

CITY OF PASADENA
City Council Minutes
March 6, 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: Councilmembers Madison and Masuda)

CLOSED SESSION On the order of the Mayor, the regular meeting recessed at 4:30 p.m.
to discuss the following closed session:

Mayor Gordo recused himself at 4:39 p.m., due to a potential conflict of interest and left the meeting. Councilmember Madison arrived at 4:54 p.m.

Mayor Gordo returned at 5:05 p.m.

Councilmember Masuda arrived at 5:34 p.m.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code section 54956.9(d)(1)
Name of Case: California Apartment Assn. v. City of Pasadena
Los Angeles County Superior Court Case No. 22STCP04376

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)
Name of Case: Ballew v. City of Pasadena
USDC Case No.: 2:18-CV-00712-FMO-AS

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

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property Location: 85 Holly Street (Pasadena Senior Center)
Agency Negotiator: Miguel Márquez
Negotiating Party: Akila Gibbs
Under Negotiation: Price and terms of Payment

The above closed session item was not discussed.

On the order of the Mayor, the regular meeting reconvened at 6:16 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

CEREMONIAL MATTERS

City Manager Márquez announced the appointment of the Brenda Harvey-Williams and David Reyes to serve as Assistant City Managers, provided a brief description on their professional background, and congratulated both on their new roles.

Manuel Carmona, Interim Director of Public Health Department, recognized recently retired employee Mary Urtecho-Garica, spoke on her professional background and achievements, and thanked her for 18 years of dedicated service to the City of Pasadena. Mayor Gordo, Councilmember Masuda, and Hampton expressed their, thanks, appreciation, and gratitude to Mary Urtecho-Garcia for her dedicated service to the City of Pasadena and the Community.

Mayor Gordo spoke on the passing of Bill Galloway, long-time Pasadena resident, philanthropist, and Pasadena Community College (PCC) Board Member, provided a summary of Mr. Galloways personal and professional history in Pasadena, and requested that the City Council meeting adjourn in his memory.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

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.

Councilmember Hampton requested that staff provide an update to the Public Safety Committee on the concerns and questions raised during the discussion on the contract with Axon Enterprise, Inc., related to body-worn camera buffering and activation process synched to the actions of police officers; and commented on the OIR report related to the Anthony McClain incident, and asked when the report would be ready for public disclosure.

City Attorney Bagneris stated that the draft report is expected by April or May, but that the exact timing has not been determined.

Uriah Wesman, Pasadena resident, spoke on catalytic converter thefts, noting that his was stolen several times, and also advocated for a casino to be placed in Pasadena.

Mayor Gordo requested that the Police Department provide any available data related to catalytic converter thefts in the City.

Jill Shook, Pasadena resident, spoke on the electric leaf blower rebates, stating she wasn't able to locate rebate information on the City's webpage.

Mayor Gordo and Councilmember Hampton briefly commented on the City's Gas-Powered Leaf Blower Ban that will start in April 2023, and shared that information on the South Coast Air Quality Management District (SCAQMD) rebate is available on the City's website and asked that this information be recirculated.

Councilmember Hampton suggested setting up a meeting with the City's Public Information Officer Lisa Derderian, AQMD and to invite sole proprietors and other landscaping businesses to a meeting that can inform/assist in applying for such rebates.

City Clerk Jomsky noted that South Coast Air Quality Management District (SCAQMD) will be presenting rebate information at the upcoming March 27, 2023, City Council meeting.

Heavenly Hughes, representing My Tribe Rise, spoke on the killing of Tyre Nichols by Memphis Police Officers, as well as the Christopher Ballew incident involving Pasadena Police Officers, and advocated for an end to gun violence, as well as accountability and transparency within the Police Department.

CONSENT CALENDAR

CONTRACT AWARD TO DAVID VOLZ DESIGN LANDSCAPE ARCHITECTS INC.; DAVID EVANS AND ASSOCIATES INC.; RJM DESIGN GROUP INC.; AND MOORE IACOFANO GOLTSMAN INC., FOR ON-CALL LANDSCAPE ARCHITECTURAL SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$500,000 FOR EACH CONSULTANT (Public Works Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Article 5, Section 15061(b)(3), the General Rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment;
- (2) Authorize the City Manager to enter into individual contracts, as the result of a competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with David Volz Design Landscape Architects Inc.; David Evans and Associates Inc.; RJM Design Group Inc.; and Moore Iacofano Goltsman Inc., for On-Call Landscape Architectural Services for a total amount not-to-exceed \$500,000 for each consultant over a four-year term. Competitive bidding is not required pursuant to City Charter Section 1002(F) (contracts for professional or unique services); and (Contract No. 32551, 32552, 32553, and 32554)
- (3) Authorize the City Manager to extend the term of the contracts as necessary without increasing the not-to-exceed amount.

CONTRACT AWARD TO SPRAGUES' READY MIX FOR PURCHASE OF PORTLAND CEMENT CONCRETE FOR AN AMOUNT NOT-TO-EXCEED \$736,824 FOR UP TO SIX YEARS
(Public Works Dept.)

Recommendation: It is recommended that the City Council:

(1) Find 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) Accept the bid dated February 1, 2023 submitted by Spragues' Ready Mix in response to project specifications for Portland Cement Concrete for Various Locations in City of Pasadena 2023; authorize the City Manager to enter into a four-year contract not-to-exceed \$491,216 (which includes a \$44,656 contingency); and authorize the City Manager to extend the contract for up to two additional one-year terms not-to-exceed an annual amount of \$122,804 per year (including \$11,164 contingency), subject to the approval of the City Manager, for a maximum total contract amount of \$736,824 over a maximum contract length of six years.

FINANCE COMMITTEE: AUTHORIZATION TO ENTER INTO CONTRACT WITH SOUTH COAST FIRE EQUIPMENT INC., FOR THE PURCHASE OF ONE FIREMATIC FORD F550 AIR-LIGHT UNIT FOR A TOTAL OF \$585,163

(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 purchase order contract with South Coast Fire Equipment Inc. for the purchase of one Firematic Ford F550 Air-Light Unit in an amount no-to-exceed \$585,163. 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.

**RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS**

City Attorney

**RESIGNATION OF LES RIVERA FROM THE PASADENA
COMMUNITY ACCESS CORPORATION BOARD** (District 4
Nomination)

**ADOPTION OF AMENDED CONFLICT OF INTEREST
RESOLUTION**

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is not a "project" subject to the California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Sections 15060(c)(3), and 15378(b)(5) of the State CEQA Guidelines; and
- (2) Adopt a Resolution amending the City's Conflict of Interest statement filing regarding definitions pertaining to members of the Rental Housing Board. (Resolution No. 9983)

MINUTES APPROVED

January 30, 2023 City Council
 January 30, 2023 Successor Agency to the Pasadena
 Community Development Commission
 February 6, 2023 City Council
 February 6, 2023 Successor Agency to the Pasadena
 Community Development Commission
 February 13, 2023 City Council
 February 13, 2023 Successor Agency to the Pasadena
 Community Development Commission
 February 20, 2023 City Council
 February 20, 2023 Successor Agency to the Pasadena
 Community Development Commission

CLAIMS RECEIVED

Claim No.	Claimant	Claim Amount
2023-0222	Heather Ames-Edery	\$ 560.96
2023-0223	Summer Huang	25,000.00+
2023-0224	Brandi Moore	10,000.00+
2023-0225	Joseph Chen	10,000.00+
2023-0226	Marlene Munoz	25,000.00+
2023-0227	Nikhil Misra-Bhambri	2,000.00
2023-0228	Lauren Meyering	500.00
2023-0229	Brian Darrell Shaw	Not stated
2023-0230	Daniel D'Orazi	10,000.00+
2023-0231	Devon Michael Quest	25,000.00+

PUBLIC HEARING SET

March 13, 2023, 5:30 p.m. – Application to Designate 731 East Washington Boulevard as a landmark

March 13, 2023, 5:30 p.m. – Application to Designate the Harry Fitzgerald Building at 489 East Colorado Boulevard as a landmark

It was moved by Councilmember Masuda, seconded by Councilmember Jones, to approve all items on the Consent Calendar. (Motion unanimously approved) (Absent: None)

OLD BUSINESS:

710 COMMUNITY ADVISORY WORKING GROUP: AT-LARGE NOMINATIONS

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Section 21065 and State CEQA Guidelines

Sections 15060(c)(2) and 15060(c)(3), and 15378 of the State CEQA Guidelines; and

(2) Nominate and vote for the At-Large members of the Reconnecting Communities Working Group.

David Reyes, Acting Assistant City Manager presented a PowerPoint presentation on the item, and responded to questions.

Councilmembers Lyon and Jones suggested increasing the number of working group members to 15, with Mayor Gordo suggesting that the City Council first consider the appointment of the four at-large members, and thereafter, determine if additional members are needed.

Mark Jomsky, City Clerk, reported that one letter advocating for the nomination of Mr. Phil Burns to the 710-Stub Working Group; and one letter providing additional application information for Douglas Joyce, were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

Councilmember Hampton noted that at last weeks City Council meeting correspondence was also received in support of Jasmin Shupper.

Following City Council discussion and deliberations on the at-large applicants for the 710 Community Advisory Working Group, it was moved by Councilmember Hampton, seconded by Vice Mayor Williams, to appoint Jose Luis Correa (Displaced Community Member). (Motion unanimously approved) (Absent: None)

It was moved by Mayor Gordo, seconded by Vice Mayor Williams, to appoint Mic Hansen. (Motion unanimously approved) (Absent: None)

Following discussion, it was moved by Councilmember Jones, seconded by Councilmember Madison, to appoint Joel Bryant. (Motion unanimously approved) (Absent: None)

Original Motion:

It was moved by Councilmember Hampton, seconded by Councilmember Jones, to appoint Barbara King.

As part of a discussion on the remaining appointment(s), the City Council highlighted the qualifications and backgrounds of each of the at-large applicants.

Mayor Gordo commented that following this initial step of establishing the Working Group, there will be opportunities to involve other community members, including possible subcommittee assignments on the topics of finance, open space, recreation, transportation, and addressing the impacts of the land acquisition on

some residents. He suggested the Working Group could advise the City Council on whether other expertise and/or more individuals might be beneficial to the effort. Then the City Council could consider some of the applicants that may not get selected tonight for such future assignments. He also suggested that this issue be considered as a possible topic for discussion at the City Council retreat.

Substitute Motion:

Following discussion, it was moved by Councilmember Madison moved, seconded by Councilmember Lyon, to make a substitute motion, and appoint Jasmin Shupper, Michelle Richardson Bailey, and Bill Deverell.

Councilmember Hampton requested a friendly amendment to the substitute motion to appoint Remy De La Peza, Michelle Richardson Bailey, and Jasmin Shupper.

Following discussion regarding the expertise of Bill Deverell and Julianna Delgado, the Council concluded that there may be opportunities for these individuals to contribute as experts and/or as historical advisors.

Amended Substitute Motion:

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Lyon, to accept the friendly amendment, and appoint Jasmin Shupper, Michelle Richardson Bailey, and Remy De La Peza.

Mayor Gordo asked the City Council to revisit Councilmember Masuda's nominee Adriana Lim, given that the group does not have much representation from East Pasadena.

Amended Substitute Motion:

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Lyon, to accept the additional friendly amendment, and appoint the following four applicants as at-large members to the 710 Community Advisory Working Group:

- Jasmin Shupper
- Michelle Richardson Bailey
- Remy De La Peza
- Adrianna Lim

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

On behalf of the City Council, the Mayor expressed gratitude to all the applicants, and stated he intends to send out letters thanking each of them for their interest to serve, and requesting that they remain open to serving in other capacities.

PUBLIC MEETING TO RENEW THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT

Recommendation: It is recommended that the City Council open public testimony to allow members of the public to provide comments on the renewal of the Pasadena Tourism Business Improvement District (PTBID).

Mark Jomsky, City Clerk, reported that one letter protesting the renewal of the Pasadena Tourism Business Improvement District (PTBID) levy, in particular for Airbnb hosts; and eleven letters in support of the renewal of the PTBID, were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

Mike Ross, representing the Pasadena Center Operating Company, presented a PowerPoint presentation on the item, and responded to questions.

Following discussion, Councilmember Hampton, Chair of the Economic Development and Technology Committee (EdTech), summarized the Committee's discussion and direction to staff.

Assistant City Manager Reyes stated that as directed by EdTech, staff is in negotiations with short-term rental platforms on the framework/goal to have the platforms collect the PTBID tax automatically for properties in Pasadena, and to identify and outreach to those homeowners that are not in compliance with the Short-term Rental permit/registration requirements.

The following individuals provided comments on the agenda item:

- Lia Enkelis, Pasadena Home Sharing Network
- Kim Burbank Ferreira, representing Pasadena Center Operating Company (PCOC)
- Phil Hosp, representing PCOC

On the order of the Mayor, and consensus of the City Council, the information was received and filed.

City Clerk

ADOPTION OF A RESOLUTION TERMINATING THE CITY MANAGER PROCLAMATION OF LOCAL EMERGENCY AND THE HEALTH OFFICER DECLARATION OF LOCAL PUBLIC HEALTH EMERGENCY IN RESPONSE TO COVID-19 (Health 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 state CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption); and

(2) Adopt a resolution terminating the City Manager Proclamation of a Local Emergency and the Health Officer Declaration of a Local Public Health Emergency in response to COVID-19. (Resolution No. 9984)

Manuel Carmona, Acting Director of Public Health, presented a PowerPoint presentation on the item, and acknowledged the Public Health Department team, Dr. Matt Feaster, Epidemiologist, Dr. Eric Handler, Health Officer, Vivian Gonzalez, Nursing Director, and Paul Kozel, Emergency Preparedness Coordinator.

City Manager Márquez expressed thanks and appreciation to Dr. Goh, Mr. Carmona, and the Public Health Department team. He stated when he came to Pasadena, he saw first-hand the work and the response from Public Health, highlighted Pasadena as having the highest vaccine rates of any City, and expressed his appreciation to the City Council, City staff, and the community for working together on the challenge of Covid-19.

Mayor Gordo, Vice Mayor Williams, and Councilmember Hampton each expressed appreciation and gratitude to the Pasadena Public Health Department for their tremendous work during the pandemic.

It was moved by Councilmember Hampton, seconded by Vice Mayor Williams, to approve the staff recommendation:

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

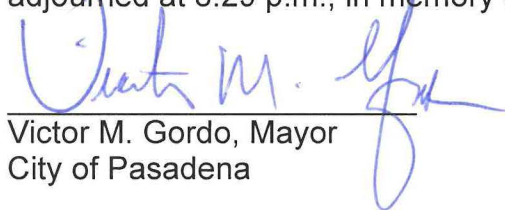
NOES: None

ABSENT: None

ABSTAIN: None

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:29 p.m., in memory of Bill Galloway.



Victor M. Gordo, Mayor
City of Pasadena

ATTEST:



for City Clerk