

CITY OF PASADENA
City Council Minutes
November 14, 2022 – 4:30 P.M.
City Hall Council Chamber

UNOFFICIAL UNTIL
APPROVED BY CITY COUNCIL

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

OPENING: Mayor Gordo called the special meeting to order at 3:45 p.m.
(Absent: Councilmember Madison)

CLOSED SESSION: On the order of the Mayor, the meeting recessed at 3:46 p.m., to discuss the following closed session:

CLOSED SESSION **SUCCESSOR AGENCY TO THE PASADENA COMMUNITY DEVELOPMENT COMMISSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to Government Code Section 54956.8
Property: 1383 Prime Court
Under negotiation: Price and terms
Agency negotiator: Miguel Márquez
Negotiating Party: Daniel Freedman

Councilmember Madison
arrived at 4:34 p.m.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)
Name of Case: DC Lake Holdings, LLC v. City of Pasadena
LASC Case No.: 19STCP04588

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL –
Anticipated litigation significant exposure to potential litigation
pursuant to Government Code Section 54956.9(d)(2) (one case)

The above closed session item was discussed, with no reportable action at this time.

Mayor Gordo called the special meeting to order at 5:14 p.m. The pledge of allegiance was led by Vice Mayor Wilson.

ROLL CALL:
Councilmembers: Mayor Victor M. Gordo
Vice Mayor Andy Wilson
Councilmember Tyron Hampton
Councilmember Justin Jones
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Jessica Rivas
Councilmember Felicia Williams

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

Mark Jomsky, City Clerk, reported that public comment is limited to items on this special meeting agenda.

OLD BUSINESS

ADOPTION OF THE REVISED 2022 EARLY CHILD DEVELOPMENT POLICY (To be heard at 4:30 p.m., or thereafter)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed Revised Early Child Development Policy is not a "project" under the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15378;
- (2) Adopt the Revised 2022 Early Child Development Policy attached to the agenda report; and
- (3) Direct the City Manager to return during the first quarter of 2023 with recommendations for the implementation of key initial activities and areas of recommendation contained within the Revised 2022 Early Child Development Policy.

Dr. Vera Vignes, Chair of the Early Child Development & Early Learning Task Force, and Pat Bowie, consultant, provided a PowerPoint presentation on the agenda item, and responded to questions.

Councilmember Hampton expressed his thanks and appreciation to the Task Force for the report; stated his support for the "Welcome Baby" Campaign for families with newborns in Pasadena as a key initial activity; spoke on the importance of early child development and noted that he anticipates further discussion/exploration on creating a meaningful partnership with PUSD and possibly other independent schools to assist with the support of this program.

Councilmember Masuda spoke on the importance of early child development and expressed his support for the policy.

Mayor Gordo asked the City Manager to reach out to PUSD and request that they bring forward a report to the City Council on Measure I and J funding.

Councilmember Wilson stated his support for further exploration and collaboration with PUSD, and that he feels this is a great pilot program for the City and PUSD to collaborate on; requested further information and data on the "Birth to 5 years of age population", asking the Task Force to provide this to the Council; and thanked the Task Force for their work.

Mayor Gordo congratulated the Task Force for bringing forward a policy that is achievable, establishes milestones and measuring progress; suggested using heat maps by census tract to help better understand "Birth to 5 years of age population" demographic; spoke on Key Initial Activities No. 2, requesting that the Task Force consider including an advisory body that might provide feedback to the City Council on a more regular basis; and suggested as part of

the Early Development Instrument/Index (EDI) data collection, City staff should reach out to the Board of Supervisors Office and the Los Angeles County to further explore opportunities for measuring PUSD boundaries beyond the City's boundaries (e.g. Altadena), for more accurate reporting, noting that this is consistent with the City's effort to collaborate with PUSD.

It was moved by Councilmember Hampton, seconded by Councilmember Masuda, to approve staff recommendation:

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

NOES: None

ABSENT: None

ABSTAIN: None

CONSENT CALENDAR

Item discussed separately

AUTHORIZATION TO APPLY FOR HOMELESS HOUSING, ASSISTANCE AND PREVENTION ROUND 4 FUNDING WITH THE STATE OF CALIFORNIA BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

ADOPT A RESOLUTION TO DESIGNATE DEPARTMENT REPRESENTATIVES FOR WATER AND POWER PROGRAMS THAT INCLUDE REGULATORY COMPLIANCE REQUIREMENTS AND TO SUPERSEDE A PRIOR RESOLUTION

Recommendation: It is recommended that the City Council:

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

(2) Adopt a resolution designating the General Manager and Assistant General Manager of the Water and Power Department as primary and alternate Authorized/Designated Representatives, or any title variation thereof, for any and all mandated or voluntary Water and Power programs that require compliance with laws and regulations, and supersede a prior resolution. (Resolution No. 9959)

Item discussed separately

AUTHORIZATION TO ENTER INTO A FIBER LEASE AGREEMENT WITH THE CALIFORNIA INSTITUTE OF TECHNOLOGY

CONTRACT AWARD TO SELECT ELECTRIC, INC., FOR INTELLIGENT TRANSPORTATION SYSTEM PHASE I – PARKING GUIDANCE SYSTEM, FEDERAL-AID PROJECT NUMBER HPLUL – 5064 (092) FOR AN AMOUNT NOT-TO-EXCEED \$577,273

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 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 October 12, 2022, submitted by Select Electric, Inc., in response to the project plans and specifications for Intelligent Transportation System Phase I – Parking Guidance System, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$577,273, which includes the base contract amount of \$524,794 and a contingency of \$52,479 to provide for any necessary change orders. (Contract No. 32442)

PURCHASE ORDER AWARD TO JAM SERVICES, INC., FOR PROCUREMENT OF ADA-COMPLIANT AUDIBLE PEDESTRIAN PUSH BUTTONS FOR AN AMOUNT NOT-TO-EXCEED \$131,020

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 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 August 29, 2022, submitted by Jam Services, Inc., in response to the project specifications for Procurement of ADA Audible Pedestrian Push Buttons; reject all other bids received; and, authorize the City Manager to enter into a contract not-to-exceed \$131,020, which includes the base contract amount of \$119,109 and a contingency of \$11,911 to provide for any necessary change orders.

CONTRACT AWARD TO CHICAGO TITLE COMPANY FOR TITLE AND ESCROW SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$100,000

Recommendation: It is recommended that the City Council:

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

(2) Authorize the City Manager to enter into a contract, as a result of the competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with Chicago Title Company for title and escrow services for a two-year term not-to-exceed \$40,000, with the option of three additional one-year extensions combined options not-to-exceed \$60,000, subject to the approval of the City Manager, for a total contract length of five years or until \$100,000 is expended, whichever comes first. Competitive bidding is not required pursuant to City Charter Section 1002(F) contracts for professional or unique services. (Contract No. 32447)

APPROVAL OF PASADENA FIRE MANAGEMENT ASSOCIATION SALARY SCHEDULE

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3) (Common Sense Exemption); and
- (2) Approve a salary schedule for Pasadena and the Pasadena Fire Management Association effective December 19, 2022.

CONTRACT AWARDS TO CPS; CAROLINA CARO; ZIKSANA CONSULTING AND CENTER FOR NON-PROFIT MANAGEMENT FOR TRAINING AND DEVELOPMENT SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$840,000

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3) (Common Sense Exemption);
- (2) Authorize the City Manager to enter into a contract, as a result of a competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with Cooperative Personnel Services (CPS) for Training and Development Services for a total amount not-to-exceed \$350,000 over a five-year term with the option to extend the contract by two optional one-year extension periods. The value of each optional one-year extension period is not-to-exceed \$70,000; (Contract No. 32444)
- (3) Authorize the City Manager to enter into a contract, as a result of a competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with Carolina Caro for Training and Development Services for a total amount not-to-exceed \$150,000 over a five-year term with the option to extend the contract by two optional one-year extension periods. The value of each optional one-year extension period is not-to-exceed \$30,000; (Contract No. 32443)
- (4) Authorize the City Manager to enter into a contract, as a result of a competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with Ziksana Consulting for Training and Development Services for a total amount not-to-exceed \$50,000 over a five-year term with the option to extend the contract by two optional one-year extension periods. The value of each optional one-year extension period is not-to-exceed \$10,000; and (Contract No. 32445)
- (5) Authorize the City Manager to enter into a contract, as a result of a competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with Center for Non-profit for Training and Development Services for a total amount not-to-exceed \$50,000 over a five-year term with the option to extend the contract by two optional one-year extension periods. The value of each optional one-

year extension period is not-to-exceed \$10,000. (Contract No. 32446)

AUTHORIZATION TO EXECUTE AN OFFICE LEASE RENEWAL WITH PASADENA'S DEPARTMENT OF TRANSPORTATION AND PASADENA LIBRARIES & INFORMATION SYSTEMS AT 221 E. WALNUT STREET SUITES 199, 210, AND 229 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$1,773,485

Recommendation: It is recommended that the City Council:

- (1) Find that the leasing of 221 E. Walnut Street, Suites 199, 210 and 229 is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to the State CEQA Guidelines Section 15301 (Existing Facilities); there are no features that distinguish this project from others in the exempt classes, and therefore, there are no unusual circumstances; and
- (2) Authorize the City Manager to execute a lease amendment for the office space located at 221 E. Walnut Street, Suites 199, 210 and 229 incorporating the terms and conditions generally described in the agenda report, and to execute any other related agreements necessary to effectuate the transaction including non-substantial revisions. (Contract No. 16.436-16)

INFORMATIONAL ITEM: PASADENA LOCAL EMERGENCY RESPONSE TO THE MONKEYPOX (MPX) VIRUS

Recommendation: The agenda report is for information only; no City Council action is required at this time.

Item discussed separately

ADOPTION OF A RESOLUTION OF THE SUCCESSOR AGENCY OF THE PASADENA COMMUNITY DEVELOPMENT COMMISSION EXEMPTING THE SALE OF THE REAL PROPERTY AT 1383 PRIME COURT FROM THE SURPLUS LAND ACT

TWO CONTRACT AWARDS: 1) THE PROPERTY SCIENCES GROUP, INC., AND 2) NORRIS REALTY ADVISORS FOR COMMERCIAL APPRAISAL SERVICES FOR A COMBINED TOTAL AMOUNT NOT-TO-EXCEED \$125,000

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), 15378, and as such, no environmental document pursuant to CEQA is required for the project;
- (2) Authorize the City Manager to enter into a professional contract, as a result of competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with The Property Sciences Group, Inc., for commercial appraisal services for a two-year term not-to-exceed a combined commercial appraisal services amount of \$50,000, with three additional one-year extensions not-to-exceed a combined commercial appraisal services amount of

\$75,000, subject to the approval of the City Manager, for a maximum total contract length of five years or until the combined budgeted commercial appraisal services amount of \$125,000 is expended, whichever comes first (all contract amounts are subject to be reduced, without notice, based upon actual expenditures to the other contract for the same services); and (Contract No. 32451)

(3) Authorize the City Manager to enter into a professional contract (to be designated as a back-up vendor to provide required services in the event that The Property Sciences Group, Inc., is unable to deliver requested services within a reasonable time frame), as a result of competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with Norris Realty Advisors, for commercial appraisal services for a two-year term not-to-exceed a combined commercial appraisal services amount of \$50,000, with three additional one-year extensions not-to-exceed a combined commercial appraisal services amount of \$75,000, subject to the approval of the City Manager, for a maximum total contract length of five years or until the combined budgeted commercial appraisal services amount of \$125,000 is expended, whichever comes first (all contract amounts are subject to be reduced, without notice, based upon actual expenditures to the other contract for the same services). (Contract No. 32449)

CONTRACT AWARD TO THE PROPERTY SCIENCES GROUP, INC., FOR RESIDENTIAL APPRAISAL SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$75,000

Recommendation: It is recommended that the City Council:

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

(2) Authorize the City Manager to enter into a contract, as a result of competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with the Property Sciences Group, Inc., for residential appraisal services for a two-year term not to exceed \$30,000, with the option of three additional one-year extensions not-to-exceed \$45,000, subject to the approval of the City Manager, for a maximum total contract length of five years, or until \$75,000 is expended, whichever comes first. (Contract No. 32450)

**RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS**

CONTRACT AWARD TO OVERLAND, PACIFIC & CUTLER, LLC FOR RIGHT-OF-WAY SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$100,000

Recommendation: It is recommended that the City Council:

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

(2) Authorize the City Manager to enter into a professional contract, as a result of competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code, with Overland, Pacific & Cutler, LLC for Right-of-Way Services for a two years not-to-exceed \$40,000, with three optional one-year extensions not-to-exceed \$60,000, subject to the approval of the City Manager, for a maximum total contract length of five years or until \$100,000 is expended, whichever comes first. Competitive bidding is not required pursuant to City Charter Section 1002(F) contracts for professional or unique services. (Contract No. 32448)

Item discussed separately

APPROVAL OF THE KEY BUSINESS TERMS OF A DEVELOPMENT AND LEASE AGREEMENT WITH NATIONAL COMMUNITY RENAISSANCE OF CALIFORNIA FOR THE CONSTRUCTION OF AN AFFORDABLE HOUSING PROJECT FOR SENIORS ON CITY-OWNED PROPERTY AT 280 RAMONA STREET

FINANCE COMMITTEE: AMENDMENT TO CONTRACT WITH AME BUILDERS, INC., DBA AME ROOFING (NO. 32245) FOR ALLENDALE LIBRARY ROOF REPLACEMENT AND RETROFIT FOR AN INCREASE OF \$147,647 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$446,487 AND AMENDMENT TO FISCAL YEAR 2023 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation: It is recommended that the City Council:

(1) Find the proposed action of amending an existing contract is not a "project" 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) Authorize the City Manager to amend Contract No. 32245 with AME Builders, Inc., dba AME Roofing by \$147,647 for a total not-to-exceed amount of \$446,487. It is further recommended, to the extent this might be viewed as a separate project which should be competitively bid, the City Council exempt this transaction from competitive bidding based on this action serving the best interest of the City; and (Contract No. 32245-1)

(3) Amend the Fiscal Year 2023 Capital Improvement Program Budget by appropriating \$200,000 in Charter Capital Fund to the Allendale Library Roof Replacement and Retrofit (71903) project. (Budget Amendment No. 2023-09)

FINANCE COMMITTEE: APPROPRIATE \$150,000 TO THE HOUSING DEPARTMENT'S FISCAL YEAR 2023 OPERATING BUDGET AND AMEND CONTRACT NO. 31272 WITH SOUTHERN CALIFORNIA HOUSING RIGHTS CENTER FOR TENANT-LANDLORD COUNSELING SERVICES

Recommendation: It is recommended that the City Council:

(1) Find that the recommended action 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) Amend the Housing Department’s Fiscal Year (FY) 2023 Operating Budget by appropriating \$150,000 from the unappropriated fund balance of the Other Housing Fund (238);

(3) Authorize the City Manager to amend Contract No. 31272 with Southern California Housing Rights Center to increase the total contract value by \$150,000 through June 30, 2024 for a not-to-exceed amount of \$322,000 for continued tenant/landlord related services; and (Contract No. 31272-5)

(4) To the extent the amendments could be considered a separate procurement subject to the Competitive Selection Process, grant the contract an exemption pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City’s best interests are served. This transaction is exempt from competitive bidding per PMC Section 4.08.030 and City Charter Section 1002(F) based on contracts for professional or unique services. (Budget Amendment No. 2023-10)

FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT – QUARTER ENDING SEPTEMBER 30,2022

Recommendation: The agenda report is for information only; no action is required at this time.

Item discussed separately

MUNICIPAL SERVICES COMMITTEE: AUTHORIZATION TO ENTER INTO A POWER SALES CONTRACT WITH SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY (“SCPPA”) FOR SOLAR PHOTOVOLTAIC ENERGY AND BATTERY ENERGY STORAGE FROM SAPPHIRE SOLAR, LLC FOR THE WATER AND POWER DEPARTMENT

RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS

RESIGNATION OF VALINDA BOWENS FROM THE COMMISSION ON THE STATUS OF WOMEN (District 3 Nomination)

RESIGNATION OF JASON LYON FROM THE PLANNING COMMISSION EFFECTIVE DECEMBER 12, 2022 (District 7 Nomination)

APPOINTMENT OF STEPHANIE NAVA-ANGELES TO THE NORTHWEST COMMISSION (District 5 Nomination)

APPOINTMENT OF DARIN BEAMAN TO THE HISTORIC PRESERVATION COMMISSION (Rose Villa-Oakdale Landmark District Nomination)

APPROVAL OF
MINUTES

September 29, 2022
October 3, 2022
October 10, 2022

October 17, 2022

CLAIMS RECEIVED

| Claim No. | Claimant | Claim Amount |
|------------------|---|---------------------|
| 2023-0125 | Andrew Mello | \$ 1,012.29 |
| 2023-0126 | SubroClaims, Inc. o/b/o Geico Insurance a/s/o David Soetojo | 1,937.33 |
| 2023-0127 | Mercury Insurance a/s/o Kimberly Potter | 10,000.00+ |
| 2023-0128 | Kimberly Potter | 25,000.00+ |
| 2023-0129 | Mercury Insurance | 3,577.86 |
| 2023-0130 | Tony Harris | 7,000.00 |
| 2023-0131 | Jane Rickert | 1,848.51 |
| 2023-0132 | Erik Santana | 25,000.00+ |
| 2023-0133 | David King Sinatra | 25,000.00+ |
| 2023-0134 | Ruben Assatourian | 2,991.23 |
| 2023-0135 | USAA a/s/o Brian Gilman | 3,616.78 |
| 2023-0136 | Steven Belzer | 25,000.00+ |

PUBLIC HEARING SET

December 5, 2022, 5:00 p.m. – Application to Designate a Two-Story Single-Family Residence at 781 S. Grand Avenue as a Landmark

December 5, 2022, 5:00 p.m. – Application to Designate the Mount Olive Lutheran Church At 1118 North Allen Avenue as a Landmark

December 5, 2022, 5:00 p.m. – Application to Designate the James L. Lee Residence at 673 South Los Robles as a Landmark

It was moved by Councilmember Williams, seconded by Councilmember Jones, to approve all items on the Consent Calendar with the exception of Item 1 (Authorization to Apply For Homeless Housing, Assistance and Prevention Round 4 Funding...), Item 3 (Authorization to Enter into a Fiber Lease Agreement...), Item 11 (Adoption of a Resolution of the Successor Agency of the Pasadena Community Development Commission...), Item 15 (Approval of the Key Business Terms...) and Item 19 (Authorization to Enter into a Power Sales Contract), which were discussed separately:

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

**CONSENT ITEM
DISCUSSED
SEPARATELY**

AUTHORIZATION TO APPLY FOR HOMELESS HOUSING, ASSISTANCE AND PREVENTION ROUND 4 FUNDING WITH THE STATE OF CALIFORNIA BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended action 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) Authorize the submittal of an application to apply for Homeless Housing, Assistance and Prevention Round 4 funding for eligible programs and activities that serve people experiencing homelessness; and
- (3) Authorize the City Manager to certify or execute, and the City Clerk to attest, the application and all other documents, agreements and amendments related to the application and subsequent State award.

The following individuals provided comments on the agenda item:

Dary Van, Altadena resident
Humberto Avina, Pasadena resident

Following brief comments, it was moved by Councilmember Williams, seconded by Vice Mayor Wilson, to approve the staff recommendation:

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

As noted by City Clerk Mark Jomsky, Councilmember Madison had a potential conflict, recused himself, and left the meeting at 6:14 p.m.

AUTHORIZATION TO ENTER INTO A FIBER LEASE AGREEMENT WITH THE CALIFORNIA INSTITUTE OF TECHNOLOGY

Recommendation: It is recommended that the City Council:

- (1) Find that the following proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301(c) (Existing Facilities); and
- (2) Authorize the City Manager to enter into a five-year fiber lease agreement with the California Institute of Technology for use of City fiber, resulting in up to \$94,521 in revenue to the City, with the option for the City Manager to extend the agreement for one five-year period at an amount of up to an additional \$94,521 in revenue. (Contract No. 23,764)

It was moved by Councilmember Williams, seconded by Councilmember Jones, to approve the staff recommendation:

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

NOES: None
ABSENT: Councilmember Madison
ABSTAIN: None

Councilmember Rivas stated that she had a conflict, recused herself, and left the meeting at 6:15 p.m.

Councilmember Madison returned to the meeting at 6:15 p.m.

ADOPTION OF A RESOLUTION OF THE SUCCESSOR AGENCY OF THE PASADENA COMMUNITY DEVELOPMENT COMMISSION EXEMPTING THE SALE OF THE REAL PROPERTY AT 1383 PRIME COURT FROM THE SURPLUS LAND ACT

Recommendation: It is recommended that the Successor Agency to the Pasadena Community Development Commission:

- (1) Find that adopting the proposed Resolution is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) (common sense exemption) and State CEQA Guidelines Section 15312 (surplus government property sales); and
- (2) Adopt a resolution finding that real property owned by the Successor Agency to the Pasadena Community Development Commission located in the City of Pasadena at 1383 Prime Court, and identified as APN 5848-028-900, is exempt from the Surplus Land Act, and taking related actions. (Resolution No. 9960)

Mark Jomsky, City Clerk, reported that one letter, stating that the adjacent property next to 1383 Prime Court is designated land, and providing comments on the matter, was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

It was moved by Vice Mayor Wilson, seconded by Councilmember Jones, to approve the staff recommendation:

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

APPROVAL OF THE KEY BUSINESS TERMS OF A DEVELOPMENT AND LEASE AGREEMENT WITH NATIONAL COMMUNITY RENAISSANCE OF CALIFORNIA FOR THE CONSTRUCTION OF AN AFFORDABLE HOUSING PROJECT FOR SENIORS ON CITY-OWNED PROPERTY AT 280 RAMONA STREET

Recommendation: It is recommended that the City Council:

- (1) Acknowledge that the Design Commission found that the proposed housing development project, as described in the agenda report, is categorically exempt from the California Environmental Quality Act under Section 15332, (Class 32) "in-fill development projects" and that there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances;

- (2) Find that the project will have no significant impact on the human environment, pursuant to the National Environmental Policy Act of 1969 (NEPA), as set forth in the attachment of the agenda report, Environmental Assessment/Finding of No Significant Impact;
- (3) Find that the provision of affordable housing for seniors on City-owned property serves a public purpose;
- (4) Approve the key business terms, as described in the agenda report, of the proposed Development and Lease Agreement with National Community Renaissance of California; and (Contract No. 23,765)
- (5) Authorize the City Manager to execute any and all documents necessary to effectuate the staff recommendation.

Mark Jomsky, City Clerk, reported that at the one letter, expressing concerns with the staff recommendation, specifically the CEQA analysis and the exemption as described as "inadequate", was received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

Jill Shook, representing Making Housing Happen, expressed her appreciation for the proposed staff recommendation, and commended the City Council for approving this project.

Councilmember Madison experienced technical difficulties and briefly left the meeting at 6:23 p.m.

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

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

Municipal Services Committee

Councilmember Madison returned to the meeting at 6:25 p.m.

MUNICIPAL SERVICES COMMITTEE: AUTHORIZATION TO ENTER INTO A POWER SALES CONTRACT WITH SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY ("SCPPA") FOR SOLAR PHOTOVOLTAIC ENERGY AND BATTERY ENERGY STORAGE FROM SAPPHIRE SOLAR, LLC FOR THE WATER AND POWER DEPARTMENT

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption); and
- (2) Authorize the City Manager, or his designee, to enter into a contract with Southern California Public Power Authority ("SCPPA") without competitive bidding pursuant to City Charter Section 1002(H) (Contracts with other governmental entities or their contractors for labor, material, supplies, or services), for the purchase of renewable energy and capacity from Sapphire Solar, LLC that includes daily delivery of a maximum of 39 megawatts ("MW") of solar photovoltaic energy and up to four hours of dispatchable battery energy storage

not-to-exceed 19.67 MW during a 20-year contract term beginning December 31, 2026; and (Contract No. 23,766)

(3) Grant the proposed contract an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(A)(3) Contracts with other governmental entities.

The following individuals spoke in support and/or provided comments advocating for clean energy:

Audrey Ma, Arcadia resident

Chris Peck, Pasadena resident

Cynthia Cannady, representing Pasadena 100

Cheryl Auger, Pasadena resident

Mark Jomsky, City Clerk, reported that at the November 8, 2022 Municipal Services Committee, the City received ten letters in support of entering into a contract with Sapphire Solar, LLC; and reported that twenty-three letters were received in support of the staff recommendation, and also advocated for the City to accelerate its transition to clean power; five letters advocating for the City to pursue/implement bold, comprehensive, sustainable lower carbon energy output, and for Pasadena Water and Power staff and consultants to provide additional information on the energy planning process, with all correspondence received by the City Clerk's Office distributed to the City Council, posted on-line, and made part of the public record.

Vice Mayor Wilson, Chair of the Municipal Services Committee (MSC), briefly commented on the importance of this item, and the Committee's unanimous vote to support this matter prior to City Council consideration.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

Mayor Gordo congratulated Shari Thomas, Assistant General Manager of Water and Power, on behalf of the City Council and Pasadena residents, on her upcoming retirement, thanked her for the many years of leadership and dedicated service to the City, and congratulated her on a stellar career.

Vice Mayor Wilson, Chair of the Municipal Services Committee (MSC), expressed his gratitude and appreciation to Shari Thomas for her leadership, especially on administrative and financial items.

Shari Thomas, Assistant General Manager, expressed her appreciation and gratitude to the Mayor and City Council for their support and recognition.

PUBLIC HEARING

PUBLIC HEARING: SUBSTANTIAL AMENDMENT TO ANNUAL ACTION PLAN FOR HOME INVESTMENT PARTNERSHIP FUNDS

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended action 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) Approve the submission to the U.S. Department of Housing and Urban Development (HUD) of a Substantial Amendment to the Annual Action Plan (2022-2023) as described in the agenda report for the reprogramming of \$1,416,073 in HOME Investment Partnership (HOME) entitlement funds; and
- (3) Authorize the City Manager to execute, and the City Clerk to attest, the grant applications, certifications, and any and all other documents deemed necessary by HUD to obtain the allocation of the aforementioned federal entitlement funds.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal and the Pasadena Press on October 13, 2022; no correspondence was received regarding this item.

Jim Huang, Director of Housing, provided introductory comments, and Randy Mabson, Program Coordinator III, presented a PowerPoint presentation on the item; and all responded to questions.

It was moved by Vice Mayor Wilson, seconded by Councilmember Jones, to close the public hearing:

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

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

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

PUBLIC HEARING

PUBLIC HEARING: APPEAL OF THE BOARD OF ZONING APPEALS' DECISION REGARDING A DETERMINATION THAT AN APPLICATION FOR CONCEPT DESIGN REVIEW IS INCOMPLETE FOR A PROJECT AT 141 SOUTH LAKE AVENUE

Recommendation: It is recommended that the City Council:

(1) Uphold the Board of Zoning Appeals' decision and the determination that the Concept Design Review application is incomplete.

Mark Jomsky, City Clerk, opened the public hearing; reported that no publication of the public hearing notice was required; and reported that one letter from the applicant was received in opposition to the staff recommendation, advocating for the appeal to be granted, and providing comments on the matter, which distributed to the City Council, posted on-line, and made part of the public record for this item.

Jennifer Paige, Acting Director of Planning, provided introductory comments and summarized slide 6 (Incomplete Notice – Current Status) of staff's PowerPoint presentation; and responded to questions.

Richard McDonald, representing the applicant DC Lake Holdings, LLC, provided an oral summary of his correspondence expressing concerns with the staff recommendation; and spoke in opposition to the proposed action requesting that his client's appeal be granted.

Following discussion, Councilmember Williams expressed she does not see a reason why the feasibility analysis could not have been updated for the new project and submitted by the applicant along with the application; stated she is inclined to uphold the Board of Zoning Appeals' (BZA) decision, noting that the BZA was very thoughtful about their decision and that this process is very instructive for the City Council, the public, and the Planning Department to know what the market feasibility is for these projects and feels it's a transparency matter.

Following discussion, it was moved by Councilmember Williams, seconded by Vice Mayor Wilson, to close the public hearing:

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

Mayor Gordo commented on the matter; stating this could have been resolved had the applicant submitted the items on the checklist, including the public notice provisions, and had ensured that the City

had everything needed to have met its responsibilities to the residents of Pasadena, in what is a very public process.

It was moved by Councilmember Williams, seconded by Councilmember Jones, to approve staff recommendation:

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

**PUBLIC COMMENT ON
CLOSED SESSION ITEM**

Allen Shay, Pasadena resident, provided comments related to Closed Session Item D; spoke on administrative reports versus department-led investigative reports and press releases in reference to the Anthony McClain case; stating discrepancies and the need for the City Attorney to be transparent.

On the order of the Mayor, the special meeting recessed at 7:23 p.m. to discuss the following closed sessions:

CLOSED SESSION

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION** 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
Attorney/City Prosecutor
City Representative: Victor Gordo

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION** 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 Clerk
City Representative: Victor Gordo

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 Fire Management
Association

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

ADJOURNMENT

On order of the Mayor, the special meeting of the City Council adjourned at 8:26 p.m.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk