

CITY OF PASADENA
City Council Minutes
June 17, 2024 – 4:30 P.M.
City Hall Council Chamber

OPENING: Vice Mayor Madison called the regular meeting to order at 4:30 p.m. (Absent: Councilmember Hampton, Mayor Gordo)

CLOSED SESSION On the order of the Vice Mayor, the regular meeting recessed at 4:39 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 (1) case**

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

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to **Government Code Section 54957.6**
Agency Designated Representatives: Miguel Márquez and Tiffany Jacobs-Quinn
Employee Organization: Non-Rep Non-Management, Non-Rep Management, and Non-Rep Executive Management

The above closed session item was not discussed.

On the order of the Vice Mayor, the regular meeting reconvened at 5:38 p.m. (Absent: Mayor Gordo). The pledge of allegiance was led by City Manager Márquez.

ROLL CALL:
Councilmembers: Mayor Victor M. Gordo (absent)
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 read a statement submitted by Mayor Gordo, stating that he is currently part of a U.S. Department of State delegation in Yerevan, Armenia, and participating in the first U.S. – Armenia Local Democracy Forum from June 17-18, 2024, to discuss topics such as local democracies, regional leadership, and cultural conversations.

Vice Mayor Madison and Councilmember Hampton issued a proclamation declaring June 22, 2024, as Octavia Butler Day and spoke on the author's pioneering contributions to the field of literature, as well as her impacts on Pasadena and the world. Nikki High, owner of Octavia's Bookshelf/representative from Neighbors Acting Together Helping All (NATHA), accepted the proclamation and thanked the City Council for the recognition.

Derek Doolittle, Rose Bowl Assistant General Manager, shared details on the upcoming LA Galaxy vs LAFC soccer match at the Rose Bowl, occurring on July 4th, which includes a fireworks display.

Councilmember Lyon requested that the meeting be adjourned in memory of Dr. Edward C. Stone, and spoke on Dr. Stone's contributions to science and the surrounding community as a professor of physics at CalTech, a project scientist for the Voyager program, and Director at Jet Propulsions Laboratory.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Nina Chomsky, Pasadena resident, expressed concerns regarding Assembly Bill 2580 and its impact on housing protections and housing productions.

Tunisia Offray, Director of Sheppard's Door, requested the City Council consider allocating funds to support Sheppard's Door to combat domestic violence and homelessness, which provides resources to vulnerable populations.

CONSENT ITEMS DISCUSSED SEPARATELY

Councilmember Jones stated a conflict of interest, recused himself from the item, and left the dais at 6:04 p.m.

ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE SAN RAFAEL TREATMENT WETLANDS AND STORM WATER CAPTURE PROJECT AND APPROVE PROJECT DESIGN PLANS (Public Works Dept.)

Recommendation: It is recommended that the City Council:
(1) Find on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the lead agency's independent judgement and analysis; and therefore adopt a Mitigated Negative Declaration for the Arroyo Seco Water Reuse Project pursuant to the California Environmental Quality Act, and adopt a Mitigation Monitoring and Reporting Program; and
(2) Approve the San Rafael Treatment Wetlands and Storm Water Capture Project reflected in the Project Design Plan attached in the agenda report.

MOTION:

It was moved by Councilmember Masuda, seconded by Councilmember Hampton, to approve the staff recommendation. (Motion unanimously approved) (Absent: Councilmember Jones, Mayor Gordo)

CONSENT CALENDAR

City Manager/ Executive Director

Councilmember Jones returned to the dais at 6:05 p.m.

Item discussed separately

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SOUTHWEST PIPELINE & TRENCHLESS CORP., FOR FISCAL YEAR (FY) 24-25 SEWER RELINING AND POINT REPAIRS PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$2,337,600 (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, 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 Southwest Pipeline & Trenchless Corp., for the FY 24-25 Sewer Relining and Point Repairs Project for an amount not-to-exceed \$2,337,600 which includes the base contract amount of \$2,226,250 and a contingency of \$111,350 to provide for any necessary change orders. (Contract No. 32966)

ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE SAN RAFAEL TREATMENT WETLANDS AND STORM WATER CAPTURE PROJECT AND APPROVE PROJECT DESIGN PLANS (Public Works Dept.)

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ALL AMERICAN ASPHALT FOR THE ANNUAL CITYWIDE STREET RESURFACING AND ADA IMPROVEMENT PROGRAM, FISCAL YEAR (FY) 2023/2024 PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$3,901,453 (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) Authorize the City Manager to enter into a contract with All American Asphalt for the Annual Citywide Street Resurfacing and ADA Improvement Program, FY 2023/2024 Project for an amount not-to-exceed \$3,901,453 which includes the base contract amount of \$3,392,568 and a contingency of \$508,885 to provide for any necessary change orders. (Contract No. 32951)

ADOPT A RESOLUTION ESTABLISHING LEAD DETENTION OFFICER CLASSIFICATION AND ESTABLISHING THE SALARY FOR THE 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 Lead Detention Officer Classification and Establishing the Salary for the Classification. (Resolution No. 10058)

ADOPT A RESOLUTION ESTABLISHING RECREATION SERVICES SPECIALIST II CLASSIFICATION AND ESTABLISHING THE SALARY FOR THE 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 Recreation Services Specialist II Classification and Establishing the Salary for the Classification. (Resolution No. 10059)

AMENDMENTS TO FISCAL YEAR 2024 ADOPTED OPERATING BUDGET (Finance 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) in accordance with Section 15061(b)(3) "Common Sense" exemption that CEQA only applies to projects that may have an effect on the environment; and

(2) Amend the Fiscal Year (FY) 2024 Adopted Operating Budget as detailed in the agenda report by a net expense of \$2,455,000. (Budget Amendment No. 2024-52)

APPROVE CORRECTION OF THE NAME OF THE CONTRACTING PARTY FOR ONE REPLACEMENT PASADENA DIAL-A-RIDE ZERO-EMISSION BUS FROM ENDERA MOTORS, LLC TO COACHWEST LUXURY AND PERFORMANCE MOTORCARS INC.

(Transportation Dept.)

Recommendation: It is recommended that the City Council:

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

(2) Approve a name change of the contracting party for the purchase of one replacement Pasadena Dial-A-Ride zero-emission bus from Endera Motors, LLC to CoachWest Luxury and Performance Motorcars, Inc.

APPROVE MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM FISCAL YEAR (FY) 27 AND FY28 LIST OF PROPOSED PROJECTS

(Transportation Dept.)

Recommendation: It is recommended that the City Council:

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

(2) Approve the proposed list of projects referenced in Attachment A of the agenda report to be reviewed by the Arroyo Verdugo

Communities Joint Powers Authority (AVCJPA) Technical Advisory Committee before submittal to the AVCJPA Governing Board for final adoption and submittal to Metro as part of the FY27 – 28 Measure M Multi-year Subregional Plan (MSP) and request for funding.

Recommendation of the Transportation Advisory Committee: On May 30, 2024, the Transportation Advisory Commission (TAC) recommended that the City council approve the Measure M MSP FY27 and FY28 list of projects.

DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE AMENDING PASADENA MUNICIPAL CODE CHAPTER 4.08 TO INCREASE FORMAL AND INFORMAL PROCUREMENT LIMITS, AS PREVIOUSLY DIRECTED, BUT WITH CERTAIN ADDITIONAL AND RELATED CLEAN-UP CHANGES (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 that further updates and/or clarifies the Purchasing Ordinance as set forth in the Agenda Report, which in relevant part, supersedes the City Council’s direction on April 8, 2024.

MUNICIPAL SERVICES COMMITTEE: **DIRECT THE CITY ATTORNEY TO DRAFT AN ORDINANCE AMENDING TITLE 10 (VEHICLES AND TRAFFIC) OF THE PASADENA MUNICIPAL CODE TO PROVIDE LANGUAGE CLARIFICATION AND ADMINISTRATIVE UPDATES TO PARKING SECTIONS 10.40 THROUGH 10.44** (Transportation Dept.)

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 Public Resources Code Section 21065 and within the meaning of State CEQA Guidelines Section 15378(b); and
- (2) Direct the City Attorney to draft an ordinance within 60 days amending Title 10 of the Pasadena Municipal Code to provide for the following:
 - a. Language to incorporate current permit issuance and enforcement practices;
 - b. Language to clarify requirements and meaning, and correct grammar; and
 - c. Remove obsolete provisions that are no longer relevant.

MUNICIPAL SERVICES COMMITTEE: **AUTHORIZE THE CITY MANAGER TO ENTER INTO A POWER PURCHASE AGREEMENT (“CONTRACT”) WITH CALWIND RESOURCES, INCORPORATED FOR RENEWABLE WIND ENERGY FOR AN AMOUNT NOT-TO-EXCEED \$47,100,000 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 15061(b)(3) "Common Sense" exemption;

(2) Authorize the City Manager, to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with CalWind Resources, Incorporated ("CalWind") for the purchase of renewable energy and capacity that includes daily delivery from a wind turbine facility named Wind Resource II Project ("Project") of a maximum of 20 megawatts ("MW") of wind energy during a 10-year contract term beginning May 1, 2025, for a total amount not-to-exceed \$47,100,000 (Contract No. 32985); and

(3) It is further recommended that the City Council 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.

Recommendation of the Municipal Services Committee: On June 11, 2024, with one member absent, the Municipal Services Committee ("MSC") unanimously approved the staff recommendation to the City Council.

Cynthia Cannady, Pasadena 100, spoke in support of the staff recommendations and the need for a systematic plan for converting Glenarm gas plant to a modern carbon free facility.

Claudia Funke, Pasadena 100, spoke in support of the staff recommendation and inquired about the future of the Glenarm plant.

MUNICIPAL SERVICES COMMITTEE: AUTHORIZE THE CITY MANAGER TO ENTER INTO AN ENERGY STORAGE CONTRACT WITH GLENARM BESS, LLC A SPECIAL PURPOSE ENTITY CREATED BY EPC ENERGY INC., FOR BATTERY ENERGY STORAGE FOR AN AMOUNT NOT-TO-EXCEED \$55,310,000 FOR THE WATER AND POWER DEPARTMENT (Water & Power Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the recommended actions in the agenda report do not constitute a "project" subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15004(b)(4) and 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required;

(2) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Glenarm BESS, LLC a Special Purpose Entity created by EPC Energy Inc., ("EPCE") for the design and future purchase of 25 megawatts ("MW") of dispatchable storage capacity for up to four hours at a time, from the Glenarm Battery Energy Storage System ("Glenarm BESS"), for a service rate of \$12.18/kW-month over a 15-year delivery term estimated to begin January 1, 2027,

and with a total contract price not-to-exceed \$55,310,000 which includes the base contract amount of \$54,810,000 over the 15-year contract term and a \$500,000 contingency amount for any necessary change orders. Competitive price bidding is not required pursuant to City Charter Section 1002(F) for contracts for professional or unique services (Contract No. 32987); and

(3) Authorize the City Manager to enter into a License Agreement with Glenarm BESS, LLC for its use of the land on which the Glenarm BESS will be installed; the term of the License Agreement would coincide with that of the abovementioned contract.

City Council

**RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS**

RESIGNATION OF STEPHANIE NAVA-ANGELES FROM THE NORTHWEST COMMISSION (District 5 Nomination)

APPOINTMENT OF TYLER WERRIN TO THE ENVIRONMENTAL ADVISORY COMMISSION EFFECTIVE JULY 1, 2024 (District 2 Nomination)

APPOINTMENT OF JEFF CYRULEWSKI TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2024 (District 2 Nomination)

APPOINTMENT OF PAUL VERNON TO THE COMMUNITY POLICE OVERSIGHT COMMISSION EFFECTIVE JULY 1, 2024 (District 2 Nomination)

APPOINTMENT OF TEDDY BEDJAKIAN TO THE COMMUNITY POLICE OVERSIGHT COMMISSION EFFECTIVE JULY 1, 2024 (District 4 Nomination)

REAPPOINTMENT OF VANESSA F. RODRIGUEZ TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2024 (District 5 Nomination)

The following individuals spoke in opposition to the proposed appointee of Tyler Werrin to the Environmental Advisory Commission (EAC) and/or provided various comments:

Ashay Patel, Pasadena resident
Jane Panangaden, Pasadena resident

The following individuals spoke in opposition to the proposed appointee of Paul Vernon to the Community Police Oversight Committee (CPOC) and/or provided various comments:

Michael Williams, Pasadena resident
Brigitte Rooney, Pasadena resident
Jayme Kusyk, Los Angeles resident
TJ, Pasadena resident
Brittney Pollack, Sherman Oaks resident

Kafshi Bennett, Long Beach resident
Gina Viola, Los Angeles resident

Liberty McCoy, Pasadena resident, expressed concerns with the proposed appointments of Tyler Werrin to the EAC and Paul Vernon to the CPOC.

Vice Mayor Madison expressed concerns with the proposed appointee of Tyler Werrin to the EAC due to his ongoing lawsuit against the City and requested that the item be discussed separately.

Councilmember Williams spoke in support of Tyler Werrin serving on the EAC due to his involvement in environmental work in the City, including his community leadership in the compost sharing program.

City Clerk/ Secretary

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CITYWIDE CONTRACT WITH MATRIX IMAGING PRODUCTS INC., TO PROVIDE DOCUMENT DIGITIZING AND SCANNING SERVICES FOR CITY RECORDS FOR AN AMOUNT NOT-TO-EXCEED \$308,000 FOR A TWO-YEAR PERIOD; WITH TWO OPTIONAL ONE-YEAR EXTENSIONS IN THE AMOUNT OF \$154,000 FOR EACH YEAR, FOR A TOTAL FOUR-YEAR CONTRACT AMOUNT NOT-TO-EXCEED \$616,000, OR FOUR YEARS WHICHEVER OCCURS FIRST (Office of the City Clerk)

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) Authorize the City Manager to enter into a citywide contract with Matrix Imaging Products Inc., as a result of a competitive selection process pursuant to Pasadena Municipal Code, Section 4.08.047, to provide document digitizing and scanning services for City records for multiple City departments, in an amount not-to-exceed \$308,000 for a two-year period; with two one-year optional extensions of \$154,000 each year, for a total contract not-to-exceed amount of \$616,000 or four years, whichever occurs first. Competitive bidding is not required pursuant to the City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 32974)

MINUTES APPROVED

June 3, 2024
June 3, 2024

City Council
Successor Agency to the Pasadena Community
Development Commission

CLAIMS RECEIVED AND
FILED

Claim No.	Claimant	Claim Amount
2024-0293	The Hartford Ins. ASO Kustomer Kinetics Inc.	\$ 6,771.39
2024-0294	Marti Mackey	35,000.00+

2024-0295	Gaby Furno	35,000.00+
2024-0296	Kelly Ann Usuriello	35,000.00+
2024-0297	Rosa Villalobos	35,000.00+

City Clerk Jomsky reported that 3 letters in support for the staff recommendation for Item 11, 3 letters in support of the staff recommendation and/or providing comments on Item 12, and 1 letter expressing concerns with two of the proposed appointees to the EAC and the CPOC and 1 letter providing clarification for a biography posted online for a proposed CPOC appointee for Item 13, were received by the City Clerk’s Office, distributed to the City Council, posted online, and made part of the public record for the item.

MOTION:

It was moved by Councilmember Hampton, seconded by Councilmember Jones, to approve all items on the Consent Calendar with the exception of Items 2 (which was approved prior to the consideration of all other Consent Calendar items) and Item 13, which was acted on as a separate motion. (Motion unanimously approved) (Absent: Mayor Gordo)

**CONSENT ITEMS
DISCUSSED
SEPARATELY**

City Council

**RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS**

RESIGNATION OF STEPHANIE NAVA-ANGELES FROM THE NORTHWEST COMMISSION (District 5 Nomination)

APPOINTMENT OF TYLER WERRIN TO THE ENVIRONMENTAL ADVISORY COMMISSION EFFECTIVE JULY 1, 2024 (District 2 Nomination)

APPOINTMENT OF JEFF CYRULEWSKI TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2024 (District 2 Nomination)

APPOINTMENT OF PAUL VERNON TO THE COMMUNITY POLICE OVERSIGHT COMMISSION EFFECTIVE JULY 1, 2024 (District 2 Nomination)

APPOINTMENT OF TEDDY BEDJAKIAN TO THE COMMUNITY POLICE OVERSIGHT COMMISSION EFFECTIVE JULY 1, 2024 (District 4 Nomination)

REAPPOINTMENT OF VANESSA F. RODRIGUEZ TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2024 (District 5 Nomination)

Councilmember Rivas expressed concerns regarding the proposed appointments of Paul Vernon to the CPOC as a former law enforcement officer, and of Tyler Werrin to the EAC, echoing Vice Mayor Madison’s concerns of appointing someone that is currently suing the City.

In response to Council's concerns, Councilmember Williams stated that she selected former LAPD Lieutenant Paul Vernon for the CPOC because of his experience and comprehensive background in law enforcement, which will bring more balance and practical knowledge to the CPOC discussions.

MOTION: Following discussion, it was moved by Councilmember Lyon, seconded by Councilmember Hampton, to approve and/or accept the following:

Resignation of Stephanie Nava-Angeles from the Northwest Commission (District 5 Nomination);

Appointment of Jeff Cyrulewski to the Transportation Advisory Commission Effective July 1, 2024 (District 2 Nomination);

Appointment of Teddy Bedjakian to the Community Police Oversight Commission Effective July 1, 2024 (District 4 Nomination);

Reappointment of Vanessa F. Rodriguez to the Commission on the Status of Women Effective July 1, 2024 (District 5 Nomination).

(Motion unanimously approved) (Absent: Mayor Gordo)

MOTION: Following discussion, it was moved by Councilmember Williams, seconded by Councilmember Hampton, to approve the appointment of Tyler Werrin to the Environmental Advisory Commission, effective July 1, 2024 (District 2 Nomination).

AYES: Councilmembers Hampton, Jones, Lyon, Masuda, Williams

NOES: Councilmember Rivas, Vice Mayor Madison

ABSENT: Mayor Gordo

ABSTAIN: None

MOTION: Following discussion, it was moved by Councilmember Williams, seconded by Councilmember Hampton, to approve the appointment of Paul Vernon to the Community Police Oversight Commission, effective July 1, 2024 (District 2 Nomination).

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

NOES: Councilmember Rivas

ABSENT: Mayor Gordo

ABSTAIN: Councilmember Lyon

**ORDINANCES –
SECOND READING**

Adopt “AN ORDINANCE AMENDING PASADENA MUNICIPAL CODE TITLE 2, ARTICLE 2, CHAPTERS 2.40, 2.265, AND 2.275 TO CENTRALIZE THE CITY’S RISK MANAGEMENT FUNCTIONS WITHIN THE CITY MANAGER’S OFFICE” (Ordinance No. 7426)

The ordinance above was adopted by the following vote:

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

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 4, CHAPTER 4.52, SECTION 4.52.020 OF THE PASADENA MUNICIPAL CODE REGARDING SANITATION SEWER USE RATES” (Ordinance No. 7427)

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

Advisory Bodies

REQUEST FROM THE FIRE AND POLICE RETIREMENT SYSTEM BOARD FOR CITY COUNCIL CONSIDERATION ON A PROPOSED CITY CHARTER AMENDMENT MEASURE RELATED TO SECTION 1502 – RETIREMENT BOARD, AND IF APPROVED, TO DIRECT STAFF TO PREPARE THE NECESSARY RESOLUTIONS TO SUBMIT A CITY CHARTER AMENDMENT MEASURE FOR VOTER CONSIDERATION AT THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION (FPRS Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended action in the agenda report is 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) Direct staff to prepare and return with a resolution required to place a Charter amendment measure for Section 1502, Retirement Board, regarding the election of Fire and Police Trustees to the Retirement Board of the Pasadena Fire & Police Retirement System, as detailed in the agenda report, on the General Municipal Election of the City of Pasadena on Tuesday, November 5, 2024.

Keith Jones, FPRS Retirement Board Chair, provided a PowerPoint presentation on the proposed City Charter Amendment Measure to address the long-term challenges of filling positions on the FPRS Board, and responded to questions.

MOTION:

It was moved by Councilmember Hampton, seconded by Councilmember Lyon, to approve the staff recommendation. (Motion unanimously approved) (Absent: Mayor Gordo)

PRESENTATION OF PASADENA RENTAL HOUSING BOARD ON RECOMMENDED CHANGES TO PASADENA FAIR AND EQUITABLE HOUSING CHARTER AMENDMENT (ARTICLE XVIII) AND POTENTIAL DIRECTION TO CITY STAFF TO PREPARE NECESSARY RESOLUTIONS TO AMEND THE CITY CHARTER (Rent Stabilization 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) Receive and file the Pasadena Rental Housing Board's report on recommended amendments to the Pasadena Fair & Equitable Charter Amendment (Article XVIII); and
- (3) Direct staff to prepare and return with necessary resolutions, subject to City Council approval, of any changes to City Charter Article XVIII, as detailed in the agenda report, or any variation as directed by Council, on the November 5, 2024 General Municipal Election ballot in the City of Pasadena.

City Clerk Jomsky reported that 16 letters in support of only the amendments to the Pasadena Fair and Equitable Charter for Housing proposed by the Pasadena Rental Housing Board (PRHB); 61 letters in support of administrative technical amendments and opposition to any substantive changes that will weaken the law or exempt landlords from complying with the Pasadena Fair and Equitable Housing Charter Article XVIII; 22 letters in support of the amendments to the Pasadena Fair and Equitable Housing Charter proposed by the Department of Housing and/or advocated for additional changes to the Charter; were received by the City Clerk's Office, distributed to the City Council, posted online, and made part of the public record.

Phillip Leclair, Interim Rental Housing Director, presented a PowerPoint presentation on the item, providing an overview of the PRHB's proposed changes to City Charter Article XVIII, and responded to questions.

The following individuals spoke in support of the Charter Amendments proposed by the PRHB and/or provided various comments:

Jane Panangaden, Pasadena resident
Ashay Patel, Pasadena resident
Ryan Bell, Pasadena resident
Liberty McCoy, Pasadena resident
Swantje Willms, Pasadena resident
Debra Dunlop, Pasadena resident
Jonathan Claridge, Pasadena resident

Ali Cataltepe, Pasadena resident
Jacob Betts, Pasadena resident
Brigitte Rooney, Pasadena resident
Charles Xu, Pasadena resident
Simon Gibbons, Pasadena resident
Bert Newton, Making Housing and Community Happen
Michelle White, Affordable Housing Services
M. Louise Clark, Pasadena resident
Bin Lee, Pasadena resident
Robert Escobedo, Pasadena resident
Ash Riveire, Pasadena resident
Margaret Golonka, Pasadena resident
Dan Huynh, Pasadena resident
Leticia Santoyo, Pasadena resident
Bobbi Ennis, Pasadena resident
Simon Ybarra, Pasadena resident
Aaron Markowitz, Pasadena resident
Katherine Leitch, Pasadena resident
Allison Henry, Pasadena resident

The following individuals expressed support for the proposed amendments to City Charter Article XVIII, advocated for additional amendments to reduce financial burdens and regulations placed on housing providers/landlords, and/or provided various comments:

Edith Waddell, Pasadena resident
Belinda, Knetge, Pasadena resident
Leon Khachooni, Pasadena resident
Theo Waddell, Pasadena resident

The following individuals expressed frustrations pertaining to the proposed cap on rent increases and the financial impacts it would have on housing providers/landlords:

Toni Beach, Pasadena resident
David Kress, Glendora resident
Jim Shea, residence not stated

The following individuals advocated for increased housing provider representation on the PRHB and/or provided various comments:

Deborah Lutz, South Pasadena resident
Jesus Rojas, residence not stated
Ann Marie Villicana, Pasadena resident
Robert Salzer, Pasadena resident
Alan Bair, residence not stated
Harald Zechner, Pasadena resident
Jason Knetge, Pasadena resident
Geoffrey Frank, Pasadena resident

The following individuals urged the City Council to protect Measure H and/or provided various comments:

Jose Marie Rios Esparza, Pasadena resident
Maria Castellon, Pasadena resident
Tal Day, Pasadena resident

Joe Bautista, Pasadena resident, spoke in support of landlords and the City splitting costs of rental registry fees and urged for no changes to be made to the type of units currently covered by Measure H.

Dennis Jebbia, Pasadena resident, advocated for the City Charter to be amended to allow for a portion of fees to be passed through to tenants.

Tina Fredericks, Pasadena resident, advocated for the proposed charter amendments to allow for flexibility and agility for decision making in the future.

Blake Boyd, Pasadena resident, spoke on the just-cause eviction protection in Measure H, and urged the City Council to consider modifications and exemptions for accessory dwelling units (ADUs) to encourage new construction and increased homeownership.

Robert Simpson, residence not stated, advocated for the City Charter to consider both the interests of tenants and landlords.

Loren Naiman, representing Pasadena Housing Providers, expressed concerns regarding the apparent inconsistencies related to infractions and misdemeanors in Section 1817 of Article XVIII, which appear to only apply to landlords, and urged the City Council to clarify whether this was intended.

In response to Councilmember Masuda and Jones' questions regarding the proposed amendment to remove commissioners, Interim Director Leclair reported that concerns were expressed by the community pertaining to the lack of safeguards for accountability, which prompted the PRHB to create a removal process that would require a vote of the Board, a petition process, and a final evaluation and determination to be made by the City Council. He noted that the City Council's evaluation would serve as a hearing process, where the Board Member would be able to address the Council. Interim Director Leclair further clarified that the current process to remove a Board Member requires a voter initiative for signatures.

In response to Councilmember Jones' inquiry regarding fair market return, Nazanin Salehi, Goldfarb Lipman Attorneys, clarified that the current version of Article XVIII does provide a mechanism where landlords can petition for an upward adjustment of rent in addition to

the annual adjustment; and noted that the mechanism does take the increased property taxes and other fees into consideration.

In response to Councilmember Hampton's recommendation regarding the Code of Conduct and warnings before taking disciplinary action, Interim Director Leclair stated that the PRHB is open to incorporating ideas and concepts into the new Code of Conduct to ensure that Board Members are not blindsided if/when disciplinary action is deemed appropriate.

Discussion ensued regarding adding property owners to the Board, the proposed amendment and procedures for removing a Board Member, the metrics defining an individual as no longer fit to serve, and a Code of Conduct to be established by the PRHB.

Councilmember Williams expressed support for the proposed amendments, noting the importance of addressing misconduct, and especially harassment by members of the PRHB.

MOTION:

It was moved by Councilmember Hampton, seconded by Councilmember Jones, to approve the staff recommendation, with an amendment to the Board Member removal process to require a two-thirds vote of the Board Members present. (Motion unanimously approved) (Absent: Mayor Gordo)

Discussion ensued regarding the proposed Charter Amendments submitted by Pasadena Housing Providers.

Councilmember Hampton expressed support to add landlords/housing providers to the PRHB, and requested clarification on the public comment regarding the infractions stated in Article XVIII and how the proposed amendment could potentially be misinterpreted.

Councilmember Williams expressed support for diversifying the PRHB by adding one to two landlords/housing providers, clarifying the terms of infractions, and further exploring a tiered relocation assistance structure.

Councilmember Rivas expressed opposition to making further changes to Article XVIII at this time, stating that the PRHB should fully implement key programs before substantive amendments to Article XVIII are placed on the ballot. She also expressed opposition to the concept of having the Board comprised of 50% landlords and 50% tenants, stating there are more tenants in the City than landlords.

Councilmembers Lyon and Jones both echoed Councilmember Rivas' sentiments stating that the PRHB should be given more time to implement the full scope of Article XVIII, and assess impacts, before making substantive changes, however, they advocated for further discussion of such changes.

In response to Vice Mayor Madison's request for clarification on the public comment regarding the infractions, PRHB Attorney Salehi reported other jurisdictions that have such laws do reference infractions or misdemeanors, and do not distinguish its application between landlords and tenants. She also noted that currently, the Pasadena Municipal Code only discusses violations of the Code and not the City Charter, so this would have to be discussed by the City Council.

In response to concerns regarding relocation assistance, Interim Director Leclair stated that the topic will be re-evaluated in September 2024, and clarified that the PRHB has the ability to regulate relocation assistance.

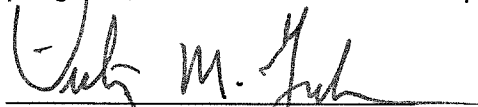
The City Council ended its discussion by suggesting the PRHB discuss the five recommendations proposed by the Pasadena Housing Providers at the next PRHB meeting as a starting point for discussion between landlords and tenants.

Councilmember Jones commended City Manager Márquez and staff for the executing a wonderful event celebrating the 50th anniversary of the Jackie Robinson Community Center.


Councilmember Hampton spoke on the importance of observing Juneteenth, recognizing those who built this country, and being able to work with one another.

ADJOURNMENT

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 9:59 p.m. in memory of Dr. Edward Stone, a former professor of physics at CalTech, a project scientist for the Voyager program, and Director at Jet Propulsions Laboratory.



Victor M. Gordo, Mayor
City of Pasadena

ATTEST:


City Clerk