

CITY OF PASADENA
City Council Minutes
November 29, 2021 – 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 4:33 p.m. The pledge of allegiance was led by Steve Mermell, City Manager.
- 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:** City Manager Steve Mermell
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky
- CEREMONIAL MATTERS** Mayor Gordo invited the community to the City's recognition of Veterans Day on the steps of City Hall, on Thursday, November 11, 2021, to honor those who have served in the military.
- Vice Mayor Wilson spoke on the passing of Yang Yang Liu, Pasadena resident, who was tragically struck by a motorist, emphasized the importance of driving safely, and requested that the meeting be adjourned in her memory and the memory of other pedestrians that were victims of motorist accidents in the City.
- Councilmember Kennedy spoke on the tragic death of 13-year old Iran Moreno, Blair High School student, who was killed by a stray bullet as he sat in his home in Pasadena. Mayor Gordo stated that City Council will also adjourn in memory of Jamal Dion Patterson, Pasadena resident, a tragic victim of gun violence in the City.
- Councilmember Masuda spoke on the passing of Gevorg Minissian, Pasadena resident, a victim of gun violence and crime, and requested that the meeting also be adjourned in his memory.
- PUBLIC COMMENT** Sonja Berndt, Pasadena resident, expressed concerns with the Planning Commission's discussion related to Senate Bill 9 – Housing Development: Approvals, which focused on protecting single-family residential areas and trees.
- Councilmember Hampton joined the meeting at 4:36 p.m. Gilbert Watson, Pasadena resident, advocated for the City Council to move forward with the rezoning of land owned by churches to allow for "by-right" development as a way to increase affordable housing in the City.

The following individuals spoke on controversial incidents involving Pasadena Police Officers; the shooting of Jamal Patterson, Iran Moreno, and others; expressed concerns with the Pasadena Police Department, advocated for the termination of the officers involved in the shooting of Anthony McClain and City Manager Steve Mermell; and/or expressed concerns with Mayor Gordo's comments regarding community public comment speakers:

Councilmember Madison
joined the meeting at 5:10
p.m.

Jasmine Richards Abdullah, representing Black Lives Matter
Pasadena
Jane Ward, representing Showing Up for Racial Justice –
Altadena (SURJ)
Heavenly Hughes, representing My TRIBE Rise
Victor Hodgson, representing My TRIBE Rise
Hiram J. Cormier, Jr., Los Angeles resident
Vanessa Kale, Altadena resident
Kelly Vargas, Pasadena resident
Kat Ross, representing SURJ - Altadena
Michael Williams, Pasadena resident
Pastor Kerwin Manning, Pasadena resident
Jason R., Los Angeles resident
Julia R., Los Angeles resident

CONSENT CALENDAR

AUTHORIZATION TO EXTEND CONTRACTS WITH HINDERLITER, DE LLAMAS AND ASSOCIATES FOR SALES, TRANSACTION AND USE TAX REVENUE CONSULTING SERVICES AND HDL COREN AND CONE FOR PROPERTY AND TRANSFER TAX REVENUE CONSULTING 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) as defined in 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) Authorize the City Manager to amend Contract No. 30761 with Hinderliter, de Llamas and Associates by increasing the contract amount to \$63,000 for five-years to continue sales, transactions and use tax consulting services, subject to annual adjustment not-to-exceed five percent. Auditing services will be conducted on a contingency basis of 15 percent for sales and use tax and 25 percent for transactions and use tax; (Contract No. 30761-2)

(3) Authorize the City Manager to amend Contract No. 30762 with HdL Coren and Cone by increasing the contract amount to \$116,875 for five-years to continue with property tax management consulting services, subject to an annual adjustment not-to-exceed two percent. Auditing services will be conducted on a 25 percent contingency basis; and (Contract No. 30762-3)

(4) It is further recommended that the City Council grant the proposed contracts exemptions 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.

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DR. MANI H. ZADEH FOR COVID-19 TESTING SERVICES FOR EMPLOYEES

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 Public Resources Code Section 21065 and Section 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for this action;
- (2) Authorize the City Manager to enter into a contract with Dr. Mani H. Zadeh for COVID-19 testing services in an amount not-to-exceed \$845,001; and (Contract No. 32186)
- (3) Grant the proposed contract an exemption from Competitive Selection process pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City's best interests are served. Competitive Bidding is not required pursuant to City Charter Section 1002(f), contracts for professional or unique services.

AMENDMENT TO CONTRACT NO. 31806 WITH MICHAEL BAKER INTERNATIONAL INC., TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT FOR THE THREE-YEAR CONTRACT BY \$600,000 FROM \$400,000 TO \$1,000,000 FOR ENVIRONMENTAL COORDINATION AND PLANNING SERVICES

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3);
- (2) Authorize the City Manager to amend Contract No. 31806 with Michael Baker International Inc., by increasing the contract amount by \$600,000 thereby increasing the not-to-exceed amount from \$400,000 to \$1,000,000 for continued Environmental Coordination and Planning services, for a three-year term; (Contract No. 31806-1)
- (3) Authorize the City Manager to extend the contract for up to two additional one-year periods not-to-exceed \$300,000, per year; and
- (4) To the extent the contract amendment be considered a separate procurement subject to the Competitive Selection process, grant the proposed amendment for Michael Baker International, Inc., an exemption from the Competitive Section process pursuant to Pasadena Municipal Code (PMC) 4.08.049(B), contracts for which the City's best interests are served.

Item discussed separately

AUTHORIZATION TO EXTEND CONTRACT NO. 30630 WITH AXON ENTERPRISE, INC., FOR FIVE YEARS AND APPROVE CONTRACT INCREASE OF \$1,709,591 FOR THE POLICE BODY WORN CAMERA SYSTEM

AUTHORIZATION TO AMEND PURCHASE ORDER NO. 30939 WITH FEDEX OFFICE AND PRINT SERVICES INC., FOR SMALL PACKAGE DELIVERY SERVICES

Recommendation: It is recommended that the City Council:

- (1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to amend the term of Purchase Order No. 30939 with FedEx Office and Print Services Inc., from November 27, 2021 to February 25, 2022 for the small package delivery services. Competitive Bidding is not required pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, materials, supplies or services;
- (3) Authorize the City Manager to amend the contract term for an additional four months, if an additional extension is granted through the piggyback agreement; and
- (4) To the extent, these amendments are considered a separate procurement, it is further recommended that the City Council grant the proposed contract an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

Item discussed separately

AUTHORIZATION TO AMEND CITY AGREEMENT NO. 13,991 WITH THE PASADENA UNIFIED SCHOOL DISTRICT TO ALLOW THE CITY USE OF THE JEFFERSON ELEMENTARY SCHOOL CAMPUS FOR AN AMOUNT NOT-TO- EXCEED \$600,000

AUTHORIZATION TO ENTER INTO FIBER LICENSE AGREEMENTS WITH ART CENTER COLLEGE OF DESIGN AND LEVEL 3 COMMUNICATIONS, LLC

Recommendation: It is recommended that the City Council:

- (1) Find that the following proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301(c) (Existing Facilities);
- (2) Authorize the City Manager to enter into a license agreement with Art Center College of Design for use of City fiber, resulting in up to \$258,410 in revenue to the City over the initial three-year term of the agreement with two optional one-year terms in the amount of \$62,496 per extension, for a maximum term of five years, and revenue up to \$383,402; and (Contract No. 23,591)
- (3) Authorize the City Manager to enter into a license agreement with Level 3 Communications, LLC for use of City fiber, resulting in up to \$47,410 in revenue to the City over the initial three-year term of the agreement with two optional one-year terms in the amount of \$9,736 per extension, for a maximum term of five years, and revenue up to \$66,882. (Contract No. 23,592)

**CONTRACT AWARD TO CJ CONCRETE CONSTRUCTION, INC.,
FOR FISCAL YEAR 2022 CURB RAMP ADA IMPROVEMENTS
PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$640,000**

Recommendation: It is recommended that the City Council:

- (1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Article 19, Section 15301, Class 1, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination, 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) Accept the bid dated October 14, 2021, submitted by CJ Concrete Construction, Inc., in response to the plans and specifications for the FY 2022 Curb Ramp ADA Improvements Project, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$640,000, which includes the base contract amount of \$577,400 and a contingency of \$62,600 to provide for any necessary change orders. (Contract No. 32187)

**ADOPT A RESOLUTION TO APPLY FOR MEASURE A ANNUAL
ALLOCATIONS FOR PARK, RECREATION AND OPEN SPACE
FUNDING**

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 Section 15378(b)(4) and (5) of the State CEQA Guidelines and, as such, is not subject to environmental review; and
- (2) Adopt a resolution to approve filing of applications for Measure A Annual Allocations with the Los Angeles County Regional Park and Open Space District. (Resolution No. 9877)

Item discussed separately

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

**FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT -
QUARTER ENDING SEPTEMBER 30, 2021**

Recommendation: This report is for information only

**FINANCE COMMITTEE: AMENDMENT TO THE CITY'S
INVESTMENT POLICY**

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 recommended amendment to the City's Investment Policy to consider the integration of environmental, social, and governance (ESG) principles into the current City of Pasadena Investment Policy.

FINANCE COMMITTEE: RECOGNIZE REVENUE AND APPROPRIATE \$43,434 FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUND TO THE POLICE DEPARTMENT'S FISCAL YEAR 2022 OPERATING BUDGET

Recommendation: It is recommended that the City Council:

- (1) Find the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment;
- (2) Authorize the City Manager to accept the grant award in the amount of \$43,434; and
- (3) Amend the Fiscal Year 2022 Operating Budget by recognizing revenue and appropriations of \$43,434 in the Police Department's General Fund (101) as detailed in the Fiscal Impact Section of the agenda report. (Budget Amendment No. 2022-16)

FINANCE COMMITTEE: RECOGNIZE REVENUE AND APPROPRIATE \$92,500 OF A \$125,000 TWO YEAR LAW ENFORCEMENT MENTAL HEALTH AND WELLNESS ACT (LEMHWA) PROGRAM GRANT FUNDS TO THE POLICE DEPARTMENT'S FISCAL YEAR 2022 OPERATING BUDGET

Recommendation: It is recommended that the City Council:

- (1) Find the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment;
- (2) Authorize the City Manager to accept the grant award in the amount of \$125,000; and
- (3) Amend the Fiscal Year 2022 Operating Budget by recognizing revenue and appropriations of \$92,500 in the Police Department's General Fund (101) as detailed in the Fiscal Impact Section of the agenda report. (Budget Amendment No. 2022-17)

Mark Jomsky, City Clerk, reported that one letter expressing concerns with funding Police Department programs and urging the City to instead invest in the Public Health Department and Fuller College was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record for the item.

City Council

RESIGNATIONS,
APPOINTMENTS, &

RESIGNATION OF THERESA ROBINETT FROM THE HUMAN RELATIONS COMMISSION (District 2 Nomination)

REAPPOINTMENTS

REAPPOINTMENT OF RACHEL JANBEK AS CITY OF PASADENA REPRESENTATIVE TO THE SAN GABRIEL VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT BOARD SERVING AT THE PLEASURE OF THE COUNCIL FOR A TERM OF FOUR YEARS, COMMENCING JANUARY 1, 2022 (City Nomination)

City Attorney

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
- (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 November 22 – December 20, 2021. (Resolution No. 9878)

APPROVAL OF MINUTES

October 25, 2021

CLAIMS RECEIVED

Claim No. 13,791	Mercury Insurance Company as subrogee for Sylvie Denis-Furman	\$ 291.79
Claim No. 13,792	Mercury Insurance as subrogee for Albert Kwong	3,449.41
Claim No. 13,793	Sonia L. Garcia	25,000.00+
Claim No. 13,794	Law Offices of David MaMann representing Jenyffer R. Ortega Del Rio	25,000.00+
Claim No. 13,795	Wawanesa Insurance as subrogee for Arthur Paljyan	10,719.54

MOTION:

It was moved by Vice Mayor Wilson, seconded by Councilmember Williams, to approve all items on the Consent Calendar, with the exception of Item 4 (Authorization to Extend Contract No. 30630 with Axon Enterprise, Inc.), Item 6 (Authorization to Amend City Agreement No. 13,991 with the Pasadena Unified School District), and Item 10 (Amendments to Fiscal Year 2022 Capital Improvement Program Budget), which were discussed separately:

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

NOES: None

ABSENT: None

ABSTAIN: None

The following individuals expressed concerns with extending the Contract for the Pasadena Police Department's Policy Body Worn Camera System, and provided comments:

Heavenly Hughes, representing My TRIBE Rise
Adriana Bautista, representing Black Lives Matter Pasadena
Michael Williams, Pasadena resident
Kareena K., representing Black Lives Matter Los Angeles
Hiram J. Cormier, Jr., Los Angeles resident
Jasmine Richards Abdullah, representing Black Lives Matter Pasadena
Allison Henry, Pasadena resident

Sonja Berndt, Pasadena resident, expressed concerns with the staff recommendation related to the appropriating of American Rescue Plan Act funds related to Fire Station Renovations and Improvements projects.

**CONSENT ITEMS
DISCUSSED
SEPARATELY**

AUTHORIZATION TO AMEND CITY AGREEMENT NO. 13,991 WITH THE PASADENA UNIFIED SCHOOL DISTRICT TO ALLOW THE CITY USE OF THE JEFFERSON ELEMENTARY SCHOOL CAMPUS FOR AN AMOUNT NOT-TO- EXCEED \$600,000

Recommendation: It is recommended that the City Council:
(1) Find that the proposed actions are exempt from the California Environmental Quality Act ("CEQA") in accordance with State CEQA Guidelines Section 15301, Class 1 existing facilities, 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) Authorize the City Manager, or his designee, to enter into a further Addendum to the Joint Use of Facilities Agreement to amend City Agreement No. 13,991 with the Pasadena Unified School District for the use of Jefferson School primarily for library services and for other City programs for an amount not-to-exceed \$100,000, per year, for six years. (Contract No. 13,991-18)

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

Recommendation: It is recommended that the City Council:
Find that the proposed actions are not "projects" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(4) and (5) of the State CEQA Guidelines and, as such, are not subject to environmental review; and
(2) Amend the Fiscal Year 2022 Capital Improvement Program (CIP) Budget as detailed in Attachment A of the agenda report. (Budget Amendment No. 2022-15)

The above two Consent Calendar items were discussed concurrently.

Councilmember Hampton and Mayor Gordo requested staff agendaize housing connected to fire stations in the City at a future Public Safety Committee meeting for consideration and further discussion.

Following discussion, it was moved by Councilmember Williams, seconded Councilmember Hampton, to approve Consent Calendar Item 6 (Authorization to Amend City Agreement No. 13,991 with the Pasadena Unified School District), and Item 10 (Amendments to Fiscal Year 2022 Capital Improvement Program Budget):

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

NOES: None

ABSENT: None

ABSTAIN: None

AUTHORIZATION TO EXTEND CONTRACT NO. 30630 WITH AXON ENTERPRISE, INC., FOR FIVE YEARS AND APPROVE CONTRACT INCREASE OF \$1,709,591 FOR THE POLICE BODY WORN CAMERA SYSTEM

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); the General Rule that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to execute an amendment to Contract No. 30630 with Axon Enterprise Inc., (formerly known as TASER International Inc.) to retroactively extend the contract from September 14, 2021 to December 1, 2026, at a cost not-to-exceed \$1,709,591 as further described in the agenda report; and
- (3) If is further recommended that the City Council grant the proposed contract extension an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B) contracts for which the City's best interests are served.

Mark Jomsky, City Clerk, reported that one letter expressing concerns with the staff recommendation and advocating for increased accountability for police officers when using body worn cameras, was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record for the item.

Deputy Police Chief Cheryl Moody provided information on the Pasadena Police Department's staff work schedule, and policy related to the appropriate times for officers to turn on body worn cameras; Karen Peterson, Police Executive Administrator, and Christina Kuo, Senior Information Technology Project Manager, provided information on Axon's cloud based system where videos are hosted and controlled environment; with all responding to questions. Regina Holloway, representing Axon Enterprise Inc., provided information on video data ownership; and responded to questions.

Councilmember Hampton asked staff to provide information on the average number of recording hours for body worn cameras in a 12 hour shift in Los Angeles County and in Pasadena; the storage location of officer body worn camera videos and who has access to those videos; the possibility that such video files might become corrupted; and to determine if the buffering or pre-recording of the videos are stored. He suggested that the buffering time of the Pasadena Police Officers be extended from 30 seconds to two minutes.

Following discussion, Councilmember Hampton advocated that the matter be held until the next City Council meeting so that staff can provide the requested information detailed above.

Mayor Gordo asked Councilmember Hampton to forward any additional questions to staff to allow staff to provide answers to all his questions and address his concerns.

Steve Mermell, City Manager, stated that staff will process the current contract as a Purchase Order and a month-to-month agreement until the City Council makes a determination on the matter.

Councilmember Kennedy spoke in favor of Pasadena Police Officers wearing the body worn cameras and for the staff recommendation; and advocated for staff consider modifications to the standard operating procedures of the body worn camera recording policy.

Following further discussion, on the order of the Mayor, and consensus of the City Council, the item was held to a future City Council meeting.

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: SUBMITTAL OF REDISTRICTING TASK FORCE FINAL REPORT AND RECOMMENDED REDISTRICTING PLAN FOR CITY COUNCIL CONSIDERATION; RECEIVE PUBLIC INPUT AND TESTIMONY ON THE REDISTRICTING PLAN AND THE COMPOSITION OF ONE OR MORE COUNCIL DISTRICTS; AND CONCEPTUALLY APPROVE OR MODIFY THE RECOMMENDED REDISTRICTING PLAN

Recommendation of Redistricting Task Force: It is recommended that the City Council, as part of a public hearing process in compliance with California Elections Code Section 21627.1, take the following actions:

- (1) Find that the proposed 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 does not apply to projects that have the potential to have a significant effect on the environment;
- (2) Receive and review the Redistricting Task Force's recommended redistricting plan ("Redistricting Plan"), map, and related demographic data sheet (Attachment A - "Recommended Redistricting Plan approved October 30, 2021 by the Redistricting Task Force");

- (3) Receive public comment on the Redistricting Plan, and any public input/testimony regarding the composition of one or more council districts;
- (4) Conceptually approve the Redistricting Plan as submitted; and provide direction on requested modifications to the plan for further consideration; and
- (5) Continue the public hearing to each subsequent meeting of the City Council until December 6, 2021, or such other date as the City Council may determine, at which time the City Council will be asked to close the public hearing and conduct first reading of "An Ordinance of the City of Pasadena Amending Chapter 1.20 ("Election Districts") of the Pasadena Municipal Code" codifying the Recommended Plan as submitted, or modified Redistricting Plan as directed by the City Council.

Mark Jomsky, City Clerk, reported that the City Clerk's Office received (as of the last Public Hearing on November 15, 2021) seven letters from one individual advocating for various communities of interest, which were distributed to the City Council, posted on-line, and made part of the public hearing record.

Following the reporting of public comment, it was moved by Councilmember Kennedy, seconded by Vice Mayor Wilson, to continue the public hearing to December 6, 2021 at 5:00 p.m.:

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

PUBLIC HEARING: APPEAL OF THE BOARD OF ZONING APPEALS' DECISION ON CONDITIONAL USE PERMIT NO. 6816 REGARDING THE PROPERTY LOCATED AT 1827 EAST VILLA STREET

Recommendation: It is recommended that the City Council:

- (1) Adopt the Environmental Determination that the project is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code Section 21080(b)(9); Administrative Code, Title 14, Chapter 3, Section 15270(a), Projects Which are Disapproved. This Statutory Exemption states that CEQA does not apply to projects which a public agency rejects or disapproves; and
- (2) Uphold the Board of Zoning Appeals' decision and disapprove Conditional Use Permit No. 6816.

City Clerk Jomsky reported that 28 copies of the notice were mailed and 118 copies of the notices were posted on November 8, 2021; and two letters providing comments and in opposition to the staff recommendation, were received, distributed to the City Council, posted on-line, and made part of the public hearing record.

David Reyes, Director of Planning and Community Development, provided introductory comments, and Jennifer Driver, Planner, presented a PowerPoint presentation on the item, and responded to questions.

The following individuals spoke in support of the City Council approving Conditional Use Permit (CUP) No. 6816 to allow for the off-site sale of alcoholic beverages at Linda Rosa Market:

Faithanne Truong, Sierra Madre resident
Brendan Gripp, Pasadena resident

Kevin Franklin, representing the applicant/appellant, advocated for the City Council to approve CUP No. 6816; and addressed the finding of "Public Convenience or Necessity."

Councilmember Williams stated that if the CUP findings cannot be made, the City Council cannot extend the discretionary approval.

Motion: Following a public comment, it was moved by Councilmember Kennedy, seconded by Councilmember Rivas, to close the public hearing:

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

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

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

APPEAL OF THE BOARD OF ZONING APPEALS' DECISION ON ZONING ADMINISTRATOR'S DETERMINATION NO. 55 REGARDING THE PROPERTY LOCATED AT 1450 NORTH FAIR OAKS AVENUE

Recommendation: It is recommended that the City Council uphold the Board of Zoning Appeals' decision and uphold the Zoning Administrator's Determination No. 55 that a Medical Services – Extended Care land use lost its nonconforming status pursuant to Pasadena Municipal Code (PMC) Section 17.71.060.B1 (Termination of Nonconforming Use by Discontinuance).

City Clerk Jomsky reported that the City Clerk's Office received one letter in support of the staff recommendation; and one letter requesting a continuance of the matter to allow additional time for the owner to present all relevant information to the City, with the correspondence distributed to the City Council, posted on-line, and made part of the public record.

David Reyes, Director of Planning and Community Development, provided introductory comments, and Jennifer Driver, Planner, presented a PowerPoint presentation on the item, and responded to questions.

Jeff Harlan, representing the appellant (Sadvipra LLC), requested that the City Council consider the appellant's "Request for Continuance" for 45 days; spoke in opposition to the staff recommendation; and responded to questions.

The following individuals spoke in support of the staff recommendation to uphold the Board of Zoning Appeals' decision and provided comment:

Bob (Robert) Ladd, Altadena resident
Jill Shook, representing Making Housing and Community Happen

Mayor Gordo stated that the appellant has had sufficient time to prepare for today's discussion and spoke in favor of the staff recommendation.

Michele Beal Bagneris, City Attorney/City Prosecutor, provided information on the property that is subject to the conditions that apply for non-conforming uses, which is based on land use considerations and not based on the operator; and responded to questions.

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

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

INFORMATION ITEM

STATUS REPORT ON THE PASADENA CENTRAL LIBRARY AND DISCUSSION OF PLAN FOR SEISMIC UPGRADES

Recommendation: This report is for information only. No City Council action is requested at this time.

Steve Mermell, City Manager, presented a PowerPoint presentation on the item, and responded to questions. Tony Olmos, Director of Public Works, provided information on the City's actions to retain a design team that can provide details on the needed upgrades, which

in turn will help generate cost estimates of seismic retrofit and historic preservation of the Central Library; and responded to questions.

Councilmember Williams stated that the City may also use catastrophic bonds for lower level improvements to the Central Library.

Councilmember Kennedy spoke in support of staff conducting a Request For Proposals (RFP) to obtain a partner to attract fundraisers (including Pasadena residents) that would assist the City in raising funds for the City's iconic Central Library.

Vice Mayor Wilson asked staff to examine the uses of the Central Library building, including services provided to the public, configuration of the building and programing, as well as the historic preservation and seismic retrofit.

Michelle Perera, Director of Library and Information Services, provided information on staff's opportunity to revisit the plans of service and programs provided to the community at the Central Library; and responded to questions.

Councilmember Rivas asked staff to target the state's primary election of 2024 to seek voter approval for the financing of the seismic retrofit project for the Central Library.

In response to questions, City Clerk Jomsky noted that the statewide Primary Election in 2024 will take place March, since it will be the presidential election cycle; and responded to questions.

Robert Karatsu, representing Pasadena Public Library Commission, thanked the City Council for their on-going support of Pasadena's Library system; and voiced support for the staff findings related to the Central Library and the renewal of the library parcel tax.

Following discussion, on the order of the Mayor, and consensus of the City Council, the information was received and filed.

PUBLIC COMMENT (Continued)

David Llanes, representing the Pasadena Police Officers Association, spoke in support of Pasadena Police Officers who work in a difficult and dangerous environment for Pasadena residents on a daily basis; and noted the need for community members to comply with police officers.

The following individuals spoke on controversial incidents involving Pasadena Police Officers; advocated for the termination the officers (Dumaguindin, Serrano, Mulrooney, and Duncan) involved in the shooting of Anthony McClain; and spoke on the need to address accountability within the Pasadena Police Department:

Carolyn Ghiloni, Sierra Madre resident
Kareena K., representing Black Lives Matter – Los Angeles
Kristin Petherbridge, Los Angeles resident
Janeé Lenox, representing Black Lives Matter – Los Angeles
Kate McInerny, Pasadena resident
Sara, Pasadena resident
Adriana Bautista, Pasadena resident
Tish Hughes, Pasadena resident
Kaveh Naeeni, Pasadena resident

Jill Shook, Pasadena resident, asked the City Council to address the concerns of the public related to Anthony McClain; advocated for the rezoning of land owned by churches to be permissible as “by-right” developments as a way to increase the number of affordable housing units in the City; and for the City to consider methods for limiting water usage in the City.

The City Council expressed appreciation to Steve Mermell, City Manager, for his many years of dedicated service to the City, and congratulated him on his retirement.

Mr. Mermell expressed appreciation to the City Council for their acknowledgment and thoughtful expressions.

Public Comment on Closed
Session items

Heavenly Hughes, representing My TRIBE Rise, expressed concerns with the performance of the City Manager, Pasadena Police Department, and City Council related to public safety.

City Clerk Jomsky reported that the City Clerk’s Office received one letter providing comments related to the recruitment of a new City Manager, which was distributed to the City Council, posted on-line, and made part of the public record.

Vice Mayor Wilson and Councilmember Williams reiterated their request for an update on activities related to COVID-19 emergency powers, extension, and rules.

CLOSED SESSION

On order of the Mayor, the meeting recessed at 8:29 p.m. to discuss the following closed session (Absent: None):

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 - CONSIDERATION OF INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(d)(4) (one potential case)

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYMENT pursuant to Government Code Section 54957 and
CITY COUNCIL CONFERENCE with Labor Negotiator pursuant to
Government Code Section 54957.6**

City Representative: Victor Gordo

Position: City Manager

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

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

Agency Designated Representatives: Jennifer Curtis and Steve Mermell

Employee Organization: Pasadena Management Association (PMA)

Mayor Gordo reported that the above closed session item will not be considered.

ADJOURNMENT

On order of the Mayor, the meeting of the City Council adjourned at 10:13 p.m., in memory of Ms. Yang Yang Liu, Pasadena resident, and other pedestrians that were victims of motorist accidents in the City, Iran Moreno, Blair High School student, Jamal Dion Patterson, Pasadena resident, and Gevork Minissian, Pasadena resident.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk