

CITY OF PASADENA
City Council Minutes
May 4, 2020 – 2:00 P.M.
City Hall Council Chamber

SPECIAL MEETING

The virtual meeting was convened pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020, and was held solely by videoconference/teleconference.

OPENING: Mayor Tornek called the special meeting to order at 2:09 p.m. The pledge of allegiance was led by Councilmember Masuda.

ROLL CALL:
Councilmembers: Mayor Terry Tornek
Vice Mayor Tyron Hampton
Councilmember Victor Gordo
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

CEREMONIAL MATTERS Mayor Tornek requested that the meeting be adjourned in memory of those that have suffered due to death and illness caused by COVID-19 in Pasadena, the nation, and around the world.

Mayor Tornek introduced and welcomed the new Sergeant-at-Arms, Sergeant Monica Cuellar, and extended appreciation to Sergeant Sam De Sylva, for his service.

Mayor Tornek announced a proclamation declaring May 2020 as "Mental Health Awareness Month" in Pasadena.

SPECIAL ITEM – COVID -19 **ORAL REPORTS FROM DR. YING-YING GOH, PUBLIC HEALTH OFFICER, AND DR. LORI MORGAN, PRESIDENT OF HUNTINGTON HOSPITAL**

The City Council briefly recessed the meeting at 2:19 p.m. and returned at 2:23 p.m.

Lori J. Morgan, M.D., President and CEO of Huntington Memorial Hospital (HMH), presented a PowerPoint presentation on the hospital's peak Intensive Care Unit (ICU) capacity, ventilator utilization projections, hospital activities, and responded to questions. Dr. Kimberly Shriner, HMH, provided information on the hospital's COVID-19 patients and ventilators; and responded to questions.

Councilmember Kennedy asked Dr. Morgan to capture and provide information to the City regarding the demographics of COVID-19 patients, specifically Latino patients, in order to target possible treatments and solutions.

Councilmember Gordo asked Dr. Morgan to provide a “wish list” of direct actions that can be taken by the City Council/City of Pasadena, including advocating on behalf of HMM for COVID-19 support to the City’s county, state or federal government representatives.

Dr. Ying Ying Goh, MD, Director of Public Health, expressed her sincere condolences to families and loved ones of those individuals that have passed away due to the COVID-19 virus; and thanked all the essential and critical workers helping to fight the pandemic. She provided an update on the number of cases and deaths related to COVID-19 occurring in the City, as well as those occurring in Los Angeles County, and on the national and worldwide scale. Dr. Goh provided details regarding demographic data related to individuals that have died due to COVID-19. In addition she also provided information on the deaths related to COVID-19 occurring in state licensed senior nursing facilities in California and the City of Pasadena. She provided details on the Pasadena Health Department’s functions in assisting these facilities (i.e. site inspections, onsite/hands-on prevention education, disease investigations, distribution of medical Personal Protective Equipment (PPE), public health directives and guidance, etc.), coordinated efforts to modify the “Stay at Home Order,” and responded to questions. City Manager Mermell provided information on City’s actions taken to clean and sanitize City facilities and City parks; and responded to questions.

Vice Mayor Hampton expressed strong concerns with the number of individuals who have died in senior nursing facilities in Pasadena due to COVID-19, and asked staff to conduct an investigation on what he believes is “slow action” taken by staff in response to COVID-19 and senior nursing facilities in the City.

Mayor Tornek requested a chronological report on the actions taken by the Health Department to address senior nursing facilities in the City.

Councilmember Wilson asked staff to consider what additional actions can be taken in the future to protect the most vulnerable individuals in the City, and asked staff to be hyper-vigilant with residents of senior nursing facilities.

Councilmember Gordo echoed concerns regarding the COVID-19 deaths occurring in the City; and requested a chronological report on actions taken by the Pasadena Health Department to provide

support to senior nursing facilities (for example: the identification and controlling of the COVID-19 outbreak, expert analysis, direct communication with each facility to identify and control outbreaks, etc.), and what the Health Department could have done differently that may have made a difference. He asked staff to determine if additional health inspectors, staff, and guidelines are needed; and how staff plans to ensure the safe re-opening of businesses in the City. In addition, he asked staff to consider the need to target for “disinfecting measures” bus benches and other similar places where individuals congregate, and provide information on how staff plans to implement such additional sanitation efforts.

In response to comments and Councilmember requests for information, City Manager Mermell stated that, consistent with Dr. Goh’s comments, skilled nursing facilities across the nation present the greatest risks in terms of the pandemic, that Pasadena has a very high per capita ratio of skilled nursing facilities in the City, and noted the excellent work of the Pasadena Public Health Department in trying to address the pandemic and skilled nursing facilities. He responded that staff will prepare a written report of chronological steps taken by the Health Department to support and assist skilled nursing facilities.

Councilmember Kennedy asked that staff provide in written format, the scope of Dr. Goh’s authority as the top health official in the City beyond City ordinances, as well as information on staff visits to housing facilities such as Heritage Square Senior Housing, Pilgrim Towers East, and La Pintoresca Apartments, and what information was shared with each facility or the administrator for each facility, to keep the populace safe. He asked staff to provide information on the available resources (the number of health inspectors) within the Health Department who are responsible to inspect senior nursing facilities; and to determine if Dr. Goh has the authority to deputize additional staff to perform inspections at these facilities.

Interim Fire Chief Bryan Frieders provided information on the Fire Department’s role as it relates to COVID-19 testing at the Rose Bowl; and responded to questions.

Councilmember Madison stated that the role of the Health Department is consistent with the law; and expressed frustration regarding the Department’s use of its authority and resources to assist senior nursing facilities. He also spoke on the need for stricter legislation for smoking in public places in the City.

City Clerk Jomsky read aloud comments related to the item from the following individuals, including the need for the Public Health Department to operate on a five day work schedule, and whether the City has considered COVID-19 plans for colleges:

William Paparian, Pasadena resident
Chiara Tellini, Pasadena resident
Cynthia Quentin, Pasadena resident

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

ORAL REPORT ON CITY'S COVID-19 RESPONSE

City Manager Mermell provided information on City staff's response to the COVID-19 pandemic, the inclusion of additional days of mobile shower stations, installation of temporary hand washing stations, the housing of at-risk individuals in hotel rooms, the support provided to local food pantries, and details regarding the Great Plates Meal program; and responded to questions.

City Clerk Jomsky read aloud comments related to the item, including advocating to close the Rose Bowl area to automobile traffic, concerns related to the City closing parks and the Rose Bowl Loop, from the following individuals:

Nancy Foster, Pasadena resident
Jeff Smith, Pasadena resident

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

UPDATE ON ECONOMIC DEVELOPMENT EFFORTS

Recommendation: This report is for information only; no City Council action is required.

City Clerk Jomsky read aloud comments related to the item, including providing suggestions to help support and retain local small businesses, and an inquiry related to freezing the minimum wage increase, from the following individuals:

Paul Little, Pasadena Chamber of Commerce
Sarah Horner Fisher, Pasadena resident

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

DISCUSSION REGARDING THE FRAMEWORK FOR DECISION-MAKING AUTHORITY AND PARAMETERS FOR REOPENING THE ECONOMY

Recommendation: This report is for information only and provides background about the authority for staff issuance and (where required) City Council review of the health orders and local health emergencies/local emergencies in relation to COVID-19, no City Council action is required.

City Manager Mermell and Michele Beal Bagneris, City Attorney/City Prosecutor, summarized the staff report as part of their oral presentation, and responded to questions. Javan Rad, Chief Assistant City Attorney, provided information on the local Health Officer Orders.

Councilmember Madison reiterated his preference that the Health Department's Proclamation of Local Emergency be reviewed and ratified by the City Council to ensure all legislation is legal and binding.

Councilmember Gordo echoed comments related to the City Council's ratification of the Health Department's Proclamation of Local Emergency and the City Manager's Declaration of Local Emergency.

Councilmember Masuda spoke in favor of a slow and careful re-opening of the City's economy.

Councilmember McAustin spoke on the need to help the community get ready to reopen and suggested creating working groups to prepare for the reopening of businesses in the City. She recommended that staff develop a framework for opening businesses and present the information to the Economic Development and Technology Committee (EDTech) for discussion.

Mayor Tornek stated that he believes the City Council can be more strict than State regulations, but not less strict. He spoke on the need to determine the roles of the Council Committees working with the proposed working groups.

Councilmember Wilson spoke on the need to be more dynamic on how the City Council works with business constituents, and educates and prepares the various businesses and venues for re-opening.

Councilmember Madison spoke in favor of additional City Council meetings and asked the City Attorney to provide a summary of the current suspension of the "Brown Act" rules. In addition, he spoke in support of opening books stores, including Vroman's Book Store.

City Clerk Jomsky read aloud comments related to the item, including advocating for the City to open schools, parks, businesses, and the Rose Bowl Loop :

Paul Little, Pasadena Chamber of Commerce
Jonathan Jaffrey, Pasadena resident

Melissa Eaves, Pasadena resident
Alyson Pernecky, Pasadena resident
John Fauvre, Pasadena resident
Laurie Smith, Pasadena resident
Joel Sheldon, representing Vroman's Book Store

Councilmember Gordo spoke on the need for the City Council to utilize the City's existing legislative structure (i.e. City Council Committees), to provide guidance to staff, and capture the concerns of the various business districts in the City. He asked staff to analyze California Governor Gavin Newsom's announcement related to the opening of retail businesses and schedule an EDTech meeting as soon as possible to enable the Committee to provide guidance on the analysis.

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

SCHEDULE OF CITY COUNCIL AND PUBLIC, BROWN ACT MEETINGS

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption);
- (2) Affirm that video and audio teleconferenced City Council special meetings will be convened on May 11 and 18, and on June 1 and 8, at 2:00 p.m., with special meetings set for closed session items on a different day, and that the goal is that regular meetings be convened as of June 15, 2020;
- (3) Affirm that the following Planning related meetings will be convened electronically on or around the following dates: Planning Commission: May 27; Design Commission: May 12 and 26, and June 9; Hearing Officer: May 20 and June 3, 2020;
- (4) Establish a priority for special meetings of the standing committees of the City Council, with the recommendation that there be a meeting of one of the standing committees per week; and
- (5) Affirm that other City Commissions will not meet through June 15, 2020, except where a specific decision must be made by that Commission under state or local law or regulation.

City Manager Mermell summarized the staff report as part of the oral presentation, and responded to questions.

Councilmember Gordo requested that staff amend Recommendation No. 4 to include "or as needed."

City Clerk Jomsky read aloud comments related to the item, including advocating for weekly City Council and Committee meetings to resume, from the following individuals:

William Papanian, Pasadena resident
Ralph A. Frammolino, Pasadena resident
Chiara Tellini, Pasadena resident
Jessica Morgan, Pasadena resident

Councilmember Kennedy stated the following for the record, "No Councilmember or the Mayor are full-time in their capacity and there are certain Councilmembers that have been very vociferous in letting others know that is the case."

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember Gordo, to approve the staff recommendation amended as detailed above:

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

ADOPT A RESOLUTION OF THE CITY COUNCIL RATIFYING THE CITY MANAGER'S FOURTH SUPPLEMENT TO THE DECLARATION OF A LOCAL EMERGENCY AND AUTHORIZING THE CITY MANAGER TO SUSPEND PROVISIONS OF THE PASADENA MUNICIPAL CODE RELATED TO PLASTIC CARRYOUT BAGS

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15269, which exempts from environmental review those projects that are necessary to prevent or mitigate an emergency;
- (2) Direct the City Manager to suspend the requirements set forth in the Pasadena Municipal Code related to plastic carryout bags; and
- (3) Adopt a Resolution of the City Council of the City of Pasadena ratifying the City Manager's Fourth Supplement to the Declaration of a Local Emergency and Authorizing the City Manager to Suspend Provisions of the Pasadena Municipal Code Related to Plastic Carryout Bags. (Resolution No. 9779)

City Manager Mermell summarized the staff report as part of the oral presentation, and responded to questions. Michele Beal Bagneris, City Attorney/City Prosecutor provided information on the Pasadena Municipal Code related to plastic carryout bags, and responded to questions.

Councilmember Madison spoke on his support of banning plastic bags, however, he recognizes the nature of the current crises (COVID-19 pandemic) and spoke in support of the staff recommendation.

In response to Councilmember Wilson's inquiry related to the Health Director's recommendation, Dr. Goh stated that she does not believe inanimate objects are the main source of risk for COVID-19 transmission, however, she recognizes the need to potentially use more disposable products as a means of not spreading germs to essential workers.

Councilmember Gordo suggested that staff amend the staff recommendation to include "until the Emergency Declaration is lifted."

City Clerk Jomsky reported that two letters were received providing comments on the item, which were distributed to the City Council, posted on-line and made part of the public record; He read aloud the comments of Craig W. Cadwallader, representing Surfrider Foundation South Bay Chapter, stating their strong opposition to the staff recommendation.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember McAustin, to approve the staff recommendation:

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

ORDINANCES – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA SUPERSEDING UNCODIFIED ORDINANCE NO. 7359 AND ADDING A NEW CHAPTER 9.76 OF THE PASADENA MUNICIPAL CODE ENTITLED "COVID-19 EVICTION MORATORIUM"

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CONDUCT FIRST READING OF AN ORDINANCE SUPERSEDING UNCODIFIED ORDINANCE NO. 7359 AND ADDING A NEW CHAPTER 9.76 OF THE PASADENA MUNICIPAL CODE ENTITLED "COVID-19 EVICTION MORATORIUM" (See related Item No 17)

Recommendation: It is recommended that the City Council:
(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) Conduct first reading of an ordinance superseding uncodified Ordinance No. 7359 (the current eviction moratorium) and adding a new Chapter 9.76 of the Pasadena Municipal Code entitled "COVID-19 Eviction Moratorium."

Councilmembers McAustin and Gordo recused themselves due to a potential conflict and left the meeting at 7:27 p.m.

The two above agenda items were discussed concurrently

Councilmember Kennedy stated the following for the record, "I've had conversations with our City Attorney and I feel very comfortable in participating based on the input that was received, and reading of the law as it applies to the ownership of realty property in excess of your own personal residence."

City Manager Mermell provided introductory comments, and William Huang, Director of Housing, summarized the agenda report as part of his oral presentation, with both responding to questions. Javan Rad, Chief Assistant City Attorney, provided information on the staff recommendation related to a 12-month repayment period; and responded to questions. Michele Beal Bagneris, City Attorney/City Prosecutor, provided information on the City's current Eviction Moratorium ordinance; and responded to questions.

Councilmember Wilson asked staff to think more creatively in terms of the proposed renter payback period, so that policy reflects the number of months that a specific tenant is unable to make payments.

Councilmember Kennedy expressed concerns with the proposed modification to the City's Eviction Moratorium No. 1, which proposed 12 months to pay back rent, when the City Council previously approved a 6 month time period. He stated that the City Council can review this issue in a few months, prior to the 6 month expiration, and amend as necessary. In addition, he spoke on the need for consistency related to providing basic information to a landlord; and fair regulations for the landlord and tenant. He recommended that City staff target outreach to "mom and pop" landlords, and return to the City Council for discussion.

Councilmember Madison spoke in favor of the staff recommendation, including the development of a self-certification form of an individual's inability to pay rent. He expressed concerns with criminalizing landlords (proposed modification to the City's Eviction Moratorium No. 7).

Councilmember Masuda echoed concerns related to extending the City's Eviction Moratorium pay back of rent to 12 months; and expressed concerns with the proposed modification to the City's

Eviction Moratorium No.5, which he believes a tenant should show documentation and prove their inability to pay rent.

City Clerk Jomsky reported that a total of 28 letters were received by the City Clerk's Office. 8 letters were submitted in support of the staff recommendation; 10 letters in opposition to the staff recommendation, and 10 letters advocating for a balanced approach between landlords and tenants, and/or providing comment on the item. He also reported that all the correspondence was distributed to the City Council, posted on-line, and made part of the public record.

City Clerk Jomsky read aloud comments in opposition to the staff recommendation and/or provided comments related to the item, from the following individuals:

Mei, Pasadena resident
Peter Ronay, Pasadena resident
Ahn Dodge, Pasadena resident
Helen Bunt Smith, Pasadena resident
Simmon Gibbons, Pasadena resident
ShengTeh Hsieh, San Gabriel resident
Chuck Dunn, Vice President, Foothill Apartment Association
Larry Louie, Pasadena resident
Marianne Payne, Pasadena resident
Todd Hays, Pasadena resident
Laura Olhasso, representing Pasadena-Foothills Association of Realtors
Leon Khachooni, Director of Foothill Apartment Association
Brian Abernathy, Pasadena resident
Paul DeJoseph, Pasadena resident
Jolly Wu, Arcadia resident
James Shea, Duarte resident

He also read aloud comments in support of to the staff recommendation and/or provided comments related to the item from the following individuals:

Allison Henry, Pasadena resident
Daniel Cowan, Pasadena resident
Angel M. Castillo, Pasadena resident
Jill Suzanne Shook, Pasadena resident
Deana Villagas, Pasadena resident
Anthony Manousos, Pasadena resident
Ryan Bell, Pasadena resident
PJ Johnson, Pasadena resident
Ferne E. Hayes, Pasadena resident
Adrienne N. Spires, Pasadena resident
Mary Clark, Pasadena resident
Charles Xu, Pasadena resident

Matthew Sorrenti, Pasadena resident
Bert Newton, Pasadena resident
Teresa Eilers, South Pasadena resident
David Chavez, Pasadena resident
Juliana Serrano, Pasadena resident
Michelle White, Pasadena resident
Jaylynn Bailey, Pasadena resident

Councilmember Madison spoke in favor of the proposed modification to the City's Eviction Moratorium No. 3, as his constituents have reported that contrary to their representation to City staff, storage space facilities are locking their storage spaces and preparing to forfeit the owners possessions.

Following discussion, it was moved by Councilmember Masuda, seconded by Mayor Tornek, to approve the staff recommendation amended to include the following modifications to the COVID-19 Eviction Moratorium:

- Landlords may not impose any new pass-throughs or charge interest or late fees for unpaid rent during the moratorium period (modifying existing prohibitions);
- The definition of "tenant" under the Eviction Moratorium shall include persons or businesses that lease inside storage space in self-storage facilities;
- Payment plans that allow landlords to accept partial payments from tenants during the moratorium are encouraged; and
- Landlords may not harass or intimidate tenants who choose to exercise their protections under the Eviction Moratorium.

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

NOES: None

ABSENT: Councilmembers Gordo, McAustin

ABSTAIN: None

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA SUPERSEDING UNCODIFIED ORDINANCE NO. 7359 AND ADDING A NEW CHAPTER 9.76 OF THE PASADENA MUNICIPAL CODE ENTITLED "COVID-19 EVICTION MORATORIUM"

ORDINANCES – FIRST READING

To provide staff with sufficient time to incorporate the changes listed above to the proposed Ordinance, the first reading was postponed and will be re-agendized at a future City Council meeting.

CONSENT CALENDAR

Councilmember Gordo and McAustin returned to the meeting at 8:53 p.m.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH CALE AMERICA FOR CALE SOFTWARE FEES AND METER REPLACEMENT PART PROGRAM

Recommendation: It is recommended that the City Council:

- (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 an effect on the environment;
- (2) Authorize the City Manager to enter into a three year contract beginning FY 2021 with two additional one year options, with Cale America for meter hosting services, labor, and the PartSmart extended warranty program at an annual cost not-to-exceed \$150,000 per year. The total amount of this contract if all options were exercised would be \$750,000; and
- (3) Grant the proposed action an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B) contracts for which the City's best interests are served, and pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or contract services available from only one vendor (Contract No. 31712)

ADOPTION OF A RESOLUTION DESIGNATING WHO CAN SIGN DISASTER RELATED DOCUMENTS AND APPLICATIONS

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project; and
- (2) Adopt a resolution authorizing the City Manager, Assistant City Manager and the Director of Finance to execute for and on behalf of the City of Pasadena applications with the California Governor's Office of Emergency Services (Cal OES) for the purpose of obtaining federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act. (Resolution No. 9780)

MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM MSP II: PASADENA'S PROJECT LIST

Recommendation: It is recommended that the City Council:

- (1) Find that the following proposed action is exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Approve the list of projects referenced in Attachment A of the agenda report to be reviewed by the Arroyo Verdugo Communities

Joint Powers Authority (AVCJPA) Technical Advisory Committee before submittal to the AVCJPA Governing Board for final adoption and submittal to Metro as part of the Fiscal Year 22-23 - 23-24 the second round of Measure M Multi-year Subregional Plan (MSP II) and request for funding.

MASTER STREET TREE PLAN AMENDMENT FOR WEST WALNUT STREET – FROM NORTH PASADENA AVENUE TO NORTH FAIR OAKS AVENUE

Recommendation: It is recommended that the City Council:

(1) Find that the proposal to amend the City Master Street Tree Plan (MSTP) as described in the agenda report is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Chapter 3, Article 19, Section 15304(b) – Minor Alterations to Land; and

(2) Adopt the proposed amendment to the MSTP that would replace ornamental pear, *Pyrus calleryana*, tree with crepe myrtle, *Lagerstroemia indica*, tree as the designated street tree for West Walnut Street from North Pasadena Avenue to North Fair Oaks Avenue.

Recommendation of the Design Commission: On February 5, 2020, the Design Commission voted in support of the recommended amendment to the MSTP as described in the agenda report.

Recommendation of the Urban Forestry Advisory Committee: On November 13, 2019, the Urban Forestry Advisory Committee voted unanimously in support of the recommended amendment to the MSTP as described in the agenda report.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH ENERGY SERVICES LLC TO PROVIDE LABOR AND MATERIALS; AUTHORIZATION TO ISSUE A PURCHASE ORDER WITH CLEAN POWER CONSULTING PARTNERS FOR PROJECT MANAGEMENT; AND APPROVE AN INCREASE IN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECT (CIP) 3182 BY \$5,953,211 FOR THE GT2 REPAIR AND GT1 AND GT2 CONTROL SYSTEM RETROFIT

Recommendation: It is recommended that the City Council:

(1) Find that the contract with Energy Services LLC (“Energy Services”) is exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Section 15301, Existing Facilities; and Section 15302, Replacement or Reconstruction; and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances;

(2) Find that the Purchase Order (“P.O.”) with Clean Power Consulting Partners is not a project subject to CEQA pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no

environmental document pursuant to CEQA is required for the project;

(3) Accept the bid dated March 11, 2020, submitted by Energy Services in response to Specifications to provide labor and material for Gas Turbine Unit 2 ("GT2") Repair and Gas Turbine Unit 1 ("GT1") & GT2 Control System Retrofit; reject all other bids received, and authorize the City Manager, or his designee, to enter into a contract with Energy Services for an amount not-to-exceed \$18,351,649 which includes a base contract amount of \$16,683,317 and a 10% contingency of \$1,668,332 to provide for any unforeseen change orders;

(4) Authorize the City Manager to issue a P.O. with Clean Power Consulting Partners ("CPCP") for an amount not-to-exceed \$442,060 for the project management of GT2 Repair construction and commissioning phase;

(5) Grant the P.O. with Clean Power Consulting Partners an exemption from the Competitive Selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Section 4.08.049(B), contracts for which the City's best interests are served, to the extent that this could be considered a separate procurement; and

(6) Approve an amendment to the Fiscal Year (FY) 2021 Capital Budget to increase the appropriation by \$5,953,211 for the GT1 and GT2 Upgrades and Replacements Capital Project No. 3182. (Contract No. 31706, Budget Amendment No. 2020-40)

AMENDMENT TO FISCAL YEAR 2020 ADOPTED OPERATING BUDGET FOR RECLASSIFICATION OF PROGRAM COORDINATOR I POSITION FROM 0.5 FULL-TIME EQUIVALENT (FTE) TO 1.0 FTE

Recommendation: It is recommended that the City Council:

(1) Find that the action proposed in the agenda report is not a "project" as defined in State California Environmental Quality Act (CEQA) Guidelines Section 15378(b); and

(2) Amend the Department of Housing's Fiscal Year (FY) 2020 Operating Budget by reclassifying the existing half-time (0.5 FTE) grant-funded Program Coordinator I position to a full-time (1.0 FTE) Program Coordinator I position.

**RESIGNATIONS,
APPOINTMENTS &
REAPPOINTMENTS**

APPOINTMENT OF ALI BARAR TO THE DESIGN COMMISSION (Planning Commission Nomination)

REAPPOINTMENT OF FRED PICKEL TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2020 (Garfield Heights Nomination)

REAPPOINTMENT OF BEVERLEY MORGAN-SANDOZ TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2020 (District 1 Nomination)

REAPPOINTMENT OF BEVERLY SIMS TO THE NORTHWEST COMMISSION EFFECTIVE JULY 1, 2020 (District 1 Nomination)

REAPPOINTMENT OF JEFFERY POTTER TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2020 (District 1 Nomination)

REAPPOINTMENT OF DANIEL YEN TO THE ARTS AND CULTURE COMMISSION EFFECTIVE JULY 1, 2020 (District 2 Nomination)

REAPPOINTMENT OF LORRAINE MONTGOMERY TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2020 (District 2 Nomination)

REAPPOINTMENT OF BLAIR MILLER TO THE PLANNING COMMISSION EFFECTIVE JULY 1, 2020 (District 2 Nomination)

REAPPOINTMENT OF AARON MILAM TO THE RECREATION AND PARKS COMMISSION EFFECTIVE JULY 1, 2020 (District 2 Nomination)

REAPPOINTMENT OF HARVEY CORDNER TO THE CODE ENFORCEMENT COMMISSION EFFECTIVE JULY 1, 2020 (District 4 Nomination)

REAPPOINTMENT OF JULIE VALLANTE TO THE ENVIRONMENTAL ADVISORY COMMISSION EFFECTIVE JULY 1, 2020 (District 4 Nomination)

REAPPOINTMENT OF ROBERT KARATSU TO THE LIBRARY COMMISSION EFFECTIVE JULY 1, 2020 (District 4 Nomination)

REAPPOINTMENT OF PERRY HELM TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD EFFECTIVE JULY 1, 2020 (District 4 Nomination)

REAPPOINTMENT OF JONATHAN FUHRMAN TO THE RECREATION AND PARKS COMMISSION EFFECTIVE JULY 1, 2020 (District 4 Nomination)

CITY ATTORNEY

ADOPTION OF A RESOLUTION AUTHORIZING THE USE OF ELECTRONIC SIGNATURES AND DIGITAL SIGNATURES

Recommendation: It is recommended that the City Council:
(1) Find that the actions proposed in the agenda report are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption); and
(2) Adopt a resolution authorizing the use of electronic signatures and digital signatures.

APPROVAL OF MINUTES

March 9, 2020
March 16, 2020
March 17, 2020
March 23, 2020

CLAIMS RECEIVED

Claim No. 13,516	Ira West	\$	150.00
Claim No. 13,517	Wawanesa Insurance as subrogee for Debra & Timothy Pearce		747.42
Claim No. 13,518	Joyce G. Engs		478.75
Claim No. 13,519	Jonathan W. Douglass, Esq., Parris Law Firm, representing Susan Yoosun Pak		25,000.00+
Claim No. 13,520	Christopher Thomas		Not stated

May 18, 2020, at 2:00 p.m. – City Manager’s Recommended Fiscal Year 2021 Operating Budget

Gurcharan Bawa, General Manager of Water and Power, provided information on the replacement of GT1 and GT2 estimated bid repair; and responded to questions.

Following discussion, It was moved by Councilmember Wilson, seconded by Councilmember McAustin, to approve all items on the Consent Calendar:

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

PUBLIC HEARINGS

PUBLIC HEARING: SUBSTANTIAL AMENDMENT TO 5-YEAR CONSOLIDATED PLAN (2015-2019) AND ANNUAL ACTION PLAN (2019-2020)

Recommendation: It is recommended that upon close 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 per Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;
- (2) Approve the submission to the U.S. Department of Housing and Urban Development (HUD) of a Substantial Amendment to the Annual Action Plan (2019-2020) as described in the agenda report to reprogramming of \$101,949 in Emergency Solutions Grant (ESG), and \$3,882,982 in HOME Investment Partnership Act (HOME) programs;

- (3) Approve the submittal of a grant application for Community Development Block Grant (CDBG) Program Year 2019-2020 entitlement funds in the amount of \$1,232,562;
- (4) Approve the submittal of a grant application for Emergency Solutions Grant (ESG) Program Year 2019-2020 entitlement funds in the amount of \$608,269; and
- (5) Authorize the City Manager to execute, and the City Clerk to attest, the grant applications certifications, and any and all other documents deemed necessary by HUD to obtain the allocation of the aforementioned federal entitlement funds. (Budget Amendment No. 2020-42)

The City Clerk opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and the Pasadena Weekly on April 30, 2020; and no correspondence was received on the item.

William Huang, Director of Housing, summarized the agenda report as part of his oral presentation; and responded to questions.

Following a brief discussion, it was moved by Councilmember Kennedy, seconded by Councilmember McAustin, 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 Kennedy, 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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

SCHEDULE PUBLIC HEARING FOR THE FISCAL YEAR 2021 RECOMMENDED SCHEDULE OF TAXES, FEES, AND CHARGES ON JUNE 1, 2020

Recommendation: It is recommended that the City Council:
 (1) Find the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3)(Common Sense Exemption); and

(2) Establish June 1, 2020 as the date to conduct a public hearing on the Fiscal Year 2021 Recommended Schedule of Taxes, Fees, and Charges.

City Clerk Jomsky reported that one public comment was received from Paul Little, representing Pasadena Chamber of Commerce, thanking the City Council for not increasing the schedule of taxes, fees and charges.

It was moved by Councilmember Kennedy, seconded by Vice Mayor Hampton, 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 – FIRST
READING**
Continued

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF THE PASADENA MUNICIPAL CODE RELATED TO (A) THE NAME CHANGE OF THE HUMAN SERVICES AND RECREATION DEPARTMENT TO THE PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT; (B) AMENDED FUNCTIONS OF THE PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT; AND (C) CLERICAL CHANGES TO UPDATE REFERENCES TO THE PLANNING DEPARTMENT AND HOUSING DEPARTMENT”

The above ordinance was offered for first reading by Councilmember Kennedy:

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

Conduct first reading of “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”

The above ordinance was offered for first reading by Councilmember McAustin

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

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW OF A SINGLE-ROOM OCCUPANCY AND CHARITABLE INSTITUTION BUILDING PROPOSED AT 1000 EAST WALNUT AVENUE

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

City Manager Mermell responded to questions related the projects entitlement process.

Councilmember Kennedy reiterated his request that staff agendaize a follow-up discussion on the proposed project at 274-282 North Oakland Avenue.

Due to time constraints, the City Council agreed to delay further discussion on the above item to a future City Council meeting.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

HOSPITALITY WORKPLACE PROTECTIONS

Due to time constraints, the City Council agreed to delay the discussion on the above item until the next City Council meeting.

Councilmember Gordo asked staff to provide information on a state program, Summer Food Service Program, which is funded by the Federal Government, to reimburse municipalities for summer food service programs.

Councilmember Kennedy asked staff to provide an update on the Pasadena Unified School District's (PUSD) fiscal status.

Mayor Tornek reported that Teacher's Recognition Week is May 4-8, 2020, and that he sent a letter on behalf of the City Council thanking all the teachers for their work under challenging circumstances.

ADJOURNMENT

On order of the Mayor, the special meeting of the City Council adjourned at 9:18 p.m. in memory of all those that have lost their lives during the COVID-19 pandemic.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk