

CITY OF PASADENA
City Council Minutes
July 31, 2023 – 4:30 P.M.
City Hall Council Chamber

OPENING: Mayor Gordo called the regular meeting to order at 4:30 p.m.

CLOSED SESSION On the order of the Mayor, the regular meeting recessed at 4:30 p.m. to discuss the following closed session: (Absent: Councilmember Madison, Vice Mayor Williams)

Vice Mayor Williams
arrived 4:43 p.m.

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

**Name of Case: Young, K. v. City of Pasadena, et al.
Los Angeles County Superior Court Case No. 21STCV28198**

Councilmember Madison
arrived at 4:48 p.m.

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section 54956.8
Property Location: 78 N. Marengo Ave. (APNs 5723-026-902,
5723-026-903 & 5723-026-900**

**Agency Negotiator: Márquez, Miguel
Negotiating Party: Michael Coolidge of HRI Properties
Under Negotiation: Price and terms of Payment**

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section 54956.8
Property Location: 64 N. Mar Vista Ave, #132 Pasadena, CA
91106**

**Agency Negotiator: Márquez, Miguel
Negotiating Party: Melissa Knox
Under Negotiation: Price and terms of Payment**

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section 54956.8
Property Location: 64 N. Mar Vista Ave, #138 Pasadena, CA
91106**

**Agency Negotiator: Márquez, Miguel
Negotiating Party: Ray Scott Phifer
Under Negotiation: Price and terms of Payment**

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

On the order of the Mayor, the regular meeting reconvened at 5:32 p.m. The pledge of allegiance was led by Councilmember Madison. (Absent: None)

ROLL CALL:
Councilmembers:

Mayor Victor M. Gordo
Vice Mayor Felicia Williams

Councilmember Tyron Hampton
Councilmember Justin Jones
Councilmember Jason Lyon
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Jessica Rivas

Staff:

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

ITEM PULLED

PASADENA RENTAL HOUSING BOARD: CONSIDERATION OF A REQUEST FROM THE PASADENA RENTAL HOUSING BOARD TO THE PASADENA CITY COUNCIL TO RECOGNIZE AND COMPENSATE MEMBERS OF THE RENTAL HOUSING BOARD AS EMPLOYEES OF THE CITY OF PASADENA

Michele Bagneris, City Attorney, read the following statement: “The City has identified, and will proceed with a method for compensating the Board members consistent with the City Charter which does not require a discretionary act by the City Council. As such, this item is being pulled from the agenda.”

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Sonja Berndt, Pasadena resident, expressed concerns with the incident involving Pasadena Police Officers consuming alcohol while on duty, millions of City dollars being used to settle cases involving officers, and Councilmembers accepting substantial campaign contributions, and noted her opposition with the incident involving Officer Crutchfield and her being placed on administrative.

Joe Colletti, representing Urban Initiatives, spoke on the work being done by Urban Initiatives to find innovate and creative ways to celebrate and commemorate the upcoming 100th Anniversary of Colorado Boulevard and Route 66 in 2026, and encouraged the City Council to designate a representative of the City to participate in the planning process for the upcoming celebrations.

Anthony Manousos, representing Making Housing and Community Happen, spoke on the success of the Affordable Housing Bus Tour, and thanked the City Council, City Manager, and City staff for attending the event. He also announced that four participants from the Safe Parking Pilot Program have been offered housing.

Mayor Gordo congratulated Making Housing and Community Happen and all those involved in the affordable housing bus tour event for its success. He additionally noted the hard work of the City, local organizations, and community members in continuing to address the issue of affordable housing in the City.

The following individuals spoke on the need for accountability and transparency within the Pasadena Police Department (PPD); advocated for utilizing bodycam footage and other video sources as part of the investigative process for critical incidents, and/or advocated for change to the City Charter to increase police oversight:

Allen Shay, Pasadena resident
Olden Denham, Pasadena resident

In response to Councilmember Hampton's questions regarding Charter study, Mark Jomsky, City Clerk, reported that the City received one response to the Request for Propose (RFP), staff is evaluating the proposal, and will present options to the Council on how to proceed for their consideration. He noted that the City Council will have an opportunity to set the charge and scope for the charter study task force.

Max Sherman, representing Apartment Association of Greater Los Angeles, expressed his concerns with the request by the Pasadena Rental Housing Board (PRHB) to the City Council to be recognized and compensated as employees of the City of Pasadena. He strongly insisted that if the City were to entertain the request, it should require the Board to give up its independence and operate under complete supervision and decision-making authority from the City Council, which acts as its employer.

Loren Naiman, Pasadena resident, extended his assistance to help the PRHB in any way he can to ensure efforts in fostering a just and balanced relationship between housing providers and tenant's. He voiced his concerns that the City Council's decision to form a board solely comprised of tenants, which undermines the appearance of fairness in the work of the Board; and emphasized his opposition to the annual fee, which will be collected from housing providers, amounts to taxation without representation.

The following individuals expressed concerns regarding Pasadena Police Officer Palacios actions and aggressive behavior during a recent incident, and spoke on the need for accountability and transparency within the PPD:

Branden Bell, Pasadena resident,
Jasmine Abdullah, Pasadena resident

Councilmember Hampton requested that staff provide an update to the Public Safety Committee on the complaint and disciplinary process of Pasadena Police Officers and City employees.

CONSENT CALENDAR

AUTHORIZATION TO AMEND CONTRACT NO. 31708 WITH DIXON RESOURCES UNLIMITED FOR CONSULTING SERVICES FOR THE PLAYHOUSE VILLAGE PARKING METER PROJECT FOR AN ADDITIONAL \$12,000 AND TO EXTEND THE AGREEMENT THROUGH JUNE 30, 2024 (Transportation Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project;

(2) Approve an amendment to contract no. 31708 with Dixon Resources Unlimited and authorize the City Manager to increase the contract amount by \$12,000, thereby increasing the total not-to-exceed amount from \$74,970 to \$86,970 and extend the contract through June 30, 2024; and (Contract No. 31708-1)

(3) To the extent this transaction could be considered a separate procurement subject to the Competitive Selection Process, grant the proposed contract amendment with Dixon Resources Unlimited 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.

REJECTION OF BID FOR CAMERA PURCHASE AND INSTALLATION (Police Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the project proposed in the agenda report is exempt under the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), the "Common-Sense" exemption that CEQA applies only to projects that may have an effect on the environment; and

(2) Reject all bids dated March 20, 2023, in response to specifications for one Wescam MX-10 camera purchase and helicopter installation.

APPROVAL OF FINAL TRACT MAP NO. 083068 FOR CREATION OF SIX AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES AT 85 NORTH GRAND OAKS AVENUE (Public Works Dept.)

Recommendation: It is recommended that the City Council:

(1) Adopt a resolution to approve Final Tract Map No. 083068 for the creation of six air parcels for residential condominium purposes; and (Resolution No. 10,006)

(2) Authorize the City Clerk to execute the Certificate on the Tract Map showing the City's approval of said Map.

Hearing Officer Recommendation: Final Tract Map No. 083068, for the creation of six air parcels for residential condominium purposes was reviewed and approved in tentative form by the

Subdivision Hearing Officer on May 18, 2022 (Attachment A of the agenda report). The exercise of the right granted must be commenced within three years, or by May 18, 2025.

AUTHORIZATION TO ENTER INTO CONTRACTS WITH EBSCO INDUSTRIES INC.; MIDWEST TAPE, LLC; PROQUEST LP; AND CENGAGE LEARNING INC., TO PROVIDE ELECTRONIC SERVICES AND INFORMATION TO THE PASADENA PUBLIC LIBRARY SYSTEM (Library & Info. Services)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required; and
- (2) Authorize the City Manager to enter into contracts with the following vendors, pursuant to the competitive selection process specified in Section 4.08.047 of the Pasadena Municipal Code, for electronic resources ("eResources"). Competitive pricing bidding is not required pursuant to City Charter Article X Section 1002(F), Contracts for professional or unique services:

- a. Cengage Learning Inc., for the provision of eResources for a grand total not-to-exceed \$106,299 over a three-year period with the option for two additional one-year terms in the annual amount of \$35,433; and an additional 10% contingency (\$3,543) annually over five years to provide for any necessary change orders, subject to the approval of the City Manager, for a maximum total contract amount of \$194,880; (Contract No. 32705)

- b. EBSCO Industries Inc., for the provision of eResources for a grand total not-to-exceed \$74,878 over a three-year period with the option for two additional one-year terms in the annual amount of \$25,835 and \$26,295 respectively; and an additional contingency (\$2,630) annually over five years to provide for any necessary change orders, subject to the approval of the City Manager, for a maximum total contract amount of \$140,158; (Contract No. 32706)

- c. ProQuest LP for the provision of eResources for a grand total not-to-exceed \$68,488 over a three-year period with the option for two additional one-year terms in the annual amount of \$24,447 and \$25,364 respectively; and an additional contingency (\$2,536) annually over five years to provide for any necessary change orders, subject to the approval of the City Manager, for a maximum total contract amount of \$130,979; and (Contract No. 32708)

- d. Midwest Tape, LLC for the provision of eResources for a grand total not-to-exceed \$120,000 over a three-year period with the option for two additional one-year terms in the annual amount of \$40,000; and an additional 10% contingency (\$4,000) annually over five years to provide for any necessary change

orders, subject to the approval of the City Manager, for a maximum total contract amount of \$220,000. (Contract No. 32707)

AUTHORIZATION TO AMEND CONTRACT NO. 31641 WITH SOUTH BAY WORKFORCE INVESTMENT BOARD TO EXTEND THE TERMS TO JUNE 30, 2025 TO PROVIDE TRAINING-RELATED SERVICES (City Manager's Office)

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended action in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per 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 City Contract No. 31641 with South Bay Workforce Development Board on the behalf of the City of Inglewood to extend the term for a period of two years to June 30, 2025 for an amount not-to-exceed \$3,160,000 to provide California Eligible Training Provider List and Individual Training Account services; and (Contract No. 31641-5)
- (3) Grant the proposed contract amendment exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interest are served.

AMENDMENT TO FIBER LEASE REVENUE AGREEMENT NO. 23,591 WITH ART CENTER COLLEGE OF DESIGN (DoIT)

Recommendation: It is recommended that the City Council:

- (1) Find that the following proposed action in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301(c) (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 to amend fiber lease agreement no. 23,591 with Art Center College of Design, to expand city-provided fiber services and increase license fees by \$17,000 for the remaining duration of the contract. (Contract No. 23,591-1)

AUTHORIZE THE CITY MANAGER TO ENTER INTO A FIBER LEASE REVENUE AGREEMENT WITH THE CALIFORNIA INSTITUTE OF TECHNOLOGY/JET PROPULSION LABORATORY (DoIT)

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 State CEQA Guidelines Section 15301(c) (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 to enter into a fiber lease agreement with California Institute of Technology/Jet Propulsion Laboratory for use of City fiber, resulting in \$794,774 in revenue to the City over the five-year term of the agreement. (Contract No. 23,886)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH SUPPLYMATES NOT-TO-EXCEED \$366,388 (Police Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find the proposed action in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), the "Common-Sense" exemption that CEQA only applies to projects that may have the potential for causing a significant an effect on the environment; and
- (2) a) Accept the bid dated June 29, 2023, submitted by Supplymates in response to the specifications for office supplies for the Police Department, b) authorize the issuance of a purchase order with Supplymates in an amount not-to-exceed \$183,194 for a period of two years, c) and authorize the City Manager to extend the agreement for up to two additional one-year periods in the annual amount of \$91,597 for a total over four years of \$366,388 without further City Council approval consistent with the terms of the specifications.

ADOPT A RESOLUTION ESTABLISHING THREE NEW CLASSIFICATIONS AND SALARIES AND UPDATING SALARIES OF THREE EXISTING CLASSIFICATIONS (Human Resources Dept.)

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) Adopt a Resolution Establishing Three New Classifications and Salaries and Updating Salaries of Three Existing Classifications. (Resolution No. 10,007)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH MOULE AND POLYZOIDES FOR DEVELOPMENT OF OBJECTIVE DESIGN STANDARDS FOR HIGH DENSITY RESIDENTIAL PROJECTS NOT-TO-EXCEED \$288,000 (Planning Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the actions proposed in the agenda report are exempt from the California Environmental Quality Act pursuant to State CEQA pursuant to State CEQA Guidelines Section 15061(b)(3) "Common-Sense" exemption;
- (2) Authorize the City Manager to enter into a contract without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with Moule and Polyzoides for services related to development of objective

residential design standards in an amount not-to-exceed \$288,000 over a one-year term;

(3) 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; and

(4) Authorize the City Manager to extend the contract for up to two additional one-year periods. (Contract No. 32704)

APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND PASADENA MANAGEMENT ASSOCIATION FOR THE TERM OF JULY 1, 2023 - JUNE 30, 2027 (Human Resources Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action in the agenda report herein is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3) "Common-Sense" exemption; and

(2) Approve an Amended Memorandum of Understanding (MOU) between the City of Pasadena (City) and the Pasadena Management Association (PMA), for the term of July 1, 2023 through June 30, 2027. (Contract No. 23,887)

APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE SERVICE EMPLOYEES INTERNATIONAL UNION FOR THE TERM OF JULY 1, 2023 - JUNE 30, 2027 (Human Resources Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3) "Common-Sense" exemption; and

(2) Approve an Amended Memorandum of Understanding (MOU) between the City of Pasadena (City) and the Service Employees International Union (SEIU), for the term of July 1, 2023 through June 30, 2027. (Contract No. 23,888)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE SOUTH BAY WORKFORCE INVESTMENT BOARD TO RECEIVE PRISON TO EMPLOYMENT 2.0 GRANT FUNDS (Office of the City Manager)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action in the agenda report 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;

(2) Authorize the City Manager to enter into a contract between the City of Pasadena (administrative entity for the Foothill Workforce Development Board) with the South Bay Workforce Investment

Board (administrative entity for the City of Inglewood), for the receipt of Prison to Employment 2.0 grant funds in the amount of \$235,382 over a 32-month term (April 4, 2023 to December 31, 2025). (Contract No. 32709)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE SOUTH BAY WORKFORCE INVESTMENT BOARD TO RECEIVE REGIONAL EQUITY AND RECOVERY PARTNERSHIP GRANT FUNDS (Office of the City Manager)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report 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;
- (2) Authorize the City Manager to enter into a contract between the City of Pasadena (administrative entity for the Foothill Workforce Development Board) with the South Bay Workforce Investment Board (administrative entity for the City of Inglewood), for the receipt of Regional Equity and Recovery Partnership grant funds in the amount of \$387,805 over a 32-month term (April 20, 2023 to October 31, 2025); and (Contract No. 32710)
- (3) Amend the Fiscal Year (FY) 2024 Operating Budget to recognize revenues and appropriate expenditures in the amount of \$387,805.

AUTHORIZATION TO ENTER INTO CONTRACT WITH HEATHER WILLIAMS DBA PREMIER FIRST RESPONDER PSYCHOLOGICAL SERVICES TO PROVIDE COUNSELING SERVICES FOR FIRE PERSONNEL AS REQUIRED FOR AN AMOUNT NOT-TO-EXCEED \$150,000 (Fire Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report 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 for an amount not-to-exceed \$150,000 or five years, whichever comes first, as the result of a competitive selection process as specified by Section 4.08.047 of the Pasadena Municipal Code (PMC), with Heather Williams dba Premier First Responder Psychological Services to provide first responder psychological counseling services. Competitive Bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 32711)

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE:
AUTHORIZATION TO ENTER INTO CONTRACT FOR STRATEGIC PLANNING SERVICES WITH STREETSENSE CA LLC (City Manager’s Office)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is not a “project” pursuant to the California Environmental Quality Act (“CEQA”) and State CEQA Guidelines Sections 15060(c)(3) and 15378, and therefore, is not subject to environmental review; and
- (2) Authorize the City Manager to enter into a professional contract, as a result of a competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code (PMC), with Streetsense CA LLC for strategic planning services for a one-year term not-to-exceed \$176,920, subject to the approval of the City Manager. (Contract No. 32713)

FINANCE COMMITTEE: CONTRACT AWARD TO FS CONTRACTORS INC., FOR OAK GROVE DISC GOLF COURSE IMPROVEMENTS PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$96,900 AND AMENDMENT TO THE FISCAL YEAR 2024 CAPITAL IMPROVEMENT PROGRAM BUDGET

(Public Works Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find the contract proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Title 14, Chapter 3, Article 19, 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;
- (2) Accept the bid dated June 14, 2023 submitted by FS Contractors Inc., in response to the plans and specifications for the Oak Grove Disc Golf Course Improvements project, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$96,900, which includes the base contract amount of \$84,250 and a contingency of \$12,650 to provide for any necessary change orders; and (Contract No. 32712)
- (3) Amend the Fiscal Year (FY) 2024 Capital Improvement Program Budget by appropriating \$20,000 in Residential Impact Fee to the Hahamongna Watershed Park – Disc Golf Improvements (77517) project. (Budget Amendment No. 2024-5)

FINANCE COMMITTEE: ACCEPTANCE OF SUSTAINABLE COMMUNITIES PROGRAM GRANT FOR ACTIVATE ALLEN AVENUE QUICK BUILD PROJECT IN THE AMOUNT OF \$164,181 AND AMENDMENT TO THE FISCAL YEAR 2024 CAPITAL IMPROVEMENT PROGRAM BUDGET (Transportation Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find the action in the agenda report exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), “Common-Sense” exemption;

(2) Authorize the City Manager to enter into an agreement with the Southern California Association of Governments (SCAG) to receive a \$164,181 of Sustainable Communities Program for the Enhancements to Metro L Line Allen Station and execute any subsequent agreements regarding this grant award; and (Contract No. 23,889)

(3) Amend the Fiscal Year 2024 Capital Improvement Program Budget by appropriating \$164,181 in 2018 Sustainable Communities Program Grant to the Enhancements to Metro L Line Allen Station (75514) project. (Budget Amendment No. 2024-6)

FINANCE COMMITTEE: AMENDMENTS TO THE FISCAL YEAR 2024 GENERAL FEE SCHEDULE (Finance Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required; and

(2) Adopt a resolution amending the Fiscal Year (FY) 2024 General Fee Schedule. (Resolution No. 10,008)

FINANCE COMMITTEE: AMENDMENTS TO THE FIRE DEPARTMENT FISCAL YEAR 2024 ADOPTED OPERATING BUDGET AND AUTHORIZATION TO ENTER INTO CONTRACT WITH WESTERN EXTRICATION SPECIALISTS INC. (Fire Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project;

(2) Amend the Fire Department's Fiscal Year (FY) 2024 Adopted Operating Budget as detailed in the agenda report by increasing revenues by \$4,036,724 and appropriations by \$3,786,400; and (Budget Amendment No. 2024-7)

(3) Accept the bid dated April 10, 2023 submitted by Western Extrication Specialists Inc., in response to specifications for fire rescue equipment, and authorize the City Manager to enter into contract for an amount not-to-exceed \$160,000 (in connection with Item #3 in the agenda report).

FINANCE COMMITTEE: AUTHORIZE THE CITY MANAGER TO AMEND AN AGREEMENT WITH THE COUNTY OF LOS ANGELES TO RECOGNIZE AND APPROPRIATE \$636,070 IN STATE OF CALIFORNIA GRANT FUNDS TO THE FISCAL YEAR 2024 PUBLIC HEALTH DEPARTMENT OPERATING BUDGET AND INCREASE THE PERSONNEL ALLOCATION BY 7.0 FULL-

TIME EQUIVALENT (“FTE”) FOR THE BLACK INFANT HEALTH (“BIH”) PROGRAM (Public Health Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is not subject to the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15378, as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment;
- (2) Authorize the City Manager to amend an agreement with the County of Los Angeles to accept and administer State of California grant funds on behalf of the City of Pasadena to implement an expansion to the Black Infant Health (“BIH”) Program to the County of Los Angeles Service Planning Area (“SPA”) 3 geographic area; and (Contract No. TBD)
- (3) Amend the Fiscal Year 2024 Public Health Department Operating Budget by recognizing and appropriating \$636,070 in grant funds and increase the personnel allocation by 7.0 full-time equivalent (“FTE”) limited-term grant-funded positions. (Budget Amendment No. 2024-8)

ITEM DISCUSSED SEPARATELY

MUNICIPAL SERVICES COMMITTEE: AUTHORIZATION TO EXECUTE AN AMENDMENT TO AGREEMENT NO. 21,193 WITH SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY FOR RENEWABLE ENERGY DEVELOPMENT SERVICES FOR THE WATER AND POWER DEPARTMENT

RESIGNATIONS, APPOINTMENTS, & REAPPOINTMENTS

APPOINTMENT OF JAMES DE PIETRO TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (District 7 Nomination)

MINUTES APPROVED

July 10, 2023	Joint meeting with City Council and Los Angeles County Supervisor Kathryn Barger
July 10, 2023	City Council
July 10, 2023	Successor Agency to the Pasadena Community Development Commission
July 17, 2023	City Council
July 17, 2023	Successor Agency to the Pasadena Community Development Commission
July 24, 2023	City Council
July 24, 2023	Successor Agency to the Pasadena Community Development Commission

CLAIMS RECEIVED

Claim No.	Claimant	Claim Amount
2024-0009	Bette Jean Minoogian Willmon	\$ 25,000.00+
2024-0010	Michael Willmon	25,000.00+
2024-0011	Michael Patrick Burke	10,000.00+
2024-0012	Takouhi Kazanjian	900.00
2024-0013	Diego Machoso	1,000.00
2024-0014	Jody Hawkins	550.00

2024-0015	Sheri Elizabeth Lindsey	950.43
2024-0016	Kalpana Popat Savla	8,000.00
2024-0017	Victor M. Vasquez Reyes	25,000.00+
2024-0018	Maria Guadalupe Blanco	25,000.00+
2024-0019	Collean Taylor-Drennen	25,000.00+
2024-0020	Jennifer Williams	25,000.00+
2024-0021	Emily Theil	2,000.00
2024-0022	Sally Follett	25,000.00+
2024-0023	David Paul Warren	445.06

PUBLIC HEARING SET

September 18, 2023, 5:30 p.m. – Appeal of Design Commission Decision regarding 740-790 E. Green Street (DHP2022-00248)

It was moved by Councilmember Madison, seconded by Councilmember Hampton, to approve all items on the Consent Calendar, with the exception of Item 22 (Authorization to Execute an Amendment to Agreement No. 21,193...) which was discussed separately. (Motion unanimously approved) (Absent: None)

**CONSENT
ITEM DISCUSSED
SEPARATELY**

MUNICIPAL SERVICES COMMITTEE: AUTHORIZATION TO EXECUTE AN AMENDMENT TO AGREEMENT NO. 21,193 WITH SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY FOR RENEWABLE ENERGY DEVELOPMENT SERVICES FOR THE WATER AND POWER DEPARTMENT

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report 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;
- (2) Authorize the City Manager to amend Agreement No. 21,193 with Southern California Public Power Authority (“SCPPA”), a Joint Powers Authority (“JPA”) of which Pasadena Water and Power (“PWP”) is a member, thereby increasing the total not-to-exceed amount by \$700,000, from \$300,000 to \$1,000,000 for renewable resource options; (Contract No. 21,193-1)
- (3) Find that neither Competitive Bidding nor Competitive Selection are required pursuant to City Charter Section 1002(H) and Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities; and
- (4) It is further recommended that the City Council grant the proposed contract amendment an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code (“PMC”) Section 4.08.049(B), contracts for which the City’s best interests are served.

Sidney Jackson, General Manager of Water and Power, introduced the item, and Robert Castro, Power Resource Planning Manager, presented a PowerPoint summarizing the staff report; and all responded to questions.

Councilmember Rivas left the meeting at 6:20 p.m.

Vice Mayor Williams, Chair of the Municipal Services Committee (MSC), summarized the discussion and the Committee's support of the staff recommendation.

Councilmember Madison expressed concerns that this item was not presented as part of the regular budget process and emphasized his preference to include similar matters in the normal course of the City's budget discussion. He highlighted concerns regarding the recent experience with SCPPA, stating that staff needs to make sure that the City's interest are fully protected. He strongly urged staff to ensure that all the contracting procedures are reviewed by the City Attorneys' Office.

Sidney Jackson, General Manager of Water and Power, stated that staff will provide information on the program expenditures as part of the City Manager's weekly letter.

Following brief discussion, it was moved by Vice Mayor Williams, seconded by Councilmember Hampton, to approve the staff recommendation. (Motion unanimously approved) (Absent: Councilmember Rivas)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

City Council

CONSIDERATION OF AN ACTION OF THE CITY COUNCIL TO TAKE A POSITION OF SUPPORT FOR H.R. 3681 (CHU): SAN GABRIEL MOUNTAINS PROTECTION ACT, EXPANDING THE AREA COVERED BY THE SAN GABRIEL MOUNTAINS NATIONAL MONUMENT DESIGNATION AND AUTHORIZING THE MAYOR TO SEND A LETTER TO PRESIDENT BIDEN (Mayor Gordo)

Mark Jomsky, City Clerk, reported that two letters advocating for the City to support the expansion of the San Gabriel Mountains National Monument was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record for this item.

Councilmember Madison noted that the Legislative Policy Committee will be receiving a Federal legislative update as part of its next meeting on August 1, 2023, and requested that this matter be part of that review.

Following brief discussion, it was moved by Councilmember Hampton, seconded by Councilmember Jones, to provide the Mayor with the authority to send a letter in support for H.R. 3681, with the matter to be referred to the Legislative Policy Committee for further review. (Motion unanimously approved) (Absent: Councilmember Rivas)

Advisory Bodies

PASADENA RENTAL HOUSING BOARD: APPROVAL OF A CONTRACT AMENDMENT AND EXPANDED SCOPE OF WORK BETWEEN THE PASADENA RENTAL HOUSING BOARD AND BHYV CONSULTING, INCREASING THE NOT-TO-EXCEED AMOUNT OF THE CONTRACT FROM \$74,999 TO \$425,000

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 State CEQA Guidelines Section 15061(b)(3) “Common-Sense” exemption;
- (2) Approve a contract amendment with bhyv Consulting from \$74,999 to \$425,000, and expanding the scope of services to be provided by bhyv Consulting (Exhibit A to Resolution RHB-2023-04), as approved by the Pasadena Rental Housing Board at its July 26, 2023 meeting;
- (3) Authorize the Chair of the Pasadena Rental Housing Board to execute an amendment to the agreement with bhyv Consulting after approval by the City Council, and direct services to be performed by bhyv Consulting, acting on behalf of the Board;
- (4) To the extent the proposed action is 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 in that these are specialized services, and there is a need to proceed immediately. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; and
- (5) Amend the Pasadena Rental Housing Board’s Fiscal Year 2024 Operating Budget by appropriating \$425,000 in the Pasadena Rental Housing Board Fund (689) for said services. (Budget Amendment No. 2024-9)

Mayor Gordo recused himself due to a potential conflict of interest, and left the meeting at 6:33 p.m.

Councilmember Rivas returned to the meeting at 6:34 p.m.

Mayor Gordo stated for the record: “Although I believe I don’t necessarily need to on this matter, out of an abundance of caution, I’m going to recuse myself for Item 26.” The Mayor also stated for the record: “I am going to request that the Fair Political Practices Commission (FPPC) advise me as to whether I can participate on Item 27 (item pulled and noted above), in the future, if it is needed.”

Ryan Bell, Chair of the Pasadena Rental Housing Board (PRHB), presented a PowerPoint presentation on the item, and responded to questions.

Councilmember Madison expressed concerns and asked several questions regarding the status of the company bhyv Consulting and its legal capacity, such as having the proper insurance for enforceability and capacity (ensuring that employees are being treated fairly and appropriately, etc.).

Mr. Bell noted that Chanée Franklin-Minor is a sole proprietor doing business as bhyv Consulting, noting that this is a relatively new consulting group and has not yet been fully established to do business within the City of Pasadena. Mr. Bell emphasized that Ms. Franklin-Minor is currently in the process of obtaining the necessary documents to conduct business in the City, with the support of the City's Finance Department, but her experience and expertise in the field of rent control and rent stabilization make her very qualified to provide the services outlined in the Scope of Service for this contract.

Michele Bagneris, City Attorney, stated that legal counsel for the Rental Board is provided by Goldfarb and Lipman, and in an effort to align this contract with the City's contracting standards, City staff has been working with the Board's legal counsel.

Councilmember Hampton raised concerns regarding why this item is before the City Council, citing the Rental Board's autonomy from the City Council, City Manager and City Attorney as provided in the City Charter. He strongly voiced his opinion that the proposed contract should have been part of a Request for Proposal (RFP) or Request for Qualifications (RFQ) process, following best practices and to allow for local participation.

City Attorney Bagneris noted the uniqueness of the Rental Housing Board and the process of implementing the City Charter's newly adopted Rent Control provisions. She stated that the City Charter provides that contracts over \$74,999 must receive City Council approval.

Councilmember Lyon spoke on the uniqueness of the Pasadena Rental Housing Board being incorporated within the City structure, and the challenges that may occur during implementation. He expressed concerns with potential gaps in the contract, and emphasized the need for Board and the Chair to thoroughly review and direct the work of bhyv Consulting on behalf of the Rental Board.

Vice Mayor Williams expressed strong concerns with the proposed action, given the high costs associated with obtaining and maintaining insurances and certifications due to the liability for cities, noted her doubt that bhyv Consulting would be able to meet the contracting requirements of the City and have the capacity to effectively perform the services. Vice Mayor raised several questions regarding Ms. Franklin-Minors rate/budget and proposed scope of work/implementation plan, seeking clarification on those matters and inquired with City staff about the possibility of dividing the contract (e.g., staffing services done by a staffing company and rental registry done by a specialized firm). The Vice Mayor urged the Rental Board to budget wisely and thoroughly consider the terms of the contract.

Nick Rodriguez, Assistant City Manager and Dion O'Connell, Deputy City Attorney, responded to questions regarding Recommendation No. 4; the City's best interest exemption to approve a contract without a Request for Proposal process.

The following individuals spoke in opposition to the item:

Sally Follett, Pasadena resident
Richard Longobardo, Pasadena resident
Blake Boyd, Residence not stated
Simon Gibbons, Pasadena resident
Helen Bunt Smith, Pasadena resident
Carl Cooper, Pasadena resident
Robert Simpson, Pasadena resident
Kent Kachigian, Pasadena resident
Tyler Werrin, Residence not stated
Dennis Jebbiq, Residence not stated
Allen Shay, Pasadena resident
Isabel C. Ivanov, Pasadena resident
Loren Naiman, Sherman Oaks resident

The following individuals spoke in support of the item:

Simon Ybarra, Pasadena resident
Liberty McCoy, Pasadena resident
Adriana Bautista, Pasadena resident

Mark Jomsky, City Clerk, reported that four letters in support of the Pasadena Rental Housing Board's recommendation was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record for this item.

Councilmember Rivas thanked the public for their participation and the Rental Board for their hard work. She reiterated Councilmember Lyon's guidance to the Chair of the Board that everyone is closely observing how the process unfolds. She expressed her support for the Rental Board's recommendation and emphasized its significance in implementing the Charter and establishing rent control in the City. She highlighted the importance of determining the Rental Board's budget and meeting their upcoming deadline in December. Councilmember Rivas reminded the City Council that the City's own estimate of the cost to establish and operationalize the Board is in the millions of dollars. She emphasized the need for the Board to determine its budget so the process can move forward and stressed the urgency of the matter.

Councilmember Lyon noted that the City's own estimate for establishing the Rental Board program was over \$5 million in start-up costs, noted his support for the proposed action, while reiterating his previously stated concerns regarding the contract.

Councilmember Hampton reiterated his concerns and stated that he cannot support the recommendation unless the contract process followed the normal procurement of the City (e.g., RFP, RFQ). He urged members of the Rental Board to prioritize the City's competitive bidding process for all future contracts.

Vice Mayor Williams reiterated her concerns and disappointment regarding the absence of a competitive bidding process. She also highlighted that the contract did not go through the appropriate government channels for approval and raised concerns about the cost of the contract in comparison to other highly technical contracts (e.g., Housing Element contract) the City has undertaken. The Vice Mayor expressed concerns with using public funds in this way, skepticism about whether the General Fund will be repaid in the future, and stated that without some form of competitive bidding, she would not be able to support the recommendation.

Councilmember Madison emphasized that this was not a Council Charter amendment but one that was written by voters, which clearly states that the City Council appoints Rental Board members and then has no further role in implementing the Charter amendment. He voiced that this is a critical juncture for the Board to try to establish themselves, commenting that this may not be the choice the City Council would make, but it is clear in the Charter amendment that the City Council is not allowed to make choices for the Rental Board.

Following discussion, it was moved by Councilmember Rivas, seconded by Councilmember Lyon, to approve the Pasadena Rental Housing Board recommendation:

AYES: Councilmembers Jones, Lyon, Madison, Masuda, Rivas,
NOES: Councilmember Hampton, Vice Mayor Williams
ABSENT: Mayor Gordo (due to recusal)
ABSTAIN: None

Councilmember Hampton reiterated his concerns regarding why this item is before the Council, considering the Rental Board's autonomy from the City; and stressed his desire for the competitive bidding process to be implemented as part of the Board's best practices.

City Manager Márquez, read the following excerpt from the Impartial Analysis of Measure H by Pasadena City Attorney: "An objective analysis of the Measure estimates start-up costs of \$310,000, and annual estimated costs of \$5,453,460, based on approximately 26 employees needed to support the Board's activities." He stated that after considering the time that has elapsed since the analysis, he proposed increasing the estimated start-up costs to \$500,000, with the understating that if the Board requires additional funds, they will bring forward the recommendation to the City Council for consideration. The idea was to expedite the process of establishing

and collecting the annual rental fee by the Board and then the City may seek reimbursement for any advance funds provided to the Rental Board.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:39 p.m.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk