

CITY OF PASADENA
City Council Minutes
May 23, 2022 – 4:30 P.M.
City Hall Council Chamber

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

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

ROLL CALL:
Councilmembers: Mayor Victor M. Gordo
Vice Mayor Andy Wilson
Councilmember Tyron Hampton
Councilmember John J. Kennedy (Absent)
Councilmember Steve Madison (Arrived at 4:54 p.m.)
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

Ceremonial Matters Mayor Gordo presented a proclamation declaring June 3, 2022 as "Gun Violence Awareness Day," in the City Of Pasadena. Lola Osborne, Deputy Director of Parks, Recreation and Community Services, accepted the proclamation, and Cindy Montoya, with San Gabriel Valley Moms Demand Action, provided information on the National Gun Violence Awareness Day, spoke on the need to continue to educate the public on the devastating impacts of gun violence and invited community members to join the Wear Orange Peace Walk on June 4, 2022 honoring Ernesto Ramos Jimenez, as Pasadena resident killed by gun violence in 2020.

In response to Councilmember Hampton's inquiry on an ordinance related to illegal ghost guns, and an ordinance on safe storage of firearms, Interim City Manager stated that the matter would be agendized mid-June or early July.

CONSENT CALENDAR

CONTRACT AWARD TO CJ CONCRETE CONSTRUCTION, INC., FOR ANNUAL ACCESSIBILITY AND DISABILITY ACT (ADA) SIDEWALK AND CURB RAMP IMPROVEMENTS FOR AN AMOUNT NOT-TO-EXCEED \$2,030,244

Recommendation: It is recommended that the City Council:
(1) Find the contract proposed in the agenda report 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 the General Rule Exemption), 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 April 21, 2022, submitted by CJ Concrete Construction, Inc., in response to the plans and specifications for Citywide Sidewalk and Curb Ramp Improvements; ii) reject all other bids received; and iii) authorize the Interim City Manager to enter into a contract for an amount not-to-exceed \$2,030,244, which includes the base contract amount of \$1,845,677 and a contingency of \$184,567 to provide for any necessary change orders. (Contract No. 32283)

AUTHORIZE TIME EXTENSIONS FOR CONTRACTS WITH KOA, PSOMAS, ANSER, AND JOHN L. HUNTER & ASSOCIATES TO PROVIDE ON-CALL PROJECT MANAGEMENT SERVICES

Recommendation: It is recommended that the City Council:

(1) Find the contracts proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Article 5, Section 15061(b)(3), the Common Sense Exemption (formerly General Rule Exemption), that CEQA applies only to projects that may have a significant effect on the environment; and

(2) Authorize the Interim City Manager to extend Contract 30782 with PSOMAS for On-Call Construction Management to December 31, 2023 without increasing the authorized total not-to-exceed contract amount; (Contract No. 30782-3)

(3) Authorize the Interim City Manager to extend Contract 30784 with KOA, Contract 30785 with PSOMAS, and Contract 30787 with Anser for On-Call Project Management Services to December 31, 2023 without increasing the authorized total not-to-exceed contract amount; and (Contract No. 30784-3, Contract 30785-3 and 30787-3)

(4) Authorize the Interim City Manager to extend Contract 30272 with John L. Hunter & Associates for National Pollutant Discharge Elimination System (NPDES) Consultant Services to December 31, 2023 without increasing the authorized total not-to-exceed contract amount. (Contract No. 30272-3)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH CORE AND MAIN, LP, TO FURNISH AND DELIVER WATER METER BOXES AND VAULTS WITH COVERS FOR AN AMOUNT NOT-TO-EXCEED \$3,157,442 FOR SEVEN YEARS

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project; and

(2) Accept the bid dated March 31, 2022, submitted by Core and Main, LP, in response to Specification WD-22-05, to furnish and

deliver water meter boxes and vaults with covers; reject all other bids received; and authorize the Interim City Manager to enter into a contract with Core and Main, LP, in an amount not-to-exceed \$1,804,253 or a period of four years, whichever occurs first, with the option for three additional extensions of one year each or an amount not-to-exceed \$451,063, whichever occurs first, at the discretion of the City Manager, for a maximum total contract length of seven years, or a total amount not-to-exceed \$3,157,442.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH S & J SUPPLY CO., INC., TO FURNISH AND DELIVER CEMENT-MORTAR LINED DUCTILE-IRON PIPE FOR AN AMOUNT NOT-TO-EXCEED \$5,261,426

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project; and
- (2) Accept the bid dated March 22, 2022, submitted by S & J Supply Co., Inc., in response to Specification WD-22-06, to furnish and deliver cement-mortar lined ductile-iron pipe; reject all other bids received; and authorize the Interim City Manager to enter into a purchase order with S & J Supply Co., Inc., in an amount not-to-exceed \$3,156,856 or a period of three-years, whichever occurs first, with the option for two additional extensions of one-year each or an amount not-to-exceed \$1,052,285, whichever occurs first, at the discretion of the City Manager, for a maximum total contract length of five years or a total amount not-to-exceed \$5,261,426.

Item discussed separately

AUTHORIZATION TO ENTER INTO A CONTRACT WITH CASTLE GREEN CONDOMINIUMS TO PROVIDE DISCOUNTED MONTHLY PARKING SPACES IN THE SCHOOLHOUSE GARAGE

APPROVAL OF MAINTENANCE AGREEMENT BETWEEN THE STATE OF CALIFORNIA AND THE CITY OF PASADENA FOR THE STATE ROUTE 710 NORTHERN STUB BETWEEN UNION STREET AND CALIFORNIA BOULEVARD

Recommendation: It is recommended that the City Council:

- (1) Find that that the proposed action is exempt from review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3); and
- (2) Authorize the City Manager to enter into a Work for Others Maintenance Agreement with Caltrans for maintenance of State Route 710 (SR 710) between Union Street and California Boulevard in an amount not-to-exceed \$300,000 per year. Neither Competitive Bidding nor Competitive Selection are required pursuant to City Charter Section 1002(H) and Pasadena Municipal Code (PMC)

Section 4.08.049(A)(3), contracts with other governmental entities.
(Contract No. 23,662)

ADOPT RESOLUTION 9879-1, TO AMEND RESOLUTION 9879, TO INCLUDE A REPRESENTATION THAT THE CITY WILL ADOPT, AND HAS ADOPTED, A YOUTH EMPLOYMENT PLAN AS REQUIRED BY THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT TO BE ELIGIBLE FOR PROPOSITION A EXCESS FUNDS

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is not a "project" as defined by 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) Adopt Resolution No. 9879-1, to amend Resolution No. 9879, to include a representation that the City will adopt, and has adopted, a Youth Employment Plan as required by the Los Angeles County Regional Park and Open Space District to be eligible for Proposition A Excess Funds. (Resolution No. 9879-1)

FINANCE COMMITTEE: JOINT ACTION: EXTENSION OF THE STANDBY BOND PURCHASE AGREEMENT (SBPA) WITH BANK OF THE WEST RELATED TO THE PASEO COLORADO BONDS

Recommendation: It is recommended that the City Council and the Pasadena Public Financing Authority (PPFA):

- (1) Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project;
- (2) Approve the Second Amendment to Standby Bond Purchase Agreement (SBPA) and approve the Second Amended and Restated Fee Agreement by and among the Pasadena Public Financing Authority, the City of Pasadena, and Bank of the West; authorize the Interim City Manager or the Director of Finance to execute and deliver the Second Amendment to the SBPA and the Second Restated Fee Agreement; and
- (3) To the extent that the proposed amendment of the SBPA could be considered subject to a new competitive selection process, grant the proposed amendment an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code (PMC) Chapter 4.08, pursuant to Section 4.08.049(B), contracts for which the City's best interests are served.

FINANCE COMMITTEE: AUTHORIZE A CONTRACT WITH PACIFIC HYDROTECH CORPORATION TO FURNISH LABOR, EQUIPMENT AND MATERIALS NECESSARY TO INSTALL THE WADSWORTH GROUNDWATER TREATMENT PLANT AND APPROVE AMENDMENTS TO THE FISCAL YEAR 2022 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation: It is recommended that the City Council:

(1) Find that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities) and 15303 (New Construction of Small Structures), and that there are no features that distinguish this project from others in the exempt classes, and therefore, there are no unusual circumstances;

(2) Accept the bid dated April 21, 2022 submitted by Pacific Hydrotech Corporation in response to Specification WD-22-02 to furnish labor, equipment, and materials necessary to install the Wadsworth Groundwater Treatment Plant; reject all other bids received; and authorize the Interim City Manager to enter into a contract in an amount not-to-exceed \$6,121,800; and

(3) Approve amendments to the Fiscal Year ("FY") 2022-2026 Capital Improvement Program ("CIP") to: (Budget Amendment No. 2022-30)

a. reduce the Water Fund appropriations by \$2,750,000 from the following CIP projects: \$900,000 from New Water Well (01088), \$800,000 from Distribution Mains (01080), \$600,000 from Local Non-Potable Water Project (01095), \$250,000 from Computerized Maintenance Management System (01089), \$200,000 from Non-Potable Water Project (01013);

b. appropriate additional funds of \$2,600,000 from the Water Fund 412 balance;

c. increase the appropriations for the Treatment Systems project (01091) by \$5,350,000; and

(4) Authorize the City Manager to amend contracts and/or approve change orders for the recommended contracts for the Wadsworth Groundwater Treatment Plant in an aggregate amount not-to-exceed \$900,000. (Contract No. 32271)

City Advisory Bodies

APPROVAL TO HOST "AMERICAFAST" ON JULY 4, 2022

Recommendation of Rose Bowl Operating Company: It is recommended that City Council:

(1) Find that the event proposed and detailed in the agenda report is categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings);

(2) Make the findings required by Pasadena Municipal Code (PMC) Section 3.32.270(A) to authorize this 23rd displacement event of 2022; and

(3) Authorize funding of the event up to \$125,000.

Item discussed separately

**RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS**

AUTHORIZATION OF AN INTERNATIONAL SOCCER MATCH IN PARTNERSHIP WITH AEG TO BE HELD ON TUESDAY, JULY 26, 2022 OR SATURDAY, JULY 30, 2022

RESIGNATION OF FELICIA WILLIAMS AS THE CITY OF PASADENA'S ALTERNATE REPRESENTATIVE TO THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) GOVERNING BOARD (City Nomination)

REAPPOINTMENT OF KIM FERREIRA TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2022 (At Large/District 7 Nomination)

REAPPOINTMENT OF TINA MILLER TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2022 (District 2 Nomination)

REAPPOINTMENT OF JONATHAN HORTON TO THE HUMAN RELATIONS COMMISSION EFFECTIVE JULY 1, 2022 (District 2 Nomination)

REAPPOINTMENT OF ADRIENNE BASS TO THE LIBRARY COMMISSION EFFECTIVE JULY 1, 2022 (District 2 Nomination)

REAPPOINTMENT OF VALINDA M. BOWENS TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2022 (District 3 Nomination)

REAPPOINTMENT OF CARYN HOFER TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2022 (District 3 Nomination)

REAPPOINTMENT OF RENE H. GONZALEZ TO THE HUMAN RELATIONS COMMISSION EFFECTIVE JULY 1, 2022 (District 3 Nomination)

REAPPOINTMENT OF ANNA HAWKEY JABLONSKI TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD EFFECTIVE JULY 1, 2022 (District 3 Nomination)

REAPPOINTMENT OF ESTELLE CAMPBELL TO THE ARTS & CULTURE COMMISSION EFFECTIVE JULY 1, 2022 (District 4 Nomination)

REAPPOINTMENT OF HARALD ZECHNER TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2022 (District 4 Nomination)
REAPPOINTMENT OF ROBERT A. CROOK TO THE ARTS & CULTURE COMMISSION EFFECTIVE JULY 1, 2022 (District 5 Nomination)

REAPPOINTMENT OF MARI BERKEMEIER TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2022 (District 5 Nomination)
REAPPOINTMENT OF KENNETH ROTTER TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2022 (Agency Nomination)

REAPPOINTMENT OF ANA MARIA APODACA TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2022 (PUSD Nomination)

REAPPOINTMENT OF DAVID EADS TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2022 (Tournament of Roses Nomination)

City Attorney

Item discussed separately

CONSIDERATION OF A RESOLUTION TO CONTINUE TO ALLOW THE CITY COUNCIL, ALL OF ITS SUBORDINATE BODIES, AND ALL OF ITS NON-PROFIT CORPORATION BOARDS AND THEIR SUBORDINATE BODIES, TO MEET REMOTELY PURSUANT TO THE BROWN ACT

CLAIMS RECEIVED

| | | |
|-----------|-------------------|---------------|
| 2022-0034 | Oscar Sepulveda | \$ 25,000.00+ |
| 2022-0035 | Jana Wininger | 1,100.00 |
| 2022-0036 | Bing Lau Bautch | 25,000.00+ |
| 2022-0037 | Abraham Nesheiwat | 10,000.00+ |
| 2022-0038 | Sarah Steidel | Not Stated |

It was moved by Vice Mayor Wilson, seconded by Councilmember Williams, to approve all items on the Consent Calendar with the exception of Item 5 (Authorize Contract with Castle Green Condominiums), Item 11 (Authorization of an International Soccer Match) and Item 13 (Authorizing Remote Teleconference Meetings), which were discussed separately:

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

NOES: None

ABSENT: Councilmembers Kennedy, Madison

ABSTAIN: None

CONSENT ITEMS
DISCUSSED SEPARATELY

AUTHORIZATION TO ENTER INTO A CONTRACT WITH CASTLE GREEN CONDOMINIUMS TO PROVIDE DISCOUNTED MONTHLY PARKING SPACES IN THE SCHOOLHOUSE GARAGE

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action is exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), the Common Sense Exemption that CEQA applies only to projects that may have a significant effect on the environment; and

- (2) Authorize the Interim City Manager to execute a contract with Castle Green Condominiums to provide discounted monthly parking rates in the Schoolhouse Garage for an initial five-year term; and
- (3) Authorize the City Manager to execute contract amendments for extension of the contract term for three additional five-year terms and two subsequent additional ten-year terms, as detailed in the agenda report. (Contract No. 23,663)

City Clerk Jomsky reported that one letter expressing concerns with the staff recommendation and requesting further discussion on the matter, was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

Interim City Manager Kurtz and Laura Cornejo-Rubio, Transportation Director, provided background information on the mitigation of Castle Green's loss of parking following construction of the Schoolhouse Parking Garage in Old Pasadena that occurred in the mid 1980's and provided an overview of the monthly reserved rate by year to gradually transition Castle Green residents to market rate parking, and responded to questions.

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

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

City Advisory Bodies

AUTHORIZATION OF AN INTERNATIONAL SOCCER MATCH IN PARTNERSHIP WITH AEG TO BE HELD ON TUESDAY, JULY 26, 2022 OR SATURDAY, JULY 30, 2022

Recommendation of the Rose Bowl Operating Company: It is recommended that City Council:

- (1) Find that the license agreement proposed and detailed in the agenda report is categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings), there are no features that distinguish this project from others in this exempt class, and therefore there are no unusual circumstances present; and
- (2) Make the findings set forth in the agenda report and required by Pasadena Municipal Code (PMC) Section 3.32.270(A) to authorize the RBOC to host the 24th displacement event for 2022. (Contract No. 23,664)

Mayor Gordo congratulated the RBOC on the success of the Cruel World Festival that took place at the Rose Bowl on May 14 and 15, 2022.

Jens Weiden, Chief Revenue Officer for the Rose Bowl Operating Company, provided a brief overview of the upcoming displacement event, and spoke on the planning and preparation of mitigation and neighborhood protection efforts, and responded to questions.

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

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

CONSIDERATION OF A RESOLUTION TO CONTINUE TO ALLOW THE CITY COUNCIL, ALL OF ITS SUBORDINATE BODIES, AND ALL OF ITS NON-PROFIT CORPORATION BOARDS AND THEIR SUBORDINATE BODIES, TO MEET REMOTELY PURSUANT TO THE BROWN ACT

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is exempt from review pursuant to the California Environmental Quality Act (CEQA) in accordance with State CEQA Guidelines Section 15061(b)(3), the "common sense" exemption that CEQA only applies to projects that have the potential for causing a significant effect on the environment; and
- (2) Adopt a Resolution of the City Council of the City of Pasadena Authorizing Remote Teleconference Meetings of the City Council, all City subordinate bodies, and all City non-profit corporation Boards and their subordinate bodies, for the period May 23, 2022 to June 22, 2022. (Resolution No. 9914)

The following individuals spoke in opposition to adopting a resolution to continue to allow City Council to meet remotely:

Michael Williams, Pasadena resident
Brittney Pollock, Sherman Oaks resident

In response to public comment, Mayor Gordo stated it is the City's intent to return to in-person meetings by mid-June or early July.

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

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

ABSENT: Councilmembers Kennedy, Madison
ABSTAIN: None

PUBLIC HEARINGS

PUBLIC HEARING: FISCAL YEAR 2023 RECOMMENDED SCHEDULE OF TAXES, FEES, AND CHARGES

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges); and
- (2) Open the public hearing on the Fiscal Year (FY) 2023 Schedule of Taxes, Fees, and Charges; and
- (3) Close the public hearing, and adopt the Fiscal Year (FY) 2023 Schedule of Taxes, Fees, and Charges.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the Pasadena Press on March 31, 2022, April 4, 2022 and April 7, 2022.

It was moved by Councilmember Hampton, seconded by Councilmember Williams, to close the public hearing:

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

NOES: None

ABSENT: Councilmembers Kennedy, Madison

ABSTAIN: None

It was moved by Councilmember Masuda, seconded by Councilmember Rivas, to approve the staff recommendation:

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

NOES: None

ABSENT: Councilmembers Kennedy, Madison

ABSTAIN: None

City Manager

Councilmember Madison
arrived at 4:54 p.m.

MILITARY EQUIPMENT USE POLICY: ADOPT THE POLICY AND ORDINANCE PER CALIFORNIA ASSEMBLY BILL 481 (See related Item 21 – to be considered concurrently)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption); and
- (2) Conduct first reading of an uncodified ordinance adopting a military equipment use policy, as prepared by the City Attorney.

City Clerk Jomsky reported that two letters expressing concerns with the Pasadena Police Department's military equipment policy,

were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

The following individuals expressed concerns with Pasadena Police Department's military equipment policy:

Michael Williams, Pasadena resident
Yadi, Pasadena resident
Peter Hartgens, Pasadena resident
Brittney Pollock, Sherman Oaks resident

Councilmember Rivas thanked the Community Police Oversight Commission (CPOC) for reviewing and discussing the proposed policy. Councilmember Rivas expressed concerns with the policy language regarding the purpose of the use of the .50 caliber precision rifle, and requested that staff include additional language that would clearly articulate that the primary purpose of the .50 caliber precision rifle is not for use against individual persons, except if necessary in emergency/extreme circumstances.

Councilmember Hampton echoed Councilmember Rivas' comments, and raised several questions regarding the approval process for purchasing equipment on an emergency basis, asking for clarification that the process for the Police Department to ratify such purchases in the future includes bringing forward the item to the CPOC and/or Public Safety Committee (PSC) for further discussion, and in addition, obtaining approval from the City Council.

Following discussion, Interim City Manager Kurtz stated that the City Attorney's Office will provide language that is consistent to Councilmember Rivas' request clarifying the purpose of the .50 caliber rifle; and answered Councilmember Hampton's questions by confirming that the process is consistent with his understanding (as detailed above).

Following discussion, the City Attorney noted that the policy language currently states: Policy 711, Category 9, 1. .50 Caliber Ammunition b) Purpose: "To prevent, deter, or stop a mass casualty incident involving the use of armored or large vehicles at large venue events", and will also include the additional language similar to: "the primary intent is not to use against individuals except if required in emergency circumstances to protect to the public".

Following discussion, it was moved by Vice Mayor Wilson, seconded by Councilmember Williams, to approve the staff recommendation, with direction to the City Attorney to amend the Category 9 policy language, as noted above:

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

**ORDINANCE – FIRST
READING**

Conduct first reading of “**AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA ADOPTING A MILITARY EQUIPMENT POLICY**” (*See related tem 19 – to be considered concurrently*)

The above item was not be considered, and by consensus of the City Council was not discussed to allow for modifications, as discussed above.

PUBLIC HEARING

**PUBLIC HEARING: SOUTH FAIR OAKS SPECIFIC PLAN
UPDATE**

Recommendation: It is recommended that the City Council:

- (1) Adopt the Addendum to the 2015 Pasadena General Plan Environmental Impact Report (EIR) along with the EIR, and find that the Addendum properly discloses only minor technical changes or additions to the EIR, and none of the conditions triggering a subsequent or supplemental EIR are present, as set forth in State California Environmental Quality Act (CEQA) Guidelines Section 15164;
- (2) Make the Findings for Approval for the General Plan Map Amendment, Specific Plan Amendment, and Zoning Code Map and Text Amendments;
- (3) Adopt a resolution approving the General Plan Map Amendment;
- (4) Adopt a resolution approving the recommended South Fair Oaks Specific Plan; and
- (5) Direct the City Attorney to prepare an ordinance for the Zoning Code and Text Amendments within 90 days consistent with the provisions set forth in the agenda report.

Recommendation of the Planning Commission: On April 13, 2022, by a vote of 5-2, the Planning Commission recommended that the City Council approve the proposed South Fair Oaks Specific Plan (SFOSP), including the General Plan Map Amendment, Zoning Code Map and Text Amendments, and the Addendum, as presented by staff, with the following recommended changes:

- Include an implementation program in the SFOSP related to public-private partnerships for the creation of paseos and publicly accessible open space (Included in the staff recommendation); and
- Incorporate language in the SFOSP that would give the review authority the ability to approve limited deviations from development standards not including allowed height setbacks, or tree planting requirements, for commercial properties when it can be clearly demonstrated that compliance with the standards would result in a substantial hardship (Staff does

not recommend that this recommendation be incorporated into the SFOSP).

In addition, staff refined the proposed SFOSP that was presented to the Planning Commission to reflect feedback received. Refer to Attachment A of the agenda report for the Recommended SFOSP. The 1998 SFOSP is also included as Attachment B of the agenda report.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Press on May 5, 2022, May 12, 2022 and May 19, 2022.

City Clerk Jomsky reported that one letter expressing concerns with density, setbacks related to tree canopy, and lack of a bike lane along Raymond Avenue; four letters in support of the staff recommendation and providing comments; and one letter advocating that the staff recommendation incorporate language in the Specific Plan that would give the reviewing authority the ability to approve limited deviations from the development standards, were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

David Reyes, Director of Planning and Community Development, introduced the agenda item, and Anita Cerna, Principal Planner, presented a PowerPoint presentation on the item; and all responded to questions.

Councilmember Madison expressed concerns with the proposed staff recommendation, stating he does not support allowing housing on Arroyo Parkway, Del Mar Avenue and Fair Oaks Avenue, emphasizing the unintended consequences of opening the "floodgate" and tilting the Specific Plan towards residential development, which would limit opportunities for commercial development and economic growth in the City.

Vice Mayor Wilson spoke on the need to create opportunities and a balance for major institutions and new housing options, as well as creating a walkable community and connective paseos to make destinations and transit more pedestrian-friendly, and advocated for bicycle connections and infrastructure along the Specific Plan Area; stating that this part of the City is being underutilized and supports new housing opportunities to protect other parts of the community from over-gentrification and new state legislation aimed to facilitate housing production. Vice Mayor Wilson requested amending the proposed building height maximum of 75-feet to a building height maximum of 63-feet, given that housing developers are taking advantage of the Density Bonus Law and development concessions.

Councilmember Masuda echoed Councilmember Madison's concerns, and raised questions related to addressing safety and homelessness at the Fillmore Gold Line Station.

Mayor Gordo and Vice Mayor Wilson spoke on safety measures to address the matter at the Metro Station.

Councilmember Williams expressed concerns with the proposed residential development and density along the Arroyo Parkway where the State Route (SR)-110 freeway ends, stating safety concerns with speeding cars exiting the freeway and gas emissions that will impact the quality of life for the proposed residential neighborhood at the southern end of Arroyo Parkway. Councilmember Williams also spoke on the Glenarm Power Plant and encouraged staff to be more proactive in the redevelopment of the site, noting opportunities such as battery storage, public park possibilities, and/or opportunities for Water and Power Department to support clean tech businesses or bioscience businesses.

Interim City Manager Kurtz stated that consideration for the redevelopment of the Glenarm Power Plant would be agendaized for further discussion in the near future, and encouraged the City Council to consider including Water and Power administrative offices as part of that discussion.

Councilmember Masuda left the meeting at 6:50 p.m.

Mayor Gordo spoke on public private partnerships for the creation of sales and open spaces, stating at the point of entitlement for development projects, there needs to be clear performance standards and evaluation criteria.

The following individuals provided comments on the agenda item:

Thomas Priestley, Pasadena resident
Nina Chomsky, representing Linda Vista- Annandale Association
Greg McLemore, Pasadena resident
Noah Garrett, representing The Californian
Dan Beal, representing West Pasadena Residents' Association
Rollin Homer, representing ArtCenter College of Design
Jill Shook, representing Making Housing and Community Happen- complete streets traffic
Erika Foy, Pasadena resident
Brad McCoy, representing Huntington Hospital

Councilmember Madison acknowledged the stakeholder's public comments and concerns, stating Council should be mindful of their comments; and reiterated his concerns for housing along the main arteries, stating he was prepared to make a motion that would include approving the staff recommendation without the introduction of residential uses along Fair Oaks Avenue, Arroyo Parkway, and Del Mar Avenue.

Motion

Following discussion, Councilmember Wilson moved to approve the staff recommendation, incorporating the amendment to lower the residential building height from 75-feet to 63-feet.

MOTION FAILED DUE TO LACK OF A SECOND

Mayor Gordo spoke on the issue of building height limitations, noting that the City should allow for the higher height to accommodate some of the commercial users, as there's no danger for exemptions given that such exemptions only apply to mixed-use and residential projects, and not commercial projects; and stated he does not support deviation from the development standards as part of adopting the plan.

Motion

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Hampton, to approve the staff recommendation, amended to exclude allowing residential uses along the major arteries of Fair Oaks Avenue, Arroyo Parkway, and Del Mar Avenue.

Councilmember Rivas echoed Vice Mayor's comments, and noted she does not support the motion. She spoke in support of an amendment that would limit residential building height to 63-feet and commercial use building height to 75-feet.

Amended Motion

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Hampton, to approve the staff recommendation, amended to exclude allowing residential uses along the major arteries of Fair Oaks Avenue and Arroyo Parkway, and amending the maximum residential building height to 63-feet and commercial use building height to 75-feet.

Following discussion on the City's General Plan and the Specific Plan related to use designation and consistency with the Housing Crisis Act, the Mayor stated he will follow up with the Interim City Manager and City Attorney to further discuss impacts and/or potential legal matters with the motion on the floor, stating the matter may require discussion at a special closed session meeting.

Substitute Motion

It was moved by Vice Mayor Wilson, seconded by Councilmember Williams, to continue the public hearing to July 11, 2022 at 5:30 p.m. with the addition to table the current motion as part of that continuation for consideration at the July 11th meeting.

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

NOES: None

ABSENT: Councilmembers Kennedy, Masuda

ABSTAIN: None

PUBLIC HEARING: ZONING CODE AMENDMENT – RELIGIOUS FACILITIES WITH AFFORDABLE HOUSING

Recommendation: : It is recommended that the City Council:

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

(2) Make the Findings for Approval for the Zoning Code Amendment; and

(3) Direct the City Attorney to prepare an ordinance for the Zoning Code Amendment within 60 days consistent with the provisions set forth in the agenda report.

Recommendation of the Planning Commission: On April 27, 2022, the Planning Commission considered the proposed Zoning Code Amendments at publically noticed hearing, and by a vote of 7-2, recommended that the City Council approve the proposed Zoning Code Amendment as presented by staff, with the following recommended amendments:

1. Apply Secretary of Interior standards to all sites that are historically designated or eligible for designation – no exceptions for small projects (included in the staff recommendation);

2. Require a 55-year covenant for affordable housing, which will apply even if the religious use vacates the site (staff recommends that rental units be subject to an affordability covenant in perpetuity and 45-year covenant for ownership units, consistent with the inclusionary housing requirements of Section 17.42.070(C). Both would remain in effect for the specified timeframe, even if the existing religious use vacates the site);

3. Clarify that housing developments may occur on sites with religious facility use as well as adjacent/contiguous sites also owned by the religious institution (included in the staff recommendation);

4. Clarify the development review process (by right and with Design Review) (included in the staff recommendation);

5. Clarify that Secretary of Interior standards also apply to noncontributing properties within a historic district (included in the staff recommendation);

6. Prepare a Constitutional Analysis related to allowing housing on religious institutional sites, and require that housing projects must be developed and operated by an independent nonprofit organization (independent from the religious organization) (all housing must comply with state and federal laws); and

7. Verify that the religious facility is a nonprofit and has owned and operated the site for a minimum of 5 years prior to applying for a residential project (included in the staff recommendation).

Councilmember Williams asked staff to further review the correspondence received and provide a response prior to the July 11th meeting.

It was moved by Vice Mayor Wilson, seconded by Councilmember Williams to continue the public hearing to July 11, 2022 at 5:30 p.m.:

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

Councilmember Masuda
returned to the meeting at
8:27 p.m.

**PUBLIC HEARING: GENERAL PLAN TEXT AMENDMENT TO
THE LAND USE ELEMENT PERTAINING TO DEVELOPMENT
CAPACITY POLICIES**

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed General Plan Text Amendment is exempt from the California Environmental Quality Act (CEQA) because it qualifies for Categorical Exemption pursuant to Section 15305 (Class 5 – Minor Alterations in Land Use Limitations), and that there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances;
- (2) Make the findings for approval of the General Plan Text Amendment as described in Attachment A of the agenda report; and
- (3) Adopt a resolution approving the General Plan Text Amendment. (Resolution No. 9915)

Recommendation of the Planning Commission: The Planning Commission reviewed the proposed General Plan Text Amendment on April 27, 2022. The Planning Commission recommended that the City Council find that the proposed project is exempt from CEQA, and that the City Council make the findings and approve the proposed General Plan Text Amendment as proposed by the Planning and Community Development Department.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and Pasadena Press on May 5, 2022, May 12, 2022 and May 19, 2022.

David Reyes, Director of Planning and Community Development, provided a brief overview of the agenda item, and responded to questions.

In response to Vice Mayor Wilson request for transparency and annual reporting on the matter, David Reyes, Director of Planning and Community Development, shared that the City's General Plan is reported annually to the Planning Commission, and moving forward he will provide the City Council with an update through an

information item or the City Manager's newsletter. He also stated that the Department is working on reporting the City's General Plan on an annual basis to the Economic Development and Technology Committee (EdTech).

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

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

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

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

City Manager

TEXT AMENDMENT TO TITLE 5 INCREASE THE TIME TO OBTAIN A CANNABIS PERMIT *(See related Item 22 – to be considered concurrently)*

Recommendation: It is recommended that the City Council:

- (1) Find that the Text Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), common sense exemption, and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances; and
- (2) Conduct first reading of an ordinance amending Title 5 (Business Licenses and Regulations) to increase the time allowed for cannabis applicants to secure permits.

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

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

**ORDINANCE – FIRST
READING**

Conduct first reading OF “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE CITY OF PASADENA MUNICIPAL CODE TO INCREASE THE TIME ALLOWED FOR CANNABIS APPLICANTS TO SECURE PERMITS” *(See related Item 20 – to be considered concurrently)*

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

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

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 EAST COLORADO SPECIFIC PLAN UPDATE, AND AMENDING THE OFFICIAL ZONING MAP ESTABLISHED BY THE ZONING CODE, CHAPTER 17.20, SECTION 17.20.020 TO MODIFY THE BOUDARIES OF THE EAST COLORADO SPECIFIC PLAN, REDESIGNATE ZONES WITHIN THE SPECIFIC PLAN AREA, AND REDESIGNATE ZONES FOR PARCELS LOCATED OUTSIDE THE SPECIFIC PLAN AREA”

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

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

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

The following individuals spoke on the need for accountability and transparency within the Pasadena Police Department; advocated for the termination of all the Pasadena Police Officers involved in the shooting of Anthony McClain; expressed concerns and provided comments related to the Los Angeles County District Attorney's Office review of the officer involved shooting of Anthony McClain:

Michael Williams, Pasadena resident
Brittney Pollock, Sherman Oaks resident

Heavenly Hughes, representing My TRIBE Rise, echoed Mr. Williams and Ms. Pollock's comments; and invited the Community to the Dena Juneteenth Celebration of Freedom 2022 on June 18, 2022 at Metropolitan Baptist Church.

Yadi, Pasadena resident, advocated for the City Council to continue allowing public comment by phone and/or online upon the return to in-person meetings, noting the hardships for individuals to participate in public discussion while working and tending to family.

Allen Shay, Pasadena resident, advocated for the meeting to close in remembrance of George Floyd, as May 25th marks the second anniversary of Mr. Floyd's death. Mr. Shay spoke on the Los Angeles County District Attorney's Office review of the officer involved shooting of Anthony McClain and spoke on the need for Council to address the matter with the Community.

Thomas Priestley, Pasadena resident, advocated for the City Council to return to allowing public comment at the beginning of the meeting for matters not on the agenda.

CLOSED SESSION

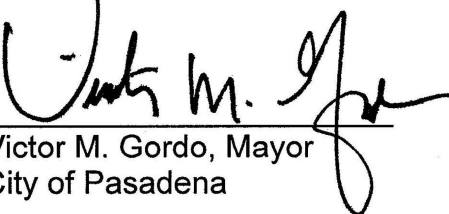
On order of the Mayor, the meeting recessed at 9:04 p.m. to discuss the following closed session. (Absent: Councilmember Kennedy)

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6
Agency Designated Representatives: Cynthia Kurtz and
Tiffany Jacobs-Quinn Employee Organization: Pasadena
Police Officers Association (PPOA)**

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

ADJOURNMENT

On order of the Mayor, the meeting of the City Council adjourned at 9:51 p.m.



Victor M. Gordo, Mayor
City of Pasadena

ATTEST:



City Clerk