

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

SPECIAL MEETING

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

OPENING: Mayor Gordo called the special meeting to order at 4:37 p.m. The pledge of allegiance was led by Councilmember Rivas.

ROLL CALL: Mayor Victor M. Gordo
Councilmembers: 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

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

Mayor Gordo announced that the deadline to submit an application for the Community Police Oversight Commission is today by 5:00 p.m., and provided information on the next steps, which include reviewing applications, as well as the selection process. In addition, he announced that Councilmember Rivas has been appointed to the Municipal Services Committee and the Economic Development and Technology Committee.

SPECIAL ITEM **VACCINATIONS AND RE-OPENING – DR. YING-YING GOH, PUBLIC HEALTH OFFICER**

Steve Mermell, City Manager, provided introductory comments, and Dr. Ying-Ying Goh, Public Health Officer, reported that COVID-19 cases have decreased significantly over the past few weeks, and spoke on the importance for the public to continue to wear masks, wash hands, and watch their distance from each other (the three “W’s”). Dr. Goh provided an update on COVID-19 positive cases in Pasadena; the tracking of COVID-19 virus variances; information on the State’s travel advisory; encouraged individuals who are eligible for the COVID-19 vaccine to sign up for the vaccination; the Health Officer order to allow the opening and expansion of multiple

businesses and business sector activities; update on vaccinated Pasadena residents, and large-scale vaccination clinics; and the progress of reopening of schools in the City; and responded to questions.

Councilmember Kennedy stated the following for the record, "Can you tell me why it is that it is taking so long to vaccinate Councilmembers?" In response, Dr. Goh reviewed the State vaccination requirements and stated that the State has determined that elected officials, such as Councilmembers, qualify for vaccine when government workers are added to the COVID-19 vaccination eligibility list.

Councilmember Kennedy spoke on the importance of encouraging minorities to get the vaccine (noting the reluctance of some individuals to get vaccinated), and recommended that the Mayor and Councilmembers be publically vaccinated to help encourage those in the community that are reluctant to do so. He asked staff to provide information on the process/policy used by the City of Long Beach to vaccinate their Mayor and Councilmembers.

Councilmember Madison asked staff to provide information on the percentage of City employees who are vaccinated and/or will be vaccinated when eligible to receive the COVID-19 vaccination; and spoke in favor of the City Council adopting a mandatory vaccination policy for City employees.

Mayor Gordo echoed the request for data on the number of City employees that have been vaccinated, including percentage of the City's workforce that is eligible for the COVID-19 vaccination, how many have refused or indicated that they will not accept the vaccine, and report back to the City Council through the City Manager's weekly Newsletter.

Councilmember Rivas also spoke in support of Councilmembers being provided the COVID-19 vaccination.

Councilmember Hampton requested that the next COVID-19 update include a written staff report prior to the City Council meeting. He spoke on the importance of reaching out to the Latinx community; and suggested staff contact the Pasadena Police Department's chaplain for recommendations on how best to reach that segment of the City's population. He also suggested that Health Department staff consider visiting the senior community door-to-door and vaccinate them in their homes. Councilmember Hampton expressed concerns with adopting a policy mandating that City employees be vaccinated, which he believes is not legal.

Councilmember Kennedy spoke on the need to provide information regarding the availability of vaccines in English and Spanish, including articles in the Pasadena InFocus newsletter, and by collaborating with the Pasadena Unified School District, Spanish speaking radio stations, newspaper organizations, and markets, and Pasadena City College to disseminate the information. He expressed concerns with the vaccine distribution at Planned Parenthood sites, as some members of the public may not feel comfortable going to those locations.

Councilmember Williams stated that she is having difficulty scheduling an appointment for the COVID-19 vaccination through the "MY TURN" website; and advocated for the City's Public Health Department to continue to schedule vaccination appointments for City residents.

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

FEDERAL COVID RELIEF PACKAGE – JULIE GUTIERREZ, ASSISTANT CITY MANAGER

City Manager Mermell provided introductory comments, and Julie Gutierrez, Assistant City Manager, presented a PowerPoint presentation on the American Rescue Plan Act 2021, including information on State and local assistance, eligibility uses of funds, and responded to questions.

Vice Mayor Wilson asked staff to provide information on the total amount of the City's FEMA reimbursement request.

Mayor Gordo expressed concerns that the funds associated with the American Rescue Plan Act 2021 will be provided directly to Los Angeles County and not the City of Pasadena, and requested that staff agenzize the matter at the upcoming joint meeting of the City Council and Los Angeles County Supervisor Kathryn Barger. He spoke on the need to ensure that the funds the City receives are impactful to the City. He asked staff to determine how to replenish the City's reserves, which should be a priority.

Councilmember Hampton advocated for use of the American Rescue Plan Act 2021 funds to update the City's fire stations, affordable housing, and park amenities. He spoke in favor of requesting Los Angeles County contribute funds to the City's Housing Department to assist with the City's housing needs.

Councilmember Kennedy requested that once the American Rescue Plan Act 2021 funds are received that staff provide graphical data and a report on recommendations on how best to allocate the funds. He also reported that members of the Burbank-

Glendale-Pasadena Airport Authority have stated that they will not be providing employee raises.

Councilmember Madison clarified that the Airport Authority will not be providing raises for only those employees who are not represented by bargaining groups. He expressed concerns with the "strings attached" to the Rescue Plan Act 2021 funds; and stated that the funds are for COVID-19 relief and not infrastructure.

Mayor Gordo spoke on the need for staff to collect past due utility charges from common area expenditures of large apartments and condominium building operators.

City Manager Mermell responded that staff, including the City Attorney's Office, are determining the best options to collect past due funds from those Water and Power customers.

Vice Mayor Wilson requested that staff interface with the Small Business Administration (SBA), and Pasadena Chamber of Commerce on the Rescue Plan Act 2021 funds to determine what amounts will be allocated towards restaurant revitalization.

Mayor Gordo stated that he will write a letter to the local SBA on behalf of the City Council asking for information on how the Rescue Plan Act 2021 funds will be allocated to restaurant revitalization and how the funds will be expended.

City Clerk Jomsky reported that Jill Shook, representing Missions Door, submitted a letter advocating for the funds to be used for additional affordable housing in the City, which was distributed to the City Council, posted on-line, and made part of the public record.

In addition, he read aloud comments advocating for additional relief to local businesses, housing for homeless individuals and affordable housing; and providing comments/suggestions from the following individuals:

Paul Little, Pasadena Chamber of Commerce
Sonja K. Berndt, Pasadena resident
Donna Sider, Pasadena resident
Anthony Manousos, Pasadena resident
Jill Shook, Pasadena resident
Teresa Eilers, Pasadena resident
Cynthia Kirby, Pasadena resident

Mayor Gordo asked staff to provide information on the eligibility of stimulus funds for the Pasadena Unified School District, private schools in the City, and Pasadena City College, and determine if there are projects (i.e. internet access projects) that may be coordinated with the City.

Councilmember Kennedy spoke on recent violence in the City and asked staff to provide information on any plans that are being considered to address such violence taking place in the City.

In response, Mayor Gordo stated that he has requested that the City Manager and Chief Perez provide an update at the Wednesday, March 17, 2021, Public Safety Committee meeting and provide their best thinking to combat recent violence.

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

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A FIBER LEASE AGREEMENT WITH LEVEL 3 COMMUNICATIONS, LLC

Recommendation: It is recommended that the City Council:

- (1) Find that the following proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301(c) (Existing Facilities); and
- (2) Authorize the City Manager to enter into a ten-year fiber lease agreement with Level 3 Communications, LLC for use of City fiber, resulting in \$1,300,000 in revenue over the term of the agreement. (Contract No. 23,485)

AUTHORIZE INCREASE TO CONTRACT NO. 31413 WITH SOFTWARE ONE, INC., BY \$1,100,000 FOR A TOTAL NOT-TO-EXCEED OF \$4,400,000 FOR MICROSOFT SOFTWARE LICENSING AND SERVICES

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed contract is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3);
- (2) Authorize the City Manager to increase Contract No. 31413 with Software One, Inc., by \$1,100,000, thereby increasing the total not-to-exceed amount from \$3,300,000 to \$4,400,000; and
- (3) To the extent this could be considered a separate procurement subject to the Competitive Selection Process, it is recommended that the City Council grant the contract an exemption pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 31413-2)

Item discussed separately

TAX EQUITY AND FISCAL RESPONSIBILITY ACT RESOLUTION FOR THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OBLIGATIONS FOR THE BENEFIT OF MAYFIELD SENIOR SCHOOL OF HOLY CHILD JESUS

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH GALLS, LLC, FOR UNIFORMS AND EQUIPMENT FOR THE POLICE DEPARTMENT

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 General Rule that CEQA only applies to projects that may have an effect on the environment; and
- (2) Accept the bid dated February 9, 2021, submitted by Galls, LLC in response to the Notice Inviting Bids for Police Uniforms and Equipment for \$170,780 per year; reject all other bids received; authorize the issuance of a purchase order to Galls, LLC in an amount not-to-exceed \$1,024,675 for a period of 4 years and two one-year extensions subject to the approval of the City Manager, subject to Consumer Price Index adjustments.

MUNICIPAL SERVICES COMMITTEE: AUTHORIZE AN AGREEMENT WITH CLEAN ENERGY FOR SUPPLY OF ENVIRONMENTALLY FRIENDLY RENEWABLE NATURAL GAS FOR CITY FLEET FUELING AND FOR MANAGEMENT OF NATURAL GAS FUEL REVENUE CREDITS

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 an agreement with Clean Energy for Supply of Environmentally Friendly Renewable Natural Gas (RNG) for City Fleet Fueling and for Management of Natural Gas Fuel Revenue Credit over a three-year period with the option for two additional one-year extensions at the discretion of the City Manager; 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. (Contract No. TBD)

**RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS**

**APPOINTMENT OF ELEANOR L. LEE TO THE PASADENA
CENTER OPERATING COMPANY BOARD (At Large
Nomination/District 1)**

APPROVAL OF MINUTES

March 1, 2021

CLAIMS RECEIVED

Claim No. 13,689	Richard Cheung	\$	166.47
Claim No. 13,690	Law Offices of Ilona Gorin, representing Kevin Young		Not stated
Claim No. 13,691	Brian Fung		800.00
Claim No. 13,692	James Aquino		402.31
Claim No. 13,693	Kaass Law Firm, representing Avedis Vahan Donigian		Not stated
Claim No. 13,694	Travante L. Dejohnette		700.00

PUBLIC HEARING SET

April 26, 2021, 4:30 P.M. - Landmark Designation of the Doane & Pinney House at 840-842 North Fair Oaks Avenue

It was moved by Councilmember Kennedy, seconded by Vice Mayor Wilson, to approve all items on the Consent Calendar, with the exception of Item 4 (Tax Equity and Fiscal Responsibility Act Resolution...), which was discussed separately:

AYES: Councilmembers Hampton, Kennedy, Madison, Masuda, Rivas, Williams, Vice Mayor Wilson, Mayor Gordo

NOES: None

ABSENT: None

ABSTAIN: None

CONSENT ITEMS DISCUSSED SEPARATELY

Mayor Gordo recused himself due to a potential conflict and removed himself from the meeting at 5:35 p.m.

TAX EQUITY AND FISCAL RESPONSIBILITY ACT RESOLUTION FOR THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OBLIGATIONS FOR THE BENEFIT OF MAYFIELD SENIOR SCHOOL OF HOLY CHILD JESUS

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 15378(b)(4) of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project; and

(2) Adopt a resolution approving the financing to be undertaken by the California Enterprise Development Authority (CEDA) for the benefit of Mayfield Senior School of The Holy Child Jesus in a maximum aggregate principal amount not-to-exceed \$17,000,000 for the purpose of financing, refinancing, and/or reimbursing the cost of designing, constructing, renovating, remodeling, installing, equipping, and furnishing educational facilities for the benefit of Mayfield Senior School of the Holy Child Jesus and other matters relating thereto as specified in the agenda report. (Resolution No. 9830)

Following a brief discussion, it was moved by Councilmember Madison, seconded by Councilmember Williams, 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

WORKSHOP ON CITY COUNCIL REDISTRICTING: ADMINISTRATIVE PROCESS AND LEGAL FRAMEWORK

Mayor Gordo returned to the meeting at 5:36 p.m.

Recommendation: It is recommended that the City Council, as part of a workshop, receive information regarding the administrative process and legal framework on redistricting, including COVID-19 impacts affecting the release of census data and the timing of redistricting.

Michele Beal Bagneris, City Attorney/City Prosecutor, provided introductory comments, and Mark Jomsky, City Clerk, and Theresa Fuentes, Assistant City Attorney, jointly presented a PowerPoint presentation on the item, and responded to questions.

Councilmember Williams requested that the proposed Redistricting Task Force consider renumbering the City Council Districts so that the districts are in numerical order.

Vice Mayor Wilson expressed concerns with the potential strain on good redistricting consultant/demographer resources due to high demand for such services. He asked staff to provide information on what skill sets would be most helpful for serving on the Redistricting Task Force.

City Clerk Jomsky stated that staff will report back with applications and will reach out to Vice Mayor Wilson to provide information on the qualifications he might consider in making a nomination for a Redistricting Task Force member.

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

ORDINANCES – ADOPTED

Councilmember Kennedy disconnected from the meeting

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE), CHAPTER 17.71 (NONCONFORMING USES, STRUCTURES, AND LOTS) TO ADDRESS NONCONFORMING USES WHOSE REQUIRED LICENSES OR PERMITS ARE REVOKED, TERMINATED OR SUSPENDED” (Introduced by Councilmember Kennedy) (Ordinance No. 7373)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Hampton, Madison, Masuda, Rivas, Williams, Vice Mayor Wilson, Mayor Gordo

NOES: None

ABSENT: Councilmember Kennedy

ABSTAIN: None

Councilmember Kennedy reconnected to the meeting

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (ZONING CODE), CHAPTERS 17.30 AND 17.50 OF THE PASADENA MUNICIPAL CODE RELATED TO ANIMAL SERVICES – HOSPITALS” (Introduced by Vice Mayor Wilson) (Ordinance No. 7374)

The above ordinance was adopted by the following vote:

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

**ADOPT “AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF PASADENA TEMPORARILY SETTING
MONDAY AT 4:30 p.m. AS ITS REGULAR MEETING TIME
DURING THE COVID-19 PANDEMIC”** (Introduced by
Councilmember Kennedy) (Ordinance No. 7375)

The above ordinance was adopted by the following vote:

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

Councilmember Hampton requested an update on cannabis retailers in the City; and the Health Department’s role with nursing homes in the City.

Mayor Gordo asked staff to provide information on the City’s Health Department, including the roles/legal authority of the State of California and County of Los Angeles when it comes to legal jurisdiction over to nursing homes and nursing home operators at a future Public Safety Committee meeting.

Mayor Gordo spoke on the One City, One Story event held by the Pasadena Public Library, which announced “Tattoos on the Heart” by Father Gregory Joseph Boyle, and “Leave only Footprints: My Acadia – To – Zion Journey Through Every National Park” by author Conor Knighton as the 2021 One City, One Story Summer Edition selections; and congratulated staff, the Friends of Pasadena Public Library, and the committee for the well-organized event.

CLOSED SESSION

On order of the Mayor, the regular meeting recessed at 6:21 p.m. to discuss the following closed session (Absent None):

**~~CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL—
ANTICIPATED LITIGATION
SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO
GOVERNMENT CODE SECTION 54956.9(d)(2): One potential
case~~**

Mayor Gordo reported that the above closed session item was removed from the agenda and will not be considered.

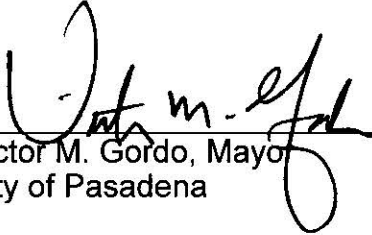
**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
regarding pending litigation pursuant to Government Code
Section 54956.9(d)(1)**

**Name of Case: Silvia Cherriz v. City of Pasadena
LASC Case No.: BC644339**

The above closed session item was discussed, with no reportable action at this time.

ADJOURNMENT

On order of the Mayor, the special meeting of the City Council adjourned at 7:45 p.m., in memory of all those that are ill and have lost their lives during the COVID-19 pandemic.



Victor M. Gordo, Mayor
City of Pasadena

ATTEST:



City Clerk