

CITY OF PASADENA
City Council Minutes
May 6, 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 4:30 p.m. to discuss the following closed session item:

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

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property Locations: 391 S. Orange Grove Blvd, Pasadena, CA 91105

Agency Negotiator: Miguel Marquez

Negotiating Party: David Eads, Pasadena Tournament of Roses Association

Under Negotiation: Price and terms of Lease

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 5:51 p.m. The pledge of allegiance was led by Councilmember Lyon.

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 (arrived at 6:26 p.m.)

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

CEREMONIAL MATTERS Deputy Police Chief Art Chute introduced Sergeant Jose Urita as the new Sergeant at Arms. Sergeant Urita thanked the City Council for the opportunity to serve in this capacity. Mayor Gordo welcomed Sergeant Urita, and thanked Sergeant David Alba for his service as the prior Sergeant at Arms.

Mayor Gordo presented a proclamation declaring May 12, 2024 as Anne Frank Day, shared the importance of remembering Anne Frank as a way to guard against discrimination and prejudice. He introduced Olivia Prince, Westridge School student, who accepted the proclamation on behalf of Anne Frank LA, thanked the City Council for the recognition, and noted the impact that young people's voices can have in promoting acceptance and inclusion. Harvey Shield, Margrit Polak, and Sofia Shield, co-founders of Anne Frank LA, also thanked the City Council for the recognition and spoke on the organization's work to educate schools throughout Los Angeles County on the story of Ann Frank.

Mayor Gordo presented a proclamation declaring May 2024 as Older Americans Month in the City of Pasadena, and expressed his appreciation for the contributions and civic leadership from the City's older residents. Chelsea Mason, Senior Commission Chair, accepted the proclamation on behalf of the Senior commission, thanked the City Council for the recognition, and spoke on the various programs and resources available to seniors living in the community. Howie Zechner, Senior Commission Vice Chair, announced that the Pasadena Senior Commission will be hosting an event to celebrate the third annual Older Americans' Month at Victory Park on Wednesday, May 22, 2024, and invited the City Council and community to participate in the free event.

Mayor Gordo presented a proclamation declaring May 16, 2024 as Pasadena Bike to Work Day, and May 2024 as National Bike Month in the City of Pasadena, and encouraged community participation in the event, noting the importance of safely sharing the road with bicyclists. Scott Johnson, Senior Planner, introduced Colin Bogart, Day One, and Liz Schiller, Pasadena Complete Streets Coalition, as the organizers of Pasadena Bike Month. Mr. Bogart and Ms. Schiller accepted the proclamation, announced details of various events and bike rides to be held throughout the month, and expressed their appreciation for the City recognizing this important effort.

Mayor Gordo presented a proclamation declaring May 5-11, 2024 as Municipal Clerks Week in the City of Pasadena, thanking City Clerk Mark Jomsky for his public service, and expressed gratitude to all the City Clerk staff for their service to the community and support for the City Council. City Clerk Jomsky accepted the proclamation, thanked the City Council for the recognition, and recognized the City Clerk staff for their work in support of the City of Pasadena.

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

Aaron Lavine, Pasadena resident, spoke on improving local recycling programs and educating the community on proper recycling and composting rules.

Allen Shay, Pasadena resident, expressed concerns that technology was omitted from the list of Charter Study topics assigned to the Task Force as part of their scope of work.

Susan Kujawa, Pasadena Village, spoke on the collaboration between Pasadena Village and the Senior Commission and invited the public to attend "Pasadena Celebrates Older Americans" events.

Rose Malmberg, Pasadena resident, requested the City reconsider the City's Urban Wildlife Management Plan and the issue related to the relocation of coyotes.

Olden Denham, Pasadena resident, expressed concerns regarding changes to be made to the City Charter and spoke on the need for reform of the Pasadena Police Department.

In response to public comment, Councilmember Hampton requested City staff contact Mr. Lavine regarding recycling regulations, and to remind residents of updated recycling regulations. He also requested staff provide an update on the laws regarding wildlife.

CONSENT CALENDAR

City Manager/ Executive Director

AUTHORIZATION TO ENTER INTO A CONTRACT WITH END HOMELESSNESS CALIFORNIA INC., DBA SHOWER OF HOPE FOR AN AMOUNT NOT-TO-EXCEED \$115,000 THROUGH OCTOBER 1, 2024 FOR MOBILE SHOWER AND LAUNDRY UNIT OPERATION SERVICES (Public Health 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; and
- (2) Authorize the City Manager to enter into a contract as the result of a competitive selection process specified by Section 4.08.047 of the Pasadena Municipal Code with End Homelessness California Inc., DBA Shower of Hope, for an amount not-to-exceed \$115,000 through October 15, 2024 for mobile shower and laundry unit operation services. Competitive bidding is not required pursuant to City Charter Section 1002(F), Contracts for professional or unique services. (Contract No. 32945)

AUTHORIZATION TO AMEND CONTRACT NO. 31483 WITH ORACLE AMERICA INC., FOR SOFTWARE SUPPORT FOR AN AMENDED NOT-TO-EXCEED AMOUNT OF \$9,028,478 FOR THE WATER AND POWER DEPARTMENT (Water & Power 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; and
- (2) Authorize the City Manager to amend the Master Service Agreement Contract No. 31483, with Oracle America Inc. ("Oracle"), to continue to provide billing system software support, cloud hosting,

home energy reports and purchase smart meter licensing; increase the contract amount from \$3,965,000 to \$9,028,478; and extend the contract expiration from September 1, 2024, to September 1, 2029. (Contract No. 31483-2)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH BEST CONTRACTING SERVICES INC., FOR AS-NEEDED ROOF REPAIR SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$1,200,000 FOR THE WATER AND POWER DEPARTMENT (Water & Power 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 State CEQA Guidelines 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 January 3, 2024, submitted by Best Contracting Services Inc., in response to the specifications for "As-Needed Roof Repair Services" for the Water and Power Department ("PWP"); and authorize the City Manager to enter into a contract with Best Contracting Services Inc., for an amount not-to-exceed \$800,000 or for a period of three years, whichever occurs first; with two optional one-year extensions or an amount not-to-exceed \$200,000 each, whichever occurs first, at the discretion of the City Manager, for a maximum contract length of five years or a maximum amount not-to-exceed \$1,200,000. (Contract No. 32877)

CONTRACT AWARD TO ROBERTSON'S READY MIX LTD TO FURNISH AND DELIVER CONCRETE MATERIALS FOR AN AMOUNT NOT-TO-EXCEED \$3,055,000, IF ALL EXTENSIONS ARE EXERCISED, FOR THE WATER AND POWER DEPARTMENT (Water & Power 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) per Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the CEQA Guidelines; as such, no environmental document pursuant to CEQA is required for the action; and
- (2) Accept the bid dated February 21, 2024, submitted by Robertson's Ready Mix LTD ("Robertson's") in response to specifications for Project ID 2024-IFB-MS-000 to Furnish and Deliver Concrete Materials, and authorize the City Manager to enter into a contract with Robertson's for an amount not-to-exceed \$1,909,375 for an initial term of five years, or until funds are expended, whichever occurs first; with three additional one-year extensions at \$381,875 each, or until funds are expended, whichever occurs first. If the three optional one-year extensions are exercised, the total contract value would be \$3,055,000 for a maximum duration of eight years. (Contract No. 32890)

ADOPTION OF A RESOLUTION ORDERING THE SUMMARY VACATION OF ONE PUBLIC SERVICE EASEMENT LOCATED AT 995 S. FAIR OAKS AVE., PASADENA – (PROPERTY OWNER: PASADENA CA SENIOR PROPERTY, LLC) (Water & Power Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action in the agenda report is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations); there are no features that distinguish this project from others in the exempt classes, and therefore, there are no unusual circumstances;
- (2) Adopt a Resolution ordering the summary vacation of one public service easement located at 995 S. Fair Oaks Ave., Pasadena, APN: 5719-022-101 (“Property”) (Resolution No. 10043); and
- (3) Authorize the City Manager to execute any other documentation as may be required to accomplish said summary vacation.

ADOPT A RESOLUTION ESTABLISHING THREE NEW CLASSIFICATIONS AND SALARIES AND UPDATING THE SALARY OF FOUR EXISTING CLASSIFICATION (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; and
- (2) Adopt a Resolution Establishing Three New Classifications and Salaries and Updating the Salary of Four Existing Classification. (Resolution No. 10044)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH REGENTS OF THE UNIVERSITY OF CALIFORNIA FOR PARAMEDIC EDUCATION FOR AN AMOUNT NOT-TO-EXCEED \$90,000 (Fire Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended actions in the agenda report are exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines per Section 15061(b)(3), the “Common Sense” exemption that CEQA only applies to projects that may have an effect on the environment; and
- (2) Authorize the City Manager to enter into a purchase order with Regents of the University of California for Paramedic Education for seven (7) City Service Worker Paramedic Interns, for an amount not-to-exceed \$90,000; and
- (3) Neither Competitive Bidding nor Competitive Selection are required pursuant to City Charter Section 1002(H) and Pasadena Municipal Code Section 4.08.049(B), contracts may be exempted from the competitive selection process where a determination is made that the best interests of the City are served by a direct award of a contract without a competitive selection process.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH COMPRESSED AIR SPECIALTIES INC., TO PROVIDE BREATHING AIR COMPRESSOR AND CARBON MONOXIDE MONITOR SYSTEMS FOR AN AMOUNT NOT-TO-EXCEED \$286,131 (Fire Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed contract in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the "Common Sense" exemption that CEQA only applies to projects that may have an effect on the environment; and
- (2) Accept the bid dated March 20, 2024 submitted by Compressed Air Specialties Inc., in response to specifications for Breathing Air Compressor and Carbon Monoxide Monitor Systems; authorize the City Manager to enter into a purchase order not-to-exceed \$286,131.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH MUNICIPAL EMERGENCY SERVICES (MES) INC., TO PROVIDE SELF-CONTAINED BREATHING APPARATUS (SCBA) EQUIPMENT AND ACCESSORIES FOR AN AMOUNT NOT-TO-EXCEED \$1,800,000 (Fire Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed contract in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the "Common Sense" exemption that CEQA only applies to projects that may have an effect on the environment; and
- (2) Accept the bid dated March 20, 2024 submitted by Compressed Air Specialties Inc., in response to specifications for Breathing Air Compressor and Carbon Monoxide Monitor Systems; authorize the City Manager to enter into a purchase order not-to-exceed \$286,131.

AUTHORIZE THE CITY MANAGER TO EXTEND THE DURATION OF CONTRACT NO. 31,446-1 WITH TACENERGY LLC FOR PURCHASES OF RENEWABLE DIESEL FUEL BY ONE YEAR, AND TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT BY \$200,000, FROM \$800,000 TO \$1,000,000 (Fire Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed contract in the agenda report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines 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 extend Contract No. 31,446-2* with TACenergy LLC for the purchase of renewable diesel fuel by one year, for a total contract period beginning from April 21, 2019, to April 21, 2025, and to increase the total not-to-exceed amount by \$200,000, from \$800,000 to \$1,000,000 (Contract No. 31,446-3); and
- (3) To the extent the amendments to Contract No. 31,446-2* could be considered a separate procurement subject to the Competitive

Selection Process, grant an exemption pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City's best interests are served. Competitive price bidding is not required pursuant to City Charter Section 1002(F) contracts for professional or unique services.

**Corrected contract number*

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HARDY & HARPER INC., FOR CALIFORNIA BOULEVARD SAFETY AND ACCESS ENHANCEMENT PROJECT AT ST. JOHN AVENUE AND PASADENA AVENUE FOR AN AMOUNT NOT-TO-EXCEED \$1,732,800 (Public Works & Transportation 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, 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) Authorize the City Manager to enter into a contract with Hardy & Harper Inc., for the California Boulevard Safety and Access Enhancement Project at St. John Avenue and Pasadena Avenue for an amount not-to-exceed \$1,732,800 which includes the base contract amount of \$1,444,000 and a contingency of \$288,800 to provide for any necessary change orders. (Contract No. 32933)

ITEM DISCUSSED
SEPARATELY

FINANCE COMMITTEE: FISCAL YEAR JUNE 30, 2023, SINGLE AUDIT REPORT AND SAFE, CLEAN WATER PROGRAM (SCW PROGRAM) AUDIT REPORT (Finance Dept.)

FINANCE COMMITTEE: DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE TO AMEND PASADENA MUNICIPAL CODE CHAPTER 4.100 TO CONFORM TO RECENT CHARTER AMENDMENT ADDRESSING THE ANNUAL POWER FUND TRANSFER TO THE GENERAL FUND (Finance Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the action proposed in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines per Section 15061(b)(3) "Common Sense" exemption; and

(2) Direct the City Attorney to prepare and return with an ordinance within 60-days amending Chapter 4.100 of the Pasadena Municipal Code removing references to Net Income to conform to recent amendment to the Charter pertaining to the annual Power Fund transfer to the General Fund.

ITEM DISCUSSED
SEPARATELY

PUBLIC SAFETY COMMITTEE: AUTHORIZE CONTRACT WITH CNC TECHNOLOGIES, LLC FOR PURCHASE OF AND INSTALLATION OF THREE TRAKKABEAM TL360 SEARCHLIGHT AND GIMBALS FOR A TOTAL OF \$383,685 AND AMEND THE

FISCAL YEAR 2024 OPERATING BUDGET BY APPROPRIATING \$98,685 FROM THE UNAPPROPRIATED FUND BALANCE IN THE FOOTHILL AIR SUPPORT TEAM FUND (Police Dept.)

ITEM DISCUSSED SEPARATELY

PUBLIC SAFETY COMMITTEE: AUTHORIZATION TO ENTER INTO A NEW CONTRACT WITH AXON ENTERPRISE INC., FOR FIVE (5) YEARS NOT-TO-EXCEED \$4,506,601 TO CONSOLIDATE CURRENT BODY WORN CAMERAS AND TASER PRODUCT AGREEMENTS, AND THREE (3) NEW AXON PRODUCTS AND UPGRADE BODY WORN CAMERA AND TASER DEVICES (Police Dept.)

City Council

APPOINTMENT OF JAMES COTTER TO THE PASADENA CENTER OPERATING COMPANY BOARD (Hotel Nomination)

RESIGNATIONS, APPOINTMENTS, & REAPPOINTMENTS

APPOINTMENT OF JOAN JULIA BRANIN TO THE LIBRARY COMMISSION (At Large Nomination/District 7)

City Clerk/ Secretary

April 8, 2024	City Council
April 8, 2024	Successor Agency to the Pasadena Community Development Commission
April 15, 2024	City Council
April 15, 2024	Successor Agency to the Pasadena Community Development Commission
April 22, 2024	City Council
April 22, 2024	Successor Agency to the Pasadena Community Development Commission

MINUTES APPROVED

CLAIMS RECEIVED AND FILED

Claim No.	Claimant	Claim Amount
2024-0242	Horacio Cazares	\$ 35,000.00+
2024-0243	Gary Nueman	66.15
2024-0244	Sharmange Leland-St. John	7,125.88
2024-0245	Antonio Lomeli	2,021.19
2024-0246	Sarah Gail Torres	35,000.00+
2024-0247	Yalda Seace	7,759.03
2024-0248	Barry Lee Pyle	150.00
2024-0249	YuPing Huo	35,000.00+
2024-0250	Wawanesa Insurance/ Mario De Lao	10,000.00+
2024-0251	Gary B. White	175.00
2024-0252	Duplicate to Claim No. 2024-0251	
2024-0253	Keith Lickitwongse	450.00
2024-0254	Naomi Lee Volain	1,255.03
2024-0255	Russell Hudspeth	Not stated
2024-0256	Daniel Kiczek	5,280.00
2024-0257	Swig	10,000.00+
2024-0258	Mustafa Ipekcioglu	317.86
2024-0259	Peter Mitchell	35,000.00+

2024-0260 Lorig Mushegain
2024-0261 Kristina Potter

51.00
35,000.00+

PUBLIC HEARING SET

May 20, 2024, 5:30 p.m. – Amendment to the Schedule of Taxes, Fees and Charges for fiscal year 2025

~~June 10, 2024, 5:30 p.m.~~ – Consideration of Adopting an Appropriations Limit, as defined in Article XIII B of the Constitution of the State of California for the Fiscal Year 2025 [NOTICED PUBLIC MEETING, NOT A PUBLIC HEARING]

MOTION:

It was moved by Councilmember Masuda, seconded by Councilmember Jones, to approve all items on the Consent Calendar with the exception of Items 12, 14, and 15. (Motion unanimously approved) (Absent: None)

**CONSENT ITEMS
DISCUSSED
SEPARATELY**

PUBLIC SAFETY COMMITTEE: AUTHORIZE CONTRACT WITH CNC TECHNOLOGIES, LLC FOR PURCHASE OF AND INSTALLATION OF THREE TRAKKABEAM TL360 SEARCHLIGHT AND GIMBALS FOR A TOTAL OF \$383,685 AND AMEND THE FISCAL YEAR 2024 OPERATING BUDGET BY APPROPRIATING \$98,685 FROM THE UNAPPROPRIATED FUND BALANCE IN THE FOOTHILL AIR SUPPORT TEAM FUND (Police Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the project proposed in the agenda report is exempt under the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), the “Common Sense” exemption that CEQA applies only to projects that may have an effect on the environment;
- (2) Amend the Fiscal Year (FY) 2024 Operating Budget by appropriating \$98,685 from the unappropriated fund balance in the Foothill Air Support Team Fund (Budget Amendment No. 2024-45); and
- (3) Accept the bid dated February 29, 2024, submitted by CNC Technologies, LLC, in response to specifications for three helicopter searchlight systems and installation; and authorize the City Manager to enter into a total contract amount not-to-exceed \$383,685 which includes sales tax. (Contract No. 32947)

Yadi, residence not stated, spoke on technology purchases for the Police Department; she stated that she will hold further comments until after use policies are reviewed.

Tommy Corralez, Pasadena Police Officers Association, spoke in support of the staff recommendations and noted the importance of the replacing outdated equipment.

PUBLIC SAFETY COMMITTEE: AUTHORIZATION TO ENTER INTO A NEW CONTRACT WITH AXON ENTERPRISE INC., FOR FIVE (5) YEARS NOT-TO-EXCEED \$4,506,601 TO CONSOLIDATE CURRENT BODY WORN CAMERAS AND TASER PRODUCT AGREEMENTS, AND THREE (3) NEW AXON PRODUCTS AND

UPGRADE BODY WORN CAMERA AND TASER DEVICES (Police 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 State CEQA Guidelines 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 execute a contract with Axon Enterprise Inc. (Axon), to consolidate existing contracts, add products and upgrade devices at a cost not-to-exceed \$4,506,601, including a 10 contingency. Competitive bidding is not required pursuant to City Charter Section 1002(f), for contracts for professional and unique services (Contract No. 32948); 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.

Allen Shay, Pasadena resident, advocated for postponing the proposed contract approval.

MOTION:

It was moved by Councilmember Hampton, seconded by Councilmember Masuda, to approve the staff recommendations for Consent Calendar Items 14 and 15. (Motion unanimously approved) (Absent: None)

Councilmember Jones stated a conflict of interest, recused himself from the item, and left the meeting at 6:32 p.m.

FINANCE COMMITTEE: FISCAL YEAR JUNE 30, 2023, SINGLE AUDIT REPORT AND SAFE, CLEAN WATER PROGRAM (SCW PROGRAM) AUDIT REPORT (Finance Dept.)

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

- A. Single Audit Report; and
- B. Safe, Clean Water Program, (SCW Program) Financial Statements

It was moved by Councilmember Hampton, seconded by Councilmember Masuda, to approve the staff recommendation for Consent Calendar Item 12. (Motion unanimously approved) (Absent: Councilmember Jones)

OLD BUSINESS

Councilmember Jones returned to the dais at 6:33 p.m.

AUTHORIZE PURCHASE ORDER WITH 72 HOUR LLC (DBA: CHEVROLET OF WATSONVILLE/NATIONAL AUTO FLEET GROUP) FOR AN AMOUNT NOT-TO-EXCEED \$184,621 FOR THE PURCHASE OF THREE (3) FORD F-150 TRUCKS (Police Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the action in the agenda report is exempt from 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 impact on the environment;

(2) Authorize the City Manager to enter into a Purchase Order, for Fiscal Year 2024, with 72 Hour, LLC (72 Hour) in the amount not-to-exceed \$184,621 for the purchase of three (3) new Ford F-150 trucks; and

(3) Neither Competitive Bidding nor Competitive Selection are required pursuant to City Charter Section 1002(H) and Pasadena Municipal Code Section 4.08.049(B), contracts may be exempted from the competitive selection process where a determination is made that the best interests of the city are served by a direct award of a contract without a competitive selection process.

Deputy Chief Art Chute provided introductory comments and introduced Karen Peterson, Police Executive Administrator, who briefly provided an updated presentation, and responded to questions. City Manager Márquez stated that City staff is planning to study the City's infrastructure needs and develop a Citywide vehicle purchasing policy.

In response to Councilmember Rivas' inquiry, Administrator Peterson confirmed that there are currently no electric vehicle (EV) options on the market that are police pursuit rated and suitable for canine units, limiting the department to non-EV options.

Councilmember Hampton expressed opposition to the proposed purchase order, and suggested that although current base EV options are not police pursuit rated, such EVs can be outfitted to support the Police Department's needs and that the City does have infrastructure to support electric vehicles.

Councilmember Lyon requested that City staff consider alternatives to having canine unit vehicles run idle (for canine safety purposes) to avoid the negative impacts to local air quality.

City Clerk Jomsky reported that 2 letters expressing concerns with the purchase of fossil fuel powered vehicles and/or providing comments, were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the public record for this item.

MOTION:

Following discussion, it was moved by Councilmember Masuda, seconded by Vice Mayor Madison, to approve the staff recommendation.

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

NOES: Councilmember Hampton

ABSENT: None

ABSTAIN: None

PUBLIC HEARINGS

**OPENING OF THE PUBLIC HEARING FOR THE FISCAL YEAR 2025
CITY MANAGER'S RECOMMENDED OPERATING BUDGET**

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 of Sections 15060(c) and 15378(b);
- (2) Open the public hearing for the Fiscal Year (FY) 2025 Recommended Operating Budget; and
- (3) Continue the public hearing to the regular meeting of the City Council at 5:30 p.m. on June 3, 2024, and such other date as the City Council may determine, at which time the City Council will be asked to close the public hearing and adopt the FY 2025 Recommended Operating Budget.

City Clerk Jomsky opened the public hearing and reported that no correspondence related to this item was received by the City Clerk’s Office.

Matt Hawksworth, Acting Assistant City Manager/Director of Finance, presented a PowerPoint presentation on the proposed Operating Budget for Fiscal Year 2025, provided a breakdown of the citywide operating income and proposed enhancements, and highlighted the schedule/process for budget workshops, with staff presenting departmental budgets to assigned subcommittees throughout the month, and responded to questions.

In response to Councilmember Masuda’s inquiry regarding future budgets, Acting Assistant City Manger Hawksworth stated that City staff estimates budgets over a 5-year span.

In response to Councilmember Hampton’s inquiry regarding the proposed addition of 13 Full-Time Employees for the Water & Power Department, Acting General Manager Reyes stated that the additional employees will include administrative support staff, engineers to assist with facilitating the computerized maintenance management system and smart meters, and supervisory staff to support water treatment. He also stated that the additional staffing is necessary to support the Department’s work in achieving 2030 Carbon Free policy goals.

Vice Mayor Madison left the meeting at 7:21 p.m.

The City Council engaged in a brief discussion regarding the general fund balance, emergency and operating reserves, and the causes of slow revenue growth.

Councilmember Rivas left the dais at 7:24 p.m.

Following discussion, it was moved by Councilmember Williams, seconded by Councilmember Jones, to continue the Public Hearing to June 3, 2024 at 5:30 p.m. (Motion unanimously approved) (Absent: Councilmember Rivas, Vice Mayor Madison)

CONTINUED PUBLIC HEARING: ADOPTION OF FISCAL YEARS 2025-2029 CAPITAL IMPROVEMENT PROGRAM BUDGET (Public Works Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed actions in the agenda report are not “projects” 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) Find the “Lower Arroyo Road Enhancements – Feasibility Study” project consistent with the General Plan as detailed in the agenda report;

(3) Find the “Brookside Park Outdoor Basketball and Pickleball Courts – Planning and Design Phase” project consistent with the General Plan as detailed in the agenda report; and

(4) Adopt by resolution the City’s Fiscal Year (FY) 2025 – 2029 Capital Improvement Program (CIP) Budget as summarized in Exhibit B contained in the resolution and any changes passed by a motion of the City Council at the May 6, 2024 meeting. (Resolution No. 10045)

Recommendation of the Recreation and Park Commission: On March 5, 2024, the Recreation and Parks Commission voted unanimously to support the Parks and Landscaping and the Arroyo Projects sections of the Recommended FY 2025 – 2029 CIP Budget.

Recommendation of the Northwest Commission: On March 12, 2024, the Northwest Commission voted unanimously to support the projects located completely or partially in Northwest Pasadena in the Recommended FY 2025 – 2029 CIP Budget.

Recommendation of the Transportation Advisory Commission: On March 28, 2024, the Transportation Advisory Commission (TAC) voted unanimously to support the Streets and Streetscapes and the Transportation sections of the Recommended FY 2025 – 2029 CIP Budget.

Recommendation of the Planning Commission: On March 27, 2024, the Planning Commission found 20 of the 22 recommended new projects in the Municipal Buildings and Facilities, Streets and Streetscapes, Transportation, Parks and Landscaping, Arroyo Projects, Electric System, and Water System sections of the Recommended FY 2025 CIP budget to be consistent with the General Plan. The Planning Commission made the following additional recommendations:

1. Lower Arroyo Parking Lot and Road Enhancements – Feasibility Study project: The Planning Commission did not find this project consistent with the General Plan based on General Plan Policies 2.1 and 2.2 of the Green Space Parks and Recreation Element (Vote of 5 to 2). The majority of the Planning Commission felt that widening the road would disrupt the natural habitat, and thus, such alternations to the Arroyo is not in conformance with the General Plan.

Planning and Community Development Department staff came to a different conclusion. They found this project to be consistent with the following Green Space, Recreation, and Parks Element and Mobility Element of the General Plan as listed below:

Green Space, Recreation, and Parks Element

- 2.1 (Arroyo Seco Planning) to fully implement all master plans and design guidelines for the Arroyo;
- 2.2 (Balance of Interest in the lower Arroyo Seco) by managing and maintaining the area to balance the natural habitat, recreational needs, and public safety; and

Mobility Element

- 1.32 Implement parking management and enforcement programs to protect residential and commercial areas from spill over parking impacts.

City staff recommends City Council find the Lower Arroyo Road Enhancements – Feasibility Study project consistent with the General Plan to allow staff to identify possible solutions to the existing safety issue. The current road does not allow two cars to pass safely, which creates a safety issue between pedestrians and motor vehicles. The project scope has been modified to remove parking lot enhancements.

2. Brookside Park Outdoor Basketball and Pickleball Courts – Planning and Design Phase project: The majority of the Planning Commission found this project consistent with the General Plan if the project is located in previously developed and underutilized concrete and asphalt areas within the Central Arroyo (Vote of 5 to 2). The Planning Commission felt that the City should mitigate losing green space.

Planning and Community Development Department staff came to a different conclusion. They found this project to be consistent with the following Green Space, Recreation, and Parks Element and Land Use Element of the General Plan as listed below:

Green Space, Recreation, and Parks Element

- 8.5 (Recreation Needs) by providing sports fields, recreation facilities, walking, jogging and hiking areas, and recreations programs in quantities and types that generally address the demands of Pasadena residents and those who work in Pasadena;
- 14.2 (Sports and Athletics for Youth and Adults) by continuing to provide a wide range of outdoor and indoor activities for Pasadena residents;

Land Use Element

- 2.13 (Parks) to maintain existing and develop new parks and recreational facilities within walking distance of residents, supporting healthy lifestyles.

City staff recommends that the City Council find the Brookside Park Outdoor Basketball and Pickleball Courts - Planning and Design Phase project consistent with the General Plan to allow staff the flexibility to identify a suitable location for the basketball and pickleball courts. The placement of the courts will be determined based on community input and compatibility with other existing uses to ensure minimal impact to programming and operation of the park. Staff will prioritize the use of previously developed and underutilized concrete and asphalt areas within the Central Arroyo.

3. Street Paving/Maintenance – The Planning Commission unanimously voted to recommend that the City Council give focused consideration to long-term cost effectiveness of the current level of spending on street maintenance with the view of developing a long-term strategy for addressing the deteriorating condition of our City streets. In addition, this study should include options to make our streets safer along with the utilization of environmentally sustainable materials.

4. Need for Greater Stormwater Recapture – The Planning Commission unanimously voted to recommend that the City Council undertake, prior to next Fiscal Year's CIP, a more thorough strategic study in collaboration with the Metropolitan Water District and other surrounding agencies, of a significantly expanded urban stormwater recapture plan.

5. Public Consensus on Complete Streets/Active Transportation Strategies – The Planning Commission unanimously voted to recommend that the City Council, through the Department of Transportation, broaden the conversations of complete streets and active transportation strategies. They recommend that City staff should continue their active engagement work and look for even greater engagement of the community on the topics of mobility and complete streets citywide rather than on a project-by-project approach. Further the outreach should include a clear description of topics to be discussed (i.e., “the speed of traffic and safety of our streets”) to facilitate more public engagement on each topic.

Councilmember Rivas returned to the dais at 7:29 p.m.

City Clerk Jomsky reported that 2 letters in support of the 2025-2029 Capital Improvement Program (related to the feasibility study on North Mentor Avenue), and 1 letter in support of the Planning Commission recommendations (Lower Arroyo Parking Lot & Road Enhancements, and the Brookside Park Outdoor Basketball and Pickleball Courts project), were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the public record.

Tony Olmos, Public Works Director, provided a presentation on the recommended Fiscal Year 2025-2029 CIP budget, and responded to questions.

Anne Scheid, Pasadena resident, advocated for keeping the current single lane access to the Lower Arroyo Parking Lot, and suggested various improvements that could be made to the Lower Arroyo.

Mic Hansen, Planning Commission Chair, spoke in opposition to widening the lane to the parking lot, and advocated for the proposed Brookside basketball and pickleball courts to be built on existing concrete grounds instead of areas that are currently natural green areas.

Rick Cole, Planning Commissioner, spoke on needed changes for road maintenance, projects to address climate change impacts, and alternative approaches to complete streets and active transportation, and funding projects that comply with the General Plan.

In response to Councilmember Lyon's inquires regarding the feasibility study and impact on green spaces, Brenda Harvey Williams, Assistant City Manager, stated that the City Council is being asked to find that the feasibility study itself is consistent with the General Plan, and not any specific solution. She further noted that since the road is a one-car lane, options to improve vehicular safety will be identified through the study and then be presented to the City Council. Koko Panossian, Parks, Recreation, and Community Services Director, explained that the study will also identify ways to limit changes to green spaces that would be caused by the installation of the new pickleball courts, and reaffirmed that City staff will work with the consultant to identify areas where the courts might be installed on existing paved areas.

Mayor Gordo suggested permanently dedicating some existing concrete paved areas to pickleball courts and finding some seasonal spaces for pickleball by utilizing closed off areas near the Arroyo Seco, and advocated for replacing concrete pavements with more sustainable landscaping in future projects around the City.

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

MOTION: Following discussion, it was moved by Councilmember Hampton, seconded by Councilmember Williams, to approve the staff recommendation.

AYES: Councilmembers Hampton, Jones, Lyon, Masuda, Rivas, Williams, Mayor Gordo

NOES: None

ABSENT: Vice Mayor Madison

ABSTAIN: None

CONTINUED PUBLIC HEARING: TO APPROVE SEWER USE FEE RATE STRUCTURE AND RATE ADJUSTMENTS (Public Works Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action in the agenda report is not a project as defined in the California Environmental Quality Act (CEQA) Public Resources Code Section 21065, 21080(b)(8) and State CEQA Guidelines Sections 15378(a) and (b)(4), and that even if it were a project, the proposed sewer use fee increases are statutorily exempt pursuant to Section 15273 (Rates, Tolls, Fares, and Charges) under State CEQA Guidelines, and as such, is not subject to environmental review;

- (2) Conduct a Public Hearing to receive public comment on the adjustments to the Sewer Use Fee rate structure proposed to be implement for the Fiscal Years (FY) 2025 through FY 2029 rates effective July 1, 2024 or as soon as practicable thereafter;
- (3) Consider all protests against the proposed Sewer Use Fee rate adjustments in accordance with Proposition 218;
- (4) Close the Public Hearing and approve Revised Proposed Sewer Use Fee rate structure and rate adjustments or provide alternate direction; and
- (5) Direct the City Attorney to prepare an amendment to the Sewer Use Charge Ordinance (Ordinance) implementing the changes to the approved Sewer Use Fee rate structure and rate adjustment described in the agenda report.

City Clerk Jomsky reported that the public hearing notice was mailed on February 21, 2024, that the City Clerk's Office received 303 letters in opposition to the sewer use fee increase and/or providing comments on the matter, 1 letter in favor of the necessary increase, and 2 letters advocating for alternative increases that were more gradual, which were distributed to the City Council, posted online, and made part of the public record for this item.

Director Olmos provided introductory remarks on the item, and Acting Assistant City Manager/Finance Director Hawksworth presented a PowerPoint presentation on the proposed Sewer Use Fee rate structure's impact on the Department's Operating Budget addressing questions raised at the April 8th public hearing. Brent Maue, Assistant City Engineer, provided staff's viewpoint between an acceptable level and an optimum level of funding the Sewer CIP program.

Steve Gagnon, Raftelis Financial Consultant, provided various scenarios of increases to the sewer use rate structure. He also presented a "smoothing option" that could cover operations, reduce CIP funding in the first two years, allow construction of two deferred active CIP projects, and continues to fund the sewer project reserves.

Stacey Rain Strickley, Pasadena resident, expressed concerns regarding the lack of transparency and accountability; spoke in opposition of the proposed increase for sewer rates; she requested for the City Council to request an audit of the Public Works Department finances before any utility rate increase is approved.

Rose Malmberg, Pasadena resident, advocated for the funding of the CIP to come from the general fund instead of the residents.

MOTION:

It was moved by Councilmember Lyon, seconded by Councilmember Hampton, to close the public hearing. (Motion unanimously approved.) (Absent: Vice Mayor Madison)

In response to Councilmember Masuda's inquiry of the cause of the current budget shortfall, Director Olmos and City Manager Márquez stated that numerous factors contributed to the budget shortfall such as the adequacy of the previous consumer price index increases, the pandemic, and the impact of current inflation.

Councilmember Hampton spoke in opposition to the proposed increases in light of the negative financial impacts it would have on residents, and spoke in favor of minimal rate increases to only fund operations.

Mayor Gordo and Councilmember Rivas expressed support for the staff recommended proposed rate increases, noting that the increases are necessary to maintain the City's infrastructure, fund the City's reserves when sewer emergencies arise, and support a dependable sewer system to prevent risks of public health crises.

Councilmember Williams expressed her support for the proposed increases, but noted that it does come at a time where the cost of living has increased, and strongly encouraged City staff to strive for greater transparency in the use of sewer rate funds, and provide a feature where residents can calculate all potential rate increases.

MOTION:

Following discussion, it was moved by Councilmember Lyon, seconded by Councilmember Rivas, to approve the staff recommendation.

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

CONTINUED PUBLIC HEARING: APPROVAL OF RECOMMENDED REFUSE COLLECTION FEE INCREASES (Public Works Dept.)

Recommendation: It is recommended that the City Council continue the public hearing to May 13, 2024, at 5:30 p.m.

MOTION:

It was moved by Councilmember Masuda, seconded by Councilmember Williams, to continue the public hearing to May 13, 2024, at 5:30 p.m.

ORDINANCE – SECOND READING

Adoption of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 2, ARTICLE VII, CHAPTER 2.365, SECTION 2.365.080 OF THE PASADENA MUNICIPAL CODE REGARDING THE CLAIM FOR DAMAGES PROCESS”

The ordinance above was adopted by the following vote:

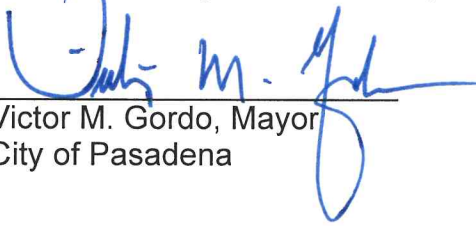
AYES: Councilmembers Hampton, Jones, Lyon, Masuda, Rivas, Williams, Mayor Gordo

NOES: None
ABSENT: Vice Mayor Madison
ABSTAIN: None

ADJOURNMENT

Councilmember Williams reported out that she attended the SCAG Annual General Assembly last week, and shared information on some topics that were discussed, including Senate Bill 9 and updates to the Regional Housing Needs Assessment (RNHA).

Following discussion, on order of the Mayor, the regular meeting of the City Council adjourned at 9:08 p.m.



Victor M. Gordo, Mayor
City of Pasadena

ATTEST:



City Clerk