

CITY OF PASADENA
City Council Minutes
March 14, 2022 – 4:00 P.M.
City Hall Council Chamber

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

OPENING: Mayor Gordo called the special meeting to order at 4:02 p.m.
(Absent: None)

CLOSED SESSION: On the order of the Mayor, the meeting recessed at 4:02 p.m., to discuss the following closed session:

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: 710 N Transportation Corridor
Under negotiation: Price and terms of payment
Agency negotiator: Cynthia Kurtz
Negotiating Party: Caltrans

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)
Name of Case: Marcussen v. American Golf Corp., City of Pasadena and Rose Bowl Operating Co.
LASC Case No.: 21STCV24423

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)
Name of Case: Ramirez v. Scott, American Golf Corp., and City of Pasadena
LASC Case No.: 19STCV27378

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

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6
Agency Designated Representatives: Cynthia Kurtz and Alex Souto
Employee Organization: Pasadena Management Association

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6
Agency Designated Representatives: Cynthia Kurtz and Alex Souto
Employee Organization: Pasadena Police Officers Association

The above closed session items were discussed following the conclusion of the regular meeting (continued on page 16).

On order of the Mayor, the special meeting reconvened at 4:56 p.m.
The pledge of allegiance was led by Vice Mayor Wilson.

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:

Interim City Manager Cynthia Kurtz
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky

CONSENT CALENDAR

CONTRACT AWARD TO CALIFORNIA PROFESSIONAL ENGINEERING, INC., FOR UNION STREET TWO-WAY PROTECTED BIKEWAY (CYCLE TRACK), FEDERAL AID PROJECT ATPCML-5064(089) FOR AN AMOUNT NOT-TO-EXCEED \$7,685,000

Recommendation: It is recommended that the City Council:

(1) Find the project proposed herein to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Section 15301 Existing Facilities and Section 15061(b)(3), the common sense exemption (formerly general rule), 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) i) Accept the bid dated February 10, 2022, submitted by California Professional Engineering, Inc., in response to the project plans and specifications for Union Street Two-Way Protected Bikeway (Cycle Track) project, ii) reject all other bids received on November 30, 2021 and February 10, 2022, and iii) authorize the City Manager to enter into a contract for an amount not-to-exceed \$7,685,000, which includes the base contract amount of \$6,988,000 and a contingency of \$697,000 to provide for any necessary change orders. (Contract No. 32243)

The following individuals spoke in favor of the staff recommendation and provided comments on the matter:

Jonah Kanner, Pasadena resident
Christian Montoya, South Pasadena resident
Renee Wang, Pasadena resident

Mark Jomsky, City Clerk, reported that twenty letters in support of the staff recommendation, were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the public record for the item.

CONTRACT AWARD TO IDS GROUP, INC., FOR ENGINEERING AND DESIGN SERVICES FOR SEISMIC RETROFIT OF PUBLIC WORKS BUILDING AT CITY YARDS FOR AN AMOUNT NOT-TO-EXCEED \$279,400

Recommendation: It is recommended that the City Council:

- (1) Find the project proposed herein 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; and
- (2) Authorize the City Manager to enter into a contract, as a result of a competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with IDS Group, Inc., for engineering and design services for Seismic Retrofit of the Public Works Building at the City Yard for a total amount not-to-exceed \$279,400 which includes the base contract amount of \$242,952 and a contingency of \$36,448 to provide for any necessary additional services. (Contract No. 32241)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA AUTHORIZING STATE OF CALIFORNIA CANNABIS EQUITY ACT GRANT FUNDING

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed herein is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule); and
- (2) Authorize the Director of Planning & Community Development to execute by electronic signature on behalf of the City of Pasadena an agreement with the Governor's Office of Business and Economic Development for a \$75,000 grant to conduct a cannabis equity assessment and assist the development of a local equity program. (Resolution No. 9897)

ADOPTION OF SALARY RESOLUTIONS FOR NON-REPRESENTED NON-MANAGEMENT, NON-REPRESENTED MANAGEMENT, AND EXECUTIVE MANAGEMENT EMPLOYEES

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;
- (2) Adopt the Non-Represented Non-Management Salary Resolution; (Resolution No. 9898)
- (3) Adopt the Non-Represented Management Salary Resolution; and (Resolution No. 9899)
- (4) Adopt the Executive Management Salary Resolution (Resolution No. 9900)

Councilmember Williams asked staff to provide information on City employees that are not represented in the Non-Represented Non-Management Salary resolution, how their salaries and benefits are determined, and provide a process to ensure equity among City employees.

FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2022 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed actions are not “projects” as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(4) and (5) of the State CEQA Guidelines and, as such, are not subject to environmental review; and
- (2) Amend the Fiscal Year (FY) 2022 Capital Improvement Program (CIP) Budget as detailed in Attachment A of the agenda report. (Budget Amendment Nos. 2022-24, 2022-24a)

Sonja Berndt, Pasadena resident, expressed concerns with the staff recommendation, and advocated for staff to audit the Pasadena Police Department’s Operating Budget.

AMENDMENT TO CONTRACT WITH THOMCO CONSTRUCTION, INC., FOR VILLA PARKE COMMUNITY CENTER IMPROVEMENTS PROJECT (NO. 32,037) FOR AN INCREASED OF \$640,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$3,620,000

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action of amending an existing contract is not a “project” as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(4) and (5) of the State CEQA Guidelines and, as such, is not subject to environmental review; and
- (2) Authorize the City Manager to amend Contract No. 32,037 with Thomco Construction, Inc., to increase the contract amount by \$640,000 for a total amount not-to-exceed \$3,620,000. (Contract No. 32037-1)

CONTRACT AWARD TO ACT 1 CONSTRUCTION, INC., FOR WASHINGTON PARK COMMUNITY HOUSE AND RESTROOM PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$2,640,000

Recommendation: It is recommended that the City Council:

- (1) Find the contract proposed herein to be categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Title 14, Chapter 3, Article 19, Section 15303, Class 3, pertaining to new construction or conversion of small structures, 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) i) Accept the bid dated February 2, 2022, submitted by Act 1 Construction, Inc., in response to the plans and specifications for the Washington Park Community House and Restroom project, ii) reject all other bids received, and iii) authorize the City Manager to enter into a contract for an amount not-to-exceed \$2,640,000, which includes the base contract amount of \$2,295,774 and a contingency of \$344,226 to provide for any necessary change orders. (Contract No. 32244)

FINANCE COMMITTEE: PROPOSITION A LOCAL RETURN FUND EXCHANGE WITH THE CITY OF HIDDEN HILLS

Recommendation: It is recommended that the City Council:

(1) Find this action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061 (b) (3);

(2) 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;

(3) Authorize the City Manager to execute a one-time agreement with the City of Hidden Hills to exchange \$87,845 of Pasadena's General Fund dollars currently dedicated for transit services for \$117,127 of Hidden Hills Proposition A Local Return dollars to be used for Proposition A eligible transit operations, programs and projects in Pasadena; (Contract No. 23,634)

(4) Appropriate \$87,845 from the General Fund portion of the available fund balance in Fund 209 to account 20924043-811400 for the City's portion of the fund exchange;

(5) Increase revenue by \$117,127 in account 20824035-657400 for the City of Hidden Hill's portion of the fund exchange; and

(6) Transfer \$87,845 from the available fund balance in Fund 208 into the fund balance for Fund 209 for the City's receiving fund to reimburse the donating fund and authorize staff to make necessary adjustments to the budget. (Budget Amendment No. 2022-25)

FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT – QUARTER ENDING December 31, 2021

Recommendation: The agenda report is for information only.

FINANCE COMMITTEE: APPROVAL OF BUSINESS TERMS OF THE SECOND AMENDMENT TO DEVELOPMENT, LOAN AND LEASE AGREEMENT NO. 23,370 WITH BRIDGE HOUSING INC., INCLUDING ADDITIONAL CITY FUNDING IN AN AMOUNT NOT-TO-EXCEED \$2,000,000 FOR THE DEVELOPMENT OF THE HERITAGE SQUARE SOUTH PERMANENT SUPPORTIVE HOUSING PROJECT FOR CHRONICALLY HOMELESS SENIORS AT 710 N. FAIR OAKS AVENUE

Recommendation: It is recommended that the City Council:

(1) Affirm the May 11, 2020, finding of the City Council that the project discussed herein is exempt from environmental review

pursuant to the California Environmental Quality Act (CEQA) Public Resources Code §21080(b)(9); and California Code of Regulation, Title 14, Division 6, Chapter 3, State CEQA Guidelines §15332, Class 32, In-Fill Development Projects, that there were no features that distinguish this project from others in the exempt class and, therefore, there were no unusual circumstances, and affirm that there is no new information or changed circumstances that would require further environmental review;

(2) Approve a budget amendment appropriating \$2,000,000 from the Low and Moderate Income Housing Asset Fund unappropriated fund balance to fund the proposed City loan through the Housing Department's Fiscal Year 2022 Operating Budget for the Heritage Square South Project; (Budget Amendment No. 2022-26)

(3) Approve the business terms of a Second Amendment to Development, Loan and Lease Agreement with BRIDGE Housing Inc., for the development of the Heritage Square South Project, as described in the agenda report; and (Contract No. 23,370-2)

(4) Authorize the City Manager to execute, and the City Clerk to attest, any and all documents necessary to effectuate the staff recommendation.

Jill Shook, representing Making Housing and Community Happen, spoke in support of the staff recommendation, and thanked the City Council for their commitment to house the City's most vulnerable population.

MUNICIPAL SERVICES COMMITTEE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH PARKING CONCEPTS, INC., FOR THE MANAGEMENT AND OPERATION OF THE PLAZA LAS FUENTES VALET PARKING SERVICES FOR THE WESTIN HOTEL IN AN AMOUNT NOT-TO-EXCEED \$2,336,214 FOR A THREE-YEAR TERM

Recommendation: It is recommended that the City Council:

(1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Parking Concepts Inc., for the management and operation of the Plaza Las Fuentes valet parking services for the Westin Hotel in an amount not-to-exceed \$2,336,214 for three-years, which includes the base contract amount of \$707,944 and a contingency of \$70,794 per year to provide for any necessary change orders; and

(3) Authorize the City Manager to extend the term of the contract for two additional one-year terms as detailed in the report at the discretion of the City Manager. (Contract No. 32242)

**RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS**

**RESIGNATION OF TERRY MADIGAN FROM THE ROSE BOWL
OPERATING COMPANY BOARD** (Tournament of Roses
Nomination)

**APPOINTMENT OF C. SCOTT BOONE TO THE PASADENA
CENTER OPERATING COMPANY BOARD** (At Large
Nomination/District 2)

**APPOINTMENT OF JANE HADERLEIN TO THE SENIOR
COMMISSION** (Mayor Nomination)

**APPOINTMENT OF JOHN B. HOWE TO THE SOUTH LAKE
PARKING PLACE COMMISSION** (At Large Nomination/District 7)

**APPOINTMENT OF TARA L. NEWMAN TO THE ROSE BOWL
OPERATING COMPANY BOARD** (Mayor Nomination)

APPROVAL OF MINUTES

January 10, 2022 (457 Deferred Compensation Plan Trustees)
February 14, 2022
February 21, 2022

CLAIMS RECEIVED

Claim No. 13,829	Rogers/Beltran LLP, representing Gyu Hyeon Lee	\$ 25,000.00+
Claim No. 13,830	Downtown LA Law representing Armen Kajberouni	1,000,000.00
Claim No. 13,831	Mercury Insurance as subrogee of Michael Liang	4,852.89
Claim No. 13,832	Paul DeJoseph C/O Beven & Brock Linda Bailey Property Manager	2,225.00
Claim No. 13,833	Fiona Wills	1,136.87
Claim No. 13,834	Carmen Lopez	500.00
Claim No. 13,835	Pacific Bell Telephone Company, DBA AT&T California ("AT&T")	3,056.97
Claim No. 13,836	Mercury Insurance Company as subrogee of Leonard Laguna	2,291.69
Claim No. 13,837	First Group America/First Student	266.25
Claim No. 13,838	Chad Ryan Kroll	Not stated
Claim No. 13,839	Mercury Insurance as subrogee of Grace Ahn Baca	1,746.62

PUBLIC HEARING SET

March 21, 2022, 5:00 p.m. – Landmark Designation for the
property located at 801 South San Rafael Avenue

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

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

PUBLIC HEARING

PUBLIC HEARING: APPROVAL OF RECOMMENDED WATER RATE ADJUSTMENTS

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended adjustments to the water rates are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges);
- (2) Open a Public Hearing to receive public comment on the recommended adjustments to the City of Pasadena ("City") water rates:
 - a. Increase the Commodity Charge to provide additional annual revenue of approximately \$1.5 to \$2.0 million, and increase the Distribution and Customer Charge ("D&C") to provide additional annual revenue of \$1.0 million, to be effective April 1, 2022 or as soon as practicable thereafter;
 - b. Increase the Commodity Charge to provide additional annual revenue of approximately \$1.8 million, the D&C to provide additional annual revenue of \$1.0 million, and the Capital Improvement Charge ("CIC") to provide additional annual revenue of \$1.0 million, to be effective January 1, 2023 or as soon as practicable thereafter; and
 - c. Amend the description of the CIC in the Water Rate Ordinance to eliminate reference to the "Water Distribution System" and add reference to the CIC rate to be applicable to all Water System capital expenditures; and
- (3) Following the close of the Public Hearing, approve the aforementioned recommended water rate adjustments; and
- (4) Direct the City Attorney to prepare an amendment to the Water Rate Ordinance ("Ordinance") implementing the changes to the water rates described in the agenda report.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and the Pasadena Press on January 20, 2022; and eight letters expressing concerns related to the staff recommendation and eight letters providing comments on the matter, were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the public hearing record for the item.

Jeffrey Kightlinger, Interim General Manager of Water and Power, provided introductory comments and Shari Thomas, Assistant General Manager of Water and Power, presented a PowerPoint presentation on the matter and responded to questions.

Interim City Manager Cynthia Kurtz reported that the Metropolitan Water District (MWD) is requesting an 8% increase of the City's water conservation efforts, however, staff will respond with a recommendation of a 5% increase, which she believes is an equitable amount for small agencies like Pasadena.

The following individuals advocated for water conservation, or expressed concerns with the staff recommendation:

David Cutter, Pasadena resident
Ken Kules, Pasadena resident

Councilmember Kennedy stated the following for the record, "...as the Deputy General Manager understands that I am just trying to get at the accuracy of a way forward in terms of the modifications that are being sought in the recommendations in the staff report. I want to make sure we are doing all that we can to represent our rate payers and those who rely on Council for accurate information."

Motion:

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

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

NOES: None

ABSENT: None

ABSTAIN: None

Councilmember Hampton urged City staff to continue to provide additional information to the community on the City's excellent water conservation programs. He expressed concerns with the pay rates that are set for water customers based on the size of water pipes and not on water usage; and stated that residential water rates should be based on water usage metrics only.

Councilmember Williams stated that she will support the staff recommendation, and requested that staff address the state's mandates for water reduction in terms of future impacts of development in the City.

Motion:

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

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

ORDINANCE – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA, CALIFORNIA AMENDING THE WATER RATE ORDINANCE, TITLE 13, CHAPTER 13.20 OF THE PASADENA MUNICIPAL CODE”

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

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

PUBLIC HEARINGS (Continued)

PUBLIC HEARING: QUASI-JUDICIAL ACTION - APPEAL OF PLANNING COMMISSION DECISION ON CONDITIONAL USE PERMIT #6921 FOR APPROVAL OF A COMMERCIAL CANNABIS RETAILER AT 827 EAST COLORADO BOULEVARD SUBMITTED BY INTEGRAL ASSOCIATES DENA. LLC AND HARVEST OF PASADENA, LLC AND (ZENT2021-00109)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed Conditional Use Permit: Cannabis Retailer application is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code §21080(b)(9)); and the State Guidelines for the Implementation of CEQA (California Code of Regulations, Title 14, Chapter 3, §15301, Class 1, Existing Facilities, and §15303, Class 3, New Construction or Conversion of Small Structures), and that there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. This exemption applies to the operation and permitting of uses in existing structures where there is negligible or no expansion of use; and
(2) Uphold the Planning Commission’s decision approving Sweetflower Pasadena, LLC “Conditional Use Permit: Cannabis Retailer” application (CUP #6921) subject to the Findings contained in Attachment A and the Conditions of Approval contained in Attachment B of the agenda report.

Interim City Manager Cynthia Kurtz reported that her husband had prior involvement with Sweetflower, and upon legal review and advice, it has been determined that she does not have a conflict of interest on the matter. However, out of an abundance of caution,

she will abstain from any involvement, and noted that Nicholas Rodriguez, Assistant City Manager will act in her absence on the matter.

City Clerk Jomsky opened the public hearing; reported that 27 copies of the public hearing notice were posted and 30 copies of the public hearing notice were mailed on February 28, 2022. He also reported one letter in opposition to the approval of Conditional Use Permit No. 6921; and one "declaration" expressing concerns with traffic flow issues if the staff recommendation is approved, were received by City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public hearing record for this item.

David Reyes, Director of Planning and Community Development, provided introductory comments, and Guillermina Nunez, Project Manager, presented a PowerPoint presentation on the item; and responded to questions.

Tim Dodd, representing Sweet Flower Pasadena, LLC ("Sweetflower") (Applicant), provided an overview of Sweet Flower's commercial cannabis application process, and advocated for the City Council to uphold the Planning Commission's decision approving Sweetflower's Conditional Use Permit (CUP) No. 6921.

Richard A. McDonald, representing Integral Associates Dena, LLC (Appellant) provided an oral summary of his correspondence expressing concerns with the staff recommendation; and spoke in opposition to the staff recommendation and the approval of Sweetflower's CUP No. 6921 until an environmental review of potential cumulative impacts has been completed.

Councilmember Kennedy stated his objection to the staff recommendation; expressed concerns with potential cumulative impacts related to the concentration of cannabis operations in City Council District 3, and therefore, will not support the staff recommendation.

Motion:

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

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

Motion: Following further discussion, it was moved by Councilmember Hampton, seconded by Vice Mayor Wilson, to approve the staff recommendation:

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

NOES: Councilmembers Kennedy, Masuda, Williams

ABSENT: None

ABSTAIN: None

PUBLIC HEARING: GENERAL PLAN LAND USE DIAGRAM AMENDMENT FOR LINCOLN AVENUE SPECIFIC PLAN

Recommendation: It is recommended that the City Council:

(1) Find that the project is consistent with the analysis in the Lincoln Avenue Specific Plan Update 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 Amendment of the Land Use Diagram; and

(3) Adopt a resolution approving the General Plan Map Amendment. (Resolution No. 9901)

City Clerk Jomsky opened the public hearing; reported that the public hearing notice was published in the Pasadena Press on February 28, 2022, March 3, 2022 and March 10, 2022; and two letters in opposition to staff amending the Pasadena Municipal Code to implement the Lincoln Avenue Specific Plan Update, and one letter expressing concerns with the staff recommendation, were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the public hearing record for the item.

Motion: It was moved by Councilmember Hampton, seconded by Vice Mayor Wilson, to close the public hearing:

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion: Following a brief discussion, it was moved by Councilmember Hampton, seconded by Vice Mayor Wilson, to approve the staff recommendation:

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

**ORDINANCE – FIRST
READING**
(Continued)

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF TITLE 17 (ZONING CODE) OF THE CITY OF PASADENA MUNICIPAL CODE TO IMPLEMENT THE LINCOLN AVENUE SPECIFIC PLAN UPDATE, AND AMENDING THE OFFICIAL ZONING MAP ESTABLISHED BY THE ZONING CODE, CHAPTER 17.20, SECTION 17.20.020 TO MODIFY THE BOUNDARIES OF THE LINCOLN AVENUE SPECIFIC PLAN, REDESIGNATE ZONES WITHIN THE SPECIFIC PLAN AREA, AND REDESIGNATE ZONES FOR PARCELS LOCATED OUTSIDE OF THE SPECIFIC PLAN AREA”

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

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

Councilmember Hampton thanked David Reyes, Director of Planning and Community Development, and staff for their work on updating the City’s Specific Plans.

PUBLIC HEARING
(Continued)

PUBLIC HEARING: APPEAL OF THE BOARD OF ZONING APPEALS’ DECISION ON HILLSIDE DEVELOPMENT PERMIT #6838 FOR THE PROPERTY LOCATED AT 1820 LINDA VISTA AVENUE

Recommendation: It is recommended that the City Council:

- (1) Adopt the Environmental Determination that the proposed project is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities); and
- (2) Approve Hillside Development Permit #6838, with the required Findings in Attachment A and Conditions in Attachment B of the agenda report.

City Clerk Jomsky opened the public hearing; reported that 13 copies of the public hearing notice were posted and 34 copies of the public hearing notice were mailed on February 28, 2022. He

also reported five letters in support and one letter in opposition to the staff recommendation; one letter expressing concerns with the revised proposed project that blocks protected views, and one letter providing information on the view from the house at 1820 Linda Vista, were received by City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public hearing record for this item.

David Reyes, Director of Planning and Community Development, provided introductory comments, and Katherine Moran, Assistant Planner, presented a PowerPoint presentation on the item; with Luis Rocha, Planning Manager, providing information on the Board of Zoning Appeals discussion related to the proposed project, and with all responding to questions.

Matthew Feldhaus (Applicant) and Richard A. McDonald, (representing the Applicant), presented a PowerPoint on the permit process and design related to Hillside Development Permit No. 6838 (1820 Linda Vista Avenue); spoke in support of the staff recommendation, and responded to questions.

Stephen Weaver with Weaver Land Law (representing the Appellant), advocated for the City Council to not approve the Hillside Development Permit No. 6838, and expressing concerns with the proposed project at 1820 Linda Vista Avenue due to various reasons, including the violation of the applicable Hillside View Protection Ordinance.

Motion:

It was moved by Councilmember Williams, 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

Councilmember Williams stated that she believes the City Council can close the "loophole" related to Additional Dwelling Units (ADU) through the "environmental sensitivity" that is used to establish the Hillside Protection Overlay Zone; and spoke in support of accepting the applicant's proposal for providing an additional 2 feet of setback from the adjacent property as a condition of approval. She spoke on the need for the City Council to review the City's Hillside Ordinance and create exemptions for ADU's and additional structures due to increased fire danger in that area, which is an exemption under Senate Bill 9: The California HOME Act (SB9).

Mayor Gordo asked staff to submit a memo to the City Council with information on potential exemption options for ADU's and additional structures related to SB9 and the City's Hillside Ordinance to ensure the public's safety.

Councilmember Hampton requested information on the sprinkler requirements for hillside properties and additions.

Vice Mayor Wilson requested that the motion include additional landscaping between the two (applicant and appellant) properties.

Motion:

Following discussion, it was moved by Councilmember Williams, seconded by Councilmember Kennedy, to approve the staff recommendation, amended to include an additional 2 feet of setback for the portion of the structure closest to the appellant's property, and to add landscaping between the two properties:

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

[NOTE FROM CITY STAFF – As noted in the Decision Letter dated March 23, 2022, for the City Council action on March 14, 2022, the additional landscaping to be installed between the applicant and appellant properties is subject to submittal to, and approval by, the Zoning Administrator.]

ORDINANCE - ADOPTED

ADOPTION OF "AN ORDINANCE OF THE CITY OF PASADENA ADDING A NEW CHAPTER 8.66 TO TITLE 8 OF THE PASADENA MUNICIPAL CODE ENTITLED "ORGANICS RECYCLING REQUIREMENTS FOR RESIDENTIAL AND COMMERCIAL GENERATORS, HAULERS, TREATMENT FACILITIES, EDIBLE FOOD GENERATORS AND RECOVERY ORGANIZATIONS" (Introduced by Councilmember Madison) (Ordinance No. 7386)

Following discussion, 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

Public Comment on
Closed Session Items

The following individuals provided public comment on closed session items:

Nicole King, Pasadena resident
Allen Shay, Pasadena resident
Michael Williams, Pasadena resident
Kareena K., representing Black Lives Matter (BLM) – Los Angeles
Janee Lennox, representing BLM – Los Angeles
Camile Lewis, Pasadena resident

Mayor Gordo reported that all labor negotiations are conducted in closed session pursuant to Government Code Section 54957.6.

CLOSED SESSION

On order of the Mayor, the special meeting recessed at 8:05 p.m. to discuss the following closed session. (Absent: None)

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6**

Agency Designated Representatives: Cynthia Kurtz and Alex Souto

Employee Organization: Pasadena Management Association

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6**

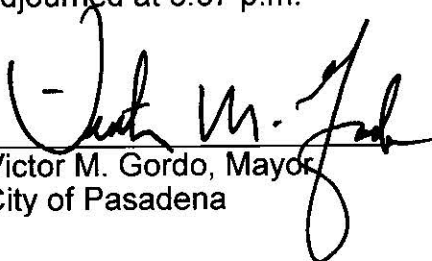
Agency Designated Representatives: Cynthia Kurtz and Alex Souto

Employee Organization: Pasadena Police Officers Association

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

ADJOURNMENT

On order of the Mayor, the special meeting of the City Council adjourned at 8:37 p.m.


Victor M. Gordo, Mayor
City of Pasadena

ATTEST:



City Clerk