

CITY OF PASADENA
City Council Minutes
July 15, 2024 – 4:30 P.M.
City Hall Council Chamber

OPENING: Mayor Gordo called the regular meeting to order at 4:30 p.m. (Absent: None)

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

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)

**Name of Case: McCullough, A. v. City of Pasadena
Los Angeles County Superior Court Case No. 21STCV21530**

Vice Mayor Madison arrived at 4:58 p.m.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)

**Name of Case: In re National Prescription Opiate Litigation
USDC (N. Dist. Ohio) Case No.: 1:17-md-2894, MDL No. 2804**

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

On the order of the Mayor, the regular meeting reconvened at 5:37 p.m. The pledge of allegiance was led by Councilmember Hampton.

ROLL CALL:
Councilmembers: Mayor Victor M. Gordo
Vice Mayor Steve Madison
Councilmember Tyron Hampton
Councilmember Justin Jones
Councilmember Jason Lyon
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 City Clerk Jomsky administered the oath of office to Crystal Aceves, commissioner on the Commission on the Status of Women (District 7).

Janine Hou, Pasadena Water and Power Education and Events Coordinator, announced the winners of the Department's scholarship program for high school seniors, Emmeline Clougherty and Londyn Sewell. She also announced the winners of annual Water is Life Art Contest, Keira Lam and Olivia Hur.

Mayor Gordo presented certificates of commendation to the students and congratulated them on their accomplishments.

Mayor Gordo requested that the meeting be adjourned in memory and honor of longtime Pasadena community member and volunteer, Georgia Holloway, and spoke on her many contributions to the City and charitable work throughout the community.

Councilmember Williams reported that she attended the Independent Cities Association Conference in Coronado, CA, and reported that topics discussed included information on the State's Regional Housing Needs Assessment (RHNA) program and the application of housing regulations related to Senate Bill 9.

Mayor Gordo reported that he, along with three other US City Mayors, were invited by the U.S. Department of State to participate in the United States-Armenia Local Democracy Forum in Yerevan, Armenia on June 17-18, 2024. He reported that the U.S. Department of State covered his travel expenses, and that the forum fostered discussions on best-practices and ways to strengthen democracies at the local level.

PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA

Allen Shay, Pasadena resident, spoke on Charter reform and requested that updates on proposed City Charter changes include Police Reform and asked that the community be informed regularly on the matter.

Olden Denham, Pasadena resident, urged Charter reform for police oversight and accountability.

David Nunley, Pasadena resident, urged the City Council to take advantage of Grants Pass decision by the US Supreme Court, and move unhoused individuals off of City sidewalks and into shelters.

Manuel Vargas, Pasadena resident, requested additional street lighting in the areas of Orange Grove Blvd, Sierra Madre Blvd, and Foothill Blvd, north of Pasadena City College.

Eric, Pasadena resident, advocated for the City Council to consider rank choice voting.

Adriana Bautista, Pasadena resident, urged the City begin a meet and confer process with Pasadena Police Officers Association (PPOA) to allow for proposed Charter Amendments recommended by the Community Police Oversight Commission and Independent Police Auditor to move forward in the process for Pasadena voters to consider at a future election.

In response to Councilmember Hampton's inquiry regarding the meet and confer process, City Manager Márquez stated that City staff needs

an affirmative action of the City Council to proceed with the meet and confer process.

Councilmember Hampton requested that the Economic Development and Technology Committee have an expanded discussion regarding the Grants Pass Supreme Court decision on homelessness within the next 90 days. He also requested that the City Clerk staff continue to review ranked choice voting as an option, and notify the City Council if and when the County provides Ranked Choice Voting as an option.

CONSENT CALENDAR

City Manager/ Executive Director

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JAYCOX CONSTRUCTION CNG FOR INSPECTION, MAINTENANCE REPAIR SERVICES FOR CNG FUELING STATION FOR AN AMOUNT NOT-TO-EXCEED \$1,380,005 FOR UP TO FIVE YEARS (Public Works Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is categorically exempt from environmental review pursuant to Title 14, Chapter 3, Article 19, Section 15301 – Existing Facilities, and there are no features that distinguish the project from others in the exempt classes, and therefore, there are no unusual circumstances; and
- (2) Authorize the City Manager to enter into a three-year contract with Jaycox Construction CNG (Jaycox CNG) in response to the specifications for Inspection, Maintenance, and Repair for CNG Fueling Station, for an amount not-to-exceed \$828,003, which includes the base contract amount of \$720,003 and a contingency of \$108,000 to provide for unanticipated or additional as needed parts and service needs, with the option of two additional one-year extensions, in the annual amount of \$276,001 which includes the base extension contract of \$240,001 and a contingency of \$36,000 at the discretion of the City Manager, for a maximum total contract length of five years and a grand total contract amount of \$1,380,005, whichever occurs first. (Contract No. 33022)

APPROVE FINAL TRACT MAP NO. 083877 FOR CREATION OF NINE AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES AT 569 AND 571 LINCOLN AVENUE (Public Works Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the project referenced in the agenda report was previously determined Categorical Exempt from the California Environmental Quality Act (Section 15332, Class 32, In-Fill Development Projects), and that this is an exempt action independently under Section 15268 of the State CEQA Guidelines as a ministerial action;
- (2) Adopt a resolution to approve Final Tract Map No. 083877 for the creation of nine air parcels for residential condominium purposes (Resolution No. 10065); and
- (3) 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. 083877 (Attachment A of the agenda report), for the creation of nine air parcels for residential condominium purposes, was reviewed and approved in tentative form by the Subdivision Hearing Officer on October 7, 2022. The exercise of the right granted must be commenced within three years, or by October 7, 2025.

AUTHORIZE THE CITY MANAGER TO AMEND CONTRACT NO. 31704 WITH DATA TICKET INC., TO INCREASE THE CONTRACT NOT-TO-EXCEED AMOUNT BY \$650,000 TO \$2,886,665 (Transportation Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that this action proposed in the agenda report is not a “project” subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 21065 and within the meaning of Section 15378(b);
- (2) Authorize the City Manager to amend contract number 31704 with Data Ticket Inc., to increase the contract not-to-exceed amount by \$650,000, to \$2,886,665 (Contract No. 31704-2); and
- (3) Grant the proposed contract amendment with Data Ticket Inc., 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.

ADOPT THE SALARY RESOLUTIONS FOR NON-REPRESENTED NON-MANAGEMENT, NON-REPRESENTED MANAGEMENT AND EXECUTIVE MANAGEMENT EMPLOYEES (Human Resources Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3) “Common Sense” exemption;
- (2) Adopt the Non-Represented Non-Management Salary Resolution (Resolution No. 10066);
- (3) Adopt the Non-Represented Management Salary Resolution (Resolution No. 10067); and
- (4) Adopt the Executive Management Salary Resolution (Resolution No. 10068).

City Council

RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS

RESIGNATION OF DANIEL BAY FROM THE HUMAN RELATIONS COMMISSION (District 7 Nomination)

APPOINTMENT OF INGRID SOTELO ARANA TO THE HUMAN SERVICES COMMISSION (Pasadena City College Nomination)

APPOINTMENT OF EVAN TSANG TO THE FIRE & POLICE RETIREMENT BOARD (At Large Nomination/District 4)

City Attorney

AUTHORIZE THE CITY ATTORNEY TO AMEND CITY CONTRACT NO. 32286 WITH RICHARD ROSENTHAL, Ph.D., FOR

Item discussed separately **INDEPENDENT POLICE AUDITOR SERVICES, TO INCREASE THE NOT-TO-EXCEED AMOUNT BY \$90,000 AND TO EXTEND THE CONTRACT TERM BY SIX MONTHS**

City Clerk/ Secretary June 10, 2024 City Council
June 10, 2024 City Council Special Meeting
MINUTES APPROVED June 10, 2024 Successor Agency to the Pasadena Community Development Commission

CLAIMS RECEIVED AND FILED	Claim No.	Claimant	Claim Amount
	2025-0003	Teresa S. Peterson	\$ 254.52
	2025-0004	Xiaohong Lu	35,000.00+

MOTION: It was moved by Councilmember Williams, seconded by Councilmember Lyon, to approve all items on the Consent Calendar, with the exception of Item 6. (Motion unanimously approved) (Absent: None)

CONSENT ITEMS DISCUSSED SEPARATELY

City Attorney

AUTHORIZE THE CITY ATTORNEY TO AMEND CITY CONTRACT NO. 32286 WITH RICHARD ROSENTHAL, Ph.D., FOR INDEPENDENT POLICE AUDITOR SERVICES, TO INCREASE THE NOT-TO-EXCEED AMOUNT BY \$90,000 AND TO EXTEND THE CONTRACT TERM BY SIX MONTHS

Recommendation: It is recommended that the City Council:
(1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required;
(2) Authorize the City Attorney to amend City Contract No. 32286 with Richard Rosenthal, Ph.D., for independent police auditor services, to increase the contract amount by \$90,000, and to extend the contract term by six months (Contract No. 32286-2); and
(3) To the extent this could be considered a separate procurement subject to the Competitive Selection Process, it is recommended that the City Council 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.

Adriana Bautista, Pasadena resident, suggested having Dr. Richard Rosenthal's employment agreement overlap with the hiring of a new Independent Police Auditor (IPA), when selected, to ensure a smooth transition and continued progress on issues within the IPA's purview.

MOTION: It was moved by Councilmember Hampton, seconded by Councilmember Williams, to approve Consent Calendar Item 6. (Motion unanimously approved) (Absent: None)

INFORMATION ITEM

ANNUAL REPORT BY INDEPENDENT POLICE AUDITOR FOR FISCAL YEAR 2023-24 (Office of the City Attorney/City Prosecutor)

City Attorney Bagneris provided introductory remarks and introduced Dr. Richard Rosenthal, Independent Police Auditor, who provided an overview of his accomplishments with the Community Police Oversight Commission over the past year and the priorities for the upcoming year, and responded to questions.

In response to Councilmember Hampton’s inquiry regarding the District Attorney’s (DA) review process of an officer involved shooting, Dr. Rosenthal stated that the traditional review process involves the DA’s review and if criminal charges are not filed, a letter is then issued which allows the City to proceed with the administrative review. He noted that the process has become lengthy and extended, with the DA’s office often taking months or years to issue the determination, which consequently delays the City’s work and/or public reporting.

Vice Mayor Madison thanked Dr. Rosenthal for his work over the years and requested a final report from him before his retirement.

In response to Councilmember Williams’ questions on whether it is possible to start investigations prior to the District Attorney’s review, City Attorney Bagneris stated that the option has been evaluated. Chief Assistant City Attorney Javan Rad presented information to the Public Safety Committee regarding the pros and cons of waiting or proceeding with the City’s investigations prior to the DA’s review, which she briefly summarized.

The following individuals expressed concerns with the lack of accountability for Police Officers after officer involved shootings and/or provided various comments:

- Allen Shay, Pasadena resident
- Adriana Bautista, Pasadena resident

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

OLD BUSINESS

ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CONFIRMING THE AWARD OF ITS ELECTRIC REVENUE/REFUNDING BONDS 2024A SERIES (Finance Dept.)

Recommendation: It is recommended that the City Council:
(1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 21065 and within the meaning Sections 15060(c) and 15378(b); and
(2) Adopt a resolution confirming the award of the City of Pasadena Electric Revenue/Refunding Bonds, 2024A Series. (Resolution No. 10063)

Vic Erganian, Deputy Finance Director/City Treasurer, gave a PowerPoint presentation on the item, briefly reporting on the bid results and the proposed resolution.

MOTION: It was moved by Councilmember Williams, seconded by Councilmember Hampton, to approve staff recommendation. (Motion unanimously approved) (Absent: None)

PUBLIC HEARINGS

BLOCK 5 MAINTENANCE ASSESSMENT DISTRICT INCREASE

Recommendation: It is recommended that the City Council cancel the public hearing, with staff to reschedule and notice the public hearing for a future date and time.

MOTION: It was moved by Councilmember Williams, seconded by Councilmember Lyon, to cancel the public hearing and reschedule for a future date and time. (Motion unanimously approved) (Absent: None)

APPROVE ZONING CODE AMENDMENTS FOR RESTAURANTS TO: 1) ALLOW WALK-UP WINDOWS BY-RIGHT; 2) CREATE AN ADMINISTRATIVE CONDITIONAL USE PERMIT PROCESS FOR THE ON-SITE SALE OF ALCOHOL; AND 3) ALLOW OUTDOOR DINING ON PRIVATE PROPERTY (Planning Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed amendments in the agenda report are exempt from environmental review pursuant to the guidelines of the State California Environmental Quality Act, Section 15305 (Class 5 – Minor Alterations in Land Use Limitations);
- (2) Adopt the Findings for the Zoning Code Amendments in Attachment A of the agenda report;
- (3) Approve the Zoning Code Amendments as outlined in the agenda report;
- (4) Adopt Outdoor Dining on Private Property Design Guidelines in Attachment B of the agenda report; and
- (5) Direct the City Attorney to prepare an ordinance for the Zoning Code Amendment within 90 days consistent with the provisions set forth in the agenda report.

Recommendation of the Economic Development & Technology Committee: On May 21, 2024 the Economic Development & Technology Committee (EDTech) recommend the City Council approve the proposed Zoning Code Amendments as recommended by staff and the Planning Commission.

Recommendation of the Planning Commission: On April 24, 2024, the Planning Commission recommend the City Council approve the proposed Zoning Code Amendments as recommended by staff, with two changes:

1. Walk-up Windows – Amend Zoning Code definition of “Restaurants with Walk-up Window” to include the service of beverages, in addition to food; and

2. Outdoor Dining – Parking lot dining within 50 feet of any abutting residential use shall require the approval of a Minor Conditional Use Permit (CUP). This shall not apply to properties within the Central District Specific Plan.

The Commission also recommended that decision letters for administrative reviews, including decisions by the Director of Planning & Community Development (Director), be posted on the City's website, for the purpose of increased transparency. Staff agrees with this recommendation and will implement it.

City Clerk Jomsky reported that the Public Hearing notice was published on July 1, July 8, and July 11, 2024, in the Pasadena Press; he reported that 1 letter expressing concerns with the expansion of outdoor dining, and 1 letter in support of the proposed zoning code amendments, were received by the City Clerk's office, distributed to the City Council, posted online, and made part of the public record.

Allison Barnes, Pasadena resident, spoke in support of the zoning code amendments and the staff recommendation.

It was moved by Councilmember Hampton, seconded by Councilmember Williams, to close the public hearing. (Motion unanimously approved.) (Absent: None)

In response to Vice Mayor Madison's concerns regarding the written correspondence received, Jennifer Paige, Planning Director, noted that the proposed amendments pertain to outdoor dining on private property (i.e. parking lot, existing space outside of sidewalks) and is still subject to ADA requirements.

In response to Mayor Gordo's concerns regarding the impacts of a walk-up window, including loudspeaker, foot-traffic, and noise issues adjacent to residential neighborhoods/houses, Director Paige stated that the walk-up windows are accessory to restaurant use, must abide by the restaurant's operating hours and the noise ordinance, and are subject to oversight by City staff. She stated that if concerns arise regarding sound, lighting, and/or other impacts to adjacent residents, preventative performances measures can be mandated and incorporated as part of a Minor Conditional Use Permit (CUP) process, with the process codified in the City's Zoning Code amendments.

MOTION:

It was moved by Councilmember Hampton, seconded by Councilmember Williams, to approve staff's recommendation, amended to add performance measures regarding sound and lighting, and incorporating a Minor CUP process as part of the Zoning Code Amendment related to locating the walk-up window, reserving the City's right to determine the best location for placing the window, with staff to emphasize protecting adjacent residential neighborhoods and residents. (Motion unanimously approved.) (Absent: None)

APPROVE ZONING CODE AMENDMENTS: 1) PROJECT ENTITLEMENT TIME LIMITS AND EXTENSIONS; AND 2) MISCELLANEOUS UPDATES (Planning Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed amendments in the agenda report are exempt from environmental review pursuant to the guidelines of the State California Environmental Quality Act, Section 15305 (Class 5 – Minor Alterations in Land Use Limitations);
- (2) Adopt the Findings for the Zoning Code Amendments in Attachment A of the agenda report;
- (3) Approve the Zoning Code Amendments as outlined in the agenda report and in Attachment B of the agenda report; and
- (4) Direct the City Attorney to prepare an ordinance for the Zoning Code Amendment within 90 days consistent with the provisions set forth in the agenda report.

Recommendation of the Economic Development & Technology Committee: On April 24, 2024, the Planning Commission voted to recommend the City Council approve the proposed Zoning Code Amendments as recommended by staff, with recommended changes as listed below:

1. Reflective Materials – Require an Administrative Minor Conditional Use Permit (CUP) for materials that are reflective. Use industry standards for staff to identify when a material is considered reflective; and
2. Effect of Zoning Code Amendments on Projects in Progress – Projects with legislative or quasi-judicial approval shall be processed under the rules in effect when the project is deemed complete.

City Clerk Jomsky reported that the Public Hearing notice was published on July 1, July 8, and July 11, 2024, in the Pasadena Press; he reported that 1 letter expressing concerns with the length of time of the related to the design review process in the Ramona Street affordable housing project was received by the City Clerk's office, distributed to the City Council, posted online, and made part of the public record.

It was moved by Councilmember Hampton, seconded by Councilmember Williams, to close the public hearing. (Motion unanimously approved.) (Absent: None)

MOTION:

It was moved by Councilmember Hampton, seconded by Councilmember Williams, to approve staff recommendation. (Motion unanimously approved.) (Absent: None)

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

City Attorney

DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE AMENDING CHAPTER 9.36 OF THE PASADENA MUNICIPAL CODE, OTHERWISE KNOWN AS THE “NOISE RESTRICTIONS ORDINANCE” AND PROVIDE DIRECTION REGARDING CITY COUNCIL COMMITTEE CONSIDERATION OF FURTHER AMENDMENTS

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is not a “project” subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 21065 and within the meaning of Section 15378(b);
- (2) Direct the City Attorney to prepare and return within 90 days with an ordinance amending Chapter 9.36 of the Pasadena Municipal Code, the Noise Restrictions Ordinance, as further described in the Agenda Report; and
- (3) Refer to the appropriate City Council standing committee for discussion and consideration regarding the scope of any further amendments to be made to Chapter 9.36 of the Pasadena Municipal Code, the Noise Restrictions Ordinance.

City Attorney Bagneris introduced the item, and Danielle St. Clair, Assistant City Attorney, provided a PowerPoint presentation on proposed revisions to the Noise Ordinance. City Attorney Bagneris noted that the staff recommendation suggests a 90-day turnaround for preparation of the ordinance.

Councilmember Williams left the meeting at 7:24 p.m.

Councilmember Hampton suggested that when the ordinance is complete, staff review the provision with the Economic Development and Technology Committee prior to presenting it to the full Council for first reading.

In response to Councilmember Lyon’s inquiry regarding adjusting the decibels, Assistant City Attorney St. Clair stated that the initial presentation was to inform and receive direction from the City Council, on preparation of the ordinance, with staff to work on specific provisions of the ordinance when direction is given.

Allison Barnes, Pasadena resident, urged the City Council to carefully consider the decibel levels of the noise ordinance to best protect residents, noting in her opinion that 60 decibels at 10:00 p.m. is still too loud.

It was moved by Councilmember Hampton, seconded by Councilmember Lyon, to approve the staff recommendation, amended to return within 90 days and to refer the matter to the Economic Development and Technology Committee for its review before staff presents the ordinance to the full City Council. (Motion unanimously approved.) (Absent: Councilmember Williams)

ORDINANCES

Councilmember Williams returned to the meeting at 7:32 p.m.

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 4, CHAPTER 4.08 OF THE PASADENA MUNICIPAL CODE, THE PURCHASING ORDINANCE" (Ordinance No. 7428)

The ordinance above was adopted by the following vote:

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

Adopt "AN ORDINANCE AMENDING TITLE 6, CHAPTER 6.18 OF THE PASADENA MUNICIPAL CODE TO ESTABLISH A HEARING OFFICER FORM OF ADJUDICATION FOR VICIOUS, POTENTIALLY DANGEROUS, AND PUBLIC NUISANCE DOG HEARINGS" (Ordinance No. 7429)

The ordinance above was adopted by the following vote:

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

PUBLIC HEARING

Councilmember Jones recused himself from the item due to a conflict of interest and left the meeting at 7:35 p.m.

APPROVE CONDITIONAL USE PERMIT NO. 6926 TO ALLOW THE CONSTRUCTION OF A NEW AUTO DEALERSHIP (PASADENA RUSNAK PORSCHE) AND VACATION OF NINA STREET FROM SUNNYSLOPE AVENUE TO ITS EAST TERMINUS – 2915 EAST COLORADO BLVD., AND NORTH SUNNYSLOPE AVE (Planning Dept.)

- Recommendation:** It is recommended that the City Council:
- (1) Adopt the Mitigated Negative Declaration in Attachment C and Mitigation Monitoring and Reporting Program in Attachment D (of the agenda report);
 - (2) Adopt the Findings in Attachment A and approve Conditional Use Permit No. 6926, with conditions of approval in Attachment B (of the agenda report);
 - (3) Adopt a Resolution of Intention to vacate Nina Street from Sunnyslope Avenue to its Eastern terminus (Resolution No. 10064);
 - (4) Set a public hearing for Monday, August 26, 2024, at 5:30 p.m. to consider the proposed street vacation prior to the adoption of the Resolution Ordering the Vacation in accordance with the requirements and recommendations contained in the agenda report and subject to conditions in the agenda report; and
 - (5) Direct the City Clerk to publish and post a Notice of Hearing in accordance with the requirements of the Streets and Highways Code Sections 8320, et seq.

Recommendation of the Planning Commission: On May 8, 2024, the Planning Commission held a public hearing to consider Conditional Use Permit No. 6926 to establish an auto dealership (Pasadena Rusnak Porsche) and to vacate the eastern terminus of Nina Street. Following deliberation, the Planning Commission recommended that the City Council:

- Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program with a 7-0 vote;
- Approve the street vacation and transfer of ownership to a private owner with a 7-0 vote; and
- Approve the Minor Variance to allow a reduced corner setback along Sunnyslope Avenue with a 6-1 vote.

The majority of the Planning Commission determined that the project did not comply with the East Colorado Specific Plan (2003). Specifically, that the project was not consistent with the intent of the specific plan in that it does not create a pedestrian oriented environment, particularly with the placement of parking in front of the building, and does not provide a defined street edge with a continuous building wall and questioned why the trellis structure could not wrap the corner and extend further along Sunnyslope Avenue. The Commission was also concerned that the design of the building was a company prototype that was not unique to Pasadena. They recognized that Rusnak was an important business in the community, and they were in a difficult position to adhere to Porsche corporate design standards while being responsive to the code requirements and design comments provided on the project. The Commission recommended that the City Council:

- Deny the Conditional Use Permit to allow the establishment of a vehicle sales and leasing land use with a 5-2 vote; and
- Deny the Conditional Use Permit to allow new construction over 25,000 square feet with a 4-3 vote.

City Clerk Jomsky reported that the Public Hearing notice was mailed and posted on July 1, 2024; and that 2 letters in support of the proposed project and 1 letter expressing concerns with various aspects of the proposed project were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the public record.

Planning Director Paige introduced the item, and Beilin Yu, Zoning Administrator, presented a PowerPoint presentation on the submitted application from Pasadena Rusnak Porsche, including the original project plan, discussion points from other review commissions, and the revised project plan, and responded to questions.

In response to Councilmember Williams' inquiry regarding other engaging features of the auto dealership, Planning Director Paige stated that the Swanson & Peterson building will provide lounge space and visual aesthetics for car enthusiasts, as well as the display of vehicles and a unique trellis structure along Colorado Boulevard.

Andrew Arizmendi, Vice President at Rusnak Group, provided introductory remarks, and Stephanie DeWolfe, Rusnak Group, provided a brief PowerPoint presentation outlining the project, as well as potential economic benefits for the City resulting from the proposed development.

The following individuals expressed support for the proposed project and/or provided various comments pertaining to the revenues, collaboration, and areas for improvement:

Joe Kilanowski, Pasadena Heritage
Regina Dowling Jones, Art Center College of Design
Tommy Corrales, Duarte resident
Adriana Bautista, Pasadena resident

Isaac Xu, Arcadia resident, shared details of the design process for the proposed trellis structure at the dealership.

Discussion ensued regarding the Rusnak Porsche dealership's longtime role in economic development, generated revenues through sales tax, and City programs funded through these revenues.

It was moved by Councilmember Masuda, seconded by Councilmember Madison, to close the public hearing. (Motion unanimously approved.) (Absent: Councilmember Jones)

MOTION

Following brief discussion, it was moved by Councilmember Masuda, seconded by Vice Mayor Madison, to approve the staff recommendation. (Motion unanimously approved.) (Absent: Councilmember Jones)

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:30 p.m. in memory of Georgia Holloway.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk