

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL AND COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF SOUTH PASADENA
CONVENED THIS 16TH DAY OF NOVEMBER, 2011 7:40 P.M.
AMEDEE O. "DICK" RICHARDS, JR., COUNCIL CHAMBERS
1424 MISSION STREET**

ROLL CALL

Mayor Ten convened the open session of the regular meeting of the City Council and the Community Redevelopment Agency (CRA) at 7:40 p.m. City Clerk Kilby called the roll. City Councilmembers/CRA Members present: Putnam, Schneider, and Sifuentes; Mayor Pro Tem/CRA Vice Chair Cacciotti; and Mayor/CRA Chair Ten. Members absent: None. Other officials present: Interim City Manager/CRA Executive Director Gonzalez; City Attorney/CRA Counsel Adams; Police Chief Payne; Fire Chief Wallace; Finance Director Thai; City Librarian Fjeldsted; Community Services Director Pautsch; Public Works Director Toor; Deputy Public Works Director Furukawa; Planning and Building Department Director Watkins; Transportation Manager Woods; Assistant Finance Director Batt; Community Services Supervisor Braun; Human Resources Manager Cody; and City Clerk/CRA Secretary Kilby.

INVOCATION/PLEDGE OF ALLEGIANCE

Councilmember Schneider offered the invocation and led the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Adams reported that at approximately 6:45 p.m., Mayor Ten called to order the regular meeting of the South Pasadena City Council and the Community Redevelopment Agency. He said there was no one from the public wishing to comment on the item on the Closed Session agenda, so the Mayor recessed the meeting into Closed Session to discuss one item, labor negotiations. He said all members of the City Council participated in Closed Session. He said labor negotiations are allowed to be discussed in Closed Session pursuant to Government Code Section 54957.6. They met regarding labor negotiations with the Police Officers' Association and unrepresented employees: management employees, he said, with labor negotiators Interim City Manager Sergio Gonzalez and Richard Kreisler. Both negotiators updated the City Council with regard to current negotiations, he said. The City Council gave direction

to its City negotiators, he said, but took no final action. Therefore, he said, there is nothing further to report.

**PRESENTATION OF THE
2010-11 ANNUAL REPORT
OF THE YOUTH
COMMISSION**

Karinna Loo, Chair, Youth Commission, presented the annual report of the Youth Commission, accompanied by PowerPoint slides. Mayor Ten acknowledged the efforts of the Youth Commission.

**ANNOUNCEMENTS OF
EVENTS**

Mayor Ten announced that third graders from Arroyo Vista Elementary School are in the audience. The students are studying government, he said, and teachers Susan Huls and Barbara Richert bring the classes every year.

Mayor Ten announced that there are openings on numerous City commissions and boards. He referred residents to the City web site for further information.

Interim City Manager Gonzalez introduced Police Chief Payne, who reported on the results of a tobacco sales decoy project. He said that none of the 12 retailers in the City sold tobacco to minors.

Mayor Ten announced that the Raymond Hotel is celebrating its 125th anniversary, and the Raymond Restaurant's Bar 1886 is celebrating its one-year anniversary, November 18, 2011, with a special event.

Councilmember Sifuentes congratulated the newly elected City Council: Richard Schneider, Marina Khubesrian, and Bob Joe. He thanked all other candidates for running.

Interim City Manager Gonzalez announced that staff and the City Attorney recommend pulling two items from the agenda: Consent Calendar Item #8, CalPERS resolution, which needs more work, he said; and Item #10, public hearing. He said this will be brought back to the City Council at a later date. No objections were voiced.

**ITEMS REMOVED FROM
THE CONSENT CALENDAR**

Mayor Pro Tem Cacciotti requested that Item #7, Energy Efficiency and Conservation Block Grant, be pulled from the Consent Calendar for separate consideration.

**APPROVAL OF THE
MINUTES OF THE
REGULAR MEETINGS OF
OCTOBER 19, 2011 AND
NOVEMBER 2, 2011**

By roll call vote (5 ayes), the City Council and the City Council seated as the Community Redevelopment Agency (CRA) approved the minutes of the regular meetings of October 19, 2011, and November 2, 2011.

(Putnam, Sifuentes)

**APPROVAL OF PREPAID
WARRANTS IN THE
AMOUNT OF \$501,645.83
GENERAL CITY
WARRANTS IN THE
AMOUNT OF \$217,941.06
AND PAYROLL IN THE
AMOUNT OF \$441,270.99**

By roll call vote (5 ayes), the City Council approved Prepaid Warrants #170368-170411; General City Warrants #170412-170579; and payroll 11-10-11, a total of \$1,160,857.88. Seated as the Community Redevelopment Agency (CRA), they approved the CRA Warrants totaling \$5,372.25, which are included in the above total.

(Putnam, Sifuentes)

**INTRODUCTION AND
FIRST READING OF AN
ORDINANCE TO AMEND
THE MUNICIPAL CODE
ADDING A CIVIL REMEDY
FOR THE ILLEGAL
PLACEMENT OF SIGNS IN
THE CITY RIGHT-OF-WAY,
AUTHORIZING THE CITY
TO RECOVER COST AND
HOLD PERSONS AND
ENTITIES WHO BENEFIT
FINANCIALLY, LIABLE
FOR SUCH VIOLATIONS**

By roll call vote (5 ayes), the City Council 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 SECTION 31.2-7 TO ARTICLE I, CHAPTER 31 OF THE SOUTH PASADENA MUNICIPAL CODE REGULATING SIGNS IN THE PUBLIC RIGHT-OF-WAY, adding a civil remedy for the illegal placement of signs in the City right-of-way, authorizing the City to recover cost and hold persons and entities who benefit financially liable for such violations.

(Putnam, Sifuentes)

**MONTHLY INVESTMENT
REPORTS FOR
SEPTEMBER 2011**

By roll call vote (5 ayes), the City Council and the City Council seated as the Community Redevelopment Agency (CRA) approved to receive and file the monthly investment reports for September 2011.

(Putnam, Sifuentes)

**APPROVAL OF A CALPERS
RESOLUTION TO TAX
DEFER MEMBER PAID
CONTRIBUTION – IRC
414(H)(2)**

The City Council approved removing this from the agenda as requested earlier by Interim City Manager Gonzalez.

**APPROVAL OF
RESOLUTION NO. 7188
TO SUBMIT AN
APPLICATION FOR
PROJECTS FOR THE
ENERGY EFFICIENCY AND
CONSERVATION BLOCK
GRANT**

Interim City Manager Gonzalez responded to questions about the project posed by Mayor Pro Tem Cacciotti.

By roll call vote (5 ayes), the City Council approved Resolution No. 7188, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AUTHORIZING THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT.

(Cacciotti, Putnam)

**PUBLIC COMMENT
Park Avenue: construction
and traffic**

William Page, 624 ½ Park Avenue, who said he lives between Hope and Grevelia on Park Avenue, said he is frustrated with public safety on the block. A street improvement project and traffic have created significant public safety issues, he said, including sediment, debris, dust, and speeding vehicles. He requested that these issues be mitigated.

Mayor Ten said staff will meet with him to address the issues. Mayor Pro Tem Cacciotti requested that a report on this be submitted at the next City Council meeting from Public Works and the Police Department. Mayor Ten agreed.

Rialto Theatre

Escott O. Norton, no address stated, said he established Friends of the Rialto in the 1980s. He described his restoration efforts and the 60th anniversary gala event he hosted in 1985. He said he has revived the organization and that he is applying for non-profit status. Its mission, he said, is to advocate for the preservation, restoration, and eventual reopening of the theatre. He is meeting with all involved parties, he said. He left business cards with the City Council.

**Zone change in Ostrich Farm
area**

David Margrave, 928 Buena Vista Avenue, requested that the City Council initiate a resolution of intention for a Zoning Map Amendment within the Ostrich Farm area. He said he is representing three property owners of 119, 145, 167, 205, and 211 Pasadena Avenue in requesting a zone change from light manufacturing/business park to mixed use.

Mayor Pro Tem Cacciotti requested that the issue of a

zone change for the Ostrich Farm area be added to a future agenda, seconded by Mayor Ten.

**PUBLIC HEARING
INTRODUCTION AND
FIRST READING OF AN
ORDINANCE TO REMOVE
THE TRUCK ROUTE
DESIGNATION FROM FRE-
MONT AVENUE BETWEEN
HUNTINGTON DRIVE AND
ALHAMBRA ROAD**

The City Council approved removing this from the agenda as requested earlier by Interim City Manager Gonzalez.

**REVIEW AND PROVIDE
DIRECTION ON THE
PROPOSED FY 2011/12
USER FEE UPDATES AND
SET A PUBLIC HEARING
DATE FOR DECEMBER 7,
2011 TO CONSIDER USER
FEE ADJUSTMENTS**

Finance Director Thai presented the proposed FY 2011/12 user fee changes. He said the City Council has been asked to review them, to provide direction on the proposed fees, and to set a public hearing date for December 7, 2011, to consider user fee adjustments. He made a correction to the fee for rental of the Orange Grove Recreation Center to Boy/Girl Scout troops from \$2/person/hour to \$2/per troop/hour. He, Community Services Director Pautsch, Deputy Public Works Director Furukawa, and Transportation Manager Woods responded to questions about various fees.

Councilmember Schneider asked whether the proposed fees for tree removal and tree trimming were reviewed by the Natural Resources and Environmental Commission (NREC). Finance Director Thai responded that it hadn't since this fee achieves the targeted 100% cost recovery and commissions do not generally set fees. Assistant Public Works Director Furukawa and City Attorney Adams responded to questions. Mayor Ten and Councilmember Schneider expressed the opinion that high fees will cause residents to avoid obtaining permits. Councilmember Schneider, Mayor Pro Tem Cacciotti, and Councilmember Putnam supported referring the fees to the NREC for evaluation.

Diana Mahmud, no address stated, Member, Natural Resources and Environmental Commission (NREC), expressed concern about the proposed increase in fees for tree removal and tree trimming. She said a related ordinance is being considered by NREC.

By roll call vote (5 ayes), the City Council approved of the proposed user fee changes except two and set a public hearing for December 7, 2011, to discuss the item, hear public testimony, and to adopt user fee changes for the FY 2011/12 fiscal year. The two exceptions were fees for tree removal/replacement and tree trimming. The City Council directed that these fees be reviewed by the Natural Resources and Environmental Commission (NREC) and be kept at their current rates until the City Council decides otherwise upon hearing a recommendation from the NREC.

(Putnam, Cacciotti)

**APPROVAL OF A CONSENT
JUDGMENT SETTling
THE COMPLAINT TO BE
FILED BY THE REGIONAL
WATER QUALITY
CONTROL BOARD, LOS
ANGELES REGION,
ALLEGING THAT THE
CITY FAILED TO COMPLY
WITH THE GENERAL
WASTE DISCHARGE
REQUIREMENTS FOR
SANITARY SEWER
SYSTEMS**

City Attorney Adams and Finance Director Thai presented the staff report on the Consent Judgment settling the complaint to be filed by the Regional Water Quality Control Board alleging that the City failed to comply with the General Waste Discharge Requirements for Sanitary Sewer Systems, accompanied by PowerPoint slides. The presenters and Deputy Public Works Director Furukawa responded to questions.

Diana Mahmud, 1602 Camden Parkway, expressed concern about the sewer spills, asked questions about the proposed settlement agreement, and opposed using DMR Team without competitive bidding. She urged the City Council to establish a Public Works Commission to provide oversight of the corrective action.

Carrie Adrian, 602 Garfield Avenue, Chair, Finance Committee, expressed concern about the sewer spills. She said that this situation points out the importance of having the Utility User's Tax in order to obtain long-term funding for infrastructure repairs. She said that reserve funds are set aside for emergencies like this, not for ordinary expenses.

Deputy Public Works Director Furukawa and City Attorney Adams responded to additional questions, and discussion followed.

Councilmember Schneider supported appointing a commission to oversee the project, seconded by

Mayor Pro Tem Cacciotti. They requested that this be placed on a future agenda for consideration. Discussion continued on establishing an overall Public Works Commission. Councilmember Putnam opposed assigning the sewer program project to the Natural Resources and Environmental Commission (NREC). City Attorney Adams suggested that the City Council could consider the following options: establish a Public Works Commission, with its first project to be the sewer Consent Judgment program; expand the scope of the NREC to address the sewer program oversight; or set up an oversight commission specifically for the sewer program. These options will be considered when the item comes before the City Council at the next City Council meeting.

By roll call vote (5 ayes), the City Council approved the "Proposed Consent Judgment Pursuant to Stipulation of the Parties and Proposed Order," in substantially the same form as submitted, regarding the complaint to be filed by the Regional Water Quality Control Board, Los Angeles Region, alleging that the City failed to comply with the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems; and the City Council authorized the City Manager to execute the same on behalf of the City.

(Schneider, Putnam)

**REQUEST BY MAYOR TEN
TO USE DISCRETIONARY
FUNDS TOWARDS
LANDSCAPING
IMPROVEMENTS
LOCATED WITHIN THE
VIA DEL REY PEDESTRIAN
PATH AT THE END OF VIA
DEL REY AND REQUEST
FOR DIRECTION
REGARDING NECESSARY
ADDITIONAL FUNDING**

Finance Director Thai presented the staff report on the request by Mayor Ten to use his discretionary funds on landscaping improvements located within the Via Del Rey pedestrian path at the end of Via Del Rey, and the need for additional funding to complete the project. He said the cost of the proposed project is estimated to be between \$6,900 and \$10,000. There is \$6,900 available in Mayor Ten's discretionary account, he said. Mayor Ten provided an overview of the project, which he said began a number of years ago. Deputy Public Works Director Furukawa responded to questions and said that if river rock were used, the cost would be \$6,800.

By roll call vote (5 ayes), the City Council approved the requested allocation from Mayor Ten's discretionary account to make landscaping improvements to the Via Del Rey pedestrian path at the end of Via Del

Rey, assuming that river rock will be utilized, for a total cost of \$6,800, which is within Mayor Ten's available discretionary funds of \$6,900.

(Sifuentes, Schneider)

**PRESENTATION BY
MAYOR TEN OF A "2030
PLAN" AND DISCUSSION
REGARDING POTENTIAL
DEVELOPMENT OF THE
SOUTH PASADENA UNI-
FIED SCHOOL DISTRICT
ADMINISTRATION
PROPERTY**

Mayor Ten presented his "2030 Plan," accompanied by PowerPoint slides. He noted that he has presented this to a number of organizations and entities within the City. He updated the City Council on the proposals made to the South Pasadena Unified School District on developing the School District parking lot on Mission Street. He covered numerous issues of interest to the City and residents.

Mayor Pro Tem Cacciotti requested that a review of joint use agreements, e.g., agreements for use of the swimming pool and gym, be placed on a future agenda for early 2012, seconded by Councilmember Putnam.

PUBLIC COMMENTS

There were no additional comments by members of the public.

**COUNCILMEMBERS'
COMMENTS**

Councilmember Schneider referred to his recent request that the City Council consider undertaking an investigation of the Fair Oaks construction project—to determine why there were so many complaints and delays. He requested that the first step be to ask the project's concept designer, Ian Lockwood, of Glatting Jackson, to review the Fair Oaks plans as implemented and executed to determine if the plans differed from Mr. Lockwood's designs. Councilmember Schneider requested that all Fair Oaks construction plans be submitted to Mr. Lockwood, and that the City Council allocate funds to accomplish this. He requested that this request be added to a future agenda for consideration, seconded by Mayor Pro Tem Cacciotti.

Councilmember Schneider requested that the City's anti-710 resolution be added to a future agenda after the new Council is seated in December or January. He requested that this be brought up again to have the new Councilmembers weigh in on the City's position on the proposed 710 freeway.

Councilmember Schneider requested that the City Council consider inviting artists to display art work in the Council Chambers, either temporarily on exhibit or permanently. This was seconded by Councilmember Putnam and Mayor Pro Tem Cacciotti.

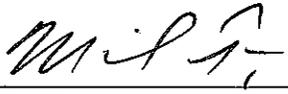
**CITY MANAGER
COMMUNICATIONS**

There were no additional City Manager communications.

ADJOURNMENT

By consensus, the City Council adjourned the meeting at 9:42 p.m.


Sally Kilby
City Clerk
CRA Secretary



Mike Ten
Mayor
Chair, CRA