

CITY OF PASADENA
City Council Minutes
October 1, 2018– 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:34 p.m.
(Absent: Councilmembers Gordo, Madison)

On the order of the Mayor, the regular meeting recessed at 5:34 p.m. to discuss the following closed session:

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

Property Location: 700 Seco Street, Pasadena, CA
Agency Negotiator: Steve Mermell
Negotiating Party: David Eads
Under Negotiation: Price and terms of payment

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

Property Location: 39 South El Molino Avenue, Pasadena, CA
Agency Negotiator: Steve Mermell
Negotiating Party: Danny Feldman
Under Negotiation: Price and terms of payment

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.

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

ROLL CALL:
Councilmembers:

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

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 Mayor presented a proclamation to Ali Everett, Accessibility and Disability Coordinator, and Martin Sweeney, Chair of the Accessibility and Disability Commission, declaring October 2018 as "Employment of Persons with Disabilities Awareness Month." Ms. Everett spoke on the Employment of Persons with Disabilities campaign, and recognized the various employers in Pasadena honored by the Civitan Club for outstanding hiring practices and employing people with disabilities. Mr. Sweeney thanked the City Council and the Civitan Club for their recognition and support.

The Mayor also presented a proclamation to Tony Santilena, Human Services and Recreation Commissioner, declaring October 2018 as "Bullying Prevention Awareness Month." Mr. Santilena recognized various youth members representing youth leadership organizations affiliated with the City, and thanked the City Council for their support.

Mike Bagheri, Transportation Development Manager, spoke on the City's commitment for complete streets for all users and spoke on the importance of pedestrian safety. The Mayor presented a proclamation to Blair Miller and Dan Huynh, Pasadena Complete Streets, Sara Emery Bunn, Walking Pasadena, and Patty Judy, Pasadena Heritage, declaring October 2018 as "Walktober Month" and "Pedestrian Safety Month." Ms. Miller spoke on the various walking events held in Pasadena recognizing Walktober Month and thanked the City Council for their support. Councilmember Wilson spoke on related events scheduled in the City.

PRESENTATION BY SENATOR ANTHONY J. PORTANTINO ON THE STATE OF THE STATE ADDRESS

Senator Portantino provided an update on various legislative actions affecting the City: naming of a portion of the Ventura (134) Freeway after former President Barack Obama; the Focused Recirculated Draft Environmental Impact Report related to the SR710; suicide preventive measures and legislation; SB25 Elections: Alternate ballot order; SB1126 Upper Los Angeles River and Tributaries Working Group: River range program; SB419 Whistleblower protection and retaliation prevention; as well as various water bills, firearms legislation, community college partnership and public education bills, environment bills, and density and housing bills; and responded to questions.

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

The Mayor congratulated Senator Portantino on his success in passing the ballot order measure, as well as his participation as Chair of the Subcommittee 1 on Education.

Nina Chomsky, Linda Vista-Annandale Association, asked the City Council to provide an update on the Devil's Gate Dam Sediment Removal Project.

The Mayor responded that the County of Los Angeles Public Works Department would begin habitat removal sometime in October of this year, with sediment removal scheduled to commence in February 2019. He noted that staff would provide Ms. Chomsky with a project update memo that was previously distributed in the City Manager's newsletter.

Genevieve Clavreul, Pasadena resident, inquired on the legality of her property management company requiring rent payment to be paid electronically.

In response to public comment, the Mayor stated that tenant rental payments are not under the City's purview.

Robert Gorski, The Civitan Club of Pasadena, spoke on the Civitan Club employers of the year award recipients and invited the public to the recognition ceremony to be held on October 10, 2018, at La Casita Del Arroyo, in Pasadena. Mr. Gorski, speaking as a Pasadena resident, expressed concerns with the pamphlet distributed to Pasadena residents related to the City's Ballot Measure I: Pasadena Sales Tax.

In response to public comment, City Manager Mermell stated that community meetings would occur shortly to discuss the City's Ballot Measures I and J, and invited Mr. Gorski and all interested individuals to attend.

CONSENT CALENDAR

**CONTRACT AWARD TO SELECT ELECTRIC, INC., FOR
INSTALLATION OF PARK SECURITY LIGHTING AT
JEFFERSON, GWINN AND SUNNYSLOPE PARKS FOR AN
AMOUNT NOT-TO-EXCEED \$395,000**

Recommendation:

(1) Find the project in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, 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 find 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 September 19, 2018, submitted by Select Electric, Inc., in response to the specifications for the Installation of Park Security Lighting at Jefferson Park, Gwinn Park and Sunnyslope Park project, reject all other bids received, and authorize the City Manager to enter into a contract not-to-exceed \$395,000, which includes the base contract amount of \$338,144 and a contingency of \$56,856 to provide for any necessary change orders. (Contract No. 31325)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DMS FACILITY SERVICES FOR CITYWIDE HOUSEKEEPING SERVICES IN AN AMOUNT NOT-TO-EXCEED \$1,622,031

Recommendation:

(1) Find that the contract with DMS Facility Services (DMS) for Citywide Janitorial Services 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) Accept the bid dated August 28, 2018, submitted by DMS for a one-year term; reject all other bids received; and authorize the City Manager to enter into a contract with DMS for Citywide housekeeping services in an amount not-to-exceed \$1,622,031 over a one-year period. (Contract No. 31330)

PURCHASE ORDER AWARD TO DANNY LETNER INCORPORATED DBA: LETNER ROOFING COMPANY FOR GYMNASIUM ROOF RETROFIT AT VICTORY PARK CENTER FOR AN AMOUNT NOT-TO-EXCEED \$151,767

Recommendation:

(1) Find that this action 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 existing use will take place; and

(2) Accept the bid dated September 4, 2018, submitted by Danny Letner Incorporated DBA: Letner Roofing Company (Letner Roofing), in response to the specifications for Gymnasium Roof Retrofit at Victory Park Center, reject all other bids received, and authorize the City Manager to enter into a purchase order for an amount not-to-exceed \$151,767.

PURCHASE ORDER AWARD TO MCKENDRY DOOR SALES, INCORPORATED FOR INSPECTING, MAINTAINING, AND REPAIRING MECHANIZED ROLL-UP DOORS AND ROLLING GATES FOR AN AMOUNT NOT-TO-EXCEED \$432,327

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 a significant effect on the environment; and
- (2) Accept the bid dated July 17, 2018, submitted by McKendry Doors Sales, Incorporated (McKendry) in response to the specifications to furnish labor and materials for inspecting, maintaining, and repairing mechanized roll-up doors and rolling gates, authorize the City Manager to enter into such purchase order for an amount not-to-exceed \$432,327 for a three-year period, inclusive of Consumer Price Index increases, and two additional one-year options in an amount not-to-exceed \$144,109 annually, subject to the approval of the City Manager, for a maximum purchase order length of five years and a total purchase order amount of \$720,545.

ADOPTION OF NON-REPRESENTED MANAGEMENT SALARY RESOLUTION

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) Adopt the Non-Represented Management Salary Resolution. (Resolution No. 9677)

AUTHORIZATION TO SUBMIT A FUNDING APPLICATION AND ADOPTION OF RESOLUTION IN CONNECTION WITH THE STATE OF CALIFORNIA NOTICE OF FUNDING AVAILABILITY FOR CALIFORNIA EMERGENCY SOLUTIONS AND HOUSING GRANT FUNDS

Recommendation:

- (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;
- (2) Authorize the submittal of an Application in the amount of \$720,243 in response to the Notice of Funding Availability ("NOFA") issued by the State Department of Housing and Community Development to receive California Emergency Solutions and Housing funding for eligible homeless programs;

(3) Adopt a Resolution certifying that any funds received through the submittal of the Application in response to this NOFA will be used in a manner consistent with all applicable state, federal and other statutes, rules, regulations, guidelines, and laws regarding the CESH Program; and

(4) 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. 9678)

Item discussed separately

**REVISION TO CAPITAL IMPROVEMENT PROJECT
"IMPLEMENT MASTER PLAN – HAHAMONGNA
WATERSHED PARK – HABITAT RESTORATION" PROJECT
DESCRIPTION**

APPROVAL OF MINUTES

September 17, 2018

CLAIMS RECEIVED

Claim No. 13,161	Yvette Denise Marquez	\$	25,000.00+
Claim No. 13,162	American Automobile Association as subrogee for Alan Harding		1,198.53
Claim No. 13,163	Qing Ying (Europane Bakery) Mercury Insurance as subrogee for Leticia Gonzalez		4,617.33
Claim No. 13,164	Yun Kil Shin		941.10
Claim No. 13,165	Tommie J. Nelson		270.00
Claim No. 13,166	Kok F. Yong		711.16

It was moved by Councilmember McAustin, seconded by Councilmember Wilson, to approve all items on the Consent Calendar, with the exception of Item 7 (Revision to Capital Improvement Project "Implement Master Plan – Hahamongna Watershed Park – Habitat Restoration"), which was discussed separately. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

**REVISION TO CAPITAL IMPROVEMENT PROJECT
"IMPLEMENT MASTER PLAN – HAHAMONGNA
WATERSHED PARK – HABITAT RESTORATION" PROJECT
DESCRIPTION**

Recommendation:

(1) Find that the proposed action is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(4) and (5) of the State CEQA Guidelines, and as such, is not subject to environmental review; and

(2) Revise the project description of Capital Improvement Project (CIP) "Implement Master Plan – Hahamongna Watershed Park – Habitat Restoration" to reflect recommended changes to the project work location.

Ara Maloyan, Director of Public Works, provided introductory comments, and Loren Pluth, Project Manager, provided a PowerPoint presentation on the item, and responded to questions.

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

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

SUPPORT PROPOSITIONS 1 AND 2; OPPOSE PROPOSITION 6 FOR THE NOVEMBER 2018 STATE ELECTION AND SUPPORT MEASURE W: SAFE CLEAN WATER PROGRAM FOR THE NOVEMBER 2018 LOS ANGELES COUNTY ELECTION

Recommendation: It is recommended that the City Council take the following positions on the upcoming November 6, 2018 Election:

A. Support the following State Propositions and Los Angeles County Ballot Measure on the upcoming November 6, 2018 Election:

1. Proposition 1: Veterans and Affordable Housing Bond Act of 2018;
2. Proposition 2: No Place Like Home Act of 2018;
3. Los Angeles County Ballot Measure "W": Los Angeles Region's Public Health and Safe, Clean Water Program

B. Oppose the following State Propositions on the upcoming November 6, 2018 Election:

1. Proposition 6: Voter Approval for Future Gas and Vehicle Taxes and 2017 Tax Repeal Initiative

Recommendation of the Legislative Policy Committee: At the regular meeting of the Legislative Policy Committee on September 25, 2018, the Committee reviewed all 11 California ballot measures and the Los Angeles County measure for the upcoming November 6, 2018 election. The Committee approved a motion to support Proposition 1, Proposition 2, and Los Angeles County Measure W, and oppose Proposition 6.

Julie Gutierrez, Assistant City Manager, presented a PowerPoint presentation on the item, including the Legislative Policy Committee discussion and recommendations, and responded to questions.

Councilmember McAustin expressed concerns with the County Measures that redistributes funds to local municipalities, but fails to provide Pasadena with its fair share of funding, and asked staff to put measures in place that would ensure that the City receives equitable funding.

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

PUBLIC HEARINGS

PUBLIC HEARING: CALL FOR REVIEW OF THE DESIGN COMMISSION'S DECISION ON AN APPLICATION FOR CONSOLIDATED DESIGN REVIEW FOR A NEW 112,205-SQUARE-FOOT, 5-STORY MEDICAL OFFICE AND RETAIL BUILDING AT 550-566 EAST COLORADO BOULEVARD

Recommendation: It is recommended that the City Council continue the public hearing, at the request of the applicant, to October 29, 2018 at 7:00 p.m.

It was moved by Vice Mayor Kennedy, seconded by Councilmember McAustin, to continue the public hearing to October 29, 2018, at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

PUBLIC HEARING: ZONING CODE TEXT AMENDMENT TO ADD SECTIONS 17.50.075 AND 17.61.055 TO THE ZONING CODE TO ALLOW CONVERSIONS OF HOTELS AND MOTELS TO AFFORDABLE HOUSING AND TITLE 4 AMENDMENTS TO WAIVE OR REDUCE FEES FOR CONVERSIONS

Recommendation:

- (1) Find that the proposed Zoning Code Text Amendment is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Class 1 – Existing Facilities) and State CEQA Guidelines Section 15061(b)(3), that there are no features that distinguish this project from others in the exempt class, there are no unusual circumstances, and none of the exceptions to the exemptions apply;
- (2) Adopt the Findings of Consistency with the General Plan (Attachment A to the agenda report); and
- (3) Conduct first reading of 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."

Recommendation of the Planning Commission: At a public hearing on September 12, 2018, the Planning Commission recommended that the City Council find that the Zoning Code Text Amendment is exempt from CEQA and approve the Zoning Code Amendment that would allow for both a ministerial and discretionary process to convert hotels or motels with 80 or fewer rooms to affordable housing, and significantly reduce or eliminate associated processing and impact fees.

The City Clerk opened the public hearing; and reported that the public hearing notice was published in the Pasadena Star News on September 17, 2018 and in the Pasadena Journal on September 20, 2018, and September 27, 2018; and that the City Clerk's office received 1 letter in favor of the item, 2 letters in opposition to the item, and 1 letter providing comments. All the correspondence was distributed, posted on-line, and made part of the public hearing record.

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

William Huang, Director of Housing and Career Services, responded to questions related to inclusionary in-lieu fees and how the funds will be made available.

The Council thanked staff for their excellent, well thought out, and clearly presented presentation of the agenda item.

Councilmember Hampton requested information on the number of complaints and/or calls for service per hotel/motel properties in order to identify nuisance properties.

The following individuals expressed concerns and/or provided comments related to the staff recommendation:

Nina Chomsky, Linda Vista-Annandale Association
Diane Kirby, Lower Hastings Ranch Association
Chris Fedukowski, Pasadena resident
Andre Hsu, Animal Medical Hospital

The following individuals spoke in favor of the staff recommendation and provided comments:

Jim McCarthy, Pasadena resident
Anne Miskey, Union Station Homeless Services

Sandra Olewine, Pasadena resident
Anthony Manousos, Greater Pasadena Affordable Housing
Group (GPAHG)
Ryan Izell, Union Station Homeless Services
Emanuel Najera, Pasadena resident

The Mayor stated his support for the hotel conversion concept, especially the staff recommendation that a discretionary review would be included for every hotel conversion project as part of the process to provide an opportunity for the public to give input. He expressed concerns with waiving Plan Check fees, Entitlement Review fees, Construction taxes, and Sewer facility charges that the City may have to fund.

Councilmember Wilson asked staff to develop detailed guidelines for community/public space areas, landscaping and fencing associated with the hotel conversion project permit process to encourage quality projects. In addition, Mr. Wilson asked staff to ensure that historic preservation aspects of the properties are respected.

Councilmember McAustin voiced support for the staff recommendation, including a discretionary review process for every hotel conversion project.

Vice Mayor Kennedy stated the following for the record: "Yes, this area, Route 66 was known as the "Mother Road" or the "Road of Dreams" and was a vital road bridging Chicago and Los Angeles. My mother and father would traverse there, and then moved south going to South Carolina or to Mississippi. But for many, yes, it was called freedom and unlimited possibilities in the 20th Century. But for black travelers, for decades it was a guide known as the "Green Book." The Green Book was used because African-Americans were not welcomed to stop at public accommodations, and they had the Green Book where they would find residence who would take them in on Route 66 because the more established restaurants, hotels, etc. would not in fact do so. For about 2500 miles...from Chicago to Los Angeles. You will remember that Nat King Cole famously sang, "...get your kicks on Route 66..." in 1946. The irony of that was that Nat King Cole wasn't welcomed in hotels along Route 66. In fact, the Chicago Tribune published, while they were building Route 66, a notice to Negroes at the time, [as] African-Americans were referred to in the 21st Century, that it would be better to not go to any public accommodations along the route to ensure that there would be good race relations. In fact, while they were building Route 66, that vital artery, from east to west, various

lynchings took place of African-Americans. So, when we talk about Route 66, as two of the speakers did, I would just invite you to, and the community, as we celebrate Route 66, to think about all those Americans... patriotic Americans... who could not benefit from the basic human needs that were supposed to be provided for in this country along Route 66. I don't want to ever, as an African-American, sit idly by and not really educate my colleagues, friends, and constituents about a reality that existed in this country."

Vice Mayor Kennedy spoke in favor of the staff recommendation, which would provide an opportunity to increase the City's affordable housing stock. He also spoke in support of the discretionary approval process allowing residents an opportunity to comment on proposed conversions and provide feedback.

The Mayor suggested in order to avoid an over-concentration issue, the following three options: (1) limit the number of conversions allowed to be approved per year, to assess impacts, if any; (2) Provide distance limitations of hotel conversion projects; or (3) Limit the number of permitted conversion projects per City District. However, he stated that he would not support limiting only one hotel conversion projection per City Council district.

Councilmember Wilson suggested that staff set up a review period and provide an update to the City Council upon the approval of several hotel conversion projects to provide an understanding of the cumulative impacts to the surrounding neighborhood.

Councilmember Masuda raised concerns regarding the many existing hotels located in District 4 on Colorado Boulevard; spoke in support of limiting the number of hotel/motel conversions to one per City District to avoid over-concentration issues; and stated that he will not support the staff recommendation without assurances that the number of project conversions are limited to one per District.

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

It was moved by Councilmember McAustin, seconded by Councilmember Hampton, to approve the staff recommendation, amended to continue to collect Plan Check fees and Entitlement fees, with City staff and City Council to review the impacts related

to allowed conversions of hotels and motels to affordable housing following six months after the approval, completion, and operation of the 3rd hotel/motel conversion project:

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

ORDINANCE – FIRST READING

Conduct first reading of an “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”

Following discussion, the above ordinance was offered for first reading by Councilmember Hampton:

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

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW OF A MIXED-USE DEVELOPMENT AT 141 SOUTH LAKE AVENUE

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

David Reyes, Director of Planning and Community Development, provided introductory comments, and Jennifer Driver, Associate Planner, provided a PowerPoint presentation on the item, and responded to questions.

Councilmember Wilson stated his agreement with the Design Commission comments related to the preliminary design noted in the agenda report, and expressed concerns with the proposed architecture on the project.

Richard A. McDonald, representing the applicant, provided information on the proposed project related to the architect, response to the Design Commission comments, affordable housing options, and the City's Zoning Code requirements.

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

COUNCIL COMMENTS

City Manager Mermell reported that the state ballot propositions are require a simple majority vote, while Measure W requires 2/3's voter approval to pass.

Councilmember Wilson spoke on the informative, well-written Los Angeles County Metropolitan Transportation Authority's strategic plan delivered in the mail earlier this week.

Councilmember Masuda announced the upcoming District 4 Community Meeting with City Manager Mermell scheduled on Tuesday, October 2, 2018 at Monte Vista Grove Homes.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:14 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk