

CITY OF PASADENA
City Council Minutes
February 7, 2022 – 4:30 P.M.
City Hall Council Chamber

UNOFFICIAL UNTIL
APPROVED BY CITY COUNCIL

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

OPENING: Mayor Gordo called the meeting to order at 4:39 p.m. The pledge of allegiance was led by Councilmember Kennedy.

ROLL CALL: Mayor Victor M. Gordo
Councilmembers: Vice Mayor Andy Wilson
Councilmember Tyron Hampton
Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Jessica Rivas
Councilmember Felicia Williams

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

PUBLIC COMMENT The following individuals advocated for the termination of Pasadena Police Officers (Dumaguindin, and/or Serrano) involved in the shooting of Anthony McClain and for the timely completion of the investigation; expressed concerns with the Pasadena Police Department and their policing policies; and spoke on the need to address accountability and transparency within the Pasadena Police Department:

Councilmember Madison joined the meeting at 4:52 p.m.

Allan Shay, Pasadena resident
Hiram Cormier, Jr., Los Angeles resident
Brittney Pollock, Sherman Oaks resident
Jason R., Los Angeles resident
Lucia P., Altadena resident
Janeé Lennox, representing Black Lives Matter (BLM) Los Angeles
Michael Williams, Pasadena resident
Kareena K., BLM Los Angeles
Julie Martinez, Pasadena resident
Kat Ross, representing Standing Up for Racial Justice Altadena-Pasadena
Julia R., Los Angeles resident
Carolynn Ghiloni, Sierra Madre resident

In response to public comment, Councilmember Hampton spoke on the need for the Los Angeles County District Attorney's Office to complete their administrative review.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO AN UPDATED CONTRACT WITH RUSNAK/PASADENA TO LEASE PARKING SPACES FROM THE CITY IN THE DEL MAR STATION GARAGE

Recommendation: It is recommended that the City Council:

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

(2) i) Authorize the City Manager to execute an amendment for Contract No. 21658 with Rusnak/Pasadena to lease 171 parking spaces from the City in the Del Mar Station Garage to store excess retail vehicle inventory for an amount payable to the City of \$122,094 for the initial one-year term, and ii) grant the proposed contract amendment an exemption pursuant to Pasadena Municipal Code Section 4.08.049(B) contracts for which the City's best interests are served; and

(3) Authorize the City Manager to extend the term of the contract for two additional one- year terms as detailed in the agenda report at the discretion of the City Manager. (Contract No. 2,658-4)

Item discussed separately

LEGISLATIVE POLICY COMMITTEE: APPROVAL OF THE FEDERAL & STATE LEGISLATIVE PLATFORMS FOR CALENDAR YEAR 2022

RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS

REAPPOINTMENT OF ALISON LASTER, PH.D., TO THE ROSE BOWL AQUATICS CENTER BOARD EFFECTIVE MARCH 1, 2022
(City Nomination)

REAPPOINTMENT OF JOHN NABER TO THE ROSE BOWL AQUATICS CENTER BOARD EFFECTIVE MARCH 1, 2022 (City Nomination)

REAPPOINTMENT OF JOHN H. PLUMMER TO THE ROSE BOWL AQUATICS CENTER BOARD EFFECTIVE MARCH 1, 2022
(City Nomination)

REAPPOINTMENT OF JAY WALTERS TO THE ROSE BOWL AQUATICS CENTER BOARD EFFECTIVE MARCH 1, 2022 (City Nomination)

City Attorney

ADOPTION OF A RESOLUTION ALLOWING FOR ELECTRONIC SERVICE OF GOVERNMENT TORT CLAIMS AND NOTICES

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065, and State CEQA Guidelines Section 15378(b)(2) and (5), and as such, is not subject to environmental review; and

(2) Adopt a resolution allowing for electronic service of government tort claims and notices. (Resolution No. 9890)

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
APPROVAL OF MINUTES	January 10, 2022 January 17, 2022
PUBLIC HEARING SET	February 28, 2022, 4:00 p.m. – Public Hearing on the East Colorado Specific Plan Update
MOTION	<p>It was moved by Councilmember Williams, seconded by Vice Mayor Wilson, to approve all items on the Consent Calendar, with the exception of Item 2 (Approval of The Federal & State Legislative Platforms for Calendar Year 2022), and Item 5 (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), which were discussed separately:</p> <p>AYES: Councilmembers Hampton, Kennedy, Madison, Masuda, Rivas, Williams, Vice Mayor Wilson, Mayor Gordo</p> <p>NOES: None</p> <p>ABSENT: None</p> <p>ABSTAIN: None</p>
Public Comment on Consent Calendar	Brittney Pollock, Sherman Oaks resident, expressed concerns with the City Council continuing to hold remote City Council meetings, and providing additional funding to the Pasadena Police Department.
<u>CONSENT ITEMS DISCUSSED SEPARATELY</u>	<p><u>LEGISLATIVE POLICY COMMITTEE: APPROVAL OF THE FEDERAL & STATE LEGISLATIVE PLATFORMS FOR CALENDAR YEAR 2022</u></p> <p><u>Recommendations:</u> It is recommended that the City Council:</p> <p>(1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA"), pursuant to State CEQA Guidelines per Section 15061(b)(3), the "General Rule"; and</p> <p>(2) Approve the Federal Legislative Platform and the State Legislative Platform for calendar year 2022.</p> <p>Following public comment, it was moved by Councilmember Williams, seconded by Councilmember Hampton, to approve the staff recommendation:</p> <p>AYES: Councilmembers Hampton, Kennedy, Madison, Masuda, Rivas, Williams, Vice Mayor Wilson, Mayor Gordo</p> <p>NOES: None</p> <p>ABSENT: None</p> <p>ABSTAIN: None</p>

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 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

(3) 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 February 7, 2022 – March 9, 2022. (Resolution No. 9891)

Councilmember Hampton advocated for the City Council to commence meeting in person and terminate the City's emergency declarations, as he believes the City's emergency status has been detrimental to the City's business community and school age children, and therefore, is unable to support the staff recommendation.

Mayor Gordo stated the following for the record, "So the public understands, this is simply to allow us to conduct virtual meetings so the public can participate."

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

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

PUBLIC HEARING

Vice Mayor Wilson recused himself at 5:16 p.m., due to a potential conflict and left the meeting.

PUBLIC HEARING: CALL FOR REVIEW OF THE PLANNING COMMISSION'S DECISION ON CONDITIONAL USE PERMIT NO. 6918 REGARDING THE PROPERTY LOCATED AT 758 and 766 SOUTH FAIR OAKS AVENUE (HUNTINGTON HOSPITAL)

Recommendation: It is recommended that the City Council:

(1) Adopt the Environmental Determination that the proposed project is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-fill Development Projects) and that there are no features that distinguish this project from others in the exempt class. Therefore, there are no unusual circumstances; and
(2) Overturn the Planning Commission's decision and approve

Conditional Use Permit No. 6918 with the findings in Attachment A of the agenda report, and the Conditions of Approval in Attachment B of the agenda report.

City Clerk Jomsky opened the public hearing; reported that 56 copies the public hearing notice were posted and 68 copies the public hearing notice were mailed on January 24, 2022. He also reported three letters in support of the Huntington Hospital proposed project, and providing comments related to the design of the building, were received by City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public hearing record for this item.

Councilmember Madison stated that he called the matter up for review and believes the City's review process worked. He stated that the stakeholders and community's concerns have been adequately addressed by the applicant; and voiced support for the project.

Mayor Gordo stated the following for the record, "I did visit the site personally and the City Attorney advised that I put that on the record, and anyone else who visited the site should do the same."

The following individuals expressed concerns with aspects of the proposed project, permitting process and/or provided comments:

Betsy Nathane, Pasadena resident
Nina Chomsky, Pasadena resident
Kelley Holmes, Pasadena resident

Erika Foy, representing Madison Heights Neighborhood Association, spoke in support of the proposed project; and as a Pasadena resident expressed concerns with traffic density in the City.

David Reyes, Director of Planning and Community Development, provided a PowerPoint presentation focused on the revised conditions of approval; and responded to questions.

Councilmember Hampton and Mayor Gordo noted the success of this project in addressing community concerns, asked staff to develop a policy on community engagement as part of a project's Predevelopment Project Review (PPR), so that the community engagement effort occurs prior to the project's public hearing phase.

Interim City Manager Cynthia Kurtz, and Nicholas Rodriguez, Assistant City Manager, provided information on the City's actions in reviewing the City's local hiring rules and incentive programs for the private sector; and responded to questions.

Councilmember Kennedy stated the following for the record, "I did have conversations with Dr. Lori Morgan, CEO of Huntington [Hospital] in reference to this project and staff." He spoke in favor of Councilmember Hampton's request for staff to develop a policy that incorporates community engagement plans for large development projects as part of the project's PPR presentation. He also spoke in support of staff providing an update to the City Council on local hire efforts and sourcing of material and contractors for all projects within a certain size in the City; noting his support for the proposed project.

Laura Cornejo, Director of Transportation, provided information on the proposed project's requirement of developing a Transportation Demand Management plan; and responded to questions.

Councilmember Williams recommended that Huntington Hospital staff work with their campus and new building to develop programs that promote mode share. She spoke in support of the proposed project overall, however, expressed concerns with the inability of the Design Commission to make recommendations once the Planning Commission and the City Council have reviewed and approved the project. She also expressed concerns with the lack of local control related to the project's environmental categorical exemptions. She stated that she is unable to agree that the proposed project does not have a negative impact on the welfare of Pasadena residents without an environmental analysis. Councilmember Williams stated her support for comments made by Councilmembers Hampton and Kennedy related to local sourcing and the proposed project, and recommended consideration of a Community Benefits Agreement and Project Labor Agreement. She recommended staff review the Los Angeles County's Community Benefits Agreement provisions, as well as Project Labor Agreements, and provide an update to the City Council for consideration on possible local application in Pasadena.

Mayor Gordo spoke in support of developing a Community Benefits Agreement related to the proposed project.

Councilmember Madison reported that he has visited the project site and spoken to Dr. Lori Morgan, and other representatives; and stated that he believes that the City Council is able to make the Specific Findings (Nos. 1 & 5 of Attachment A) as staff has considered air quality and transportation impacts to the surrounding area of the project.

Scott Jenkins, representing Hunting Hospital, stated that he is happy to work with staff related to improving the projects local hiring practices. Dr. Lori Morgan, CEO of Huntington Hospital, thanked the community, staff and City Council the collaborative effort and helping to ensure the project moves forward.

Motion: Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Masuda, to close the public hearing:

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

NOES: None

ABSENT: Vice Mayor Wilson

ABSTAIN: None

Theresa Fuentes, Assistant City Attorney, stated that the City's Pasadena Municipal Code sets the process for rules and jurisdiction of a body (Design Commission), which can not be changed with a "Conditional Use" provision; and responded to questions.

Motion: Following further discussion, it was moved by Councilmember Madison, seconded Councilmember Masuda, to approve the staff recommendation, including the revisions to the project as detailed in staff's PowerPoint presentation (page 5):

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

NOES: None

ABSENT: Vice Mayor Wilson

ABSTAIN: None

ORDINANCE – FIRST READING

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

Mayor Gordo reported that the above item was pulled from the agenda and was not considered.

Council Hampton asked staff to invite the Los Angeles County District Attorney to provide an update on administrative reviews to the City Council or the Public Safety Committee.

CLOSED SESSION

On order of the Mayor, the special meeting recessed at 6:12 p.m. to discuss the following closed session. (Absent: None)

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

Agency Designated Representatives: Alex Souto and Cynthia Kurtz
Employee Organization: Pasadena Management Association (PMA)

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

Agency Designated Representatives: Alex Souto and Cynthia Kurtz
Employee Organization: Service Employees International Union (SEIU)

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

Property: 55 South Raymond Avenue, Pasadena, CA
Under negotiation: Price and terms of payment
Agency negotiator: Cynthia Kurtz
Negotiating Party: Amara Barrotea for ALRA 05 LLC, a California limited liability company (dba Amara Chocolate & Coffee)

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL - CONSIDERATION OF INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(d)(4) (one potential case)

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

ADJOURNMENT

On order of the Mayor, the meeting of the City Council adjourned at 7:01 p.m.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk