

CITY OF PASADENA
City Council Minutes
March 5, 2018 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:35 p.m.
(Absent: Councilmember Madison)

On the order of the Mayor, the regular meeting recessed at 5:35 p.m., to discuss the following closed session:

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

Agency Designated Representative: Jennifer Curtis and Steve Mermell

Employee Organization: Pasadena Police Officers Association (PPOA)

Councilmember Madison
arrived at 6:05 p.m.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
regarding pending litigation pursuant to Government Code
Section 54956.9(d)(1)**

**Name of Case: Shainie Lindsey et al v. City of Pasadena et al
USDC Case No.: 2:16-cv-08602-SJO-RAO**

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

**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 Clerk
City Representative: Terry Tornek**

The above closed session item was not discussed.

On the order of the Mayor, the regular meeting reconvened at 6:46 p.m. The pledge of allegiance was led by Vice Mayor Kennedy.

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

The City Clerk administered the oaths of office to F. Phillip Hosp as Pasadena Center Operating Company Boardmember, and Michael Coppess as Planning Commissioner.

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

The following individuals expressed concerns with the proposed reconfiguration of Orange Grove Boulevard, and provided comments:

Neil Larson, Pasadena resident
Jill Field, Pasadena resident
Frank Duerr, Paloma N. Association
Lee Allen, Paloma Street Neighborhood

The Mayor responded that two public meetings, scheduled on March 22, 2018 and March 28, 2018 on the proposed reconfiguration of Orange Grove Boulevard will be held for public information and feedback on the project.

Dale Gronemeier, and Skip Hickambottom, Coalition for Increased Oversight of Pasadena Police (CICOPP)/Pasadena Organizing for Progress (POP), distributed literature, spoke on the incident involving Mr. Christopher Ballew, and expressed concerns with the two police officers continuing to actively work patrols.

Councilmember Hampton expressed strong concerns with the decision to allow the same two police officers involved in the altercation with Mr. Ballew to be assigned security detail for the Pasadena Black History Parade.

Erika Foy, Madison Heights Neighborhood Association, distributed literature and expressed concerns with the illegal removal of a protected oak tree at the property located at 719 S. Marengo Avenue, spoke in favor of a stronger tree protection ordinance to protect the City's tree canopy; and expressed safety concerns occurring at the Filmore Gold Line station and surrounding area.

The following individuals spoke in favor of the proposed reconfiguration of Orange Grove Boulevard, and provided comments:

Colin Bogart, Pasadena resident
Greg Gunther, Pasadena resident, distributed a handout

CONSENT CALENDAR

AUTHORIZATION TO AMEND CONTRACT NO. 30788 WITH BLAIS & ASSOCIATES TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT BY \$79,600 FROM \$140,400 TO \$220,000 FOR GRANT WRITING SERVICES FOR THE PUBLIC HEALTH 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 City Manager to amend Contract No. 30788 with Blais & Associates to increase the contract amount by \$79,600, thereby increasing the total not-to-exceed amount from \$140,400 to \$220,000; 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 (P.M.C.) Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 30788-1)

MUNICIPAL SERVICES COMMITTEE: ADOPT THE PROPOSED CHANGES TO THE ENERGY PORTFOLIO RISK MANAGEMENT POLICY FOR WATER AND POWER DEPARTMENT WHOLESALE ENERGY TRANSACTIONS

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) (General Rule); and
- (2) Adopt the proposed changes to the Energy and Credit Risk Management Policy for Pasadena Water and Power ("PWP") wholesale energy transactions.

RESIGNATION OF DAVID WILLIAMS FROM THE RECREATION AND PARKS COMMISSION EFFECTIVE MARCH 7, 2018 (District 6 Nomination)

APPOINTMENT OF DEL LILE TO THE SOUTH LAKE PARKING PLACE COMMISSION (At Large Nomination/District 7)

MINUTES APPROVED

February 5, 2018
February 12, 2018
February 19, 2018

CLAIMS RECEIVED AND FILED

Claim No. 13,055 Carol Ann Cunningham \$ Not stated

Claim No. 13,056	Law Offices of Andrew Zeytuntsyan, representing Maria Guadalupe Doval-Plancarte	25,000.00+
Claim No. 13,057	Allstate Insurance as subrogee of Zack Hillburner	11,868.56
Claim No. 13,058	Linda D. Siggins	900.00
Claim No. 13,059	Robert Haefliger	13,000.00
Claim No. 13,060	Angelica B. Nino	25,000.00+

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

Vice Mayor Kennedy, reported on the Public Safety Committee (PSC) meeting discussion that occurred earlier in the day, and submitted the following statement to be included in the record of the City Council's meeting that were made during the PSC meeting:

"I request that the recording secretary include the remarks that I am about to give in the official minutes of this meeting. I speak as one member of the Committee and not with the authority of the Public Safety Committee as whole.

I raise the following with full appreciation and respect for the many pressing issues facing our City. As elected officials, we are entrusted with and must prioritize the health, safety and welfare of our constituents. Accordingly, we must exert our collective responsibility to ensure that our police department operates in a manner that convinces all residents that they will be protected and respected.

Much of our society generally, and our legal system specifically, rests on a foundation of symbolic and substantive fairness. For example, would any of us feel that we would receive a fair trial if the judge was the brother-in-law of our opponent? Analogously, baseball utilizes umpires, and soccer and basketball utilize referees to ensure third party impartiality. Having a third-party arbiter does not call into question the integrity of a plaintiff, a defendant or either sports teams. Instead it ensures and conveys to all involved and all observing that fairness and justice will prevail. Yet despite numerous contrary precedents throughout our society, we are expected to accept that our police department is able to serve as its own referee.

This is not someone else's problem. Community trust or lack thereof impacts *everyone* in Pasadena. When communities or *populations* do not trust the police, they become much less likely to

report criminal conduct. That leaves our streets, our neighborhoods, and our entire city less safe.

We have a responsibility to our constituents who elected us to stand for justice and fair dealing. The constituent responsibility is not at the expense or detriment of any city staffers, including police officers. An additional and compelling guiding principle is simply doing the right thing. We do so because we are called not to arbitrarily side with anyone, but compelled to side with what is right.

The City has an appropriate, well-established practice regarding reports and informed decision-making at the Council as well as at the Committee-level. This practice requires providing written reports that give decision makers adequate information to execute their responsibilities. That is simply meeting the most basic responsibility of staff work. *Completed Staff work* is more than just a term of art, it is a respectful, serious research that hopefully leads to logical conclusions upon which a Committee or the Council can query further, provide concurrence or return it to staff for additional research and review. But to provide this Committee with nothing to review prior to the meeting is in my view lazy, disrespectful, and potentially precedent-setting. That is unacceptable and does not allow members of this Committee to review *Completed Staff work* and arrive here prepared to do the *People's Business*: asking relevant questions and giving staff "feedforward" and direction. I remind staff that the Public Safety Committee, when it meets, usually does so for only 75 minutes, which is not a lot of time for discussion on matters of such serious import as we have before us this afternoon.

Our Council Agenda packets include written reports that provide context and specific facts that allow us to make the informed decisions that our constituents expect and deserve. The Finance Committee, chaired by a member of this Committee, expects and receives written reports, so why is there a difference when it comes to the Public Safety Committee? Is the public safety of our City not as important as the financial health of our City? Of course it is and that is why I gladly serve on the Finance Committee with the Mayor and my other colleagues who comprise it.

Despite the precedent and a reasonable, common sense standard, we are now asked to accept a different standard – an oral report – to outline the steps that the City Manager and the Police Chief intend to engage in to restore, improve and advance community/police relations. The unfortunate and totally unacceptable excuse for this new and unprecedented standard is that this is a "first step." Well, that explanation, in my view, just does not pass the smell test!

Therefore, to that I simply say NO. It does a tremendous disservice to this City to frame this as a false choice between receiving a written report and delaying needed progress. An oral report could be viewed by some as a not so clever attempt to avoid accountability; delay until interest is lost or distracted; and most importantly an attempt to handcuff the decision makers and render them unable to execute their responsibilities due to lack of information.

When I found out that the City Manager had privately reviewed the police department generated tapes of the Christopher Ballew altercation and the Police Chief had initially unilaterally concluded that the police officers acted within policy, I was stunned. Whose interests are served when decisions are made in a figurative dark, back room a place lacking transparency? When a resident generated video surfaced 2 months later, suddenly and belatedly a need for an investigation emerged. Who is refereeing the referee? Have we devolved to a level that doing the right thing requires irrefutable, video proof from a civilian/resident? In the absence of such third-party proof, will self-interest and preservation move one to overlook unfavorable facts? It is important to remind ourselves that California is one of only three states, along with Delaware and New York that has a law specifically shielding police misconduct records from the public.

To those who might be inclined to think or say we cannot put a price on human rights or doing the right thing, I counter that we have. In the aggregate, the City has or will pay millions of dollars to settle cases involving the Pasadena Police Department. These collective million-dollar payouts occur against a backdrop of our City facing a major fiscal crisis as we attempt to balance our budget and plan for ever increasing pension obligations. In the face of this fiscal crisis, we cannot act as if we are okay with million-dollar payouts to the alleged victims of alleged police brutality. Have we entered a parallel universe in which we accept million-dollar payouts as a "cost of doing business?" That dollar and moral cost would not be acceptable in the private sector and cannot be in the public sector – particularly in our smart city. Are we oblivious to the irony of recurring "one-time events?"

By charter and mission, the Public Safety Committee is inadequate to impose the much-needed oversight that our residents demand and our strapped budget begs. The Public Safety Committee is limited by the Charter to inquire and recommend only.

Where does this all end? An appropriate, pop culture definition of insanity is doing the same thing over and over again and expecting a different result. We fail to carry out our elected responsibility of imposing appropriate, objective oversight of our police department

and yet we somehow expect different or improved results. Our constituents deserve better than that fantasy.

Accountability is a hallmark of any well-run organization. After the \$6 million embezzlement scandal, residents demanded and the Council rose to the challenge to impose accountability. The then City Manager, Michael Beck, made personnel changes to help in his view "clear the air" and implemented necessary reforms to avoid a repeat catastrophe. Yet, in the face of alleged repeated police misconduct, we are unwilling to impose accountability. We act as if we expect a magical transformation spontaneously to occur and no members of the police department will violate the public trust and break the law. We know that is not true, no matter how some may protest to the contrary. We only need look to last week's indictment of a respected and revered lieutenant of the Pasadena Police Department who is accused of basically illegal arm sales, yes "gun running." At the time the lieutenant was placed on administrative leave with pay, 2 cargo vans loaded with firearms had just been removed from the lieutenant's personal residence, serving as the trusted adjutant to Chief of Police Phillip Sanchez. It is irrefutable that Police Chief Sanchez signed several waivers for the lieutenant in question to purchase certain guns without having to undergo the customary wait time imposed on civilians and most law enforcement personnel. And now, the Police Chief is tasked with the administrative and possibly local criminal investigation of one of its own. By this misguided logic, we could close all jails and prisons, simply give criminals a stern lecture and naively hope they will stop violating the law. What is the measure of accountability for a police officer or a police department?

In light of all of the above, I recommend the following steps are taken:

1. That, before the April 2nd meeting of the Public Safety Committee, the City Manager provide this Committee with a written report on the actions it plans to take to improve police community relations and restore trust lost;
2. That a respected independent agency undertake the administrative and local criminal review of the Pasadena lieutenant indicted by the U.S. Attorney last Friday;
3. That the indictment or charging documents concerning the referenced lieutenant be placed on the Police and City website without delay; and
4. That the City Manager make recommendations to the Public Safety Committee and/or City Council on how to increase civilian oversight of the Police Department using the model adopted by the Los Angeles County Board of Supervisors. On November 1, 2016, the County issued a press release. The first paragraph reads as follows: "A new Civilian Oversight Commission, aimed at boosting transparency and increasing trust between communities and the Los Angeles

County Sheriff's Department, was established today by the Board of Supervisors." The Executive Director of that Commission is attorney Brian Williams, a former Assistant City Manager and current resident of our wonderful City. Charter Reform is necessary, and we may have an opportunity to place a measure on the ballot in June to enact changes that would allow for similar oversight that exist today with Pasadena's newly enlightened sister agency, the Los Angeles County Sheriff's Department.

In closing, I hope my Public Safety colleagues, and the Council as a whole, will give my thoughts the most serious consideration for appropriate action! Thank you for your time."

OLD BUSINESS

FUTURE PARTICIPATION IN THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

RECOMMENDATION: It is recommended that the City Council consider the value of the City's membership in the San Gabriel Valley Council of Governments (SGVCOG) and select one of the options below:

- (1) Continue the current membership. If this option is chosen, the City Council may want to adopt a resolution approving the 4th Amendment to the San Gabriel Valley Council of Governments' (SGVCOG) Joint Powers Agreement (JPA) which fully integrates the Alameda Corridor-East Construction Authority (ACE) into the SGVCOG;
- (2) Withdraw from the SGVCOG; or
- (3) Continue current membership for the short-term and begin to transition the Arroyo Verdugo Communities Joint Powers Authority into a separate Council of Governments.

The Mayor provided an overview of the agenda report, recommended that the City of Pasadena withdraw from the SGVCOG, and responded to questions.

Councilmember McAustin noted her work as former City representative of SCVCOG, and provided information on the Arroyo Verdugo Communities JPA. Ms. McAustin advocated for a measured approach to this issue, by continuing the current membership with SCVCOG for the short-term, evaluate what benefits the City will not be receiving from the SGVCOG, and bring the possibility of the formation of an "Arroyo Verdugo Council of Governments" to the JPA.

Councilmember Gordo spoke on the need to know the current and long-term impacts of withdrawing from the SGVCOG; and spoke in favor of Councilmember McAustin's measured approach and suggested to forward this item to the Legislative Policy Committee.

Steve Mermell, City Manager, and Julie Gutierrez, Assistant City Manager spoke on their experience working with SGVCOG, and responded to questions.

The following individuals spoke in opposition to withdrawing from the SCVCOG:

Mr. Carver, residence not stated
Jasmine Richards Abdullah, Black Lives Matter
Debbie Tannenbaum, residence not stated

Substitute Motion:

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo, to continue the City's current membership with SGVCOG for the short-term, while working with the Arroyo Verdugo Joint Powers Authority to evaluate the feasibility of transitioning that body into a Council of Governments, and ask staff to reevaluate and report back on the benefits and potential loss, both in the short and long-term, in withdrawing from SCVCOG membership to the City Council in six months:

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

Motion:

It was moved by Mayor Tornek, seconded by Councilmember Hampton, to approve the withdrawal of the SGVCOG:

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

PUBLIC HEARINGS

PUBLIC HEARING: ADOPTION OF A ZONE CHANGE TO DESIGNATE A LANDMARK DISTRICT OVERLAY FOR THE MAGNOLIA LANDMARK DISTRICT (LD-27)

Recommendation:

- (1) Find that the application for a zone change to create a landmark district is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act, (Section 15308: Class 8, Actions by Regulatory Agencies for Protection of the Environment);
- (2) Find that the proposed Magnolia Landmark District meets the criteria for designation as a Landmark District as specified in Section 17.62.040.F of the Pasadena Municipal Code;
- (3) Find that the proposed zoning map amendment is consistent with the General Plan;

(4) Find that the proposed zoning map amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(5) Approve the landmark district designation and the zoning map amendment for the Magnolia Landmark District, LD-27; and

(6) Direct the City Attorney to prepare an ordinance within 60 days amending the official zoning map of the City of Pasadena established by Section 17.20.020 of the Pasadena Municipal Code to designate the landmark district with the LD-27 Overlay Zone.

Recommendation of the Historic Preservation Commission:

On July 18, 2017, the Historic Preservation Commission determined that the proposed Magnolia Landmark District meets the criteria for designation in Section 17.62.040.F of the Pasadena Municipal Code (PMC) and unanimously recommended approval of the designation.

Recommendation of the Planning Commission: At a public hearing on January 10, 2018, the Planning Commission acknowledged the determination of the Historic Preservation Commission that the proposed landmark district meets the criteria for designation in Section 17.62.040.F of the Pasadena Municipal Code (PMC), confirmed that the designation has written support from at least 51% of the owners of individual parcels in the district, found that the proposed zoning map amendment to create a landmark district is consistent with the General Plan and voted unanimously to recommend that the City Council approve designation of the Magnolia Landmark District.

The City Clerk opened the public hearing and reported that 7 copies of the notice were posted and 29 copies of the notice were mailed on February 15, 2018; no correspondence was received by the City Clerk's office regarding this item.

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

Councilmember Madison noted that the majority support of property owners in the neighborhood is 90%, not 76% as shown in the PowerPoint presentation.

The following individuals spoke in favor of the staff recommendations:

Bob Boyle, Pasadena resident
Erika Foy, Pasadena resident
Kristen Harrison, Pasadena resident
Mary Michelena-Monroe, Madison Heights Neighborhood Association
Lella Smith, Pasadena resident

Councilmember Madison left the meeting at 8:06 p.m.

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

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

PUBLIC HEARING: TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) HEARING AND RESOLUTION FOR THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS FOR THE PASADENA HOSPITAL ASSOCIATION, LTD. (HUNTINGTON HOSPITAL)

Recommendation:

(1) Find that the proposed action is not a "project" subject to California Environmental Quality Act (CEQA) as defined in Section 15378(b)(4) of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project; and

(2) Adopt a resolution approving the issuance of the California Statewide Communities Development Authority (CSCDA) Revenue Bonds (The Bonds) in an aggregate amount not-to-exceed \$135,000,000 for the purpose of financing and refinancing all or portion of the acquisition, construction, improvement, renovation, and equipping of certain health care facilities operated by Pasadena Hospital Association, Ltd. and owed by Pasadena Hospital Associates, Ltd. or its affiliates, and certain other matters related thereto. (Resolution No. 9639)

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Star News on February 15, 2018; no correspondence was received by the City Clerk's office regarding this item.

Councilmember Madison returned to the meeting at 8:12 p.m.

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

Jim Noble, Chief Financial Officer, and Eugene Gutierrez, Vice President, Finance and Congress Services, at Huntington Memorial Hospital, responded to questions regarding the proposed renovation project budget.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING: PASADENA CLIMATE ACTION PLAN

Recommendation:

- (1) Adopt the Negative Declaration (Appendix E of Attachment "A" of the agenda report);
- (2) Adopt the Pasadena Climate Action Plan (Attachment A of the agenda report) by resolution to implement Program B.3 of the Land Use Element of the General Plan; and
- (3) Direct the City Attorney to prepare amendments to Chapter 2.140 of the Pasadena Municipal Code to make the primary function of the Environmental Advisory Commission the monitoring of the implementation of the Climate Action Plan and establish that Commission meetings shall be quarterly. (Resolution No. 9640)

Recommendation of the Municipal Service Committee: On January 23, 2018, the Municipal Services Committee (MSC) unanimously voted to recommend approval of the draft Pasadena Climate Action Plan (CAP) and supported that the Environmental Advisory Commission have responsibility for monitoring and advising of the CAP.

Recommendation of the Environmental Advisory Commission: On January 18, 2018, the Environmental Advisory Commission (EAC) unanimously voted to recommend that the City Council adopt by resolution the draft CAP with the suggestion to involve the Commission in monitoring and advising of the CAP in order to address concerns regarding the need for greater specificity within the draft CAP's stated actions and implementation.

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Weekly on February 15, 2018 and February 22, 2018; and that the City Clerk's Office received 2 letters in favor of the staff recommendation, 8 letters in opposition to the recommendation, and 2 letters providing comments; which were distributed to the City Council and made part of the public hearing record.

David Reyes, Director of Planning and Community Development, and Anita Cerna, Senior Planner, provided a PowerPoint presentation on the item, and jointly responded to questions.

City Manager Mermell spoke on the challenges related to the Environmental Advisory Commission (EAC), and explained the rationale in recommending the Committee meet quarterly.

The City Council spoke on the importance of the EAC to monitor the implementation of the City's CAP, and expressed general consensus in opposition to amending (reducing) the EAC meeting schedule from meeting monthly to quarterly.

Councilmember Madison spoke on the President of the United States decision to withdraw from the United Nations Educational, Scientific and Cultural Organization (UNESCO) and that cities are currently participating through the Creative Cities Network, which is made up of cities around the world, related to sustainable urban development, specifically the categories of Design and Music Media Arts; and would like the City Council to consider vigorously pursue this effort and joining the network.

Gurcharan Bawa, General Manager Water and Power, responded to questions regarding the modification to the City's Integrated Resource Plan (IRP) and the costs associated with solar and wind.

Councilmember Wilson stated his preference that a systematic assessment based on costs and function of committees be submitted as part of the budget discussion.

The City Council commended and expressed gratitude to the Anita Cerna, Senior Planner, and all staff for their extraordinary work on this complex subject.

Councilmember McAustin supported the concept that the monitoring body for the City's CAP be the EAC, with the CAP to be the Commission's primary focus and work plan, and asked staff to evaluate the EAC's timing of their monthly meetings, progress on the CAP, determine if there are reportable actions within a reasonable time frame. She also suggested that the City Manager, as part of the budget process, provide information on whether cost savings can be achieved by reducing the frequency of Committee/Commission meetings and to ensure staff time is being used practically.

The Mayor spoke on the discussion he had with the EAC to modify and shift their work program to focus primarily on the CAP, and suggestion that the EAC meet less frequently; and spoke in favor of staff analyzing the City's commission and committees to determine if consolidations and changes in formats should be considered during the budget process.

The following individuals provided comments and recommendations on the proposed action and the Climate Action Plan:

Joel Haber, Pasadena resident
Robert Haw, Altadena resident
Therese Brummel, Pasadena resident
Tom Brady, Pasadena 100
Cary Belling, Pasadena resident
Daniel Rossman, Environmental Advisory Commission

Mr. Caver, residence not stated
Wes Reutimann, Pasadena resident
Susan Dembowski, Pasadena resident
David Cutter, Pasadena resident

Councilmember McAustin announced that there will be a future stakeholders meeting to discuss the City's IRP, and that the individuals that spoke on the item will be invited to attend and provide input.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Councilmember McAustin, seconded by Councilmember Wilson, to approve the staff recommendation, amended by removing from the action the portion of recommendation No. 3 that would have reduced the meeting frequency of the EAC, "~~...and establish that Commission meetings shall be quarterly.~~" (Motion unanimously carried) (Absent: None)

Councilmember McAustin and Vice Mayor Kennedy stated conflicts of interest related to this item, recused themselves, and left the meeting at 9:41p.m.

APPROVAL OF TERMS OF SECURITY AGREEMENT WITH HHP-LOG, LLC FOR DEVELOPMENT OF INCLUSIONARY OFF-SITE HOUSING PROJECT AT 745-759 NORTH ORANGE GROVE BOULEVARD

Recommendation:

- (1) Find that the action proposed in the agenda report is exempt from CEQA review pursuant to State CEQA Guidelines Section 15061(b)(3), the "general rule" that CEQA applies only to projects which have the potential for causing a significant effect on the environment;
- (2) Approve the terms of a Security Agreement between the City and HHP-LOG, LLC in connection with the proposed development of a 25-unit affordable housing project located at 745-759 North Orange Grove Boulevard (the "Development"); and
- (3) Authorize the City Manager to approve, and the City Clerk to attest, the Security Agreement along with any and all documents required to secure HHP's obligation to complete the Development. (Contract Nos. 22,916, 22,917)

City Manager Mermell, and William Huang, Director of Housing, provided information and introductory comments, and Jim Wong, Senior Project Manager, responded to questions.

The following individuals spoke on the item and/or expressed concerns with certain aspects of staff's recommendation:

Charles Loveman, Heritage Housing Partners
Skip Hickambottom, Pasadena resident
Peggy Names, Pasadena resident

Michelle White, Affordable Housing Services
Jill Shook, Pasadena resident

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

Councilmember McAustin and Vice Mayor Kennedy returned to the dais and meeting at 10:06p.m.

PROPOSED FISCAL STRATEGY TO MAINTAIN QUALITY CITY SERVICE LEVELS AND ADDRESS AGING INFRASTRUCTURE NEEDS

Recommendation: It is recommended that the City Council endorse the proposed fiscal strategy outlined in the agenda report to maintain quality City service levels and address aging infrastructure needs and direct staff to return to the Council as appropriate to place a revenue measure and an advisory vote on the November 2018 ballot.

Steve Mermell, City Manager, provided a PowerPoint presentation on the item, and responded to questions; and Matt Hawkesworth, Director of Finance, responded to questions regarding the City's current sale tax.

Councilmember Madison expressed concerns with putting forward to voters a revenue measure for approval, with the City spending funds on capital projects and having a healthy reserve account.

Councilmember Hampton stated that he believes it would be irresponsible for the City to access their reserves to cover the City's operating budget expenses, as well opposed cutting much needed services for the City's youth and seniors; and supported the component of the proposal that will help fund the Pasadena Unified School District. In addition, Mr. Hampton stated that if the voters approve a revenue measure, the City research the possibility of incrementally increasing the sales tax.

Councilmember McAustin spoke in support of protecting and maintaining the public's reserve for emergencies, and spoke in favor of allowing the City voters to vote on the matter, and provide information on the City's budget at public meetings to inform the residents of current and future budget issues facing the City.

The City Clerk responded to questions regarding the legal deadlines for calling the election, and submitting a revenue measure to voters as part of the November 2018 General election.

Councilmember Gordo noted that if the City does not act, the County of Los Angeles may attempt to take up the remaining taxing capacity; and asked staff to meet with surrounding municipalities (i.e. Arcadia, Burbank, Glendale, South Pasadena), to coordinate

efforts of similar revenue measures that may be under consideration to lend creditability to the City's effort. He also asked staff to state publicly which municipalities are considering a revenue measure, in order to best inform the City's business community, and in the interim have staff prepare the necessary reports so that City Council has the option to move forward in May or June 2018 with a revenue measure on the November 2018 ballot.

Councilmember Wilson asked staff to provide the refreshed analysis on the alternative revenues in tabular format, and include information on how many votes are needed, and how much revenue can be raised, to demonstrate a conclusion on which measure is the best; and spoke in favor of a slow roll concept, if legally feasible.

Following discussion, it was moved by Vice Mayor Kennedy, seconded by Councilmember Hampton to approve the staff recommendation amended to include the direction to staff as detailed above:

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

**PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA (Continued)**

Nancy Holman, Pasadena, resident, asked the City Council to amend the City's development standards related to permitting regulations on fences and walls.

In response to public comment, the Mayor stated that staff will follow up and reach out to Ms. Holman regarding her concerns.

Emanuel Najera, Pasadena resident, stated is opposition to measures related to marijuana and voting that will be on the June 2018 ballot, and spoke on the federal investigation of two Pasadena police officers.

Debbie Tannenbaum, Pasadena resident, asked the City Council not to limit the public comment to twenty minutes at the beginning of the meeting, and to reconsider the number of allowable marijuana shops in the City.

The following individuals spoke on matters related to the Pasadena Police Department including, the need for change in policing practices and in the Department itself, the federal investigation of two Pasadena Police officers, the need for better practices in policing the community, demanded the firing of two officers

involved in the fatal shooting of Kendric McDade, the need to invest in Northwest Pasadena, and requested the release of video and/or documentation related to the death of Reginald Thomas Jr:

Steven Gibson, Altadena resident
Jasmine Richards, Black Lives Matter
Juan Zuleta, Black Lives Matter
Mr. Craver, residence not stated

Vice Mayor Kennedy requested that the City Manager release as much information as possible regarding the federal investigation related to two Pasadena police officers.

COUNCIL COMMENTS

Councilmember Hampton reiterated his strong disagreement in the decision to allow the two officers involved in the incident with Mr. Christopher Ballew to provide security for the Black History Parade.

Councilmember McAustin asked staff to summarize SB1818 Density Bonuses, and other various bills related to housing that the Governor signed, and include potential impacts to the City, and what the City can do to mitigate any impacts.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:28 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk