

CITY OF PASADENA  
City Council Minutes  
April 23, 2018– 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Tornek called the regular meeting to order at 5:31 p.m.  
(Absent: Councilmember Hampton)

On the order of the Mayor, the regular meeting recessed at 5:31 p.m. to discuss the following closed session:

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to Government Code Section 54956.8

**Property Location:** 245 Ramona Street and 207 North Garfield Ave, Pasadena, CA

**Agency Negotiator:** Steve Mermell

**Negotiating Party:** David Howard

**Under Negotiation:** Price and terms of Payment

Councilmember Hampton arrived at 6:17 p.m.

**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 Attorney/City Prosecutor

**City Representative:** Terry Tornek

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

On order of the Mayor, the regular meeting reconvened at 6:49 p.m. The pledge of allegiance was led by Councilmember Hampton.

**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 oath of office to Helen Rahder, Historic Preservation Commissioner.

Mayor Tornek presented a proclamation declaring April 24, 2018 as "Day of Remembrance of the Armenian Genocide" in Pasadena. Danny Donabedian, Chair of the Armenian National Committee of America/Pasadena Chapter, expressed appreciation to the Mayor and City Council, introduced members of the Board, and spoke on the history of Armenian Genocide.

The Mayor presented a proclamation declaring April 25, 2018, as "Denim Day" in Pasadena. Lorena Yopez Hernandez, Chair of the Commission on the Status of Women, and Patti Giggans, Executive Director of Peace Over Violence, received the proclamation, expressed appreciation to the Mayor and City Council, and provided information on Denim Day.

The City Council expressed sympathies and condolences on the passing of Marjorie K. Wyatt, a lifelong Pasadena community activist, and Dolores Silvestri, community advocate, and requested that the meeting be adjourned in their memory.

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

Erika Foy, Pasadena resident, distributed literature, and expressed concerns with the new development regulations in the City and the impacts of increased traffic to residential communities.

Pastor Michael Burnes, Pasadena resident, advocated for community involvement in the selection process for a new Police Chief, made comments regarding the Police Department and staff; and invited the City Council and City staff, to a community discussion on discrimination and police enforcement, on May 18, 2018 at the Rose Court in Pasadena.

Niles Livingston Sr., residence not provided, spoke on his personal experience attending church services and recited biblical scripture.

Robert Gorski, The Civitan Club of Pasadena, distributed brochures and spoke on the importance of employing individuals with disabilities.

Bill "Native Horse" Watkins, Los Angeles resident, spoke on the need to incorporate Native American wisdom in City government policies, the importance of commencing the City Council meetings promptly at 6:30 p.m.; and recommended that the City utilize a pedestrian security force to assist with cleaning the sidewalks in the City.

**CONSENT CALENDAR**

**AUTHORIZE INCREASE TO PURCHASE ORDER NO. 1180455 WITH INTELLITIME SYSTEMS CORPORATION BY \$125,001 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$200,000 FOR ADDITIONAL PROFESSIONAL SERVICES RELATED TO CONFIGURATION OF THE VIRTUAL TIMECARD INTERFACE (VTI) SYSTEM**

**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;
- (2) Authorize the City Manager to increase Purchase Order No. 1180455, with Intellitime Systems Corporation by \$125,001, thereby increasing the total not-to-exceed amount from \$74,999 to \$200,000; 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.

**FINANCE COMMITTEE: AMEND FUNDING AGREEMENT WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY TO EXTEND THE FEDERAL TRANSIT ADMINISTRATION SECTION 5316 JOB ACCESS AND REVERSE COMMUTE PROGRAM GRANT**

**Recommendation:**

- (1) Find that the following proposed actions are exempt from review pursuant to the California Environmental Quality Act ("CEQA"), Guidelines in accordance with Title 14, Chapter 3, Section 15301 (Existing Facilities); and
- (2) Authorize the City Manager to amend the existing funding agreement by \$1,099,362 from \$1,987,285 for a total value of \$3,086,647 through September 20, 2020 with the Los Angeles County Metropolitan Transportation Authority (Metro) for the receipt of additional \$886,230 grant funds to extend the Federal Transit Administration (FTA) Section 5316 Job Access and Reverse Commute program to increase local transit capacity on Pasadena Route 20. Neither Competitive Bidding nor Competitive Selection are required pursuant to City Charter Section 1002(H) and Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities. (Contract No. 21,480-1)

**FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2018 ADOPTED OPERATING BUDGET**

**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) Amend the Fiscal Year (FY) 2018 Adopted Operating Budget as detailed in the Proposed Budget Amendments section of the agenda report. (Budget Amendment No. 2018-36)

**APPROVAL OF 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 a new employment agreement for City Clerk Mark Jomsky which sets forth the terms and conditions of the employment agreement between the parties. It is further recommended that the Mayor be authorized to sign the employment agreement to reflect City Council approved changes. (Contract No. 22,943)

**MINUTES APPROVED**

March 28, 2018  
April 9, 2018

**CLAIMS RECEIVED AND FILED**

Claim No. 13,079	Maria Osuna	\$	13,200.00
Claim No. 13,080	Angela Denny Picano		Not stated
Claim No. 13,081	United Financial Casualty Company a/s/o Michael Liu		3,264.16

**PUBLIC HEARING SET**

**May 21, 2018, 7:00 p.m.** - Revision to Planned Development No. 35 (Colorado Hill) 1347-1355 East Colorado Boulevard and 39 North Hill Avenue; 1336 East Colorado Boulevard

The Mayor summarized the compensation amounts provided to the City Clerk as part of the proposed contract approval listed above.

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

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**APPROVAL OF COLORADO BRIDGE TASK FORCE RECOMMENDATION TO DETER SUICIDE ATTEMPTS ON THE COLORADO STREET BRIDGE**

**Recommendation:**

- (1) Direct staff to further study the recommendations of the Colorado Street Bridge Task Force, and return to Council with a recommended project and appropriate environmental review; and
- (2) Approve the suicide prevention measures recommended by the Colorado Bridge Task Force to deter suicide attempts on the Colorado Street Bridge.

Ara Maloyan, Director of Public Works, provided a PowerPoint presentation on the item, and responded to questions.

The City Council commended and thanked Mr. Maloyan, City staff, and appointed Task Force members, for their excellent work in relation to the issue of deterring suicide attempts on the Colorado Street Bridge.

Councilmember Hampton asked staff to consider installing temporary fencing at the ends/approaches on the bridge to address certain safety concerns until an approved fence design is constructed.

Michael Johnson, Director of Public Health, provided information on the individuals who attempt suicide from the Colorado Street bridge, noting that the lack of Pasadena residents among the victims, and provided additional generalized information on suicide attempts from bridges and suicide prevention measures.

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

**PUBLIC HEARING**

**PUBLIC HEARING: PROPOSED MUNICIPAL CODE AMENDMENTS FOR WATER EFFICIENT LANDSCAPE REGULATIONS**

**Recommendation:**

- (1) Acknowledge that the proposed Municipal Code Amendment and Zoning Code Amendment are not a project subject to the California Environmental Quality Act (CEQA) per Sections 15307, Class 7, for Actions by Regulatory Agencies for Protection of Natural Resources and 15308, Class 8, for Actions by Regulatory Agencies for Protection of the Environment. The proposed Zoning Code Amendment is also exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3) of the CEQA Guidelines, the general rule, in that CEQA applies only to projects which have the potential for causing a significant effect on the environment;

- (2) Adopt the Findings of Consistency with the General Plan in Attachment A of the agenda report;
- (3) Direct the City Attorney to prepare an ordinance within 60 days repealing Chapter 13.22 (Water Efficient Landscape) as contained in the agenda report; and
- (4) Direct the City Attorney to prepare an ordinance within 60 days amending Title 17 (Zoning) of the Pasadena Municipal Code as presented in the agenda report.

The City Clerk opened the public hearing; and reported that the public hearing notice was published in the Pasadena Journal and the Pasadena Weekly on April 5, 2018, April 12, 2018, and April 19, 2018; no correspondence was received by the City Clerk's office regarding this item.

David Reyes, Director of Planning, introduced the item, and Guille Nunez, Management Analyst V, summarized the item as part of a PowerPoint presentation, and responded to questions.

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

Councilmember McAustin expressed concerns with the new Model Water Efficient Landscape Ordinance (MELO) regulations that may raise the price of construction and her belief that such state regulations are unnecessary. Ms. McAustin asked that the City be more assertive in its approach to state mandated regulations, with staff to compose a letter to State representatives to complain about this very proscriptive ordinance.

Michele Beal Bagneris, City Attorney/City Prosecutor, responded to questions regarding the penalties for not complying with MELO regulations. Javan Rad, Chief Assistant City Attorney, provided information on the State's enforcement of MELO regulations.

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

Councilmembers Madison and Wilson left the dais at 9:03 p.m.

**PUBLIC HEARING: CITY MANAGER'S RECOMMENDED FISCAL YEAR (FY) 2019 – 2023 CAPITAL IMPROVEMENT PROGRAM BUDGET**

**Recommendation:** It is recommended that the City Council:  
(1) Open the public hearing on the City Manager's Recommended Fiscal Year (FY) 2019 – 2023 Capital Improvement Program (CIP) Budget; and

(2) Continue the public hearing to April 30, 2018 at 7:00 p.m. and thereafter at each subsequent meeting of the City Council until the City Council determines that the public hearing may close and then formally adopt the FY 2019 - 2023 CIP Budget.

The Mayor reported that the Public Hearing on the item was opened at the special joint Finance and City Council meeting, today, April 23, 2018 at 2:30 p.m.

It was moved by Councilmember Gordo, seconded by Councilmember Hampton, to continue the public hearing to April 30, 2018, at 2:30 p.m. and 7:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Madison, Wilson)

**INFORMATION ITEM**

**PREDEVELOPMENT PLAN REVIEW OF A NEW RESIDENTIAL DEVELOPMENT AT 1307-1355 LINCOLN AVENUE AND 460-466 WEST WASHINGTON BOULEVARD**

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

Councilmember Wilson and Madison returned to the dais at 9:07 p.m.

David Reyes, Director of Planning, provided introductory comments, and Talyn Mirzakhian, Acting Zoning Administrator, summarized the agenda report as part of the PowerPoint presentation, and responded to questions.

Councilmember Hampton disclosed that he, staff and community members met with the proposed project developer. He thanked David Reyes and Planning staff for allowing the community to be involved in the discussion; and stated for the record: "There were community concerns about the setbacks from Lincoln, open space and also design and mass of the building," and stated that the developer acknowledged the community's concerns.

Councilmember McAustin expressed concerns that the proposed project is out of context with the surrounding area, and is not consistent with the City's General and Specific Plans, or the City's Zoning requirements.

The Mayor expressed his preference for a good mixed-use project at the proposed project site.

Katie Vila, Local Construct (Developer representative), stated their commitment to revising their plan development project.

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

COUNCIL COMMENTS

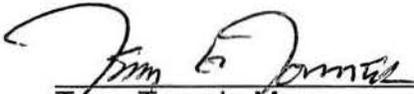
Vice Mayor Kennedy spoke on the Pasadena Armenian Genocide Memorial freeway sign unveiling ceremony, held on April 21, 2018 commemorating the 103<sup>rd</sup> anniversary of the Armenian Genocide.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:34 p.m., in memory of Marjorie K. Wyatt, and Dolores Silvestri.

ATTEST:

City Clerk

  
\_\_\_\_\_  
Terry Tornek, Mayor  
City of Pasadena