CITY OF PASADENA City Council Minutes May 8, 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 4:32 p.m. (Absent: Vice Mayor Williams)

CLOSED SESSION

On the order of the Mayor, the regular meeting recessed at 4:34 p.m. to discuss the following closed session:

As required by Brown Act provisions, Councilmember Rivas, reported for the record that she is participating remotely under the "just cause" provisions of the Brown Act, on the basis of childcare needs, and stated that no one over 18 years of age is in the room with her.

Vice Mayor Williams arrived at 4:54 p.m.

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

Agency Designated Representatives: Miguel Márquez and Tiffany Jacobs-Quinn

Employee Organization: Pasadena Management Association (PMA)

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

Agency Designated Representatives: Miguel Márquez and Tiffany Jacobs-Quinn

Employee Organization: Service Employees International Union (SEIU)

Mayor Gordo recused himself due to potential conflict of interest with LIUNA, and left the meeting at 5:05 p.m.

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

Agency Designated Representatives: Tiffany Jacobs-Quinn and Miguel Márquez

Employee Organizations: American Federation of State, County and Municipal Employees, Local 858 (AFSCME); International Brotherhood of Electrical Workers, Local 18 (IBEW); International Union of Operating Engineers, Local 501 (IUOE); Laborers' International Union of North America, Local 777 (LIUNA); Pasadena Fire Fighters Association, Local 809 (PFFA); Pasadena Firefighters Management Association (PFMA); Pasadena Management Association (PMA); Pasadena Police Officers Association (PPOA); Service Employees International Union, Local 721 (SEIU); Executive Management; Non-Represented Management; and Non-Represented Non-Management

Councilmembers Lyon and Madison recused themselves due to potential conflict of interest, and left the meeting at 5:36 p.m.

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

Property: 4800 Oak Grove Drive, Pasadena, CA Under negotiation: Price and terms of payment

Agency negotiator: Miguel Márquez Negotiating parties: Jennifer Mertz

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 5:47 p.m. The pledge of allegiance was led by Councilmember Hampton. (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 (participated virtually)

Staff:

City Manager Miguel Márquez

City Attorney/City Prosecutor Michele Beal Bagneris

City Clerk Mark Jomsky

As required by Brown Act provisions, Councilmember Rivas, reported for the record that she is participating remotely under the "just cause" provisions of the Brown Act, on the basis of childcare needs, and stated that no one over 18 years of age is in the room with her.

CEREMONIAL MATTERS

Mayor Gordo presented a proclamation declaring the month of May in the City of Pasadena as Older Americans Month, expressed appreciation for the continued contributions of the City's older-aged residents and the important role they play in the City.

Chelsea Mason, Chair of the Senior Commission, and Howie Zechner, Vice Chair of the Senior Commission, expressed their appreciation for the recognition and invited the City Council and the community to attend the Senior Commission's second annual celebration of Older Americans Month on May 23, 2023 from 10:00 a.m. to 1:00 p.m. at McDonald Park.

Mayor Gordo spoke on the passing of John C. Cushman III, a long-time Pasadena resident, providing a summary of Mr. Cushman's professional work history ,and recognized his many contributions to the City, expressed condolences to his family, and requested that the City Council adjourn in his memory.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Martin Gordon, representing the Community Coalition and its subcommittee Jackie Robinson Advisory Committee, expressed disappointment that the City Council did not recognize Jackie Robinson Day, spoke on the upcoming 50th Anniversary of the Jackie Robins Center (JRC), the upcoming 42nd Pasadena Black History Parade, and Jackie Robinson's 105th birthday. He also expressed concerns that JRC is in despair and advocated for the Council to include improvements to the Center as part of the 2023-2024 Capital Improvement Projects (CIP).

Councilmember Jones reported that he has worked with the City Manager's Office in laying out an itemized list of potential improvements/fixes at JRC, and stated that staff will return with a recommendation for City Council consideration.

Allan Shay, Pasadena resident, reiterated his request that the City Council reconsider how the City utilizes bodycam and other video sources as part of the investigative process for critical incidents, such as in the Anthony McClain case, spoke on the Office of Independent Review Report (OIR) of the Anthony McClain shooting, and advocated for Charter changes to support the City Council directly holding police officers accountable for policy violations.

Olden Denham, Pasadena resident, spoke on the Devils Gate Dam Reservoir and reserving water for emergency reasons, echoed the comments of the public speakers related to JRC improvements and Charter reform related to police matters.

Erick Ortiz, representing the Healing and Justice Center, asked for City Council supportive advocacy to the Los Angeles County Board of Supervisors by requesting they investigate and stop the discriminatory practices of internet service providers and ensure that all LA County residents have equitable and affordable access to the internet, and submitted related correspondence.

Heavenly Hughes, representing My TRIBE Rise, invited everyone to the upcoming 3RD Annual DENA Juneteenth Celebration to be held on June 17th at the Metropolitan Baptist Church, and advocated for the OIR report to be reviewed at a public meeting.

Adriana Bautista, Pasadena resident, spoke on the OIR report of the Anthony McClain shooting, and advocated for the termination of Pasadena Police Officer Edwin Dumaguindin, and for accountability within the Police Department.

CONSENT CALENDAR

ADOPTION OF A RESOLUTION TO AUTHORIZE SUBMITTAL OF AN APPLICATION TO THE STATE OF CALIFORNIA FOR LOCAL HOUSING TRUST FUND PROGRAM GRANT FUNDS (Housing Dept.)

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" provision that CEQA only applies to projects that may have an effect on the environment;
- (2) Adopt a Resolution authorizing the City to submit a grant application to the State of California under the Local Housing Trust Fund ("LHTF") Program for a housing project at 280 Romana Street that is proposed to provide affordable rental housing for seniors; and (Resolution No. 9989)
- (3) Authorize the City Manager or his designee to approve any documents in connection with the LHTF grant application or, in the event that the City receives an award, any LHTF grant contract documents that may be required by the State.

PURCHASE ORDER TO MERIDIAN RAPID DEFENSE GROUP, LLC FOR ANTI-TERRORISM VEHICLE BARRIERS NOT-TO-EXCEED AMOUNT OF \$83,340 (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 general rule that CEQA applies only to projects that may have an effect on the environment; and
- (2) Accept the bid from Meridian Rapid Defense Group, LLC (DBA Meridian Rental Group) received on March 30, 2023 and authorize a purchase order with Meridian Rapid Defense Group for 8 Anti-Terrorism Vehicle Barriers, trailer, accessories, and training for department personnel for an amount not-to-exceed \$83,340.

CONTRACT AWARD TO GOLDEN SUN ENTERPRISE INC., FOR BRENNER PARK RENOVATION PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$418,343 (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; and
- (2) Accept the bid dated March 9, 2023, submitted by Golden Sun Enterprise Inc., in response to the plans and specifications for the Brenner Park Renovation project, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$418,343, which includes the base contract amount of \$363,777 and a contingency of \$54,566 to provide for any necessary change orders. (Contract No. 32609)

AUTHORIZATION TO ENTER INTO CONTRACTS WITH BTAC UNITED ACQUISITION HOLDING COMPANY DBA: BAKER & TAYLOR, LLC; BRODART CO; AND MIDWEST TAPE, LLC; TO PROVIDE LIBRARY BOOKS AND AUDIOVISUAL MATERIALS TO THE PASADENA PUBLIC LIBRARY SYSTEM (Library & Info. Services 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 contracts with the following vendors, pursuant to the competitive selection process specified in Section 4.08.047 of the Pasadena Municipal Code, for Library Books and Audiovisual Materials. Competitive price bidding is not required pursuant to City Charter Article X, Section 1002 (F), Contracts for professional or unique services:
 - a. BTAC United Acquisition Holding Company dba Baker & Taylor, LLC ("BTAC") for the provision of books and cataloging/processing services for the grand total not-to-exceed \$2,250,000 over a five-year period with the option for three additional one-year terms in the annual amount \$450,000; and an additional 10% contingency (\$45,000) annually to provide for any necessary change orders, subject to the approval of the City Manager, for a maximum total contract amount of \$3,735,000. (Contract No. 32611)
 - Brodart for provision books Co. the of and b. cataloging/processing services for the grand total not-to-exceed \$1,250,000 over a five-year period with the option for three additional one-year terms in the annual amount \$250,000; and an additional 10% contingency (\$25,000) annually to provide for any necessary change orders, subject to the approval of the City Manager, for a maximum total contract amount of \$2,075,000. (Contract No. 32612)
 - c. Midwest Tape, LLC for the provision of audiovisual materials and cataloging/processing services for the grand total not-to-exceed \$500,000 over a five-year period with the option for three additional one-year terms in the annual amount \$100,000; and an additional 10% contingency (\$10,000) annually to provide for any necessary change orders, subject to the approval of the City Manager, for a maximum total contract amount of \$830,000. (Contract No. 32613)

Item discussed separately

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH BIRDI SYSTEMS INC., FOR FACILITY SURVEILLANCE EQUIPMENT AND SUPPLIES FOR THE WATER AND POWER DEPARTMENT (Water & Power Dept.)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH VICON ENTERPRISE INC., FOR THE CONSTRUCTION OF AN OIL CONTAINMENT SYSTEM AT THE VILLA SUBSTATION FOR THE WATER AND POWER DEPARTMENT (Water & Power Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find the proposed action in the agenda report to be categorically exempt under the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301(b) (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) Accept the bid dated March 7, 2023, submitted by Vicon Enterprise Inc., ("Vicon"), in response to the specifications for the construction of an oil containment system at the Villa Substation for the Water and Power Department ("PWP"); and authorize the City Manager to enter into a contract with Vicon for an amount not-to-exceed \$603,750 or for a period of two years, whichever occurs first. (Contract No. 32604)

CONTRACT AWARD TO JYD INDUSTRIES INCORPORATED, DBA AARON INDUSTRIAL RECYCLING TO PURCHASE AND REMOVE SCRAP METAL FOR A TOTAL ESTIMATED REVENUE OF \$1,225,625 FOR THE WATER AND POWER DEPARTMENT (Water and Power Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is not considered a "project" per Section 21065 of the California Environmental Quality Act ("CEQA") and is therefore not subject to CEQA review pursuant to Sections 15060(c)(2), 15060(c)(3), and 15378 of the CEQA Guidelines; as such, no environmental document pursuant to CEQA is required for the project; and
- (2) Accept the bid dated January 11, 2023, submitted by JYD Industries Incorporated, DBA Aaron Industrial Recycling, in response to the Bid Specifications for Scrap Metals Purchase and Removal for the Water and Power Department ("PWP"), reject all other bids received, and authorize the City Manager to enter into a contract for a total estimated revenue of \$1,225,625, which includes a three-year initial contract term and two optional one-year extensions, subject to the approval of the City Manager. (Contract No. 23,852)

Item discussed separately

AUTHORIZATION TO ENTER INTO TWO AGREEMENTS WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE RESPONSIBILITIES FOR PROPOSED SOUNDWALLS AT VARIOUS LOCATIONS ALONG INTERSTATE 210, BETWEEN FAIR OAKS AVENUE AND WILSON AVENUE (Public Works Dept.)

Item discussed separately

<u>FINANCE COMMITTEE</u>: AMERICAN RESCUE PLAN ACT APPROPRIATIONS (Finance Dept.)

PUBLIC SAFETY COMMITTEE: 2022 REPORT REGARDING COMPLIANCE WITH STATE-MANDATED FIRE INSPECTIONS (Fire Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the commonsense exemption; and
- (2) Adopt a resolution acknowledging receipt of the Pasadena Fire Department's report on its level of compliance with state-mandated annual fire inspections as required by Senate Bill 1205 and California Health and Safety Code Section 13146.4. (Resolution No. 9990)

RESIGNATIONS, APPOINTMENTS, & REAPPOINTMENTS RESIGNATION OF RYAN BELL FROM THE NORTHWEST COMMISSION (District 6 Nomination)

APPOINTMENT OF ALAN CLELLAND TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (District 4 Nomination)

REAPPOINTMENT OF CASEY JAGUSCH TO THE ACCESSIBILITY AND DISABILITY COMMISSION EFFECTIVE JULY 1, 2023 (District 2 Nomination)

REAPPOINTMENT OF JULIANNA DELGADO TO THE PLANNING COMMISSION EFFECTIVE JULY 1, 2023 (District 2 Nomination)

REAPPOINTMENT OF BETSY MITCHELL TO THE RECREATION AND PARKS COMMISSION EFFECTIVE JULY 1, 2023 (District 2 Nomination)

REAPPOINTMENT OF TAKAKO SUZUKI TO THE ARTS AND CULTURE COMMISSION EFFECTIVE JULY 1, 2023 (District 6 Nomination)

REAPPOINTMENT OF WILLIAM R. FRANCIS TO THE CODE ENFORCEMENT COMMISSION EFFECTIVE JULY 1, 2023 (District 6 Nomination)

REAPPOINTMENT OF MAURA HARRINGTON ROGGERO TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2023 (District 6 Nomination)

REAPPOINTMENT OF SANDY GREENSTEIN TO THE HUMAN RELATIONS COMMISSION EFFECTIVE JULY 1, 2023 (District 6 Nomination)

REAPPOINTMENT OF MICHAEL R. ALBRECHT TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2023 (District 6 Nomination)

REAPPOINTMENT OF LESLIE ROSENTHAL TO THE LIBRARY COMMISSION EFFECTIVE JULY 1, 2023 (District 6 Nomination)

REAPPOINTMENT OF IMRAN CHAUDHRY TO THE CODE ENFORCEMENT COMMISSION EFFECTIVE JULY 1, 2023 (District 7 Nomination)

REAPPOINTMENT OF CHARLOTTE LACEY TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2023 (District 7 Nomination)

REAPPOINTMENT OF LAWRENCE LURVEY TO THE COMMUNITY POLICE OVERSIGHT COMMISSION EFFECTIVE JULY 1, 2023 (District 7 Nomination)

REAPPOINTMENT OF LUCINDA OVER TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2023 (District 7 Nomination)

REAPPOINTMENT OF CHELSEA MASON TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2023 (District 7 Nomination)

REAPPOINTMENT OF GLENN CAMHI TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2023 (District 7 Nomination)

REAPPOINTMENT OF JOHN S. MILLER TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE JULY 1, 2023 (Prospect Historic District Nomination)

City Attorney

AUTHORIZATION TO ENTER INTO A SUBRECIPIENT AGREEMENT WITH FLINTRIDGE CENTER FOR ASSISTANCE WITH IMPLEMENTATION OF JUSTICE REINVESTMENT INITIATIVE GRANT FOR AN AMOUNT NOT-TO-EXCEED \$350,000 FOR THREE YEARS

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 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5); and as such, no environmental document pursuant to CEQA is required for the project;
- (2) Authorize the City Attorney to execute a Justice Reinvestment Initiative Grant Subrecipient Agreement with Flintridge Center for an amount not-to-exceed \$350,000 for a period of three (3) years for case manager assistance with connecting criminal defendants with

resources and programs in an effort to reduce recidivism; and (Contract No. 32610)

(3) It is further recommended that the City Council grant the proposed contract an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

MINUTES APPROVED	March 20, 2023	Special joint meeting of the City Council and Pasadena Unified School District
	March 27, 2023	City Council
	March 27, 2023	Successor Agency to the Pasadena
		Community Development Commission
	March 29, 2023	Special joint meeting with Los Angeles County
	,	Supervisor Kathryn Barger (cancelled)
	April 3, 2023	City Council
	April 3, 2023	Successor Agency to the Pasadena
	•	Community Development Commission
	April 10, 2023	City Council
	April 10, 2023	Successor Agency to the Pasadena
	·	Community Development Commission
	April 17, 2023	City Council
	April 17, 2023	Successor Agency to the Pasadena
		Community Development Commission
	April 19, 2023	City Council
CLAIMS RECEIVED	Claim No.	Claimant Claim Amount
CLAIMS RECEIVED	Claim No. 2023-0282	Claimant Claim Amount Dimitri Noelle Ramos \$ 2,608.26
CLAIMS RECEIVED	2023-0282	Dimitri Noelle Ramos \$ 2,608.26
CLAIMS RECEIVED		Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated
CLAIMS RECEIVED	2023-0282 2023-0283	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40 Connie Burkhart 3,120.22
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284 2023-0285	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40 Connie Burkhart 3,120.22 Reddy
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284 2023-0285	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40 Connie Burkhart 3,120.22 Reddy Pauline 25,000.00+
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284 2023-0285	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40 Connie Burkhart 3,120.22 Reddy Pauline 25,000.00+ DerMesrobian
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284 2023-0285 2023-0286	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40 Connie Burkhart 3,120.22 Reddy Pauline 25,000.00+ DerMesrobian Yacoubian Safeway Insurance 3,913,04 Company
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284 2023-0285 2023-0286 2023-0287 2023-0288	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40 Connie Burkhart 3,120.22 Reddy Pauline 25,000.00+ DerMesrobian Yacoubian Safeway Insurance 3,913,04 Company Miao Zhang 175.00
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284 2023-0285 2023-0286 2023-0287 2023-0288 2023-0289	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40 Connie Burkhart 3,120.22 Reddy Pauline 25,000.00+ DerMesrobian Yacoubian Safeway Insurance 3,913,04 Company Miao Zhang 175.00 Brandon Kyle 1,279.78
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284 2023-0285 2023-0286 2023-0287 2023-0288 2023-0289 2023-0290	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40 Connie Burkhart 3,120.22 Reddy Pauline 25,000.00+ DerMesrobian Yacoubian Safeway Insurance 3,913,04 Company Miao Zhang 175.00 Brandon Kyle 1,279.78 KuYen Tsao 7,275.00
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284 2023-0285 2023-0286 2023-0287 2023-0288 2023-0289 2023-0290 2023-0291	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40 Connie Burkhart 3,120.22 Reddy Pauline 25,000.00+ DerMesrobian Yacoubian Safeway Insurance 3,913,04 Company Miao Zhang 175.00 Brandon Kyle 1,279.78 KuYen Tsao 7,275.00 AT&T 180.36
CLAIMS RECEIVED	2023-0282 2023-0283 2023-0284 2023-0285 2023-0286 2023-0287 2023-0288 2023-0289 2023-0290	Dimitri Noelle Ramos \$ 2,608.26 Austin Wong Not stated Victor Martin Riehl 9,527.40 Connie Burkhart 3,120.22 Reddy Pauline 25,000.00+ DerMesrobian Yacoubian Safeway Insurance 3,913,04 Company Miao Zhang 175.00 Brandon Kyle 1,279.78 KuYen Tsao 7,275.00

PUBLIC HEARING SET

June 5, 2023, 5:30 p.m. – Substantial Amendment to Annual Action Plan (2022-2023) for Home Investment Partnership Act Program Funds and Community Development Block Grant Program Funds

It was moved by Councilmember Lyon, seconded by Councilmember Hampton, to approve all items on the Consent Calendar, with the exception of Item 5 (Authorization to enter into a

purchase order with Birdi Systems Inc...) Item 8 (Authorization to enter into two agreements with California Department of Transportation...) and Item 9 (American Rescue Plan Appropriations...), which were discussed separately. (Motion unanimously approved) (Absent: None)

AYES: Councilmembers Hampton, Jones, Lyon, Madison,

Masuda, Rivas, Vice Mayor Williams, Mayor Gordo

NOES: None ABSENT: None ABSTAIN: None

CONSENT ITEMS DISCUSSED SEPARATELY AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH BIRDI SYSTEMS INC., FOR FACILITY SURVEILLANCE EQUIPMENT AND SUPPLIES FOR THE WATER AND POWER DEPARTMENT (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) Accept the bid dated February 17, 2023 submitted by Birdi Systems Inc. ("Birdi"), in response to the Specifications to "Furnish and Deliver Facility Surveillance Equipment and Supplies" for the Water & Power Department ("PWP"); and authorize the City Manager to enter into a Purchase Order ("PO") Contract with Birdi for three years or an amount not-to-exceed \$270,000, whichever occurs first, with the option for one additional one-year extension or an amount not-to-exceed \$90,000, whichever occurs first, at the discretion of the City Manager, for a maximum contract length of four years or a total amount not-to-exceed \$360,000.

The following individuals spoke in opposition to the staff recommendation:

Adriana Bautista, Pasadena resident Allen Shay, Pasadena resident

AUTHORIZATION TO ENTER INTO TWO AGREEMENTS WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE RESPONSIBILITIES FOR PROPOSED SOUNDWALLS AT VARIOUS LOCATIONS ALONG INTERSTATE 210, BETWEEN FAIR OAKS AVENUE AND WILSON AVENUE (Public Works Dept.)

Recommendation: It is recommended that the City Council:

(1) Acknowledge that the proposed project in the agenda report is determined by the California Department of Transportation to be categorically exempt from the California Environmental Quality Act (CEQA) and categorically excluded from the National Environmental

Policy Act pursuant to a Categorical Exemption/Programmatic Categorical Exclusion Determination Form initially authorized in 2006, with multiple re-validations through 2020, and find the proposed agreements in the agenda report to be categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1, Existing Facilities); and

(2) Authorize the City Manager to execute two agreements with California Department of Transportation (Caltrans), for maintenance responsibilities within Caltrans' and City's rights-of-way respectively for proposed soundwalls at various locations along Interstate 210 (I-210) between Fair Oaks Avenue and Wilson Avenue. (Contract No. 23,853 and 23,854)

Mayor Gordo expressed concerns with the maintenance and cleanliness along the freeways and rights-of-way, and stated he intends to agendize a discussion with Caltrans and Metropolitan Transit Authority (MTA) to further address the maintenance and sound wall matters along the 210 and 134 Freeways, and to further explore if the sound barriers installed are sufficient and/or if there are opportunities to expedite the sound wall project that was never completed.

Councilmember Hampton expressed concerns related to the sound wall that has yet to been completed as part of the original project, spoke on the disservice to those residence along the freeway and quality of life issue around the matter, spoke on the need for sound damping asphalt as an additive measure, and requested that any updates from Caltrans and MTA include information on the timeline, planned projects, and priorities for areas affecting Districts 1 and 3.

Councilmember Masuda also expressed concerns with the uncompleted sound wall along the 210 freeway adjacent to District 4.

