

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY  
OF THE CITY OF SOUTH PASADENA  
CONVENED THIS 21<sup>ST</sup> DAY OF MARCH, 2012 7:26 P.M.  
AMEDEE O. "DICK" RICHARDS, JR., COUNCIL CHAMBERS  
1424 MISSION STREET**

**ROLL CALL, INVOCATION,  
PLEDGE OF ALLEGIANCE**

Mayor Cacciotti convened the open session of the regular meeting of the South Pasadena City Council/Redevelopment Successor Agency (Agency) at 7:26 p.m. City Clerk/Agency Secretary Kilby called the roll. City Councilmembers/Agency Members present: Joe, Khubesrian, and Schneider; Mayor Pro Tem/Agency Vice Chair Putnam; and Mayor/Agency Chair Cacciotti. Absent: none. Other officials present: Interim City Manager/Interim Agency Executive Director Gonzalez; City Attorney/Agency Counsel Adams; Police Chief Payne; Fire Chief Wallace; Finance Director Thai; City Librarian Fjeldsted; Public Works Director Toor; Planning and Building Department Director Watkins; Transportation Manager Woods; Assistant Finance Director Batt; and City Clerk Kilby.

Girl Scout Cadette Troop #1371 led the Pledge of Allegiance.

**CLOSED SESSION  
ANNOUNCEMENTS**

City Attorney Adams said that Mayor Cacciotti convened the regular meeting of the South Pasadena City Council/Redevelopment Successor Agency (Agency) at approximately 6:00 p.m. He said there were no members of the public present to give public comment. Mayor Cacciotti recessed the meeting into Closed Session to discuss three items, he said, and all members of the City Council were present. The City Council met on labor negotiations pursuant to Government Code Section 54957.6, he said, conference with labor negotiators regarding most the bargaining units in the City, with the City negotiators being Interim City Manager Sergio Gonzalez and Richard Kreisler. He said the City Council was given a presentation by the negotiators, and that discussion took place. The City Council gave direction to the negotiators, he said. The final two items were discussed together, he said. One was public employee appointment, he said, which is allowed into Closed Session pursuant to Government Code Section 54957(b)(1), City Man-

ager. At the same time, he reported that the City Council met on labor negotiations pursuant to Government Code Section 54957.6, with himself as City Negotiator, regarding an unrepresented employee: City Manager. He said the City Council discussed these items and provided direction to himself. The City Council took no final action on any Closed Session item, he said.

**PRESENTATION OF A PROCLAMATION TO THE GIRL SCOUTS OF THE USA CELEBRATING ITS 100<sup>TH</sup> ANNIVERSARY AND DECLARING MARCH 11-17, 2012 AS GIRL SCOUT WEEK IN THE CITY OF SOUTH PASADENA**

Mayor Cacciotti presented a proclamation to Girl Scout Cadette Troop #1371 on behalf of the Girl Scouts of the USA, celebrating its 100<sup>th</sup> Anniversary and declaring March 11-17, 2012, as Girl Scout Week in the City of South Pasadena.

**PRESENTATION OF A CERTIFICATE OF RECOGNITION TO THE SOUTH PASADENA TOURNAMENT OF ROSES COMMITTEE**

Mayor Cacciotti presented a Certificate of Recognition to Bill Cullinane, Chair, South Pasadena Tournament of Roses Committee, for the group's efforts in the float's receiving the 2012 Pasadena Tournament of Roses Fantasy Trophy. He made remarks.

**PRESENTATION OF A CERTIFICATE OF RECOGNITION TO THE SOUTH PASADENA HIGH SCHOOL RIO HONDO LEAGUE CHAMPIONS**

Mayor Cacciotti presented a Certificate of Recognition to the South Pasadena High School 2011-12 Rio Hondo League Champions in girls' soccer; girls' water polo; and boys' basketball. Captains and coaches accepted the certificate. Councilmember Joe made congratulatory remarks.

**MERCHANT MINUTE: SNAP FITNESS SOUTH PASADENA, ALAN CUTLER**

Mayor Cacciotti introduced Alan Cuter, Snap Fitness South Pasadena, 807A Meridian, who described his personal training and fitness studio.

**COUNCILMEMBERS' COMMENTS**

Councilmember Schneider said that he and Councilmember Joe held an informal meeting focusing on the Rialto Theatre. He requested that the City Council appoint them as a subcommittee to work on the Rialto. No objections were voiced, and this will be added to the next agenda.

Councilmember Khubesrian said that the issue of community gardens has been referred to the Parks and Recreation Commission. It will then be returned to the City Council for consideration, she said. She

asked whether this could be expedited. Interim City Manager Gonzalez responded that issues to be resolved are location, policies, maintenance, and costs. The best commission to vet this is Parks and Recreation, he said, and as soon as that is done, it will be returned to the City Council.

Mayor Cacciotti announced that the April 4, 2012, Council meeting has been cancelled. He announced an upcoming Budget Session scheduled for March 29, 2012.

Councilmember Schneider raised the issue of establishing a "Fire Safe Council" among residents of natural areas in the City. He said the Natural Resources and Environmental Commission considered this but had no volunteers to establish it. He requested that this be referred to the Public Safety Commission. This was seconded by Councilmember Khubesrian to be added to a future agenda.

Mayor Pro Tem Putnam announced that April 2, 2012, is Autism Awareness Day, and that April is Autism Awareness Month. For the second year in a row, he said, the City Hall Courtyard patio will be lit up in blue to raise awareness of autism.

Mayor Cacciotti requested that some of his discretionary funds be allocated to the Clean-Air Car Show and the Greenest Fastest Mile, seconded by Councilmember Schneider. This request will be added to a future agenda.

In regard to upcoming reservoir construction, Mayor Cacciotti requested that photographs be taken of the "before" condition of the adjacent streets. This will enable staff to determine whether construction efforts contribute to the condition of the streets.

Mayor Cacciotti requested that the Public Safety Commission be expanded from five members to seven members. This was seconded by Councilmember Schneider and will be added to a future agenda.

Mayor Cacciotti referred to a recently installed large framed replica of a section from the Brown Act, which he read and commented on.

**CITY MANAGER  
COMMUNICATIONS**

Interim City Manager Gonzalez introduced Fire Chief Wallace and Police Chief Payne, who reported on emergency response times. They responded to questions.

**REORDERING OF AND  
ADDITIONS TO THE  
AGENDA**

Interim City Manager Gonzalez requested that an emergency item be added to tonight's agenda. He said that this item relates to an award of contract. It is time sensitive, he said, because the City must meet a tight deadline for a stimulus funds grant to replace some outdoor lights. He said the staff report was provided to the City Council prior to the meeting. The bids closed yesterday, he said, and if the City waits until the next regularly scheduled meeting on April 18, 2012, to award the contract, the City may not meet the June 14, 2012, deadline to complete the project. City Attorney Adams announced the conditions for adding an item to the agenda on an emergency basis: the matter must have arisen after the posting of the agenda, and that it needs immediate action. It requires a two-thirds vote to be added, he said. Interim City Manager Gonzalez provided the facts that demonstrate that the conditions have been met, he said.

By roll call vote (5 ayes), the City Council approved adding the item to consider awarding a contract to Republic Intelligent Transportation Services, Inc., for a pedestrian head and streetlight retrofit project.

(Khubesrian, Putnam)

Mayor Pro Tem Putnam suggested that since this is a routine item, that it be added as #19.5 to the Consent Calendar. Without objection, Mayor Cacciotti said this was so ordered.

**MAYOR'S APPOINTMENTS  
Natural Resources and  
Environmental Commission  
Thomas Kutzer**

By roll call vote (5 ayes), the City Council approved the Mayor's appointment of Thomas Kutzer, South Pasadena High School, to the Natural Resources and Environmental Commission as a non-voting youth member.

(Putnam, Joe)

**Ad Hoc Monterey Road  
Citizens Design Advisory**

By roll call vote (5 ayes), the City Council approved the Mayor's appointment of the following to the Ad

**Committee: 11 appointees**

Hoc Monterey Road Citizens Design Advisory Committee: Daniel Evans (Freeway and Transportation Commission), David Margrave (Freeway and Transportation Commission), Sofronio Jack Abrera, Tom Afschar, Andy Au, Judy Bergstresser, Glen Eddy, William Glauz, Walter Okitsu, Jim Tavares, and Patricia E. Wright.

(Putnam, Joe)

**ITEMS REMOVED FROM CONSENT CALENDAR**

Mayor Pro Tem Putnam requested that Item #18, Ordinance establishing water rates, be removed from the Consent Calendar for separate consideration.

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MARCH 7, 2012**

By roll call vote (5 ayes), the City Council approved the minutes of the regular meeting of March 7, 2012.

(Putnam, Khubesrian)

**APPROVAL OF PREPAID WARRANTS IN THE AMOUNT OF \$747,760.26 GENERAL CITY WARRANTS IN THE AMOUNT OF \$726,499.52 AND PAYROLL IN THE AMOUNT OF \$420,451.53**

By roll call vote (5 ayes), the City Council approved Prepaid Warrants #172172-172232; General City Warrants #172233-172395, and payroll 03-16-12, for a total of \$1,894,711.31. The City Council approved Redevelopment Successor Agency warrants for \$5,726.12.

(Putnam, Khubesrian)

**MONTHLY INVESTMENT REPORTS FOR JANUARY 2012**

By roll call vote (5 ayes), the City Council approved to receive and file the monthly investment reports for January 2012.

(Putnam, Khubesrian)

**MAYOR'S APPOINTMENTS TO THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE SOUTH PASADENA COMMUNITY REDEVELOPMENT AGENCY**

By roll call vote (5 ayes), the City Council approved the Mayor's appointments to the Oversight Board of the Successor Agency to the South Pasadena Community Redevelopment Agency: Gary E. Pia, City Treasurer, as the at-large member; and John Mayer, Senior Planner, City of South Pasadena, as the employee representative.

(Putnam, Khubesrian)

**AWARD OF CONTRACT TO ARTIC MECHANICAL, INC. IN THE AMOUNT OF**

By roll call vote (5 ayes), the City Council accepted a revised bid dated March 14, 2012, from Artic Mechanical, Inc., for the construction of the City Hall

**\$79,795 FOR THE CITY  
HALL AIR CONDITIONING  
IMPROVEMENT PROJECT**

Air Conditioning Improvement Project; waived the contractor's unit price error and accepted the contractor's request to delete bid item 3A (Insulation); authorized a budget transfer in the amount of \$10,201 from surplus funds left over from the Hermosa Street Improvement Project account 101-9000-9357 to account 101-9000-9238 to fully fund this project; and authorized the Interim City Manager to enter into a contract with Artic Mechanical, Inc., for a not-to-exceed amount of \$79,795.

(Putnam, Khubesrian)

**AWARD OF CONTRACT TO  
RAFAEL 26 CONSTRUCTION INC. IN THE  
AMOUNT OF \$68,390 FOR  
CONSTRUCTION OF THE  
LIBRARY COMMUNITY  
ROOM WHEELCHAIR  
RAMP PROJECT (CDBG)**

By roll call vote (5 ayes), the City Council rejected a bid dated March 6, 2012 from Omar Taha Construction deemed as non-responsive; accepted a bid dated March 6, 2012, from Rafael 26 Construction Inc., for the construction of the Library Community Room Wheelchair Ramp Project (CDBG); rejected all other bids received; and authorized the Interim City Manager to enter into a contract with Rafael 26 Construction Inc., for a not-to-exceed amount of \$68,390.

(Putnam, Khubesrian)

**SECOND READING AND  
ADOPTION OF  
ORDINANCE NO. 2231  
ESTABLISHING SEWER  
RATES**

By roll call vote (5 ayes), the City Council read by title only for second reading, waiving further reading, and adopted Ordinance No. 2231, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, ESTABLISHING SEWER RATES PURSUANT TO SECTION 30.11 OF CHAPTER 30 OF THE SOUTH PASADENA MUNICIPAL CODE.

(Putnam, Khubesrian)

**APPROVAL TO CANCEL  
THE REGULARLY  
SCHEDULED CITY COUNCIL MEETING OF JULY 18,  
2012 AND SCHEDULE A  
SPECIAL CITY COUNCIL  
MEETING FOR JULY 11,  
2012, IN ITS PLACE; AND  
APPROVAL TO CANCEL  
THE REGULARLY  
SCHEDULED CITY**

By roll call vote (5 ayes), the City Council approved cancelling the regularly scheduled City Council meeting of July 18, 2012, and scheduling a Special City Council meeting for July 11, 2012, in its place; and approved cancelling the regularly scheduled City Council meeting of August 1, 2012.

(Putnam, Khubesrian)

**COUNCIL MEETING OF  
AUGUST 1, 2012**

**AWARD OF CONTRACT TO  
REPUBLIC INTELLIGENT  
TRANSPORTATION  
SERVICES, INC. IN THE  
AMOUNT OF \$52,300 FOR  
THE PEDESTRIAN HEAD  
AND STREETLIGHT  
RETROFIT PROJECT**

By roll call vote (5 ayes), the City Council accepted a bid dated March 20, 2012, from Republic Intelligent Transportation Services, Inc., for the Pedestrian Head and Streetlight Retrofit Project; rejected all other bids received; and authorized the Interim City Manager to enter into a contract with Republic Intelligent Transportation Services, Inc., for a not-to-exceed amount of \$52,300.

(Putnam, Khubesrian)

Following the Consent Calendar, Interim City Manager Gonzalez introduced Public Works Director Toor, who demonstrated the light-emitting diode (LED) lights that will conserve energy and save money. He said 42 lights will be replaced. He responded to questions.

**SECOND READING AND  
ADOPTION OF  
ORDINANCE NO. 2232  
ESTABLISHING WATER  
RATES**

Mayor Pro Tem Putnam said he objected to the rate increase and pulled the item from the Consent Calendar in order to keep his vote consistent with previous votes.

By roll call vote (4 ayes; 1 no, Mayor Pro Tem Putnam), the City Council read by title only for second reading, waiving further reading, and adopted Ordinance No. 2232, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, ESTABLISHING WATER RATES PURSUANT TO SECTION 35.3, 35.4, 35.5 AND 35.26 OF CHAPTER 35 OF THE SOUTH PASADENA MUNICIPAL CODE.

(Khubesrian, Joe)

**PUBLIC COMMENTS**  
2145 Hanscom Drive

Roberta Nansen, 2145 Hanscom Drive, said in November 2008, City employee William Reed made an illegal search of her property. She described events following this incident. On October 9, 2009, she said William Reed and Marlon Ramirez searched the property without consent. She said she has met with previous City Managers Myers and Davidson. She said no building code violations had been discovered at the property. She described additional City actions

that she found objectionable.

Mark Nansen, no address stated, continuing comments made by the Roberta Nansen, said staff should have been charged with criminal trespass. He said City staff conducted illegal searches when there were no building or zoning violations on his property. He said the case against them is made up to cover up illegal searches, and that this is a case of malicious prosecution.

Mayor Cacciotti requested that a report on the case be provided. City Attorney Adams said the case is being handled by the City Prosecutor, and he agreed to prepare an update for the City Council.

**City of Stockton financial report**

Ed Simpson, 2038 Milan Avenue, spoke about a television news report on the City of Stockton. He presented a DVD of the report to the City Council. He said that city is close to bankruptcy from overspending on pensions and health care, and from a failed downtown redevelopment project. He urged the City Council to view this prior to the budget workshop on March 29, 2012. He encouraged the public to attend. Difficult decisions cannot be postponed, he said.

**Chamber of Commerce**

Scott Feldmann, CEO, South Pasadena Chamber of Commerce, 1121 Mission Street, announced an upcoming Health and Wellness Family Festival to be held at the Farmers' Market on April 19, 2012.

**Nansen legal issues**

Christopher Sutton, 586 La Loma Road, Pasadena, who said he is a civil attorney representing the Nansens [above speakers], said a lawsuit is being filed for declaratory relief regarding the way in which the staff and the City Attorney's Office erroneously, falsely, and dishonestly applies their laws. He said when the City went in for a civil inspection warrant, he said staff and Attorneys lied to the court to obtain the warrant and said that "the lawyers were notified." He said "we were not." The City said "the Nansens had refused," when they were not asked. They received a "no knock no notice inspection warrant," he said, and the City is now using that evidence "to prosecute them for gardening." Basically, the Nansens are being extorted, he said. He described

recent cases pertinent to the situation.

Mayor Cacciotti requested adding this to the next Closed Session agenda. Without opposition, Mayor Cacciotti said this was so ordered.

**PUBLIC HEARING  
CONSIDERATION TO  
QUITCLAIM 689 SQUARE  
FEET OF CITY-OWNED  
LAND ADJACENT TO 805  
STRATFORD AVE. IN  
EXCHANGE FOR 380  
SQUARE FEET OF LAND  
TO BE QUITCLAIMED TO  
THE CITY BY 805  
STRATFORD AVE., AND TO  
AMEND THE GENERAL  
PLAN LAND USE POLICY  
MAP AND THE ZONING  
MAP ACCORDINGLY**

**RESOLUTION NO. 7217**

Public Works Director Toor presented the staff report on consideration to quitclaim 689 square feet of City-owned land adjacent to 805 Stratford Avenue in exchange for 380 square feet of land to be quitclaimed to the City by 805 Stratford Avenue, and to amend the General Plan Land Use Policy Map and the Zoning Map accordingly. He said staff is recommending approval. He responded to questions.

Mayor Cacciotti opened the public hearing; no one came forward and he closed the public hearing.

By roll call vote (5 ayes), the City Council approved a request from the homeowner at 805 Stratford Avenue to acquire a piece of City-owned land 689 square feet in size adjacent to the resident's property, in exchange for a piece of land 380 square feet in size currently part of the resident's property; adopted Resolution No. 7217, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING THE GENERAL PLAN LAND USE POLICY MAP OF SOUTH PASADENA FROM LOW DENSITY RESIDENTIAL TO OPEN SPACE AND OPEN SPACE TO LOW DENSITY RESIDENTIAL FOR A PORTION OF THE PROPERTIES LOCATED AT 805 STRATFORD AVENUE AND GARFIELD PARK; and read by title only for first reading, waiving further reading, and introduced AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING THE ZONING MAP OF SOUTH PASADENA FROM RESIDENTIAL SINGLE FAMILY (RS) TO OPEN SPACE (OS) AND VICE VERSA FOR PROPERTY LOCATED AT 805 STRATFORD AVENUE AND GARFIELD PARK.

(Putnam, Joe)

**PUBLIC WORKS COMMIS-**

Interim City Manager Gonzalez presented the back-

**SION (NO STAFF REPORT)**

ground on the proposal to establish a Public Works Commission. Councilmember Khubesrian had circulated a memo to the City Council today outlining the proposed mission, goals, objectives, work flow, composition, appointment process, and meeting schedule. She reviewed this with the City Councilmembers.

Gretchen Robinette, no address stated, who said she is representing Women Involved in South Pasadena Political Action (WISPPA), spoke in favor of establishing a Public Works Commission.

Mayor Pro Tem Putnam supported such a commission; he suggested that projects reviewed by the commission be estimated at not less than \$250,000. Councilmember Khubesrian asked about safety issues and communication stipulated in the bid specifications. Public Works Director Toor and Interim City Manager Gonzalez responded. Mayor Pro Tem Putnam suggested caution in that public construction projects operate according to the Public Contracts Code. Councilmember Khubesrian suggested that there is a systemic "squeaky wheel gets the grease" phenomenon due to not having policies/guidelines. Discussion continued. Mayor Pro Tem Putnam said the Council needs to ensure that a layer of cost and burden isn't added. Interim City Manager Gonzalez and City Attorney Adams responded to questions.

By roll call vote (5 ayes), the City Council directed the City Manager and staff to develop a proposal to develop a proposed Public Works Commission, to include research of other cities with similar commissions, and to consider the South Pasadena Public Works Commission proposal as drafted by Councilmember Khubesrian, to be presented back to the City Council.

(Joe, Cacciotti)

**CONSIDERATION TO  
IMPLEMENT A WATER  
BUDGET RATE MODEL  
FOR WATER SERVICES  
EFFECTIVE JANUARY 2013**

Finance Director Thai presented the staff report on consideration to implement a water budget rate model for water services effective January 2013, accompanied by PowerPoint slides. He introduced Tom Ash, Tom Ash & Associates, who made a presentation about the advantages of implementing the

model. He, Finance Director Thai, and Interim City Manager Gonzalez responded to questions. Mayor Cacciotti requested that the water conservation coordinator be brought on now to assist with implementing the model. Mr. Ash said that he could train the coordinator in the details of the program so that when the model was implemented, the City could “hit the ground running.”

By roll call vote (5 ayes), the City Council appropriated \$55,000 from Water Fund reserves toward the implementation of a water budget rate model; and directed staff to work toward implementing a water budget rate model effective January 2013. It was understood that the City Council would make a final decision on the water budget rate model at a future time.

(Putnam, Khubesrian)

**DIRECTION REGARDING  
AN AGREEMENT WITH  
GLOBAL WATER TO  
PROVIDE UTILITY  
BILLING SERVICES**

Finance Director Thai presented the staff report on entering into an agreement with Global Water to provide utility billing services, accompanied by PowerPoint slides. He introduced Jason Bethke, Vice President, Global Water, who made a presentation about outsourcing utility billing services, accompanied by PowerPoint slides. He, Interim City Manager Gonzalez, and City Attorney Adams responded to questions.

Werner Hintzen, 1816 Via Del Rey, said that it costs too much to install automatic meter readers—\$3 million. He said the meter reading system should be reviewed. He asked for clarification as to how many employees are employed by the Finance Department.

Interim City Manager Gonzalez clarified that some employees are funded by the General Fund; some are funded by the Water Fund. Finance Director Thai responded that the company’s automatic meter reader feature is not being acquired.

Discussion continued, with staff responding to questions and adding to the discussion. Some deliberation took place about the reasonable term of the contract.

By roll call vote (5 ayes), the City Council approved the Interim City Manager negotiating an agreement with Global Water to provide utility billing services for the City of South Pasadena; and authorized the Interim City Manager to negotiate a final contract with Global Water, with the terms, services and fees as set forth in the agenda report and attachments, and report back to the City Council regarding the terms of the contract and what efforts have been made to ensure that the anticipated cost savings will in fact occur, subject to approval by the City Council, and approved as to form by the City Attorney.

(Putnam, Khubesrian)

**AN EVALUATION OF THE CITY'S RESPONSE TO AND RECOVERY FROM A LOCAL EMERGENCY CREATED BY A SEVERE WINDSTORM BEGINNING NOVEMBER 30, 2011**

Due to the late hour, this item on the City's response to and recovery from a local emergency created by a severe windstorm beginning November 30, 2011, was not heard. However, Mayor Cacciotti invited public comment.

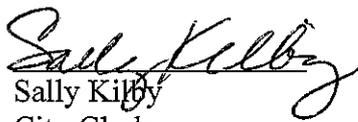
Alan Ehrlich, no address stated, recommended that the City Council reject the report as it is currently presented. He said it is woefully incomplete and inadequate in its evaluation and recommendations. He said the City could have done better in notifying the School District, in notifying people of blocked streets, and in removing tree debris. He disagreed with the decision to hold the scheduled Tiger Run. He submitted a copy of his remarks and a newspaper report.

Without opposition, the City Council agreed to consider this item at a future meeting.

**ADJOURNMENT**

By voice vote (5 ayes), the City Council meeting adjourned at 11:07 p.m.

(Schneider, Putnam)

  
Sally Kilby  
City Clerk

  
Michael A. Cacciotti  
Mayor