

CITY OF PASADENA
City Council Minutes
April 8, 2019 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:42 p.m.
(Absent: None)

On the order of the Mayor, the regular meeting recessed at 5:42 p.m. to discuss the following closed session:

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

Property Locations: 302 N. Garfield Ave. and 299 N. Euclid, Pasadena

Agency Negotiator: Steve Mermell

Negotiating Parties: Michael Bustamante and Vivienne Kwong

Under Negotiation: Price and terms of payment

The above closed session item was 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
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

Councilmember Madison spoke on the passing of Lud Renick, a Pasadena entrepreneur, expressed sympathy on his passing, and asked that the meeting be adjourned in his memory.

Vice Mayor Kennedy spoke on the passing of Reverend Stanley Lewis, Pastor at Friendship Baptist Church, and the celebration of life that was held in his memory.

**ROAD TO THE 2020 CENSUS, ENGAGING COMMUNITIES –
PRESENTATION BY MICHAEL KHOURI, PARTNERSHIP
SPECIALIST, UNITED STATES BUREAU OF CENSUS**

Mark Jomsky, City Clerk, introduced U.S. Department of Commerce – Census Bureau staff Meredith Maxwell, Partnership Coordinator, and Michael Khouri, Partnership Specialist, who provided a PowerPoint presentation on the upcoming 2020 Census; and responded to questions.

Following discussion, Vice Mayor Kennedy requested street boundary information for the low response areas identified in the presentation, and recommended that priority be given to hiring bilingual speakers for 2020 census worker positions. Vice Mayor Kennedy stated the following for the record, "The three Councilmembers from Northwest [Pasadena], Districts 1, 3, and 5, have very serious concerns. You have heard from the other two Councilmembers [regarding] their concerns...anything you can do to alleviate our concerns, which center around the effective counting of our residents, would be greatly appreciated. We want to make sure, in the context that you have already shared with us, that we are not violating rights as it relates to asking immigration status through this process."

Councilmember Gordo asked staff to provide information on how the City plans to support the U.S. Census Bureau in counting hard to count communities in the low response areas in the City.

City Manager Mermell stated that an internal team of Michelle Perera, Director of Libraries and Information Services, Lisa Derderian, Public Information Officer, and City Clerk Jomsky has formed to support census counting efforts and City staff will be requesting an appropriation of funds to help support the team's efforts.

Councilmember Wilson spoke on the need to educate City residents and suggested district meetings as an opportunity to inform the public on the importance of the 2020 Census Count.

Councilmember McAustin suggested that City staff distribute and make public 2020 Census Count employment opportunities, including posting links to application materials on the City's online.

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

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

Councilmember Masuda reported that on March 28, 2019, the Department of Toxic Substance Control (DTSC) hosted a community meeting to discuss plans for the cleanup of the development site located at the 3200 East Foothill Boulevard (formerly Space Bank Self Storage). He stated his concerns regarding the community's need for additional time to review the technical reports prepared by DTSC (Removal Action Work Plan and California Environmental Quality Act findings), noting that the twenty-two day extension was insufficient.

Councilmember Gordo echoed concerns related to the insufficient extension provided by DTSC to review the technical reports, and stated the need for extensive and comprehensive chemical testing at the site. Councilmembers Masuda, Gordo and Vice Mayor Kennedy asked staff to determine if the developer of the site and DTSC actions are consistent with what the City Council approved, which includes the required testing of the project site; and asked that a discussion regarding this issue be agendized at a future City Council meeting.

The Mayor stated the he would send a letter on behalf of the City to DTSC expressing the City Council's concerns as detailed above.

The following individuals expressed concerns related to the development project at 3200 East Foothill Boulevard, including health concerns:

Jeanette Mann, Pasadena resident
Dr. Kristen Shrader-Frechette, Pasadena Citizens for
Responsible Development
Gary E. Smith, Pasadena resident
Maro Kakoussian, Pasadena resident

Gerda Govine Ituarte, Pasadena Rose City Poets, thanked the Mayor for recognizing April as National Poetry Month in the City of Pasadena, and recited poetry.

Annie Park, representing International Youth Fellowship and Gracias Music Foundation, distributed literature and invited the City Council and community to attend the 3rd Annual World Leader meeting and music performance on Sunday, April 21, 2019.

Corey Crockerham, Carpenters Union, distributed information and spoke on alleged issues related to tax fraud perpetrated by contractors that worked on the Hotel Constance project, which may have resulted in revenue losses for the City.

Gladstone Rennie, Jr, Carpenters Union, advocated for local union contractors to be utilized in construction projects in the City.

Councilmember Madison asked staff to investigate allegations levied against contractors that worked on the Hotel Constance project to determine if any illegal or unethical practices occurred.

CONSENT CALENDAR

MEMORANDUM OF UNDERSTANDING WITH PASADENA UNIFIED SCHOOL DISTRICT TO PROVIDE NECESSARY SUPPORT TO IMPLEMENT A SAFE ROUTES TO SCHOOL EDUCATION AND ENCOURAGEMENT PROGRAM

Recommendation:

(1) Find that this action is exempt from the California Environmental Quality Act (CEQA), Section 15061(b)(3) of the State CEQA Guidelines; and

(2) Authorize the City Manager to enter into a Memorandum of Understanding with the Pasadena Unified School District (PUSD) to provide necessary support to the City's consultant to conduct a Safe Routes to School Education and Encouragement Program in an amount not-to-exceed \$171,500, which includes the base contract amount of \$152,926 and a contingency of \$18,574 to provide for any necessary change orders. (Contract No. 31443)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH THE CITY OF GLENDALE FOR COSTS ASSOCIATED WITH LIFECYCLE UPDATES TO THE CITY'S RADIO COMMUNICATIONS SYSTEM

Recommendation:

(1) Find that this action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and

(2) Authorize the issuance of a purchase order with the City of Glendale for costs associated with lifecycle updates to the City's radio communications system in an amount not-to-exceed \$217,400. 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.

Item discussed separately

AUTHORIZE INCREASE TO PURCHASE ORDER NO. 1191249 WITH INTELLITIME SYSTEMS CORPORATION BY \$185,000 FOR A TOTAL NOT-TO-EXCEED OF \$617,725 FOR ADDITIONAL PROFESSIONAL SERVICES RELATED TO CONFIGURATION OF THE VIRTUAL TIMECARD INTERFACE (VTI) SYSTEM

CONTRACT AWARD TO UDC, INC., FOR FIBER MANAGEMENT SOFTWARE IMPLEMENTATION AND DATA MIGRATION SERVICES

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), the General Rule that CEQA only applies to projects that may have an effect on the environment; and

(2) Authorize the City Manager to enter into a contract, based on a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, with

UDC, Inc., for fiber management software implementation and data migration services in an amount not-to-exceed \$191,325, which includes a base contract amount of \$173,932 and a 10 percent contingency of \$17,393. (Contract No. 31444)

CONTRACT AWARD TO GOLDEN GATE STEEL, INC., DBA GOLDEN GATE CONSTRUCTION FOR HALE BUILDING INTERIOR REMODEL PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$562,000

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 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 March 20, 2019, submitted by Golden Gate Steel, Inc., dba Golden Gate Construction in response to the Project Plans and Specifications for the Hale Building Interior Remodel, reject all other bids received March 20, 2019, and authorize the City Manager to enter into such contract for an amount not-to-exceed \$562,000 which includes the base contract amount of \$468,526 and a contingency of \$93,474 to provide for any necessary change orders. (Contract No. 31440)

RESIGNATION OF HECTOR LA FARGA, JR. FROM THE HUMAN SERVICES COMMISSION (Agency Nomination)

RESIGNATION OF MARC REUSSER FROM THE HISTORIC PRESERVATION COMMISSION (Historic Highlands Landmark District Nomination)

REAPPOINTMENT OF JOHN H. PLUMMER TO THE ROSE BOWL AQUATICS CENTER BOARD (City Nomination)

APPROVAL OF FIRST AMENDMENT TO 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 an amendment to the employment agreement for City Clerk, Mark Jomsky, to provide an increase to salary and the classification's salary control rate and amend language regarding Management Time Off so it is consistent with the Executive Management Salary Resolution. It is further recommended that the Mayor be authorized to sign the amendment to the employment agreement to reflect City Council approved changes. (Contract No. 23,943-1)

APPROVAL OF MINUTES

March 11, 2019

March 18, 2019

March 25, 2019

CLAIMS RECEIVED

| | | | |
|------------------|-----------------------|----|------------|
| Claim No. 13,288 | Jose Zamudio | \$ | 1,907.20 |
| Claim No. 13,289 | Frederick Cheung | | 2,200.00 |
| Claim No. 13,290 | James Gilbert | | 1,023.46 |
| Claim No. 13,291 | Patricia Anne Glasset | | 25,000.00+ |
| Claim No. 13,292 | Heidi L. Bass | | 500.00 |
| Claim No. 13,293 | Guillermo Lopez | | 1,020.73 |

Regarding the employment agreement with the City Clerk, the Mayor provided an overview of the staff report and compensation information that is part of the recommended action.

It was moved by Vice Mayor Kennedy, seconded by Councilmember McAustin, to approve the items on the Consent Calendar, with the exception of Item 3 (Authorize Increase to Purchase Order No. 1191249 with Intellitime Systems Corporation), which was discussed separately. (Motion unanimously carried) (Absent: None)

CONSENT ITEM
DISCUSSED SEPARATELY

AUTHORIZE INCREASE TO PURCHASE ORDER NO. 1191249 WITH INTELLITIME SYSTEMS CORPORATION BY \$185,000 FOR A TOTAL NOT-TO-EXCEED OF \$617,725 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. 1191249, with Intellitime Systems Corporation by \$185,000, thereby increasing the total not-to-exceed amount from \$432,725 to \$617,725; 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.

Phillip Leclair, Chief Information Officer, and City Manager Mermell responded to questions on the scope of work to be completed under the proposed purchase order.

Councilmember Wilson requested information on the original amount of the purchase order with Intellitime Systems Corporation, and the various incremental increases.

Vice Mayor Kennedy advocated for limiting the contract amount with Intellitime Systems Corporation; and expressed concerns with future contract increases and additions to the scope of work.

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember Masuda, to approve the staff recommendation:

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

PUBLIC HEARING

PUBLIC HEARING: SUBMITTAL OF PUBLIC HOUSING AGENCY ANNUAL PLAN (2019) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Recommendation: It is recommended that the City of Pasadena (the "City"), as Successor Agency to the Pasadena Community Development Commission, after a public hearing:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA"), pursuant to State CEQA Guidelines Section 15061(b)(3), as it will not have a potentially significant environmental effect, and, therefore, falls under the "general rule" exemption; and

(2) Approve the City's Public Housing Agency Annual Plan (2019), and authorize the City Manager to execute any and all documents regarding its submittal to the U.S. Department of Housing and Urban Development.

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 February 28, 2019; no correspondence was received by the City Clerk's office regarding this item.

William Huang, Director of Housing and Career Services, provided introductory comments, and Ann Lansing, Project Planner, presented a PowerPoint presentation on the item; and responded to questions.

Councilmember Hampton requested that staff work with other cities to lobby state elected officials for additional housing funds; and thanked the Housing Department staff for their work in treating all individuals with dignity and respect.

Councilmember Madison suggested that staff integrate the staff report into the City's Public Housing Agency (PHA) Annual Plan submittal since the agenda report offers a better, more comprehensible strategy for the City's plan.

Councilmember Wilson expressed concerns with staff maintaining a Section 8 housing vouchers waiting list, in light of the lengthy waiting period and difficulties experienced by eligible participants to utilize vouchers, and given the City's inability to ensure such housing opportunities will actually be available to participants, creating false hopes for recipients.

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

Vice Mayor Kennedy asked to investigate whether the City is able to provide additional funding other than what the U.S. Department of Housing and Urban Development (HUD) provides to further support the Section 8 housing voucher program.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

RECOMMENDATIONS FOR DEVELOPMENT PARAMETERS WITHIN THE CIVIC CENTER AND ANALYSIS OF POSSIBLE REUSE OPTIONS FOR THE YWCA BUILDING

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); and
- (2) Provide direction to staff regarding:
 - a. the proposed parameters for the redevelopment of the YWCA building;
 - b. the use(s) of the building; and
 - c. the process for selecting a specific project and possibly including the adjacent northern City-owned property (Water & Power site).

City Manager Mermell provided a PowerPoint on options for reuse of the Julia Morgan, YWCA building, and responded to questions. David Reyes, Director of Planning and Community Development, introduced Tiffany Beamer, City consultant with Olin, who presented a PowerPoint presentation on a design study of the building. Mr. Reyes also introduced Wil Soholt, City consultant with Kosmont Companies, who presented a PowerPoint presentation on an economic study focused on reuse of the building.

Following discussion, the following individuals provided comments/suggestions related to various aspects of the reuse options of the YWCA building:

Jeanette Mann, All Saints Church Foster Care project
Nina Chomsky, Pasadena resident
Anne Miskey, Union Station Homeless Services
Wendy Japhet, Union Station Homeless Services
Felicia Williams, Pasadena resident
Shawn Morrissey, Union Station Homeless Services
Christopher Lewis, Pasadena resident
Rob Levy, Union Station Homeless Services
Jessica Kubel, YWCA Pasadena
Holly Benson, Abode Communities
Sue Mossman, Pasadena Heritage
Carol Potter, Pasadena resident
Mic Hansen, West Pasadena Residents Association
Ann Scheid, Pasadena Civic Center Coalition (PCCC)
Teresa Eilers, United Way Everyone In
Gail Price, Pasadena resident
Fred Hadra, Pasadena resident

Anthony Manousos, Greater Pasadena Affordable Housing Group (GPAHG)
Areta Crowell, Pasadena resident
Joe Feinblatt, Pasadena resident
Charles Carnow, Unite Here Local 11
Blair Miller, Pasadena resident
Jill Shook, GPAHG
Kim Miles, Pasadena resident
Marsha Rood, Pasadena resident
Charla Borton, Pasadena Presbyterian Church
Rev. Connie Missap, Pasadena resident
John Byram, Pasadena resident
Noel Toro, Pasadena resident
Alan Loomis, Pasadena resident
Jonathan Edwards, Pasadena resident
Gary Floyd, Pasadena resident
Chris Fedakowski, Pasadena resident
Matt Dillhoefer, Pasadena resident
Lambert Giessinger, Civic Center Task Force
Stu Cooper, Pasadena resident
Corrine Occhipinti, Peach & Social ministry

Councilmember Hampton spoke in favor of maintaining the original footprint of the YWCA building, and stated his preference that construction be restricted so as not to extend into the adjacent green space east of the property, with the height limit set such that the development would be no taller than City Hall. He advocated for a mixed-use project with affordable housing component.

William Huang, Director of Housing and Career services, responded to questions related to Single Room Occupancy (SRO) projects, including information on the number of SRO's that may be built in YWCA building if it was restored.

Vice Mayor Kennedy stated his preference that the YWCA building be developed as a revenue generating project that will help to support City services and programs. He advocated for a development that would be architecturally complimentary to the Civic Center, with serious consideration given to housing and enterprise.

Councilmember Masuda spoke in support of affordable housing in the City, however, expressed concerns with the proposed reuse of this building as affordable housing, stating that such a use would likely be prohibitively expensive.

Councilmember Madison expressed concerns regarding an affordable housing reuse option in terms of costs, as well as the potential oversaturation of affordable housing in the Civic Center. He advocated for a greater disbursement of affordable housing throughout the community.

Councilmember Wilson spoke in support of a mixed-use option (offices, hotel, or housing) for the building that will activate the Civic Center plaza, including a public access component as part of the site's ground floor. He supported project setbacks of 45 feet and with a design concept that flows into Centennial Plaza.

Councilmember McAustin spoke on the need for a solution that will ensure the YWCA Building's restoration, and advocated for a new Request For Proposals (RFP) process, with a defined building envelope, no requirement for on-site parking, corresponding setback requirements for the Water and Power building site, angled entries that defer to City Hall, and ground floor public access.

Councilmember Gordo supported the need for a new RFP process, which would allow a developer to present a solution that fits within whatever parameters are set by the City. He suggested that the City Council and staff identify key issues relevant to the project's success, and set a design envelope that would be acceptable for the reuse of the YWCA building. He spoke on the need to stay true to the original efforts of creating a great Civic Center Plaza area and echoed concerns regarding the overconcentration of affordable housing.

The Mayor spoke in opposition to another RFP process, citing the prior unsuccessful process and the lack of consensus over issues such as building setbacks, height, and parking. He pointed to the current condition of the YWCA building, the shortage of viable options to save the building, and the need to focus on what is attainable, fundable, and needed to ensure the building's restoration. The Mayor strongly advocated for permanent supportive housing, believing that such an approach would meet the goals of preserving the building, while also making a statement on the City's commitment to providing permanent supportive housing in Pasadena.

Vice Mayor Kennedy stated the following for the record, "I would like to hopefully correct for the record, something that Councilmember Madison continues to share with us as a Council, and that is that in his district, District 6, that it has the most affordable housing issues or project units [in the City]. I would just

like to invite consideration for the record that La Pintoresca Senior Housing, Heritage Square North, what will be Heritage Square South, Kings Villages, Community Arms, Pilgrim Towers East and North, Raymond, The Groves, Holly Street, and Habitat for Humanity on Manzanita; and to buttress what I am saying for Mr. Madison and our colleagues I would ask staff to confirm if I have this correct, in District 3 there is an over-concentration of this type of product.”

Original Motion:

Following discussion, it was moved by Mayor Tornek, seconded by Councilmember Hampton, to direct staff to return to the City Council with a funding scheme and development plan for the reuse of the YWCA building as a permanent supportive housing project, utilizing the existing footprint of the property, with a social enterprise and public space concept on the ground floor, focusing on building restoration and renovation.

Substitute Motion:

Following further discussion, it was moved by Councilmember McAustin, seconded by Vice Mayor Kennedy, to direct the City Manager to develop a Request for Proposals (RFP) process for the development of the YWCA property, to redevelop and preserve the building as a historic resource, allowing for additional development for the property located east of the YMCA building (and north of YWCA site), utilizing a setback of 45 feet on the east side of both properties, a height limit of 60 feet, angled facades with entrances facing Centennial Plaza showing deference to City Hall, eliminate any on-site parking requirements, and require that the ground floors be accessible to the public; and also direct the City Manager to spend remaining funds, and assess what additional funds may be needed to further secure the building during the interim period:

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

Motion:

Following further discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo, to approve the staff recommendation No. 1 as detailed above. (Motion unanimously carried) (Absent: None)

ORDINANCES – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING PASADENA MUNICIPAL CODE TITLE 17 (ZONING CODE), CHAPTERS 17.50, 17.60, AND 17.80 TO UPDATE DEFINITIONS AND REGULATIONS FOR SEXUALLY ORIENTED BUSINESSES” (Introduced by Councilmember Hampton) (Ordinance No. 7343)

The above ordinance was adopted by the following vote:

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

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA Continued

Sue Mossman, Pasadena Heritage, introduced Andrew Salimian, Pasadena Heritage’s new Preservation Director.

COUNCIL COMMENTS

Councilmember Madison spoke on the well-attended Ronald McDonald House Pasadena, Walk for Kids event held on Sunday, April 7, 2019 at Central Park. He also spoke on the claims that are filed against the City related to trees/branches and street potholes that damage vehicles, and asked the City Attorney to provide legal information related to those type of claims.

Councilmember Wilson spoke on the One Arroyo Foundation Kick Off event held on Saturday, April 6, 2019 to support efforts to protect the Arroyo Seco.

The Mayor reported on the Safety Seat Checkup Day, held on April 6, 2019 at the Jackie Robinson Community Center; and the 2019 State Science Olympiad event that was hosted by Caltech and Polytechnic Schools on Saturday, April 6, 2019.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 12:19 a.m. in memory of Lud Renick.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk