

CITY OF PASADENA
City Council Minutes
June 17, 2019 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

Teleconference Location:
Hamilton Cove Building
Community Room
13 Camino De Flores
Avalon, CA

OPENING:

On order of the Mayor, the regular meeting was called to order at 6:30 p.m. Retired Army First Sergeant Ervin Turn led the Blair High School Junior Reserve Officers Training Corp (JROTC) for the Presentation of Colors. (Absent: Councilmember Gordo)

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor Tyron Hampton
Councilmember Victor Gordo (Participated telephonically)
Councilmember John J. Kennedy
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
Assistant City Clerk Latasha Reese

CEREMONIAL MATTERS

The Mayor welcomed Dakar-Plateau Mayor Alioune Ndoeye and the Senegalese delegation, representing the newest sister city to Pasadena. He acknowledged and congratulated Councilmember Kennedy and the Pasadena Sister City Committee for their dedication, effort, and hard work in formalizing this relationship. The Mayor also thanked Girl Scout Troops 3461 and 3861 for their attendance at this special occasion.

Mayor Ndoeye thanked the City Council and members of Pasadena Sister City Committee for bringing these cities together in friendship, and spoke on future plans to ensure a strong relationship between Dakar-Plateau and Pasadena, as well as the United States and Senegal.

Mayor Tornek and Mayor Ndoeye signed the formal sister city agreements between Dakar-Plateau and Pasadena.

Councilmember Kennedy, thanked Mayor Ndoye and his delegation, Mayor Tornek, members of the City Council, and members of the Pasadena's Sister City Committee, for participating in this important and historic event.

Recess

The City Council recessed at 7:00 p.m. and reconvened at 7:08 p.m.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Phil Aupperle, Pasadena resident, expressed concerns with multi-family development in his neighborhood, which has resulted in him becoming economically homeless.

Councilmember Gordo connected telephonically at 7:15 p.m.

Pastor Michael Burns, Pasadena resident, spoke on the need for transparency and communication with the community regarding the officer involved shooting of Mr. Daniel Warren by the Pasadena Police.

Armando Herman, residence not stated, spoke on an incident involving an off-duty Los Angeles Police Department officer in the City of Corona.

CONSENT CALENDAR

ADOPTION OF GANN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020

Recommendation: It is recommended that the City Council adopt a resolution that:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3)(General Rule);
- (2) Selects the California per capita income and the population increase for the City of Pasadena as the indices to be used in calculating the appropriations limits for Fiscal Year 2020;
- (3) Establishes the appropriations limit for Fiscal Year 2020 at \$313,460,811; and
- (4) Establishes appropriations subject to the limit for Fiscal Year 2020 at \$157,700,584. (Resolution No. 9721)

Item discussed separately

APPROVAL OF COMMITMENT OF GENERAL FUND BALANCE FOR THE GENERAL FUND EMERGENCY CONTINGENCY COMMITMENT AND GENERAL FUND OPERATING RESERVE FOR FISCAL YEAR 2019

Item discussed separately

AMENDMENTS TO FISCAL YEAR 2019 ADOPTED OPERATING BUDGET; AND AUTHORIZE AMENDMENT TO CONTRACT WITH FLINTRIDGE CENTER (NO. 31008)

Item discussed separately

AMENDMENTS TO FISCAL YEAR 2019 CAPITAL IMPROVEMENT PROGRAM BUDGET

VARIOUS CONTRACT EXTENSIONS TO DECEMBER 31, 2019 FOR CONTRACT NO. 30422 WITH SPRINT SOLUTIONS, INC., CONTRACT NO. 30455 WITH CELLCO PARTNERSHIP (DBA VERIZON WIRELESS), CONTRACT NO. 21,641 WITH TYLER TECHNOLOGIES, INC., AND CONTRACT NO. 30464 WITH NTT DATA, INC.

Recommendation:

- (1) Find that the proposed contracts 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 extend the performance term period on Contract No. 30422 with Sprint Solutions, Inc., to December 31, 2019; (A Purchase Order was issued)
- (3) Authorize the City Manager to extend the performance term period on Contract No. 30455 with Cellco Partnership (dba Verizon Wireless) to December 31, 2019; (A Purchase Order was issued)
- (4) Authorize the City Manager to extend the performance term period on Contract No. 21,641 with Tyler Technologies, Inc., to December 31, 2019; (Contract No. 21,641-6)
- (5) Authorize the City Manager to extend the performance term period on Contract No. 30464 with NTT Data, Inc., to December 31, 2019; and (A Purchase Order was issued)
- (6) To the extent these could be considered separate procurements subject to the Competitive Selection Process, it is recommended that the City Council grant these contracts an exemption pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City's best interests are served.

AUTHORIZATION AND APPROVAL TO RENEW PROPERTY AND CASUALTY INSURANCE FOR THE CITY OF PASADENA FOR FISCAL YEAR 2020

Recommendation:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15378;
- (2) Authorize City staff to place and bind the City's Property and Casualty Insurance coverages outlined in the agenda report effective July 1, 2019, with the total amount not-to-exceed \$2,110,497, for all premiums, surcharges, taxes, and fees; and
- (3) Grant the exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code Chapter 4.08, pursuant to Section 4.08.049(B), contracts which the City's best interests are served. The proposed insurance coverages are exempt from the competitive bidding process pursuant to the City Charter Section 1002(F), contracts for professional or unique services.

**RESIGNATIONS,
APPOINTMENTS &
REAPPOINTMENTS**

RESIGNATION OF PATRICIA KEANE FROM THE PLANNING COMMISSION EFFECTIVE JUNE 30, 2019 (District 2 Nomination)

APPOINTMENT OF MARNA CORNELL TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2019 (District 2 Nomination)

APPOINTMENT OF LENI FLEMING TO THE SENIOR COMMISSION (At Large/District 2 Nomination)

APPOINTMENT OF MARK R. NAY TO THE ENVIRONMENTAL ADVISORY COMMISSION (District 2 Nomination)

APPOINTMENT OF CHARLOTTE MILES TO THE HUMAN RELATIONS COMMISSION (District 7 Nomination)

REAPPOINTMENT OF MICHAEL WARNER TO THE CODE ENFORCEMENT COMMISSION (District 5 Nomination)

REAPPOINTMENT OF DENVER MILLER TO THE HISTORIC PRESERVATION COMMISSION (District 5 Nomination)

REAPPOINTMENT OF PEGGY SISSON TO THE HUMAN SERVICES COMMISSION (District 5 Nomination)

REAPPOINTMENT OF PAUL AREVALO TO THE ROSE BOWL OPERATING COMPANY BOARD (District 5 Nomination)

REAPPOINTMENT OF GABRIEL CEJA, SR. TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2019 (District 5 Nomination)

REAPPOINTMENT OF TIMOTHY SALES TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2019 (District 5 Nomination)

APPROVAL OF MINUTES

May 20, 2019
May 27, 2019

CLAIMS RECEIVED

Claim No. 13,340	Allstate Insurance as subrogee for Bennett Paysinger	\$	6596.15
Claim No. 13,341	Pharaoh Thomas		14,000.00
Claim No. 13,342	Andrew Tangsirichareon		1,200.00

The following individual provided comment on the consent calendar:

Armando Herman, residence not stated, provided public comment

It was moved by Councilmember McAustin, seconded by Councilmember Kennedy, to approve the items on the Consent Calendar, with the exception of Item 2 (Approval of Commitment of General Fund Balance For The General Fund Emergency Contingency Commitment), Item 3 (Amendments to Fiscal Year 2019 Adopted Operating Budget), and Item 4 (Amendments to Fiscal Year 2019 Capital Improvement Program Budget), which were discussed separately:

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

CONSENT ITEM
DISCUSSED SEPARATELY

APPROVAL OF COMMITMENT OF GENERAL FUND BALANCE FOR THE GENERAL FUND EMERGENCY CONTINGENCY COMMITMENT AND GENERAL FUND OPERATING RESERVE FOR FISCAL YEAR 2019

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)(General Rule); and
- (2) Adopt a resolution approving the City of Pasadena General Fund Emergency Contingency commitment of \$38,081,100 and General Fund Operating Reserve commitment of \$12,693,700 from fund balance of the General Fund for Fiscal Year 2019. (Resolution No. 9722)

Matt Hawkesworth, Director of Finance provided introductory comments, and Robert Ridley, Controller, presented a PowerPoint presentation on the item, and responded to questions.

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

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

AMENDMENTS TO FISCAL YEAR 2019 ADOPTED OPERATING BUDGET; AND AUTHORIZE AMENDMENT TO CONTRACT WITH FLINTRIDGE CENTER (NO. 31008)

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;
- (2) Amend the Fiscal Year (FY) 2019 Adopted Operating Budget as detailed in the "Proposed Budget Amendments" section of the agenda report by a net amount of \$71,741; and
- (3) Authorize the City Manager to amend Contract No. 31008 with Flintridge Center for Board of State and Community Corrections Proposition 47 Services to increase the contract amount by \$73,000 for a total not-to-exceed amount of \$1,839,799. (Contract No. 31008-1, Budget Amendment No. 2019-28)

Acting Police Commander Jason Clawson and Kimberly Siemen, Management Analyst IV, responded to questions related to the contract amendment with Flintridge Center.

Following a brief discussion, it was moved by Vice Mayor Hampton, seconded by Councilmember McAustin, to approve the staff recommendation:

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

AMENDMENTS TO FISCAL YEAR 2019 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation

- (1) Find that the proposed actions are not "projects" 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, are not subject to environmental review; and
- (2) Amend the Fiscal Year (FY) 2019 Capital Improvement Program (CIP) Budget and the FY 2019 Operating Budget as detailed in Attachment A of the agenda report. (Budget Amendment No. 2019-29)

Ara Maloyan, Director of Public Works, responded to questions related to the Annual Citywide Street Resurfacing and ADA Improvement Program; and City Manager Mermell responded to questions related to the Capital Budget projects and the appropriation of funds.

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

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

**PUBLIC COMMENT ON
MULTIPLE PUBLIC
HEARINGS**

The following individuals provided comment on the public hearings:

Armando Herman, residence not stated
Maria Pulitzer, residence not stated

PUBLIC HEARINGS

**CONTINUED PUBLIC HEARING: ADOPTION OF FISCAL
YEAR 2020 OPERATING BUDGET AND RESOLUTION
DETERMINING THE AMOUNT OF ANNUAL TRANSFER FROM
THE POWER FUND**

Recommendation:

- (1) Close the public hearing and adopt by resolution the City's Fiscal Year 2020 Operating Budget as presented in the April 29, 2019 City Manager's Recommended Budget or as subsequently amended during the budget hearing process; and
- (2) Adopt a resolution determining the amount to be transferred from the Light and Power Fund to the General Fund is 10 percent of gross revenues from retail sales for Fiscal Year 2020.

Matt Hawkesworth, Director of Finance, responded to questions related to the City's "non-budgeted" positions, the number of budgeted Full Time Equivalents (FTE's) and employees, and the estimated sales tax reserve funds.

The Mayor expressed concerns with the budget tracking of FTE positions, where the data is misleading in that it appears the City workforce has grown by 91 city employees, which is not the case.

City Manager Mermell provided information on Police Chief Perez's detailed review of the Police Department's budget; and responded to questions.

Councilmember Madison expressed concerns with the amount of the projected revenue expected from additional sales tax collected under Measure I, and how much of that revenue will be allocated to the Police Department. He stated that the proposed budget does not fulfill campaign promises that the funds would be allocated for safety purposes. He further stated his preference that the Pasadena Police Department's budget be amended to include funding for additional Park Safety Specialist positions and patrol officers.

Councilmember Kennedy suggested that a supplemental or service improvement be used to address additional Park Safety Specialist positions and patrol officers, which will respect the Chief of Police Perez ability to address the City Council's recommendations and requests.

Councilmember McAustin spoke in favor of the staff recommendation as presented, and stated that she believes the recommended Fiscal Year 2020 (FY20) Operating and Capital Improvement Project Budgets reflects the priorities of the City Council. She stated that the recommended budget is consistent with the statements made in the Measure I campaign. She also spoke in support of conducting a department by department review with City staff to determine if the City is delivering programs and services to residents in the most efficient way possible, and that the review be conducted throughout the year within a reasonable schedule.

Councilmember Gordo spoke in favor of the staff recommendation, and also that the City Council commence a detailed department by department budget review. He stated his agreement with comments made by Councilmember Madison and spoke on the need for additional Park Safety Specialist positions to patrol City parks. He also supported prioritizing new funds for public safety, including increasing the Pasadena Police Department's budget where necessary to ensure public safety.

The Mayor spoke in support of the recommended FY20 Operating Budget; and stated that the campaign to increase local sales tax revenues highlighted the need to maintain existing services as the primary justification for supporting Measure I. He stated that he is not supportive of amending the staff recommendation to include additional funding to the Pasadena Police Department, preferring to allow Police Chief Perez to evaluate the needs of his department.

Motion: Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Wilson, to close the public hearing:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek

NOES: None

ABSENT: None

ABSTAIN: None

Councilmember Masuda and the Mayor spoke in support of the staff recommendation, amended to retain approximately \$500,000 in budget reserves, to be used as staff recommends to the City Council as necessary following future budget discussions.

Councilmember McAustin stated that the approximate \$500,000 in sales tax funds is an estimate, and stated her preference that the City Council delay any allocation of those funds until staff has a well-defined account of additional sales tax revenues collected, and noted she will not support a motion to allocate such funds.

Original Motion: It was moved by Councilmember Gordo, seconded by Councilmember McAustin, to approve the staff recommendation.

Substitute Motion: Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Gordo to approve the staff recommendation, amended to direct staff to allocate approximately \$500,000 to the Pasadena Police Department to be used as the department and City Manager deem appropriate to achieve the goals of Measure I:

AYES: Councilmembers Gordo, Madison,

NOES: Councilmembers Kennedy, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek

ABSENT: None

ABSTAIN: None

(MOTION FAILED)

Amended Motion: It was moved by Councilmember Gordo to approve the staff recommendation, amended to include a department by department budget review, and reserve approximately \$500,000, with a priority given to public safety (the Pasadena Police Department or Pasadena Fire Department) should the City Council, City Manager, or Police Chief Perez request additional funding for public safety purposes.

(MOTION FAILED DUE TO LACK OF SECOND)

Substitute Motion: Following further discussion, it was moved by Councilmember Kennedy, seconded by Vice Mayor Hampton, to approve the staff recommendation:

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

CONTINUED PUBLIC HEARING: ADOPTION OF FISCAL YEAR 2020-2024 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation:

(1) Find that the proposed actions are not "projects" 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, are not subject to environmental review; and

(2) Adopt by resolution the City's Fiscal Year (FY) 2020 – 2024 Capital Improvement Program (CIP) Budget as summarized in Exhibit B contained in the resolution and any changes passed by a motion of the City Council at the June 17, 2019 meeting. (Resolution No. 9725)

Recommendation of the Recreation and Parks Commission:

On March 5, 2019, the Recreation and Parks Commission voted to support the Parks and Landscaping and Arroyo Projects sections of the Recommended FY 2020 – 2024 CIP Budget.

Recommendation of the Northwest Commission: On March 12, 2019, the Northwest Commission voted to support the projects located completely or partially in Northwest Pasadena in the Recommended FY 2020 – 2024 CIP Budget.

Recommendation of the Planning Commission: On March 13, 2019, the Planning Commission found all recommended new projects consistent with the General Plan.

Recommendation of the Transportation Advisory

Commission: On March 28, 2019, the Transportation Advisory Commission (TAC) voted to support the Streets and Streetscapes and Transportation sections of the Recommended FY 2020 – 2024 CIP Budget with the following amendment:

1. Increase the recommended FY 2020 appropriation for the Pasadena Bicycle Program FY 2016 – 2020 from \$120,000 to \$360,000 without decreasing funding on another existing CIP project; and
2. Increase funding for the program for the next five year phase of FY 2021 – 2025.

In response to TAC's recommendation, the FY 2020 Recommended Appropriations to this project was increased from City Manager's original recommendation of \$120,000 to \$200,000 as shown in the FY 2020 – 2024 CIP Budget document.

Following a brief discussion, it was moved by Councilmember McAustin, seconded by Vice Mayor Hampton, to close the public hearing:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek

NOES: None

ABSENT: None

ABSTAIN: None

It was moved by Councilmember McAustin, seconded by Councilmember Kennedy, to approve the staff recommendation:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek

NOES: None

ABSENT: None

ABSTAIN: None

ORDINANCES – ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA, CALIFORNIA AMENDING THE LIGHT AND POWER RATE ORDINANCE, TITLE 13, CHAPTER 13.04 OF THE PASADENA MUNICIPAL CODE" (Introduced by Vice Mayor Hampton) (Ordinance No. 7349)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek

NOES: Councilmember Kennedy

ABSENT: None

ABSTAIN: None

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$12,625,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE REFUNDING BONDS, 2019A SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND, AND APPROVING THE EXECUTION AND DELIVERY OF A TENTH SUPPLEMENT TO ELECTRIC

REVENUE BOND FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION THEREWITH" (Introduced by Vice Mayor Hampton) (Ordinance No. 7350)

The above ordinance was adopted by the following vote:

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

COUNCIL COMMENTS

The Mayor invited the City Council and the community to a City-sponsored reception honoring Dakar-Plateau Mayor Alioune Ndoye and the Senegalese delegation to be held on Tuesday, June 18, 2019 in the City Hall courtyard.

Councilmember McAustin reported on the League of California Cities – Housing, Community and Economic Development Policy Committee meeting that she attended, which was held on June 13, 2019. The Committee discussed Assembly Bill 1482 (Chiu) Tenancy, Rent Caps, and decided to not take a position on the bill.

Councilmember Wilson reported on Caltech's 2019 Commencement ceremony held on June 14, 2019 that he attended, along with Mayor Tornek and Vice Mayor Hampton.

Councilmember Madison and the Mayor announced that the Hollywood Burbank Airport was awarded by "Fodor's Travel" as the "Best U.S. Airport."

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:10 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk