

SPECIAL MEETING

The virtual meeting was convened pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 30, 2020 at 2:00 p.m., and was held solely by videoconference/teleconference

OPENING: Mayor Tornek called the special meeting to order at 2:06 p.m. The pledge of allegiance was led by City Manager Steve Mermell.

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

CONSENT CALENDAR

CONTRACT AWARD TO KOA CORPORATION FOR THE PREPARATION OF PRELIMINARY ENGINEERING, COST ESTIMATES, PREPARATION OF CONCEPTUAL PLANS AND COMMUNITY OUTREACH FOR LAKE AVENUE TRAFFIC AND PEDESTRIAN SAFETY ENHANCEMENT – CONCEPT STUDY

Recommendation: It is recommended that the City Council:
(1) Find that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule); and
(2) Authorize the City Manager to enter into a contract as a result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code with KOA Corporation for consultant services for the preparation of preliminary engineering, cost estimates, preparation of conceptual plans, and community outreach for the Lake Avenue Traffic and Pedestrian Safety Enhancement-Concept study, for an amount not-to-exceed \$178,820. (Contract No. 31694)

APPROVAL OF FINAL TRACT MAP NO. 074947 FOR CREATION OF 13 AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES AT 973 EAST DEL MAR BOULEVARD

Recommendation: It is recommended that the City Council:

(1) Adopt a resolution to approve Final Tract Map No. 074947 for the creation of 13 air parcels for residential condominium purposes; and

(2) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 9772)

Recommendation of the Hearing Officer: The subject tentative map was approved on January 17, 2018 by the Subdivision Hearing Officer, to be recorded within three years.

APPROVAL OF FINAL TRACT MAP NO. 074884 FOR CREATION OF 12 AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES AT 719 SOUTH MARENGO AVENUE

Recommendation: It is recommended that the City Council:

(1) Adopt a resolution to approve Final Tract Map No. 074884 for the creation of 12 air parcels for residential condominium purposes; and

(2) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 9773)

Recommendation of the Hearing Officer: The subject tentative map was approved on July 19, 2017 by the Subdivision Hearing Officer, to be recorded within three years.

REJECTION OF BIDS FOR YWCA – STRUCTURAL SHORING PROJECT

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action is statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(5) (projects which a public agency rejects or disapproves) and Section 15270 of the State CEQA Guidelines; and

(2) Reject the bids received on February 27, 2020 in response to the Notice Inviting Bids for YWCA – Structural Shoring Project.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH MILSOFT UTILITY SOLUTIONS, INC., IN AN AMOUNT NOT-TO-EXCEED \$372,324 FOR SOFTWARE, TECHNICAL SUPPORT, AND MAINTENANCE OF THE OUTAGE MANAGEMENT SYSTEM FOR THE WATER AND POWER DEPARTMENT

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 Section 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project;

(2) Authorize the issuance of a Purchase Order ("PO") without competitive bidding pursuant to the City Charter Section 1002(F), Contracts for Professional or Unique Services, with Milsoft Utility Solutions, Inc., ("Milsoft") to provide software, technical support

and maintenance for the Outage Management System in an amount not-to-exceed \$372,324 for three (3) years; and
(3) Grant the proposed contract 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.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH MCAVOY & MARKHAM FOR THE PURCHASE OF ELECTRIC POWER METERS FOR A MAXIMUM CONTRACT AMOUNT NOT-TO-EXCEED \$480,000

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301 (Class 1 Existing Facilities) and 15302 (Class 2 Replacement or Reconstruction), and that there are no features that distinguish this project from others in the exempt classes and, therefore, there are no unusual circumstances; and
- (2) Authorize the City Manager, or his designee, to enter into a contract without competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services, and Pasadena Municipal Code Section 4.08.049, with McAvoy & Markham for an amount not-to-exceed \$240,000 for two years or until the not-to-exceed amount has been expended, whichever occurs first, with an option for two additional one-year terms of \$120,000 each, at the approval of the City Manager, for a maximum contract amount not-to-exceed \$480,000.

Item discussed separately

AUTHORIZE A CONTRACT WITH APPLIANCE RECYCLING CENTERS OF AMERICA, INC., ("ARCA") FOR REFRIGERATOR PROCUREMENT, DELIVERY AND RECYCLING SERVICES UP TO \$750,000

CONTRACT AWARD TO BRINKS FOR ARMORED CAR AND COURIER SERVICES NOT-TO-EXCEED \$300,000

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) 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; and
- (2) Authorize the City Manager to enter into a contract with Brinks Incorporated, as the result of a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047 for three years in an amount not-to-exceed \$180,000 with the option for two additional one-year terms in an amount not-to-exceed \$120,000 at the discretion of the City Manager, for a total of \$300,000 for five years. (Contract No. 31695)

SET A DATE OF APRIL 20, 2020, AT 2:00 P.M., FOR A PUBLIC HEARING FOR RECOMMENDED CLEAN UP AMENDMENTS TO THE ELECTRIC RATE ORDINANCE AND ADJUSTMENTS TO THE GREEN POWER SERVICE RATE

Recommendation: It is recommended that the City Council:

(1) Find that the public hearing for and decisions related to the recommended adjustments to the electric rate structure are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges);

(2) Establish a date of April 20, 2020, at 2:00 p.m., to conduct a public hearing on the recommended clean up amendments to the electric rate ordinance and adjustments to the Green power service rates effective July 1, 2020, or as soon as practicable thereafter to:

- a. Revise the character of service criteria for residential and small commercial customers, as described in the agenda report, to eliminate inconsistencies or ambiguities in determining the applicable electric rates; and
- b. Amend the Green power service rate to: (i) clarify that customers may elect to have 100% of their metered electric usage served under the Green power service rate in addition to the ability to elect Green power service in 100 kilowatt-hour ("kWh") per month blocks; (ii) reduce the premium from \$2.50 per 100 kWh block to \$1.80 per 100 kWh block, or \$0.018 per kWh; and (iii) clarify that Pasadena Water and Power ("PWP") will not utilize renewable energy procured to serve Green power service customers for mandatory compliance purposes.

QUARTERLY INVESTMENT REPORT – QUARTER ENDING DECEMBER 31, 2019

Recommendation: This report is for information only.

Item discussed separately

AUTHORIZATION TO AMEND CONTRACT NO. 31,603 WITH FS CONTRACTORS, INC., FOR CITYWIDE SIDEWALK IMPROVEMENTS – 2020 TO INCREASE THE NOT-TO-EXCEED AMOUNT BY \$230,000 FROM \$1,419,000 TO \$1,649,000

Item discussed separately

AMENDMENTS TO FISCAL YEAR 2020 CAPITAL IMPROVEMENT PROGRAM BUDGET AND ADOPT ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SENATE BILL 1) PROJECT LIST FOR FY 2021

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DIXON RESOURCES UNLIMITED FOR CONSULTING SERVICES FOR THE DEVELOPMENT OF A PARKING STRATEGIC PLAN

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 contract, as a result of a competitive selection process pursuant to Pasadena Municipal Code Section 4.08.047, with Dixon Resources Unlimited for the creation of a Parking Strategic Plan for an amount not-to-exceed \$131,747; and

(3) Amend the Department of Transportation's Fiscal Year (FY) 2020 Operating Budget by appropriating \$101,183 from Fund 407 Off-Street Parking Facilities unappropriated fund balance to the various garage organizations in Fund 407 as listed in the Fiscal Impact section of the agenda report. The remaining \$30,564 will be offset by savings in the existing FY 2020 budgeted appropriations in the various parking funds as listed in the Fiscal Impact section of the agenda report. (Contract No. 31699, Budget Amendment No. 2020-34)

**RESIGNATIONS,
APPOINTMENTS &
REAPPOINTMENTS**

**RESIGNATION OF AKILA GIBBS FROM THE SENIOR
COMMISSION (Pasadena Senior Center Nomination)**

APPROVAL OF MINUTES

September 12, 2016 (Pasadena Public Financing Authority)
September 26, 2016 (Pasadena Public Financing Authority)
January 22, 2018 (Pasadena Public Financing Authority)
February 26, 2018 (Pasadena Public Financing Authority)
October 22, 2018 (Pasadena Public Financing Authority)
June 10, 2019 (Pasadena Public Financing Authority)

CLAIMS RECEIVED

Claim No. 13,502	Justice Attorney Group, APC, representing Nojan Forouhi	\$ 30,000.00
Claim No. 13,503	Mercury Insurance Company, as subrogee for Ellie Ahn	5,303.39
Claim No. 13,504	Allstate Insurance, as subrogee for, Reed Gardiner	9,650.00
Claim No. 13,505	Rafat Salib, Rafi's 76	3,011.63
Claim No. 13,506	Law Offices of Joan M. Lauricella, representing Henry Andrew Lewis	25,000.00+
Claim No. 13,507	Myer Pak	875.33
Claim No. 13,508	Stephen A. King, Esq. Carpenter, Zuckerman & Rowley, representing Jennifer Walkup as Guardian Ad Litem for S.W. (a minor)	Not stated
Claim No. 13,509	Jewel Edwards	3,388.60

April 20, 2020, at 2:00 p.m. – City Manager’s Recommended Fiscal Year (FY) 2021-2025 Capital Improvement Program (CIP) Budget

City Clerk Jomsky read aloud the following public comment as part of the record:

William Paparian, Pasadena resident, expressed concerns with the City Council approving expenditures on the Consent Calendar in the midst of a pandemic.

In response, the City Manager clarified that many of the recommended actions involve non-General Fund dollars specific to the recommended expenditure, and provided information on the various expenditures.

It was moved by Councilmember Kennedy, seconded by Councilmember McAustin, to approve all items on the Consent Calendar, with the exception Item 7 (Authorize a Contract with Appliance Recycling Centers of America, Inc.), Item 11 (Authorization to Enter Into a Contract with Data Ticket, Inc.), and Item 12 (Amendments to Fiscal Year 2020 Capital Improvement Program Budget and Adopt Road Repair and Accountability Act of 2017), which were discussed separately. (Motion unanimously carried) (Absent: None)

AUTHORIZATION TO AMEND CONTRACT NO. 31,603 WITH FS CONTRACTORS, INC., FOR CITYWIDE SIDEWALK IMPROVEMENTS – 2020 TO INCREASE THE NOT-TO-EXCEED AMOUNT BY \$230,000 FROM \$1,419,000 TO \$1,649,000

Recommendation: It is recommended that the City Council:

(1) Find that pursuant to the provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines that the effects of the Proposed Project are typical of those generated within that class of projects (i.e., Class 1 – Existing Facilities) which consist of, among other things, the repair, maintenance or minor alteration of existing public or private structures, facilities, or topographical features, involving negligible or no expansion of use beyond that existing at the time of this determination, and that, therefore, pursuant to Section 15301 of the CEQA Guidelines, the Proposed Project will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA;

(2) Authorize the City Manager to execute a contract amendment with FS Contractors, Inc., to increase the contract by \$230,000 for a total not-to-exceed amount of \$1,649,000 for additional concrete repairs; and

(3) Amend the Department of Public Works Fiscal Year (FY) 2020 Operating Budget by recognizing and appropriating \$200,000 in Private Capital to 10122003-92114 to fund the requested sidewalk repair work. (Contract No. 31603-1, Budget Amendment No. 2020-32)

Ara Maloyan, Director of Public Works, responded to questions related to City's Annual ADA Sidewalk Improvements Program.

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

AMENDMENTS TO FISCAL YEAR 2020 CAPITAL IMPROVEMENT PROGRAM BUDGET AND ADOPT ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SENATE BILL 1) PROJECT LIST FOR FY 2021

Recommendation: It is recommended that the City Council:

- (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;
- (2) Amend the Fiscal Year 2020 Capital Improvement Program Budget as detailed in Attachment A of the agenda report; and
- (3) Adopt by resolution the Road Repair and Accountability Act (SB 1) project list. (Resolution No. 9771, Budget Amendment No. 2020-33)

The City Manager responded to questions related to the City's Pedestrian Crossing Enhancements Program FY 2016-2020 projected locations map. Laura Cornejo, Director of Transportation, provided information on the Traffic Signal at Garfield Avenue and Washington Boulevard project, and responded to questions.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

ORAL UPDATE – CITY'S RESPONSE TO COVID-19 PANDEMIC – CITY MANAGER

Dr. Ying Ying Goh, Director of Public Health, provided an update on the number of cases and deaths related to the COVID-19 pandemic occurring in the City, as well as on a national and worldwide scale, COVID-19 patients at Huntington Memorial Hospital (HMH) and area hospitals, areas of progress and improvement to fight the pandemic; and responded to questions.

Councilmember Madison requested that staff provide information on individuals who have recovered from COVID-19 as part of future presentations.

Vice Mayor Hampton asked staff to provide information on the number of doctors and nurses employed at HMH who have

contracted the COVID-19 virus. He also suggested that information for mental health services and the contact number for the County of Los Angeles' 24-hour mental health hotline be made available as part of City communications related to COVID-19.

Councilmember Kennedy asked staff to consider contacting urgent care facilities in the City to request information on the number of patients who visited such facilities with COVID-19 symptoms, but were sent home without being tested; and to provide data on bed capacity that is available at HMMH.

Councilmember McAustin asked staff to provide an update on HMMH's supplies of Personal Protective Equipment (PPE).

City Manager Mermell presented a PowerPoint presentation on the impacts of COVID-19 in terms of disruptions to the City's economy, and provided an overview of staff's proposal to temporarily suspend collection of Underground Surtax, and provide a 2-year rebate to all electric customers; and responded to questions.

Councilmember Madison spoke in favor of suspending the Underground Surtax and providing a rebate to all electric customers, with the monetary support needed during the COVID-19 pandemic.

Councilmember McAustin thanked staff for their creative method to put the Underground Surtax funds to use; and stated that the proposed action will have a positive impact to the City's businesses.

Councilmember Gordo asked staff to return with information on the feasibility of the City providing free utilities to businesses and any constraints that might exist in providing such support; and to respond to correspondence from Mr. Paul Little, President of the Pasadena Chamber of Commerce, regarding suggestions to provide financial assistance to local small businesses.

Brenda Harvey-Williams, Director of Parks, Recreation and Community Services, provided an oral report on staff's recommendation to utilize existing food delivery methods by allocating funds for prepared meals and food pantries, which includes contributing to meal programs organized by the Pasadena Unified School District, Senior Center, Friends In Deed, Foothill Unity Center, and the Salvation Army; and responded to questions.

Councilmember Madison spoke on the need for staff to disseminate the information on the food pantry and meals programs available in the City to ensure wide community awareness of supportive services.

Councilmember Wilson asked staff to provide a 6-month plan to support the proposed meal program, with the focus to maximize City assistance to Pasadena residents that are in need and maintain cost effectiveness. He suggested that staff work with food pantries to provide food care packages utilizing bulk items to individuals in need, so that they may prepare their own meals.

Councilmember Kennedy asked staff to follow up with Dr. Brian McDonald, Superintendent of the Pasadena Unified School District, to determine if they can provide additional funding for their meal program; and to contact YWCA representatives and consider providing financial resources to their food distribution program, which provides meals to seniors in the City. He also asked the City Council to encourage the Mayor to send solicitation requests to certain individuals/entities in the City, (i.e. Rose Hills Foundation) seeking contributions to support meal programs. Councilmember Kennedy spoke on the need for staff to develop a comprehensive database of emergency resources/categories where City residents can go to provide needed support through volunteer work and/or contributions.

Mayor Tornek responded that he is working with the Pasadena Community Foundation (PCF) in fundraising efforts in support of programs and assistance provided as part of the City's overall pandemic response.

Councilmember McAustin spoke in favor of a 6-month meal program that provides food packages to individuals in need, rather than precooked meals.

Vice Mayor Hampton expressed concerns with only providing food packages and not prepared meals, as some individuals do not have the proper means to prepare their own meals. He also asked staff to provide information on shower resources for homeless individuals.

Councilmember Gordo spoke in favor of developing a program, utilizing local resources that include delivering groceries to residents who lost employment due to COVID-19. He asked staff to coordinate with regional food banks for food pick-up and local food banks that provide food distribution, and examine the possibility of utilizing City staff and vehicles to distribute to individuals in need. In addition, he asked staff to determine if Pasadena Unified School District (PUSD) and Pasadena City College (PCC) have available workforce that may be utilized to assist with local food banks. He also suggested scheduling an additional meeting to discuss the City Manager's proposed plans.

Following discussion, City Manager Mermell summarized that City staff will work with the various existing food pantries in the community to determine costs to establish a food care package on a per unit basis, with staff returning to the City Council with an update.

City Clerk Jomsky reported that one letter was received by the City Clerk's Office providing comments on the item, which was distributed to the City Council, posted online, and is part of the record for this item. In addition, he read aloud comments related to COVID-19 and attendance of Councilmembers at City Council meetings, concerns with liquor stores operating as essential businesses, concerns with the Mayor's recent travels to Dakar-Plateau, Senegal, the need for additional assistance to hospitality workers, advocacy for continued operation of community gardens, the need for communication related to COVID-19 to be translated into Spanish, and/or support for the City providing meals to the community, from the following individuals:

Ralph Frammolino, Pasadena resident
Gilbert Gonzalez, Altadena resident
Chiara Tellini, Pasadena resident
Kate Spear, Los Angeles resident
PJ Johnson, Pasadena resident
Isabella Ramirez, Pasadena resident
Pat Amsbry, Pasadena resident

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

CONSENT ITEM
DISCUSSED SEPARATELY

Continued

AUTHORIZE A CONTRACT WITH APPLIANCE RECYCLING CENTERS OF AMERICA, INC., ("ARCA") FOR REFRIGERATOR PROCUREMENT, DELIVERY AND RECYCLING SERVICES UP TO \$750,000

Gurcharan Bawa, General Manager of Water and Power, responded to questions related to the source of funds that pay for the program and the Public Benefit Charge (PBC). City Manager Mermell provided information on the City's program that replaces resident's old refrigerators with new efficient refrigerators.

Councilmember Gordo expressed concerns with the amount of expenditure for the proposed contract; and asked that this item be held to a future date, and return with information to determine if the PBC fees can be alternatively used to assist seniors during the COVID-19 pandemic, as well as any other options the City Council may consider to assist the City residents.

Councilmember Wilson spoke in favor of reallocating PBC funds and asked staff to determine if the funds may be used to assist City residents with their utility bills.

Following discussion, by consensus of the City Council, and on order of the Mayor, the item was held, to return at a future City Council meeting.

Motion

Following information provided by Michele Beal Bagneris, City Attorney/City Prosecutor, related to the Governor Newsom Executive Order N-29-20, in terms of the need for the City Council to conduct roll call votes, it was moved by Councilmember Kennedy, seconded by Councilmember Wilson, to approve all items on the Consent Calendar, with the exception of Item 7 (Authorize a Contract with Appliance Recycling Centers of America, Inc.), which will be agendized at a future City Council meeting:

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

NOES: None

ABSENT: None

ABSTAIN: None

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

JOINT ACTION OF THE CITY COUNCIL AND PASADENA PUBLIC FINANCING AUTHORITY (PPFA): ACTIONS RELATED TO THE CITY'S VARIABLE RATE OBLIGATIONS SERIES 2008A CONFERENCE CENTER BONDS AND SERIES 2000 PASEO COLORADO BONDS

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action is not a project subject to California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project;

(2) Authorize the City Manager and the Director of Finance to execute any technical amendments to the tender obligation documentation related to the City's Series 2008A and 2000 variable rate demand obligations to permit the City to purchase and hold for investment purposes any tender obligations which cannot be remarketed, if such officer determines that the purchase of the tender obligations is prudent and will mitigate or minimize payments required to be paid by the City to the holders of such tender obligations or to any credit or liquidity provider for such tender obligations; and

(3) Authorize an amendment to the City's investment policy, as required by Section 53601 of the Government Code, to permit the purchase of any such tender obligations even if such obligations have a stated maturity exceeding five years.

Recommendation: It is recommended that the Pasadena Public Financing Authority authorize the Executive Director and Authority Treasurer to execute any technical amendments to the tender obligation documentation to permit the City to purchase and hold for investment purposes any tender obligations which cannot be remarketed, at the request of the City.

Matt Hawkesworth, Director of Finance presented a PowerPoint presentation on the item and responded to questions.

Following discussion, 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

RATIFICATION OF THE CITY MANAGER'S THIRD SUPPLEMENT TO DECLARATION OF LOCAL EMERGENCY IN RESPONSE TO COVID-19 PANDEMIC

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); and
- (2) Adopt a resolution ratifying the March 25, 2020, Third Supplement to Declaration of Local Emergency, and authorize the City Manager to Suspend Limits of Time Imposed by the Pasadena Municipal Code in order to mitigate the interruption of business caused by the response to the COVID-19 Pandemic. (Resolution No. 9774)

Councilmember Madison was excused and left the meeting at 6:08 p.m.

City Manager Mermell summarized the staff report as part of his oral presentation; and responded to questions. David Reyes, Director of Planning and Community Development, responded to questions related to cannabis permit deadlines. Michele Beal Bagneris, City Attorney/City Prosecutor, responded to questions related to the appropriateness of the staff recommendation and extensions on statutory provisions.

Councilmember Madison reiterated his request to agendaize for discussion and consideration the initiative to provide emergency action in support of hospitality workers in the City.

Vice Mayor Hampton spoke in opposition to the City Manager extending the entitlements/permits related to cannabis.

Councilmember Kennedy spoke in favor of the staff recommendation in terms of administrating City government in a time of crisis.

Councilmember Gordo expressed concerns with extending entitlements/permits for 12 months; and requested a report on the impacts to cannabis, including reasonable suggestions, legal issues, and the next Planning Commission meeting.

Substitute Motion:

Following discussion, it was moved by Vice Mayor Hampton, seconded by Councilmember Gordo, to approve the staff recommendation, amended to exclude extensions related to entitlements of cannabis permits, and with direction to staff to return to the City Council with additional information on cannabis impacts, as detailed above:

AYES: Councilmember Gordo, Vice Mayor Hampton
NOES: Councilmember Kennedy, Masuda, McAustin, Wilson,
Mayor Tornek
ABSENT: Councilmember Madison
ABSTAIN: None
(MOTION FAILED)

Councilmember Wilson asked staff to provide a timeline on the extension of entitlements. He expressed concerns with extending entitlements for 12 months, which he believes is too long, and recommended an extension period of 6 months.

Michele Beal Bagneris, City Attorney/City Prosecutor, reported that the City Manager must return to the City Council in 60 days to extend the declaration of a local emergency. Javan Rad, Chief Assistant City Attorney, provided information on the resolution ratifying the Third Supplement to the Declaration of a Local Emergency.

Motion

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

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

**ORDINANCES – FIRST
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTIONS 17.30.030, 17.50.300, AND 17.80.020 OF TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO MAKE SINGLE-ROOM OCCUPANCY A PERMITTED USE IN ALL CD ZONING DISTRICTS AND INCREASE THE MAXIMUM UNIT SIZE TO 375 SQUARE FEET”

The above ordinance was offered for first reading by Vice Mayor Hampton:

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

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 17.46.250 OF TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO REDUCE MINIMUM PARKING REQUIREMENTS FOR CERTAIN USES IN THE CD-4 ZONING DISTRICT”

City Clerk Jomsky reported that 1 letter in support was received by the City Clerk’s Office, which was distributed to the City Council, posted online, and made part of the public record for this item.

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

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

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 2, CHAPTER 2.155, SECTION 2.155.120 OF THE PASADENA MUNICIPAL CODE (PASADENA COMMUNITY ACCESS CORPORATION, CITIZENS ADVISORY COMMITTEE)” (Introduced by Vice Mayor Hampton) (Ordinance No. 7358)

The above ordinance was adopted by the following vote:

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

ABSENT: Councilmember Madison
ABSTAIN: None

Adopt “AN UNCODIFIED ORDINANCE ENACTING A MORATORIUM ON EVICTIONS FOR NON-PAYMENT OF RENT BY TENANTS IMPACTED BY THE COVID-19 PANDEMIC”
(Introduced by Vice Mayor Hampton) (Ordinance No. 7359)

City Clerk Jomsky reported that 19 letter expressing concerns and/or providing suggestions related to the moratorium on evictions were received by the City Clerk’s Office, which were distributed to the City Council, posted online, and made part of the public record for this item.

Javan Rad, Chief Assistant City Attorney, responded to questions related to the enforcement and assertive process of the ordinance, for tenants of residential and commercial properties.

Councilmember Gordo requested that staff return with information and all the City Council to revisit the enforcement and monitoring aspects of the ordinance at a future City Council meeting.

City Clerk Jomsky read aloud public comments related to the item, including: requesting staff to extend the payback period; requesting the City institute rent suspension; support for a total ban on all evictions; and removal of documentation requirements, from the following individuals:

Diana Stahl, Pasadena resident
Anthony Manousos, Pasadena resident
Breana, Pasadena resident
Angel M. Castillo, Pasadena resident
Ryan Bell, Pasadena Tenants Union
Christopher Wohlers, Pasadena resident
Kayla Ephros, Pasadena resident
Sonja K. Berndt, Pasadena resident
Amia Yokoyama, Pasadena resident
Beverly Shanahan, Pasadena resident
Juliana Serrano, Pasadena resident
Mary Clark, Pasadena resident
Benjamin Draper, Pasadena resident
Name and residence not stated
Kristen Sales, Pasadena resident
Daviel Shy, Pasadena resident

Councilmembers Kennedy, Wilson, and Masuda spoke in favor of adopting the ordinance, however stated the need for additional discussion on the item, including staff to consider providing additional time for renters to payback rent. Councilmember Wilson asked staff to consider a reasonable amortization schedule for renters to pay back rent when this item returns to the City Council.

Mayor Tornek asked staff to review the documentation requirements of Section 5 of the ordinance; and expressed concerns with complete rent suspension, which may not be a legally viable option for the City to enact.

Councilmember Gordo requested a fact sheet (in Spanish and other languages) providing information on City, State and Federal legislation related to moratoriums on evictions for non-payment of rent, and for staff to make such information and resources readily available to the public. He stated that City staff should be available for the next few months to receive complaints in order to assess and monitor how individuals are being treated, and how property owners are reacting to these provisions, to determine if the City Council should move forward more aggressively. Finally, he asked staff to research and determine if there are State or Federal funds available to assist residents to pay their rents; and to contact City advocates/lobbyists/representatives at both levels of government to advocate for the availability of rent assistance funds at the local level. He also asked that staff connect with the Pasadena Community Foundation, and surrounding cities, to determine the feasibility of establishing a pool of stimulus funds to assist smaller surrounding cities and Pasadena residents with rental assistance.

Councilmember Kennedy asked staff to provide an update on the March 9, 2020, public speaker, Albina Kamara, Pasadena resident (230 East California Boulevard), to ensure that she is receiving assistance on her eviction notice.

City Manager Mermell reported that Ms. Kamara's landlord is working with her and there is expectation of some free rent provision; and that he will provide additional information to the Councilmember.

Councilmember McAustin spoke on the need to focus City efforts, including utilizing the City's state lobbyists, to advocate for State funding for smaller local governments that did not receive federal assistance; and the need for a strong social media presence to inform City residents of the existence of the adopted ordinance enacting a moratorium on evictions.

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

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

Councilmember Madison returned to the meeting at 7:17 p.m.

Mayor Tornek and Vice Mayor Hampton thanked staff for their work in putting the videoconference meeting together to continue the governance process.

Councilmember Kennedy asked staff to provide information (utilizing internal and external experts, including the Pasadena Chamber of Commerce and Caltech) on the costs of the response and associated actions in quantifiable way, showing the amount of dollars lost to local businesses, and revenues lost to the City, including impacts to the City on a daily basis, and provide the information to the City Council and public.

Councilmember Madison spoke on the need to investigate the lack of preparation of the Federal Government related to the COVID-19 pandemic, and reiterated his requested to agendize a discussion on emergency actions related to hospitality workers.

In response to Councilmember Madison's inquiry related to how the community may assist during the pandemic, City Manager Mermell responded that the community should follow the Safe at Home Order, donate Personal Protective Equipment to the Huntington Memorial Hospital, and make a financial contribution to the Pasadena Community Foundation or Rose Bowl Legacy Foundation.

Vice Mayor Hampton noted that the City has a volunteer sign-up site available for those individuals who are interested in helping the community. He spoke on the need to ensure the City Manager's updates related to COVID-19 are translated into Spanish and other languages; and thanked staff, the Rose Bowl Operating Center (RBOC), and the Pasadena Center Operating Company (PCOC) for providing free meals to children and adults. He noted, however, that he received concerns regarding inconsistencies in the meals provided by PCOC vs. RBOC, and pointed out the need for coordinated quality in the meals provided. He also stated this his constituents expressed concerns with the customer service provided by the Pasadena Police Officers at the Rose Bowl Loop, when informing the public of the closure of the loop.

Councilmember McAustin recognized and thanked all City staff who continue to provide various services to the community.

ADJOURNMENT

On order of the Mayor, the special meeting of the City Council adjourned at 7:25 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk