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

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

OPENING:	Mayor Gordo called the regular meeting to order at 4:30 p.m. (Absent: None)		
	On the order of the Mayor, the regular meeting recessed at 4:30 p.m. to discuss the following closed session:		
<u>CLOSED SESSION</u>	CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1) Name of Case: <u>Toland v. McFarland, et al.</u> United States District Court – Central District Case No. <u>2:21-cv-</u> <u>04797-FWS-AGR</u>		
Mayor Gordo recused himself at 5:15 p.m., due to a potential conflict and left the meeting.	CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code section 54956.9(d)(1) Name of Case: <u>California Apartment Assn. v. City of Pasadena</u> Los Angeles County Superior Court Case No. 22STCP04376		
	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 5:52 p.m. The pledge of allegiance was led by Councilmember Masuda. (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		
CEREMONIAL MATTERS	Mayor Gordo led the City Council, staff and the public in a moment of silence for Mr. Tyre Nichols, who was killed by Memphis police officers on January 7, 2023; and asked that asked that the		

community come together to ensure that incidents like this should not occur anywhere in our Country.

Mayor Gordo spoke on the passing of Manuel "Manny" Contreras, long-time Pasadena resident and active community member, provided a summary of his personal and professional history, and requested that the meeting adjourn in his memory.

Brenda Harvey-Williams, Director of Parks, Recreation and Community Services, Kenny James, Recreation & Community Services Administrator, Kari Bell, Recreation & Community Services Superintendent and the Pasadena Black History Planning Committee members, Pixie Boyden, Rodney D. Wallace, Rita Turner and Del Yarbrough spoke on the 2023 Pasadena Black History Parade and Festival, Celebrating Our Excellence, The Legacy of Councilmember John J. Kennedy held on February 18, 2023, and highlighted the Black History Month festivities to be held throughout February 2023, and invited the City Council to participate and attend the events.

Mayor Gordo thanked staff and the Black History Planning Committee members for honoring the life, legacy, and contributions of John J. Kennedy.

Councilmember Hampton congratulated the Committee for all the great work done throughout the year and during the pandemic, honoring Black History Month; requested information from staff about purchasing Pan-African flag(s), similar to the flags flown during the Latino Heritage month, and requested that a Pan-African flag be flown during Black History Month at City Hall and Centennial Square. He also requested that staff connect with Mike Ross, Chief Executive Office, Pasadena Convention Center, to collaborate with their upcoming Visit Pasadena posting of businesses to patronize around the City during Black History month and throughout the year.

Brenda Harvey-Williams, Director of Parks, Recreation and Community Services, stated that they have already looked into the Pan-African flag, and stated that unfortunately the size needed will not arrive in time for this year's celebration but assured Councilmember Hampton that flags will be available for future years.

Allen Shay, Pasadena resident, reiterated his request that the City Council review and discuss how the City is utilizing bodycam and other video sources as part of the investigative process for critical incidences, such as in the Anthony McClain case, and expressed disappointment that City Council has not addressed his request.

> Olden Denham, Pasadena resident, spoke on the Anthony McClain incident and advocated for community discussion, alternate training and rules of engagement for Pasadena Police Officers, who should

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

be encouraged to serve and protect all residents; and advocated for transparency and accountability within the Pasadena Police Department, the termination of the Pasadena Police Officer involved in the incident, and for Council to change the City Charter regarding police matters.

CONSENT CALENDAR AUTHORIZATION TO ENTER INTO A CONTRACT FOR MAGAZINE AND PERIODICAL ACQUISITION & MANAGEMENT WITH EBSCO INFORMATION SERVICES, LLC FOR AN AMOUNT NOT-TO-EXCEED \$210,000 FOR A THREE (3) YEAR TERM (Library 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) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with EBSCO Information Services, LLC (EBSCO), for the provision of magazines and periodical subscriptions and services to the Pasadena Public Library in an amount not-to-exceed \$210,000 over a three-year period with the option for three (3) additional one-year terms in the annual amount of \$70,000, subject to the approval of the City Manager, for a maximum total contract amount of \$420,000. Competitive price bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services). (<u>Contract No. 32516</u>)

AUTHORIZE PURCHASE ORDER WITH LA VERNE POWER EQUIPMENT, INC., FOR PURCHASE OF TWO MEAN GREEN ELECTRIC MOWERS FOR AN AMOUNT NOT-TO-EXCEED \$111,132 (Public Works Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the action in the agenda report 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 issuance of a purchase order to La Verne Power Equipment, Inc. (La Verne Power Equipment), for the purchase of two Mean Green electric mowers in an amount not-to-exceed \$111,132 (including \$10,103 contingency); and

(3) 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.

MUNICIPAL SERVICES COMMITTEE: AUTHORIZE PURCHASE ORDER WITH 72 HOUR LLC (DBA: CHEVROLET OF WATSONVILLE/NATIONAL AUTO FLEET GROUP) FOR THE PURCHASE OF 16 FORD EXPLORER HYBRID POLICE INTERCEPTOR SPORT UTILITY VEHICLES, TWO FORD MUSTANG MACH-E VEHICLES, TWO FORD F-250 TRUCKS, AND ONE FORD F-450 TRUCK FOR AN AMOUNT NOT-TO-EXCEED \$1,657,621 (Public Works Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the action in the agenda report 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 issuance of a purchase order to 72 Hour LLC (72 Hour) for the purchase of 16 Ford Explorer Hybrid Police Interceptor Sport Utility Vehicles (Hybrid SUVs), two Ford F-250 trucks, two Ford Mustang Mach-E electric vehicles (EVs), and one Ford F-450 truck for an amount not-to-exceed \$1,657,621 (includes \$216,211 contingency); and

(3) 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.

Item discussed separately MUNICIPAL SERVICES COMMITTEE: ADOPT A RESOLUTION ADOPTING THE PASADENA ZERO EMISSION BUS ROLLOUT PLAN (Transportation Dept.)

> MUNICIPAL SERVICES COMMITTEE: ADOPT A RESOLUTION TO DECLARE A CLIMATE EMERGENCY AND SET A POLICY GOAL TO SOURCE 100% OF PASADENA'S ELECTRICITY FROM CARBON FREE SOURCES BY THE END OF 2030 (Water & Power Dept.)

PUBLIC SAFETY COMMITTEE: ADOPT THE RESOLUTION RECOGNIZING THE LOCAL HAZARD MITIGATION PLAN (LHMP) INTO THE SAFETY ELEMENT OF THE GENERAL PLAN TO ESTABLISH CONFORMANCE WITH THE REQUIREMENTS OF ASSEMBLY BILL NO. 2140 (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) Adopt the resolution recognizing the City of Pasadena Local Hazard Mitigation Plan as approved by the California Governor's Office of Emergency Services (Cal OES) and the Federal Emergency Management Agency (FEMA), into the safety element of their general plan in accordance with the requirements of Assembly Bill No. 2140. (Resolution No. 9974)

Item discussed separately

RESIGNATIONS, APPOINTMENTS, &	APPOINTMENT OF LON BENDER TO THE RECREATION AND PARKS COMMISSION (District 7 Nomination) APPOINTMENT OF XILIAN CHEN STAMMER TO THE HUMAN SERVICES COMMISSION (District 7 Nomination)			
REAPPOINTMENTS				
MINUTES APPROVED	January 9, 2023 January 9, 2023 January 9, 2023	023 City Council	the Pasadena	
	January 16, 2023 January 16, 2023	City Council Successor Agency to the Pasadena Community Development Commission		
CLAIMS RECEIVED	Claim No.ClaimantClaim Amount2023-0182Cynthia Jean Kime\$ 25,000.00+2023-0183Nancy Ramirez120.002023-0184Damon Shuffer750.002023-0185Elizabeth Broggi25,000.00+2023-0186Robert Broggi25,000.00+2023-0187Janet Chagayan25,000.00+2023-0187Janet Chagayan25,000.00+Mark Jomsky, City Clerk, reported that Item 2 received two letters in support of the staff recommendation; Item 3 received two letters in support of the staff recommendation; and one letter advocating for the City to commit to use 100% green hydrogen; Item 4 received one letter in support of the staff recommendation; and one letter advocating for the City to expedite the creation of charging stations for electric buses; Item 5 received 77 letters in support of setting a goal to source 100% of the City's electricity from carbon free sources by 2030 and/or the staff recommendation, and four letters expressing concerns with the City's ability to supply energy needs by 2030 with the current infrastructure and costs associated with transmitting sustainable power to Pasadena residents; with all correspondence received by the City Clerk's Office distributed to the City Council, posted on-line, and made part of the public record.			
	It was moved by Councilmember Hampton, seconded by Vice Mayor Williams, to approve all items on the Consent Calendar, with the exception of Item 4 (Adopt a Resolution Adopting the Pasadena Zero Emission Bus Rollout Plan) and Item 5 (Adopt a Resolution to Declare a Climate Emergency and Set a Policy Goal to Source 100% of Pasadena's Electricity from Carbon Free Sources by the End of 2030), which were discussed separately. (Motion unanimously approved) (Absent: None)			
CONSENT ITEMS DISCUSSED SEPARATELY	MUNICIPAL SERVICES COMMITTEE: ADOPT A RESOLUTION ADOPTING THE PASADENA ZERO EMISSION BUS ROLLOUT PLAN (Transportation Dept.)			

PLAN (Transportation Dept.) <u>Recommendation</u>: It is recommended that the City Council: (1) Find that the following proposed action in the agenda report is exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3); and

(2) Adopt a resolution adopting the Pasadena Zero Emission Bus Rollout Plan (Rollout Plan) that provides the roadmap to transition the City's public transit fleet to a zero emission bus (ZEB) fleet.

Recommendation of the Transportation Advisory Commission: On December 8, 2022, the Transportation Advisory Commission (TAC) recommended supporting the adoption of the Rollout Plan (attached to the agenda report) and provides the roadmap to transition the City's public transit fleet to a zero-emission bus (ZEB) fleet. (Resolution No. 9975)

Councilmember Hampton expressed his concerns regarding the continued purchase of fossil fuel vehicles; spoke on the City leading by example and advocated for the City Council to adopt a resolution to set stronger goals to move towards a zero-emission fleet; and stated he is voting no on this matter.

Vice Mayor Williams, Chair of the Municipal Services Committee (MSC), summarized the discussion and the Committee's request to aggressively pursue other funding sources to accelerate the transition from what is identified in the Plan, including working with Metro for funding opportunities for a City-owned transit operations and maintenance facility.

Laura Rubio-Cornejo, Director of Transportation, stated in response to the discussion at MSC meeting, the resolution has been amended to reflect the Committee's request to seek additional funding in order to further accelerate the transition from what is identified in the Plan; stating that the Transportation Department understands the City's goal to be carbon free and to accelerate the transition as quickly as possible, but noted that without the infrastructure in place to charge electric vehicles, it would make it very difficult to sustain such fleet.

It was moved by Councilmember Hampton, seconded by Councilmember Lyon, to approve the staff recommendation.

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

MUNICIPAL SERVICES COMMITTEE: ADOPT A RESOLUTION TO DECLARE A CLIMATE EMERGENCY AND SET A POLICY GOAL TO SOURCE 100% OF PASADENA'S ELECTRICITY FROM CARBON FREE SOURCES BY THE END OF 2030 (Water & Power 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 to declare a climate emergency and set a policy goal to source 100% of Pasadena's electricity from carbon free sources by the end of 2030. (Resolution No. 9977)

Vice Mayor Williams, Chair of the Municipal Services Committee (MSC), summarized the discussion and the Committee's support of the staff recommendation; thanked the public, Pasadena 100, staff, and the MSC members on their collaboration and coming together to move this effort and item forward.

Mayor Gordo strongly encouraged everyone to be an active participant in the Integrated Resource Plan (IRP) process as it is being developed; and welcomed Sidney Jackson, the new General Manager of Water and Power Department.

In response to Councilmember Madison's comments regarding the revised City resolution, the City Manager stated that language in the resolution represents the City's goal and that the City is committed to doing its level best to achieve that goal. He noted that the IRP process will help the City analyze achievable outcomes, and noted that affordability will be one of the key criteria considered. He stated that it is City staff's responsibility to make sure that the City's power is safe, reliable, and affordable; noting that the City Council's adopted policy (the proposed resolution) sets a target of carbon free electricity by 2030 as the City's goal, and it his job as City Manger, and the job of City staff, to implement City Council's policy.

Councilmember Madison expressed concern with the wording of the resolution that states that carbon free electricity by 2030 is "a policy goal" of the City, and not a mandate; and stated for the legislative record that, "we [the City] are committed to carbon free electricity" as opposed to being carbon neutral. He noted that the resolution presented by staff is different from the Pasadena 100 resolution, which received community-wide support.

Mayor Gordo thanked Pasadena 100 for helping the City arrive at a clear policy direction; noting that the IRP process will outline how the City can make it work, and stated that the IRP document will be the real mandate. He stated that the City will look to the City Manager, Assistant City Manager, and Mr. Sidney Jackson, General Manager of Water and Power, to help guide the City to the point where we can all say, we unanimously support the IRP.

Following discussion, Councilmember Madison expressed concerns with the potential misuse of affordability challenges and this leading to an "offramp" for the City not to follow through on the policy goal, requesting that the City Council be presented with alternatives and solutions to affordability matters when City staff presents the IRP for City Council consideration, such as subsidies for low income families, as well as possible alternate rate structure approaches: and emphasized the importance of achieving the stated policy, and that he will be looking to staff to come back with solutions to any perceived affordability challenges. He stated that he intends to support the resolution, but requested that it be amended to acknowledge the support of the Environmental Advisory Commission (EAC), Pasadena Unified School District (PUSD), and Pasadena City College (PCC); and stated for the legislative record "it is my understanding this is essentially a mandate."

Councilmember Lyon noted one other change made to the resolution during the MSC discussion: Section 4 directs the City Manager to work with Water and Power Department to plan multiple approaches to the transition; stating that it is his understanding that the IRP process will come back with three or four scenarios, one of which will be a more basic scenario set up to comply with the state mandate; and the other three scenarios will be variations on 100% carbon free energy by 2030. This approach will provide many options for the City Council to consider in order to optimize affordability, rate equity, stability, and reliability, as stated in the resolution. He emphasized his understanding that the City will not necessarily go with the cheapest option, but will be mindful of rates and offsetting any particular burden on the least wealthy and most vulnerable citizens.

Councilmember Rivas thanked the Mayor, the Vice Mayor and City staff for moving swiftly to agendize this matter; and thanked each and every resident who wrote a postcard, made public comment, attended a rally, and participated throughout this process; and especially thanking the Pasadena 100 organizers for their work towards achieving carbon free electricity by 2030; emphasized the importance of the 2023 IRP process and the role it will play in achieving the stated goals; expressed thanks and appreciation to the MSC members for the discussion and a job well-done on crafting a resolution for the City Council consideration.

Mayor Gordo recognized the High School students' and the individuals present in the Council Chambers for their commitment and efforts on this matter; stating that we can all agree that this is the right thing to do at the right time, encouraged everyone to redouble its efforts and commitment to working hard on the IRP; stating that this is a very important goal for all of us and our future residents and especially the students who led the charge. Councilmember Madison requested that staff include an additional "whereas" to the resolution, acknowledging the support of the EAC, PUSD, and PCC in achieving 100% carbon free energy by 2030, as well as language that acknowledges the support of previous actions of the Pasadena City Council endorsing such policies as the United Nations Urban Environmental Accords and a Green City Action Plan in 2006, as well as an Environmental Charter, stating these are important actions that demonstrate the City's leadership.

The following individuals provided comments on the agenda item:

Aria Wong, Student at Polytechnic School Alice Wong, Student at Polytechnic School Audrey Ma, Student at Polytechnic School Amelia Rueda Flores, Student at Polytechnic School Anna Kleindorfer, Student at Westridge School Kayla Acuna, Student at Westridge School Harry Wong, Student at Pasadena City Collage David Cutter, Pasadena resident Sam Berndt, representing Pasadena 100 Tina Fredericks, Pasadena resident Melissa Marie Gandara, Pasadena resident Ioana Craiciu, Pasadena resident

Following public comment, it was moved by Vice Mayor Williams, seconded by Councilmember Hampton, to approve the staff recommendation, amending the resolution to include an additional "whereas" to the resolution, as detailed above. (Motion unanimously approved) (Absent: None)

PUBLIC HEARINGCONTINUED PUBLIC HEARING: AMENDMENTS TO THE
FULLER THEOLOGICAL SEMINARY MASTER PLAN AND
DEVELOPMENT AGREEMENT TO REMOVE A PARCEL NO
LONGER OWNED BY FULLER 270-282 NORTH LOS ROBLES
AVENUE (Planning Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guaidelines Sections 15305 (Class 5: Minor Alterations in Land Use Limitations) and 15332 (Class 32: In-fill Development Projects) (Attachment E of the agenda report);

(2) Adopt the Findings (Attachment A of the agenda report) and Conditions of Approval (Attachment B of the agenda report) and approve the proposed amendments to the Fuller Theological Seminary Master Plan and Development Agreement;

(3) Adopt a resolution approving the amendment to the Fuller Theological Seminary Master Plan; and

(4) Conduct first reading of an ordinance amending the Development Agreement. (<u>Resolution No. 9976</u>)

Recommendation of the Planning Commission: On June 8, 2022, the Planning Commission voted to recommend approval of the amendments to the Fuller Theological Seminary Master Plan, and related Development Agreement, to the City Council.

(To be discussed and considered concurrently with Item No. 10, including for public comment purposes.)

Mark Jomsky, City Clerk, opened the public hearing; reported that copies of the public hearing notice were mailed and posted on January 9, 2023; and reported one letter of support of the staff recommendation was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

Councilmember Masuda disclosed for the record: "My field rep[resentative] and I met with a couple of Fuller staff on August 16th. We did a walk around and we met with Joe Colletti and the CFO Ray Asad and they explained to us what they were trying to do. I heard the same, Seminary was in the process of submitting an amendment to its master plan. I just listened and I heard what they had to say and it will not affect how I vote today. I didn't make any opinion one way or another...I still haven't. I just want to hear from staff what the report is all about and I'll vote on it based on that. Thank you."

Jennifer Paige, Interim Director of Planning, introduced the agenda item, and Beilin Yu, Principal Planner, presented a PowerPoint presentation on the item; and all responded to questions.

The following individuals provided comments on the agenda item:

Bill McKibbin, representing the owner of the property Richard McDonald, representing the applicant

In response to public comment, Mayor Gordo stated he does not agree with, or is ready to concede to, Mr. McDonald's legal position; noting the City Attorney would have to review his legal argument.

It was moved by Councilmember Hampton, seconded by Councilmember Jones, to close the public hearing. (Motion unanimously approved) (Absent: None)

It was moved by Councilmember Hampton, seconded by Councilmember Jones, to approve the staff recommendation. (Motion unanimously approved) (Absent: None)

ORDINANCE - FIRST
READINGConduct first reading of "AN UNCODIFIED ORDINANCE OF THE
CITY OF PASADENA APPROVING AN AMENDMENT TO THE
DEVELOPMENT AGREEMENT BETWEEN THE CITY OF

PASADENA AND FULLER SEMINARY TO IMPLEMENT FULLER SEMINARY'S MASTER PLAN"

(To be discussed and considered concurrently with Item No. 9, including for public comment purposes.)

The above ordinance was offered by Councilmember Jones:

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

NOES: None ABSENT: None

ABSTAIN: None

<u>CLOSED SESSION</u> On the order of the Mayor, the regular meeting recessed at 7:29 p.m. to discuss the following closed session:

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8 Property Location: 1031 N. Lincoln Avenue, #5, Pasadena, CA 91103

Agency Negotiator: Miguel Márquez Negotiating Party: Terri Lynn Dandridge Under Negotiation: Modification of Repayment Amount and Terms of City Homebuyer Assistance Loan

The above closed session item was not discussed.

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8 Property: 300 E. Colorado Blvd. Under negotiation: Price and terms Agency negotiator: Miguel Marquez Negotiating Parties: Paseo Pasadena Hotel Investment, LLC

Councilmember Lyon recused himself at 8:15 p.m., due to a potential conflict and left the meeting. CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8 Properties: 700 Seco Street, Pasadena, CA Under negotiation: Price and terms of payment Agency negotiator: Miguel Márquez Negotiating parties: Proposer David Eads for Pasadena Tournament of Roses Association, a California nonprofit corporation

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

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:48 p.m., in memory of Mr. Manuel "Manny" Contreras and Mr. Tyre Nichols.

Victor M. Gordo, Mayor City of Pasadena

ATTEST: City Clerk