Mark Jomsky, City Clerk, reported one letter advocating for the City to build sound walls adjacent to the Lake, Allen, and Sierra Madre Metro stops was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

<u>FINANCE COMMITTEE</u>: AMERICAN RESCUE PLAN ACT APPROPRIATIONS (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) Approve the proposed amendments to the Fiscal Year (FY) 2023 Operating Budget as detailed in the background section of the agenda report. (Budget Amendment No. 2023-28)

Anthony Manousos, Pasadena resident, spoke on American Rescue Plan Act (ARPA) funding and how the funding will be used to address homelessness and unhoused individuals; and expressed his appreciation for the work that the City has already done surrounding affordable housing.

Councilmember Hampton shared that he has asked the City Manager to look into possible funding allocations for rental assistance, youth employment, and the City's Rose Program.

Following discussion, it was moved by Councilmember Hampton, seconded by Councilmember Masuda, to approve the staff recommendations for Item 5 (Authorization to enter into a purchase order with Birdi Systems Inc...) Item 8 (Authorization to enter into two agreements with California Department of Transportation...) and Item 9 (American Rescue Plan Appropriations...):

AYES: Councilmembers Hampton, Jones, Lyon, Madison,

Masuda, Rivas, Vice Mayor Williams, Mayor Gordo

NOES: None ABSENT: None ABSTAIN: None

PUBLIC HEARINGS

<u>CONTINUED PUBLIC HEARING</u>: ADOPTION OF FISCAL YEAR **2024 – 2028 CAPITAL IMPROVEMENT PROGRAM BUDGET** (Public Works Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed actions in the agenda report are not "projects" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(4) and (5) of the State CEQA Guidelines, and as such, are not subject to environmental review;
- (2) Find the "Columbia Street Multimodal Improvements" project consistent with the General Plan as detailed in the agenda report; and
- (3) Adopt by resolution the City's Fiscal Year (FY) 2024 2028 Capital Improvement Program (CIP) Budget as summarized in Exhibit A contained in the resolution and any changes passed by a motion of the City Council at the May 8, 2023, meeting. (Resolution No. 9991) (Budget Amendment No. 2024-01, 2024-01a, and 2024-01b)

Advisory Commission Recommendations:

Recreation and Parks Commission: On March 7, 2023, the Recreation and Parks Commission voted unanimously to support the Parks and Landscaping and Arroyo Projects sections of the Recommended FY 2024 – 2028 CIP Budget.

Northwest Commission: On March 14, 2023, the Northwest Commission voted unanimously to support the projects located completely or partially in Northwest Pasadena in the

Recommended FY 2024 – 2028 CIP Budget.

<u>Transportation Advisory Commission</u>: On March 23, 2023, the Transportation Advisory Commission (TAC) voted unanimously to support the Streets and Streetscapes and Transportation sections of the Recommended FY 2024 – 2028 CIP Budget.

<u>Planning Commission</u>: On March 22, 2023, the Planning Commission found 11 of the recommended new projects in the Electric Systems, and the Parks and Landscaping sections of the Recommended FY 24 CIP budget to be consistent with the General Plan. On April 12, 2023, the Planning Commission with a vote of 5 to 3 found 13 of the 14 remaining new projects to be consistent with the General Plan with the following two revisions:

- 1. Arroyo Link Walking and Biking Path project Consistent if the study provides equal consideration for cars, pedestrians, and bicycles; and,
- 2. Hydrogen Fueling Station project Consistent if the study provides the source of hydrogen (creation, sourcing, and transportation).

The Planning Commission did not find the Columbia Street Multimodal Improvements project to be consistent with the General Plan.

Councilmember Jones recused himself due to potential conflict, and left the meeting at 6:34 p.m.

Councilmember Jones stated the following for the record: "As a result of my employment with [Los Angeles] County Public Works [Department] and that Department's role in Measure W funds, I will recuse myself and will not participate in consideration of this item to the extent it involves Measure W funds. However, I understand that I can participate in other aspects of the CIP budget. So, after [City Council] consideration of Measure W projects, I will return and participate in the consideration of the rest of the CIP budget."

Mark Jomsky, City Clerk, reported one letter, advocating for the City to provide funding for upgrades and repairs at Jackie Robinson Community Center, was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record for the public hearing.

Nina Chomsky, representing Linda Vista-Annandale Association, expressed concerns with the project related to playground shade structures installations being low on the Parks and Landscaping priority list, and advocated for the shade structure installations to be raised to a higher priority.

Tony Olmos, Director of Public Works, provided a brief overview of the Measure W funded project, and responded to questions.

It was moved by Vice Mayor Williams, seconded by Councilmember Hampton, to close the public hearing related to the Measure W funded project only: AYES: Councilmembers Hampton, Lyon, Madison, Masuda,

Rivas, Vice Mayor Williams, Mayor Gordo

NOES: None

ABSENT: Councilmember Jones

ABSTAIN: None

It was moved by Vice Mayor Williams, seconded by Councilmember Hampton, to approve the staff recommendation related to the CEQA findings and the Measure W funded project only:

AYES: Councilmembers Hampton, Lyon, Madison, Masuda,

Rivas, Vice Mayor Williams, Mayor Gordo

NOES: None

ABSENT: Councilmember Jones

ABSTAIN: None

Continued discussion on the remainder of the ADOPTION OF FISCAL YEAR 2024 – 2028 CAPITAL MPROVEMENT PROGRAM BUDGET

Councilmember Jones returned to the meeting at 6:42 p.m.

Councilmember Madison spoke on the concerns of the Planning Commission related to the Columbia Street Multimodal Improvements project, their finding that the project is not consistent with the General Plan, noted the complexity of the issue of the 710 corridor area being returned to residential streets, requested confirmation from City staff that ensures that the proposed action does not affect how the area is considered for future planning.

Lauran Cornejo- Rubio, Director of Transportation, recognized that there is a larger planning effort underway to determine the future of the 710 corridor area, and noted that this project will provide near-term multimodal improvements to enhance safety along the corridor.

Mayor Gordo urged staff to ensure that there is optimum coordination with the City of South Pasadena as they undertake similar improvements along Columbia Street. He requested that staff bring forward to the appropriate Council Committee further review of playground shade structure installation projects as soon as possible and addressing the gopher issue at Hamilton Park with the potential for steel netting under the field. Mayor Gordo spoke on the median along Sierra Madre Boulevard and opportunities to use the space differently, including as open space, walking and/or biking trail, or sitting area with benches, and asked staff to pursue opportunities for open space funding with the County and/or State to augment this effort, including outreach to the neighbor cities and communities along Sierra Madre Boulevard.

Councilmember Masuda asked staff to included Hamilton Park as part of the discussion on the playground shade structure project, and commented on the medians along Huntington Boulevard and his hopes that the City could move forward on Sierra Madre Boulevard with a similar version to what was installed on the Huntington Boulevard medians.

Councilmember Jones asked staff to further review the Jackie Robinson Centers' working list of identified improvement/repair issues and projects, stating that if the list meets the necessary thresholds, staff should return to the City Council as soon as possible with a recommendation to amend the CIP to address these issues.

It was moved by Councilmember Madison, seconded by Councilmember Hampton, to close the public hearing:

AYES: Councilmembers Hampton, Jones, Lyon, Madison,

Masuda, Rivas, Vice Mayor Williams, Mayor Gordo

NOES: None ABSENT: None ABSTAIN: None

It was moved by Councilmember Masuda, seconded by Vice Mayor Williams, to adopt the City's Fiscal Year (FY) 2024 – 2028 Capital Improvement Program (CIP) Budget:

AYES: Councilmembers Hampton, Jones, Lyon, Madison,

Masuda, Rivas, Vice Mayor Williams, Mayor Gordo

NOES: None ABSENT: None ABSTAIN: None

OPENING OF THE PUBLIC HEARING FOR THE FISCAL YEAR 2024 CITY MANAGER'S RECOMMENDED OPERATING BUDGET (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;
- (2) Open the public hearing for the Fiscal Year (FY) 2024 Recommended Operating Budget; and
- (3) Continue this public hearing to the regular meeting of the City Council at 5:30 p.m. on June 5, 2023, and such other date as the City Council may determine, at which time the City Council will be asked to close the public hearing and adopt the FY 2024 Recommended Operating Budget.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the <u>Pasadena Press</u> and <u>Pasadena Journal</u> on April 23, 2023; and reported four letters expressing concerns and providing comments related to the Pasadena Police Department's proposed budget and/or advocating for additional funding for the Housing Department; and one letter advocating for additional funding for bad weather shelters in the City,

were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

Matthew Hawkesworth, Director of Finance, presented a PowerPoint summarizing the agenda item, and responded to questions.

The following individuals advocated for prioritizing and adopting more funds for affordable housing, public health, and/or to revise and reallocate the proposed Police Departments budget:

Victor Suarez, representing Pasadena for All
Raquel Calderon, Pasadena resident
Andrew, representing Pasadena for All
Bert Newton, Pasadena resident
Erick Ortiz, representing Healing & Justice Center
Rachel Stone, Pasadena resident
Anthony Manousos, representing Making Housing and
Community Happen
Allison Henry, Pasadena resident
Carmen Conde, Pasadena resident

Mayor Gordo asked the Municipal Services Committee members and staff to take a careful look at future power costs and what the long-term implications might be.

Councilmember Lyon spoke on the Housing budget and asked that the Department report back on how the budget puts the City on the path to building 9,000 units (as identified in the Regional Housing Needs Assessment [RHNA] figures) in six years, stating strongly that the budget needs to reflect a commitment to housing projects. He also spoke on the need for a Citywide Climate Emergency Coordinator and asked that consideration be given for funding this new position as part of budget adoption discussion.

Mayor Gordo reported that he attended his first meeting of the Burbank-Glendale-Pasadena Regional Housing Trust, and stated he will bring forward information on the discussion related to efforts to address the affordable housing needs of the area, as well as efforts to create a Cooperative Housing Model.

Councilmember Rivas echoed comments made by Councilmember Lyon, and also requested a discussion on the Housing Department's budget and strategies for achieving RHNA allocations for the City, suggesting the next Economic Development and Technology Committee (EdTech) meeting. She requested during the Police Department's budget workshop, that staff provide an update on the Shot Spotter Technology and how it factors into this year's budget request, as well as a one-year review of the technology, which was supposed to occur this past February or March.

City Manager Márquez stated that staff would report on the Shot Spotter technology during the Police Department's budget workshop at the Public Safety Committee (PSC) meeting, and thereafter, at City Council.

Mayor Gordo asked PSC to take a deep dive into the Police Department's technology, including current technology effectiveness (and ineffectiveness), as well as future technology needs that will provide better support and protection to the public.

It was moved by Vice Mayor Williams, seconded by Councilmember Hampton, to continue the public hearing to June 5, 2023 at 5:30 p.m.:

AYES: Councilmembers Hampton, Jones, Lyon, Madison,

Masuda, Rivas, Vice Mayor Williams, Mayor Gordo

NOES: None ABSENT: None ABSTAIN: None

REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES

Municipal Services
Committee

IMPLEMENT LEVEL 1 WATER SUPPLY SHORTAGE PLAN AS DESCRIBED IN PASADENA MUNICIPAL CODE ("PMC") TITLE 13, CHAPTER 13.10; AND LIFT THE TEMPORARY 15 PERCENT VOLUNTARY WATER-USE REDUCTION TARGET (Water and Power Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the action recommended in the agenda report is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15307 (Actions by Regulatory Agencies for the Protection of Natural Resources) 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) Adopt implementation of the Level 1 Water Supply Shortage Plan pursuant to Pasadena's Water Waste Prohibitions and Water Supply Shortage Plans Ordinance (PMC Chapter 13.10) and lift the temporary 15 percent voluntary water-use reduction target.

