

CITY OF PASADENA
City Council Minutes
August 28, 2023 – 4:30 P.M.
City Hall Council Chamber

UNOFFICIAL UNTIL
APPROVED BY CITY COUNCIL

Teleconference Location:
Stanford Sierra Conference Center
Main Lodge Teleconference Booths
130 Fallen Leaf Road
Fallen Leaf, CA 96150

- OPENING:** Vice Mayor Williams called the regular meeting to order at 4:30 p.m.
- CLOSED SESSION** On the order of the Vice Mayor, the regular meeting recessed at 4:30 p.m. to discuss the following closed session item: (Absent: Councilmember Madison, Mayor Gordo)
- Councilmember Rivas participated remotely
- Councilmember Madison arrived at 4:51 p.m.
- CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8**
Property Locations: 150 S. Los Robles Ave.
Agency Negotiators: Miguel Márquez
Negotiating Parties: Gloria French
Under Negotiation: Price and terms
- The above closed session item was discussed, with no reportable action at this time.
- On the order of the Vice Mayor, the regular meeting reconvened at 5:34 p.m. The pledge of allegiance was led by Councilmember Jones.
- ROLL CALL:**
- Councilmembers: Mayor Victor M. Gordo (Absent)
Vice Mayor Felicia Williams
Councilmember Tyron Hampton
Councilmember Justin Jones
Councilmember Jason Lyon
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Jessica Rivas
- Staff: City Manager Miguel Márquez
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky
- PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA** The following individuals advocated for the City Council to take urgent action to protect older Pasadena residents from heat related climate change and/or provided comments related to climate change:
- Sonja Berndt, Pasadena resident
Genette Foster, Pasadena resident
Mary (Mimi) Fitzgerald, Pasadena resident

Donna Sider, representing Pasadena 100
Therese Brummel, Pasadena resident
Nancy Busacca, Pasadena resident
Jamie Scott, representing Pasadena 100
Lauren Cory, representing Pasadena 100
Ellen Snortland, residence not stated
Lisa Zeigel, representing Pasadena 100
Claudia Funke, representing Pasadena 100
Jacquelyn Dupont-Walker, representing First AME Church

Allen Shay, Pasadena resident, advocated for amending the City Charter to incorporate bodycam footage and other video sources as part of the investigative process for critical incidents involving the Pasadena Police Department.

Adriana Bautista, representing Black Lives Matter, expressed concerns with the allegations and complaints towards several members of Pasadena Police Department (PPD) and leadership related to alleged illegal and unethical activities within the PPD.

In response to Councilmember Jones' inquiry related to the City's Integrated Resource Plan (IRP), Sidney Jackson, General Manager of Water and Power, stated that the IRP will provide various pathways, including a carbon free by 2030 option, and responded to questions.

In response to Councilmember Hampton's inquiry related the update on Charter study, City Clerk Jomsky responded that the matter will be presented to the City Council on September 11, 2023.

Councilmember Hampton expressed concerns with allegations of illegal and unethical activities within the PPD, and asked the City Manager to ensure an independent and external investigation is conducted into the matter. He also asked staff to provide a "heat map" of the "hot spots" with overlaying information on the City's tree-planting program throughout the City to the Municipal Services Committee, and an update on the City's Home Improvement Program.

Councilmember Madison recommended that the staff reach out to the staff at Caltech, specifically Dr. Frances H. Arnold, for input related to the City's IRP process and achieving the carbon free by 2030 adopted goals of the City.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH BRAUN NORTHWEST INC., FOR THE PURCHASE OF A 2024 NORTH STAR 171-1 AMBULANCE FOR A TOTAL AMOUNT NOT-TO-EXCEED \$340,252 (Fire Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the action in the agenda report is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the “Common-Sense” exemption that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to enter into a purchase order with Braun Northwest Inc., for the purchase of a 2024 North Star 171-1 Ambulance in an amount not-to-exceed \$340,252. Neither Competitive Bidding nor Competitive Selection are required pursuant to City Charter Section 1002(h) and Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities.

AUTHORIZATION TO EXTEND BY ONE YEAR WITH NO COST CHANGE, AGREEMENT NO. 31568 WITH TRC ENGINEERING SERVICES LLC FOR CONSULTANT SERVICES TO CONDUCT QUALITY CONTROL INSPECTIONS FOR THE PASADENA TRANSIT AND DIAL-A-RIDE FLEET (Transportation Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project;
- (2) Authorize the City Manager to extend Agreement No. 31568 with TRC Engineering Services, LLC for one year for a total contract period of January 1, 2020, through June 30, 2024, for consultant services to conduct inspections of the Pasadena Transit and Pasadena Dial-A-Ride fleet with the current not-to-exceed contract amount \$130,085; and
- (3) It is further recommended that the City Council grant the proposed contract extension 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. (Contract No. 31568-3)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DIVERSIFIED UTILITY SERVICES INC., FOR EL MIRADOR INFRASTRUCTURE IMPROVEMENT PROJECT FOR THE WATER AND POWER DEPARTMENT

Recommendation: It is recommended that the City Council:

- (1) Find the proposed action in the agenda report to be categorically exempt under the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Section 15302 (Class 2 – Replacement or Reconstruction) 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 April 18, 2023, submitted by Diversified Utility Services Inc. (“Diversified”), in response to the specifications for the El Mirador Infrastructure Improvement Project for the Water and Power Department (“PWP”); and authorize the City Manager to enter into a contract with Diversified for an amount not-to-exceed \$971,274

or a period of three years, whichever occurs first. The total cost includes a base contract amount of \$882,977 plus a 10% contingency of \$88,297 to provide for any necessary change orders. (Contract No. 32661)

AUTHORIZATION TO ENTER INTO SEPARATE CONTRACTS WITH PAR WESTERN LINE CONTRACTORS AND DIVERSIFIED UTILITY SERVICES INC., FOR OVERHEAD DISTRIBUTION INFRASTRUCTURE IMPROVEMENT PROJECTS FOR THE WATER AND POWER DEPARTMENT

Recommendation: It is recommended that the City Council:

(1) Find the proposed action to be categorically exempt under the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15302 (Class 2 – Replacement or Reconstruction) and that there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances;

(2) Accept the bid dated April 18, 2023, submitted by PAR Western Line Contractors ("PAR") in response to the specifications for the Overhead Distribution Infrastructure Improvement Projects for the Water and Power Department ("PWP"); and authorize the City Manager to enter into a contract with PAR for an amount not-to-exceed \$2,445,895 or a period of three years, whichever occurs first. The total cost includes a base contract amount of \$2,223,541 and a 10% contingency of \$222,354 to provide for any necessary change orders; and (Contract No. 32662)

(3) Accept the bid dated April 18, 2023, submitted by Diversified Utility Services Inc. ("Diversified"), in response to the specifications for the Overhead Distribution Infrastructure Improvement Projects for the Water and Power Department ("PWP"); and authorize the City Manager to enter into a contract with Diversified for an amount not-to-exceed \$216,716 or a period of three years, whichever occurs first. The total cost includes a base contract amount of \$197,015 plus a 10% contingency of \$19,701 to provide for any necessary change orders. (Contract No. 32703)

CONTRACT AWARD TO AXIOM GROUP FOR COMPLETE STREETS PROJECT – AVENUE 64 FROM COLORADO BOULEVARD TO SOUTH CITY LIMITS FOR AN AMOUNT NOT-TO-EXCEED \$2,868,142 (Public Works Dept.)

Recommendation: It is recommended that the City Council:

(1) Find the contract proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Article 19, Section 15301, Class 1, and Section 15303, Class 3, and that there are no features that distinguish this project from others in the exempt classes, and therefore, there are no unusual circumstances; and

(2) Accept the bid dated July 25, 2023, submitted by Axiom Group in response to the project plans and specifications for Complete Streets Project - Avenue 64 from Colorado Boulevard to South City Limits, and

authorize the City Manager to enter into a contract for an amount not-to-exceed \$2,868,142, which includes the base contract amount of \$2,494,036 and a contingency of \$374,106 to provide for any necessary change orders. (Contract No. 32726)

ITEM DISCUSSED
SEPARATELY

FINANCE COMMITTEE: AMENDMENT OF THE HOUSING DEPARTMENT'S FISCAL YEAR 2024 OPERATING BUDGET IN THE AMOUNT OF \$936,000; APPROVAL OF KEY TERMS OF HOUSING ACQUISITION LOAN AGREEMENT WITH HERITAGE HOUSING PARTNERS (HHP) TO PROVIDE PURCHASE FINANCING IN AN AMOUNT NOT-TO-EXCEED \$936,000 TO IMPLEMENT PURCHASE OPTIONS ON AFFORDABLE HOMEOWNERSHIP UNITS AT 106 EAST SUMMIT GROVE BOULEVARD, #102 AND 602 NORTH FAIR OAKS AVENUE, #120 (Housing & Career Services Dept.)

