

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL AND COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF SOUTH PASADENA
CONVENED THIS 20TH DAY OF APRIL, 2011 7:50 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 7:50 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: City Manager/CRA Executive Director Davidson; City Attorney/CRA Counsel Adams; Assistant City Manager Gonzalez; Police Chief Payne; Fire Chief Wallace; Finance Director Thai; City Librarian Fjeldsted; Community Services Director Pautsch; Public Works Director Sweeney; Planning and Building Director Watkins; Transportation Manager Woods; DMR Team Water Project Manager Wolitarsky; DMR Team Fair Oaks Project Manager Talebian; Assistant Finance Director Batt; Senior Planner Mayer; Associate Planner Garnett; Community Improvement Coordinator Ramirez; and City Clerk/CRA Secretary Kilby.

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Ten offered the invocation and led the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Adams reported that Mayor Ten called to order the regular meeting of the South Pasadena City Council and the Community Redevelopment Agency at approximately 6:30 p.m. He said there were six individuals who came as members of the public to speak during the public comment section. Mayor Ten then recessed the meeting into Closed Session, he said, and ultimately all members of the Council were present. He said the City Council met on labor negotiations pursuant to Government Code Section 54957.6, conference with labor negotiators regarding all bargaining units of the City. He said the City negotiators were Richard Kreisler, City Manager John Davidson, and Assistant City Manager Sergio Gonzalez. The negotiators provided an update to the City Council

regarding negotiations, he said, and the City Council gave direction. However, he said, they made no final decision and there is nothing further to report.

City Attorney Adams said the City Council met on real property negotiations pursuant to Government Code Section 54956.8, property: Arroyo Seco Racquet Club, City negotiator: Assistant City Manager Sergio Gonzalez, negotiation party: iTennis, under negotiation: term of a lease. The negotiator provided a report to the City Council, he said, and the Council gave direction to the negotiator. However, he said, they took no final action.

City Attorney Adams said the next item, real property negotiations, is allowed into Closed Session pursuant to Government Code Section 54956.8, South Pasadena Golf Course, City negotiator: Assistant City Manager Sergio Gonzalez, negotiation party: Donovan Bros. Inc., under negotiation: terms of lease. He said that the City Council was unable to get to this item, and that it intends to recess at 10:00 p.m. to go back into Closed Session to discuss this item.

**PRESENTATION OF A
PROCLAMATION
DECLARING THE WEEK
OF MAY 1-7, 2011, AS "BE
KIND TO ANIMALS
WEEK" IN THE CITY OF
SOUTH PASADENA**

Mayor Ten presented a proclamation declaring the week of May 1-7, 2011, as "Be Kind to Animals Week" in the City of South Pasadena to Kay Findley, Member, Animal Commission. She announced the upcoming awards ceremony for the children's art contest.

**PRESENTATION OF A
PROCLAMATION
DECLARING APRIL AS
"SEXUAL ASSAULT
AWARENESS MONTH"
AND APRIL 27, 2011, AS
"DENIM DAY" IN THE
CITY OF SOUTH
PASADENA**

Mayor Ten presented a Proclamation declaring April as "Sexual Assault Awareness Month" and April 27, 2011, as "Denim Day" in the City of South Pasadena to Ariana [last name not provided], Violence Prevention Specialist, Peace Over Violence. She made remarks about the efforts to educate the public about the issue of sexual assault.

TIME LIMITATIONS

Due to the need to return to Closed Session, Mayor Ten requested that public speakers limit their remarks to two minutes each.

**FAIR OAKS AVENUE
CONSTRUCTION UPDATE
(PUBLIC COMMENT
INVITED)**

Public Works Director Sweeney presented a construction update on the Fair Oaks Avenue project, accompanied by PowerPoint slides.

Mayor Ten opened the public comment period.

Ellen Daigle, with a business at 1500 Mission Street, said she is speaking on behalf of some of the merchants impacted by the Fair Oaks Avenue construction. She said she is also a member of Women Involved in South Pasadena Political Action (WISPPA). She said businesses have a list of concerns about the project, which she said will be provided to the City at an upcoming scheduled meeting. She elaborated on the concerns.

Howard Finkelstein, 721 Fair Oaks Avenue, who said he is representing a business at this address, said that he has lost his lease. He asked the City Council to focus its efforts on assisting the merchants impacted by the construction.

Mayor Ten closed the public comment period.

Mayor Ten responded to a question about the elimination of colored crosswalks. Mayor Pro Tem Cacciotti requested that concerns of speakers be addressed by the City at the next meeting.

**ANNOUNCEMENTS OF
EVENTS**

City Manager Davidson introduced Glen Duncan, who made an announcement about upcoming South Pasadena Preservation Foundation events. He displayed a poster and newsletter advertising the events.

Councilmember Putnam announced the upcoming South Pasadena Educational Foundation fundraiser, PartiGras, to take place June 4, 2011.

Mayor Pro Tem Cacciotti announced an upcoming lawn mower exchange program sponsored by the South Coast Air Quality Management District, displaying a large poster board illustrating the offerings.

Mayor Ten announced an upcoming dinner dance fundraiser for the South Pasadena Chinese-American Club on May 20, 2011.

**APPROVAL OF THE
MINUTES OF THE
SPECIAL MEETING OF
MARCH 30, 2011, AND THE
REGULAR MEETING OF
APRIL 6, 2011**

By roll call vote (5 ayes), the City Council and the City Council seated as the Community Redevelopment Agency (CRA) Board approved the minutes of the special meeting of March 30, 2011, and the regular meeting of April 6, 2011.

(Cacciotti, Putnam)

**APPROVAL OF PREPAID
WARRANTS IN THE
AMOUNT OF \$667,486.76
GENERAL CITY
WARRANTS IN THE
AMOUNT OF \$900,136.64
AND PAYROLL IN THE
AMOUNT OF \$433,240.19**

By roll call vote (5 ayes), the City Council approved Prepaid Warrants #167421-167473; General City Warrants #167474-167652; and payroll 04-15-11, a total of \$2,000,863.59. Seated as the Community Redevelopment Agency (CRA), they approved the CRA Warrants totaling \$5,627.60, which are included in the above total.

(Cacciotti, Putnam)

**APPROVAL OF A CON-
TRACT WITH THE COUN-
TY OF LOS ANGELES
AGRICULTURAL COM-
MISSIONER/ WEIGHTS
AND MEASURES TO PRO-
VIDE BRUSH CLEARANCE
AND VEGETATION
MANAGEMENT SERVICES
WITHIN THE CITY OF
SOUTH PASADENA FOR
UNIMPROVED AND
DESIGNATED PROPER-
TIES FOR A 5 YEAR
PERIOD FROM JULY 1,
2011 TO JUNE 30, 2016**

By roll call vote (5 ayes), the City Council approved the proposed agreement to contract with the County of Los Angeles Agricultural Commissioner/Weights and Measures to provide brush clearance and vegetation management services within the City of South Pasadena for unimproved and designated properties for a five-year period from July 1, 2011 to June 30, 2016.

(Cacciotti, Putnam)

**FIRST READING AND
INTRODUCTION OF AN
ORDINANCE TO SUSPEND
COLLECTION OF
BUSINESS LICENSE TAX
AND THE BUSINESS
IMPROVEMENT TAX
PORTION OF THE
BUSINESS LICENSE TAX
FOR CERTAIN
PARTICIPANTS IN THE
SOUTH PASADENA**

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, SUSPENDING COLLECTION OF BUSINESS LICENSE TAX AND THE BUSINESS IMPROVEMENT TAX PORTION OF THE BUSINESS LICENSE TAX FOR CERTAIN PARTICIPANTS IN THE SOUTH PASADENA FARMERS' MARKET FOR A PERIOD OF ONE YEAR.

**FARMERS' MARKET FOR
A PERIOD OF ONE YEAR**

(Cacciotti, Putnam)

**REQUEST BY COUNCIL-
MEMBER PUTNAM TO
DESIGNATE \$2,500 OF
DISCRETIONARY FUNDS
TOWARD CONSULTING
SERVICES IN THE
DEVELOPMENT OF A
WATER BUDGET RATE
STRUCTURE**

By roll call vote (5 ayes), the City Council approved a request by Councilmember Putnam to designate \$2,500 of his FY 2011-11 discretionary funds towards consulting services to assist in the development of a water budget rate structure.

(Cacciotti, Putnam)

**MONTHLY INVESTMENT
REPORTS FOR FEBRUARY
& MARCH 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 February and March 2011.

(Cacciotti, Putnam)

**PUBLIC COMMENT
Assemblymember Anthony
Portantino's Field
Representative**

Hovanes Gasparian, Field Representative, Assemblymember Anthony Portantino, 44th District, introduced himself as Assemblymember Portantino's new representative. He offered his services to the City.

**Opposition to extension of
Golf Course Driving Range**

Bee Simpson, 2038 Milan Avenue, made comments opposing the proposed extension of the driving range at the Golf Course. She said the public was not informed and that the City Council rejected the expansion at a 2010 City Council meeting.

Barbara Eisenstein, 1852 Monterey Road, opposed the extension. She asked if the extension and the entire project are financially viable. She commented on the proposed agreement with the new Golf Course vendor.

**Monterey Road, Design
Review Board, and street
repair issues**

Shlomo Nitzani, no address stated, who said he was a teacher at the South Pasadena Middle School, requested that left turns be instituted on Monterey Road. On another matter, he suggested that the Design Review Board be abolished. He described extensive work that was required at his residence due to the opinions of one member. He recommended that a Transportation Commission be formed to address street repair issues.

Issues at 909 El Centro Street

Brian Shumake, 909 El Centro Street, Unit #101, said he was speaking for himself and four other residents at the condominium complex, all of whom were present in the audience. In regard to a planned development at 923 El Centro Street, he said the group will attend an upcoming Planning Commission meeting to provide public comment on the project. He said the group wants the development to comply with the Zoning Code. If any variances are to be granted, he asked that the rights of the homeowners at 909 El Centro Street be considered. He said the Gold Line train bells never stop ringing. The alleyway behind the building is being used as a thoroughfare to bypass the Farmers' Market. He asked for action on these issues. Karen Neri, 923 El Centro Street, Unit #105, provided additional details and made suggestions about the traffic through the alley.

FOLLOW UP ON PUBLIC COMMENT

Councilmember Sifuentes, in regard to Mr. Nitzani's comments about left-hand turns on Monterey Road, asked that a survey or report be prepared on what can be done to institute left-hand turns. This can be incorporated during the FY 2011-12 design of Monterey Road, he said. In regard to comments about commissioner opinions, he requested that this be discussed at a future meeting. Both were seconded by Mayor Pro Tem Cacciotti.

**PUBLIC HEARING TO
CONSIDER DESIGNATING
THE PROPERTY KNOWN
AS THE "WHITNEY R.
SMITH RESIDENCE AND
STUDIO" AT 209 BEACON
STREET AS A CITY
LANDMARK**

Senior Planner Mayer presented the staff report on consideration to designate the property known as the "Whitney R. Smith Residence and Studio" at 209 Beacon Street as a City Landmark, accompanied by PowerPoint slides. He responded to questions.

Mayor Ten opened the public hearing.

**RESOLUTION
NO. 7155**

Glen Duncan, 2031 Berkshire Avenue, referred to the April 2011 South Pasadena Preservation Foundation Newsletter, which had been distributed to the City Council. He said an article about the home appears in the publication. Speaking on behalf of Deborah Howell-Ardila, the architectural historian who submitted the nomination for the property owners and who was not able to attend, he said he was available to answer any questions.

Mayor Ten closed the public hearing.

By roll call vote (5 ayes), the City Council adopted Resolution No. 7155, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DESIGNATING THE WHITNEY R. SMITH HOUSE AND STUDIO AT 209 BEACON AVENUE [corrected from STREET] A CULTURAL HERITAGE LANDMARK (LANDMARK NO. 52).

(Schneider, Cacciotti)

**UPDATE ON ASSEMBLY
BILL 353**

Mayor Ten and Transportation Manager Woods presented an overview on Assembly Bill 353, a bill proposing to restore the City's right to deny a request to construct a freeway through South Pasadena. Manager Woods displayed a large poster board containing names of more than 20 officials/organizations and whether they support the bill; the chart was also shown on the overhead projector. He responded to questions.

Mayor Ten opened the public comment period.

Hovanes Gasparian, Field Representative, Assemblymember Anthony J. Portantino, said the Assemblymember supports the bill as currently written. He responded to questions. Mayor Ten asked that the City be informed if the Assemblymember opposes any amendments to the bill.

Mayor Ten closed the public comment period.

Mayor Ten reviewed the list of officials and organizations and provided a report on the status of the City's efforts to contact each entity. He said he has contacted members of the Assembly Transportation Committee and that he will appear at its meeting on Monday, 04/25/11. He said each Councilmember has been asked to contact various officials/organizations.

As requested by Mayor Pro Tem Cacciotti, Transportation Manager Woods described the City's actions on this issue.

Councilmembers reported on results of their attempts to contact various officials. Mayor Ten requested contacting La Cañada Flintridge's Mayor Donald Voss,

the City's representative at the Southern California Association of Governments (SCAG); Councilmember Schneider agreed to this. Mayor Ten said that Councilmember Sifuentes agreed to contact the League of California Cities to obtain support. Mayor Ten spoke about efforts to obtain support from the City's Gold Line representative, Keith Hanks, City of Azusa.

Transportation Manager Woods said the Mayor has requested sending letters requesting support for AB 353 to the City of Azusa and neighborhood organizations; he asked for confirmation from the entire City Council. Councilmembers agreed by consensus.

**CONSIDERATION TO
IMPLEMENT A WATER
BUDGET RATE MODEL
FOR WATER SERVICES**

Finance Director Thai introduced Sudhir Pardiwalla, RFC, Raftelis Financial Consultants, Inc., who made a presentation on implementing a water budget rate model for water services, accompanied by PowerPoint slides. He responded to questions. Finance Director Thai made a presentation, "Water Budget Consideration," accompanied by PowerPoint slides. He reviewed the water budget rate implementation cost, timeline, variables, public process, and other issues. He responded to questions.

Mayor Ten opened the public comment period.

Diana Mahmud, no address stated, Water Council, said there is a possibility that the City's allocation of ground water will be increased. Speaking on behalf of herself only, she recommended deferring a decision on adopting a water budget model. If the City decides to adopt a budget model, she advised adopting a simplified model. She said the model is difficult to use with commercial accounts. She supported holding a workshop to discuss the issue further and to obtain feedback from the public.

Mayor Ten closed the public comment period. Discussion continued. Finance Director Thai and Consultant Pardiwalla responded to questions.

By roll call vote (5 ayes), the City Council deferred a decision on implementing the water budget rate model for water services, tentatively until January 2013—to stay the course and increase water rates by an

additional 30%, effective January 2012, utilizing the current tiered-by-meter-size rate model, which requires compliance under Proposition 218. The City Council directed that the Water Council coordinate with the staff a City-hosted water workshop before or after the holidays. On an amendment proposed by Councilmember Putnam and agreed to by the maker and seconder of the motion, the City Council allocated \$35,000 to begin working with the consultant on modifying the water budget rate model so that it can be implemented within the recommended time frame (with budget allocation to take place in both FY 2010-11 and FY 2011-12). The City Council, on an amendment proposed by Councilmember Sifuentes and supported by the maker of the motion, agreed to flexibility as to the 30% water rate increase if the City's water allocation is increased by the Water Master in the near future. On an amendment proposed by Councilmember Putnam, and accepted by the maker and seconder of the motion, a Council subcommittee was established to work with staff on this project—consisting of Councilmembers Putnam and Schneider, who volunteered to serve.

(Cacciotti, Sifuentes)

**REPORT ON THE SOUTH
PASADENA
CONVALESCENT
HOSPITAL CONDITIONAL
USE PERMIT**

Councilmember Sifuentes provided an overview of the issue of the type of patients now residing at the South Pasadena Convalescent Hospital. He said there are indications that the business might be creating a public nuisance. Councilmember Putnam asked if the operators are operating the hospital in a manner that could constitute a nuisance. City Attorney Adams provided legal guidance.

Police Chief Payne provided additional information about the facility. He said that in the past four years, police calls have increased; for 2011, he said the Police Department is on a pace to register quadrupled calls. He made additional remarks about patients and the administration. Planning and Building Director Watkins provided information about licensing/certification. Councilmember Sifuentes asked whether the facility is licensed to admit psychiatric patients. Mayor Pro Tem Cacciotti suggested that staff enlist the assistance of State Senator Kevin de León and Assemblymember Anthony Portantino.

By consensus, the City Council directed the City Attorney to begin gathering evidence to determine whether a public nuisance exists at the South Pasadena Convalescent Hospital. The City Council directed that the City Attorney continue working on the effort until the point that sufficient evidence exists, and at that point, the Planning Department would automatically refer this to the Planning Commission to determine whether a public nuisance exists. The City Council directed that a thorough investigation be conducted of the licensing agencies and requirements permitting the type of use that is occurring at the facility.

**CONSIDERATION TO
RELOCATE THE PUBLIC
WORKS SERVICE
FACILITIES TO THE
GARFIELD RESERVOIR**

Due to the late hour, this item was postponed.

**PROVIDE DIRECTION FOR
FUTURE CITY
AUDIOVISUAL SERVICES**

Due to the late hour, this item was postponed.

**REVIEW OF GUIDELINES
FOR DISCRETIONARY
BUDGET ACCOUNTS AND
DIRECTION ON THE
CARRYOVER OF
INCOMPLETE
DESIGNATIONS**

Due to the late hour, this item was postponed.

**AUTHORIZATION TO
AMEND DESIGN
SERVICES AGREEMENT
WITH URS FOR
ENGINEERING DESIGN
SERVICES FOR THE
WILSON RESERVOIR**

Due to the late hour, this item was postponed.

**PROVIDE DIRECTION
REGARDING REMOVAL OF
A PARKWAY TREE AT 342
CAMINO DEL SOL**

Due to the late hour, this item was postponed.

**PROVIDE DIRECTION
REGARDING ADDITIONAL
REGULATIONS FOR**

Due to the late hour, this item was postponed.

**MESSAGE ESTABLISH-
MENTS AND SIMILAR
BUSINESSES**

**CONSIDERATION FOR A
MODERN ROUNDABOUT
AT THE INTERSECTION
OF MARENGO AVENUE
AND OXLEY STREET**

Due to the late hour, this item was postponed.

**PROVIDE DIRECTION
REGARDING ENFORCE-
MENT OPTIONS FOR
ILLEGAL SIGNS IN THE
PUBLIC RIGHT-OF-WAY**

Due to the late hour, this item was postponed.

**PROVIDE DIRECTION
REGARDING AMERICANS
WITH DISABILITIES ACT
ACCESSIBILITY
CONSIDERATIONS FOR
MONTEREY ROAD**

Due to the late hour, this item was postponed.

**PUBLIC COMMENTS
(CONTINUED)**

There were no members of the public wanting to provide public comment.

**COUNCILMEMBERS'
COMMENTS**

Mayor Pro Tem Cacciotti requested that some of his FY 2010-11 discretionary funds be allocated toward the purchase of a bicycle and lock for City staff, with the amount to be determined. He requested that a specific reserve fund be set up for retiree health benefits. Both were seconded by Councilmember Sifuentes.

Mayor Ten requested that an item be added to a future agenda to review the current resolution regarding the proposed SR-710 freeway, seconded by Mayor Pro Tem Cacciotti.

**CITY MANAGER
COMMUNICATIONS**

There were no City Manager communications.

**RECESS TO CLOSED
SESSION**

By consensus, the City Council recessed to Closed Session at 10:50 p.m. and left the Council Chambers. The City Council convened in Closed Session in City Hall Conference Room A.

**REPORT OUT FROM
CLOSED SESSION**

City Attorney Adams said the item, real property negotiations, is allowed into Closed Session pursuant to Government Code Section 54956.8, South Pasadena Golf Course, City negotiator: Assistant City Manager Sergio Gonzalez, negotiation party: Donovan Bros. Inc., under negotiation: terms of lease. He said they received a report from the City negotiator and then provided direction to the negotiator. They took no final action, he said, and there is nothing further to report.

ADJOURNMENT

By consensus, the City Council adjourned the meeting at 11:20 P.M.



Sally Kilby
City Clerk
CRA Secretary



Mike Ten
Mayor
Chair, CRA