadena resident.



Terry Tornek, Mayor
City of Pasadena

ATTEST:



City Clerk