

CITY OF PASADENA
City Council Minutes
March 9, 2020 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING: On order of the Mayor, the regular meeting was called to order at 6:38 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

**RECOMMENATIONS FROM
OFFICERS AND
DEPARTMENTS**

ADOPTION OF A RESOLUTION RATIFYING THE HEALTH OFFICER'S DECLARATION OF LOCAL HEALTH EMERGENCY IN RESPONSE TO COVID-19

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 4, 2020, Health Officer Declaration of a local health emergency in response to COVID-19. (Resolution No. 9767)

City Manager Mermell provided introductory comments, and Dr. Ying Ying Goh, MD, Director of Public Health, presented a PowerPoint presentation on the item, with both responding to questions. Jennifer Waldron, Disaster Coordinator, Leonard De La Cruz, Director of Infection Prevention and Control, Dr. Kimberly Shriner, and Dr. David Mann, all with Huntington Memorial Hospital (HMH), jointly, presented a PowerPoint presentation on HMH emergency plans in place to accommodate a surge of patients, coordinating efforts with other medical organizations, and patient management, with all responding to questions. Lisa Derderian, Public Information Officer, responded to questions related to information on public announcements.

Vice Mayor Hampton asked staff to pay extra attention to the Senior Center to avoid exposing seniors to Covid-19; and include on the City's website advisory bulletins/warnings related to Covid-19 for anyone interested in attending Art Night. He stated the following for the record, "A lot of major corporations have actually cancelled events that have gone over 100 people because of this [Covid-19 virus], and until there is some sort of calm...eventually there will be a calm. I'm 100% sure of that. I think with your data with the flu virus and the death toll...I think as more people are educated about this I think the calm will eventually come, but until that calm comes, we need to make sure we are protecting everyone, and also protecting people from the hysteria that is going along with..."

Councilmember Gordo suggested that staff review mutual aid agreements with ambulance agencies, Los Angeles County Sheriff's Department, and others to ensure the Covid-19 emergency is covered as part of those agreements.

Councilmember Wilson requested that staff utilize all forms of communication to ensure that the community is informed about issues related to the Covid-19 virus to avoid causing panic.

Councilmember Kennedy suggested that staff work with KPAS and KPCC to utilize subtitles in Spanish and Chinese to distribute information on Covid-19 to the community, and to distribute by United States Postal Service for individuals who solely rely on mail for information. He also suggested that staff research Vietnam's actions that have resulted in 100% survival rate of all 16 cases of Covid-19 virus.

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

PUBLIC COMMENT

Pastor Burnes, Pasadena resident, expressed concerns regarding the health and safety for individuals at Union Station Homeless Services Center, noting such issues as the elevator not being in service for months; and the Parsons Project which he argued needs additional City oversight as it is not adhering to the local hiring requirements, and suggested staff host a local job fair to help ensure the project meets the agreed upon local hiring goals.

Vice Mayor Hampton asked staff to provide information on inspections completed at Union Station, and suggested additional inspections be scheduled to ensure that safe conditions are maintained for those visiting the Center.

City Manager Mermell stated that representatives from the Parson Project provided an update on a job fair they hosted, including over 100 attendees, which resulted in the hiring of several individuals to work on the project. He and Councilmember Kennedy will be meeting with the project's team to discuss local hiring efforts; and an update will be forthcoming to the City Council.

Jane Panangaden, representing Pasadena Tenants Union, distributed information and spoke on the need to amend the City's Tenant Protection Ordinance to address the just cause eviction renovation loophole to provide additional protection.

In response to Vice Mayor Hampton's inquiry, City Manager Mermell stated that he would work with the City Attorney to assess the information provided by the public speaker. Councilmembers Kennedy and Gordo requested that staff work as quickly as possible on the reported loophole to determine its veracity and ensure that the City addresses it in a timely fashion. Councilmembers McAustin, Wilson, and Masuda requested that staff also review protective actions for tenants who may be adversely affected by Covid-19, and determine if the City can levy penalties against violations of the City's protections.

Albina Kamara, Pasadena resident, requested assistance for her and tenants at 230 East California Boulevard, who are being evicted by the "just cause" renovation loophole present in the state legislation.

In response to Councilmember Kennedy's inquiry related to providing assistance to Ms. Kamara, Mayor Tornek stated that staff will contact Ms. Kamara.

Councilmember Gordo and Mayor Tornek asked staff to review legislation on how the City defines and qualifies "substantial renovation," and determine if landlords are complying with the legislation.

The following individuals, expressed concerns and provided comments related to the reassignment of Fire Chief Bertral Washington.

David L. Washington, Las Vegas resident
Addington Stewart, International Association of Black
Professional Fire Firefighters

Armando Herman, residence not stated, provided comment.

Mike Greenspan, residence not stated, spoke on legalizing cannabis retailer shops.

CONSENT CALENDAR

CONTRACT AWARD TO KOA CORPORATION TO IMPLEMENT THE TRAFFIC SIGNAL ASSET MASTER PLAN PROJECT

Recommendation: It is recommended that the City Council:

(1) Find that the proposed actions are exempt from review pursuant to the California Environmental Quality Act ("CEQA"), pursuant to State CEQA Guidelines Section 15061(b)(3) (General Rule); and

(2) Authorize the City Manager to enter into a contract with KOA Corporation as a result of a competitive selection process as specified by Section 4.08.047 of the Pasadena Municipal Code, for an amount not-to-exceed \$260,000, to implement the Traffic Signal Asset Master Plan Project. (Contract No. 31677)

AUTHORIZATION TO ENTER INTO A FIVE-YEAR CONTRACT WITH CIVICPLUS TO FURNISH AND DELIVER A RECREATION MANAGEMENT SOFTWARE SOLUTION, LICENSES, AND IMPLEMENTATION SERVICES

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 five-year contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with CivicPlus to furnish and deliver a recreation management software solution, software licenses, and implementation services, for an amount not-to-exceed \$298,105, which includes a ten percent contingency. (Contract No. 31684)

CONTRACT AWARD TO PASADENA PROMOTIONS FOR EQUIPMENT RENTAL SERVICES RELATED TO STAGING SPECIAL EVENTS

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; and

(2) Accept the bid dated November 15, 2019, submitted by Pasadena Promotions in response to specifications for Equipment Rental Services, reject all other bids received, and authorize the City Manager to enter into a contract not-to-exceed \$136,871. This includes a 15% contingency of \$17,853 to provide for any necessary change orders. (Contract No. 31692)

Item discussed separately

AUTHORIZATION TO ENTER INTO CONTRACT WITH CRAFTWATER ENGINEERING, INC., FOR STORM DRAIN MASTER PLAN AND WATERSHED ASSESSMENT IN AN AMOUNT NOT-TO-EXCEED \$750,000

Item discussed separately

AUTHORIZATION TO ENTER INTO CONTRACTS WITH ARDURRA GROUP, INC.; DUDEK; GHD, INC.; KOA CORPORATION; TETRA TECH, INC., AND TRANSTECH ENGINEERS, INC., FOR ON-CALL CIVIL ENGINEERING DESIGN SERVICES IN AN AMOUNT NOT-TO-EXCEED \$1,500,000 FOR EACH CONSULTANT

ADOPT A RESOLUTION ESTABLISHING NEW CLASSIFICATIONS AND SALARIES

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 the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines, and as such, is not subject to environmental review; and

(2) Adopt a resolution establishing new classifications and setting salary control rates. (Resolution No. 9768)

Item discussed separately

CONTRACT AWARD TO SOUTHWEST PIPELINE & TRENCHLESS CORPORATION FOR FISCAL YEAR 2020 ANNUAL SEWER SYSTEM IMPROVEMENTS AND CAPACITY UPGRADES PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$1,250,000 AND AMENDMENT TO FISCAL YEAR 2020 CAPITAL IMPROVEMENT PROGRAM BUDGET

AUTHORIZE THE CITY MANAGER TO EXECUTE ALL AGREEMENTS WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ASSOCIATED WITH THE RECEIPT OF MEASURE M MULTIYEAR SUBREGIONAL PLAN FUNDS FOR THE CITY OF PASADENA

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) (General Rule); and

(2) Authorize the City Manager to execute all agreements associated with the receipt of Measure M Multiyear Subregional Plan (MSP) funds from the Los Angeles County Metropolitan Transportation Authority (Metro). These funds will total \$6,670,632 for the first 5-year Measure M MSP Program covering four projects within the City of Pasadena.

Item discussed separately

LEGISLATIVE POLICY COMMITTEE: APPROVAL OF THE FEDERAL AND STATE LEGISLATIVE PLATFORMS FOR CALENDAR YEAR 2020

MUNICIPAL SERVICES COMMITTEE: AUTHORIZE CONTINUED PARTICIPATION IN CALIFORNIA'S LOW CARBON FUEL STANDARD BY ENTERING INTO THE MULTILATERAL CLEAN FUEL REWARD PROGRAM GOVERNANCE AGREEMENT WITH VARIOUS ELECTRIC UTILITIES

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), the "common sense exemption" in that CEQA applies only to projects which have the potential for causing a significant effect on the environment;
- (2) Authorize the City Manager or a designated representative to enter into the multilateral Clean Fuel Rewards ("CFR") Governance Agreement, and any other documents, exhibits and Agreements necessary to effectuate and administer the CFR Governance Agreement, without competitive bidding pursuant to City Charter Section 1002(C) Contract for labor, material, supplies, or services available from only one vendor;
- (3) Authorize the City Manager or a designated representative to implement, administer, approve, and sign any amendments to the CFR Governance Agreement (including any and all exhibits and additional Agreements that are part of the Governance Agreement) that may occur from time to time under the terms of the Governance Agreement; and
- (4) It is further recommended that the City Council 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.

APPROVAL OF SECOND AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY ATTORNEY/CITY PROSECUTOR

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 the California Environmental Quality Act

(CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines, and as such, is not subject to environmental review; and

(2) Approve an amendment to the employment agreement for City Attorney/City Prosecutor Michele Beal Bagneris to provide an increase to salary and the classification's salary control rate. It is further recommended that the Mayor be authorized to sign the amendment to the employment agreement to reflect City Council approved changes. (Contract No. 23,016-2)

LEGISLATIVE POLICY COMMITTEE: APPROVAL OF CONTRACT RENEWAL WITH CAPITALEDGE ADVOCACY INC., FOR LEGISLATIVE LIAISON SERVICES

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;

(2) Approve a five-year contract renewal with CapitalEdge Advocacy Inc., for federal legislative liaison services effective July 1, 2020 through June 30, 2025 for an annual contract cost of \$117,238 (\$112,238 plus \$5,000 for expenses) with the provision for renegotiating the annual cost beginning in Fiscal Year 2022; and

(3) Acknowledge this contract is exempt from competitive bidding pursuant to City Charter Section 1002(f) (Professional Services) and automatically exempt from competitive selection pursuant to Pasadena Municipal Code (PMC) Section 4.08.049A(4) (Lobbying Services). (Contract No. 14,731-11)

RESIGNATIONS,
APPOINTMENTS &
REAPPOINTMENTS

APPOINTMENT OF CHRISTINA BUDAI TO THE NORTHWEST COMMISSION (District 3 Nomination)

MINUTES

February 3, 2020

CLAIMS RECEIVED

Claim No. 13,491	Josh Clancy		Not stated
Claim No. 13,492	Karen Harris	\$	225.00
Claim No. 13,493	Anthony Miller		1,800.00
Claim No. 13,494	Anthony Miller		10,000.00
Claim No. 13,495	Kimberly C. Ilas		1,210.00
Claim No. 13,496	Berneda Ryland		Not stated
Claim No. 13,497	Mina Vasquez		185.00
Claim No. 13,498	Law Office of Lawrence A. Walter, representing		25,000.00+

Claim No. 13,499	The Marilyn Burton Family Ltd. Partnership Cohen & Marzban Law Corp., representing Blake Hahn	25,000.00+
Claim No. 13,500	Law Offices of Michael V. Jehdian, Esq., representing Raven D. Boyd	10,000.00+
Claim No. 13,501	Law Offices of Michael V. Jehdian, Esq., representing Arthur Williams	10,000.00+

PUBLIC HEARING SET

April 6, 2020, 7:00 p.m. – Submittal of Public Housing Agency Five-Year Plan (2020-2025) and Annual Plan (2020) to the U.S. Department of Housing and Urban Development

Regarding the second amendment to the employment agreement with the City Attorney/City Prosecutor, the Mayor provided an overview of the staff report and compensation provided as part of the recommended action.

The following individuals provided general remarks related to the consent calendar:

Armando Herman, residence not stated
Mike Greenspan, residence not stated

Following public comment, it was moved by Councilmember Kennedy, seconded by Councilmember Wilson, to approve all items on the Consent Calendar, with the exception of Item 4 (Authorization to Enter into a Contract with Craftwater Engineering, Inc.), Item 5 (Authorization to Enter into Contracts...For On-Call Civil Engineering Design Services), Item 8 (Contract Award to Southwest Pipeline & Trenchless Corporation), and Item 10 (Approval of the Federal and State Legislative Platforms for Calendar Year 2020), which were discussed separately. (Motion unanimously carried) (Absent: None)

**CONSENT ITEM
DISCUSSED SEPARATELY**

Councilmember Kennedy was excused and left the meeting at 9:31 p.m.

AUTHORIZATION TO ENTER INTO CONTRACT WITH CRAFTWATER ENGINEERING, INC., FOR STORM DRAIN MASTER PLAN AND WATERSHED ASSESSMENT IN AN AMOUNT NOT-TO-EXCEED \$750,000

Recommendation: It is recommended that the City Council:
(1) Find the proposed action is exempt from the California Environment Quality Act (CEQA) in accordance with Section

15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment and that there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances; and
(2) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Craftwater Engineering, Inc., for Storm Drain Master Plan and Watershed Assessment services for an amount not-to-exceed \$750,000 or five years, whichever occurs first. Competitive price bidding is not required pursuant to City Charter Section 1002(F). (Contract No. 31669)

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

AUTHORIZATION TO ENTER INTO CONTRACTS WITH ARDURRA GROUP, INC.; DUDEK; GHD, INC.; KOA CORPORATION; TETRA TECH, INC., AND TRANSTECH ENGINEERS, INC., FOR ON-CALL CIVIL ENGINEERING DESIGN SERVICES IN AN AMOUNT NOT-TO-EXCEED \$1,500,000 FOR EACH CONSULTANT

Recommendation: It is recommended that the City Council:

- (1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Article 5, Section 15061(b)(3), the General Rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment;
- (2) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Ardurra Group, Inc., for On-Call Civil Design Services in an amount not-to-exceed \$1,500,000 or five years, whichever occurs first. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; (Contract No. 31674)
- (3) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Dudek for On-Call Civil Design Services in an amount not-to-exceed \$1,500,000 or five years, whichever occurs first. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; (Contract No. 31671)
- (4) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with GHD, Inc., for On-

Call Civil Design Services in an amount not-to-exceed \$1,500,000 or five years, whichever occurs first. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; (Contract No. 31675)

(5) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with KOA Corporation for On-Call Civil Design Services in an amount not-to-exceed \$1,500,000 or five years, whichever occurs first. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; (Contract No. 31672)

(6) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Tetra Tech, Inc., for On-Call Civil Design Services in an amount not-to-exceed \$1,500,000 or five years, whichever occurs first. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; and (Contract No. 31673)

(7) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Transtech Engineers, Inc., for On-Call Civil Design Services in an amount not-to-exceed \$1,500,000 or five years, whichever occurs first. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 31676)

Ara Maloyan, Director of Public Works, and City Manager Mermell, responded to questions related to the Request For Proposal (RFP) process, and qualified bid selection process.

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

CONTRACT AWARD TO SOUTHWEST PIPELINE & TRENCHLESS CORPORATION FOR FISCAL YEAR 2020 ANNUAL SEWER SYSTEM IMPROVEMENTS AND CAPACITY UPGRADES PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$1,250,000 AND AMENDMENT TO FISCAL YEAR 2020 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation: It is recommended that the City Council:

(1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3,

Article 19, Section 15301, Class 1, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination, and that there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances;

(2) Amend the Fiscal Year (FY) 2020 Capital Improvement Budget by transferring \$500,000 in Sewer Capacity Charge from Sewer System Improvements and Citywide Capacity Upgrades FY 2017-2019 (76909) to Annual Sewer System Improvements and Capacity Upgrades – FY 2020 (76915); and

(3) Accept the bid dated February 26, 2020, submitted by Southwest Pipeline & Trenchless Corporation in response to the plans and specifications for the FY 2020 Sewer Relining and Point Repair Project, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$1,250,000. (Contract No. 31670, Budget Amendment No. 2020-31)

Ara Maloyan, Director of Public Works, and City Manager Mermell, responded to questions on the scope of work and technology related to the sewer system upgrades.

Following discussion, it was moved by Vice Mayor Hampton, seconded by Councilmember Masuda, to approve the staff recommendation. (Absent: Councilmember Kennedy)

LEGISLATIVE POLICY COMMITTEE: APPROVAL OF THE FEDERAL AND STATE LEGISLATIVE PLATFORMS FOR CALENDAR YEAR 2020

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 15061(b)(3) the general rule that CEQA only applies to projects that may have an effect on the environment; and

(2) Approve the Federal Legislative Platform and the State Legislative Platform for calendar year 2020.

Recommendation of the Legislative Policy Committee: At the January 28, 2020 meeting of the Legislative Policy Committee, staff presented both the Federal and State Legislative Platforms for calendar year 2020. The Committee recommended forwarding both Platforms to the City Council with minor revisions.

The following individuals provided comment on the item, including requesting that the Legislative Platforms include supportive tenant

protections, homelessness prevention, and reasonable requirements for Accessory Dwelling Units:

Allison Henry, Pasadena Tenants Union
Sonja Berndt, Pasadena resident

Councilmember Kennedy requested that the Legislative Policy Committee review the State and Federal Legislative Platforms to include a discussion on adding advocacy for the financing of additional affordable housing at a future committee meeting.

Councilmember Wilson asked staff to consider including, under utilities, 5G network policy related to the Federal Communications Commission (FCC); update on state legislation related to micro units; and monitoring of Regional Housing Needs Allocation (RHNA) numbers.

Following discussion, it was moved by Councilmember Wilson, seconded by Vice Mayor Hampton, to approve the staff recommendation. (Absent: Councilmember Kennedy)

PUBLIC HEARINGS

The City Clerk opened the public hearings and reported on noticing/correspondence (additional information for each public hearing is detailed below):

**PUBLIC COMMENT ON
MULTIPLE PUBLIC
HEARINGS**

The following individuals provided comments on multiple public hearings:

Armando Herman, residence not stated
Mike Greenspan, residence not stated

CONTINUED PUBLIC HEARING: APPEAL OF BOARD OF ZONING APPEAL'S DECISION ON REVOCATION OF CONDITIONAL USE PERMIT NO. 5535 LOCATED AT 300 W. GREEN STREET, 100-248 S. ORANGE GROVE BOULEVARD, AND 363 W. DEL MAR BOULEVARD

Recommendation: It is recommended that the City Council conduct a quasi-

judicial appeal hearing and take the following action:

(1) Adopt the Environmental Determination that the project is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21080(b)(9); Administrative Code, Title 14, Chapter 3, Section 15321, Class 21, Enforcement Actions by Regulatory Agencies), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15321 exempts actions by

regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered by the regulatory agency; and

(2) Uphold the Board of Zoning Appeal's decision and approve Revocation of Conditional Use Permit No. 5535, subject to the findings in Attachment A of the agenda report.

The City Clerk reported that 281 copies of the notice were mailed and 69 copies of the notice were posted on January 27, 2020; and that 11 letters in support, 1 letter in opposition of the Revocation of Condition Use Permit (CUP) No. 5535, were received by the City Clerk's Office, which were distributed to the City Council, posted online, and made part of the public hearing record.

David Reyes, Director of Planning and Community Development provided introductory comments, Luis Rocha, Acting Zoning Administrator, presented a PowerPoint presentation on the item; with both responding to questions.

Michael Shonafelt, (representing the applicant) City Ventures, spoke in opposition to the Revocation of CUP No. 5535, and responded to questions.

The following individuals spoke in favor of the Board of Zoning Appeal's decision and approval of Revocation of CUP No. 5535:

Joseph Topper, Pasadena resident
Richard McDonald, representing neighborhood associations
Richard Kleinert, Pasadena resident
Linda Maher, Ambassador Gardens

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

Councilmember Madison spoke in favor of the staff recommendation, noting the Board of Zoning Appeal's (BOZA) unanimous decision to approve the revocation.

Councilmember Gordo spoke on CUP No. 5535 and the changed circumstances; and spoke in favor of the staff recommendation.

In response to the Mayor's inquiries related to the provision contained in Section 17.78.090 (Permit Revocation or

Modification) of the City's Zoning Code, David Reyes stated that staff will include the following three findings:

- a. Circumstances under which the permit or entitlement was granted have been changed by the applicant to a degree that one or more of the findings contained in the original permit or entitlement can no longer be made in a positive manner and the public health, safety, and welfare require revocation
- c. One or more of the conditions of the permit or entitlement have not been substantially fulfilled or have been violated
- f. The improvement/use allowed by the permit or entitlement has become detrimental to the public health, safety, or welfare, or the manner of operation constitutes or is creating a public nuisance.

Following further discussion, it was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the staff recommendation, amended to include the provision contained in PMC Section 17.78.090 (Permit Revocation or Modification) of the Zoning Code, based on the findings detailed above. (Absent: Councilmember Kennedy)

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

Recommendation: It is recommended that the City Council remand the call for review of the Design Commission's approval of the application for Consolidated Design Review for a new 112,205-square-foot, 5-story medical office and retail building at 550-566 E. Colorado Boulevard to the Design Commission for further review.

David Reyes, Director of Planning and Community Development, summarized the staff report, and responded to questions.

Richard A. McDonald, representing the development team, spoke in favor of the staff recommendation.

The following individuals provided comment related to the new proposed project:

Marsha Rood, Pasadena resident, submitted correspondence
Nina Chomsky, Pasadena resident

Christine Fedukowski, Pasadena resident

Following public comment, it was moved by Councilmember Gordo, seconded by Vice Mayor Hampton, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Kennedy)

Following a brief discussion, it was moved by Councilmember Wilson, seconded by Vice Mayor Hampton, approve the staff recommendation. (Absent: Councilmember Kennedy)

PUBLIC HEARING: ZONING CODE AMENDMENTS TO UPDATE REGULATIONS FOR SINGLE-ROOM OCCUPANCY USES

Recommendation: It is recommended that the City Council:

- (1) Find that the Zoning Code Amendments are exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15305 (Class 5 – Minor Alterations to Land Use Limitations) and State CEQA Guidelines Section 15061(b)(3), that there are no features that distinguish this project from others in the exempt class, there are no unusual circumstances, and none of the exceptions to the exemptions apply;
- (2) Adopt the Findings of Consistency with the General Plan (Attachment A of the agenda report); and
- (3) Approve the amendments and direct the City Attorney to prepare an ordinance amending Sections 17.30.030, 17.50.300, and 17.80.020 to 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.

Recommendation of the Planning Commission: At a public hearing on November 13, 2019, the Planning Commission recommended that the City Council find that the Zoning Code Amendments are exempt from CEQA and approve the Zoning Code Amendments that would make single room occupancy (SRO) uses permitted without a Conditional Use Permit in all CD Zones and increase the maximum unit size for SRO uses to 375 square feet. The Planning Commission additionally recommended that the Zoning Code Amendments include eliminating any minimum parking requirement for SRO uses (Attachment B of the agenda report).

The City Clerk reported that the public hearing notice was published in the Pasadena Star News on February 24, 2020, and in the Pasadena Journal and the Pasadena Weekly on February 27, 2020 and March 5, 2020 and 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 hearing record.

David Reyes, Director of Planning and Community Development, summarized the staff report, and responded to questions.

Councilmember McAustin asked staff to provide information on parking usage, once the Design Commission has reviewed the proposed project.

Councilmember Wilson asked staff to encourage the developer to adhere to the City's density bonuses and associated concessions rather than the state legislation.

Mr. Reyes stated that staff can amend the Conditional Use Permit (CUP) and/or Affordable Housing Concession Permit to include the following, "It is a matter of right in the Central District, so long as they (developer) are complying with existing rules or the City's menu options."

Councilmember Madison left the dais at 11:05 p.m.

The following individuals spoke in favor and/or provided comment related to the proposed project:

Andrew Salimian, Pasadena Heritage
Jill Shook, Greater Pasadena Affordable Housing

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

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember McAustin, to approve the staff recommendation, to include additional language that if the developer complies with City regulations, the project will go straight to Design Review, but if the project does not comply with City regulations, there will be a discretionary process. (Absent: Councilmembers Kennedy, Madison)

ORDINANCES – FIRST READING

Councilmember Madison returned to the dais at 11:08 p.m.

Conduct first reading of "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)"

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

Councilmember Masuda left the dais at 11:09 p.m.

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

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA ADDING CHAPTER 2.150 (HAHAMONGNA WATERSHED PARK ADVISORY COMMITTEE) TO TITLE 2 (ORGANIZATION AND ADMINISTRATION) OF THE PASADENA MUNICIPAL CODE RELATING TO THE HAHAMONGNA WATERSHED PARK ADVISORY COMMITTEE AND DELETING SECTION 2.100.120 OF CHAPTER 2.100 OF TITLE 2 TO BE CONSISTENT WITH THE ADDITION OF SAID CHAPTER 2.150” (Introduced by Councilmember McAustin) (Ordinance No. 7357)

The above ordinance was adopted by the following vote:

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

INFORMATION ITEM

Councilmember Gordo recused himself due to a potential conflict and left the meeting at 11:11 p.m.

Councilmember Masuda returned to the dais at 11:13 p.m.

Vice Mayor Hampton was excused and left the meeting at 11:13 p.m.

PREDEVELOPMENT PLAN REVIEW OF A NEW PLANNED DEVELOPMENT PROPOSING A 206-UNIT MULTI-FAMILY PROJECT AT 444 NORTH FAIR OAKS AVENUE AND 425 NORTH RAYMOND AVENUE

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

David Reyes, Director of Planning and Community Development, provided introductory comments, Talya Mirzakhian, Principal Planner, presented a PowerPoint presentation on the item; with both responding to questions.

Keven Doherty, Summerhill Housing Group (Representing the applicant), spoke in favor of the project, provided information on their outreach efforts, and proposed project revisions; and responded to questions.

Mayor Tornek and Councilmember McAustin expressed concerns with the lack of visual drawings that could better help to depict the proposed project.

The following individuals expressed concerns with the proposed project, including the additional traffic impacts to the surrounding neighborhood, design of building, and/or provided comment:

Melissa Garcia, Pasadena resident
Laura Liptak Barboza, Pasadena resident
David Kalbeitzer, Pasadena resident
Jim Gomes, Pasadena resident

Rene Gonzales, representing Padres, spoke in favor of the project which will provide affordable housing, and expressed concerns with school closures.

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

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

Lauren Buisson, representing the Bayard Rustin Stamp Campaign, reiterated her request that the City support efforts requesting the United States Postal Service to honor Bayard Rustin, a civil rights leader, with a stamp.

COUNCIL COMMENTS

Councilmember Madison expressed concern with the handling of the Presidential Primary Election by the Los Angeles County Registrar-Recorder/County Clerk and requested that staff conduct a critical review and determine the best way to communicate the City's concerns to County staff.

Councilmember Wilson spoke on the death of Joe Coulombe, Pasadena resident and Trader Joe's markets founder, who passed away on February 28, 2020.

Councilmember McAustin spoke on the Pasadena Transit 25th Anniversary Celebration held on March 9, 2020 at 9:30 a.m. in the Pasadena Central Library.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:57 p.m.

/s/ Terry Tornek

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk