

CITY OF PASADENA
City Council Minutes
April 16, 2018– 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:30 p.m.
(Absent: Councilmembers Gordo, Hampton)

On the order of the Mayor, the regular meeting recessed at 5:30
p.m. to discuss the following closed session:

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section
54956.8**

**Property Location: 217 South Marengo Avenue, #206,
Pasadena, CA 91101**

Agency Negotiator: Steve Mermell

Negotiating Party: Ron V. Ocampo

Under Negotiation: Price and terms of Payment

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6**

**Agency Designated Representatives: Jennifer Curtis and
Steve Mermell**

**Employee Organization: Pasadena Police Officers
Association (PPOA)**

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

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION pursuant to
Government Code Section 54957 and CITY COUNCIL
CONFERENCE with Labor Negotiator pursuant to
Government Code Section 54957.6**

**Employee Title and Unrepresented Employee: City Clerk
City Representative: Terry Tornek**

The above closed session item was discussed following the
conclusion of the regular meeting (continued on page 10).

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION pursuant to
Government Code Section 54957 and CITY COUNCIL
CONFERENCE with Labor Negotiator pursuant to
Government Code Section 54957.6**

Employee Title and Unrepresented Employee: City Attorney/City Prosecutor
City Representative: Terry Tornek

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 6:49 p.m. The pledge of allegiance was led by Councilmember Masuda.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor John J. Kennedy
Councilmember Victor Gordo (Absent)
Councilmember Tyron Hampton
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Margaret McAustin
Councilmember Andy Wilson

Staff:

City Manager Steve Mermell
Chief Assistant City Attorney Javan Rad
City Clerk Mark Jomsky

PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA

Ian Burke Jameson, Pasadenans and Altadenans Against Police Violence, requested that the Pasadena Police Department reform their use of force policy, publically report out payouts made to members of the public for police misconduct, create an independent police auditor to monitor the Pasadena Police Department, terminate the employment of the individual Police Officers involved in incidents related to Mr. Christopher Ballew and Mr. Kendric McDade, and spoke in support of Assembly Bill 931 - restrict police lethality and Senate Bill 1421 - Peace Officers: release of records.

Dr. Salina Corral, Pasadena Mental Health Advisors Committee, distributed a flyer and invited the City Council, staff, and public to the Pasadena Mental Health Day 2018 event to be held on May 19, 2018 at the Pasadena Central Library, to raise awareness on mental health issues.

Following discussion, the City Clerk stated that the flyer will be distributed electronically to the City Council and Council Liaisons.

Cindy Bengston, Leadership Pasadena, distributed fliers and informed the City Council, staff, and public on the Community Leadership Course for Veterans, which will commence on May 2, 2018.

Theresa Elsa Smith, Pasadena resident, spoke on her experience with the Community Police Academy, thanked the Pasadena Police Department for providing this training, recommended the 8-week course to all high school students; expressed safety concerns regarding parking curbs as tripping hazards; and spoke on the need to provide medical assistance to homeless individuals in the City.

In response to public comment, City Manager Mermell, stated that staff would contact Ms. Smith to discuss her concerns regarding the parking curbs.

Christopher Lees, Young's Market Armed Forces Network, distributed a handout and provided information on their Remember Everyone Deployed (RED) campaign (associated with Leadership Pasadena) and Red Friday Movement, commemorating the service men and women of the United States of America.

Kyle Douglas, Principle of Wilson Middle School, distributed handouts and advocated for financial support for the Wilson's Drum Corps fundraising efforts to participate in the Heritage Music Festival in San Francisco and Carnegie Hall in New York.

Councilmember Hampton spoke in favor of providing fiscal assistance to Wilson's Drum Corps, and Councilmember Masuda thanked Mr. Douglas for being an outstanding role model to his students.

Emanuel Najera, Pasadena resident, spoke on the dedication of the Happy Trail: East Arroyo Connector held on Saturday, April 14, 2018; inquired on the affects to the City's water rates related the Metropolitan Water District of Southern California vote to approve the Delta Tunnel Project; the City's position on the "sanctuary city" lawsuit; and asked staff to follow up on issues related to the lack of field lighting at Victory Park.

In response to public comment, City Manager Mermell, sated that staff will follow up on the field lights at Victory Park.

CONSENT CALENDAR

AUTHORIZE PURCHASE ORDER WITH NATIONAL AUTO FLEET GROUP FOR PURCHASE OF ONE REPLACEMENT FREIGHTLINER AERIAL CHIPPER TRUCK FOR A TOTAL OF \$254,149

Recommendation:

(1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize a purchase order with National Auto Fleet Group for the purchase of one replacement Freightliner Aerial Chipper Truck in an amount not-to-exceed \$254,149. Competitive bidding is not required pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors; and

(3) Grant the proposed purchase order 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.

AUTHORIZE PURCHASE ORDER WITH HUNTINGTON BEACH HONDA FOR PURCHASE OF FOUR FULLY OUTFITTED REPLACEMENT HONDA POLICE MOTORCYCLES FOR A TOTAL OF \$115,041

Recommendation:

(1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment; and

(2) Accept the bid dated March 12, 2018, submitted by Huntington Beach Honda in response to specifications for Four Honda ST1300PAG Police Patrol Motorcycles, and authorize the issuance of a purchase order with Huntington Beach Honda in an amount not-to-exceed \$115,041.

AUTHORIZATION TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN CITY OF PASADENA AND CITY OF SIERRA MADRE FOR RESURFACING OF MICHILLINDA AVENUE

Recommendation:

(1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination 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 execute Memorandum of Agreement between the City of Pasadena and City of Sierra Madre for Resurfacing of Michillinda Avenue for an amount not-to-exceed \$135,000 (Contract No. 31186)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH TRICADE TECHNOLOGY SOLUTIONS TO FURNISH AND DELIVER SERVER AND STORAGE INFRASTRUCTURE FOR THE WATER AND POWER DEPARTMENT

Recommendation:

(1) Find that this action is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act ("CEQA") Section 15301 (Existing Facilities) and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances; and

(2) Accept the bid dated January 29, 2018, submitted by Tricade Technology Solutions in response to specifications for Server and Storage Infrastructure; reject all other bids received; and authorize the City Manager to enter into a contract not-to-exceed \$680,093, which includes the base contract amount of \$666,758 and a contingency of \$13,335 to provide for any necessary change orders.

APPOINTMENT OF HELEN RAHDER TO THE HISTORIC PRESERVATION COMMISSION (Rose Villa-Oakdale Landmark Overlay District Nomination)

PUBLIC HEARINGS SET

April 23, 2018, 7:00 p.m. - City Manager's Recommended Fiscal Year (FY) 2019 – 2023 Capital Improvement Program budget

May 7, 2018, 7:00 p.m. - Fiscal Year 2019 Recommended Operating Budget

May 7, 2018, 7:00 p.m. - Fiscal Year 2019 Recommended General Fee Schedule

It was moved by Councilmember McAustin, seconded by Vice Mayor Kennedy, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmember Gordo)

OLD BUSINESS

MUNICIPAL SERVICES COMMITTEE: GLENARM CAPITAL PUBLIC ART CONTRACT AWARD

Recommendation:

(1) Find that the action proposed in the agenda report is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301 (Class 1 Existing Facilities) and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances;

(2) Appropriate \$850,000 from the Capital Public Art Fund reserved fund balance (Fund 310) to account 31021002-811400 Capital Public Art Contractual Services and authorize staff to make necessary adjustments to the budget; and

(3) Authorize the City Manager to enter into a contract, as the result of a competitive selection process, as specified by the Public Art Program Guidelines for City Construction Projects, with AYC Ltd. (Alice Aycock) for a public art project at the Glenarm Power Plant in an amount not-to-exceed \$740,000. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services.

Recommendation of the Arts & Culture Commission: On January 10, 2018, the Arts & Culture Commission recommended that the City Council approve the recommended artist Alice Aycock and the proposed public art concept for the artist finalist award for the Glenarm Power Plant Public Art Project.

Review of the Municipal Services Committee: On March 13, 2018, the proposed project was presented as an information item to the Municipal Services Committee (MSC).

David Reyes, Director of Planning and Community Development, provided introductory comments, and Rochelle Branch, Cultural Affairs Manager, provided a PowerPoint presentation on the item and responded to questions.

The following individuals spoke in opposition to the staff recommendation, expressed concerns with the public art project, provided comments, and/or suggestions on the item:

Erika Foy, Pasadena resident
Glenn Camhi, Pasadena resident
Nina Chomsky, Pasadena resident
Mic Hansen, West Pasadena Residents' Association

The following individuals spoke in favor of the staff recommendation and the public process, provided comments, and/or suggestions on the item:

Warren Sata, Pasadena resident
Emanuel Najera, Pasadena resident

The City Council thanked Rochelle Branch, and the Arts and Culture Commission for their excellent work.

Councilmember Wilson reiterated his support for the City's Public Art program and the process that was approved by the City Council, however expressed concerns with the proposed art project. He requested information as to why the art proposal from

team Min/Tolkin proposed a project in an area that was not eligible for consideration. He also suggested that staff explore an alternative site for the art project.

Councilmember Masuda expressed concerns with approving the art project as proposed during the City's structural budget deficit.

Councilmember Madison expressed appreciation for the effort and hard work related to the selection process, however, in light of issues such as cost, limited public visibility, and safety concerns, stated he would not support the proposed staff recommendation; and suggested other locations in the project area be considered for art placement.

Councilmember McAustin spoke in favor of the City's Public Art program and the process utilized to choose this specific public art project, and spoke in support of the staff recommendation. She also suggested that the City Council re-evaluate whether the City should be subject to the Capital Improvement Program (CIP) Public Art requirement for City CIP projects.

Councilmember Hampton stated his opposition in applying the public art requirement to City projects, citing the need to fund necessary City services over public art, suggesting that all City departments, properties, and facilities be exempt from the requirement; and expressed concerns with the mixed message in asking Pasadena residents to approve a revenue measure, given the current fiscal constraints, and also approving the proposed art project of approximately \$850,000.

The Mayor spoke on the challenges and complexity involved in budgeting for necessary City services given current fiscal constraints, while also meeting the City's current public art project requirements.

Vice Mayor Kennedy expressed concerns with approving the project budget at this time for the community and suggested deferring the item or scaling back the scope of the art project.

Art Silva, Power Production Superintendent, responded to questions regarding the budget for the Gas Turbine 5 (GT-5) project.

Following discussion, it was moved by Mayor Tornek, seconded by Councilmember Hampton, to defer action on the item and discuss the issue as part of the Capital Improvement Program budget review at a future City Council meeting. (Motion unanimously carried) (Absent: Councilmember Gordo)

PUBLIC HEARING

PUBLIC HEARING: RESOLUTION DECLARING THE RESULTS OF THE MAJORITY PROTEST PROCEEDINGS AND ESTABLISHING THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT

Recommendation: It is recommended that the City Council conduct a public hearing, declare the results of the majority protest proceeding and adopt a Resolution establishing the Pasadena Tourism Improvement District (PTBID) under the Property and Business Improvement Law of 1994, Streets and Highways Code Section 36600 et seq. (Resolution No. 9644)

The City Clerk opened the public hearing and reported that 28 copies of the notice were mailed on February 28, 2018; and that no correspondence was received by the City Clerk's office regarding this item.

Michael Ross, CEO of the Pasadena Center Operating Company, summarized the item as part of a PowerPoint presentation, and responded to questions.

It was moved by Councilmember Hampton, seconded by Councilmember Wilson, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Gordo)

The City Clerk announced that no majority protest existed.

Councilmember Hampton commended and thanked Mr. Ross and the Pasadena Center Operating Company (PCOC) Board members for their leadership and their service as board members.

Following a brief discussion, it was moved by Councilmember Madison, seconded by Councilmember Hampton, to approve the Pasadena Center Operating Company recommendation. (Motion unanimously carried) (Absent: Councilmember Gordo)

CONTINUED PUBLIC HEARING: SUBMITTAL OF PUBLIC HOUSING AGENCY ANNUAL PLAN (2018) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Recommendation: It is recommended that the City of Pasadena as Successor Agency to the Pasadena Community Development Commission (the "City"), after a public hearing:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061(b)(3) as it will not have a potentially significant environmental effect and therefore falls under the "general rule" exemption; and

(2) Approve the City's Public Housing Agency Annual Plan (2018) and authorize the City Manager to execute any and all documents regarding its submittal to the U.S. Department of Housing and Urban Development.

The City Clerk opened the public hearing; and reported that the public hearing notice was published in the Pasadena Journal and the Pasadena Star News on February 15, 2018; no correspondence was received by the City Clerk's office regarding this item.

Bill Huang, Director of Housing and Career Services, provided introductory comments, and Anne Lansing, Project Planner, provided a PowerPoint presentation on the item, and respond to questions.

Councilmember Hampton and Vice Mayor Kennedy expressed concerns with the data related to demographics of the participants on the City's rental assistance program; and asked for a breakdown of the ethnicities of all participants.

Councilmember Hampton asked staff to provide a map of the City's housing vouchers issued throughout the City.

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember Hampton, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Gordo)

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

ORDINANCE – ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY TITLE 17, CHAPTER 17.20, SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE FOR THE PARCEL AT 620-624 SOUTH PASADENA AVENUE" (Introduced by Vice Mayor Kennedy) (Ordinance No. 7320)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Hampton, McAustin, Wilson, Vice Mayor Kennedy, Mayor Tornek

NOES: None

ABSENT: Councilmember Gordo

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO REVISE THE CITY'S ACCESSORY DWELLING UNIT REGULATIONS"
(Introduced by Councilmember Hampton) (Ordinance No. 7321)

Jill Shook, Greater Pasadena Affordable Housing Group, requested the staff make sure the affordability options are clear in the City's inclusionary policy; and a brochure be made available to the public with information on Accessory Dwelling Unit (ADU) regulations.

In response to public comment, City Manager Mermell stated that staff would make available information to provide to the public as part of the application and fees related to ADU's.

The above ordinance was adopted by the following vote:

AYES: Councilmembers Hampton, McAustin, Wilson, Vice Mayor Kennedy, Mayor Tornek
NOES: None
ABSENT: Councilmember Gordo

COUNCIL COMMENTS

Councilmembers McAustin, Hampton, and Vice Mayor Kennedy expressed concerns with the Pasadena Unified School District's (PUSD) decision to eliminate their General Education Transportation bus service in the 2018-19 school year, and inquired if the City can assist with transportation services through the City's Pasadena Transit bus system.

City Manager Mermell responded that he will be meeting with the PUSD Superintendent and will provide an update.

On order of the Mayor, the regular meeting recessed at 9:20 p.m. to discuss the following closed session:

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957 and **CITY COUNCIL CONFERENCE with Labor Negotiator** pursuant to Government Code Section 54957.6
Employee Title and Unrepresented Employee: City Clerk
City Representative: Terry Tornek

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

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:37 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk