

CITY OF PASADENA
City Council Minutes
December 5, 2022 – 4:30 P.M.
City Hall Council Chamber

UNOFFICIAL UNTIL
APPROVED BY CITY COUNCIL

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

OPENING: Mayor Gordo called the regular meeting to order at 4:40 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

CEREMONIAL MATTERS Mayor Gordo administer oath to Julian Vischer for passing the bar exam.

City Clerk Jomsky and Mayor Gordo introduced the following City employees and presented commendations for 35 and 40 years of dedicated service to Pasadena:

Tony Pollerana	PRCS	40 years
Dora Marin	Library	40 years
Sherene Young	Finance	35 years
Diane Walker	Library	35 years
Brenda Harvey-Williams	PRCS	35 years
Mohamed Youines	PWP	35 years
Alex Padilla	Police	35 years
Bradley Boman	PWP	35 years
Nvart Stepanian	Transportation	35 years
Andre Hunter	Public Works	35 years
Kirk Heltsley	DoIT	35 years
Adolfo Vargas	PWP	35 years
Robert Stolz	PWP	35 years

Mark Jomsky, City Clerk reported on the District 3 application appointment process, reporting that the City Clerk's Office received applications submittals from Justin Jones and Brandon Lamar, stating both of the applicants have submitted the required materials prior to the deadline, including nomination petitions, which have been verified by the City Clerk's office to have been signed by at

least 25 registered voters from District 3, and report that the special meeting to interview applicants and to fill the vacancy is scheduled for December 15, 2022 at 5:00 p.m.

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

Anthony Manousos, representing Making Housing and Community Happen (MHCH), spoke on the Making Housing and Community Happen Annual Celebration event held on December 3, 2022, sharing that Councilmember Rivas was one of the recipients of their Affordable Housing Rockstar Award; and advocated for hybrid City Council meetings to continue to promote accessibility and maximum public participation.

The following individuals spoke on the need for accountability and transparency within the Pasadena Police Department (PPD); advocated for the termination of Pasadena Police Officers (Dumaguindin, Serrano, Mulrooney, Serrano, Duncan, and /or Roza) involved in the shooting of Anthony McClain; and/or expressing concerns with racism, corruption, and the lack of leadership within the City:

Michael Williams, representing Black Lives Matter – Los Angeles
Brittney Pollock, Sherman Oaks resident
Allen Shay, Pasadena resident

Jill Shook, representing MHCH, advocated for hybrid public participation for City Council meetings, which is consistent with the Pasadena Way to highly value public engagement.

Bert Newton, representing MHCH, spoke on the need for a viable housing element, noted that the Department of Housing and Community Development (HCD) has rejected the Pasadena's Housing Element for a third time, advocated for the City to identify viable sites to meet the RHNA targets and a distribution of affordable housing stock evenly throughout the City; and advocated for a hybrid option for public comment when the City Council returns to in-person meetings.

Cheryl Auger, representing Ban Sup, expressed concerns with Pasadena's waste stream; spoke on the City of Los Angeles' recently adopted Zero Waste Plan; and advocated for the City to start managing its waste in a more significant way.

CONSENT CALENDAR

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH
RAFTELIS FINANCIAL CONSULTANTS, INC., FOR PROJECT
MANAGEMENT AND QUALITY ASSURANCE SERVICES FOR
COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM
FOR AN AMOUNT NOT-TO-EXCEED \$1,300,000 FOR THE
WATER AND POWER DEPARTMENT**

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;

(2) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Raftelis Financial Consultants, Inc., DBA Raftelis ("Raftelis") for Project Management and Quality Assurance Services for a Computerized Maintenance Management System ("CMMS") for the Water and Power Department ("PWP") in an amount not-to-exceed \$325,000, or a period of two years, whichever occurs first. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; and (Contract No. 32465)

(3) Authorize the City Manager to approve change orders relating to the optional implementation support services in an amount not-to-exceed \$975,000, or a period of two years, whichever occurs first, with the option of one additional one-year extension at the discretion of the City Manager, for a maximum contract length of five years, or a total not-to-exceed amount of \$1,300,000.

CONTRACT AWARD TO MARIPOSA TREE MANAGEMENT INC., FOR HARDWOOD TREE TRIMMING AND MAINTENANCE FOR AN AMOUNT NOT-TO EXCEED \$3,503,500 FOR UP TO FIVE YEARS

Recommendation: It is recommended that the City Council:

(1) Find the project (Contract of Hardwood Tree Trimming and Maintenance) is categorically exempt from the California Environmental Quality Act ("CEQA") in accordance with CEQA Guidelines Article 19, Section 15301 (Class 1), 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 4, 2022 submitted by Mariposa Tree Management Inc., in response to project specifications for Hardwood Tree Trimming and Maintenance, reject all other bids received, and authorize the City Manager to enter into a four-year contract not-to-exceed \$2,802,800 (which includes a \$254,800 contingency); and authorize the City Manager to extend the contract for up to one additional one-year term not-to-exceed an annual amount of \$700,700 (including \$63,700 contingency), subject to the approval of the City Manager, for a maximum total contract amount of \$3,503,500 over a maximum contract length of five years. (Contract No. 32470)

CONTRACT AWARD TO A. Y. NURSERY, INC., FOR PURCHASE OF TREES FOR AN AMOUNT NOT-TO-EXCEED \$411,250 FOR UP TO FIVE YEARS

Recommendation: It is recommended that the City Council:

(1) Find the project (Contract of Trees for Planting) is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Article 19, Section 15301 (Class 1), 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 September 7, 2022 submitted by A.Y. Nursery Inc., in response to project specifications for Trees for Planting; reject all other bids received; and authorize the City Manager to enter into a three-year contract not-to-exceed \$246,750 (which includes a \$22,434 contingency) for the first three years, with the option for two additional one-year extensions, in an annual amount not-to-exceed \$82,250 (which includes a \$7,478 contingency) at the discretion of the City Manager, for a maximum total contract length of five years and a grand total contract amount of \$411,250. (*Note to Legislative File: this item was processed as a Purchase Order*)

CONTRACT AWARD TO CT&T CONCRETE PAVING, INC., FOR ANNUAL ADA SIDEWALK IMPROVEMENT PROGRAM FOR AN AMOUNT NOT-TO-EXCEED \$447,235

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, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination, 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 November 10, 2022, submitted by CT&T Concrete Paving Inc., in response to the project plans and specifications for Annual ADA Sidewalk Improvement Program, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$447,235, which includes the base contract amount of \$388,900 and a contingency of \$58,335 to provide for any necessary change orders. (Contract No. 32457)

CONTRACT AWARD TO GRBCON, INC., FOR DRY WELL INSTALLATIONS AT PASADENA COMMUNITY HEALTH CENTER PARKING LOT FOR AN AMOUNT NOT-TO-EXCEED \$119,732

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) Guidelines in accordance with Title 14, Chapter 3, Article 19, Section 15301, Class 1, minor alterations of existing public facilities involving negligible or no expansion of use beyond that

previously existing at the time of the lead agency's determination, 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 28, 2022, submitted by GRBCON, Inc., for Dry Well Installations at Pasadena Community Health Center – Parking Lot, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$119,732, which includes the base contract amount of \$99,777 and a contingency of \$19,955 to provide for any necessary change orders. (Contract No. 32441)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH EVAN BROOKS ASSOCIATES, INC., (DBA: EVAN BROOKS ASSOCIATES) FOR GRANT EXPLORATION AND WRITING SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$450,000 FOR UP TO THREE YEARS

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), the General Rule that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Evan Brooks Associates, Inc., dba Evan Brooks Associations (Evan Brooks) for Grant Exploration and Writing Services for an amount not-to-exceed \$150,000 for a period of one-year, whichever occurs first. Competitive price bidding is not required pursuant to the City Charter Section 1002(F), contracts for professional or unique services; and

(3) Authorize the City Manager to extend the contract for up to two additional one-year options, each in an amount not-to-exceed \$150,000 at the discretion of the City Manager. The maximum contract term is three years and a total not-to-exceed contract value of \$450,000. (Contract No. 32469)

APPROVAL OF FINAL TRACT MAP NO. 074256 FOR CREATION OF 21 AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES AT 2488 MOHAWK STREET

Recommendation: It is recommended that the City Council:

(1) Adopt a resolution to approve Final Tract Map No. 074256 for the creation of twenty-one (21) air parcels for residential condominium purposes; and (Resolution No. 9965)

(2) Authorize the City Clerk to execute the Certificate on the Tract Map showing the City's approval of said Map.

Recommendation of the Hearing Officer: Final Tract Map No. 074256, for the creation of 21 air parcels for residential condominium purposes, was reviewed and approved in tentative form by the Subdivision Hearing Officer on January 20, 2021

(Attachment A of the agenda report). The exercise of the right granted must be commenced within three years, or by January 20, 2024. In accordance with Pasadena Municipal Code Chapter 16.18.060, "Approved tentative maps and tentative parcel maps shall be valid for the period of time prescribed by the Subdivision Map Act, and shall expire and be void at the end of that period unless a final map or a parcel map has been filed with the City Engineer." The Final Map was reviewed and approved by the City's survey consultant in May 2022 and submitted to the City for final processing in October 2022.

ANNUAL ADJUSTMENTS TO THE FISCAL YEAR 2023 SCHEDULE OF TAXES, FEES, AND CHARGES RELATED TO NEW YEAR'S DAY AND THE ROSE BOWL GAME

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed rate increases are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Approve the scheduled rate increases effective February 1, 2023, for the Grandstand Permit Application, the Rose Bowl Admission Tax, and for the New Year's Day Related Business Grandstand Seat Surcharge as set forth in the body of the agenda report.

APPROVAL OF THE WATER AND POWER DEPARTMENT'S 2023 WILDFIRE MITIGATION PLAN

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 21080(b)(4) of CEQA and Section 15269 (Emergency Projects) of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project; and
- (2) Accept and approve the annual update of the Wildfire Mitigation Plan for 2023 for the Water and Power Department ("PWP") to mitigate the utility's risk of responsibility for a catastrophic wildfire, which is attached to the agenda report as "Attachment A – 2023 PWP Wildfire Mitigation Plan."

AUTHORIZATION TO ENTER INTO PURCHASE ORDER WITH TECHNOLOGY INTERNATIONAL, INC., TO FURNISH AND DELIVER WATER VALVE SERVICE BOXES AND COVERS FOR AN AMOUNT NOT-TO-EXCEED \$104,995 PER YEAR FOR THE WATER AND POWER DEPARTMENT

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 for the project; and

(2) Accept the bid dated September 1, 2022, submitted by Technology International, Inc., in response to Specification WD-22-10, to furnish and deliver water valve service boxes and covers; reject all other bids received; and authorize the issuance of a purchase order with Technology International, Inc., in an amount not-to-exceed \$104,995 per year for a period of four years, with two optional one-year extensions not-to-exceed \$104,995 per year, at the discretion of the City Manager or designee, for a maximum total contract length of six years not-to-exceed \$629,970.

APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS FOR THE TERM OF JANUARY 1, 2023 - JUNE 30, 2027

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 Memorandum of Understanding (MOU) between the City of Pasadena (City) and the International Union of Operating Engineers (IUOE) for the term of January 1, 2023, through June 30, 2027. (Contract No. 23,776)

AUTHORIZATION TO EXTEND CONTRACT NO. 21296 WITH COGENT COMMUNICATIONS, INC., FOR DATA CENTER COLOCATION AND NETWORK SERVICES

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" provision that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to extend Contract No. 21296, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with Cogent Communications, Inc., for data center colocation and network services in an amount not-to-exceed \$1,250,000 over five years beginning March 1, 2023; and
- (3) 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. (Note to Legislative File: this item was processed as a Change Order)

REVISION OF DESIGNATED CITY OFFICIALS AND EMPLOYEES REQUIRED TO FILE CONFLICT OF INTEREST STATEMENTS

Recommendation: It is recommended that the City Council adopt a resolution updating those who will be required to file conflict of

interest statements as pertaining to positions within various City departments. (Resolution No. 9966)

APPROVAL OF MINUTES

October 24, 2022
October 31, 2022
November 7, 2022

CLAIMS RECEIVED

Claim No.	Claimant	Claim Amount
2023-0140	Mary Colleen Carey	\$ 205.64
2023-0141	Kristina Hovakimyan	25,000.00+
2023-0142	Dolores Wesley	539.82
2023-0143	Olivia Rivera	25,000.00+
2023-0144	USAA a/s/o Steven Belzer	6,306.41
2023-0145	Wynter Spears	2,000.00

Vice Mayor Wilson briefly commented on Item 3 and requested that staff assure that the watering, maintenance, and warranty are captured as part of the contract award to A.Y. Nursery, Inc.

Following brief discussion, it was moved by Vice Mayor Wilson, seconded by Councilmember Williams, to approve all items on the Consent Calendar:

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

PUBLIC HEARING

PUBLIC HEARING: ACCEPT AND APPROVE THE CITY OF PASADENA'S 2022 PUBLIC HEALTH GOALS REPORT ON WATER QUALITY (WATER AND POWER DEPARTMENT)

Recommendation: It is recommended that the City Council conduct a public hearing, receive public comment on the Water and Power Department's recommended 2022 Public Health Goals ("PHG") Report, and upon closing the public hearing:

- (1) Find that the following proposed action is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and CEQA Guidelines Sections 15060(c)(2), 15060(c)(3) and 15378, and as such, no environmental document pursuant to CEQA is required; and
- (2) Accept and approve the 2022 PHG Report.

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the Pasadena Journal on November 17, 2022 and the Pasadena Press on November 21, 2022; reported no correspondence was received regarding this item.

Vice Mayor Wilson, as Chair of the Municipal Services Committee, reported that the Committee reviewed and approved this agenda item.

Jeff Kightlinger, Interim General Manager, reported that the City is in full compliance and the water quality for Pasadena is safe.

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 Jones, 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: DESIGNATION OF A SINGLE-FAMILY RESIDENCE AT 781 SOUTH GRAND AVENUE AS A LANDMARK

Recommendation: It is recommended that the City Council:

(1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15308, Class 8 of the CEQA Guidelines pertaining to Actions by Regulatory Agencies for Protection of the Environment and 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 single-family residence at 781 South Grand Avenue meets Criterion C as a landmark pursuant to Pasadena Municipal Code (PMC) Section 17.62.040.D.2 because it embodies the distinctive characteristics of the American Foursquare architectural style;

(3) Adopt a resolution approving a Declaration of Landmark Designation for 781 South Grand Avenue, Pasadena, California;

(4) Authorize the Mayor to execute a Declaration of Landmark Designation for 781 South Grand Avenue, Pasadena, California; and (Resolution No. 9967)

(5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder.

Recommendation of the Historic Preservation Commission: On September 20, 2022, the Historic Preservation Commission recommended that the City Council approve the designation of the single-family residence at 781 South Grand Avenue as a Landmark under Criterion C of PMC Section 17.62.040.D.2.

Mark Jomsky, City Clerk, opened the public hearing; reported that 77 postcards were mailed on November 21, 2022, and 20 copies of the public hearing notice were posted on November 21, 2022; and reported one letter in support of the landmark designation 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 Councilmember Madison, seconded by Councilmember Williams, 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 Councilmember Madison, 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: DESIGNATION OF THE MOUNT OLIVE LUTHERAN CHURCH AT 1118 NORTH ALLEN AVENUE AS A LANDMARK

Recommendation: It is recommended that the City Council:

(1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15308, Class 8 of the CEQA Guidelines pertaining to Actions by Regulatory Agencies for Protection of the Environment and 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 Mount Olive Lutheran Church at 1118 North Allen Avenue meets Criterion C as a landmark pursuant to Pasadena Municipal Code (PMC) Section 17.62.040.D.2.c because it embodies the distinctive characteristics of the Mission Revival architectural style and represents the work of local notable architect Frederick Kennedy, Jr., whose work is of significance to the City;

(3) Adopt a resolution approving a Declaration of Landmark Designation for 1118 North Allen Avenue, Pasadena, California; (Resolution No. 9968)

(4) Authorize the Mayor to execute a Declaration of Landmark Designation for 1118 North Allen Avenue, Pasadena, California; and,

(5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder.

Recommendation of the Historic Preservation Commission: On October 4, 2022, the Historic Preservation Commission recommended that the City Council approve the designation of the Mont Olive Lutheran Church at 1118 North Allen Avenue as a Landmark under Criterion C of PMC Section 17.62.040.D.2.c.

Mark Jomsky, City Clerk, opened the public hearing; reported that 127 postcards were mailed on November 21, 2022, and 34 copies of the public hearing notice were posted on November 21, 2022; and reported one letter in support of the landmark designation 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 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

It was moved by Councilmember Williams, seconded by Councilmember Jones, 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: DESIGNATION OF THE JAMES L. LEE RESIDENCE AT LOCATED AT 673 SOUTH LOS ROBLES AVENUE AS A LANDMARK

Recommendation: It is recommended that the City Council:

(1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15308, Class 8, pertaining to Actions by Regulatory Agencies for Protection of the Environment 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 James L. Lee Residence located at 673 South Los Robles Avenue meets Criterion C as a landmark pursuant to Pasadena Municipal Code (PMC) Section 17.62.040.D.2 it is a locally significant, intact example of a hybridized high-style residence consisting of Folk Victorian and Queen Anne architectural styles, and an increasingly rare example of an extant 19th century structure that is original to the city and in its original location;
- (3) Adopt a resolution approving a Declaration of Landmark Designation for 673 South Los Robles Avenue, Pasadena, California; (Resolution No. 9969)
- (4) Authorize the Mayor to execute a Declaration of Landmark Designation for 673 South Los Robles Avenue, Pasadena, California; and,
- (5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder.

Recommendation of the Historic Preservation Commission: On October 18, 2022, the Historic Preservation Commission recommended that the City Council approve the designation of the James L. Lee Residence at 673 South Los Robles Avenue as a Landmark under Criterion C of PMC Section 17.62.040.D2.

Mark Jomsky, City Clerk, opened the public hearing; reported that 154 postcards were mailed on November 17, 2022, and 21 copies of the public hearing notice were posted on November 21, 2022; and reported one letter in support of the landmark designation 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 Williams, to close the public hearing:

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

Vice Mayor Wilson acknowledged and congratulated the homeowner for a terrific restoration of the property.

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: AN ORDINANCE TO ADOPT THE 2022 CALIFORNIA BUILDING STANDARDS CODE AND RELATED CODES

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);

(2) Conduct second reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 14 (BUILDING AND CONSTRUCTION) OF THE PASADENA MUNICIPAL CODE BY ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS CODE INCORPORATING THE 2022 CALIFORNIA ADMINISTRATIVE CODE; 2022 CALIFORNIA BUILDING CODE WITH APPENDIX CHAPTERS G, H, I, J, P; CALIFORNIA RESIDENTIAL CODE WITH APPENDIX CHAPTERS AH, AK, AQ, AX, AND AZ; 2022 CALIFORNIA ELECTRICAL CODE WITH ANNEXES A, C, F, I; 2022 CALIFORNIA MECHANICAL CODE WITH APPENDIX CHAPTERS B, C, F, G, H; 2022 CALIFORNIA PLUMBING CODE WITH APPENDIX CHAPTERS A, D, G, I, J, K, M, N; 2022 CALIFORNIA ENERGY CODE; 2022 CALIFORNIA HISTORICAL BUILDING CODE; 2022 CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS TO STATE ADOPTED CHAPTERS INCLUDING CHAPTER 1, APPENDIX CHAPTER 4 AND CERTAIN APPENDICES WITHIN APPENDIX CHAPTERS A THROUGH O; 2022 CALIFORNIA EXISTING BUILDING CODE; 2022 CALIFORNIA GREEN BUILDINGS STANDARDS CODE; 2022 CALIFORNIA REFERENCED STANDARDS CODE"; and

(3) Direct the Building Official to file the ordinance and local findings with the California Building Standards Commission.

(To be discussed and considered concurrently with Item No. 23, including for public comment purposes.)

Mark Jomsky, City Clerk, opened the public hearing; reported that the public hearing notice was published in the Pasadena Press on November 28, 2022 and December 1, 2022; and that no correspondence was received regarding this item.

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

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

ORDINANCE - ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 14 (BUILDING AND CONSTRUCTION) OF THE PASADENA MUNICIPAL CODE BY ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS CODE INCORPORATING THE 2022 CALIFORNIA ADMINISTRATIVE CODE; 2022 CALIFORNIA BUILDING CODE WITH APPENDIX CHAPTERS G, H, I, J, P; CALIFORNIA RESIDENTIAL CODE WITH APPENDIX CHAPTERS AH, AK, AQ, AX, AND AZ; 2022 CALIFORNIA ELECTRICAL CODE WITH ANNEXES A, C, F, I; 2022 CALIFORNIA MECHANICAL CODE WITH APPENDIX CHAPTERS B, C, F, G, H; 2022 CALIFORNIA PLUMBING CODE WITH APPENDIX CHAPTERS A, D, G, I, J, K, M, N; 2022 CALIFORNIA ENERGY CODE; 2022 CALIFORNIA HISTORICAL BUILDING CODE; 2022 CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS TO STATE ADOPTED CHAPTERS INCLUDING CHAPTER 1, APPENDIX CHAPTER 4 AND CERTAIN APPENDICES WITHIN APPENDIX CHAPTERS A THROUGH O; 2022 CALIFORNIA EXISTING BUILDING CODE; 2022 CALIFORNIA GREEN BUILDINGS STANDARDS CODE; 2022 CALIFORNIA REFERENCED STANDARDS CODE" (*Introduced by Councilmember Hampton*) (To be discussed and considered concurrently with Item No. 20, including for public comment purposes.) (Ordinance No. 7407)

The above ordinance was adopted by the following vote:

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

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 5 (ALARM SYSTEMS), CHAPTER 5.24 OF THE PASADENA MUNICIPAL CODE TO ENHANCE THE CITY'S ABILITY TO PERMIT AND REGULATE ALARM SYSTEMS AND RELATED FALSE ALARM ACTIVATIONS" (*Introduced by Councilmember Hampton*) (Ordinance No. 7406)

The above ordinance was adopted by the following vote:

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

ABSENT: None
ABSTAIN: None

City Manager

APPLICABLE DENSITY FOR DENSITY BONUS PROJECTS

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is exempt from environmental review pursuant to the California Environmental Quality Act ("CEQA"), State CEQA Guidelines Section 15060(c)(1);
- (2) Adopt Resolution No. ____, a Resolution Regarding the Determination of Base Density in Density Bonus Projects, acknowledging that, as of January 1, 2023, State Law (specifically the passage of AB 2334 (Chapter 653, Statutes of 2022)) will require that the greatest maximum density allowed for a site in the Land Use Element, Zoning Code, or applicable Specific Plan must be considered as the base density for housing development projects requesting a density bonus; and
- (3) Direct staff to immediately develop objective design standards.

Mark Jomsky, City Clerk reported one letter advocating for the matter to be sent to the Planning Commission for review and public discussion; and 2 letters in support of the staff recommendation and/or commenting on how the City calculates the base density for density bonus projects, were received by the City Clerk's Office, distributed to the City Council, posted on-line, and made part of the public record.

Jennifer Paige, Acting Director of Planning, presented a PowerPoint presentation on the item and responded to questions.

Mayor Gordo expressed disappointment with State laws that treat every community in a "cookie cutter" approach, commenting on the impacts to the environment and on Pasadena; expressed disappointment that elected representatives for Pasadena did not take a stand to more strongly support local control and local planning decisions. However, Mayor Gordo stated he would not want the City to be targeted further by state regulators because Council didn't express their intent to comply with state law.

Vice Mayor Wilson raised several questions related to the City's Specific Plan Standards; stated he wants the community to know that the City has done everything it can to protect local control but is being mandated to comply; and lamented the amount of time, money, and effort towards outreach and community engagement being wasted in the development of the City's planning documents. He stated that he was unsure if an action is necessary to take an affirmative position and adopt a resolution that states the City will comply when it is clear there is no other choice but to comply.

Councilmember Williams expressed she is not prepared to support the adoption of the proposed resolution, stating that additional

information is needed; and spoke in support of the Planning Commission reviewing the matter prior to City Council consideration; commented that it is hard to go back to the public after spending millions of dollars on the City's General Plan and Specific Plans that now mean nothing. She advocated that the Planning Commission should discuss the matter, along with what the City's planning documents and planning process should look like going forward.

Councilmember Madison questioned whether the proposed action of adopting a resolution is required by state legislation, noting that it is unnecessary to have a resolution stating the City intends to comply with the law; expressed concerns with taking any action without hearing from the Planning Commission first; especially in light of Measure H and the impact of rent control will have on affordable housing; and stated he is not prepared to support the staff recommendation.

Theresa Fuentes, Assistant City Attorney, spoke on the intent of the resolution; noting the language in the resolution is a direct outcome of changes in state law; and commented on the narrow scope of the resolution's language.

Michele Bagneris, City Attorney, commented that while the City is not obligated to adopt the proposed resolution, staff thought it would demonstrate the City's intent in a formal way to such entities as HCD. She noted that given the Council discussion, the record is clear that whether the City adopts this resolution or not, the City will comply with the law.

Following discussion, Vice Mayor Wilson stated in terms of efficiency of the public process, asked staff to submit to the Planning Commission for review AB 2334; work on the items mentioned related to objective standards, determine how the City will work within state law to make sure development in the City is as compatible as possible, and with the will of the voters and the will of the public process, and with the understanding that the density question has been superseded and overridden by the state.

Mayor Gordo stated he feels we can achieve what we sought to achieve by giving direction to staff to proceed to the Planning Commission with the issues and process that have been laid out (as detailed above) and return to the City Council to ensure that the City is following state law. The key is to indicate to any state agency with enforcement responsibility that the City is proceeding in the direction of complying with state law.

In the absence of adopting a resolution, the Vice Mayor Wilson stated that he would support an action to affirm the City's commitment to comply with state law and AB 2334, and refer the

matter to the Planning Commission for review and recommendation on issues of implementation and achieving objective standards to meet the intent of the City's General Plan and Specific Plan. It was moved by Vice Mayor Wilson, seconded by Councilmember Williams, to affirm the City's commitment to state law and AB 2334, with the matter referred to the Planning Commission for review and recommendation; and with no action taken on the staff recommendation:

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

NOES: None

ABSENT: None

ABSTAIN: None

Councilmember Madison spoke on the event celebrating the naming of the City Hall Courtyard in honor of Bill and Claire Bogaard that was held on Sunday, December 4, 2022, and commended the City Council and staff on a great event.

Councilmember Madison stated that the recent passing of the honorable Councilmember Kennedy caused him to look carefully at the City Charter, and asked staff to be prepared during the reorganization meeting to inform the Council about the selection process of a Vice Mayor and what that would mean for the responsibilities and duties of that person, and on the history of changing the tradition of Vice Mayor service from one year to two years, and also expressed interest in knowing if there is anything in the legislative record about the requirements or qualifications for serving in the capacity of Vice Mayor.

On the order of the Mayor, the meeting recessed at 6:27 p.m. to discuss the following closed sessions:

CLOSED SESSION

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL

Regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)

Name of Case: Flores v. City of Pasadena

Case No.: 20STCV39417

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: 300 E. Colorado Blvd.

Under negotiation: Price and terms

Agency negotiator: Miguel Márquez

Negotiating Party: Paseo Pasadena Hotel Investment, LLC

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property Location: 1001 Rose Bowl Drive, Pasadena CA 91103

Agency Negotiator: Márquez, Miguel
Negotiating Party: David Eads
Under Negotiation: Price and terms of Payment

The above closed session items were not discussed.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
Regarding significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2), the existing facts and circumstances of which relate to the Fuller Seminar Chang Commons inclusionary housing agreement (one potential case)

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

ADJOURNMENT

On order of the Mayor, the meeting of the City Council adjourned at 7:21 p.m.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk