

CITY OF PASADENA
City Council Minutes
June 7, 2021 – 4:30 P.M.
City Hall Council Chamber

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 meeting to order at 4:32 p.m. The pledge of allegiance was led by Councilmember Williams.

ROLL CALL:
Councilmembers: Mayor Victor M. Gordo
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 reported on the Pride Month Flag Raising ceremony held earlier at City Hall, expressed appreciation and thanks to all staff and community members involved, and provided special appreciation to Councilmember Kennedy for recommending the City's acknowledgment of Pride Month.

Mayor Gordo presented a commendation to the Women's City Club of Pasadena recognizing their 75 years of extraordinary benefit and service to its members and the community in the City of Pasadena. Suzanne Burger, President of the Women's City Club of Pasadena, accepted the commendation, spoke on the transfer of ownership of the Blinn House to Pasadena Heritage, and thanked the members of the Women's City Club of Pasadena, the City Council and community. Sue Mossman, Executive Director of Pasadena Heritage, and Brian Alan Baker, President of Blinn House Foundation and Board Chair of Pasadena Heritage, expressed appreciation to the Women's City Club of Pasadena for their 75 years of service to the community, and thanked Mayor Gordo, the City Council, and community for their support.

Councilmember Kennedy spoke on the services provided by the Women's City Club of Pasadena and thanked the members for their work in the community.

Councilmembers Kennedy and Hampton spoke on the passing of Dr. Dorothy A. Evans, Pastor at Refuge Christian Center located in Pasadena, noted her work as a community activist, and requested that the meeting be adjourned in her memory.

PUBLIC COMMENT

Andres Reyes-Martinez, representing Community Organized Relief Effort (CORE), advocated for continued COVID -19 testing in Pasadena, and requested contact information to help organize and support ongoing testing.

In response to the public comment, it was noted that staff will reach out to Mr. Reyes-Martinez and connect him with the City Manager's Office.

The following individuals expressed concerns with the time limitations related to public comment during City Council meetings.

Sonja Berndt, Pasadena resident
Breath Justice

The following individuals expressed concerns with the Pasadena Police Department, policing and budget; advocated for the termination of Pasadena Police Chief Perez, Officer Dumaguindin and City Manager Steve Mermell; spoke on controversial incidents involving Pasadena police officers, and/or spoke on the need for alternatives to policing measures in the City, including increasing resources to needed social services:

Jason Reedy, Los Angeles resident
Jane Ward, Altadena resident
Michael Williams, Pasadena resident
Jasmine Richards Abdulla, representing Black Lives Matter Pasadena
Adriana Bautista, Pasadena resident
Allen Shay, Pasadena resident
Matyos, Los Angeles resident
Tyler Boudreaux, Los Angeles resident

In response to Councilmember Kennedy's inquiry related to the officer involved shooting of Anthony McClain, Michele Beal Bagneris, City Attorney/City Prosecutor, stated that she does not have any information related to the arrival of fire personnel, noted that the matter is not agendaized for discussion, however, she will look into the concerns raised.

Jill Shook, representing Making Housing and Community Happen, advocated for the City Council to move forward with the rezoning of land owned by churches and other religious organizations to allow for building and providing affordable housing.

Steve Mermell, City Manager, provided information on the City's ad hoc Task Force on Housing Element which will consider that matter as part the City's Regional Housing Needs Allocation (RHNA) requirements; and responded to questions.

Councilmember Hampton advocated for the City Council to engage with the public speakers by responding to their questions and discussing their concerns. He reiterated his request that the narrated video of the officer involved shooting of Anthony McClain be removed from the City's website; and spoke on the established scholarship in honor of Anthony McClain that was awarded to a John Muir High School student.

CONSENT CALENDAR

Item discussed separately

ADOPTION OF A RESOLUTION ADOPTING A CITY-WIDE SALARY SCHEDULE

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ACCLAMATION INSURANCE MANAGEMENT SERVICES (AIMS) FOR WORKERS' COMPENSATION THIRD-PARTY CLAIMS ADMINISTRATION SERVICES, IN AN AMOUNT NOT TO EXCEED \$851,630

Recommendation: It is recommended that the City Council:

- (1) Find that the contract for Workers' Compensation Third-Party Administration Services is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15378(b)(2);
- (2) Accept the proposal dated February 22, 2021, submitted by Acclamation Insurance Management Services (AIMS); reject all other proposals; and 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 Acclamation Insurance Management Services (AIMS) for Workers' Compensation Third-Party Claims Administration services in an amount not-to-exceed \$851,630; and
- (3) Authorize the City Manager, or his designee, to extend the contract with Acclamation Insurance Management Services (AIMS) for Workers' Compensation Third-Party Claims Administration services for up to four additional years in an amount not-to-exceed \$4,368,858. (Contract No. 32049)

Item discussed separately

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) FOR SUPPLEMENTAL LAW ENFORCEMENT SERVICES FOR MAJOR EVENTS OTHER THAN NEW YEAR'S ACTIVITIES

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH ALTEC INDUSTRIES INC., IN AN AMOUNT NOT-TO-EXCEED \$406,566 TO FURNISH AND DELIVER ONE BUCKET TRUCK FOR THE WATER AND POWER DEPARTMENT

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed actions are exempt from the California Environmental Quality Act ("CEQA") in accordance with Section 15061(b)(3), the common sense exemption (formerly the General

Rule) that CEQA only applies to projects which have the potential for causing a significant effect on the environment;

(2) Authorize the issuance of a Purchase Order ("PO") without competitive bidding pursuant to City Charter Section 1002 (H) Contracts with other governmental entities or their contractors for labor, material, supplies or services, with Altec Industries Inc. ("Altec") for one Articulating Telescopic Aerial Device Model TA60 ("Bucket Truck") in an amount not-to-exceed \$406,566, which includes the base contract amount of \$396,566 and a contingency of \$10,000 to provide for any necessary change orders; and

(3) It is further recommended that the City Council grant the proposed contract an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code ("PMC") Section 4.08.049(B) contracts for which the City's best interests are served.

Item discussed separately

APPROVAL OF A SIDE-LETTER AGREEMENT WITH THE PASADENA FIRE FIGHTERS ASSOCIATION (PFFA)

MUNICIPAL SERVICES COMMITTEE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH FIRST TRANSIT, INC., FOR PASADENA FIXED ROUTE AND DIAL-A-RIDE TRANSIT SERVICES IN AN AMOUNT NOT-TO-EXCEED \$41,068,924 FOR A FIVE-YEAR TERM FROM JULY 1, 2021 THROUGH JUNE 30, 2026 WITH ONE TWO-YEAR OPTIONAL EXTENSION

Recommendation: It is recommended that the City Council:

(1) Find that the authorization to enter into a contract with First Transit, Inc., for transit services is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3);

(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 First Transit, Inc., to operate the City of Pasadena's fixed route (Pasadena Transit) and Dial-A-Ride transit services for a base period of five years from July 1, 2021 through June 30, 2026 for an amount not-to-exceed \$41,068,924, which includes the base contract amount of \$40,263,651 and a contingency of \$805,273 (2%). Competitive price bidding is not required pursuant to City Charter Article X Section 1002(F), Contracts for professional or unique services; and

(3) Authorize the City Manager to extend the term of this contract for one two-year option with an increase of a minimum of 3.0% or the annual increase in the Consumer Price Index, whichever is higher and a 2% contract contingency. (Contract No. 32054)

Recommendation of the Municipal Services Committee: On May 25, 2021, the Municipal Services Committee recommended that the City Council approve staff's recommendation. During Committee, there were question raised which are addressed in the body of the agenda report.

Item discussed separately

RESIGNATIONS, APPOINTMENTS, & REAPPOINTMENTS

APPROVAL OF MINUTES

April 26, 2021
May 3, 2021
May 10, 2021
May 17, 2021

City Clerk Jomsky reported that the May 3, 2021 minutes are amended as follows: Page 5, 6th paragraph, include the following at the end of the sentence "...and advocated for all commissions to be uniform."

CLAIMS RECEIVED

Claim No. 13,725	Kathleen Formanack – Pellman and Bill Pellman	\$ 500.00
Claim No. 13,726	Mid-Century Insurance Company	25,000.00+
Claim No. 13,727	Loraine S. Mason	4,319.66

PUBLIC HEARING SET

June 14, 2021, 4:30 p.m. – Consideration of a Zoning Code Amendment to the Parking Requirements for Additions to Existing Single-Family Residences

It was moved by Councilmember Kennedy, seconded by Vice Mayor Wilson, to approve all items on the Consent Calendar, with the exception of Item 1 (Adoption of a Resolution Adopting a City-Wide Salary Schedule), Item 3 (Authorization to Enter Into a Contract with the Los Angeles County Sheriff's Department), Item 5 (Approval of a Side Letter Agreement with the Pasadena Fire Fighters Association), and Item 7 (Resignations, Appointments & Reappointments) which were discussed separately; and the amended May 3, 2021 City Council minutes (as detailed above):

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

NOES: None

ABSENT: None

ABSTAIN: None

CONSENT ITEMS DISCUSSED SEPARATELY

ADOPTION OF A RESOLUTION ADOPTING A CITY-WIDE SALARY SCHEDULE

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 adopting a City-wide salary schedule. (Resolution No. 9843)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) FOR SUPPLEMENTAL LAW ENFORCEMENT SERVICES FOR MAJOR EVENTS OTHER THAN NEW YEAR'S ACTIVITIES

Recommendation: It is recommended that the City Council:

- (1) Find the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines 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, not-to-exceed \$600,000 per year, with the Los Angeles County Sheriff's Department for supplemental law enforcement services for special events other than New Year's Activities, for a period of five years not-to-exceed \$3,000,000; and
- (3) The proposed contract is exempt from competitive bidding and competitive selection pursuant to City Charter, Section 1002(H), and Pasadena Municipal Code, Section 4.08.049(A)(3), contracts with other government entities. (Contract No. 32050)

Councilmember Rivas disclosed that she is employed with the Los Angeles County and does not have a personal interest in this matter.

APPROVAL OF A SIDE-LETTER AGREEMENT WITH THE PASADENA FIRE FIGHTERS ASSOCIATION (PFFA)

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 a Side Letter of Agreement between the City of Pasadena and the Pasadena Fire Fighters Association (PFFA) reducing the probationary period for the classifications of Fire Fighter and Fire Fighter Paramedic from 18 months to 12 months.

The above three Consent Calendar items were discussed concurrently.

The following individuals provided comments related to the three consent calendar items detailed above:

Jasmine Richards Abdulla, Black Lives Matter Pasadena
Adriana Bautista, Pasadena resident
Allen Shay, Pasadena resident

With regard to the public comments citing City employees earning more than \$400,000 per year in compensation from the City, Councilmember Kennedy asked that staff review the facts on that

particular point to determine if there are any City employees that earn that amount in total compensation, excluding the City Manager, City Clerk, and City Attorney/Prosecutor who are the City Council's direct appointees.

Mayor Gordo responded that he would consult with the City Manager as part of the salary reviews to review employee salaries and address Councilmember Kennedy's concerns.

Following discussion, it was moved by Vice Mayor Wilson, seconded by Councilmember Rivas, to approve the staff recommendations related to Item 1 (Adoption of a Resolution Adopting a City-Wide Salary Schedule), Item 3 ((Authorization to Enter Into a Contract with the Los Angeles County Sheriff's Department), and Item 5 (Approval of a Side Letter Agreement with the Pasadena Fire Fighters Association):

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

RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS

~~RESIGNATION OF LISA STEVENS FROM THE ROSE BOWL
OPERATING COMPANY BOARD EFFECTIVE JUNE 30, 2021
(Mayor Nomination)~~

**APPOINTMENT OF CHARLOTTE LACEY TO THE COMMISSION
ON THE STATUS OF WOMEN (District 7 Nomination)**

**APPOINTMENT OF FELICIA WILLIAMS TO THE BURBANK-
GLENDALE-PASADENA AIRPORT AUTHORITY (City of
Pasadena Nomination)**

**APPOINTMENT OF TYRON HAMPTON TO THE BURBANK-
GLENDALE-PASADENA AIRPORT AUTHORITY (City of
Pasadena Nomination)**

**REAPPOINTMENT OF ROSS SELVIDGE TO THE BURBANK-
GLENDALE-PASADENA AIRPORT AUTHORITY (City of
Pasadena Nomination)**

**REAPPOINTMENT OF ANDREA JENNINGS TO THE
ACCESSIBILITY AND DISABILITY COMMISSION EFFECTIVE
JULY 1, 2021 (District 7 Nomination)**

**REAPPOINTMENT OF WILLIAM JOSEPH MILLIGAN TO THE
FIRE & POLICE RETIREMENT BOARD EFFECTIVE JULY 1,
2021 (Fire Representative)**

**REAPPOINTMENT OF MICHAEL STAMMER TO THE LIBRARY
COMMISSION EFFECTIVE JULY 1, 2021 (District 7 Nomination)**

**REAPPOINTMENT OF JAN SANDERS TO THE PASADENA
COMMUNITY ACCESS CORPORATION BOARD EFFECTIVE
JULY 1, 2021 (District 2 Nomination)**

The Mayor reported that the resignation of Lisa Stevens serving on the Rose Bowl Operating Company Board has been withdrawn, and will not be considered at this time.

Councilmember Kennedy stated the following for the record:

"Please allow the record to reflect that I have enjoyed serving as one of Pasadena's three representatives on the Burbank-Glendale-Pasadena Airport Authority. It was my desire to serve a full term as an Airport Commissioner, but the Mayor asked other of our colleagues to serve. So, I gladly pass the torch to my colleagues as there are complex and difficult issues to grapple with. My plate is full with matters in front of the City Council. I thank all of my colleagues for the opportunity I was given to serve our City on the Burbank-Glendale-Pasadena Airport Authority. Additionally, I remain personally and professionally committed to work with the Mayor and each of you to solve the serious and sometimes daunting problems facing our City. If appropriate, I would like to move the Mayor's nominations."

Mayor Gordo thanked Councilmembers Kennedy and Madison for their service as members of the Burbank-Glendale-Pasadena Airport Authority.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Madison, to approve the Resignations, Appointments and Reappointments as amended and detailed above:

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

NOES: None

ABSENT: None

ABSTAIN: None

PUBLIC HEARING

**PUBLIC HEARING: APPEAL OF THE BOARD OF ZONING
APPEALS' DECISION ON MODIFICATION TO CONDITIONAL
USE PERMIT NO. 6222 REGARDING THE PROPERTIES**

LOCATED AT 3420 AND 3500 N. ARROYO BLVD (ARROYO SECO CANYON PROJECT)

The City Clerk reported that 66 copies of the notice were posted on May 24, 2021, and 376 copies of the notice were mailed on May 21, 2021; and nine letters, a Pasadena Water petition containing over 1,000 signatures, and a "Settlement Proposal/Resolution" from the Arroyo Seco Foundation, providing comments, expressing concerns and/or advocating against the staff recommendation were received, distributed to the City Council, posted on-line, and made part of the public record; and responded to questions.

The Mayor reported that with the consent of staff and the appellant this item will be continued to a future City Council meeting.

Jennifer Ho, La Crescenta resident, expressed concerns with the Arroyo Seco Canyon Project, and advocated for alternative considerations and solutions.

City Manager Mermell reported that staff received the "Settlement Proposal/Resolution" from the appellant today and staff would like time to consider the proposal and discuss the matter with the Arroyo Seco Foundation.

Following discussion, it was moved by Councilmember Madison, seconded by Vice Mayor Wilson, to continue to the Public Hearing on the item to July 12, 2021 at 4:30 p.m.:

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

PUBLIC HEARING: ADOPT A RESOLUTION APPROVING THE URBAN WATER MANAGEMENT PLAN AND WATER SHORT-CONTINGENCY PLAN

Recommendation: It is recommended that the City Council:

- (1) Find that the 2020 Urban Water Management Plan ("UWMP") and Water Shortage Contingency Plan ("WSCP") is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15282(v), which exempts from CEQA the preparation and adoption of urban water management plans pursuant to the Water Code;
- (2) Hold a public hearing on June 7, 2021 to receive comments on the UWMP and the WSCP; and
- (3) Adopt a resolution approving the 2020 UWMP and WSCP (provided as Chapter 8 in the UWMP) immediately following the

public hearing and incorporating any changes the Council deems necessary. (Resolution No. 9844)

Recommendation of the Municipal Services Commission: On May 25, 2021, the Municipal Services Committee ("MSC") recommended that the City Council adopt a resolution approving the 2020 UWMP and WSCP.

City Clerk Jomsky, opened the public hearing; reported that the public hearing notice was published in the Pasadena Press and the Pasadena Journal on May 6, 2021 and May 13, 2021; and 4 emails/letters expressing concerns on the matter, and on the need for a better visible model that can explain the workings of the plan, were distributed to the City Council, posted on-line, and made part of the public record.

Vice Mayor Wilson, Chair of the Municipal Services Committee (MSC), summarized the discussion on the matter at the Committee meeting and the Committee's support of the staff recommendation.

Gurcharan Bawa, General Manager of Water and Power, reported on staff's response to public comments received at the Committee meeting, and Natalie Ouwersloot, Principal Engineer, provided a PowerPoint presentation on the item, with both responding to questions.

In response to Councilmember Kennedy's request General Manager Bawa explained that Agenda Item No. 11 (Adopt a Resolution Approving the 2020 Urban Water Managing Plan and Water Shortage Contingency Plan) is a twenty-year plan that requires the City to forecast 20 years related to water demand, how the demands will be met and City's proposed action related to water emergency shortage; and Item 12 (Appeal of the Board of Zoning Appeals' Decision on Modification to Conditional Use Permit No. 6222...) is specific project named the Arroyo Seco Canyon Project; and responded to questions. He stated that the Water System and Resource Plan will be agendized for discussion at a future City Council meeting.

Following discussion, it was moved by Vice Mayor Wilson, seconded by Councilmember Hampton, to close the public hearing:

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

It was moved by Vice Mayor Wilson, seconded by Councilmember Hampton, to approve the staff recommendation:

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

PUBLIC HEARING: APPROVAL OF THE ANNUAL ACTION PLAN (2021-2022) AND RELATED FUNDING APPLICATIONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP ACT, AND EMERGENCY SOLUTIONS GRANT PROGRAMS

Recommendation: It is recommended that upon the close of the public hearing the City Council take the following actions:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines per Section 15061(b)(3);
- (2) Approve the Annual Action Plan, including the funding allocations set forth in the agenda report for Program Year 2021-2022 program activities under the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnerships (HOME) programs, for submittal to the U.S. Department of Housing and Urban Development (HUD);
- (3) Approve the submittal of a grant application for CDBG Program Year 2021-2022 entitlement funds in the amount of \$2,145,795, \$556,505 in program income, and \$498,357 in unspent funds for a total availability of \$3,200,657 for program activities;
- (4) Approve the submittal of a grant application for ESG Program Year 2021-2022 entitlement funds in the amount of \$178,688 for program activities;
- (5) Approve the submittal of a grant application for HOME Program Year 2021-2022 entitlement funds in the amount of \$839,445, \$1,540,845 in program income, and \$169,571 in unspent funds for a total availability of \$2,549,861 for program activities; and
- (6) Authorize the City Manager to execute, and the City Clerk to attest, the Annual Action Plan (2021-2022), the grant applications, certifications, and any and all other documents deemed necessary by HUD to obtain the allocation of the aforementioned federal entitlement funds.

ADVISORY COMMISSION RECOMMENDATIONS

On March 9, 2021, the Northwest Commission approved recommendations for City Council consideration for CDBG City Set-Aside projects listed in Attachment A of the agenda report.

On March 10, 2021, the Human Services Commission approved recommendations for City Council consideration for CDBG public service projects listed in Attachment A of the agenda report.

City Clerk Jomsky, opened the public hearing; reported that the public hearing notice was published in the Pasadena Press and the

Pasadena Journal on May 6, 2021 and June 3, 2021; and no correspondence was received by the City Clerk's Office on the item.

City Manager Mermell provided introductory comments, and Randy Mabson, Program Coordinator, presented a PowerPoint presentation on the item, and responded to questions. William Huang, Director of Housing and Career Services, provided information on funding by other municipalities to the Housing Rights Center, and responded to questions.

Councilmember Kennedy advocated for additional funding for the Housing Rights Center's Fair Housing Program to assist Pasadena residents with limited incomes who require assistance from the program.

Councilmember Hampton asked staff to research and determine the percentage of renters in the City that are behind on their rents; and suggested that staff mail a letter to all property owners in the City to collect data on past due rents.

Mayor Gordo suggested that staff reach out to apartment associations to collect data on past due rents.

Councilmembers Kennedy and Hampton thanked Mr. Huang, Mr. Mabson and the Housing Department staff for all their hard work and their responsiveness to the needs of the community.

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

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

It was moved by Councilmember Kennedy, seconded by Councilmember Hampton, to approve the staff recommendation:

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

**CONTINUED PUBLIC HEARING: CITY MANAGER'S
RECOMMENDED FISCAL YEAR 2022 OPERATING BUDGET**

Mark Jomsky, City Clerk, reported that correspondence was received in opposition to the proposed budget for the Pasadena Police Department (PPD), advocating for additional funding for community housing, public and mental health, and youth outreach and transparency of the PPD's budget, which were distributed to the City Council, posted on-line, and made part of the public record

The following individuals provided comments on the matter:

Tammy Silver, Pasadena resident
Ann K., Pasadena resident
Adriana Bautista, Pasadena resident
Jill Shook, Pasadena resident
Pastor Mayra Macedo-Nolan, representing Clergy
Community Coalition
Pastor Kerwin Manning, Pasadena resident
Gina Dance, Pasadena resident
Bert Newton, Pasadena resident
Allen Shay, Pasadena resident
Jasmine Richards Abdulla, representing Black Lives Matter
Pasadena
Ed Washatka, representing Pasadenans Organizing for
Progress
Breath Justice
Sonja Berndt, Pasadena resident
Kris Ockershauser, Pasadena resident

Vice Mayor Wilson requested that staff provide comparative analysis information on a Crisis Assistance Helping Out On The Streets (CAHOOTS) model, and the City's Homeless Outreach Psychiatric Evaluation (HOPE) team to provide a better understanding of both programs.

Councilmember Madison expressed concerns with the CAHOOTS model that requests a nonpublic safety officer respond to non-violent calls for help, as it is difficult to determine which calls for assistance are non-violent.

This item is continued on page 17

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

City Council

**APPOINTMENT OF ESPRIT LOREN JONES TO THE
COMMUNITY POLICE OVERSIGHT COMMISSION** (District 1
Nomination)

**APPOINTMENT OF NOEMI EMERIC-FORD TO THE
COMMUNITY POLICE OVERSIGHT COMMISSION** (District 2
Nomination)

APPOINTMENT OF DONALD R. MATTHEWS TO THE COMMUNITY POLICE OVERSIGHT COMMISSION (District 3 Nomination)

APPOINTMENT OF BARBARA STACY TO THE COMMUNITY POLICE OVERSIGHT COMMISSION (District 4 Nomination)

APPOINTMENT OF RAÚL IBÁÑEZ TO THE COMMUNITY POLICE OVERSIGHT COMMISSION (District 5 Nomination)

APPOINTMENT OF PATRICIA KINAGA TO THE COMMUNITY POLICE OVERSIGHT COMMISSION (District 6 Nomination)

APPOINTMENT OF LAWRENCE LURVEY TO THE COMMUNITY POLICE OVERSIGHT COMMISSION (District 7 Nomination)

APPOINTMENT OF PHILLIP J. ARGENTO TO THE COMMUNITY POLICE OVERSIGHT COMMISSION (Mayor Nomination)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE MAXEY GROUP, LLC D/B/A MODERN POLICING FOR INDEPENDENT POLICE AUDITOR SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$75,000

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 State CEQA Guidelines Section 15061(b)(3);
- (2) Authorize the City Attorney to enter into a contract with the The Maxey Group, LLC d/b/a Modern Policing for independent police auditor services in an amount not-to-exceed \$75,000 for a period of one year; and (Contract No. 32053)
- (3) Amend the City Attorney/City Prosecutor's Fiscal Year 2021 Operating Budget by appropriating \$75,000 from the unappropriated General Fund balance to Account 10112000-811400. (Budget Amendment No. 2021-39)

The above two items were discussed concurrently.

The following individuals provided comments:

Adriana Bautista, Pasadena resident
Jasmine Richards Abdulla, representing Black Lives Matter
Pasadena
Martin Gordon, representing Pasadena Community Coalition
Allen Shay, Pasadena resident
Breath Justice
Sonja Berndt, Pasadena resident
Kris Ockershauser, Pasadena resident

Vice Mayor Wilson and Councilmember Madison, summarized the Ad Hoc Committee's discussion related to the Independent Police Auditor selection process and responded to questions.

Michele Beal Bagneris, City Attorney/City Prosecutor, provided information related to staff ensuring that all applicants meet the requirement of the City's ordinance related to the creation of a Community Police Oversight Commission (CPOC) and an Independent Police Auditor (IPA); and responded to questions.

MOTION:

It was moved by Councilmember Kennedy, Seconded by Councilmember Madison, to approve the appointments of the CPOC and the staff recommendation related to the Authorization to Enter Into a Contract with the Maxey Group, LLD dba Modern Policing for Independent Police Auditor Services:
(MOTION WITHDRAWN)

Councilmember Rivas expressed concerns with information on Modern Policing's (recommended Independent Police Auditor contractor) website which displays information that Mr. Brian Maxey is a Washington State Certified Police Officer; and questioned how his resume, which includes working as a defense attorney for police officers in civil rights cases for over a decade, will be perceived by the community.

Brian Maxey, representing Modern Policing, explained that while working at the Seattle Police Department as a civilian overseeing the implementation of best practices for the federal Consent Decree, he was encouraged to increase his education by attending the police academy, resulting in his certification as a Washington Peace Officer. He noted, however, that he has never been a commissioned police officer; and responded to questions. He stated the he is willing to step down if the CPOC determines he is not the right individual for the position of IPA.

Councilmember Kennedy stated the following, "Let the record reflect, that staff...City Staff told me that that particular applicant was not qualified and that is why she did not receive an interview. I was going on the...I suppose review of staff, and I believe without going into detail, the information that was provided to me, by staff was accurate, but there was no way to deny Ms. Abdullah an opportunity to serve. But you had to meet the qualifications and staff told me that there was an issue with the application." and "For the record I will tell you that I'm okay with OIR Group. The City Manager has retained their services for the review, if I understand it correctly, in the officer involved shooting concerning Anthony McClain, but I am troubled by the fact that certain members of the Committee said they did not know of Brian Maxey's background."

Councilmembers Madison, Williams, and Hampton voiced support for the staff recommendation. Councilmember Williams stated that as part of the Ad Hoc Committee she was fully aware of Brian Maxey's background.

At the request of Councilmember Hampton, City Attorney Bagneris stated that staff will include a provision in the contract that allows the City to terminate the contract for convenience for any reason or for no reason. The City Council as the approving authority would be the entity to terminate the contract, and staff can include language in the contract that if the CPOC determines not to continue the contract with Modern Policing, the matter should be referred to the City Council for consideration.

City Clerk Jomsky provided the following information related to the staggered terms of the CPOC members, which coincides with the terms of the Councilmembers: Members Jones, Emeric-Ford, Stacy, and Kinaga (3-year term), and Members Matthews, Ibañez, Lurvey, and Argento (2-year term). Javan Rad, Chief Assistant City Attorney, provided information on the CPOC member's eligible consecutive terms; and responded to questions.

Councilmember Kennedy stated the following for the record: "I was surprised that the Committee was surprised about the person's background based upon what Councilmember Rivas shared with us. My vote is yes."

Motion:

Following discussion It was moved by Councilmember Madison, seconded by Councilmember Williams, to approve the staff recommendation related to the Authorization to Enter Into a Contract with the Maxey Group, LLD dba Modern Policing for Independent Police Auditor Services:

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

Motion:

Following further discussion It was moved by Councilmember Madison, seconded by Vice Mayor Wilson, to approve the City Council appointments to the Community Police Oversight Commission with the terms as detailed above:

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

INFORMATION ITEM

EQUAL OPPORTUNITY IN EMPLOYMENT ANNUAL REPORT FOR 2019 AND 2020

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) Receive the Equal Opportunity in Employment Annual Report, which is submitted for information only.

On the order of the Mayor, and consensus of the City Council, the information was received and filed.

PUBLIC HEARING

Continued

Councilmember Kennedy was excused and disconnected from the meeting at 8:28 p.m.

CONTINUED PUBLIC HEARING: CITY MANAGER'S RECOMMENDED FISCAL YEAR 2022 OPERATING BUDGET

Recommendation: It is recommended that the City Council:

- (1) Open the public hearing for the Fiscal Year (FY) 2022 Recommended Operating Budget; and
- (2) Continue the public hearing to each subsequent regular meeting of the City Council at 4:30 p.m. until June 21, 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 adopt the FY 2022 Recommended Operating Budget.

Following discussion, Mayor Gordo asked City Clerk Jomsky to work with the City Council to schedule a special meeting to discuss Pasadena Center Operating Company (PCOC), Pasadena Community Access Corporation (PCAC), and the Transportation Department's budget.

City Clerk Jomsky responded that a tentative Special Meeting of the City Council is scheduled for Monday, June 14, 2021 at 1:30 p.m.; and responded to questions.

Councilmember Williams advocated to minimize the public speaker comments during the current long budget meetings.

Following discussion, it was moved by Councilmember Hampton, seconded by Vice Mayor Wilson, to continue to the Public Hearing to June 14, 2021 at 4:30 p.m.:

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

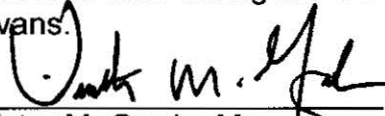
NOES: None

ABSENT: Councilmember Kennedy

ABSTAIN: None

ADJOURNMENT

On order of the Mayor, the special meeting of the City Council adjourned at 8:40 p.m., in memory of all those that are ill and have lost their lives during the COVID-19 pandemic; and Dr. Dorothy A. Evans.



Victor M. Gordo, Mayor
City of Pasadena

ATTEST:



City Clerk