

CITY OF PASADENA
City Council Minutes
October 24, 2022 – 4:30 P.M.
City Hall Council Chamber

UNOFFICIAL UNTIL
APPROVED BY CITY COUNCIL

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

OPENING: Mayor Gordo called the regular meeting to order at 4:35 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 (Arrived at 4:39 p.m.)
Councilmember Justin Jones
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Jessica Rivas
Councilmember Felicia Williams

Staff: City Manager Miguel Márquez
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky

CEREMONIAL MATTERS Mayor Gordo presented a proclamation to Manuel Carmona, Interim Director of Public Health, declaring October 2022 as “National Long-Term Care Residents’ Rights Month” in Pasadena. Mr. Carmona thanked the Mayor for recognizing this important issue.

Mayor Gordo spoke on another Pasadena Legacy Business, Johnny’s Sport Shop, and provided a biographical summary of the business. Robert (Bob) Ota, owner, and Warren Utsunomiya, Manager, thanked the community and City Council for the support and recognition of their business.

Councilmember Madison and Mayor Gordo spoke on the passing of Mike Babcock, Former Pasadena Poly Headmaster and PUSD Boardmember, recognizing his many contributions. Councilmember Madison requested that the meeting be adjourned in his memory.

Vice Mayor Wilson thanked the students and community members who came out to rally and advocate for climate change; acknowledged the receipt of over 1,300 postcards advocating for the decarbonization of the City’s energy portfolio; and stated that, as the Chair of the Municipal Services Committee (MSC), the MSC has supported this issue as a high priority for the City to move toward the adoption of carbon free renewables.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA Dr. Claire Smigiel, representing physicians of Pasadena, advocated for the implementation of policies that will counteract climate change, noting the looming climate emergency, and for Pasadena to stop

buying and utilizing fossil fuels; and spoke in support of "Pasadena 100" and their advocacy for 100% carbon free power generation by 2030 and the electrification of all buildings in Pasadena.

The following individuals spoke on the need for accountability and transparency within the Pasadena Police Department (PPD); advocated for the termination of all Pasadena Police Officers involved in the shooting of Anthony McClain; expressed concerns regarding the 2-year delay in completing the PPD's Administrative Review; and/or expressed concerns with the allocated budget to the Police Department:

Allen Shay, Pasadena resident – McClain incident
Brittney Pollock, Sherman Oaks resident
Michael Williams, representing Black Lives Matter – Los Angeles

In response to Councilmember Hampton's comments related to the timeline for the completion of the PPD's Administration Review of the Anthony McClain incident, the City Manager stated that he is hopeful that the Administrative Review will be completed by the end of this month or by early November.

In response to Councilmember Williams comments related to the various reports on the incident, timeline and process for making the matter public, and providing an opportunity for community input, the City Attorney stated that the Administrative Review will be public information and it is her understanding that there will be a press release, but was not yet sure of a timeline for the Office of Independent Review (OIR) report, and noted that the Independent Police Auditor (IPA) has been involved in the administrative review process but will not be providing a report on the incident.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH IPT, LLC (PAYLOCK) FOR THE SELF-RELEASE VEHICLE IMMOBILIZATION SYSTEM AND DEVICES 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 "common sense" exemption 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 IPT LLC (Paylock) for the provision of a self-release vehicle immobilization system and devices in an amount not-to-exceed \$188,892 for three years, which includes the base contract amount of \$171,720 and a contingency of \$17,172 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 in an amount not-to-exceed \$62,964 per year. (Contract No. 32431)

AUTHORIZATION TO AMEND CONTRACT NO. 32157 WITH COMMON AREA MAINTENANCE SERVICES TO PROVIDE JANITORIAL SERVICES IN THE UNION/EL MOLINO LOT

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 "common sense" exemption that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize the City Manager to amend Contract No. 32157 with Common Area Maintenance Services (CAM) to increase the contract amount by \$21,384, which includes a 10% contingency of \$1,944, thereby increasing the total not-to-exceed amount from \$265,914 to \$287,298 through October 31, 2024; and (Contract No. 32157-1)

(3) To the extent this transaction could be considered a separate procurement subject to the Competitive Selection Process, grant the proposed contract amendment with CAM an exemption from the Competitive Selection Process set forth in the Competitive Bidding and Purchasing Ordinance pursuant to the Pasadena Municipal Code, Section 4.08.049(B), contracts for which the City's best interests are served.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH WINDCAVE, INC., TO PROVIDE CREDIT CARD PROCESSING SERVICES IN NINE CITY-OWNED GARAGES FOR A NINE-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 "common sense" exemption that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize the City Manager to enter into a contract with Windcave (formerly Payment Express) to provide credit card processing services in nine City-owned garages in an amount not-to-exceed \$1,157,435 for nine years, which includes the base contract amount of \$1,052,214 and a contingency of \$105,221 to provide for any necessary change orders; and (Contract No. 32432)

(3) To the extent this transaction could be considered a separate procurement subject to the Competitive Selection Process, grant the proposed contract with Windcave, Inc., an exemption from the Competitive Selection Process set forth in the Competitive Bidding and Purchasing Ordinance pursuant to the Pasadena Municipal Code, Section 4.08.049(B), contracts for which the City's best interests are served.

AUTHORIZATION TO INCREASE PURCHASE ORDER NO. 1230872 WITH END HOMELESSNESS CALIFORNIA DBA THE SHOWER OF HOPE BY \$57,500 FOR A REVISED TOTAL NOT-TO-EXCEED AMOUNT OF \$76,188

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, Section 15061(b)(3), the "common sense" exemption that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to increase Purchase Order No. 1230872 with The Shower of Hope by \$57,500 for a revised total not-to-exceed amount of \$76,188; and
- (3) To the extent the increase in Purchase Order amount could be considered a separate procurement subject to the Competitive Selection Process, grant the Purchase Order an exemption pursuant to Pasadena Municipal Code (PMC), Section 4.08.049(B), contracts for which the City's best interests are served. This transaction is exempt from competitive bidding per PMC Section 4.08.030 and City Charter Section 1002(F) based on contracts for labor, materials, supplies, or services available from only one vendor.

APPROVAL OF FINAL TRACT MAP NO. 083302 FOR THE CREATION OF 48 AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES AND EIGHT AIR PARCELS FOR COMMERCIAL CONDOMINIUM PURPOSES AT 735 NORTH ORANGE GROVE BOULEVARD

Recommendation: It is recommended that the City Council:

- (1) Adopt a resolution to approve Final Tract Map No. 083302 for the creation of forty-eight (48) air parcels for residential condominium purposes and eight (8) air parcels for commercial condominium purposes; (Resolution No. 9956)
- (2) Accept the offer of easement for public street purposes as shown on said Map; and
- (3) Authorize the City Clerk to execute the Certificate on the Map showing the City's approval of said Map.

AUTHORIZATION TO AMEND CONTRACT NO. 30848 WITH BITFOCUS, INC., FOR ADDITIONAL CONTINUUM OF CARE FUNDING FOR SOFTWARE SERVICES

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, Section 15061(b)(3), the "common sense" exemption that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize the City Manager to amend Contract No. 30848 with Bitfocus, Inc., to increase the total contract value by \$92,761 through November 30, 2023 for a not-to-exceed amount of \$511,447 for the provision of the Homeless Management Information System (HMIS) software services;

(3) Authorize the City Manager to execute amendments to Contract No. 30848 for five additional years, subject to availability of funding, to increase annually by up to \$100,000 for a not-to-exceed contract amount of up to \$1,011,447; and (Contract No. 30848-6)

(4) To the extent the contract amendments 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 Competitive Selection Process pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City's best interests are served.

ADOPTION OF A RESOLUTION TO AUTHORIZE SUBMITTAL OF AN AMENDED FIVE-YEAR PLAN TO THE STATE OF CALIFORNIA FOR PERMANENT LOCAL HOUSING ALLOCATION GRANT FUNDS

Recommendation: It is recommended that the City Council:

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

(2) Adopt a resolution authorizing an amended five (5) year plan for the expenditure of the City's grant award of Permanent Local Housing Allocation ("PLHA") funding as set forth in the agenda report and its attachments, to provide and preserve affordable housing to Very Low, Low, Moderate, and Workforce Income households in Pasadena. (Resolution No. 9957)

AUTHORIZATION TO CONTRACT WITH FLINTRIDGE CENTER FOR COMMUNITY CONSORTIUM MEETING FACILITATION SERVICES FOR THE PASADENA INTERVENTION AND PREVENTION PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$90,000

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to 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 City Manager to enter into a contract, as the result of a Competitive Selection Process specified by Section 4.08.047 of the Pasadena Municipal Code, with Flintridge Center for Community Consortium Meeting Facilitation Services for the Pasadena

Intervention and Prevention Project for an amount not-to-exceed \$90,000 through June 30, 2025. Competitive bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services). (Contract No. 32428)

AUTHORIZATION TO AMEND CONTRACT NO. 31083 WITH UNION STATION HOMELESS SERVICES TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT BY \$80,000 FROM \$251,290 TO \$331,290 CONTRACT FOR PEER OUTREACH SERVICES FOR THE PUBLIC HEALTH DEPARTMENT

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 City Manager to amend Contract No. 31,083 with Union Station Homeless Services to increase the contract amount by \$80,000, thereby increasing the total not-to-exceed amount from \$251,290 to \$331,290, and to extend the contract period through June 30, 2023 or until the contract amount is fully expended, whichever comes first; and (Contract No. 31083-1)
- (3) To the extent that this could be considered a separate procurement subject to the Competitive Selection Process, grant the contract an exemption pursuant to Pasadena Municipal Code (PMC), Section 4.08.049(B), contracts for which the City's best interests are served.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH MOTIVE ENERGY TELECOMMUNICATIONS GROUP, INC., FOR ADMINISTRATIVE SUPPORT OF UTILITY POLE MANAGEMENT FOR AN AMOUNT NOT-TO-EXCEED \$289,447 FOR THE PASADENA WATER AND POWER DEPARTMENT

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 City Manager, or his designee, 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 Motive Energy Telecommunications Group, Inc. ("Motive"), for Administrative Support of Utility Pole Management for the Water and Power Department ("PWP") in an amount not-to-exceed \$183,153, or a period of five years, whichever occurs first, with the option of two additional one-year extensions or an amount not-to-exceed \$53,147 each year, whichever occurs first, at the discretion of the City Manager, or his designee, for a maximum contract length of seven years or a total amount not-to-exceed \$289,447. Competitive

bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 32425)

Item discussed separately

NAMING OF THE NEW PARK, AND THE ASSOCIATED TRAIL, LOCATED AT 1410 WIERFIELD DRIVE

Item discussed separately

FINANCE COMMITTEE: APPROVAL OF A BUDGET AMENDMENT OF TRANSFERRING \$150,000 TO THE PUBLIC HEALTH DEPARTMENT'S FISCAL YEAR 2023 OPERATING BUDGET TO PROVIDE EMERGENCY SHELTER SERVICES USING EMERGENCY SOLUTIONS GRANT FUNDING

Item was pulled from the agenda, and not discussed.

FINANCE COMMITTEE: AUTHORIZE THE CITY MANAGER TO EXECUTE ALL AGREEMENTS AND ADOPT A RESOLUTION FOR THE RECEIPT OF STATE AND FEDERAL GRANT FUNDS FOR PASADENA DIAL-A-RIDE

RESIGNATIONS, APPOINTMENTS, & REAPPOINTMENTS

APPOINTMENT OF VICTOR M. GORDO TO THE BURBANK-GLENDALE-PASADENA REGIONAL HOUSING TRUST BOARD, A JOINT POWERS AUTHORITY, CREATED PURSUANT TO SENATE BILL NO. 1177 (City of Pasadena Nomination)

APPOINTMENT OF ANDY WILSON TO THE BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY BOARD (City of Pasadena Nomination)

Vice Mayor Wilson thanked the Mayor and City Council for his appointment to the Burbank-Glendale-Pasadena Airport Authority.

APPOINTMENT OF ANDREA TOTTEN TO THE ACCESSIBILITY & DISABILITY COMMISSION EFFECTIVE NOVEMBER 2, 2022 (District 1 Nomination)

APPOINTMENT OF LORENA YEPEZ HERNANDEZ TO THE NORTHWEST COMMISSION (District 5 Nomination)

APPROVAL OF MINUTES

September 19, 2022
September 26, 2022

CLAIMS RECEIVED

Claim No.	Claimant	Claim Amount
2023-0120	Gabriela Cabrera	\$ 25,000.00+
2023-0121	Robin Willis	1,875.00
2023-0122	Gloria Jean Powell	5,200.00
2023-0123	Kemper Insurance	6,498.19
2023-0124	nobel sharif bey	25,000.00+

PUBLIC HEARING SET

November 14, 2022, 5:00 p.m. – Substantial Amendment to Annual Action Plan for Home Investment Partnership Act Funds

November 14, 2022, 5:00 p.m. – Appeal of Board of Zoning Appeals Decision regarding 141 S. Lake Avenue (DHP2022-002319

December 5, 2022, 5:00 p.m. – Accept and Approve the City of Pasadena’s 2022 Public Health Goals Report on Water Quality

It was moved by Vice Mayor Willison, seconded by Councilmember Williams, to approve all items on the Consent Calendar with the exception of Item 11 (Naming of the New Park...) and Item 12 (Approval of Budget Amendment...) which were discussed separately and Item 13 (Authorize the City Manager to Execute all Agreements...) which was removed from the agenda:

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

**CONSENT ITEM
DISCUSSED
SEPARATELY**

**NAMING OF THE NEW PARK, AND THE ASSOCIATED TRAIL,
LOCATED AT 1410 WIERFIELD DRIVE**

Recommendation of the Recreation and Parks Commission: It is recommended that the City Council:

- (1) Find that the proposed action of naming a Citypark 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) Approve that the new park located at 1410 Wierfield Drive be named "Annandale Canyon Preserve" and the associated trail be named "Yayaaytnga Trail."

Mark Jomsky, City Clerk reported that one letter expressing disappointment that Linda Vista-Annadale Association was not consulted on this matter, and advocated for the Park name to be the Annandale Canyon Nature Preserve, which was received by the City Clerk’s Office, distributed to the City Council, posted on-line, and made part of the public record.

Nina Chomsky, representing Linda Vista-Annadale Association, requested that the City Council consider looking at a better name that captures the true use of the park, suggesting the "Annandale Canyon Nature Preserve" as a more appropriate name; and spoke in support of the recommendation to name the trail "Yayaaytnga Trail".

Brenda Harvey-Williams, Director of Parks, Recreation & Community Services, provided a brief summary of the City’s Public Park and Recreation Facility Naming Policy, and the process used in this park naming, and responded to questions.

Councilmember Hampton spoke on the process outlined in the Policy related to notifying and requesting input from property owners that reside within 1,000 feet of a project site, and asked staff to expand the outreach efforts beyond the required radius by utilizing the City's social media outlets, In-Focus, and/or mailing postcards; and requested that the Legislative Policy Committee review the provisions set forth in the current policy.

Councilmember Madison spoke in support of the staff recommendation to name the trail "Yayaaytnga Trail"; however, following discussion, he requested that the item be tabled for more public input from stakeholders, neighborhood associations, nature advocates, and community members. As the Chair of the Legislative Policy Committee, he stated that the Committee can review the current policy, to address the issue of adequate public outreach and community input, and return to the City Council for further discussion.

Councilmember Williams asked the Legislative Policy Committee to clarify the outreach guidelines and methods to engage the public (social media outlets, online survey, postcard, etc.) including property owners within the required radius of the project site; as well as the process for individuals or organizations that wish to submit suggested names for consideration; expressing her support to table the agenda item for further outreach on the naming of this new park.

Mayor Gordo requested in addition to the Legislative Policy Committee reviewing the Policy and recommendations gathered from further outreach, to also review Linda Vista-Annadale Association (LVAA) recommendation to name the park "Annandale Canyon Nature Preserve" and to determine whether LVAA's recommendation is a legal term of art.

Vice Mayor Wilson noted that the policy reads as "one size fits all", which is not reflective of the City or the public interest that occurs for certain City projects, and asked that the Legislative Policy Committee to be mindful of this as they review the policy.

Following discussion, by consensus of the City Council, the agenda item was tabled for additional outreach and for the City's Public Park and Recreation Facility Naming Policy to be referred to the Legislative Policy Committee for review and recommendation.

FINANCE COMMITTEE: APPROVAL OF A BUDGET AMENDMENT OF TRANSFERRING \$150,000 TO THE PUBLIC HEALTH DEPARTMENT'S FISCAL YEAR 2023 OPERATING BUDGET TO PROVIDE EMERGENCY SHELTER SERVICES USING EMERGENCY SOLUTIONS GRANT FUNDING

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the "common sense" exemption that CEQA only applies to projects that may have a significant effect on the environment; and
- (2) Amend the Fiscal Year (FY) 2023 Operating Budget by transferring \$150,000 from the Department of Housing to the Public Health Department to provide emergency shelter services to people experiencing homelessness. (Budget Amendment No. 2023-08)

Sonja Berndt, Pasadena resident, expressed support for the transferring of funds to the Public Health Department; noted the lack of adequate interim housing for the City's unsheltered population, the lack of transparency on the issue; and advocated for additional critical interim housing for the unsheltered residents through a tiny home village and through a motel conversion; urging the City to allocate sufficient amounts of American Rescue Plan Act (ARPA) funds and General Fund dollars for this purpose.

Councilmember Hampton asked staff to provide an update to the City Council on whether more funding is needed to support emergency shelter services for those individuals experiencing homelessness during cold/bad weather events.

In response to Mayor Gordo comments related to staff requesting additional funds, William Huang, Director of Housing, confirmed that if more funds are needed, staff will return to the City Council with an additional funding request.

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

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

City Manager

Item was pulled from the agenda, and not discussed.

ADOPTION OF THE REVISED EARLY CHILD DEVELOPMENT POLICY

Mayor Gordo expressed thanks and appreciation to the task force for their work; and noted that he anticipates the presentation and discussion will occur in near future.

PUBLIC HEARING

PUBLIC HEARING: PLANNED DEVELOPMENT #39 (AFFINITY PROJECT) – 465-577 SOUTH ARROYO PARKWAY (LEGISLATIVE AND QUASI-JUDICIAL ACTIONS)

Recommendation: It is recommended that the City Council:

(1) Adopt a resolution certifying the Final Environmental Impact Report (EIR) (SCH #2021080103), adopt Findings of Fact, and adopt the accompanying Mitigation Monitoring and Reporting Program (MMRP);

(2) Adopt the Findings (Attachment A to the agenda report) for a Zoning Map Amendment to reclassify the project site from CD-6 (Central District Specific Plan, Arroyo Corridor/Fair Oaks) to Planned Development (PD) 39 (Affinity Planned Development) (Legislative Action);

(3) Adopt the Findings (Attachment A to the agenda report) to approve the PD Plan and establish PD-39 with the Conditions of Approval in Attachment B (Legislative Action) of the agenda report;

(4) Adopt the Findings (Attachment A to the agenda report) for the Variance for Historic Resources, subject to the Conditions of Approval in Attachment B (Quasi-Judicial) of the agenda report;

(5) Direct the City Attorney to prepare an ordinance within 60 days for a Zoning Map Amendment to change the zoning of the site from CD-6 to PD-39; and

(6) Direct the City Clerk to file a Notice of Determination with the Los Angeles County Recorder pursuant to the California Environmental Quality Act (CEQA) within five (5) days of second reading of the ordinance.

Recommendation of the Planning Commission: The Planning Commission conducted a public hearing on July 13, 2022, received a staff recommendation, took public comment, and voted 6-0 to continue the item to August 24, 2022. On August 24, 2022, the Planning Commission reopened the public hearing, took public comment, considered the application, and by a vote of 7-0, recommended that the City Council approve the staff's recommendation, with the following additional recommendations:

a) Allow a maximum height of 75 feet for Building A;

b) Require a future residential use in Building A to satisfy a 25 percent inclusionary housing requirement;

c) Require a Historic American Building Survey for the two historic buildings prior to removal;

Note: Subsequent to the August 24, 2022 Planning Commission meeting, the Planning Commissioner that raised the condition clarified that it was not applicable because all historic buildings are being retained and not demolished.

d) Amend recommended Condition of Approval No. 12, requiring the applicant Landmark the two historic buildings but also require a historic structures report;

e) Require Building B provide a MERV 13 air filtration system and that the building owner maintain those filters;

f) Ensure maximum protection for street trees in relation to the excavation of the parking structure;

g) Require the parking structure to have the infrastructure in place so that all parking spaces can be retrofitted for electric charging. The required quantities of electric charging spaces are still required;

- h) Require buildings to be all electric with the exception of any needed natural gas for medical uses, assisted living, and/or medical research;
- i) Require buildings to be LEED Gold or higher;
- j) Seek as close as practical to net neutrality in terms of water use on site or if not possible off site; and
- k) Allow residential use as an alternative to the medical office use as a conditional use, except that the use is by right, and that the Conditional Use Permit address the differences.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was mailed and posted on October 10, 2022.

Mark Jomsky, City Clerk reported that the City Clerk's office received 147 letters in support of the project; as well as 10 letters from residents of Magnolia Landmark District expressing concerns with the CEQA study; 31 letters received from Madison Heights and/or Southwest Pasadena residents asking the City Council to consider additional changes to the staff recommendation; 29 letters received in opposition to project and advocating for further review of the EIR; 26 letters from Local 661 Carpenters Union members expressing full support for the project as proposed; 21 letters expressing support for the Affinity mixed-used development; 1 letter providing general comments, and 1 letter distributing correspondence dating back to 2021; with all the above correspondence received distributed to the City Council, posted online, and made part of the public record for the item.

Councilmember Williams made the following announcement: "I, as an independent contractor, have a contract with a firm that has provided limited services on this project. The firm expects no further work on the project. I have not worked on this project, and have not and will not receive any compensation related to this project. After looking into this matter, it has been determined that nothing prevents me from participating in this decision."

Jennifer Paige, Interim Director of Planning, introduced the agenda item, and Jason Van Patten, Senior Planner, presented a PowerPoint presentation on the item; and all responded to questions.

Councilmember Madison expressed concerns with the proposed height of Building A, which exceeds the maximum height permitted under the existing Zoning Code; expressed concerns with the condition that allows residential use as an alternative to the medical office use; stated his concern with the EIR's conclusion that there are no significant traffic impacts from this project, suggesting that the potential for traffic and construction impacts caused by this project have not captured in the traffic analysis.

Theresa Fuentes, Assistant City Attorney, responded to questions related to the density bonus as part of the proposed PD plan.

Councilmember Jones spoke on the local hire condition; commenting on the County of Los Angeles Targeted Worker provision (folks impacted by the criminal justice system, foster care youth, etc.), and stated that with a county wide local worker provision you can have a goal of 30% to 40%; and asked that the applicant increase the local hire goal, include the condition that the tier 1 local hire be exhausted before going to other tiers and include a Targeted Worker provision; and asked the applicant if there is a way to encourage the allocation of some of the ground floor (retail/commercial space) to be affordable for small or local businesses. Councilmember Jones asked staff what is the impact the project will have on the City's water supply and whether the water supply assessment (WSA) captured the current conditions of the water drought and critical water supply matters.

John Bellas, Environmental Planner, responded to questions and summarized the results of the WSA that was prepared for the project and responded to questions related to the EIR review for allowing residential use as an alternative to the medical office use.

Councilmember Williams commented on the process and ability to have a project that provides very clear public benefits in exchange for the legislative act; and expressed concerns with the variance for the historic building restrictions under the PD plan and raised several questions related to the sidewalk width, setbacks and parking requirements; asked staff to "beef up" Condition #: 131, to further make this a transit oriented project, stating she does not see anything tying this project to the Gold Line Station.

Jason Van Patten, Senior Planner, and Jennifer Paige, Deputy Director of Planning, responded to questions related to the sidewalk width and setbacks and provided a purview of the historic resource and variance and required findings; and addressed density bonus and height cap under the PD if a residential option is chosen.

Vice Mayor Wilson raised several questions related to the historic variance and required findings; expressed concerns with what is considered separate actions related to the legislative act and the quasi judicial act when considering the findings for the historic variance; stated it is important for this Council to understand if there is discretion or policy precedent around doing this more formulaically and think about what is going to be the best project; expressing he appreciates the preservation of the historic buildings and open space but does not feel the Council should be hamstrung by a kind of a rigid calculation of offset development capacity.

Councilmember Jones and Councilmember Hampton requested that local hire goals be established for the project, including a goal for local procurement of 20%-30% for goods and services.

Councilmember Hampton spoke on traffic impacts and concerns, and requested that staff analyze the parking space requirements in terms of the medical building vs residential uses; expressed concerns regarding water use and the maximum amount of water that is allocated towards new developments in the City. He suggested that the Municipal Services Committee (MSC) determine whether the City should have a water cap on development projects given the dry climate and drought scenarios in future years.

Mayor Gordo expressed concerns related to potential neighborhood cut-through/intrusion impacts for the Madison Heights neighborhood and surrounding areas; spoke on efforts and assurances to protect these adjacent neighborhoods; expressed he is concerns with proceeding without incorporating traffic mitigations, or having some level of analysis or discussion to pay for and implement traffic mitigation measures.

Laura Rubio-Cornejo, Director of Transportation, responded to questions related to VMT thresholds, local mobility analysis, the first-mile/last-mile connections from the site to nearby Metro stations, and the developer's intention to implement a targeted Complete Streets Plan with input from the affected residents and neighborhood.

Following discussion, Mayor Gordo requested that a Local Mobility Analysis be conducted by the developer for the proposed project that considers the affect of the new development on the street network using the new analysis methodology.

Pete Kutzer, Managing Partner at Edgewood Realty Partners, presented a PowerPoint presentation on the item.

The following individuals provided comments and/or expressed concerns related to the project:

Lon Bender, representing Madison Heights Neighborhood Association (MHNA)
Glenn Camhi, MHNA
Ronald Manzke, MHNA
John Latta, MHNA
Nina Chomsky, representing Linda Vista-Annandale Association
Kristin Harrison, representing MHNA
Pete Ewing, representing West Pasadena Residents Association (WPRA)
Evan Davis, WPRA

The following individuals spoke in support of the project:

Scott Feldmann, representing BarCelona
Jose Garcia, Residence not stated
Paul Little, representing Pasadena Chamber of Commerce
Diane Smith, Altadena resident
Lisa Cavalier, representing Boys and Girls Club of Pasadena
Melissa Mooney, San Gabriel Valley resident
Jim Gamb, representing Huntington Medical Research Institute
Karen Zamora, San Gabriel Valley resident
Akila Gibbs, representing Pasadena Senior Center
Marissa Marchioni, representing USC Occupational Therapy
Bill Quisenberry representing Southern California District
Council of Laborers/ Local 300
Joshua Christensen, representing Southwest Regional Council
of Carpenters
Juan Serrato, Altadena resident
Efrain Lopez, Alhambra resident
Chuck Powell, representing Southwest Carpenters
Kevin Duffy, Glendale resident
Charles Stratton, Pasadena resident
Matt Mazur, Los Angeles resident
Philip Kroskin, representing Sunrise Senior Living
Natalie Bazarevitsch, Glendale resident

Councilmember Madison reiterated his concerns regarding the height of Building A (corner of California Blvd and Arroyo Parkway); stated the difficulties in making the required findings in terms of the community benefit to justify the accommodations and exemptions to the current Zoning Code; stated he is prepared to support a project that adheres to the Planning Commission's conditions, that is for a medical use project (as opposed to a residential use), but is not supportive of dramatic increases in height.

Councilmember Hampton spoke on setting a goal of 20% to 30% for hiring local subcontractors, as well as goods and services procurement; requested additional information on the developer's outreach plan to generate interest from local contractors and subcontractors, as well as plans to hire locally; spoke on community benefits such as possible opportunities for local preference for the ground floor space/commercial space (small micro businesses) and asked whether there is an opportunity for setting some sort of affordable housing requirement for the assisted living units. Councilmember Hampton encouraged future tenants to pay it forward and hire their employees locally.

Councilmember Jones emphasized the need to have language that provided assurances that the developer will meet the goals set for local preference and local hiring; suggesting that Council establish a

condition for a local preference for bids less than a specific amount on procurement contracts to ensure that local small businesses have an opportunity to participate in this project; commenting that this effort is to ensure that the City does not repeat the same mistake made with the Parson's Project, which fell short of local hiring goals.

Pete Kutzer, Managing Partner at Edgewood Realty Partners, responded to question related to local hire goals and the "Targeted Worker Provision;" spoke on working with labor union partners to ensure high quality local jobs and economic opportunities, spoke on the potential challenges and complexity of sourcing all sub-contractors locally; and stated they are willing to craft a condition that sets forth that the developer submits a plan for outreach to local sub-contractors, local contractors, and local suppliers with customized language regarding qualified, readily available, and able to perform. Mr. Kutzer responded to questions regarding the ground floor commercial spaces, and spoke on different requirements and needs of tenants, highlighted that their portfolio shows their commitment to promoting independent businesses throughout Pasadena, which will continue with this project; and commented on the purview of the historic resource variance.

Mayor Gordo noted that the Flintridge Center may be a local potential partner, who provides support to folks with barriers to employment.

Following discussion, Vice Mayor Wilson suggested that the public hearing be continued to November 21, 2022, and directed staff to draft additional project conditions, as listed below, and return on November 21, 2022 with staff's recommendation and modifications to the new and existing conditions:

- (a) Limit Building A to a maximum height of 75 feet, with a setback of 15 feet at the top two floors (floors 4 and 5)
- (b) Require the project to be analyzed under the City's Local Mobility Analysis – to understand what the cumulative and regional impacts are under the new analysis methodology;
- (c) Address potential concessions, density bonus and height if a residential option is chosen in Building A;
- (d) For Building A, require a 15-foot sidewalk along Arroyo Parkway and California Boulevard with the exception of the existing historic buildings; and
- (e) Staff to work with the developer to craft language to address local hire and local preference requirements, including local contractors, sub-contractors, and small independent retail businesses.

Councilmember Williams stated her support for the conditions noted above, and suggested the following amendments:

- (e) Require local hiring, contracting and leasing with a goal of 20% utilization of local businesses, and that tier 1 local hire be exhausted before going to other tiers; and
- (f) Require a Conditional Use Permit if a residential option is chosen in Building A (Planning Commission's recommendation Condition "k")

Councilmember Williams stated that she did not view the conditions listed above as subject to change/negotiable, but rather, subject to feedback and input from the developer.

Pete Kutzer, Managing Partner at Edgewood Realty Partners expressed concerns regarding the proposed setback of 15 feet at the top two floors of Building A, and the 15-foot sidewalk requirement along Arroyo Parkway and California Boulevard; and responded to questions regarding the parking requirements for the development.

Following discussion, it was moved by Vice Mayor Wilson, seconded by Councilmember Hampton, to continue the public hearing to November 21, 2022 at 5:00 p.m.:

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

City Council

Item was held from the agenda, and not discussed.

PROVIDE DIRECTION FOR RETURNING TO IN-PERSON PUBLIC MEETINGS OF CITY LEGISLATIVE BODIES

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) Provide direction to staff for returning to in-person meetings.

Sonja Berndt, Pasadena resident, spoke in opposition to the staff recommendation; urged for the City Council to allow public comment to be both in person and remote participation; stating public engagement is critical, remote participation allows community members to bring their ideas and concerns to the Council; noting that many do not have the ability to attend Council meetings and make public comment in person, due to work responsibilities and/or family caregiving duties.

By consensus of the City Council, and on order of the Mayor, the agenda item was held for the November 14, 2022 City Council meeting.

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 this 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 October 24, 2022 through November 23, 2022. (Resolution No. 9958)

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

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

NOES: None

ABSENT: None

ABSTAIN: None

On the order of the Mayor, the regular meeting recessed at 10:25 p.m. to discuss the following closed sessions:

CLOSED SESSION

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957 and CITY COUNCIL CONFERENCE with Labor Negotiator pursuant to Government Code Section 54957.6
Employee Title and Unrepresented Employee: City Attorney/City Prosecutor
City Representative: Victor Gordo

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957 and CITY COUNCIL CONFERENCE with Labor Negotiator pursuant to Government Code Section 54957.6
Employee Title and Unrepresented Employee: City Clerk
City Representative: Victor Gordo

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

**Name of Case: Paris Holloway v. Bartman Horn
U.S. District Court Case No. 2:15-CV-03867-CAS-JC**

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 10:55 p.m. in memory of Mike Babcock.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk