

CITY OF PASADENA  
City Council Minutes  
August 21, 2017 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Tornek called the regular meeting to order at 5:30 p.m.  
(Absent: Councilmembers Gordo, Hampton, Madison)

On the order of the Mayor, the regular meeting recessed at 5:30 p.m., to discuss the following closed session:

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

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

**Employee Organization: Laborers' International Union of  
North America, Local 777 (LIUNA)**

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

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

**Employee Organization: Pasadena Police Officers  
Association (PPOA)**

**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.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL -  
ANTICIPATED LITIGATION**

**Significant exposure to litigation pursuant to Government  
Code Section 54956.9(d)(2) (one potential case)**

The above closed session item was not discussed.

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

**ROLL CALL:**

Councilmembers:

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

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

Councilmember Madison  
arrived at 6:37 p.m.

Tony Santilena and Vera Vignes, Council for the Young Child, provided information and an update on the upcoming community event, "Launch of Pasadena as an Early Learning City" and invited the City Council and community to attend on September 23, 2017.

Teesa Mei Chuck, Pasadena Rose City Poets, distributed literature, recited poetry and asked the City Council and Pasadena Unified School District to end police brutality and eliminate the 4<sup>th</sup> grade mission projects.

Karl Parcell, Supplymates, LLC, requested an update on the City's Office Depot and local business price comparison on office supplies.

In response to public comment, the Mayor stated that staff would contact Mr. Parcell with an update.

Janice Pak, distributed literature, and spoke on a code compliance citation her business was issued, and asked the City Council for information on the City's code regarding posting signage in the public right-of-way.

Don Bremner, Pasadena resident, spoke in opposition to the Devil's Gate Dam sediment removal project and suggested the City request that Los Angeles County extend the comment period on the Draft Environmental Impact Report, and agendaize the proposed project for discussion to obtain public comment.

In response to the public speaker, the Mayor stated that the City will submit comments regarding the sediment removal project prior to the September 7, 2017 deadline, and reiterated the City's position on the project.

Rainbow Young and Mounir Sanders-Newton, South Coast Air Quality Management District (SCAQMD), distributed handouts and provided an update on SCAQMD's programs and upcoming events.

Brenna Norton, Food & Water Watch, expressed concerns with the Municipal Services Committee's (MSC) support of the Delta water tunnel project, and spoke in opposition to the project.

In response to public comment, the Mayor stated that the City Council will have a public discussion on the project at the September 18, 2017 City Council meeting.

Elizabeth Bour, Friends of Hahamonga, spoke on the Devil's Gate Dam sediment removal project related to the mitigation efforts and the biological resource's in the Hahamonga area.

Councilmember Wilson recognized Donna and Mitchell Pomerantz, who were awarded the Congressional Leadership Award by U.S. Congresswomen Judy Chu recognizing them as Volunteers of the Year.

### **CONSENT CALENDAR**

Item discussed separately

**CONTRACT AWARD TO DKS ASSOCIATES FOR THE PREPARATION OF ENVIRONMENTAL DOCUMENTATION, PRELIMINARY ENGINEERING, PREPARATION OF PLANS, SPECIFICATIONS, ESTIMATE, RIGHT-OF-WAY AND PUBLIC OUTREACH FOR THE UNION STREET TWO-WAY PROTECTED BIKEWAY PROJECT**

**ADOPTION OF AMENDED RESOLUTION IN CONNECTION WITH THE STATE OF CALIFORNIA NOTICE OF FUNDING AVAILABILITY FOR CONTINUUM OF CARE EMERGENCY SOLUTIONS GRANT FUNDS**

#### **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) Adopt an amended Resolution, certifying that any funds received through the submittal of an Application in the amount of \$150,212 in response to the amended Notice of Funding Availability ("NOFA") issued by the State Department of Housing and Community Development to receive Emergency Solutions Grant funding for eligible homeless programs will be used in a manner consistent with all applicable State, Federal and other statutes, rules, regulations, guidelines, and laws regarding the ESG Program; and

(3) Authorize the City Manager to certify or execute, and the City Clerk to attest, the Application and all other related documents, agreements and amendments. (Resolution No. 9586)

Item discussed separately

**ADOPTION OF A RESOLUTION AUTHORIZING EXECUTION OF CALIFORNIA EMERGENCY MANAGEMENT AGENCY DISASTER ASSISTANCE DOCUMENTS**

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH  
DUDEK FOR PREPARATION OF A SEWER MASTER PLAN  
UPDATE IN AN AMOUNT NOT-TO-EXCEED \$500,000**

**Recommendation:**

- (1) Find that the actions proposed in the agenda report are exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA does not apply to actions which have no potential for causing a significant effect on the environment; and
- (2) Authorize the City Manager to enter into a contract, based on a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, with Dudek for preparation of a Sewer Master Plan update for an amount not-to-exceed \$500,000. (Contract No. 30986)

**AUTHORIZE ASSIGNMENT OF CONTRACT FOR ELEVATOR  
MAINTENANCE AND REPAIR SERVICES FROM WESTERN  
ELEVATOR, INC., TO AMTECH ELEVATOR SERVICES**

**Recommendation:**

- (1) Find that this action 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; and
- (2) Authorize the City Manager to approve the assignment of Contract No. 30808 with Western Elevator, Inc., (Western) to Amtech Elevator Services (Amtech) for elevator maintenance and repair services. (Contract No. 30988)

**PURCHASE ORDER AWARD TO THORSON GMC BUICK  
MOTOR COMPANY FOR AS-NEEDED LABOR AND REPAIR  
ON GENERAL MOTORS VEHICLES FOR A NOT-TO-EXCEED  
AMOUNT OF \$225,000**

**Recommendation:**

- (1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment; and
- (2) Accept the bid dated June 6, 2017, submitted by Thorson GMC Buick Motor Company in response to specifications for Certified General Motors Labor and Repair, and authorize the issuance of a purchase order with Thorson GMC Buick Motor Company in an amount not-to-exceed \$225,000 over a three-year period with the option for two additional one-year terms in the annual amount of \$75,000, at the discretion of the City Manager, for a maximum total contract length of five years and a total contract amount of \$375,000.

**PURCHASE ORDER AWARD TO STAR FORD LINCOLN OF  
GLENDALE FOR AS-NEEDED LABOR AND REPAIR ON FORD  
VEHICLES FOR A NOT-TO-EXCEED AMOUNT OF \$375,000**

**Recommendation:**

- (1) Find that this action is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment; and
- (2) Accept the bid dated July 7, 2017, submitted by Star Ford Lincoln of Glendale (Star Ford) in response to specifications for Authorized Ford Service and Repair, and authorize the issuance of a purchase order with Star Ford in an amount not-to-exceed \$375,000 over a three-year period with the option for two additional one-year terms in the annual amount of \$125,000, at the discretion of the City Manager, for a maximum total contract length of five years and a total contract amount of \$625,000.

**PURCHASE ORDER AWARD TO SOUTHERN CALIFORNIA FLEET SERVICES, INC., FOR AS-NEEDED LABOR AND REPAIR ON SEAGRAVE LADDER TRUCKS AND PUMPER ENGINES FOR A NOT-TO-EXCEED AMOUNT OF \$375,000**

**Recommendation:**

- (1) Find that this action is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment; and
- (2) Accept the bid dated July 11, 2017, submitted by Southern California Fleet Services, Inc., in response to specifications for Authorized Fire Apparatus Labor and Repair Service, reject all other bids, and authorize the issuance of a purchase order with Southern California Fleet Services, Inc., in an amount not-to-exceed \$375,000 over a three-year period with the option for two additional one-year terms in the annual amount of \$125,000, at the discretion of the City Manager, for a maximum total contract length of five years and a total contract amount of \$625,000.

**CONTRACT AWARD TO NOHO CONSTRUCTORS FOR BROOKSIDE PARK TENNIS COURT RENOVATIONS FOR AN AMOUNT NOT-TO-EXCEED \$390,000**

**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 July 12, 2017, submitted by Noho Constructors in response to the Project Plans and Specifications for the Tennis Court Renovations at Brookside Park, reject all other bids, and authorize the City Manager to enter into such contract for an amount not-to-exceed \$390,000. (Contract No. 30987)



**CONTRACT AWARD TO LICHER DIRECT MAIL, INC., AND ROBERT MYERS STUDIO FOR PRINTING SERVICES NOT-TO-EXCEED \$1,630,424 AND \$218,632, RESPECTIVELY**

**Recommendation:**

(1) Find that the proposed action is not a project subject to the California Environmental Quality (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) Accept the bid dated June 22, 2017, submitted by Licher Direct Mail, Inc., in response to specifications to Furnish Labor and Materials for Printing Services and authorize the City Manager to enter into a contract with Licher Direct Mail, Inc., for one-year in an amount not-to-exceed \$407,606 with the option for three additional one-year terms in the annual amount of \$407,606, at the discretion of the City Manager, for a total of \$1,630,424 for four years; (Contract No. 30984)

(3) Accept the bid dated June 22, 2017, submitted by Robert Myers Studios in response to specifications to Furnish Labor and Materials for Printing Services and authorize the City Manager to enter a contract with Robert Myers Studio for one-year, in an amount not-to-exceed \$54,658, with the option for three additional one-year terms in the annual amount of \$54,658, at the discretion of the City Manager, for a total of \$218,632 for four years; and

(4) Reject all other bids received. (Contract No. 30985)

**APPROVAL OF SIDE LETTERS OF AGREEMENT WITH THE LABORERS INTERNATIONAL UNION OF NORTH AMERICA AND THE PASADENA POLICE OFFICERS ASSOCIATION ON LATERAL HIRE INCENTIVE PAY**

**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) Approve a Side Letter of Agreement between the City of Pasadena (City) and the Laborers International Union of North America (LIUNA) on Lateral Hire Incentive Pay; and

(3) Approve a Side Letter of Agreement between the City of Pasadena (City) and the Pasadena Police Officers Association (PPOA) on Lateral Hire Incentive Pay.

Item pulled from the agenda, to be considered at a later date

**LIBRARY COMMISSION AMENDMENTS TO BYLAWS TO ESTABLISH A PROCESS FOR SETTING REGULAR MEETINGS**

**AUTHORIZE THE TRANSFER OF A DISASTER TRAILER FROM THE PASADENA FIRE DEPARTMENT TO THE ALHAMBRA FIRE DEPARTMENT**

**Recommendation:**

- (1) Find that the proposed action 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 transfer of an inactive disaster trailer to Alhambra Fire Department for rehabilitation and maintenance; and
- (3) Recognize that a public purpose is served by exempting the proposed transfer from the provisions of the Surplus Equipment and Goods Ordinance, Pasadena Municipal Code (PMC) 4.04, pursuant to Section 4.04.080.

**APPOINTMENT OF JESSICA C. RIVAS TO THE COMMISSION ON THE STATUS OF WOMEN** (District 5 Nomination)

**REAPPOINTMENT OF PAULA HANSON TO THE DEFERRED COMPENSATION OVERSIGHT COMMITTEE EFFECTIVE SEPTEMBER 1, 2017** (City Council Nomination)

**REAPPOINTMENT OF DEBORAH DENTLER TO THE ENVIRONMENTAL ADVISORY COMMISSION** (District 5 Nomination)

**REAPPOINTMENT OF CINDY SCHNUELLE TO THE NORTHWEST COMMISSION** (District 5 Nomination)

**APPROVAL OF MINUTES**

July 10, 2017  
July 17, 2017  
July 24, 2017  
July 31, 2017  
August 7, 2017  
August 14, 2017

**CLAIMS RECEIVED AND FILED**

Claim No. 12,924	Kelvin Jankins	\$	Not stated
Claim No. 12,925	Zwirn, Gevorkyan & Sogoyan LLP, representing Sedrak Apetian and Agaron Akobian		Not stated
Claim No. 12,926	Luke Anthony		200.00
Claim No. 12,927	Karina Lopez		300.00
Claim No. 12,928	Susan Montgomery		2,222.82
Claim No. 12,929	David Stuart		1,870.00
Claim No. 12,930	Germaine L. Blades		Not stated
Claim No. 12,931	Noah DeGregorio		187.00

Claim No. 12,932	Project Resources Group for Charter Communications	5,897.69
Claim No. 12,933	Quincy Hocutt	2,131.57
Claim No. 12,934	California Automobile Insurance Company as subrogee of Christine Koo	10,667.80
Claim No. 12,935	Susie Kim	1,137.44
Claim No. 12,936	Safeway Insurance Company as subrogee of Courtney McCarthy	2,316.08
Claim No. 12,937	Craig Reynolds	724.49
Claim No. 12,938	Marcos A. Flores	2,000.00
Claim No. 12,939	Simon A. Baldzhyan	2,316.08
Claim No. 12,940	AAA as subrogee of Luka Mihovilovic	6,615.19
Claim No. 12,941	Glen Davis	328.00

#### PUBLIC HEARING SET

**August 28, 2017, 7:00 p.m.** – Call for Review of the Board of Zoning Appeals Decision on Variance No. 11824 - 615 Linda Vista Avenue

**September 18, 2017, 7:00 p.m.** - Draft Consolidated Annual Performance and Evaluation Report (2016-2017 Program Year) for Projects Funded from Community Development Block Grant, Emergency Solutions Grant, and HOME Investment Partnership Act

It was moved by Vice Mayor Kennedy, seconded by Councilmember McAustin, to approve all items on the Consent Calendar, with the exception of Item 1 (Contract Award to DKS Associates), and Item 3 (Adoption of A Resolution), which were discussed separately; and Item 11 (Library Commission Amendments to Bylaws), which was pulled from the agenda to be considered at a later date. (Motion unanimously carried) (Absent: Councilmembers Gordo, Hampton)

#### CONSENT ITEMS DISCUSSED SEPARATELY

**CONTRACT AWARD TO DKS ASSOCIATES FOR THE PREPARATION OF ENVIRONMENTAL DOCUMENTATION, PRELIMINARY ENGINEERING, PREPARATION OF PLANS, SPECIFICATIONS, ESTIMATE, RIGHT-OF-WAY AND PUBLIC OUTREACH FOR THE UNION STREET TWO-WAY PROTECTED BIKEWAY PROJECT**

#### Recommendation:

- (1) Find that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3)(General Rule); and
- (2) Authorize the City Manager to enter into a contract, based on a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, with DKS Associates for consultant



services for the preparation of environmental documentation, preliminary engineering, preparation of plans, specifications, estimate (PS&E), right-of-way and public outreach for the Union Street Two-way Protected Bikeway (Cycle Track) Project for an amount not-to-exceed \$999,714.

Diane Kirby, Lower Hastings Ranch Association, spoke in opposition to the item, expressing concerns with various aspects of the proposed project, and suggested the City consider a temporary trial of the cycle track project.

Vice Mayor Kennedy expressed concerns with the Taxpayer Protection Act (TPA) form submitted by DKS Associates, which did not reflect the principals of the company.

City Manager Mermell stated that staff can return with this item at the next City Council meeting and include the appropriate information regarding the TPA.

Michele Beal Bagneris, City Attorney/City Prosecutor, stated that she would provide information on the compliance of the City's TPA requirements with TPA form submitted with the following information: "...fully owned by an ESOP [Employee Stock Ownership Plan] and does not have any majority owners."

Fred Dock, Director of Transportation provided introductory comments and Ricard Dilluvio, Pedestrian and Bicycle Coordinator, provided a PowerPoint presentation on the item, and responded to questions.

Jeff Heald, DKS Associates, stated that he would provide an updated TPA form with the necessary information (i.e. name of officers, directors, trustees), and responded to questions.

Councilmember Wilson spoke in favor of holding this item until the next City Council meeting to ensure the required TPA form is complete.

Following discussion, by consensus of the City Council, and on order of the Mayor, this item was held and will be agendized at the August 28, 2017 City Council meeting.

**ADOPTION OF A RESOLUTION AUTHORIZING EXECUTION  
OF CALIFORNIA EMERGENCY MANAGEMENT AGENCY  
DISASTER ASSISTANCE DOCUMENTS**

**Recommendation:**

(1) Find that the proposed action 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; and  
(2) Adopt a resolution authorizing the City Manager, Assistant City Manager and the Director of Finance to execute for and on behalf of the City of Pasadena applications with the California Emergency Management Agency for the purpose of obtaining Federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or State financial assistance under the California Disaster Assistance Act. (Resolution No. 9587)

Bryan Frieders, Fire Bureau Chief, responded to questions regarding the Department's procedural documentation allowing the Fire Department to receive State and Federal funds in case of a declaration or proclamation of a disaster.

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember Masuda, to approve the staff recommendations. (Motion unanimously carried) (Absent: Councilmembers Gordo, Hampton)

#### **PUBLIC HEARING**

#### **PUBLIC HEARING: APPROVAL OF SUBSTANTIAL AMENDMENT TO ANNUAL ACTION PLAN 2017-2018 PERTAINING TO HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDING**

**Recommendation:** It is recommended that the City Council continue the Public Hearing to August 28, 2017 at 7:00 p.m.

It was moved by Councilmember Masuda, seconded by Councilmember Wilson, to continue the public hearing on the item to August 28, 2017 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Gordo, Hampton)

#### **ORDINANCE – FIRST READING**

#### **Conduct first reading of “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 (ROSE VILLAS-OAKDALE LANDMARK OVERLAY DISTRICT)”**

Councilmember Wilson reiterated for the record: “Both my brother and sister are homeowners in this proposed Landmark District, and I want to assure the public that I will base my position solely on the report tonight and presented at the hearing and I’ll be fair and objective in my determination.”

The above ordinance was offered for first reading by Councilmember Wilson:

AYES: Councilmembers, Madison, Masuda, McAustin, Wilson, Vice Mayor Kennedy, Mayor Tornek  
NOES: None

ABSENT: Councilmembers Gordo, Hampton  
ABSTAIN: None

**ORDINANCES – ADOPTED**

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 9, CHAPTER 9.75 (TENANT PROTECTION) OF THE PASADENA MUNICIPAL CODE CLARIFYING THE CONDITIONS UNDER WHICH TENANTS ARE ELIGIBLE TO RECEIVE RELOCATION ALLOWANCE AND MOVING EXPENSE ALLOWANCE AND UPDATING THE ORDINANCE" (Introduced by Councilmember Hampton) (Ordinance No. 7307)

The above ordinance was adopted by the following vote:

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

**COUNCIL COMMENTS**

Councilmember Wilson spoke on the Junior League of Pasadena's Legislator Open House, he attended with the Mayor and Councilmember McAustin, held on August 19, 2017.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 7:24 p.m.

  
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Terry Tornek, Mayor  
City of Pasadena

ATTEST:

  
\_\_\_\_\_  
City Clerk