

CITY OF PASADENA
City Council Minutes
November 15, 2021 – 4:30 P.M.
City Hall Council Chamber

UNOFFICIAL UNTIL
APPROVED BY CITY COUNCIL

The meeting was convened and held virtually by videoconference/teleconference.

OPENING: Vice Mayor Wilson called the meeting to order at 4:31 p.m. The pledge of allegiance was led by Julie Gutierrez, Assistant City Manager.

ROLL CALL:
Councilmembers: Mayor Victor M. Gordo (Absent)
Vice Mayor Andy Wilson
Councilmember Tyron Hampton
Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Jessica Rivas
Councilmember Felicia Williams

Staff: City Manager Steve Mermell
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky

PUBLIC COMMENT Steve Mermell, City Manager, reported that the agenda item related to housing overlay of church property is expected to return to the City Council after the first of the year; and with regard to the various investigations regarding the officer involved shooting of Anthony McClain, there is no update on the status at this time.

The following individuals advocated for the City Council to address homelessness by providing affordable housing in the City; and spoke in support of the rezoning of land owned by churches to be permissible as "by-right" developments to increase the number of affordable housing units in the City:

Sue Park-Hur, Pasadena resident
Alli Burnison, Pasadena resident
Rosalie Niemann, Pasadena resident

The following individuals spoke on incidents involving Pasadena Police Officers, expressed concerns with the Pasadena Police Department, and the Department's policing policies; advocated for the termination of Pasadena Police Chief Perez, Officers Dumaguindin, Serrano, and Mulrooney, and/or City Manager Steve Mermell, and expressed concerns related to comments made by Mayor Gordo regarding public comment speakers:

Hiram J. Cormier, Jr., Los Angeles resident
Allen Shay, Pasadena resident
Jason R., Los Angeles resident
Kat Ross, representing Showing Up for Racial Justice (SURJ)

Pastor Kerwin Manning, Pasadena resident
Michael Williams, Pasadena resident
Jane Ward, representing SURJ
Akili (baba), representing Black Lives Matters Los Angeles

Councilmember Hampton spoke on the need for the City Council to ensure that all residents of Pasadena feel safe in the City; and stated that he will continue to speak out when he deems it to be a matter of injustice and an issue of accountability, as he feels is the case with the officer involved shooting of Anthony McClain.

CONSENT CALENDAR

AUTHORIZE MODIFICATION OF THE RECOMMENDATION FOR THE PURCHASE ORDER WITH HAAKER EQUIPMENT FOR AN ADDITIONAL AMOUNT OF \$221,147 TO UPGRADE ONE SEWER TRUCK MODEL PURCHASE

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; and
- (2) Authorize modification of the recommendation for the purchase order contract with Haaker Equipment Company (Haaker) for an additional amount of \$221,147 to upgrade one sewer truck model purchase, increasing the total not-to-exceed amount from \$700,269 to \$921,416. Neither Competitive Bidding nor Competitive Selection are required pursuant to City Charter Section 1002(H) and Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities.

CONTRACT AWARD TO ELECNOR BELCO ELECTRIC, INC., FOR PEDESTRIAN CROSSING ENHANCEMENTS PROGRAM FOR AN AMOUNT NOT-TO-EXCEED \$175,000

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, and Section 15303, Class 3. Class 1 consists of minor alterations of existing facilities, involving negligible or no expansion of use. Class 3 consists of construction of limited numbers of new, small facilities or structures. There would be no expansion of use of the street network as a result of the project, and therefore, there are no unusual circumstances; and
- (2) Accept the bid dated October 20, 2021, submitted by Elecnor Belco Electric, Inc., in response to the project plans and specifications for Pedestrian Crossing Enhancements on Marengo Avenue at Bellevue Drive and Raymond Avenue at Bellevue Drive project, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$175,000, which includes the base contract amount of \$152,569

and a contingency of \$22,431 to provide for any necessary change orders. (Contract No. 32182)

Item discussed separately

RESOLUTION TO APPLY FOR THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CALHOME PROGRAM

MUNICIPAL SERVICES COMMITTEE: PASADENA TRANSIT HUNTINGTON LIBRARY SHUTTLE DEMONSTRATION PROGRAM

Recommendation: It is recommended that the City Council:

- (1) Find that the following proposed actions are exempt from review of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3); and
- (2) Authorize the City Manager to enter into an Agreement with The Henry E. Huntington Library & Art Gallery (The Huntington) for the City of Pasadena (City) to operate public transit services between the Sierra Madre Villa L (Gold) Line and The Huntington Library for the period January 2, 2022 to June 26, 2022. The Huntington will provide service reimbursements in an amount not-to-exceed \$87,943, which includes a contingency of \$7,995 (10%). (Contract No. 23,588)

Transportation Advisory Committee Recommendation: After reviewing and discussing the proposed The Huntington Library Demonstration project on October 28, 2021, the Transportation Advisory Committee passed the following motion:

- Support staff's recommendation for the proposed The Huntington Library Demonstration project

RESIGNATIONS, APPOINTMENTS, & REAPPOINTMENTS

RESIGNATION OF CHARLES E. NELSON FROM THE SENIOR COMMISSION (Mayor Nomination)

APPOINTMENT OF LES RIVERA TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (District 4 Nomination)

CLAIMS RECEIVED

Claim No. 13,787	Donald F. Lomas	\$	500.00
Claim No. 13,788	R&B Wholesale Distributors, Inc.		164.63
Claim No. 13,789	Lenice Snedden-Coury		1,250.00
Claim No. 13,790	Levon J. Pashayan		1,000.00

PUBLIC HEARING SET

December 13, 2021, 5:00 p.m. – Substantial Amendment to the Annual Action Plan (2021-2022) for the Community Development Block Grant and Home Investment Partnership Programs

MOTION:

It was moved by Councilmember Williams, seconded by Councilmember Rivas, to approve all items on the Consent Calendar:

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

CONSENT ITEM
DISCUSSED SEPARATELY

RESOLUTION TO APPLY FOR THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CALHOME PROGRAM

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 per Section 15061(b)(3), the "common sense" provision that CEQA only applies to projects that may have a significant effect on the environment;
- (2) Adopt a resolution of the City of Pasadena City Council approving the application submission to the California Department of Housing and Community Development's CalHome program notice of funding availability for grant funding in the amount of \$2,520,000 to provide financing for the rehabilitation and construction of accessory dwelling units; and
- (3) Authorize the City Manager to execute, and the City Clerk to attest, a standard agreement, any amendments, and any and all other related documents deemed necessary to participate in the CalHome program, if selected for funding.

Anthony Manousos, Pasadena resident, thanked housing staff for recommending the CalHome program to the City Council, and spoke in support of the staff recommendation

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

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

RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS

City Manager

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CONFIRMING THE AWARD OF ITS WATER REVENUE/REFUNDING BONDS 2021A SERIES

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; and

(2) Adopt a resolution confirming the award of the City of Pasadena Water Revenue/Refunding Bonds, 2021A Series. (Resolution No. 9873)

Matt Hawkesworth, Director of Finance, provided introductory comments, and Vic Erganian, City Treasurer, presented a PowerPoint presentation on the item, and responded to questions.

Councilmember Williams requested that future staff reports include "Point of Service" information as well as "call structures and rate covenants." She also asked staff to correct the "True Interest Costs (TIC)" referenced on both Exhibits A and B of the agenda report.

Following discussion, it was moved by Councilmember Williams, seconded by Councilmember Kennedy, to approve the staff recommendation including the direction to staff as detailed above:

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

PUBLIC HEARING

PUBLIC HEARING: LINCOLN AVENUE SPECIFIC PLAN (LASP) UPDATE

Recommendation: It is recommended that the City Council:
(1) Adopt the Addendum to the 2015 Pasadena General Plan Environmental Impact Report (EIR) along with the EIR, and find that the Addendum properly discloses only minor technical changes or additions to the EIR, and none of the conditions triggering a subsequent or supplemental EIR are present, as set forth in State CEQA Guidelines Section 15164;

(2) Make the Findings for Approval for the General Plan Map and Text Amendments, Specific Plan Amendment, and Zoning Code Map and Text Amendments;

(3) Adopt a resolution approving the General Plan Map and Text Amendments;

(4) Adopt a resolution approving the recommended Lincoln Avenue Specific Plan (LASP); and

(5) Direct the City Attorney to prepare an ordinance for the Zoning Code and Text Amendments within 90 days consistent with the provisions set forth in the agenda report. (Resolution Nos. 9875, 9876)

PLANNING COMMISSION RECOMMENDATION: On June 23, 2021, the Planning Commission recommended that the City Council approve the proposed LASP, including the General Plan Map and Text Amendments, Zoning Code Map and Text Amendments, and the Addendum, as presented by staff, with the following recommended changes:

1. Amend the General Plan Land Use Diagram to allow housing in the LASP-CG zone within the Lincoln North Subarea;
2. Prioritize streetscape enhancements within the Lincoln North Subarea, that improve pedestrian and bicycle safety and connections;
3. Revise existing and/or add a new implementation program to explore the creation of a Business Improvement District to help fund a parking management program that reduces or eliminates parking requirements for individual properties and identifies other parking supply opportunities in the LASP-CG zone within the Lincoln North Subarea;
4. Clarify the public open space requirements and consider renaming and/or including a definition in the LASP;
5. Revise requirements specific to the Kettle's Nursery site located at the intersection of Wyoming Street and Lincoln Avenue and convert them into guidelines to support the redevelopment of the site and encourage preservation of the existing one-story midcentury structure on the northwest portion of the site; and
6. Incorporate a goal and/or policy stating a preference to retain existing architectural style in the LASP-CG zone within the Lincoln North Subarea.

City Manager Mermell and David Reyes, Director of Planning and Community Development, provided introductory comments, and Anita Cerna, Senior Planner, presented a PowerPoint presentation on the item, with all responding to questions.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the Pasadena Press and the Pasadena Journal on October 28, 2021, November 4, 2021, and November 11, 2021; and that one letter in opposition to the staff recommendation was received by the City Clerk's Office, which was distributed to the City Council, posted on-line, and made part of the public record.

Mr. Reyes reported that there is a correction to the staff report, and clarified that staff is not recommending to change the General Plan designation of any parcels, but rather to align the maximum densities of the amended specific plan parcels with the General Plan densities.

The following individuals provided comments/suggestions on the matter:

Pamela Wilson, member of Lincoln Avenue Christian Church
Andrew Salimian, representing Pasadena Heritage
Jill Shook, representing Making Housing and Community Happen

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

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

Councilmember Hampton thanked staff for their work on the matter, including engaging the community in the updated process.

Motion: Following further discussion, it was moved by Councilmember Hampton, seconded Councilmember Kennedy, to approve the staff recommendation, amended to align the maximum densities of the amended specific plan parcels with the General Plan densities:

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

**PUBLIC COMMENT
(Continued)**

The following individuals advocated for Rose Bowl Operating Company, who is applying as a host location for World Cup 2022, ensure stadium employees are paid a fair wage:

Mary Entoma, representing Unite Here Local 11
Laura Ortiz, representing Unite Here Local 11

The following individuals expressed concerns regarding comments made by Mayor Gordo; spoke on the Pasadena Police Department and the Department's policing policies, including incidents involving Pasadena police officers; advocated for the City Council to terminate and/or prosecute Officers Dumaguindin, Serrano, Mulrooney, and Duncan, Pasadena Police Chief Perez, and/or City Manager Steve Mermell:

Kareena K., representing Black Lives Matter – Los Angeles
Carolyn Ghiloni, Sierra Madre resident
J. L., representing Black Lives Matter – Los Angeles

PUBLIC HEARING

PUBLIC HEARING: SUBMITTAL OF REDISTRICTING TASK FORCE FINAL REPORT AND RECOMMENDED REDISTRICTING PLAN FOR CITY COUNCIL CONSIDERATION; RECEIVE PUBLIC INPUT AND TESTIMONY ON THE REDISTRICTING PLAN AND THE COMPOSITION OF ONE OR MORE COUNCIL DISTRICTS; AND CONCEPTUALLY APPROVE OR MODIFY THE RECOMMENDED REDISTRICTING PLAN

Recommendation of Redistricting Task Force: It is recommended that the City Council, as part of a public hearing process in compliance with California Elections Code Section 21627.1, take the following actions:

- (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 that CEQA only applies to projects that have the potential to have a significant effect on the environment;
- (2) Receive and review the Redistricting Task Force's recommended redistricting plan ("Redistricting Plan"), map, and related demographic data sheet (Attachment A - "Recommended Redistricting Plan approved October 30, 2021 by the Redistricting Task Force");
- (3) Receive public comment on the Redistricting Plan, and any public input/testimony regarding the composition of one or more council districts;
- (4) Conceptually approve the Redistricting Plan as submitted; or provide direction on requested modifications to the plan for further consideration; and
- (5) Continue the public hearing to each subsequent meeting of the City Council until December 6, 2021, or such other date as the City Council may determine, at which time the City Council will be asked to close the public hearing and conduct first reading of "An Ordinance of the City of Pasadena Amending Chapter 1.20 ("Election Districts") of the Pasadena Municipal Code" codifying the Recommended Plan as submitted, or a modified Redistricting Plan as directed by the City Council.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the Pasadena Press on November 1, 2021 and the Chinese L.A. Daily News, La Opinion, Pasadena Press, and the Pasadena Journal on November 4, 2021. He also reported that the City Clerk's Office received (as of the last Redistricting Task Force meeting on October 30, 2021) one letter in support of minimal change map with 10% deviation, one letter expressing concerns and advocating for specific Council Districts for the Central District, one letter providing general comments and 18 "Community of Interest" maps that were submitted by one individual, which were distributed to the City Council, posted on-line, and made part of the public hearing record.

City Clerk Jomsky and Vince Farhat, Chair of the Redistricting Task Force (RTF), presented a PowerPoint presentation on the item, and responded to questions. Mr. Farhat thanked City staff, redistricting consultants, City Clerk Jomsky, RTF members and the community for all their hard work, support and input related to the RTF meetings and process. Mr. Jomsky thanked Chair Farhat, Vice Chair Moreno, and the RTF members for all their work on the City's RTF process.

City Clerk Jomsky reported that there may be an error in the agenda report that will be corrected to reflect the correct shifts from District 6 to District 7 which includes: Del Mar Boulevard on the North, Los Robles Avenue on the West, California Boulevard on the South, and Madison Avenue on the East.

David Ely, representing National Demographics Corporation (Redistricting consultants), provided information on census block boundaries (in the area adjacent to the 210 Freeway), noted that these lines are accurate in terms of the census blocks, do not contain any populations, and that will be cleaned up when the final map is created and distributed to the public; and responded to questions.

The City Council thanked the Redistricting Task Force, the redistricting consultants, and City staff for the hard work and diligent efforts spent on the process.

Councilmembers Masuda and Madison spoke in support of the Minimal Change with 10% Deviation Plan map.

Councilmember Williams expressed concerns with the shift from District 7 to District 2, specifically with Oak Avenue and Roosevelt Avenue that are stop signs, unlike Craig Avenue that runs through without a stop sign that she believes connects communities. She stated that she does not believe a community is able to connect if you cannot cross the street.

Councilmember Kennedy spoke on what he believes was a the thorough RTF process including community input, and spoke in favor of the Task Force recommendation of the Minimal Change with 10% Deviation Plan map and Redistricting Plan.

Vice Mayor Wilson spoke in support of the redistricting line adjustment on Los Robles Boulevard and the Minimal Change with 10% Deviation Plan map.

Councilmember Rivas expressed concerns with the results of the 2020 census and the undercount of Pasadena residents in the northwest part of the City.

Motion:

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Hampton, to continue the public hearing to November 22, 2021 at 5:00 p.m.:

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

PUBLIC COMMENT
(Continued)

The following individuals expressed concerns regarding comments made by Mayor Gordo; spoke on the Pasadena Police Department and the Department's policing policies, including incidents involving Pasadena police officers; advocated for the City Council to terminate and/or prosecute Officers Dumaguindin, Serrano, Mulrooney, and Duncan, Pasadena Police Chief Perez, and/or City Manager Steve Mermell:

Una Lee Jost, Pasadena resident
Kristin Petherbridge, Altadena resident
Heavenly Hughes, representing My Tribe Rise
Lesko Brandon, Pasadena resident
Julie Diaz Martinez, Pasadena resident

Ed Washatka, Pasadena resident, advocated for Rose Bowl Operating Company, who is applying as a host location for World Cup 2022, ensure stadium employees are paid a fair wage.

Jill Shook, representing Making Housing and Community Happen, spoke on Senate Bill 9 – California Housing Opportunity and More Efficiency ("HOME") Act, and expressed concerns with the City trying to block the policy in Pasadena.

The City Council expressed appreciation to Julie Gutierrez, Assistant City Manager, for her many years of dedicated service to the City, and congratulated her on her retirement.

Ms. Gutierrez expressed appreciation to the City Council for their acknowledgment and thoughtful expressions.

CLOSED SESSION

On order of the Vice Mayor, the meeting recessed at 7:12 p.m. to discuss the following closed session (Absent: Mayor Gordo):

SUCCESSOR AGENCY TO THE PASADENA COMMUNITY DEVELOPMENT COMMISSION CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property Location: 1383 Prime Court, Pasadena, California
Agency Negotiators: Steve Mermell
Negotiating Party: Daniel Freedman
Under Negotiation: Price and terms of payment

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)
Name of Case: City of Anaheim, et al. v. FERC
United States Court of Appeals for the D.C. Circuit, Case No. 20-1236 and California Independent System Operator Corp., FERC Docket No. ER04-835-000

The above closed session items were discussed, with no reportable action at this time.

**CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957 and CITY COUNCIL CONFERENCE with Labor Negotiator pursuant to Government Code Section 54957.6
Employee Title and Unrepresented Employee: City Clerk
City Representative: Victor Gordo**

Vice Mayor Wilson reported that the above closed session item will not be considered and will be agendaized at the next closed session City Council meeting.

ADJOURNMENT

On order of the Vice Mayor, the meeting of the City Council adjourned at 7:46 p.m.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk