

CITY OF PASADENA
City Council Minutes
October 15, 2018— 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: Councilmember 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: Steve Mermell and
Jennifer Curtis**

**Employee Organization: Service Employees International
Union, Local 721 (SEIU)**

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

**Property Location: 333 North Hill Avenue, #307, Pasadena,
CA 91106**

Agency Negotiator: Steve Mermell

Negotiating Party: Baret H. Yeretzian

Under Negotiation: Price and terms of Payment

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

**Property Location: 217 South Marengo Avenue, #109,
Pasadena, CA 91101**

Agency Negotiator: Steve Mermell

Negotiating Party: Ira C. Dupere

Under Negotiation: Price and terms of Payment

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

On order of the Mayor, the regular meeting reconvened at 6:39 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

Pipe Major Trevor Takahashi, Pasadena Scottish Pipes & Drums, presented a PowerPoint presentation on their organization and winning the 2018 World Pipe Band Championships (3B Grade). The Mayor presented Mr. Takahashi with a certificate of recognition on the group's impressive accomplishment.

The Mayor presented a proclamation to Michel Beal Bagneris, City Attorney/City Prosecutor and Linda Offray CEO of Shepherd's Door, declaring October 2018 as "Domestic Violence Awareness Month." Ms. Offray thanked the Mayor and City Council for their continued support of this important issue.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Genevieve Clavreul, Pasadena resident, distributed information and asked the City not to take a position when the Certified Nursing Assistants (CNA) at Huntington Memorial Hospital seek support from the City to unionize.

Alan Jay, Pasadena resident, spoke on his need to access medical marijuana in the City, the need for the City to formulate its regulations, and advocated for current medical marijuana collectives to be provided grandfathered status as legal operators in the City.

Shaun Szameit, Pasadena resident, spoke on the City's Cannabis ordinance related to collectives in the City.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH VISION ELECTRIC WHOLESALE INC., TO FURNISH STREET LIGHT AND TRAFFIC SIGNAL MATERIALS AND SUPPLIES IN AN AMOUNT NOT-TO-EXCEED \$300,000

Recommendation:

(1) Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(2), 15060(c)(3) and 15378, and as such, no environmental document pursuant to CEQA is required for the project;

(2) Accept the bid dated August 7, 2018, submitted by Vision Electric Wholesale Inc., in response to Electrical Parts, Supplies and Materials, reject all other bids received, and authorize the City Manager to enter into a contract with Vision Electric

Wholesale Inc., for an amount not-to-exceed \$150,000 or two years whichever occurs first; and

(3) Authorize the City Manager to extend the contract for up to two one-year periods not-to-exceed \$75,000 or twelve months whichever occurs first for a maximum of four years and a total not-to-exceed amount of \$300,000. (Contract No. 31332)

CONTRACT AWARD TO SOUTHWEST PIPELINE AND TRENCHLESS CORPORATION FOR 2019 SEWER RELINING AND POINT REPAIR PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$1,940,000

Recommendation:

(1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) State Guidelines in accordance with Title 14, Chapter 3, Article 19, Section 15301, Class 1, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination, and that there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances; and

(2) Accept the bid dated October 5, 2018, submitted by Southwest Pipeline and Trenchless Corporation in response to the plans and specifications for the 2019 Sewer Relining and Point Repair Project, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$1,940,000. (Contract No. 31331)

AUTHORIZATION TO AMEND CONTRACT NO. 30,272 WITH JOHN L. HUNTER AND ASSOCIATES, INC., TO INCREASE TOTAL NOT-TO-EXCEED AMOUNT BY \$600,000 FROM \$400,000 TO \$1,000,000 FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CONSULTANT SERVICES

Recommendation:

(1) Find that actions proposed in the agenda report are 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 amend Contract No. 30,272 with John L. Hunter and Associates, Inc., to increase the contract amount by \$600,000, thereby increasing the total not-to-exceed amount from \$400,000 to \$1,000,000 and extending the contract an additional three years; and

(3) To the extent this could be considered a separate procurement subject to the Competitive Selection Process, it is further recommended that City Council grant the proposed contract an exemption from the Competitive Selection Process

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. 30272-2)

AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR ACCEPTANCE OF SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT FUNDS

Recommendation:

- (1) Find that acceptance of this grant is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Article 19, Categorical Exemption Section 15323; and
- (2) Authorize the City Manager to enter into an agreement with the State of California for acceptance of Selective Traffic Enforcement Program (STEP) Grant funds. (Contract No. 23,044)

APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, LOCAL 858 FOR THE TERM OF JULY 1, 2018 – JUNE 30, 2019

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 Memorandum of Understanding between the City of Pasadena and the American Federation of State, County and Municipal Employees, Local 858 for the term of July 1, 2018 – June 30, 2019. (Contract No. 23,045)

RESIGNATION OF PAULA KELLY FROM THE ENVIRONMENTAL ADVISORY COMMISSION (Mayor Nomination)

APPOINTMENT OF BLAIR SALISBURY TO THE PASADENA CENTER OPERATING COMPANY BOARD (Mayor/Property Owner Nomination)

APPOINTMENT OF BEVERLEY MORGAN-SANDOZ TO THE COMMISSION ON THE STATUS OF WOMEN (District 1 Nomination)

**APPOINTMENT OF JESSICA BOWLES-MARTINEZ TO THE
TRANSPORTATION ADVISORY COMMISSION (District 3
Nomination)**

APPROVAL OF MINUTES

September 24, 2018

CLAIMS RECEIVED

Claim No. 13,167	State Farm General Insurance as subrogee for Yvette Marquez	\$ 81,260.33
Claim No. 13,168	Jeanette Almazan	3,575.52
Claim No. 13,169	Law Offices of Frank T. Stanley, representing Eun Kyo Chu	25,000.00+
Claim No. 13,170	Culture Salon	6,555.00
Claim No. 13,171	Vache Hagobian	1,505.63

PUBLIC HEARINGS SET

October 29, 2018, 7:00 p.m. - Designation of 901 Laguna Road as a Landmark

October 29, 2018, 7:00 p.m. - Designation of 171 South Grand Avenue as a Landmark

November 5, 2018, 7:00 p.m. - Designation of 464 E. Walnut Street as a Landmark

November 5, 2018, 7:00 p.m. - Designation of 885 S. Madison Avenue as a Landmark

November 5, 2018, 7:00 p.m. - Designation of 1000 Cordova Street as a Landmark

November 19, 2018, 7:00 p.m. - Designation of 817 Rio Grande Street as a Landmark

November 19, 2018, 7:00 p.m. - Designation of 200 Fern Drive as a Historic Monument

It was moved by Councilmember McAustin, seconded by Vice Mayor Kennedy, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmember Madison)

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**ORANGE GROVE BOULEVARD COMPLETE STREETS
PROJECT**

Recommendation:

(1) Find that the proposed actions are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the General Rule the

CEQA only applies to projects that may have an effect on the environment; and

(2) Remove the Complete Streets - Orange Grove Boulevard (Pedestrian and Bicycle Improvements) Project (Priority 5.40) from the Future Projects Section of the Capital Improvement Program, thereby eliminating the "road diet" option for Orange Grove Boulevard.

City Manager Mermell provided a PowerPoint presentation on the item, and responded to questions.

Councilmembers Masuda, McAustin, Gordo, and Vice Mayor Kennedy spoke in support of the staff recommendation.

In response to Councilmember McAustin's inquiry, City Manager Mermell stated that the Capital Improvement Program projects, Traffic Signal at Orange Grove Blvd. and Sunnyslope Ave.(75099) and Traffic Signal at Orange Grove Blvd. and Craig Ave. (75097), are both funded and are unaffected by the staff recommendation.

Councilmember Gordo spoke on the need for the City to adopt measures that will prevent spillover traffic from Orange Grove Boulevard onto surrounding residential neighborhood streets. He also suggested that staff take proactive steps to engage the public that have expressed interest in the planning process to become participants in discussions related to street and pedestrian safety planning along Orange Grove Boulevard.

Councilmember Wilson expressed concerns with the integrity of the General Plan process, and specifically how it integrates with the Mobility Element and the City's Bicycle Master Plan. He suggested that staff consider changes to how these plans are developed, to ensure that they are appropriate, coordinated, consistent with the City's goals, and timely completed.

Councilmember Hampton spoke on the need for a discussion related to informing the residents of the City's Bicycle Master Plan and the impacts/changes that will occur as a result of implementing that plan.

The following individual spoke in favor of the staff recommendation and/or provided comment on the item:

Frank Duerr, Keep Pasadena Moving (KPM), (submitted a petition)
Beverly Ashley, Pasadena resident

Ken Perry, Pasadena resident
Lee Allen, Pasadena resident
Carol Fletcher, Pasadena resident
Michael Warner, Pasadena resident
Kevin Castaing, Pasadena resident
Kathy Gregg, Pasadena resident
Janet Wuldron, Pasadena resident
Jeanette Mann, Pasadena resident
Jim Houston, residence not stated
Jennifer Fleischner, KPM
Art Leos, Pasadena resident
Lilliana Araya, Pasadena resident
Jill Fosselman, Pasadena resident
George McPherson, Pasadena resident

Councilmember Madison
arrived at 7:54 p.m.

Following discussion, the Mayor spoke on the need to better integrate the Specific Plan and the General Plan process with the components related to transportation planning.

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

The meeting was recessed at
7:54 p.m. and reconvened at
7:56 p.m.

DEVELOPMENT INTENSITY AND STRATEGIES FOR INCREASING AFFORDABLE HOUSING

Recommendation:

- (1) Consider the various options provided in the agenda report and provide further direction to staff;
- (2) Direct staff to undertake the steps necessary to increase the inclusionary housing percentage through the process outlined in the agenda report;
- (3) Approve the staff recommendation related to the inclusionary housing in-lieu fee as outlined in the agenda report and is the subject of a separate public hearing this evening; and
- (4) Initiate a zoning code text amendment to implement strategies for increasing affordable housing by revising the inclusionary housing ordinance.

City Manager Mermell, and David Reyes, Director of Planning, provided introductory comments, and Andre Sahakian, Associate Planner, provided a PowerPoint Presentation on the item, and all responded to questions.

Bill Huang, Director of Housing, responded to questions related to very-low income home, and the elimination of trade-down options.

Councilmembers Gordo and Hampton expressed concerns with eliminating the very-low for-sale affordable option.

Councilmember Gordo expressed concerns with the City acting in the capacity of a housing authority, owning and managing properties. He asked staff to look at state density bonus laws in relation to the City's underlying land-use regulations; and expressed concerns with the unfair enforcement by the State of California Housing and Community Development Department (HCD), encroaching on City's rights to administer affordable housing regulations in Pasadena.

In response to Councilmember Gordo's inquiry, Mr. Reyes stated that he would provide information on the cities that received correspondence by the HCD notifying enforcement actions in the City Managers newsletter.

Councilmember McAustin stated the need to consider waiving fees with projects of less than 10 units, and perhaps instead consider a fixed fee model so that all developers pay their fair share towards affordable housing. She also urged the City to contact state legislative representatives and advocate on behalf of the City on issues such as maintaining local control, especially when it comes to land-use planning and regulations, and reward those cities, such as Pasadena that take a leadership role in the area of affordable housing.

The following individuals spoke on various aspects of the proposed recommendation, and provided comments and/or suggestions:

Vice Mayor Kennedy was excused at left the meeting at 9:07 p.m.

Violet Coker, Carpenters/Contractors Cooperation Committee
Erika Foy, Madison Heights Neighborhood Association (MHNA) (submitted correspondence)
Bert Newton, Pasadena resident
Anthony Manousos, Greater Pasadena Affordable Housing Group (GPAHG)
Megan Katerjian, Door of Hope
Jill Shook, GPAHG
Carol Daley, GPAHG
Cynthia Kirby, GPAHG
Richard McDonald, Pasadena resident
Tim Piasky, Building Industry Association
Burke Farrar, Odyssey Development Services
Ryan Panzarelle, MHNA
Michelle White, Affordable Housing Services

Stephen Hill, Pasadena resident
Treasure Sheppard, Pasadena resident

In regard to the correspondence submitted by Ms. Foy, City Attorney/City Prosecutor Michele Beal Bagneris stated that the subject matter cited in the correspondence has the potential to come before the City Council, and therefore, it would be inappropriate for the Council to consider, discuss, or refer to it at this time.

Councilmember Wilson asked staff to consider not offering the option of paying in-lieu fees for projects that fall within a certain size or scale in order to obligate developers to build affordable housing units. He stated his preference that the City Council look at affordable housing, including inclusionary in-lieu fees, holistically rather than piecemeal.

Councilmember Hampton suggested that the Economic Development and Technology Committee consider agendaizing a discussion on community land trust and housing at a future meeting. He also spoke in favor of a multifaceted approach to affordable housing requirements on future projects, that are made up of very-low, low, and moderate affordable units.

Councilmember Gordo asked staff to emphasize dispersing affordable housing throughout the City, to ensure it is not concentrated in any one part of the City; and stated the need to discuss inclusionary in-lieu fee rates with the strategies for increasing affordable housing.

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember Hampton, to approve staff recommendations Nos. 2 and 4, with direction to staff to study various increases to the required inclusionary housing percentage for proposed housing developments, and return to the City Council with alternatives for consideration. (Motion unanimously carried) (Absent: Vice Mayor Kennedy)

PUBLIC HEARING

CONTINUED PUBLIC HEARING: PROPOSED ADJUSTMENTS TO INCLUSIONARY IN-LIEU FEE RATES

Recommendation: It is recommended that at the conclusion of the public hearing, the City Council take the following actions:

(1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment; and

- (2) Approve the recommended Inclusionary In-Lieu Fee rates shown in the table and the implementation schedule as described in the agenda report.

The City Clerk opened the public hearing; and reported that the public hearing notice was published in the Pasadena Star News on August 17, 2018 and in the Pasadena Journal and the Pasadena Weekly on August 23, 2018; two letters were received in favor of increasing in-lieu fees and two letters were received in opposition to increasing in-lieu fees. All the correspondence was distributed, posted on-line, and made part of the public hearing record.

In light of the previous discussion on Development Intensity and Strategies for Increasing Affordable Housing, Councilmember Gordo suggested the need for a comprehensive report, and proposal prior to taking action on this item and requested that the Public Hearing be cancelled.

The Mayor and Councilmember Hampton spoke in opposition to delaying the inclusionary in-lieu fee rates.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Madison, to cancel the public hearing:

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

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

The following individuals provided comments on the proposed adjustments to the City's inclusionary in-lieu fees:

Erika Foy, Pasadena resident (distributed correspondence)
Joseph Bautista, Greater Pasadena Affordable Housing
Group (GPAHG)
Anthony Manousos, GPAHG
Jill Shook, GPAHG
Carol Daley, GPAHG
Cynthia Kirby, GPAHG
George Patton, Throop Church
Anne Marie Molina, Pasadena resident
Kimberly Douglas, Pasadena resident

Michele White, Pasadena resident, asked the City Council to consider taking a position of support on California Proposition 10, Local Rent Control Initiative (2018).

Following public comment, Councilmember Gordo asked staff to provide definitive information on the City's ability to terminate the City's Inclusionary In-Lieu Fee component.

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS** Continued

AUTHORIZATION TO ENTER INTO A CONTRACT WITH LOS ANGELES HOMELESS SERVICES AUTHORITY (LAHSA) FOR THE RECEIPT OF MEASURE H FUNDING IN THE AMOUNT OF \$1,243,825 FOR HOMELESS SUPPORTIVE SERVICES

Recommendation:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061(b)(3), the "General Rule" that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to enter into a contract with Los Angeles Homeless Service Authority (LAHSA) for the receipt of funding to provide homelessness prevention, rapid rehousing, coordinated entry, and motel voucher programs in the City of Pasadena in the amount of \$1,243,825 in Measure H funds;
- (3) Amend the Fiscal Year 2019 Operating Budget to recognize revenues and appropriate funds in the amount of \$1,243,825; and
- (4) Authorize the Mayor to send a letter on behalf of the City of Pasadena requesting a more equitable allocation of Measure H funding to Pasadena. (Contract No. 23,046)

Bill Huang, Director of Housing, and Jennifer O'Reilly-Jones, Program Coordinator II, provided a PowerPoint presentation on the item, and jointly, responded to questions.

Councilmembers Hampton, McAustin, and Gordo expressed concerns with the minimal amount of Measure H funding awarded to the City, especially in comparison to the amount of community tax dollars contributed to Measure H.

The Mayor stated that he would send correspondence to the County of Los Angeles, on behalf of the City Council, advocating for additional funding to address homelessness from Measure H.

Councilmember Madison expressed concerns with the service resistant, dangerous transients who harass and threaten the public in various locations throughout the City, and stated the

urgent need to direct resources to address mental health issues and provide permanent supportive housing.

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

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO ALLOW THE CONVERSION OF HOTELS AND MOTELS TO AFFORDABLE HOUSING, AND AMENDING TITLE 4 (REVENUE AND FINANCE) TO WAIVE CERTAIN FEES FOR CONVERSIONS” (Introduced by Councilmember Hampton) (Ordinance No. 7333)

David Reyes, Director of Planning and Community Development, responded to questions related to the exemptions in the proposed ordinance.

The City Clerk reported that 5 letters in opposition to the proposed ordinance (specifically related to the Ramada Inn conversion) and 1 letter in support of the proposed ordinance were received by the City Clerk's office regarding this item, and distributed to the City Council.

The following individual spoke in opposition to the proposed ordinance:

Salina Chinn, Chapman Woods
Amresh Jain, Pasadena resident

The following individual spoke in support of the proposed ordinance:

Karen Caffee-Grace, Pasadena resident
Anthony Manousos, GPAHG
Michelle White, Pasadena resident
Carol Daley, GPAHG

Following public comment, Councilmember Gordo clarified that the proposed ordinance is a citywide ordinance to construct permanent supportive housing and is not to be used for the construction of homeless shelters in the City. He also reiterated his request for a citywide policy that addresses the overconcentration of affordable housing, and permanent supportive housing in certain parts of the City.

Councilmember Masuda reiterated his concerns regarding the many existing hotels located in District 4 on Colorado Boulevard and his opposition to the proposed ordinance.

Councilmember McAustin announced that a public meeting is scheduled for October 17, 2018 at St. Gregory Armenian Apostolic Church, regarding the possible conversion of the Ramada Inn on Colorado Boulevard.

Following discussion, the above ordinance was adopted by the following vote:

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

INFORMATION ITEM

"5-MINUTE CITY ATTORNEY BRIEFING" REGARDING RECENT LEGISLATION RELATED TO DISCLOSURE OF CERTAIN POLICE DEPARTMENT INFORMATION

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

City Attorney/City Prosecutor Michele Beal Bagneris provided a PowerPoint presentation on the item, including various Senate Bills, and responded to questions.

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

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:35 p.m.

ATTEST:

Terry Tornek, Mayor
City of Pasadena

City Clerk