FINANCE COMMITTEE: AMENDMENT TO THE HOUSING DEPARTMENT'S FISCAL YEAR 2024 OPERATING BUDGET IN THE AMOUNT OF \$1,997,000; APPROVAL OF KEY TERMS OF AFFORDABLE HOUSING LOAN AGREEMENT WITH HOME OWNERSHIP FOR PERSONAL EMPOWERMENT INC., TO REHABILITATE AND FINANCIALLY RESTRUCTURE RENTAL HOUSING PROJECTS AT 940 NORTH SUMMIT AVENUE AND 760 WORCESTER STREET FOR PERSONS WITH INTELLECTUAL AND/OR DEVELOPMENTAL DISABILITIES (Housing & Career Services Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed housing rehabilitation and financial restructuring activities as described in the agenda report do not have a significant effect on the environment and has been determined to be categorically exempt under Class 1 (Existing Facilities) California Environmental Quality Act ("CEQA") Guidelines Section 15301 and Class 26 (Acquisition of Housing) State CEQA Guidelines Section 15326;

(2) Amend the Housing Department's Fiscal Year (FY) 2024 Operating Budget by appropriating \$1,997,000 from the Home Investment Partnership ("HOME") Fund (221) for the award of the proposed Affordable Housing Loan Agreement (the "Agreement") with Home Ownership for Personal Empowerment Inc. ("HOPE"), in connection with proposed the HOPE Project; (Budget Amendment No. 2024-11)

(3) Approve HOPE as a Community Housing Development Organization for the purpose of satisfying federal eligibility requirements to receive HOME-CHDO funding assistance; and

(4) Approve key business terms, as described in the agenda report, of the proposed Agreement and authorize the City Manager to execute the Agreement and all documents necessary to effectuate the staff recommendation. (Contract No. 32729)

FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT – QUARTER ENDING JUNE 30, 2023 (Finance Dept.)

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

MUNICIPAL SERVICES COMMITTEE: PROPOSED AMENDMENTS TO THE CITY OF PASADENA MUNICIPAL CODE CHAPTER 8.62 WASTE MANAGEMENT PLAN FOR CERTAIN CONSTRUCTION AND DEMOLITION PROJECTS WITHIN THE CITY OF PASADENA (Public Works Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that amending the Waste Management Plan for Certain Construction and Demolition Projects within the City of Pasadena ordinance is exempt from California Environmental Quality Act (“CEQA”) Guidelines pursuant to Title 14, Chapter 3, Article 5, Section 15061(b)(3), “Common-Sense” exemption, and also under Section 15308 as an action by a regulatory agency (the City of Pasadena) for the protection of the environment; and
- (2) Direct the City Attorney to draft an ordinance amending Pasadena Municipal Code Chapter 8.62 – Waste Management Plan for Certain Construction & Demolition Projects within sixty days consistent with the provisions set forth in the agenda report.

RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS

APPOINTMENT OF DANIEL BAY TO THE HUMAN RELATIONS COMMISSION (District 7 Nomination)

APPOINTMENT OF SHERI BONNER TO THE HUMAN SERVICES COMMISSION (Agency Nomination)

MINUTES APPROVED

January 23, 2023 Pasadena Public Financing Authority

CLAIMS RECEIVED

Claim No.	Claimant	Claim Amount
2024-0040	Clifton B. Cates	\$ 800.00
2024-0041	Debra Anderson	25,000.00+

Motion:

It was moved by Councilmember Hampton, seconded by Councilmember Masuda, to approve all items on the Consent Calendar, with the exception of Item No. 6 (Amendment of the Housing Department’s Fiscal Year 2024 Operating Budget...), which was discussed separately:

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

NOES: None

ABSENT: Mayor Gordo

ABSTAIN: None

**CONSENT
ITEM DISCUSSED
SEPARATELY**

FINANCE COMMITTEE: AMENDMENT OF THE HOUSING DEPARTMENT’S FISCAL YEAR 2024 OPERATING BUDGET IN THE AMOUNT OF \$936,000; APPROVAL OF KEY TERMS OF

HOUSING ACQUISITION LOAN AGREEMENT WITH HERITAGE HOUSING PARTNERS (HHP) TO PROVIDE PURCHASE FINANCING IN AN AMOUNT NOT-TO-EXCEED \$936,000 TO IMPLEMENT PURCHASE OPTIONS ON AFFORDABLE HOMEOWNERSHIP UNITS AT 106 EAST SUMMIT GROVE BOULEVARD, #102 AND 602 NORTH FAIR OAKS AVENUE, #120 (Housing & Career Services Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed housing financing and acquisition activity, as described in the agenda report, does not have a significant effect on the environment and has been determined to be categorically exempt under Class 26 (Acquisition of Housing) of the State California Environmental Quality Act ("CEQA"), and specifically, Section 15326 of the State CEQA Guidelines;
- (2) Amend the Housing Department's Fiscal Year (FY) 2024 Operating Budget by appropriating \$936,000 \$599,700 from the Inclusionary Housing Fund's unappropriated fund balance for the HHP Housing Acquisition Project; (Budget Amendment No. 2024-10)
- (3) Approve key business terms, as described in the agenda report, of the proposed Housing Acquisition Loan Agreement (the "Agreement") with Heritage Housing Partners; and (Contract No. 32727)
- (4) Authorize the City Manager to execute the Agreement and all documents necessary to effectuate the staff recommendation.

Jim Wong, Senior Project Manager with the Housing Department, reported that the project located at 602 North Fair Oaks Avenue, # 120 is no longer available for sale, and stated the adjusted and amended staff recommendation for Recommendation No. 2: "Amend the Housing Department's FY 2024 Operating Budget by appropriating \$599,700 (instead of \$936,000) from the Inclusionary Housing Fund's unappropriated fund balance for the HHP Housing Acquisition Project", and responded to questions.

Motion: Following a brief discussion, it was moved by Councilmember Madison, seconded by Councilmember Hampton, to approve the amended staff recommendation, as detailed above:

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

NOES: None

ABSENT: Mayor Gordo

ABSTAIN: None

ORDINANCE – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING AND ADDING VARIOUS SECTIONS OF TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO IMPLEMENT THE HOUSING ELEMENT PERTAINING TO EMERGENCY SHELTERS, LOW BARRIER NAVIGATION

CENTERS, SAFE PARKING, DESIGN REVIEW THRESHOLDS, AND MODIFICATIONS FOR INDIVIDUALS WITH DISABILITIES”

City Clerk Jomsky reported that the City Clerk’s Office received two letters of correspondence providing comments on the item, with all correspondence distributed to the City Council, posted online, and made part of the public record.

Bert Newton, representing Making Housing and Community Happen, advocated for the City Council to allow safe parking sites in residential zones.

Following public comment, the above ordinance was offered for first reading by Councilmember Hampton:

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

INFORMATION ITEMS

Councilmember Rivas was excused and disconnected from the meeting at 6:13 p.m.

PRESENTATION ON THE PASADENA OUTREACH RESPONSE TEAM (PORT) PROGRAM OVERVIEW (Fire Dept./Public Health Dept.)

Recommendation: This report is provided for information only; no action is required at this time.

Fire Chief Chad Augustin provided introductory comments, and Nathan Press, Community Services Rep III with the Public Health Department and Tony Zee, Pasadena Firefighter, presented a PowerPoint on the PORT program, with all responding to questions.

The City Council thanked Chief Augustin, the Fire Department, and Health Department staff for their work with homeless individuals in the community; and spoke in support of providing additional funding for a second Pasadena Outreach Response Team (PORT).

Manuel Carmona, Acting Director of Public Health, stated that he will work with the Housing Department staff to determine incentives to entice property owners with vacancies to house homeless individuals, and responded to questions.

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

STATUS REPORT ON JERRY’S BILLIARDS HOURS OF OPERATION, AND SAFETY AND NOISE ABATEMENT REQUIREMENTS (City Attorney’s Office)

Recommendation: This report is provided for information only; no action is required at this time.

Michele Beal Bagneris, City Attorney/City Prosecutor, summarized the agenda report as part of her oral presentation, and responded to questions.

City Clerk Jomsky reported that the City Clerk's Office received thirteen letters of correspondence expressing concerns with, providing comments regarding, and/or wrote in opposition to, the City's settlement agreement, with all correspondence distributed to the City Council, posted online, and made part of the public record.

The following individuals expressed concerns and/or provided comments on the item:

Judy O'Hora, Pasadena resident
Liza Billington, representing Bungalow Heaven Neighborhood Association (BHNA)
Daniel, Pasadena resident
Anneth Yasin, Pasadena resident
Tina J. Miller, representing BHNA
Garth Garrett, Pasadena resident
Amy Deavoll, Pasadena resident
Allison Barnes, Pasadena resident
Neil Larson, Pasadena resident
Carol Polanskey, Pasadena resident

Councilmember Hampton stated he believes it is the City's responsibility to provide security and surveillance cameras parking lot behind Jerry's Billiards. He asked staff to agendize a discussion on options to secure and/or close off the parking lot at a future City Council meeting. He also asked staff to provide information on the City's ability to declare a business area in the City a nuisance and compel the business owners to pay for security services.

City Manager Márquez responded that the Pasadena Police Department may have cameras available to use at the parking lot, and responded to questions.

David Reyes, Assistant City Manager provided information on the number of outreach efforts to Block 5 property owners; and responded to questions.

Councilmember Madison spoke on the importance of tracking the number of calls for service to PPD related to Jerry's Billiards.

Vice Mayor Williams spoke on the importance of informing the community of the staff's decision to not pursue the enforcement of closing Jerry's Billiards at 10:00 p.m.; and asked staff to agendize a special closed session meeting to discuss the item further. It was the

consensus of the City Council to direct staff to not sign the agreement until a closed session discussion could take place as soon as possible.

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

Councilmember Madison spoke on the well attended ribbon cutting ceremony for the new California High School Football Hall of Fame at the Rose Bowl Stadium, which was held on Saturday, August 26, 2023.

ADJOURNMENT

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 7:40 p.m.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk