

CITY OF PASADENA  
City Council Minutes  
February 14, 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 4:36 p.m. The pledge of allegiance was led by Interim City Manager Cynthia Kurtz.

**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 spoke on the tragic pedestrian accident that occurred on Orange Grove Boulevard in Pasadena; expressed concerns regarding pedestrian safety in the City; and/or advocated for City to take actions to further protect pedestrians and bicyclists (e.g. wider and new sidewalks in the City, protected bike lanes, etc.):

Councilmember Williams joined the meeting at 4:39 p.m.

Liz Schiller, Pasadena resident  
Blair Miller, Pasadena resident  
Colin Bogart, Pasadena resident  
Topher Mathers, Pasadena resident  
Jonah Kanner, Pasadena resident  
Claire Zeng, Pasadena resident

In response to Councilmember Kennedy's request for a report to the Public Safety Committee on pedestrian safety, Mayor Gordo noted that the Municipal Services Committee is currently reviewing the City's Pedestrian Plan (which includes pedestrian safety), and that a presentation will be made to the full City Council once MSC's review is complete, helping to avoid Brown Act issues that would occur if more than one Council Committee were to separately review the item.

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:

Michael Williams, Pasadena resident  
Nicole King, Pasadena resident  
Heavenly Hughes, representing My TRIBE Rise  
Allan Shay, Pasadena resident  
Victor Hodgson, representing My TRIBE Rise  
Kat Ross, representing Standing Up for Racial Justice Altadena-Pasadena  
Brittney Pollock, Sherman Oaks resident  
Janeé Lennox, representing Black Lives Matter (BLM) Los Angeles

## **CONSENT CALENDAR**

### **AUTHORIZATION TO ENTER INTO A CONTRACT WITH CRAFTWATER ENGINEERING, INC., FOR PROFESSIONAL ENGINEERING AND DESIGN SERVICES FOR THE SAN RAFAEL TREATMENT WETLANDS AND STORM WATER CAPTURE PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$1,051,200**

**Recommendation:** It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Article 5, Section 15061(b)(3), the General Rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment; 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 Craftwater Engineering, Inc., for professional engineering and design services for the San Rafael Treatment Wetlands and Storm Water Capture Project in an amount not-to-exceed \$1,051,200. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services). (Contract No. 32228)

Mark Jomsky, City Clerk, reported that one letter in opposition to the staff recommendation, expressing concerns with the "stealth" plan that will permanently damage the character of the Lower Arroyo, was received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the public record for the item.

### **CONTRACT AWARD TO FALCON FUELS, INC., FOR FURNISHING AND DELIVERING BULK UNLEADED GASOLINE AND RENEWABLE DIESEL FUEL IN AN AMOUNT NOT-TO-EXCEED \$8,535,000 FOR UP TO FIVE YEARS**

**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; and
- (2) a) Accept bid dated January 14, 2022, submitted by Falcon Fuels, Inc., for furnishing and delivering bulk unleaded gasoline and renewable diesel fuel; b) reject all other bids received; and c)

authorize the City Manager to enter into a contract with Falcon Fuels, Inc., for an amount not-to-exceed \$5,121,000 over a three-year period, with the option for two additional one-year extensions, in the annual amount of \$1,707,000, at the discretion of the City Manager, for a maximum total contract length of five years and a grand total contract amount of \$8,535,000. (Contract No. 32224)

**AUTHORIZE PURCHASE ORDER CONTRACTS FOR EMERGENCY VEHICLE OUTFITTING WITH WEST COAST LIGHTS AND SIRENS, INC., FOR \$750,000 AND COMMLINE, INC., FOR \$250,000, IN A COMBINED GRAND TOTAL AMOUNT NOT-TO-EXCEED \$1,000,000 FOR UP TO FIVE YEARS**

**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) a) Accept bid dated January 1, 2022 submitted by West Coast Lights and Sirens, Inc., for emergency vehicle outfitting, and b) authorize a purchase order contract with West Coast Lights and Sirens, Inc., for an amount not-to-exceed \$450,000 over a three-year period, with the option for two additional one-year extensions, in the annual amount of \$150,000, at the discretion of the City Manager, for a maximum total contract length of five years and a grand total contract amount of \$750,000;
- (3) a) Accept bid dated January 3, 2022 submitted by Commline, Inc., for emergency vehicle outfitting, and b) authorize a purchase order contract with Commline, Inc., for an amount not-to-exceed \$150,000 over a three-year period, with the option for two additional one-year extensions, in the annual amount of \$50,000, at the discretion of the City Manager, for a maximum total contract length of five years and a grand total contract amount of \$250,000; and
- (4) Reject all other bids received for emergency vehicle outfitting.

**APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU), LOCAL 721**

**Recommendation:** It is recommended that the City Council:

- (1) Find that the action proposed is not a "project" as defined in the California Environmental Quality Act (CEQA) Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines, and as such, is not subject to environmental review; and
- (2) Approve a Memorandum of Understanding between the City of Pasadena and the Service Employees International Union (SEIU), Local 721. (Contract No. 23,620)

**FINANCE COMMITTEE: FISCAL YEAR JUNE 30, 2021 ANNUAL FINANCIAL REPORTS**

**Recommendation:** It is recommended that the following reports for the year ended June 30, 2021 be reviewed, discussed, and filed by

the City Council and/or the Successor Agency to the Pasadena Community Development Commission:

- A. Annual Comprehensive Financial Report
- B. Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards* (This replaces what was called the "Management Letter")
- C. Pasadena Center Operating Company Basic Financial Statements
- D. Rose Bowl Operating Company Basic Financial Statements
- E. Pasadena Community Access Corporation Basic Financial Statements
- F. Pasadena Fire and Police Retirement System Basic Financial Statements
- G. Air Quality Improvement Fund Financial Statements and Compliance Report
- H. Pasadena Housing Successor Basic Financial Statements
- I. Foothill Workforce Development Board Basic Financial Statements
- J. Independent Accountants' Report on Agreed-Upon Procedures Applied to Appropriations Limit (Gann Limit)
- K. Independent Accountants' Report on Agreed-Upon Procedures Applied to Employee Deductions for the Internal Revenue Code Section 457 Deferred Compensation Program
- L. The Auditors' Communications with the City's Finance/Audit Committee

**RESIGNATIONS,  
APPOINTMENTS, &  
REAPPOINTMENTS**

**APPOINTMENT OF HELEN RAHDER TO THE HISTORIC  
PRESERVATION COMMISSION (At Large Nomination/District 7)**

**APPROVAL OF  
MINUTES**

January 24, 2022

**CLAIMS RECEIVED**

Claim No. 13,817	Banafshe Law Firm representing Emelita Buenaventura	\$	25,000.00+
Claim No. 13,818	Liz Ryan		3,835.30
Claim No. 13,819	Francesca Cappucci		1,750.00
Claim No. 13,820	Downtown LA Law representing Richard Mora		1,000,000.00
Claim No. 13,821	Law Offices of Raymond Ghermezian representing Guadalupe Cortez		25,000.00+

Claim No. 13,822	Young E. Kim	1,045.66
Claim No. 13,823	Tom Takenouchi	3,034.97

**PUBLIC HEARINGS SET**      **February 28, 2022, 4:00 p.m.** – Consideration of Zoning Code Text Amendments to the City’s Existing Historic Preservation Ordinance

**April 4, 2022, 5:00 p.m.** – Public Hearing: Submittal of Public Housing Agency Annual Plan (2022) to the U.S. Department Of Housing and Urban Development

**MOTION**      It was moved by Councilmember Hampton, seconded by Vice Mayor Wilson, to approve all items on the Consent Calendar:

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**      **CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA IN SUPPORT OF REPRODUCTIVE FREEDOM** (Councilmember Madison and Councilmember Rivas) (Resolution No. 9892)

**City Council**

Councilmembers Madison and Rivas spoke on the shifting legal approaches in parts of the nation, and on the Supreme Court, when it comes to reproductive rights for women; and advocated for the City Council to approve the proposed resolution in support of reproductive freedom.

Councilmember Masuda stated that he does not believe it is the role of the City Council to vote on this matter, and therefore, is not in support of the proposed resolution.

Councilmember Hampton stated that the proposed resolution is missing language related to education and adoption components; and asked that the resolution be amended to include such provisions.

Councilmember Madison voiced opposition to the requested changes, noting that he believes the resolution references an array of personal and private healthcare and social care of individuals.

Councilmember Rivas spoke in opposition to amending the proposed resolution as requested by Councilmember Hampton.

Councilmember Kennedy expressed appreciation that the proposed resolution does not reference Margaret Sanger, founder of Planned Parenthood, who he believes was a racist. He stated that he will support the proposed resolution with some trepidation and concern, but is supportive of women being responsible for their reproductive rights. Councilmember Kennedy spoke in support of Councilmember

Hampton's request to amend the resolution to include language related to adoption.

Mayor Gordo noted that there is a National Adoption Day and suggested that it may be more appropriate for the City Council to adopt a resolution in support of adoption at the appropriate time.

City Clerk Jomsky reported that sixteen letters in support of the City passing a resolution in support of women reproductive freedom and providing comments on the matter, were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the public record for the item.

The following individuals spoke in support of the City Council adopting the proposed resolution, and provided comments:

Jennifer Thibault, Pasadena resident  
Dr. Katie Clark, representing National Women's Political Caucus  
Greater Pasadena  
Mike Kinman, representing All Saints Church  
Nitika Yadlapalli, Glendale resident  
Julie Martinez, Pasadena resident  
Sheri Bonner, representing Planned Parenthood Pasadena San  
Gabriel Valley

The following individuals expressed concerns with the proposed resolution and provided comments:

Kareena K., representing Black Lives Matter Los Angeles  
Heavenly Hughes, residence not stated

Vice Mayor Wilson spoke in support of the Mayor's approach for a separate resolution in support of National Adoption Day at a future City Council meeting; and noted his support for the proposed resolution as submitted for Council consideration.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Rivas, to approve the proposed resolution in support of reproductive freedom:

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

### **Advisory Bodies**

**APPROVAL OF LICENSE AGREEMENTS WITH SOCCER UNITED  
MARKETING (SUM) FOR AN INTERNATIONAL SOCCER MATCH  
TO BE HELD IN SEPTEMBER 2022, AND FOR SUBSEQUENT  
MATCHES (ONE POTENTIAL MATCH PER YEAR) TO BE HELD  
IN CALENDAR YEARS 2023, 2024, 2025, AND 2026**



**Recommendation from the Rose Bowl Operating Company (RBOC):** It is recommended that the City Council:

- (1) Find that the license agreements proposed in the agenda report are categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings); and
- (2) Make the findings set forth in the agenda report and required by Pasadena Municipal Code (PMC) Section 3.32.270(A) to authorize the RBOC to host displacement event No. 20 for calendar year 2022; and for one potential match per year in calendar years 2023, 2024, 2025, and 2026. (Contract No. 23,621)

City Clerk Jomsky reported that one letter in support of the Rose Bowl hosting additional soccer games, but expressing safety concerns; and two letters advocating for the City Council to postpone the proposed actions based on required findings under the Arroyo Seco Public Lands Ordinance needed to approve the 2023-2026 soccer matches, were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the record for the item.

Darryl Dunn, General Manager of the Rose Bowl Operating Company, provided introductory comments, and Jens Weiden, Chief Revenue Officer with the Rose Bowl Operating Company (RBOC), presented a PowerPoint presentation on the item, and responded to questions.

Mayor Gordo and Councilmember Kennedy spoke on the positive actions the RBOC has taken to meet their operating obligations. Mayor Gordo spoke on the need to determine if the City can conduct a self-assessment of Property-Based Business Improvement District (PBID) funds or consider other revenue options to help stabilize the RBOC finances.

Councilmember Kennedy stated the following for the record, "...it is this cavalier position of some as it relates to bonuses that are provided to staff. In my view somebody at the Rose Bowl Operating Company, and possibly...tangential services, that receive money from the RBOC are tone deaf. Someone is being paid \$50,000 to \$150,000 in bonuses during a pandemic. That's a problem. That's not for the Council to deal with, the RBOC Board needs to deal with that. It makes absolutely no sense when you need capital investment and you need more activities to meet all of the obligations in keeping the organization running in the black, particularly when we have significant bond debt that needs to be repaid." He requested that Mr. Dunn and Steve Haderlein, President of the Rose Bowl Operating Company, consider his comments and inform the City Council on the actions RBOC is taking in relation to the operation of the RBOC and the issuance of bonuses.

Vice Mayor Wilson reminded the City Council that the RBOC's strategic plan will be presented to the City Council in April 2022; and stated that he believes that the proposed soccer matches work well at the Rose Bowl Stadium. He recommended that the RBOC staff think creatively, including considering various opportunities for activities and events collectively within the Arroyo Seco.

Councilmember Williams reiterated her concerns related to RBOC's operations and spoke in support of all interested parties working together to stabilize the RBOC finances. She expressed concerns with the lack of "base rents" aspect in the proposed license agreement. Councilmember Williams asked RBOC staff to provide more information on the fiscal impacts (both positive and negative) to the City for each displacement event held at the Rose Bowl Stadium, including how many jobs (including local jobs) will be generated, and the amount of sales tax (including hotel tax) revenue generated, so that the City Council can make an informed decision on the proposed displacement events. She also asked RBOC staff to provide the community with the number of estimated/anticipated displacement events to be held each year thereby increasing transparency and predictability in that regard.

Following discussion, it was moved by Councilmember Madison, seconded by Vice Mayor Wilson, to approve the Rose Bowl Operating Company's staff recommendation:

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

## **INFORMATION ITEM**

### **INFORMATIONAL REPORT REGARDING STATE AND LOCAL MASK MANDATE REQUIREMENTS RELATED TO COVID-19**

**Recommendation:** This report is provided for informational purposes only; no action is required.

City Clerk Jomsky reported that eight letters advocating for the City to keep mask mandates in place for all, including children, 181 letters advocating for the City to end indoor/outdoor mask mandates for all, including children, and two letters advocating for the City to defer to the California Department of Public Health experts in the field of public health and epidemiology when it comes to decision-making on mask mandates, were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the record for the item.

Mayor Gordo and Interim City Manager Kurtz provided introductory comments, and Dr. Ying-Ying Goh, Public Health Officer/Director of Public Health, provided an update on the State order on wearing masks indoors in K-12 schools, which are to remain in place until



further notice. Dr. Goh reported that in Pasadena and the surrounding region, there is steady progress in the decrease of case rates for the COVID-19 Omicron variant but noted that Pasadena is still currently in the high/red tier of high transmission. She reported on the number of COVID-19 cases and deaths in Pasadena; provided update information on the definition of “mega events”; and reiterated Public Health orders currently in place, including masking requirements for indoor establishments. She encouraged the public who are eligible to seek COVID-19 vaccinations and “booster” doses; and responded to questions.

Councilmember Williams asked staff to provide information in the City Manager’s weekly newsletter, on additional protections (i.e. vaccine mandates, vaccine verification measures, etc.) the City can take to lift the indoor masking mandate sooner than the Los Angeles County’s mandate.

The City Council expressed appreciation to Dr. Goh and the Public Health Department staff for all their hard work during the COVID-19 pandemic.

The following individuals expressed various concerns related to mask mandates, COVID-19 testing and vaccinations:

Mary Forest, Pasadena resident  
Erika Foy, Pasadena resident  
Maureen/Andy Miller, Pasadena resident  
Nicole Adrian, Pasadena resident

Mayor Gordo spoke on the need to address mental health issues related to the COVID-19 pandemic, specifically for children and seniors; and asked the Interim City Manager Kurtz to agendize the matter at the upcoming joint special meeting with Supervisor Kathryn Barger and the City Council.

In response to Councilmember Hampton’s inquiry related to an update on the termination of the City’s emergency declaration, Interim City Manager Kurtz and Mayor Gordo provided information on the City’s reimbursement benefits that are maintained with an emergency declaration in place.

Councilmember Hampton asked staff to provide information on the amount of funding the Federal Emergency Management Agency (FEMA) has reimbursed the City related to the COVID-19 pandemic; requested that a discussion on the City’s emergency declaration be agendized at a future City Council meeting; and asked for feedback from psychiatrists and pediatricians related to COVID-19 pandemic impacts on all individuals and their mental health. In addition, he spoke on the need for the City’s Public Health Department to partner with a nonprofit agency to provide counseling services to the

community who have faced traumatic events, including those resulting from the pandemic.

Mayor Gordo responded that he will work with staff to provide information related to the City's emergency declaration, including the authority sourced in the health emergency declaration, as well as the authority granted to Dr. Goh as the City's Public Health Officer.

Councilmember Williams asked staff to provide an analysis on the emergency COVID-19 pandemic incurred costs, reimbursed and non-reimbursed expenses, and how the City's economy would differ without the City/state imposed mandates, compared to FEMA reimbursements.

Vice Mayor Wilson asked staff to also consider mental health resources for chronically homeless individuals.

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

**PUBLIC COMMENT  
(Continued)**

The following individuals expressed concerns with the Pasadena Police Department and their policing policies; 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; and spoke on the need to address accountability and transparency within the Pasadena Police Department:

Julie Martinez, Pasadena resident  
Kareena K., Black Lives Matter- Los Angeles

Yadi, Pasadena resident spoke on the City's ShotSpotter Gunshot-detection system, and advocated for the City Council to conduct an analysis of other surveillance equipment.

City Clerk Jomsky reported that the official nomination period opened today, Monday, February 14, 2022 and closes on Friday, March 11, 2022. During the nomination period, the City Clerk's Office will issue nomination papers to qualified candidates. He provided information on the Candidate Workshop, scheduled for Wednesday, February 16, 2022 at 5:30 at City Hall.

**CLOSED SESSION**

On order of the Mayor, the special meeting recessed at 8:02 p.m. to discuss the following closed session. (Absent: None)

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY  
NEGOTIATORS pursuant to Government Code Section 54956.8  
Property: 41 South De Lacey Avenue, Pasadena, CA  
Under negotiation: Price and terms of payment  
Agency negotiator: Cynthia Kurtz**

**Negotiating parties: Proposer John Bucher for Panoramic Vistas, LLC; Proposer Benny Xin for Ming Lin; Proposer Steven Weiss for The Suite Spot, LLC**

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

**ADJOURNMENT**

On order of the Mayor, the meeting of the City Council adjourned at 8:14 p.m.

\_\_\_\_\_  
Victor M. Gordo, Mayor  
City of Pasadena

ATTEST:

\_\_\_\_\_  
City Clerk