

OPENING: Mayor Gordo called the regular meeting to order at 5:00 p.m. (Absent: Councilmembers Hampton and Madison)

CLOSED SESSION On the order of the Mayor, the regular meeting recessed at 5:03 p.m. to discuss the following closed session items:

CONSIDERATION OF INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(d)(4) (one potential case)

Councilmember Hampton arrived at 6:07 p.m.

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

**Name of Case: Harrell, C. v. City of Pasadena
Los Angeles County Superior Court Case No. 20STCV06887**

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

Vice Mayor Rivas reported that she is participating remotely under the “just cause” provisions of the Brown Act on the basis of childcare needs and stated that no one over 18 years of age is in the room with her.

On the order of the Mayor, the regular meeting reconvened at 6:35 p.m. The pledge of allegiance was led by Councilmember Jones.

ROLL CALL:
Councilmembers: Mayor Victor M. Gordo
Vice Mayor Jessica Rivas (via teleconference)
Councilmember Rick Cole
Councilmember Tyron Hampton
Councilmember Justin Jones
Councilmember Jason Lyon
Councilmember Steve Madison (arrived at 7:04 p.m.)
Councilmember Gene Masuda

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

CEREMONIAL MATTERS Mayor Gordo requested that the meeting to be adjourned in memory of Don Nollar, longtime Pasadena resident and former City employee, and spoke on Mr. Nollar’s work revamping the City’s General Plan and his volunteer work with the Civitan Club.

SPECIAL ITEM

PRESENTATION BY JEFFREY PRANG, LOS ANGELES COUNTY ASSESSOR, ON PROPERTY IMPACTS RELATED TO THE EATON FIRE AND RELATED ASSESSOR SERVICES FOR AFFECTED RESIDENTS

Jeffrey Prang, LA County Assessor, presented a PowerPoint presentation on the County Assessor Office programs available to residents impacted by the recent wildfires, and provided clarification on tax assessments for properties with fire related damage, and responded to questions.

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

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Councilmember Madison arrived at 7:04 p.m.

Olden Denham, Pasadena resident, advocated for the City Council to agendaize AB392 for discussion and continued to express concerns related to the Anthony McClain shooting.

Allen Shay, Pasadena resident, inquired about the status of the City's underground wiring project, oversight of the City's police department, and establishing a fair process pertaining to sale of the 710 stub properties.

Yadi, Pasadena resident, requested for the City Council to agendaize discussion of the City's response to the Eaton Fire and aftermath, and she urged the City Council to retain the remote public comment option for public meetings.

Kristina Nichols, Pasadena resident, shared details of her recent encounter with a coyote and expressed concerns regarding an increased presence of coyotes in her neighborhood.

The following individuals provided comments on divestment and apartheid:

Dylan Bannon, Pasadena resident
Michael Flynn, Pasadena resident

In response to public comment, Mayor Gordo stated that the AB392 will be discussed at the Public Safety Committee meeting in April, and that an update from the Police Department has not yet been scheduled but will occur at the Public Safety Committee at a future meeting.

In response to public comment, Councilmember Lyon reported that the Pasadena Public Health Department, in conjunction with wildlife officers at Pasadena Humane, are conducting a study of coyote behavior around the City.

CONSENT CALENDAR

City Manager/ Executive Director

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MONTROSE AIR QUALITY SERVICES, LLC FOR AIR EMISSIONS TESTING SERVICES AT THE GLENARM POWER PLANT FOR UP TO SEVEN YEARS FOR A TOTAL AGREEMENT NOT-TO-EXCEED \$1,317,700 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 State CEQA Guidelines Section 21065 and within the meaning of Section 15378(b);
- (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 Montrose Environmental Group, Inc. (DBA Montrose Air Quality Services, LLC), for air emissions testing services at the Glenarm Power Plant in an amount not-to-exceed a total of \$1,317,700 for seven years, which includes two optional one-year extensions or an amount not-to-exceed \$333,000, whichever occurs first, at the discretion of the City Manager. Competitive price bidding is not required pursuant to City Charter Section 1002F contracts for professional or unique services. (Contract No. 33195)

AUTHORIZE THE CITY MANAGER TO ENTER INTO a CONTRACT WITH RADIAN GENERATION HOLDCO, LLC DBA RADIAN GENERATION for NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION COMPLIANCE SERVICES FOR UP TO SEVEN YEARS FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$717,000 (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 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 Radian Generation Holdco, LLC DBA Radian Generation ("Radian Generation") for North American Electric Reliability Corporation ("NERC") Compliance Services for up to seven years for a grand total amount not-to-exceed \$717,000, which includes the option for two additional one-year extensions or an amount not-to-exceed \$178,640, whichever occurs 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. 33179)

Item discussed separately

REJECT ALL BIDS FOR RAYMOND AVENUE UNDERGROUND UTILITY DISTRICT CIVIL CONSTRUCTION SERVICES (Water & Power Dept.)

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STEPHEN DORECK EQUIPMENT RENTALS, INC., FOR INSTALLATION OF DUCTILE IRON WATER MAIN IN OAK KNOLL AVENUE FOR AN AMOUNT NOT-TO-EXCEED \$2,935,870 (Water & Power Dept.)

Recommendation: It is recommended that the City Council:

- (1) Find that the action proposed in the agenda report is statutorily and categorically exempt from environmental review under the California Environmental Quality Act pursuant to Section 21080.21 of CEQA and State CEQA Guidelines Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), and there are no features that distinguish the project from others in the exempt classes, and therefore, there are no unusual circumstances; and
- (2) Award contract to lowest and best bid, dated January 29, 2025, submitted by Stephen Doreck Equipment Rentals, Inc. in response to the specifications for Installation of Ductile Iron Water Main in Oak Knoll Ave, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$2,935,870, which includes the base contract amount of \$2,552,930 and a contingency of \$382,940 to provide for any necessary change orders. (Contract No. 33165)

ADOPT A SIDE LETTER OF AGREEMENT BETWEEN THE CITY OF PASADENA AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS TO ESTABLISH A TWELVE-HOUR WORK SCHEDULE FOR POWER DISPATCHER AND SENIOR POWER DISPATCHER CLASSIFICATIONS (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 Side Letter of Agreement between the City of Pasadena and the International Brotherhood of Electrical Workers (IBEW) to Establish a twelve-hour work schedule for the Power Dispatcher and Senior Power Dispatcher classifications.

ADOPT A RESOLUTION DESIGNATING AUTHORIZED AGENTS FOR EXECUTION OF CALIFORNIA EMERGENCY MANAGEMENT AGENCY DISASTER ASSISTANCE DOCUMENTS (Fire 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 authorizing the City Manager, Assistant City Managers, and the Director of Finance to execute for and on behalf of the City of Pasadena applications with the California Office of Emergency Services for the purpose of obtaining federal financial assistance under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Sections 5121-5207 (Stafford Act), and Title 44 of the Code of Federal Regulations (44 CRF) section 206.36 and state financial assistance under California Disaster Assistance Act found under Title 19 of the California Code of Regulations, Chapter 6. (Resolution No. 10118)

AUTHORIZE THE CITY MANAGER TO UTILIZE ALTERNATIVE PROJECT DELIVERY METHOD FOR THE HYDROGEN FUELING STATION PROJECT (Public Works Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action in the agenda report does not constitute 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 utilize alternative project delivery method, design-build-operate-maintain, for the Hydrogen Fueling Station project as per Pasadena Municipal Code (PMC) Section 4.08.136 (Alternative project delivery).

Item discussed separately

ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE HOLLY STREET BRIDGE SEISMIC RETROFIT PROJECT AND APPROVE PROJECT DESIGN PLANS (Public Works Dept.)

AUTHORIZE THE CITY MANAGER TO ENTER A SIXTY-MONTH OFFICE LEASE AGREEMENT WITH THE STATE OF CALIFORNIA, ACTING BY AND THROUGH ITS DIRECTOR OF GENERAL SERVICES FOR THE PREMISES LOCATED AT 1207 E. GREEN STREET, IN AN AMOUNT NOT-TO-EXCEED \$788,235 FOR THE FOOTHILL WORKFORCE DEVELOPMENT BOARD (City Manager's Office)

Recommendation: It is recommended that the City Council:

(1) Find that the leasing of 1207 E. Green Street is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to the State CEQA Guidelines Section 15301 (Existing Facilities); 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 a lease agreement with the State of California, acting by and through its Director of General Services, in the amount not-to-exceed \$788,235 for the office space located at 1207 E. Green Street incorporating the terms and conditions generally described in the agenda report, and to execute any other related agreements necessary to effectuate the

transaction, including non-substantial revisions. (Contract No. 24,214)

FINANCE COMMITTEE: AMEND THE HOUSING DEPARTMENT FISCAL YEAR 2025 OPERATING BUDGET BY RECOGNIZING AND APPROPRIATING \$2,418,575.85 OF STATE AND COUNTY GRANT FUNDS FOR HOMELESS SERVICES (Housing 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;

(2) Amend the Department of Housing's Fiscal Year 2025 Operating Budget by recognizing and appropriating \$2,418,575.85 of State of California and County of Los Angeles funds in the Other Housing Fund (Fund 238) for homeless services. (Budget Amendment No. 2025-22)

Councilmember Cole reported that the Finance Committee discussed the item above, approved staff recommendation, and requested City staff to return to the City Council with a report on performance measures and identifying impacts.

FINANCE COMMITTEE: JOINT ACTION BETWEEN THE CITY AND THE PASADENA PUBLIC FINANCING AUTHORITY: APPROVE EXTENSION OF BANK OF AMERICA LETTER OF CREDIT RELATED TO THE VARIABLE RATE DEMAND REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2008A (CONFERENCE CENTER PROJECT) (Finance Dept.)

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action in the agenda report is not a project subject to the California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines, and as such, no environmental document pursuant to CEQA is required for the project;

(2) Adopt a Resolution of the Board of Directors of the Pasadena Public Financing Authority approving the form of and authorizing the execution and delivery of a Seventh Amendment to the Reimbursement Agreement; and authorizing the execution and delivery of other related documents and approval of other documents and actions in connection therewith (PPFA-33); and

(3) Adopt a Resolution of the City Council of the City of Pasadena approving the form of and authorizing the execution and delivery of a Seventh Amendment to the Reimbursement Agreement; and authorizing the execution and delivery of other related documents and approval of other documents and actions in connection therewith. (Resolution No. 10117)

Item discussed separately

FINANCE COMMITTEE: AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE FOOTHILL UNITY CENTER, INC., TO RECEIVE HELPING JUSTICE-INVOLVED REENTER EMPLOYMENT (H.I.R.E) GRANT FUNDS AND TO SUB-AWARD A PORTION OF THE AWARDED GRANT FUNDS TO THE FLINTRIDGE CENTER AND AMEND THE BUDGET TO ACCEPT AND SPEND THE GRANT FUNDS (City Manager’s Office)

FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT – QUARTER ENDING DECEMBER 31, 2024 (Finance Dept.)

Recommendation: The agenda report is for information only.

City Council

RESIGNATIONS,
APPOINTMENTS, &
REAPPOINTMENTS

APPOINTMENT OF JESS RIVAS TO THE BURBANK- GLENDALE-PASADENA REGIONAL HOUSING TRUST BOARD, A JOINT POWERS AUTHORITY, CREATED PURSUANT TO SENATE BILL NO. 1177 (City of Pasadena Nomination)

APPOINTMENT OF PAUL McGEE TO THE HUMAN RELATIONS COMMISSION (District 1 Nomination)

APPOINTMENT OF SELINA HO TO THE COMMUNITY POLICE OVERSIGHT COMMISSION (District 2 Nomination)

APPOINTMENT OF REBECCA HARTUNG TO THE TRANSPORTATION ADVISORY COMMISSION (District 2 Nomination)

APPOINTMENT OF JAY WALTERS TO THE PLANNING COMMISSION (District 3 Nomination)

City Clerk/ Secretary

MINUTES APPROVED

October 28, 2024	Pasadena Public Financing Authority
January 20, 2025	City Council
January 20, 2025	Successor Agency to the Pasadena Community Development Commission
February 3, 2025	City Council
February 3, 2025	Successor Agency to the Pasadena Community Development Commission
February 10, 2025	City Council
February 10, 2025	Successor Agency to the Pasadena Community Development Commission
February 17, 2025	City Council
February 17, 2025	Successor Agency to the Pasadena Community Development Commission
February 24, 2025	City Council
February 24, 2025	Successor Agency to the Pasadena Community Development Commission

CLAIMS RECEIVED AND FILED

Claim No.	Claimant	Claim Amount
2025-0197	Elizabeth Ann Huston	\$ 1,151.48
2025-0198	Jannell W. Davis	35,000.00+
2025-0199	Kaleb Rudy	1,186.61
2025-0200	Infinity a/so/ Jose Chavez	1,480.41
2025-0201	Roberto Lorenzo Spencer	325.00
2025-0202	Superior Construction & Facility Services	35,000.00+
2025-0203	Miles Gaston Villanueva	100.00
2025-0204	Infinity Insurance Company a/s/o Jesus Beltran	10,000.00+
2025-0205	Hakop Krpikyan	2,358.15
2025-0206	Margarita Hernandez	Not stated
2025-0207	California Automobile Insurance Company	10,000.00+
2025-0208	Dean Bolte	2,983.90

PUBLIC HEARINGS SET

April 14, 2025, 6:00 p.m. – Submittal of Public Housing Agency Five-Year Plan (2025-2030) to the U.S. Department of Housing and Urban Development

April 14, 2025, 6:00 p.m. – Recommended Fiscal Year 2026-2030 Capital Improvement Program Budget

MOTION:

It was moved by Councilmember Lyon, seconded by Councilmember Masuda, to approve all items on the Consent Calendar with the exception of Items 3, 8, and 12.

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

NOES: None

ABSENT: None

ABSTAIN: None

CONSENT ITEMS DISCUSSED SEPARATELY

Mayor Gordo stated a potential conflict of interest, recused himself from the item, and left the meeting at 7:21 p.m.

REJECT ALL BIDS FOR RAYMOND AVENUE UNDERGROUND UTILITY DISTRICT CIVIL CONSTRUCTION SERVICES (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 Public Resources Code Section 21080(b)(5) (projects which a public agency rejects or disapproves) and Section 15270 of the State CEQA Guidelines; and
- (2) Reject all bids received by September 9, 2024, in response to the Invitation for Bids for Raymond Avenue Underground Utility District ("UUD") Civil Construction Services.

In response to Councilmember Jones' inquiry regarding potential delays caused by the rejection of bids, David Reyes, Acting General Manager of Water & Power, reported that this action will result in a delay of approximately 3 months.

MOTION: It was moved by Councilmember Jones, seconded by Councilmember Hampton, to approve the staff recommendation.

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

Mayor Gordo returned the meeting at 7:23 p.m.

FINANCE COMMITTEE: AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE FOOTHILL UNITY CENTER, INC., TO RECEIVE HELPING JUSTICE-INVOLVED REENTER EMPLOYMENT (H.I.R.E) GRANT FUNDS AND TO SUB-AWARD A PORTION OF THE AWARDED GRANT FUNDS TO THE FLINTRIDGE CENTER AND AMEND THE BUDGET TO ACCEPT AND SPEND THE GRANT FUNDS (City Manager's Office)

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 Public Resources Code Section 21065 and within the meaning of State CEQA Guidelines Sections 15060(c) 15378(b);
- (2) Authorize the City Manager to enter into a contract between the City of Pasadena (administrative entity for the Foothill Workforce Development Board) with Foothill Unity Center the receipt of H.I.R.E (Helping Justice-Involved Re-enter Employment) grant funds in the amount of \$675,000 over 24-month term (Contract No. 24,215);
- (3) Authorize the City Manager to enter into a contract between the City of Pasadena (administrative entity for the Foothill Workforce Development Board) with The Flintridge Center to sub-award H.I.R.E (Helping Justice-Involved Re-enter Employment) grant funds in the amount of \$220,000 over 24-month term (Contract No. 24,216); and
- (4) Amend the City Manager's FY 2025 Operating Budget to recognize revenues and appropriate expenditures of \$675,000 in the Workforce Innovation and Opportunity Act Fund. (Budget Amendment No. 2025-23)

In response to Councilmember Jones' inquiry about ensuring Pasadena residents utilize the grant funding, Paul Enge, Management Analyst, reported that a majority of the grant funding will be awarded to Pasadena. He added that programs funded by the grant served approximately 70% of Pasadena residents in Fiscal Year 2024.

MOTION: It was moved by Councilmember Jones, seconded by Councilmember Hampton, to approve the staff recommendation.

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

NOES: None

ABSENT: None

ABSTAIN: None

Councilmember Jones left the meeting at 7:26 p.m.

ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE HOLLY STREET BRIDGE SEISMIC RETROFIT 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 Holly Street Bridge Seismic Retrofit project pursuant to the California Environmental Quality Act, and adopt a Mitigation Monitoring and Reporting Program; and

(2) Approve the Holly Street Bridge Seismic Retrofit project reflected in the Design Plan.

Nina Chomsky, Pasadena resident, expressed support for the item, and raised questions regarding federal funding for the project, potential impacts the closure of the bridge would have during Rose Bowl displacement events, and advocated for additional public meetings to ensure that neighboring residents are informed.

In response to public comment, Greg de Vinck, Public Works Director, reported that the proposed project will not change the bridge aesthetically. He reported that the main purpose is to wrap and strengthen the columns for seismic loading. Brent Maue, Acting City Engineer, reported that the City anticipates full funding to be secured from Caltrans.

MOTION: It was moved by Councilmember Hampton, seconded by Councilmember Masuda, to approve the staff recommendation.

AYES: Councilmembers Cole, Hampton, Lyon, Madison, Masuda, Vice Mayor Rivas, Mayor Gordo

NOES: None

ABSENT: Councilmember Jones

ABSTAIN: None

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

City Council

Councilmember Jones returned to the meeting at 7:33 p.m.

CONSIDERATION OF SUBMITTING A LETTER TO CONGRESSIONAL LEADERSHIP SUPPORTING GOVERNOR NEWSOM’S REQUEST FOR \$39 BILLION IN FEDERAL FUNDING TO AID RECOVERY EFFORTS RELATED TO THE EATON AND PALISADES FIRES, AND AUTHORIZE MAYOR GORDO TO SIGN THE LETTER ON BEHALF OF THE PASADENA CITY COUNCIL (Mayor Gordo)

Mayor Gordo briefly reported that the proposed letter is to support the Governor’s request for federal funding to aid wildfire recovery efforts.

MOTION:

Following brief comments, it was moved by Councilmember Madison, seconded by Councilmember Hampton, to authorize Mayor Gordo, on behalf of the Pasadena City Council, to sign a letter to congressional leadership supporting Governor Newsom’s request for \$39 billion in federal funding to aid recovery efforts related to the Eaton and Palisades fires.

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

ORDINANCES – FIRST READING

Conduct first reading of “AN INTERIM UNCODIFIED ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF TITLE 17 (ZONING CODE) OF THE CITY OF PASADENA MUNICIPAL CODE TO SUSPEND AND MODIFY DEVELOPMENT STANDARDS AND PROCEDURES, AND TO EXTEND CERTAIN LAND USE RELATED DEADLINES FOR ENTITLEMENTS AND PERMITS UNDER TITLE 17 (ZONING CODE), TITLE 16 (SUBDIVISIONS) AND TITLE 14 (BUILDINGS AND CONSTRUCTION) OF THE MUNICIPAL CODE TO SIMPLIFY THE REBUILD PROCESS AFTER THE EATON FIRE”

The ordinance above was offered by Councilmember Hampton.

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

Mayor Gordo stated a conflict of interest, recused himself from the item, and left the meeting at 7:37 p.m.

Conduct first reading of “AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA PROTECTING QUALIFYING INCOME ELIGIBLE TENANTS DIRECTLY FINANCIALLY IMPACTED BY THE EATON FIRE”

The following individuals expressed support for the proposed ordinance and advocated for eviction protections for tenants impacted by the Eaton Fire and/or provided related comments:

Sean Wakasa, Pasadena resident
Austin, Altadena resident
Jose Ramos, Pasadena resident
Esperanza Melo, Pasadena resident
Jesus Rojas, Apartment Association of Greater Los Angeles
Alejandra Candida, Pasadena resident
Jill Shook, Pasadena resident

City Clerk Jomsky reported that 17 letters in support of the proposed ordinance related to the protection of qualifying income eligible tenants 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.

In response to Vice Mayor Rivas' inquiry regarding differences between the City's proposed ordinance and the protections recently adopted by the Los Angeles County Board of Supervisors, Allysa Martinez, Deputy City Attorney, reported that Pasadena's ordinance contains items specific to the City, such as the City Charter. She added that the most substantive difference is the addition of affirmative defense pertaining to the application of rental payment (see Section 4(B)(4) of the proposed ordinance).

Councilmember Cole suggested the following amendments to the proposed ordinance: 1) backdate the the "Protection Time Period" to be January 15, 2025 through July 31, 2025 instead of February 1, 2024 through July 31, 2024 (Section 3(D)); and 2) amend the number of days to be 14 days instead of 7 days to provide self-certification to the landlord of non-payment of rent for the months of February 2025 and March 2025 (Section 4(A)(2) of the proposed ordinance). Deputy City Attorney Martinez noted that the effective date would also need to be changed to January 15, 2025 instead of February 1, 2025 (Section 10), should the City Council agree with Councilmember Cole's suggestions.

Vice Mayor Rivas expressed support for the amendments to be made to the proposed ordinance.

The ordinance above was offered by Councilmember Hampton incorporating the changes listed above.

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

Councilmember Jones left the meeting at 8:03 p.m.

In response to Councilmember Cole and Vice Mayor Rivas' comments advocating for the City to identify funding sources to help housing providers who are not receiving rent payments from impacted tenants, City Manager Márquez reported that City staff is in the process of identifying all available resources, including third party funding providers, such as non-profit organizations, with staff to report back to the City Council at a future meeting. Councilmember Madison also requested financial data pertaining to how much the Pasadena Community Foundation has raised and how much has been distributed to fire victims.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

City Manager

REQUEST FROM THE PASADENA RENTAL HOUSING BOARD FOR THE CITY COUNCIL TO DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE WITHIN 60 DAYS ADOPTING ALL AVAILABLE TENANT PROTECTIONS PROVIDED IN THE ELLIS ACT (GOVERNMENT CODE SECTION 7060 ET SEQ.)

Recommendation: It is recommended that the City Council:

- (1) Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) pursuant to section 21065 of CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15378, and as such, no environmental document pursuant to CEQA is required; and
- (2) Direct the City Attorney to prepare an ordinance within 60 days adopting all available tenant protections provided in the Ellis Act (Government Code Section 7060 Et Seq.).

Helen Morales, Rent Stabilization Director, presented a PowerPoint presentation on the Ellis Act provisions, and responded to questions.

In response to Councilmember Madison's inquiry regarding rental properties in the City that would be subject to Ellis Act protections, Deputy City Attorney Martinez clarified that the protections would apply to rental units citywide, including rent regulated units.

Discussion ensued regarding the 10-year period for the first right of refusal for evicted tenants if a property returns to the rental market, the City Charter provisions and the Pasadena Rental Housing Board ("PRHB") not being authorized under the law to adopt Ellis Act protections (only elected legislative bodies able to act and adopt by ordinance), and how the punitive damage provision could potentially result in inequity if a property has a short tenancy.

In response to Councilmember Madison's inquiry regarding why the PRHB opted for the 10-year period, Rent Stabilization Director Morales reported that City Charter Article XVIII requires that such protections be adopted to the maximum extent permitted by law. Councilmember Madison expressed concerns about defaulting the matter to the City Council under Charter Article XVIII provisions, which pertain to the PRHB.

Councilmember Lyon advocated for further legal analysis of City Charter Article XVIII, the Ellis Act, and the discretions available to the City Council and the PRHB, as well as issues related to the 180-day limitation to implement Article XVIII, and the the effect of Section 1806(c) (Right of Return and First Right of Refusal). He also emphasized the need for additional legal analysis from City Attorney's Office that provides the City Council with sufficient information regarding staff's positions and recommendations to make decisions.

In response to Councilmember Lyon's inquiry regarding parameters to prevent the original tenants from taking advantage or somehow transferring the Right of Return and First Right of Refusal provision to others, Rent Stabilization Director Morales reported that the Ellis Act requires the original tenant to live in the unit if the tenant were to exercise their rights under the Act. She added that the City can implement a regulation allowing landlords to evict the tenant if the person found occupying the unit is not listed on the lease.

Councilmember Madison made a motion to shorten the first right of refusal after returning to the rental market period from 10 years to 5 years. Motion failed due to lack of second.

Councilmember Lyon reiterated the need for a thorough legal analysis of the interplay between City Charter Article XVIII Section 1806(c) and Section 1806(d).

Joseph Bautista, Pasadena resident, expressed support for City staff to further analyze City Charter Article XVIII and the potential leeway municipalities may have when implementing the Ellis Act.

The following individuals spoke in support of the proposed ordinance and/or provided related comments:

Bert Newton, Making Housing and Community Happen
Jill Shook, Making Housing and Community Happen
Anthony Manousos, Pasadena resident
Austin, Altadena resident
Jose Ramos, Pasadena resident
Esperanza Melo, Pasadena resident
Ryan Bell, Pasadena Rental Housing Board

Simon Gibbons, Pasadena resident, expressed concerns regarding the restrictive regulations for rental units and how they impact the housing crisis.

City Attorney Bagneris noted that City staff will work with the PRHB's outside legal counsel to analyze enforceability of the Ellis Act in accordance with state law and the City Charter.

In response to Councilmember Hampton's inquiry, Rent Stabilization Director Morales reported that the Ellis Act requires the elected governing body for the jurisdiction where rental restrictions exist to adopt a resolution or ordinance to establish and adopt the Ellis Act provisions in order for these protections to become effective and available to tenants in the City.

MOTION:

It was moved by Councilmember Cole, seconded by Councilmember Lyon, to continue the item to a future meeting, with direction to City staff to return with further legal analysis on City Charter Article XVIII and the City Council's ability to implement the Ellis Act in accordance with state law and the City Charter.

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

ADJOURNMENT

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 9:41 p.m. in memory of Don Nollar.

Victor M. Gordo, Mayor
City of Pasadena

ATTEST:

City Clerk