

CITY OF PASADENA
City Council Minutes
June 20, 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 regular meeting to order at 4:36 p.m. (Absent: Vice Mayor Wilson) The pledge of allegiance was led by Mark Jomsky, City Clerk.

ROLL CALL:
Councilmembers: Mayor Victor M. Gordo
Vice Mayor Andy Wilson (Absent)
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

Mayor Gordo acknowledged the Juneteenth holiday, spoke on the importance of recognizing Juneteenth in Pasadena, and noted that he will work with the City Manager in determining appropriate ways to honor Juneteenth.

Councilmember Kennedy commended Brenda Harvey-Williams, Director of Parks, Recreation & Community Services, and City staff for the Juneteenth celebration at Robinson Park, and spoke in support of recognizing Juneteenth as a holiday in the City of Pasadena

Councilmember Hampton spoke on the importance and meaning of Juneteenth to him and his family, and expressed his support in recognizing Juneteenth as a holiday in the City of Pasadena.

Councilmember Williams and Rivas also expressed their support for Juneteenth to be recognized as holiday in the City of Pasadena.

CEREMONIAL MATTERS Interim City Manager Kurtz, introduced Ms. Stacie Takeguchi as the new Assistant General Manager of Water in the Pasadena Water & Power Department, and provided biographical information on her career. Ms. Takeguchi thanked the City Manager and expressed her excitement in starting her new position with the City.

Mayor Gordo presented a certificate to the California Conservation Corps, and on behalf of the City Council, expressed gratitude for their hard work in clearing 43 acres of dry brush and providing important fire hazard reduction work in the Arroyo Seco at no cost to the City.

CONSENT CALENDAR

AUTHORIZATION TO AMEND CONTRACT NO. 31829 WITH FRIENDS IN DEED AND CONTRACT NO. 31831 WITH HOUSING WORKS FOR ADDITIONAL EMERGENCY SOLUTIONS GRANT PROGRAM FUNDING

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended actions are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061(b)(3), the "common sense" provision that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the Interim City Manager to amend Contract No. 31829 with The FID Group, dba Friends In Deed, to increase the total contract value by \$57,330 through June 30, 2023 for a not-to-exceed amount of \$326,626; (Contract No. 31829-3)
- (3) Authorize the Interim City Manager to amend Contract No. 31831 with Housing Works to increase the total contract value by \$80,838 through June 30, 2023 for a not-to-exceed amount of \$216,888; (Contract No. 31831-2)
- (4) Authorize the City Manager to approve additional amendments to Contract Nos. 31829 and 31831 such that, subject to additional funding, the total contract awards may be increased by amounts that do not exceed the amounts of increases specified in Recommendations 2 and 3, and the contract terms may be extended for up to one year through June 30, 2024; and
- (5) To the extent the amendments could be considered a separate procurement subject to the Competitive Selection Process, grant the contracts an exemption pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City's best interests are served. These transactions are exempt from competitive bidding per PMC Section 4.08.030 and City Charter Section 1002(F) based on contracts for professional or unique services.

Mark Jomsky, City Clerk, reported that one letter in support of the staff recommendation was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record for this item.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH FRIENDS IN DEED IN THE AMOUNT OF \$150,000 AND DOOR OF HOPE IN THE AMOUNT OF \$150,000 TO PROVIDE HOMELESSNESS PREVENTION SERVICES WITH HOMELESS HOUSING, ASSISTANCE AND PREVENTION GRANT FUNDS

Recommendation: It is recommended that the City Council take the following actions:

- (1) Find that the recommended actions are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061(b)(3), the "common sense" provision that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize the Interim City Manager to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with The FID Group dba Friends In Deed for homelessness prevention services in an amount not-to-exceed \$150,000 with the contract term concluding on June 30, 2024; (Contract No. 32304)

(3) Authorize the Interim City Manager to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with Door of Hope for homelessness prevention services in an amount not-to-exceed \$150,000 with the contract term concluding on June 30, 2024; and (Contract No. 32303)

(4) Grant the proposed contracts 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.

Mark Jomsky, City Clerk, reported that one letter in support of the staff recommendation was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

ADOPTION OF GANN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023

Recommendation: It is recommended that the City Council:

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

(2) Adopts a resolution that:

- a. Selects the California per capita income and the population increase for the City of Pasadena as the indices to be used in calculating the appropriations limit for Fiscal Year 2023;
- b. Establishes the appropriations limit for Fiscal Year 2023 at \$368,854,259; and
- c. Establishes appropriations subject to the limit for Fiscal Year 2023 at \$185,077,954. (Resolution No. 9922)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH ONESOURCE DISTRIBUTORS LLC FOR OVERHEAD TRANSFORMERS FOR A TOTAL AMOUNT NOT-TO-EXCEED \$9,419,000 IF OPTIONAL EXTENSIONS ARE EXERCISED

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 21065, 15060(c)(2), 15060(c)(3), and 15378, and as such, no environmental document pursuant to CEQA is required for the project; and

(2) Accept the bid dated March 23, 2022, submitted by OneSource Distributors LLC ("OnceSource") in response to Specifications for "Overhead Transformers" for the Water and Power Department ("PWP"); authorize the Interim City Manager or her designee to enter

into a Purchase Order ("PO") with OneSource for three years or an amount not-to-exceed \$4,041,000, whichever occurs first, with the option for three additional extensions of one-year each, or after expending \$1,625,000 for the first extension, \$1,787,000 for the second extension, and \$1,966,000 for the third extension, whichever occurs first, for a maximum Purchase Order amount not-to-exceed \$9,419,000.

REPORT ON EMERGENCY REPAIR TO GAS TURBINE 4 WITH A MAXIMUM COST OF \$426,105, AND A 15% CONTINGENCY

Recommendation: This report is for information only as required by Pasadena Municipal Code (PMC) Section 4.08.150 for any emergency purchase where the expenditure exceeds \$75,000.

CONTRACT AWARD TO TORO ENTERPRISES, INC., FOR ANNUAL CITYWIDE STREET RESURFACING AND ADA IMPROVEMENT PROGRAM – FISCAL YEAR (FY) 2022 PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$2,725,302

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), 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 May 19, 2022, submitted by Toro Enterprises, Inc., in response to the project plans and specifications for Annual Citywide Street Resurfacing and ADA Improvement Program, ii) reject all other bids received, and iii) authorize the Interim City Manager to enter into a contract for an amount not-to-exceed \$2,725,302, which includes the base contract amount of \$2,271,085 and a contingency of \$454,217 to provide for any necessary change orders. (Contract No. 32284)

MEMORANDUM OF UNDERSTANDING WITH LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO) FOR CONTINUED PARTICIPATION IN THE PROPOSITION A DISCRETIONARY INCENTIVE GRANT PROGRAM FOR SUB-REGIONAL PARATRANSIT SERVICES

Recommendation: It is recommended that the City Council:

- (1) Find that the City's continued participation in the sub-regional paratransit service program is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3);
- (2) Authorize the Interim City Manager to execute a five-year Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transportation Authority (Metro) for continued participation in the Proposition A Discretionary Incentive Grant Program for Sub-Regional Paratransit Services. 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; and (Contract No. 23,670)

(3) Authorize the City Manager to execute future anticipated MOU's with Metro for subsequent annual funding allocations for the Proposition A Discretionary Incentive Grant Program for Sub-Regional Paratransit Services.

APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA MANAGEMENT ASSOCIATION FOR THE TERM OF OCTOBER 1, 2021 – JUNE 30, 2023

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption); and
- (2) Approve a Memorandum of Understanding (MOU) between the City of Pasadena (City) and the Pasadena Management Association (PMA) for the term of October 1, 2021 through June 30, 2023. (Contract No. 23,671)

ADOPTION OF A RESOLUTION AMENDING EXHIBIT I – SCHEDULE OF HOURLY PAY RATES OF THE NON-REPRESENTED NON-MANAGEMENT SALARY RESOLUTION AND APPROVAL OF AMENDMENTS TO MOU SALARY SCHEDULES TO CONFORM TO THE MINIMUM WAGE ORDINANCE

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption);
- (2) Adopt a resolution amending Exhibit I (Schedule of Hourly Pay Rates) of the Non-Represented Non-Management salary resolution;
- (3) Approve an amendment to Exhibit I (Salary Schedule) of the July 1, 2019 – June 30, 2022 American Federation of State, County, and Municipal Employees (AFSCME) Memorandum of Understanding (MOU); and
- (4) Approve an amendment to Exhibit I (Salary Schedule) of the July 1, 2019 – June 30, 2022 Laborer's International Union of North America (LIUNA) Memorandum of Understanding (MOU). (Resolution No. 9923)

ADOPT A RESOLUTION TO AUTHORIZE THE APPLICATION FOR A WATERSHED MANAGEMENT GRANT FROM THE UNITED STATES BUREAU OF RECLAMATION FOR FISCAL YEAR 2023

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;

(2) Adopt a resolution to authorize the City of Pasadena Water and Power Department ("PWP") to apply for a grant from the United States Department of the Interior - Bureau of Reclamation ("USBR") in an amount not-to-exceed \$200,000 for a Watershed Management Program; and (Resolution No. 9924)

(3) Designate the Interim City Manager, or their designee, as the authorized representative with signature authority for the grant agreement and all contract documents pursuant to the grant.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH KENNEDY JENKS TO PROVIDE GENERAL ENGINEERING SERVICES

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) Authorize the Interim City Manager to enter into a contract for an amount not-to-exceed \$4,000,000 or five years, whichever comes first, as the result of a competitive selection process, pursuant to Pasadena Municipal Code (PMC) Section 4.08.047, with Kennedy Jenks Consultants, Inc., ("Kennedy Jenks") to provide general engineering services. (Contract No. 32309)

AUTHORIZE AN INCREASE TO CONTRACT NO. 31413 WITH SOFTWARE ONE, INC., BY \$55,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$4,530,000 FOR MICROSOFT PRODUCTS AND SERVICES

Recommendation: It is recommended that the City Council:

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

(2) Authorize the Interim City Manager to increase Contract No. 31413 with Software One, Inc., for Microsoft products and services by \$55,000, thereby increasing the total not-to-exceed amount from \$4,475,000 to \$4,530,000; and

(3) To the extent this could be considered a separate procurement subject to the Competitive Bidding and Competitive Selection process, grant the proposed exemption from Competitive Bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, and the Competitive Selection process pursuant to Pasadena Municipal Code (PMC) 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 31413-3)

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

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) Authorize the Interim City Manager to execute a one-time agreement with the City of Cudahy to exchange \$252,563 of Pasadena's General Fund dollars currently dedicated for transit services for \$336,750 of Cudahy's Proposition A Local Return dollars to be used for Proposition A eligible transit operations, programs and projects in Pasadena. 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. 23,672)
- (3) Appropriate \$252,563 from the General Fund portion of the available fund balance in Fund 209 for the City's portion of the fund exchange;
- (4) Increase revenue by \$336,750 in Fund 208 for the City of Cudahy's portion of the fund exchange; and
- (5) Transfer \$252,563 from the available fund balance in Fund 208 to 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. 2022-31)

FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2022 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET AND ADOPT ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SB1) PROJECT LIST FOR FISCAL YEAR 2023

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;
- (2) Amend the Fiscal Year (FY) 2022 Capital Improvement Program (CIP) Budget as detailed in Attachment A of the agenda report; and
- (3) Adopt by resolution the Road Repair and Accountability Act (SB1) project list. (Budget Amendment No. 2022-32 and 2022-32a) (Resolution No. 9925)

FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2022 ADOPTED OPERATING BUDGET

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment; and
- (2) Amend the Fiscal Year (FY) 2022 Adopted Operating Budget as detailed in the agenda report by a net revenue of \$7,965,997. (Budget Amendment No. 2022-33)

FINANCE COMMITTEE: (JOINT ACTION) FISCAL YEAR 2022-2023 INVESTMENT POLICY AND INVESTMENT STRATEGY

Recommendation: It is recommended that the City Council and the Successor Agency to the Pasadena Community Development Commission:

- (1) Find that the proposed action is not a project 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; and
- (2) Adopt the City Treasurer's recommended Investment Policy and Investment Strategy for Fiscal Year 2022-2023 (FY 2022-2023).

LEGISLATIVE POLICY COMMITTEE: AUTHORIZE THE MAYOR TO SIGN A SUPPORT LETTER FOR CALIFORNIA ASSEMBLY BILL 2723 (HOLDEN) - ANIMALS: MICROCHIPS

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is categorically not subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), Section 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required;
- (2) Take a position of support of California Assembly Bill 2723 to provide greater consumer protections to assist in the reclamation of lost pet dogs and cats that are microchipped and creates improved standards for the microchipping of animals adopted out by public animal control agencies/shelters and rescue groups; and
- (3) Authorize the Mayor to send letters to the appropriate authorities stating the City's position.

Legislative Policy Committee Recommendation: At its April 26, 2022 meeting, the Legislative Policy Committee recommended the City Council approve a support position for California Assembly Bill 2723 – Animals: Microchips.

PUBLIC SAFETY COMMITTEE: REQUEST PREPARATION OF AN ORDINANCE AMENDING CHAPTER 9.84 OF THE PASADENA MUNICIPAL CODE, MAKING IT A CRIME TO POSSESS CERTAIN UNREGISTERED AND UNSERIALIZED FIREARMS KNOWN AS "GHOST GUNS" AND GHOST GUN KITS AND ENHANCE THE PENALTY FOR SUCH POSSESSION

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) Direct the City Attorney to draft and return with an ordinance within 60 days making it a crime to possess firearms known as ghost guns and ghost gun kits.

RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS

Mark Jomsky, City Clerk, reported that one letter in support of the staff recommendation; and one letter in opposition of the staff recommendation expressing concerns and citing constitutional and second amendment rights issues, were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

RESIGNATION OF ERNESTO SALDANA FROM THE TASK FORCE ON EARLY CHILDHOOD DEVELOPMENT AND EARLY LEARNING EFFECTIVE JUNE 30, 2022 (City Nomination)

RESIGNATION OF JERRY "JD" CARGILL FROM THE HUMAN SERVICES COMMISSION (District 3 Nomination)

APPOINTMENT OF PAT AMSBRY TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2022 (At Large/District 5 Nomination)

APPOINTMENT OF JOAN AARESTAD TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2022 (At Large/District 1 Nomination)

APPOINTMENT OF RUBY QUALLSGRAY TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2022 (District 2 Nomination)

APPOINTMENT OF PATRICIA HERRERA TO THE ACCESSIBILITY & DISABILITY COMMISSION EFFECTIVE JULY 1, 2022 (District 4 Nomination)

APPOINTMENT OF LAURA LUNA TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2022 (District 4 Nomination)

APPOINTMENT OF CARLOS RIOS TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2022 (District 4 Nomination)

APPOINTMENT OF LINDSAY LEWIS TO THE TASK FORCE ON EARLY CHILDHOOD DEVELOPMENT AND EARLY LEARNING EFFECTIVE JULY 1, 2022 (PUSD Nomination)

APPOINTMENT OF LISA CLEMENTS TO THE TASK FORCE ON EARLY CHILDHOOD DEVELOPMENT AND EARLY LEARNING EFFECTIVE JULY 1, 2022 (City Nomination)

REAPPOINTMENT OF SRINIVAS M. RAO TO THE DESIGN COMMISSION EFFECTIVE JULY 1, 2022 (At Large Nomination/District 6)

REAPPOINTMENT OF JORDAN HUTKIN TO THE LIBRARY COMMISSION EFFECTIVE JULY 1, 2022 (District 3 Nomination)

REAPPOINTMENT OF JULIETA S. ARAGON TO THE NORTHWEST COMMISSION EFFECTIVE JULY 1, 2022 (District 3 Nomination)

City Attorney

AUTHORIZATION AND APPROVAL TO RENEW PROPERTY AND CASUALTY INSURANCE FOR THE CITY OF PASADENA FOR FISCAL YEAR 2023

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 15378(b)(4) and (5);

(2) Authorize City staff to place and bind the City's property and casualty insurance coverages outlined in the agenda report effective July 1, 2022, unless otherwise noted, with the total amount not-to-exceed \$6,308,176, for all premiums, surcharges, taxes, and fees; and

(3) Grant 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 which the City's best interest are served. The proposed insurance coverages are exempt from the competitive bidding process pursuant to City Charter Section 1002(F), contracts for professional or unique services.

APPROVAL OF MINUTES

May 9, 2022

PUBLIC HEARING SET

July 25, 2022, 5:30 p.m. – Application to Designate the I. Magnin & Co. Building, located at 475 South Lake Avenue, as a Landmark

Councilmember Williams left the meeting at 4:54 p.m.

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

AYES: Councilmembers Hampton, Kennedy, Madison, Masuda, Rivas, Mayor Gordo

NOES: None

ABSENT: Councilmember Williams, Vice Mayor Wilson

ABSTAIN: None

CONTINUED PUBLIC HEARING

Councilmember Williams returned to the meeting at 5:00 p.m.

CONTINUED PUBLIC HEARING: ADOPTION OF FISCAL YEAR 2023 OPERATING BUDGET AND RESOLUTION DETERMINING THE AMOUNT OF ANNUAL TRANSFER FROM THE POWER FUND

Recommendation: It is recommended that the City Council:

(1) Following public comment, close the public hearing and adopt by resolution the Fiscal Year (FY) 2023 Operating Budget as presented

in the Interim City Manager's Recommended Budget on May 2, 2022, or as subsequently amended during the budget hearing process; and (Resolution No. 9920)

(2) Adopt a resolution determining the amount to be transferred from the Light and Power Fund to the General Fund for FY 2023 is approximately 10 percent of gross revenues from retail sales. (Resolution No. 9921)

Mark Jomsky, City Clerk, reported that nine letters advocating for the City to request additional funding for the Arroyo Link, which is a proposal to create a multi-use path from Downtown Pasadena to the Arroyo Seco, by recommending this project to be included on the Measure R project list, were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

In response to Councilmember Hampton's inquire related to Measure R, Interim City Manager Kurtz noted that staff will bring forward a specific standalone agenda report on Measure R within 30 to 45 days for City Council discussion and consideration. Councilmember Madison spoke in support of the Arroyo Link, stating it would be a strong contender for Measure R funding.

Mayor Gordo highlighted the new process that was undertaken to review the budget throughout May, which included each City Council Committee (Economic Development and Technology, Finance, Legislative Policy, Municipal Services, and Public Safety) conducting budget workshops and reviewing department budget proposals. He invited the City Manager and members of the City Council to provide feedback and further suggestions that would improve on the City's budget workshop process in the future.

Interim City Manager stated that this year's workshop format was valuable to staff, highlighted several additions to the original Recommended Operating Budget (as detailed in the agenda report), and noted that staff will continue with the requested quarterly reviews for City departments, with staff to return with additional information to Council Committees on the proposed enhancements that were recommended during the budget workshops.

Councilmember Kennedy stated his preference for conducting a separate vote on the Rose Bowl Operating Company (RBOC) budget for any vote to be taken on the City Manager's Fiscal Year 2023 Operating Budget.

Councilmember Rivas provided her feedback on the process, stating her appreciation for the deeper dive into each City department's budget at the Committee level. She also requested that the City Council have the opportunity to discuss and share Council goals and priorities for the upcoming budget with the new City Manager.

Councilmember Madison provided his feedback on the process, welcomed the discussion on any segment of the budget, but stated he did not support any separate vote on any one City department or Operating Company budget. He also stated his request that City staff continue to provide the City's "Budget in Brief" document.

Speaking on issue of future budget workshop formats, Councilmember Williams suggested that the larger City departments (such as Police, Fire, and Water & Power) conduct joint City Council and Council Committee workshops to allow all Councilmembers the opportunity to weigh in on these budget discussions. She also spoke in support of Councilmember Kennedy's request to vote separately on the Rose Bowl Operating Company (RBOC) Fiscal Year 2023 budget, stating that she had several questions and concerns related to the RBOC's ticket admission tax, staffing salaries and bonuses, cost saving measures, and budget allocations for consultants.

Mayor Gordo and Councilmember Madison spoke in opposition to a separate vote on the RBOC budget.

Following discussion, Interim City Manager Kurtz requested that Councilmember Williams provide a list of her questions to allow staff time to prepare and provide detailed responses, which can be part of a future City Council meeting or distributed in the City Manager's weekly letter.

In response to questions raised regarding the limitations of the admission tax and licenses tax, Michele Beal Bagneris, City Attorney, stated that flexibility to adjust the admission tax does not require a vote of the people but any changes are subject to negotiations with the RBOC's tenant agreements.

Jens Weiden, Chief Revenue Officer, responded to questions regarding the admission tax and license fee, expressed his apprehension with adjusting the admission tax due to the competitive stadium market, but welcomed further discussion on the matter. Mr. Weiden did note the potential impacts raising the admission tax could have on the Rose Bowl's ability to book ancillary events, noting that there are now many iconic stadiums and arenas in the Los Angeles area. He acknowledged the challenges that lie ahead for the Rose Bowl and the need for long-term funding for capital projects and spoke on RBOC's commitment to transparency, and support for the overall community discussion with the City Council and residents on the matter.

Following discussion, Councilmember Williams stated her opposition to approving the RBOC FY 2023 operating budget at this time, noting that she needs additional information and answers to the questions raised regarding the admission tax as a revenue item, how bonuses are calculated in relation to the Rose Bowl's net income (pointing to

the impacts from the pandemic on the stadium, the RBOC operating at a loss and receiving taxpayers funding support, and yet still paying bonuses and increasing employee salaries). She requested more information and data on community benefits provided by the Rose Bowl, such as available jobs for community members and small business owner vendor contracts; as well as an analysis by staff on the Pasadena Municipal Code (PMC) Section 4.48, Rose Bowl Admission Tax Ordinance, in relation to the collection and remittance of the tax. Councilmember Williams stated her concerns that the PMC provisions and RBOC operating agreement do not align. She agreed to provide a list of her questions to the City Manager prior to the next City Council meeting discussion in July on the RBOC's FY 2023 Operating Budget, as well as future quarterly updates.

Councilmember Madison stated that there should be consistency between the PMC, Section 4.48 Rose Bowl Admission Tax Ordinance and RBOC Operating Agreement, City Agreement, Section 5.7.1, Date of Receipt of Rose Bowl Funds. He requested the City Attorney and City staff further review this matter and recommend any appropriate amendments that enable the RBOC to appropriately account for the generated revenues the RBOC receives.

Brittney Pollack, Sherman Oaks residence spoke in opposition to the Police Department budget, and advocated for the termination of the police officers involved in the Anthony McClain incident.

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

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

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

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

MUNICIPAL SERVICES COMMITTEE: ADOPTION OF THE POWER DELIVERY MASTER PLAN

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") in accordance with State CEQA

Guidelines Section 15262 (Feasibility and Planning Studies), and therefore, no environmental document is required; and
(2) Approve and adopt the 2022 Power Delivery Master Plan.

Jeffery Kightlinger, Interim General Manager, Water and Power Department provided introductory comments, and Marvin Moon, Assistant General Manager, presented a PowerPoint presentation on the item, and responded to questions.

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

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

PUBLIC SAFETY COMMITTEE: APPOINTMENT OF THREE COMMUNITY-BASED ORGANIZATION NOMINEES TO THE COMMUNITY POLICE OVERSIGHT COMMISSION

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; and
(2) Appoint three community-based organization nominees to the Community Police Oversight Commission for 3-year terms beginning on July 1, 2022, as further described in the agenda report.

Mark Jomsky, City Clerk, reported that six letter advocating for the reappointments of Commissioners Abernethy, Annang and/or Serrano; one letter from an applicant withdrawing her application for consideration; and one letter from an applicant providing information on her professional experience, were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

It was moved by Councilmember Kennedy, seconded by Councilmember Williams, to approve the reappointments of community-based organization nominees Alexis Abernethy and Florence Annang to the Community Police Oversight Commission for 3-year terms beginning on July 1, 2022:

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

Councilmember Madison stated he had a potential conflict, recused himself, and left the meeting at 6:49 pm.

It was moved by Councilmember Kennedy, seconded by Councilmember Williams, to approve the reappoint of community-based organization nominee Juliana Serrano to the Community Police Oversight Commission for 3-year terms beginning on July 1, 2022:

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

Councilmember Madison returned to the meeting at 6:53 p.m.

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 June 20, 2022 to July 20, 2022. (Resolution No. 9926)

Emanuel Najera, Pasadena resident, spoke in opposition to the staff recommendation, advocating for in-person meetings, stating the need for remote meetings is no longer necessary due to vaccines, with school and sports activities/events now in-person.

Councilmember Rivas spoke in support of the staff recommendation, requesting that the extension be granted until at least July 20, 2022, noting that children ages 6 months to 5 years are just now eligible for the vaccination, and the extension would allow provide an opportunity for parents to get their children fully vaccinated, adding an extra layer of protection.

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

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

**ORDINANCE –
ADOPTED**

Adopt **“AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA ADOPTING A MILITARY EQUIPMENT POLICY”**
(Introduced by Councilmember Rivas) (Ordinance No. 7395)

Mark Jomsky, City Clerk, reported that six letter advocating for the City to remove assault weapons and/or the .50 caliber weapon from the Pasadena Police Department's inventory, were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

The above ordinance was adopted, by the following vote:

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

Mayor Gordo announced that public comment on matters not on the agenda shall resume at the beginning of meetings starting on July 11, 2022, pointing to the language posted on the agenda that the Mayor and Council may limit the time if reasonable under the circumstances.

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

Michael Williams, Pasadena resident, advocated for the termination of Pasadena Police Officers Dumaguindin and Serrano involved in the shooting of Anthony McClain, advocated for holding Pasadena Police Officers accountable, and urged the City to take action on this matter.

Bert Newton, Pasadena resident, advocated for affordable housing, thanked the Housing Department for their efforts, and urged the City Council to provide more support to the Housing staff and to affordable housing proposals that come before the City Council.

CLOSED SESSION

On order of the Mayor, the meeting recessed at 7:07 p.m. to discuss the following closed session. (Absent: Vice Mayor Wilson)

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS** pursuant to Government Code Section 54956.8
Property Location: 65 N. Allen Avenue, #121, Pasadena, CA
91106

Agency Negotiator: Cynthia J. Kurtz
Negotiating Party: Elise Brunnick
Under Negotiation: Price and terms of Payment

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6
Agency Designated Representatives: Cynthia Kurtz and Tiffany
Jacobs-Quinn

Employee Organization: International Brotherhood of Electrical Workers (IBEW)

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

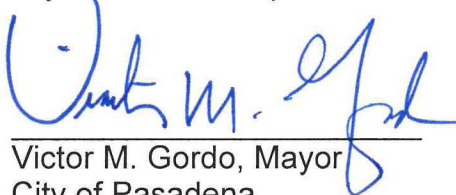
Agency Designated Representatives: Cynthia Kurtz and Tiffany Jacobs-Quinn

Employee Organization: American Federation of State, County and Municipal Employees (AFSCME)

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

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:09 p.m.



Victor M. Gordo, Mayor
City of Pasadena

ATTEST:



City Clerk