

CITY OF PASADENA
City Council Minutes
November 06, 2023 – 4:30 P.M.
City Hall Council Chamber

OPENING:

Mayor Gordo called the regular meeting to order at 4:30 p.m. (Absent: Councilmembers Hampton, Madison)

CLOSED SESSION

On the order of the Mayor, the regular meeting recessed at 4:31 p.m. to discuss the following closed session item:

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: 434-470 North Lake Avenue
Agency Negotiator: Miguel Márquez
Negotiating Party: Kaiser Permanente
Under Negotiation: Price and Terms

Councilmember Hampton arrived at 5:17 p.m.

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION AND COMPENSATION pursuant to Government Code Section 54957 and **CITY COUNCIL CONFERENCE** with Labor Negotiator pursuant to Government Code Section 54957.6
Employee Title and Unrepresented Employee: City Manager
City Representative: Victor M. Gordo

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 5:48 p.m. The pledge of allegiance was led by Vice Mayor Williams. (Absent: Councilmembers Hampton, Madison, Rivas)

ROLL CALL:

Councilmembers:

Mayor Victor M. Gordo
Vice Mayor Felicia Williams
Councilmember Tyron Hampton (arrived at 5:52 p.m.)
Councilmember Justin Jones
Councilmember Jason Lyon
Councilmember Steve Madison (Absent)
Councilmember Gene Masuda
Councilmember Jessica Rivas (arrived at 6:12 p.m.)

Staff:

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

CEREMONIAL MATTERS

Mayor Gordo announced the City's upcoming Veterans' Day event, taking place on Saturday, November 11, 2023 to honor those who have served, and he encouraged members of the public to attend.

Councilmember Hampton returned to the meeting at 5:52 p.m.

SPECIAL ITEM

Councilmember Rivas returned to the meeting at 6:12 p.m.

He shared that the meeting will be adjourned in memory of Joe Hopkins, founder and former publisher of Pasadena Journal; he spoke about Joe Hopkins' accomplishments and contributions to the City.

PRESENTATION BY JASON FARNED, REPRESENTING THE SAN GABRIEL VALLEY MOSQUITO & VECTOR CONTROL DISTRICT, TO REVIEW DISTRICT OPERATIONS AND SERVICES

Manuel Carmona, Acting Director of Pasadena Public Health, provided introductory comments regarding the City's annexation to the San Gabriel Valley Mosquito & Vector Control District in 2016.

Jason Farned, San Gabriel Valley Mosquito & Vector Control District – District Manager, gave an update on the operations and services provided to the City; types of mosquitos found in the City, operations and control methods, and public engagement activities; and responded to questions concerning the increased number of mosquitos occurring this year due to excess rainfall, as well as mosquito repelling tips, breeding prevention, and treatment in storm drains and wild spaces.

In response to Mayor Gordo's inquiry on how the City's older infrastructure impacts the mosquito population in the area and the level of service the City receives, Mr. Farned explained that the City's infrastructure and open spaces are mapped by the Mosquito & Vector Control District and inspected and treated on a rotational basis. He also reported that there are technicians assigned to the City who relay information and work with agency members to gain access to areas, such as Arrow Seco, that may require directed service.

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

UPDATE ON THE WORK OF THE TRANSITION TEAM AND IMPLEMENTATION PLAN FOR THE 2022 CITY OF PASADENA EARLY CHILDHOOD DEVELOPMENT POLICY

Vera Vignes, Early Childhood Development and Learning Task Force Chair, presented an update on the work of the transition team and task force; accomplishments over the past year; an analysis of the Pasadena Hub Network and an overview of the road map for the working plan to implement the policy; and responded to questions.

In response to Councilmember Hampton's inquiry about trainings at each hub location, Chair Vignes stated that the Task Force is looking to have staff trained so that they can be leaders at each site and develop the processes at their location.

Councilmember Hampton suggested identifying potential costs and necessary funding support needed to implement this policy and invest in the City's youth.

In response to Councilmember Jones' inquiry regarding the plan to engage with community members who do not utilize City resources, Task Force Member Dianne Philibosian shared that the Task Force plans to work with constituents through community organizations and by generating a systematic approach to engage the whole City.

Mayor Gordo thanked the Task Force for their hard work and recognized the growing need to support the City's youth.

The following individuals commented on the importance of early childhood development:

Victor Soto, Executive Director of Pacific Oaks Children's School
Tony Santilena, Pasadena resident

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

**PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA**

Allen Shay, Pasadena resident, suggested that the City Charter should include provisions for police accountability, expressed concerns with the City's use of the ShotSpotter system, and commented on racial inequalities.

William Meurer, Pasadena resident, commented on his communications with the Pasadena Health Department regarding the effects of microwaves, vaccines, and Wi-Fi.

The following individuals expressed their concerns and shared comments regarding the Pasadena Water and Power Department's Integrated Resource Plan:

Cynthia Cannady, Pasadena resident
Felix Breden, Pasadena resident
Sam Berndt, Pasadena resident

Olden Denham, Pasadena resident, commented on systemic racism in the City's history and called for changes in the Pasadena Police Department.

The following individuals spoke in support of having a Pasadena street named after the Pasadena-based musical group, Troop:

Allen McNeil, from Troop
Steven "Stevie Dream" Monroe, resident not stated
Rodney Benford, Monrovia resident
Jon Jon Herald, Pasadena resident
Ann Warren, Pasadena resident

In response to the public comments, members of the City Council shared details on the City's street naming policy, and encouraged the speakers to pursue this effort through as part of that process.

CONSENT CALENDAR

City Manager/ Executive Director

REJECTION OF BID FOR PUBLIC HEALTH BUILDING TENANT IMPROVEMENTS PROJECT (Public Works Dept.)

Recommendation: It is recommended that the City Council:

- 1) Find that the recommended actions in the agenda report are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061(b)(3),
- 2) Reject sole bid received on March 23, 2023, in response to the Notice Inviting Bids for the Public Health Building Tenant Improvements Project.

REJECTION OF BIDS FOR PASADENA COMMUNITY HEALTH CENTER PUBLIC RESTROOMS ADA UPGRADES CONTRACT (Public Works Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended actions in the agenda report are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061(b)(3), the "Common Sense" exemption that CEQA only applies to projects that may have an effect on the environment; and
- (2) Reject bids received on August 2, 2023, in response to the Notice Inviting Bids for the Pasadena Community Health Center Men's & Women's Restroom ADA Upgrades Contract.

City Council

RESIGNATION OF MARY URTECHO-GARCIA FROM THE COMMISSION ON THE STATUS OF WOMEN (District 4 Nomination)

City Clerk/ Secretary

CLAIMS RECEIVED AND FILED

Claim No.	Claimant	Claim Amount
2024-0092	Patricia Johnson	\$ 9,999.00
2024-0093	State Farm Claims	597.01
2024-0094	Wawanesa Insurance on behalf of Phyllis Yamada	10,000.00+

In response to Councilmember Hampton's question regarding the items rejecting bids and City staff taking additional steps to contact bidders regarding the high bids received, Tony Olmos, Director of Public Works, reported that City staff is reviewing the scope of work and will make necessary adjustments to better align the project budget with anticipated costs for the project.

MOTION:

It was moved by Councilmember Hampton, seconded by Vice Mayor Williams, to approve all items on the Consent Calendar. (Motion approved unanimously) (Absent: Councilmember Madison)

REPORTS AND COMMENTS FROM

DIRECTION TO STAFF TO PREPARE THE NECESSARY RESOLUTIONS TO SUBMIT PROPOSED CITY CHARTER

COUNCIL COMMITTEES

Finance Committee

AMENDMENTS FOR VOTER CONSIDERATION AT THE MARCH 5, 2024 PRIMARY MUNICIPAL ELECTION RELATED TO CONTRACTS AND PURCHASES, REVISION OF PROCUREMENT TERMS TO UTILIZE ALTERNATIVE PROJECT DELIVERY METHODS, THE GENERAL FUND TRANSFER FROM THE ELECTRIC UTILITY, AND VARIOUS OTHER CLERICAL CORRECTIONS AND AMENDMENTS (Finance 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” exemption that CEQA only applies to projects that may have an effect on the environment;
- (2) Direct staff to prepare and return with resolutions required to place a Charter Amendment measure regarding contracts and purchases as described in the agenda report to amend Section 1001 and 1002 of the Charter on the General Municipal Election of the City of Pasadena on Tuesday, March 5, 2024; and
- (3) Direct staff to prepare and return with resolutions required to place a Charter amendment measure regarding the General Fund transfer from the electric utility to Amend Article XIV, Section 1408 of the Charter, and various other clerical corrections/amendments to Articles VII, XII, and XVIII, as detailed in the agenda report, on the General Municipal Election of the City of Pasadena on Tuesday, March 5, 2024.

City Manager Márquez and Matt Hawkesworth, Director of Finance, introduced the item, and responded to questions.

In relation to Charter Amendments to adjust the purchase and contracts amounts requiring City Council approval, Councilmember Lyon suggested that the Council could annually set the contract threshold each year by ordinance, as opposed to the limit being set in the City Charter.

Discussion ensued regarding design-build provisions for projects over a certain amount, alternative delivery methods, and settlement thresholds.

Following discussion, it was moved by Councilmember Jones, seconded by Councilmember Hampton, to approve staff recommendation, with direction to City staff to include language in the Charter Amendment measure that provides the option to the City Council to set contract and purchasing thresholds by ordinance annually. (Motion approved unanimously) (Absent: Councilmember Madison)

ORDINANCE – FIRST READING

CONDUCT FIRST READING OF “AN ORDINANCE OF THE CITY OF PASADENA AMENDING PASADENA MUNICIPAL CODE CHAPTER 14.04 REGARDING BUILDING CODE AND RELATED CODES”

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

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

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW FOR THE EXPANSION OF AN EXISTING MULTIFAMILY RESIDENTIAL USE FROM 62 UNITS TO 107 UNITS AT 1259 LA PINTORESCA DRIVE (Planning Dept.)

Recommendation: This report is intended to provide information to the City Council; no action is required.

City Clerk Jomsky reported that fifteen letters in support of the proposed project, as well as five letters stating concerns with the project and advocating for the developer to provide a right to return and relocation assistance for displaced tenants, were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the public record.

City Attorney Bagneris advised the City Council and members of the public that the item is a pre-development plan review information item, and that discussion is limited to the basic presentation of what the project may look like, without questions asked in a manner that may suggest a member of the City Council has an established position of support or opposition to the project.

Jennifer Paige, Director of Planning, provided introductory comments and Jason Van Patten, Senior Planner, presented a PowerPoint on the item highlighting the expansion of an existing multi-family residential site at 1259 La Pintoresca Drive.

Councilmember Jones asked about the protections for the thirteen tenants who occupy units that could be demolished.

Planning Director Paige reported that the tenants occupying the affected units are part of Section 8 Housing, and that they are in a contract with the U.S. Department of Housing and Urban Development (HUD). She emphasized that there are a variety of protections in place for these tenants if the project were to move forward; she stated that the proposed units would be affordable.

Dustin Go, representing the applicant (Front Porch Development), confirmed that the proposed units would be senior affordable housing units.

The following individuals expressed concerns regarding the project and its potential impact on the senior tenants living at the proposed project location:

Anthony Manousos, Pasadena resident
Tina Hooper, Pasadena resident
Ethel Ralls, residence not stated
Maria Arias, Pasadena resident
Ryan Bell, Pasadena resident
Jill Shook, Pasadena resident
Michelle White, Pasadena resident

Planning Director Paige reiterated that the presentation was informational only, and if the project moves forward, the City's approval process will include additional public meetings, public hearings, and notification to the tenants regarding the time and location for those legislative actions.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

City Manager

Mayor Gordo stated that he had a potential conflict, recused himself from participation in the item, and left the dais at 8:46 p.m.

DIRECTION TO PREPARE AN ORDINANCE ESTABLISHING A RENT STABILIZATION DEPARTMENT, PURSUANT TO REQUEST OF THE PASADENA RENTAL HOUSING BOARD

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Sections 15061(b)(3), the "Common Sense" exemption; and
- (2) Pursuant to the request of the Pasadena Rental Housing Board, direct the City Attorney to prepare and return within 60 days with an ordinance amending the Title 2 of the Pasadena Municipal Code to create a new Chapter establishing the Rent Stabilization Department as a City Department headed by a City Manager appointee, in order to support the Pasadena Rental Housing Board and to carry out their functions set forth in the City Charter.

City Manager Márquez provided introductory comments, and Rebecca Takahashi, Acting Assistant to the City Manager, presented a PowerPoint presentation proposing the establishment of the Rent Stabilization Department as a City Department, and responded to questions.

Councilmember Lyon expressed concerns regarding the proposed structural composition and oversight of a Rent Stabilization Department as it relates to the City's current governance structure, and alignment/conflict with certain City Charter provisions. As an alternative to creating a new City department, Councilmember Lyon suggested that the PRHB Board and its support staff be created as an independent agency, much like the Pasadena Unified School District and Board of Education. He cited potential conflicts that could take

place between the City Manager's Office and the proposed department, and noted that the City Council's role would be in the budget process for the Pasadena Rental Housing Board, which is contrary to an independent body from the Council.

In response to questions, City Manager Márquez clarified that the proposed Department Director, along with the Department staff, would be classified as City employees who would ultimately report to the City Manager. He also stated that the City Manager would retain the authority to reject the Housing Board's recommendation for appointing a Department Director; and noted that while the City Council would be required to adopt the budget, the Pasadena Rental Housing Board would continue to be responsible for establishing its own budget.

In response to Councilmember Hampton's inquiry regarding oversight of the proposed Department, City Attorney Bagneris reported that the City Charter Article XVIII states that the Board is in fact a part of the City, but exercises its own powers and duties, independent from the City Council, City Manager, and City Attorney, unless it requests their support. She noted that the PRHB did in fact request this arrangement.

Karen Tiedemann, counsel for the Pasadena Rental Housing Board, reported that the Board did consider other models (citing the example of the Rose Bowl Operating Company), which following review, were considered unfeasible due to the Board not having the authority to establish its own corporation, as well as cost inefficiencies and time sensitivities (work needing to be done as soon as possible).

Nicholas Rodriguez, Assistant City Manager, stated that there is no separate corporate identity for the Pasadena Rental Housing Board (in comparison to the Rose Bowl Operating Company); and noting that the RBOC corporation was first established, and then staff was migrated over.

In response to Councilmember Rivas' inquiry regarding a provision in City Charter Article XVIII that states the PRHB is "an integral part of City government", City Attorney Bagneris reported that much like the Rose Bowl Operating Company, these separate entities are integral to the City in many respects (i.e., insurance and budgets), despite the fact that they may operate independently. She stated that the City Council can consider this model to ensure that action is taken to support the implementation of this measure in a consolidated manner that aligns with the Charter and remains internally consistent.

Councilmember Lyon thanked City staff for the effort and hard work related to this matter, but stated that, based on the information provided, the proposed structure of the Board does not appear to be in the best interest of the tenants, PRHB, or the City Council. However, understanding the urgency in ramping up efforts to support Rent Stabilization in the City, and implement City Charter Article XVIII,

Councilmember Lyon proposed approving the recommended action with the inclusion of a sunset date for the proposed Rent Stabilization Department, which will provide time for staff and the PRHB to respond to the questions raised, address the potential conflicts in the City Charter, and possibly return to the voters with additional amendments to the Charter provisions that would improve the implementation of Measure H.

Councilmember Hampton suggested, as an alternative to a City Department, the hiring of contract employees to report to the Pasadena Rental Housing Board, noting that they could be contracted out of the City Manager's Office to distinguish them from regular City employees since the Board's establishment is still in progress.

Ryan Bell, Chair of the Pasadena Rental Housing Board, stated that the Board is a regulatory body that communicates with various City departments, and is unlike the Rose Bowl Operating Company, which operates as a business. He stated his support for the proposed action to have the Board and its staff organized as a City department through the City's established mechanisms.

Councilmember Lyon expressed disagreement, stating that the Pasadena Rental Housing Board is fundamentally different from a City department, as well as from other legislative bodies (in part because it is an unelected body), since it has a significant level of oversight authority over rent stabilization, as well as over landlord and tenant relationships/disputes, in the City.

The following individuals provided comments, support, and/or concerns pertaining to the Pasadena Rental Housing Board becoming a City department:

Liberty McCoy, Pasadena resident
Dan Huynh, Pasadena resident
Michelle White, Pasadena resident

Following discussion, it was moved by Councilmember Hampton, seconded by Councilmember Jones, to approve the staff recommendation, with direction to City staff to prepare an ordinance to establish the Pasadena Rental Housing Board and its support staff as a City Department, with the ordinance to include provisions for re-evaluation in 12 months, as well as including a sunset clause that would cause the Department to expire in 24 months, and with additional direction to the City Manager, City Attorney, and City Clerk to review City Charter Article XVIII for potential charter amendments that could address and clarify inconsistencies in Article XVIII with the rest of the City Charter, and to request the Pasadena Rental Housing Board to conduct a similar review, and for both City staff and the Board to work together on preparing potential City Charter amendments to improve the efficiencies and/or clarify any existing inconsistencies.

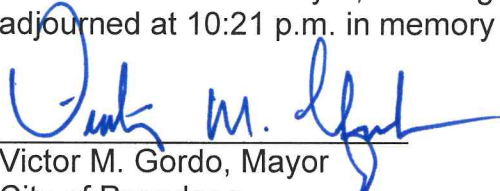
Vote on Motion:

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

City Clerk Jomsky announced that the nomination period for the March 5, 2024 election for the offices of Mayor, Council Districts 1, 2, 4, and 6, for four year terms, and a Special Election for Council District 3 for a two-year term, opens on Monday, November 13, 2024, and provided additional information regarding the dates and times for nomination workshops for those interested in seeking office.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:21 p.m. in memory of Joe Hopkins.



Victor M. Gordo, Mayor
City of Pasadena

ATTEST:



City Clerk