CITY OF PASADENA City Council Minutes August 19, 2024 – 4:30 P.M. City Hall Council Chamber

OPENING:

CLOSED SESSION

Councilmember Williams arrived at 4:45 p.m.

Councilmember Rivas stated a conflict of intertest, recused herself from Closed Session Item B, and left the Closed Session at 5:38 p.m.

Vice Mayor Madison left the Closed Session at 5:48 p.m.

ROLL CALL: Councilmembers:

Staff:

Mayor Gordo called the regular meeting to order at 4:30 p.m. (Absent: Councilmembers Hampton and Williams)

On the order of the Mayor, the regular meeting recessed at 4:30 p.m. to discuss the following closed session item:

CITY COUNCIL CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1) Name of Case: Leal, E. v. City of Pasadena, et al. Los Angeles County Superior Court Case No. 21STCV29446

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6 Agency Designated Representatives: Miguel Márquez and Tiffany Jacobs-Quinn Employee Organization: Pasadena Police Officers Association (PPOA)

CITY OF PASADENA CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8 Property: 1015 and 1027 North Lake Avenue, Pasadena, CA Agency Negotiators: Miguel Márquez Negotiating Party: Designated entities pursuant to Surplus Land Act (Gov't Code § 54220, et seq.) Under Negotiation: Price and terms of payment

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 6:06 p.m. The pledge of allegiance was led by Councilmember Rivas. (Absent: Councilmember Hampton)

Mayor Victor M. Gordo Vice Mayor Steve Madison Councilmember Tyron Hampton (absent) Councilmember Justin Jones Councilmember Jason Lyon Councilmember Gene Masuda Councilmember Jessica Rivas Councilmember Felicia Williams

City Manager Miguel Márquez City Attorney/City Prosecutor Michele Beal Bagneris City Clerk Mark Jomsky Mayor Gordo requested that the meeting be adjourned in memory of former Los Angeles City Councilmember and Metro Gold Line pioneer, Richard Alatorre, and spoke on his contributions to the region and the State of California.

Councilmember Jones requested that the meeting also be adjourned in memory of Waraire Boswell, fashion designer, that grew up in Pasadena; and Arzella J. Valentine, a longtime Pasadena resident and also the aunt to Councilmember Jones. He spoke on Mr. Boswell's dedication to building a better community in Pasadena; and on Ms. Valentine's contributions to the community through her business, James Woods Mortuary.

PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDAOlden Denham, Pasadena resident, spoke on the shooting of Anthony
McClain and the need to hold the Pasadena Police Officers involved in
his shooting accountable for their actions.

Joan Chen, Pasadena resident, expressed concerns regarding an increased number of individuals congregating near the South Parking Lot at Robinson Park, and the impact their activities are having on local neighbors.

In response to public comment, Councilmember Jones reported that a task force was created to address the matter of individuals congregating at Robinson Park, with City Manager Márquez adding that City staff is offering services to dissuade individuals from congregating and increasing clean up and enforcement efforts in the area.

Aaron Villicana, Pasadena Police Officers Association, spoke on the current state of the Pasadena Police Department workforce and equipment, and the need for continued support by the City Council.

Kyle Hazen, Pasadena Police Officers Association, spoke on civilian oversight and the impacts criticism from the Community Police Oversight Commission is having on Pasadena Police Officer morale.

CONSENT CALENDAR
City Manager/ Executive
DirectorAUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT
WITH TOTER, LLC FOR THE PURCHASE OF 7,000
ROTATIONALLY MOLDED AUTOMATED REFUSE CONTAINERS
IN AN AMOUNT NOT-TO-EXCEED \$375,000 (Public Works 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 State CEQA Guidelines Section 21065 and within the meaning of Section 15378(b);

(2) Authorize the City Manager to enter into a contract with Toter, LLC for the purchase of 7,000 rotationally molded automated refuse containers in an amount not to exceed \$375,000. Competitive price bidding is not required pursuant to the City Charter Section, 1002(H)

(Contracts with other governmental entities or their contractors for labor, materials, supplies, or services) (<u>Purchase Order</u>); and

(3) Grant the recommended 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.

ADOPT A RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATIONS TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY FOR GRANT AND PAYMENT PROGRAMS (Public Works 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 State CEQA Guidelines Section 21065 and within the meaning of Section 15378(b); and

(2) Adopt the attached resolution (to the agenda report) authorizing the Public Works Department to submit applications for grant and payment programs and enter into grant agreements with the California Department of Resources Recycling and Recovery. (<u>Resolution No. 10082</u>)

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ITERIS INC., TO PROVIDE TRAFFIC MANAGEMENT CENTER (TMC) STAFFING FOR SPECIAL EVENTS IN AN AMOUNT NOT TO EXCEED \$349,876 (Transportation Dept.)

<u>Recommendation</u>: It is recommended that the City Council:

(1) Find that the action proposed in the agenda report is covered by the "Common Sense" exemption set forth in State CEQA Guidelines Section 15601(b)(3) that CEQA only applies to projects that many have a significant effect on the environment; and

(2) Authorize the City Manager to enter into a contract, as the result of the competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Iteris Inc. for Traffic Management Center staffing for special events for three years or an amount not to exceed \$349,876, which includes the base contract amount of \$304,240 and a contingency of \$45,636 to provide for any necessary change orders. Competitive price bidding is not required pursuant to City Charter Section 1002 (F) contracts for professional or unique services. (Contract No. 33045)

APPROVE CORRECTION TO AMEND THE PLAYHOUSE PARKING METER ZONE BOUNDARIES AND DIRECT CITY ATTORNEY TO PREPARE AN ORDINANCE (Transportation 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 15301 (existing facilities), there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances;

(2) Approve the correction to expand the boundaries of the Pasadena Playhouse parking meter zone to be identical to the Playhouse Village Property-based Business Improvement District to allow more interested parties to be eligible for a position on the Playhouse Parking Meter Zone Advisory Commission; and

(3) Direct the City Attorney to prepare an ordinance within 60 days amending Pasadena Municipal Code Chapter 10.45 to expand the boundaries of the Pasadena Playhouse parking meter zone and return to City Council with a legal description of the boundaries consistent with the general description boundaries in the agenda report as shown in Attachment A of the agenda report.

AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE ALLIANCE FOR COOPERATIVE ENERGY SERVICES POWER MARKETING, LLC FOR ENERGY PORTFOLIO MANAGEMENT SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$5,605,392 FOR THE WATER AND POWER DEPARTMENT (Water & Power 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 State CEQA Guidelines Section 21065 and within the meaning of Section 15378(b); and

(2) Authorize the City Manager to enter into a contract as a result of the competitive selection process, as specified by Section 4.08.047 of the Pasadena Municipal Code, with Alliance for Cooperative Energy Services Power Marketing, LLC. ("ACES") for energy portfolio management services for a grand total amount of \$5,605,392 over six years, which includes the option for three additional one-year extensions for an amount not-to-exceed \$2,802,696, whichever comes first at the discretion of the City Manager. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 33043)

Item discussed separately AUTHORIZE CITY MANAGER TO ENTER INTO SEPARATE CONTRACTS WITH ANIXTER INC., AND HOWARD INDUSTRIES INC., FOR UNDERGROUND AND SUBMERSIBLE TRANSFORMERS FOR A TOTAL AMOUNT NOT-TO-EXCEED \$6,736,160 FOR THE WATER AND POWER DEPARTMENT (Water & Power Dept.)

Item discussed separately AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NEXGEN POWER INC., FOR ELECTRICAL UTILITY PAD MOUNT TRANSFORMERS FOR A TOTAL AMOUNT NOT-TO-EXCEED \$10,000,000 FOR THE WATER AND POWER DEPARTMENT (Water & Power Dept.)

> ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE: AUTHORIZE THE SUBMITTAL OF AN APPLICATION TO THE BURBANK-GLENDALE-PASADENA REGIONAL HOUSING TRUST

FUND FOR FUNDING IN AN AMOUNT NOT-TO-EXCEED \$3,250,000 FOR AN AFFORDABLE HOUSING PROJECT WITH HERITAGE HOUSING PARTNERS AT 1878 E. WALNUT STREET (Housing 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 State CEQA Guidelines Section 21065 and within the meaning of Section 15378(b);

(2) Authorize the City of Pasadena to apply for funding from the Burbank-Glendale-Pasadena Regional Housing Trust Fund in an amount not-to-exceed \$3,250,000 for a short-term loan for an affordable housing project at 1878 E. Walnut Street that will result in the addition of a total of thirty-one (31) affordable home ownership units to Pasadena's housing stock; and

(3) Authorize the City Manager, or his designee, to execute, on behalf of the City, the Burbank-Glendale-Pasadena Regional Housing Trust Fund funding application, along with any associated funding documents and agreements, as well as any amendments thereto, as required for participation in the Burbank-Glendale-Pasadena Regional Housing Trust Fund funding program.

City Council

RESIGNATIONS, APPOINTMENTS, & REAPPOINTMENTS **RESIGNATION OF VICTOR CABALLERO FROM THE TRANSPORTATION ADVISORY COMMISSION** (District 1 Nomination)

APPOINTMENT OF REV. MICHAEL J. ROFFINA TO THE HUMAN RELATIONS COMMISSION (District 7 Nomination)

APPOINTMENT OF TUNISIA OFFRAY TO THE HUMAN SERVICES COMMISSION (District 7 Nomination)

APPOINTMENT OF SUZANNE YORK TO THE ENVIRONMENTAL ADVISORY COMMISSION (Mayor Nomination)

APPOINTMENT OF JEANNETTE KLEIN TO THE TRANSPORTATION ADVISORY COMMISSION (At Large Nomination/District 2)

APPOINTMENT OF ZIANDRY PERALTA TO THE COMMISSION ON THE STATUS OF WOMEN (District 1 Nomination)

City Clerk/ Secretary	July 8, 2024	City Council
	July 8, 2024	Successor Agency to the Pasadena Community
	-	Development Commission
MINUTES APPROVED	July 15, 2024	City Council
	July 15, 2024	Successor Agency to the Pasadena Community
	-	Development Commission

CLAIMS RECEIVED AND FILED	Claim No.	Claimant	Claim /	Amount	
	2025-0008 2025-0009 2025-0010 2025-0011 2025-0012	Yashua Crystal Talor Helena Delu Ryan Henry Jacqueline Buickians	\$	35,000.00+ 10,000.00+ 275.00 Not stated 1,789.08	
	2025-0013	Marti Mackey		35,000.00+	
	2025-0014 2025-0015	Osvaldo Dominguez Omar Elhosseiny & Carolyn Gordon		35,000.00+ Not stated	
	2025-0026 2025-0017	Laura Peralta-Jones State Farm Mutual Automobile a/s/o Arshavir Balasanyan		1,983.05 7,778.46	
	2025-0018	Martha Jaime		1,500.00	
	2025-0019	Rebecca F. Ding		10,000+	
	2025-0020	Lisa Cho		500.00	
	2025-0021	Marti Mackey		35,000.00+	
	2025-0022	Filiberta Cortez		Not stated	
MOTION:	Masuda, to exception of Councilmeml	I by Councilmember Jones, secon approve all items on the Conse Item 6 and 7. (<u>Motion unanimou</u> per Hampton)	ent Calen sly appro	idar, with the <u>ved</u>) (Absent:	
DISCUSSED SEPARATELY					
	la report is Act ("CE0 60 (c)(2),	ncil: s not a project QA") pursuant 15060 (c)(3), t pursuant to			
	(2) Award contract to lowest and best bid dated June 11, 2024, submitted by Anixter Inc. ("Anixter") in response to the specifications for Electrical Utility Underground, Submersible, and Vault-Type Transformers for the Water and Power Department, authorize the City Manager to enter into a one-year contract for an amount not-to-exceed \$2,298,000; and				
	(3) Award c submitted by specifications Vault-Type authorize the	ontract to the lowest and best bid Howard Industries, Inc. ("Howar for Electrical Utility Undergrou Transformers for the Water and City Manager to enter into a or o-exceed \$4,438,160, which inclu	rd") in res ind, Subr d Power ne-year co	ponse to the mersible, and Department, ontract for an	

amount of \$3,826,000 and a contingency of \$612,160 to provide for any necessary change orders. (Purchase Order)

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NEXGEN POWER INC., FOR ELECTRICAL UTILITY PAD MOUNT TRANSFORMERS FOR A TOTAL AMOUNT NOT-TO-EXCEED \$10,000,000 FOR THE WATER AND POWER DEPARTMENT (Water & Power Dept.)

Recommendation: It is recommended that the City Council:

(1) Find 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, 15060(c)(2), 15060(c)(3), and 15378, and as such, no environmental document pursuant to CEQA is required for the project; and

(2) Award contract to lowest and best bid dated June 17, 2024, submitted by Nexgen Power Inc ("Nexgen"), in response to the specifications for Electrical Utility Pad Mount Transformers for the Water and Power Department, authorize the City Manager to enter into a three-year contract for an amount not-to-exceed \$6,000,000; with the option for two additional one-year extensions for an amount not-to-exceed \$2,000,000 each, for a maximum contract amount not-to-exceed \$10,000,000. (Purchase Order)

In response to Councilmember Jones' inquiry regarding multi-year stockpiling of transformers and being prepared for emergencies, David Reyes, Acting General Manager for Water and Power, stated that due to supply chain issues, vendors are not offering multi-year contracts, noting vendor preference for contracts of shorter periods of time. He further stated that since chemicals used to treat water are regulated, there is a limit for storing water on site, noting that stored water is currently around 85%-90% of the allowed limit. Varoojan Avedian, Assistant General Manager, added that the City stockpiles enough for 2 years, which is the lead time for transformers.

MOTION: Following discussion, it was moved by Councilmember Jones, seconded by Councilmember Williams to approve Items 6 and 7. (Motion unanimously approved) (Absent: Councilmember Hampton)

INFORMATION ITEM MACK AND JACKIE ROBINSON FAMILY HOME MEMORIAL AND HISTORICAL MARKER (Office of the City Manager) <u>Recommendation</u>: The agenda report is provided for informational purposes only; no action is required at this time. (Discussed and considered following the Consent Calendar agenda items)

Phyllis Hallowell, Public Works Management Analyst, presented a PowerPoint presentation on the proposed project, and introduced Caprice Lee, granddaughter of Mack Robinson. Ms. Lee reiterated the importance of the site where the Robinson family house once stood. Management Analyst Hallowell also shared an estimated project timeline, and responded to questions. The following individuals advocated for improved visibility of the Robinson family home memorial plaque and/or suggested that the plaque be appropriate and classy:

Otis Doxey, Pasadena resident Latifah Doxey, Pasadena resident Okeyo Jamal, Pasadena resident

Caprice Lee, speaking on behalf of the Robinson Family, thanked the City Council and City staff for the efforts towards improving the memorial in front of the Robinson family home.

Rose Robinson, representing the Robinson Family, thanked the City Council and City Staff for the proposed project, and expressed the Family's support for the proposed Robinson memorial and requested that "Mack Robinson" be changed to "Matthew "Mack" Robinson".

In response to Councilmember Jones' inquiry regarding ADA compliance, Hayden Melbourne, Public Works Engineer, reported that the proposed project is ADA compliant. City Attorney Bagneris clarified that the initial boulder proposal would impede access for those with walkers and wheelchairs. Management Analyst Hallowell stated that the concrete padding around the proposed memorial would allow people with accessibility needs to maneuver around the memorial, with increased visibility from all angles.

Mayor Gordo expressed gratitude for the current residents at the Robinson family property, praising their willingness to work with the community and the City to recognize the Robinson's family's contributions to Pasadena and allowing space for the commemorative memorial.

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

APPROVAL OF AMENDED RESTATED OPERATING AGREEMENT BETWEEN THE CITY OF PASADENA AND THE ROSE BOWL OPERATING COMPANY (RBOC)

Recommendation: It is recommended that the City Council:

(1) Find that the actions proposed in the agenda report are not "projects" subject to the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21065 and Sections 15060(c)(2) and (c)(3), and 15378 of the State CEQA Guidelines;

(2) Approve a recommendation of the Finance Director of an exception to the process for disposition of surplus personal property, pursuant to Pasadena Municipal Code Section 4.04.080, for the "valid public purpose" of returning revenue to the RBOC, and authorize the Board of the RBOC to dispose of RBOC personal property upon a finding of "valid public purpose"; and

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

Economic Development and Technology Committee (3) Approve the Amended and Restated Operating Agreement between the City of Pasadena and the Rose Bowl Operating Company consistent with the terms set forth in the agenda report. (Contract No. 15,703-9)

City Clerk Jomsky reported that 13 letters in support of the RBOC's recommendation to delegate the making of findings to temporarily increase the number of displacement events within the Central Arroyo to the RBOC Board and/or approve the proposed operating agreement between the City and the RBOC; 2 letters expressing concerns with the proposed changes to the operating agreement, specifically related to payment for water and water usage management, new jurisdictions and neighborhood relations; and 1 letter expressing concerns with the City delegating the required findings to the RBOC Board and the number of soccer games hosted at the Rose Bowl; which 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.

Steve Haderlein, Rose Bowl Operating Company Board President, provided introductory remarks on the item, provided an overview of the operations of the Rose Bowl, and responded to questions. Jens Weiden, Rose Bowl General Manager, provided a PowerPoint presentation on the item and the proposed recommendations that would allow the RBOC to act as a managing agent.

Nina Chomsky, Linda Vista Annandale Association, advocated for a public hearing and requiring a Conditional Use Permit process to ensure that the public is aware of the RBOC's operations and that the operations are appropriate. She also advocated for the proposed agreement to refer to best neighborhood protection practices.

Sonja Berndt, Pasadena resident, expressed concerns with the changes in the restated agreement relating to cost allocation and lack of financial transparency.

In response to Councilmember Williams' inquiry regarding the elimination of cost allocations, General Manager Weiden stated that the restated agreement proposes no changes to cost allocations and that the RBOC will pay for all City services that are utilized, including water. He noted that the only assessment to be changed is for City Attorney services, which will be paid at a standard dollar amount versus an hourly rate. City Attorney Bagneris and General Manager Weiden stated that language would be added to clarify the fees that the RBOC must pay, and the cost charges levied on the RBOC.

Councilmember Williams advocated for similar changes to be made to the Pasadena Center Operating Company (PCOC) operating agreement as well if the City Council approves the proposed amendments. She also advocated to have separate agreements to manage certain spaces.

Mayor Gordo suggested creating a synergy between the two operating companies such as having the Rose Bowl host opening and/or closing receptions to the conventions and events that take place at the PCOC.

Vice Mayor Madison concurred with having the Economic Development and Technology Committee revisit the PCOC agreement to identify operational improvements that might mirror the Rose Bowl agreement.

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

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

DELEGATE TO THE ROSE BOWL OPERATING COMPANY (RBOC) BOARD THE MAKING OF FINDINGS TO TEMPORARILY INCREASE THE NUMBER OF DISPLACEMENT EVENTS WITHIN THE CENTRAL ARROYO (Rose Bowl Operating Company) 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 the City Attorney to prepare and return with an ordinance within 60 days to amend PMC 3.32.270.A to delegate to the RBOC Board the making of findings required for the RBOC to host up to 25 displacement events per calendar year until December 31, 2033 (tenyear period).

General Manager Weiden provided a PowerPoint presentation on the item and responded to questions.

Nina Chomsky, Linda Vista Annandale Association, advocated that the proposed temporary period for the displacement events should be shorter than 10 years, citing the need for neighborhood protections, and requested that Olympic soccer games be removed from the staff recommendation. Councilmember Williams expressed concerns that the City Council should continue to make the findings to ensure checks and balances are maintained when it comes to the use of the Rose Bowl, and advocated for the RBOC to restructure their existing bond debt. She also stated concerns that a period of 10 years is too long to be considered temporary, and advocated for a shorter period of 2 years for the agreement.

In response to Councilmember Williams' concerns regarding compliance with the Arroyo Land Ordinance, Vice Mayor Madison suggested addressing the matter at a future Legislative Policy Committee meeting.

In response to Councilmember Williams' concerns regarding the restructuring of bonds, Matt Hawkesworth, Acting Assistant City Manager/Finance Director, reported that the City is working with financial advisors and outside legal counsel to identify the feasibility of refunding the Build America bonds and Redevelopment Enterprise Zone bonds. Mayor Gordo suggested deferring the issue of the Build America bonds to the Finance Committee for discussion at an upcoming meeting.

Vice Mayor Madison stated that the ordinance will conform with current procedures of how the Rose Bowl has been operating for years. He also assured the public that if the City Council wanted to make changes to the ordinance regarding the displacement events, they could do so at any time in the future.

MOTION: Following discussion, it was moved by Vice Mayor Madison, seconded by Councilmember Lyon, to approve staff recommendation.

AYES:Councilmembers Jones, Lyon, Masuda, Rivas, Vice
Mayor Madison, Mayor GordoNOES:Councilmember WilliamsABSENT:Councilmember HamptonABSTAIN:None

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:33 p.m. in memory of Richard Alatorre, Arzella J. Valentine, and Waraire Boswell.

Victor M. Gordo, Mayor City of Pasadena

ATTEST:

City Clerk