Vice Mayor Williams, as Chair of the Municipal Services Committee, summarized the Committee's discussion, and provided details on the Committee's split decision with regard to the staff recommendation.

Stacie Takeguchi, Assistant General Manager, presented a PowerPoint summarizing the agenda item, and responded to questions.

Councilmember Hampton spoke in support of continued water-use reduction targets, given anticipated water challenges and drought conditions; and advocated for the City to continue to replenish groundwater reserves, stating that any changes or shifting in policy of the City's Water Supply Shortage Plan sends confusing and conflicting messages to the residents, and stated he does not support the staff recommendation.

Councilmember Jones advocated for a broader conservation plan, and for staff to look at the rate structure as a way to continue to promote conservation. He suggested moving to a Level 1 Water Supply Shortage Plan, but maintaining the temporary 15 percent voluntary water-use reduction target, to stay consistent with the messaging around water conservation.

Councilmember Lyon stated that he does not support the staff recommendation, that there has been no public call to make the proposed changes, and agreed that any changes sends confusing and conflicting messages regarding water conservation to the public, and suggested, if necessary, to bring the matter back in August.

Ursula Schmidt, Customer Program Manager, provided information on the City's Water is Climate Campaign that is scheduled to launch this summer.

Following discussion, Vice Mayor Williams stated she is comfortable with the staff recommendation for the reason that PWP continues to promote a foundation of water conservation through outreach, education, and building long-term climate resilience, and the recommendation before the Council is consistent with the City's Water Supply procedures and policies.

Mark Jomsky, City Clerk reported that eleven letters advocating for the City to continue with water conservation efforts, continue with the level 2 Water Shortage Plan, and only allow two days a week for outdoor watering; and one letter providing comments related to water conservation and reduced water consumption, were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

The following individuals spoke in opposition to the staff recommendation:

Claudia Funke, Pasadena resident Wes Reutimann, Pasadena resident David Cutter, Pasadena resident Kathy Berlin, Pasadena resident Sam Berndt, Pasadena resident Skylar Gering, Pasadena resident Carl Selkin, Pasadena resident

Mayor Gordo noted that the staff recommendation is consistent with the City's Water Shortage Plan and adopted conservation policies, and expressed concerns with the City allowing excess water supplies generated by recent storms (citing the staff presentation on snowpack and other factors) to bypass the City, go to other communities, or worse, to run into the ocean, when such excess supplies could be effectively used towards supporting and recharging the City's tree infrastructure and replenish stressed landscapes.

Following discussion, it was moved by Vice Mayor Williams, seconded by Councilmember Lyon, to oppose the staff recommendation and maintain the current restrictions of the Level 2 Water Supply Shortage Plan and the 15 percent voluntary water-use reduction target, with the Municipal Services Committee to review the Water Supply Procedure Policy (e.g. tiered structure) and budget-based rates, and return to the City Council with recommended amendments to the policy, as well as to direct staff to continue with a robust outreach and education program around maintaining and properly caring for trees under the Level 2 restrictions:

AYES: Councilmembers Hampton, Jones, Lyon, Masuda,

Rivas, Vice Mayor Williams, Mayor Gordo

NOES: None ABSENT: None

ABSTAIN: Councilmember Madison

City Manager

AUTHORIZATION TO ENTER INTO A REVISED 15-YEAR POWER SALES AGREEMENT WITH SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY FOR GEOTHERMAL ENERGY FROM CALPINE GEYSERS, LLC FOR THE WATER AND POWER DEPARTMENT (Water & Power 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 [formerly the General Rule]); and
- (2) Authorize the City Manager, to enter into a revised 15-year Power Sales Agreement ("PSA") with Southern California Public Power Authority ("SCPPA") for the purchase of geothermal energy and capacity from Calpine Geysers, LLC in an amount not-to-exceed 25 megawatts ("MW") for 15 years beginning in January 2027 for a total not-to-exceed contract value of \$312,075,000; 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.(Contract No. 32511)

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 Madison spoke in opposition to the staff recommendation, stating that more needs to be learned about the facts around why the original contract was not executed by Calpine Geysers, LLC after receiving approval from City Council on January 23, 2023. He expressed his concerns regarding potential related issues when the City Council adopted a policy to go 100% carbon free by 2023, that City staff raised affordability issues, and later released a survey that essentially tried to undermine the policy direction by the City Council.

Councilmember Hampton spoke in support of the staff recommendation, commented that based on his research, the City will be paying less than other municipalities, and spoke on the increase in market prices and demand in California, and the need to move forward with as many renewable contracts as soon possible.

Councilmember Lyon stated that he is inclined to support the offer, which demonstrates a path to the City's goal of 100% carbon free by 2023. He too raised several questions regarding the original contract, the circumstances surrounding the change in price, and stated that he would like to hear in a closed session discussion the legal analysis by the City Attorney's Office as to why Calpine Geysers, LLC, cannot be held to the original price.

Vice Mayor Williams stated that she feels the contract should be accepted tonight to have baseload power that is renewable, and commented that Southern California Public Power Authority (SCPPA) may sell this deal to another municipality if the City does not approve the contract. She stated her support for a closed session briefing on the matter to better understand how the counter party could change the terms following City Council's vote to approve the deal, as well as any possible legal recourse for the City.

Discussion ensued regarding the legalities of the contract and the matter around the deadline to approve the contract.

Following discussion, Sidney Jackson, General Manager, stated for the record: "I would go on record as saying one of the concerns on coming on board [with the City], is not only that I insisted upon a review by an independent party, I had, we had significant conversations with in-house counsel around the legality, the sensibility, and some of the same legal concerns that you have. I've worked with Michele and her staff. We actually talked about going to closed session. Apparently, there is not quite the history on going to closed session on proprietary issues like this, and I will just leave it at that at a high level."

Councilmember Madison requested that the City Attorney's Office further review the analysis by the independent consultant regarding the legal issues, and expressed his support to bring the matter back as a closed session item. He stated that he finds it troubling that the same month that the City Council approved the agreement, Calpine Geysers, LLC, signed other agreements with other public utilities in California, for the same original price points, reemphasizing he is not comfortable with approving the contract tonight.

The following individuals provided comments on the item:

Claudia Funke, Pasadena resident Skylar Gering, Pasadena resident Sam Berndt, Pasadena resident

Mayor Gordo suggested that the City Council take the matter of the offer and acceptance to closed session, and requested that the matter be referred to the Environmental Advisory Commission (EAC) for further review, and schedule a workshop focused on understanding the implications of not approving this deal, given increases in market costs and also the concerns in the industry in general (capacity, availability, and investment). The Mayor spoke on the concerns raised around the increased rates resulting in policies that have been adopted by the City, and walking into a market that is evolving and changing very quickly, and the capacity to meet that market.

City Manager Márquez spoke in support to efforts and discussions to fully understand the matter, however, asked the City Council to consider the following points: the offer may be sold to another municipality if the contract is not approved, which could have impacts on the City's ability to achieve the 2030 goals, and to consider the financial analysis by the outside consultant that indicated the contract price is in line with current market values.

Michele Bagneris, City Attorney, stated that a closed session can be held in the context of potential litigation, including such issues as a potential breach in contract, but negotiating a contract like this is not a basis for a closed session discussion.

Following discussion, Power Resource Planning Manager Castro stated that Calpine Geysers, LLC, requested approval at tonight's City Council meeting, with the agreement to be fully executed one week from tonight (Monday) following signature routing.

Original Motion:

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

Substitute motion:

Councilmember Madison made a substitute motion to table for one week pending the review of the contract.

MOTION FAILED DUE TO LACK OF SECOND

Original Motion Withdrawn

Following discussion, Councilmember Jones withdrew his second from the original motion.

Mark Jomsky, City Clerk, reported one letter providing comments related to the City's electric services and rates was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

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

AYES: Councilmembers Hampton, Vice Mayor Williams, Mayor

Gordo

NOES: Councilmembers Lyon, Madison, Masuda

ABSENT: None

ABSTAIN: Councilmembers Jones, Rivas

MOTION FAILED

Motion:

Following discussion, it was moved by Councilmember Lyon, seconded by Vice Mayor Williams, to accept provisionally the staff recommendation, subject to a closed session briefing to the City Council under potential litigation to occur Monday, May 15, 2023:

AYES: Councilmembers Hampton, Jones, Lyon, Madison,

Masuda, Rivas, Vice Mayor Williams, Mayor Gordo

NOES: None ABSENT: None ABSTAIN: None

Mayor Gordo asked that tracking and monitoring of renewable energy issues, policies, market conditions, and capacity become a recurring item at the Municipal Services Committee, with this to take place as soon as possible.

ORDINANCE - FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 4, CHAPTER 100, SECTION 4.100.020 OF THE PASADENA MUNICIPAL CODE TO REFLECT 2020 CHARTER AMENDMENT PERTAINING TO ANNUAL LIGHT AND POWER FUND TRANSFER"

The above ordinance was offered for first reading by Councilmember Hampton:

AYES: Councilmembers Hampton, Jones, Lyon, Madison,

Masuda, Rivas, Vice Mayor Williams, Mayor Gordo

NOES: None ABSENT: None ABSTAIN: None

City Manager

Mayor Gordo recused himself due to a potential conflict of interest, and left the meeting at 9:54 p.m.

ADVANCEMENT OF FUNDS FOR THE INITIATION OF THE PASADENA RENTAL HOUSING BOARD (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) Approve the advancement of funds from the General Fund, up to an initial amount of \$500,000 for start-up costs related to the initiation of the Pasadena Rental Housing Board. (Budget Amendment No. 2023-29)

Vice Mayor Williams stepped in as Chair of the meeting. Matt Hawkesworth, Director of Finance, presented a PowerPoint summarizing the agenda item; and responded to questions.

Councilmember Madison stated that it will be important going forward to understand who has responsibility for financial oversight and stewardship of the Pasadena Rental Housing Board, including the City's responsibility, and spoke on need to provide the Board with technical assistance and training on how government accounting works.

Michelle Bagneris, City Attorney, noted that the City Charter Amendment provisions set the Board as independent from the City, and staff is figuring out the best way to move forward to ensure that there is appropriate accountability.

City Manager Márquez spoke on the City Charter, highlighting that the Charter directs the City to advance initial funds for the implementation of the Board, and that the City may seek reimbursement of advanced funds from the Board once collection has occurred of the Rental Housing fee from the landlords. He also pointed out that the Board may request assistance of the City Manager and City Attorney.

Following discussion, it was moved by Councilmember Hampton, seconded by Councilmember Madison, to approve the staff recommendation.

AYES: Councilmembers Hampton, Jones, Lyon, Madison,

Masuda, Rivas, Vice Mayor Williams

NOES: None ABSENT: None

ABSTAIN: Mayor Gordo

BRIEF REPORTS FROM REPRESENTATIVES/RE QUESTS FOR FUTURE AGENDA ITEMS

Vice Mayor Williams announced that she attended SCAG's Annual General Assembly meeting last week, which was opened by the speaker Dolores Huerta, and topics discussed included future planning, housing, and clean transportation.

<u>ADJOURNMENT</u>

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 10:02 p.m., in memory of John C. Cushman III.

Victor M. Gordo, Mayor

City of Pasadena

ATTEST: