



**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY  
PUBLIC FINANCING AUTHORITY/HOUSING AUTHORITY  
OF THE CITY OF SOUTH PASADENA CONVENED  
THIS 5<sup>TH</sup> DAY OF MARCH, 2014 AT 7:30 P.M.  
AMEDEE O. "DICK" RICHARDS, JR., COUNCIL CHAMBERS  
1424 MISSION STREET**

**ROLL CALL**

Mayor Khubesrian convened the Regular Meeting of the South Pasadena City Council/Redevelopment Successor Agency (Agency)/Public Financing Authority (Authority)/Housing Authority (Authority) at 7:48 p.m.

Chief Deputy City Clerk Hall called the roll. Present were City Councilmembers/Agency/Authority Members Cacciotti, Mahmud, and Schneider; Mayor Pro Tem/Agency/Authority Vice Chair Joe; and Mayor/Agency/Authority Chair Khubesrian.

Absent: None.

Other Officials and Staff present: City Clerk Zneimer; City Manager/Agency/Authority Executive Director Gonzalez; City Attorney/Agency/Authority Counsel Adams; Assistant City Manager Straus; Police Chief Miller; Fire Chief Frawley; Finance Director Batt; City Librarian Fjeldsted; Public Works Director Toor; Planning and Building Director Watkins, and Chief Deputy City Clerk Hall.

**INVOCATION**

Mayor Khubesrian presented the invocation.

**PLEDGE OF ALLEGIANCE**

Boy Scout Troop #366 led the Pledge of Allegiance.

**1. CLOSED SESSION ANNOUNCEMENTS**

City Attorney Adams reported that at approximately 6:00 p.m., Mayor Khubesian called to order the Closed Session Meeting of the City Council of March 5, 2014. He stated all Councilmembers were present. He stated there was no one from the public wishing to speak on the Closed Session agenda item. He stated Mayor Khubesian recessed the meeting into Closed Session to discuss the following item as listed on the Closed Session Agenda: 3) Personnel Item, Pursuant to Government Code Section 54957 (b) (1), Title: Performance Evaluation of City Attorney. City Attorney Adams announced there was no reportable action regarding Closed Session Item No. 3.

**2. PRESENTATION OF A CERTIFICATE OF RECOGNITION TO MICHAEL RUAN FOR BEING NAMED AS A CANDIDATE IN THE 2014 U.S. PRESIDENTIAL SCHOLARS PROGRAM**

Mayor Khubesian presented a Certificate of Recognition to Michael Ruan, a graduating senior at South Pasadena High School, for being named as a candidate in the 2014 U.S. Presidential Scholars Program.

**3. PRESENTATION OF A PROCLAMATION DECLARING MARCH 7, 2014, AS "ARBOR DAY 2014" IN THE CITY OF SOUTH PASADENA**

Mayor Khubesian presented a Proclamation declaring March 7, 2014, as "Arbor Day 2014" in the City of South Pasadena (City) to Kimberly Hughes, Chair, Natural Resources and Environmental Commission (NREC).

**4. COUNCILMEMBERS' COMMENTS (3 MINUTES EACH)**

Mayor Pro Tem Joe read an excerpt of a new restaurant review for Crossings Restaurant written in the Pasadena Star newspaper. Mayor Pro Tem announced that outgoing Superintendent Joel Shapiro would be recognized for his achievements at the next South Pasadena Unified School District Meeting on March 10, 2014. He requested that a Certificate of Recognition be prepared for outgoing Superintendent Shapiro, seconded by Mayor Khubesian. Mayor Pro Tem Joe requested that Chief Miller provide a summary of the Police Department's 2013 Annual Report at a future City Council Meeting, as part of the City Manager's Communications.

Councilmember Schneider announced the South Pasadena Tournament of Roses fundraising event "Casino Night Spring Fling" to be held on March 22, 2014, at the War Memorial Building, from 6:00 p.m. to 10:00 p.m. Councilmember Schneider also thanked everyone for praying for rain as expressed at the February 19, 2014 City Council Meeting.

Councilmember Mahmud provided a summary of a recent study by the United States Forest Service, which examined the inventory of 29 California municipalities. She reported the City was in the bottom half of the report, in spite of being a Tree City USA for many years. Councilmember Mahmud requested that the NREC study the matter and provide a recommendation on what the City can do to improve, seconded by Councilmember Cacciotti. Councilmember Mahmud reported that the Los Angeles City Council approved an ordinance that would manage electric cigarettes in the same manner as tobacco cigarettes. She requested the NREC provide a recommendation on whether or not the City should amend its smoking ordinance, seconded by Councilmember Cacciotti. Councilmember Mahmud announced two events: 1) Congresswoman Judy Chu is hosting a program called "When Women Succeed, America Succeeds," with special guest Nancy Pelosi, Minority Leader, United States House of Representatives. The event will be held on March 10, 2014, at 9:00 a.m., at California State University, Los Angeles; and 2) City of South Pasadena will celebrate Arbor Day with a walk and tour of the Nature Park on March 8, 2014, from 10:00 a.m. to 11:00 a.m.

Councilmember Cacciotti thanked City Manager Gonzalez and Chief Frawley for helping the City obtain support for the application to Metro. He stated in the last two weeks, the City has retained support from the Cities of Azusa, Duarte, Monrovia, Irwindale, Arcadia, and San Marino. He stated the City would be applying for Metro's \$200,000 grant for the Golden Streets proposal event. Councilmember Cacciotti requested that the NREC review the low emission vehicle purchasing policy. He requested that the Upper San Gabriel Valley Municipal Water District and the Metropolitan Water District of Southern California offer a program for turf removal for Cities. Councilmember Cacciotti thanked the Public Works and Community Services Departments, Grants Analyst Perkosky, District Representative Philips, and Assemblymember Holden for their assistance in obtaining a \$410,000 grant for the Arroyo Seco Bicycle Pedestrian Path.

Mayor Khubesian thanked Councilmember Cacciotti for all of his efforts in obtaining the grant for the Arroyo Seco Bicycle Pedestrian Path. Mayor Khubesian requested that an economic development ad hoc committee be established, seconded by Councilmember Cacciotti.

## **5. CITY MANAGER COMMUNICATIONS**

City Manager Gonzalez announced the City's budget review and adoption schedule, and encouraged public input. He displayed the Budget Schedule for FY 2014/2015, and noted the following dates: 1) Public Budget Meeting will be held April 16, 2014; 2) City Council Study Session Budget Meeting will be held on April 23, 2014; and 3) City Council Public Hearing and Budget Adoption Meeting will be held on June 4, 2014. City Manager Gonzalez reported that Los Angeles County Department of Public Works captured 12,000 acre-feet of storm water runoff, which is enough water to provide to 60,000 residents for one year. Public Works Director Toor discussed the recent power outage impacts due to the recent storm. City Manager Gonzalez thanked Chief Frawley

and Chief Miller for having the Fire and Police Departments ready for the storm. He also thanked San Gabriel Division Chief Frieders for completing a visual assessment of all three Cities of South Pasadena, San Gabriel, and San Marino, during the storm.

## **6. REORDERING OF AND ADDITIONS TO THE AGENDA**

None.

## **CONSENT CALENDAR**

Councilmember Cacciotti requested that Item No. 9 be removed from the Consent Calendar for separate consideration.

**MOTION:** M/S Cacciotti/Mahmud to approve Consent Calendar Item Nos. 7, 8, 10; and including Prepaid Warrants #182258-182310 in the amount of \$327,925.13, General City Warrants #182311-182421 in the amount of \$665,758.95, and Payroll 02-28-14 in the amount of \$386,805.56 totaling \$1,380,489.64; and Sitting as the Successor Agency to the Community Redevelopment Agency, approve Redevelopment Successor Agency warrants for \$8,606.83 (included in above total). By roll call vote, the motion passed unanimously. Absent: None.

The Consent Calendar consisted of the following items:

### **7. APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 19, 2014**

### **8. APPROVAL OF PREPAID WARRANTS IN THE AMOUNT OF \$327,925.13, GENERAL CITY WARRANTS IN THE AMOUNT OF \$665,758.95 AND PAYROLL IN THE AMOUNT OF \$386,805.56**

### **10. APPROVAL TO CO-SPONSOR THE GARDEN TOUR AND WAIVE BANNER INSTALLATION FEES**

### **ITEMS PULLED FROM THE CONSENT CALENDAR FOR SEPARATE CONSIDERATION**

### **9. RESOLUTION APPROVING A CONTINGENT AGREEMENT FOR THE PURCHASE AND SALE OF PROPERTY IDENTIFIED BY APN 5315-003-901, COMMONLY KNOWN AS 1500 EL CENTRO STREET, SOUTH PASADENA, CALIFORNIA, FROM THE SOUTH PASADENA SUCCESSOR AGENCY TO GENTON PROPERTY GROUP, LLC, PURSUANT TO THE APPROVED LONG RANGE PROPERTY MANAGEMENT PLAN**

In response to Councilmember Cacciotti's question, Assistant City Manager Straus provided an update on the Contingent Sale Agreement.

**MOTION:** M/S Cacciotti/Mahmud to adopt **Resolution No. 2014-05 SA**, approving the Contingent Agreement for the Purchase and Sale of the property at 1500 El Centro Street, South Pasadena, between the Successor Agency and Genton Property Group, LLC, in accordance with the Successor Agency's previously approved Long Range Property Management Plan. By roll call vote, the motion passed unanimously. Absent: None.

### **PUBLIC COMMENTS**

Mayor Khubesian opened the public comments section of the meeting.

Scott Feldman, Chief Executive Officer, South Pasadena Chamber of Commerce, announced the "Arts Crawl, Artists' Choice Exhibition" event being held on Saturday, March 8, 2014 at the South Pasadena Library Community Room from 6:00 p.m. to 9:00 p.m.

There being no additional speakers, Mayor Khubesian closed the public comments section.

### **PUBLIC HEARING**

#### **11. ADOPTION OF AN INTERIM URGENCY ORDINANCE IMPOSING A 45-DAY MORATORIUM TEMPORARILY PROHIBITING THE ESTABLISHMENT OR EXPANSION OF MASSAGE ESTABLISHMENTS IN THE CITY OF SOUTH PASADENA**

Deputy City Attorney Gerli summarized the staff report as part of a PowerPoint presentation, played a video, and responded to Councilmembers' questions.

Mayor Khubesian opened the Public Hearing.

Lisa Boyd, Member, Moms for Family and Community, indicated support for the proposed urgency moratorium. She stated she would like to live in a family-friendly community.

Kelly Conte, Member, Moms for Family and Community, indicated support for the proposed urgency moratorium. She stated the Los Angeles Police Department started a program to work with property owners to address the issues with massage establishments, and recommended the City implement a similar program.

Lisa Pendleton, Member, Women Involved in South Pasadena Political Action, spoke regarding the significant issues caused by the high number of massage establishments in the City.

There being no additional speakers, Mayor Khubesrian closed the Public Hearing.

In response to Mayor Pro Tem Joe's question, Chief Miller provided a summary of the Police Department's efforts to address the issues with massage establishments. He stated the California Police Chiefs Association's lobbyist is requesting that Senate Bill 731 (SB 731) be allowed to sunset.

At this point in time, a motion was made Mayor Khubesrian and seconded by Councilmember Cacciotti to approve the adoption of the interim urgency ordinance to impose a 45-day moratorium on the establishment or expansion of massage establishments in the City.

Councilmember Cacciotti spoke regarding the legislative intent of SB 731. He stated the intent was to ensure that massage therapy can no longer be used as a subterfuge to hide illicit activity.

Councilmember Mahmud commented that she felt the community was suffering an immediate threat to its public health, safety, and welfare due to a number of factors. She stated the first factor was the apparent failure of the California Massage Therapy Council to adequately regulate its therapists, and the second was the inability of a small City, such as South Pasadena, to adequately enforce what is believed to be illicit activity occurring at some of the existing massage establishments in the community. She expressed concern that families of the community feel threatened. She indicated support for the ordinance.

Councilmember Cacciotti recommended the City Council support a total sunset of SB 731.

Mayor Pro Tem Joe stated that businesses are also affected as they must conduct their activities alongside the massage establishments.

Councilmember Mahmud noted that the ordinance was slightly revised. She requested the City Attorney add an additional paragraph as follows: "Whereas the negative secondary effects associated with massage establishments operating in violation of state and local law constitute an immediate threat to the health, safety, and welfare of the public and the proliferation of such illicit establishments is, therefore, a contravention of the City's General Plan." She requested this paragraph be added as the legal predicate for the City's ability to enact the moratorium is the conflict with the City's General Plan.

Chief Deputy City Clerk Hall presented and read by title AN INTERIM **URGENCY ORDINANCE NO. 2266** OF THE CITY COUNCIL OF THE CITY OF SOUTH

PASADENA, CALIFORNIA, ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858 TEMPORARILY PROHIBITING THE ESTABLISHMENT OR EXPANSION OF MASSAGE ESTABLISHMENTS.

**MOTION:** M/S Khubesrian/Cacciotti to approve adoption of AN INTERIM **URGENCY ORDINANCE NO. 2266** OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858 TEMPORARILY PROHIBITING THE ESTABLISHMENT OR EXPANSION OF MASSAGE ESTABLISHMENTS, and the aforementioned revisions. The motion passed by the following roll call vote:

AYES: Cacciotti, Joe, Mahmud, Schneider, and Mayor Khubesrian

NOES: None

ABSENT: None

ABSTAIN: None

**ACTION/DISCUSSION**

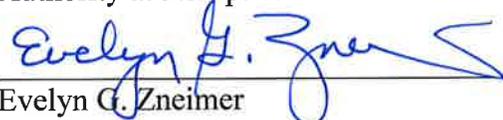
**12. APPROVAL OF A COOPERATIVE AGREEMENT BETWEEN THE CITIES OF SAN GABRIEL, SAN MARINO, AND SOUTH PASADENA FOR SHARING OF FIRE DEPARTMENT COMMAND STAFF, AND AMENDMENT TO THE EXISTING FIRE SERVICES AGREEMENT WITH THE CITY OF SAN GABRIEL**

Chief Frawley presented the staff report and responded to Councilmembers' questions.

**MOTION:** M/S Joe/Schneider to approve the: 1) Cooperative Agreement between the Cities of San Gabriel, San Marino, and South Pasadena for Sharing of Fire Department Command Staff, and authorize the City Manager to execute the Agreement; and 2) Amendment to the existing Fire Services Agreement with the City of San Gabriel, to terminate this agreement when the Cooperative Agreement takes effect, and authorize the City Manager to execute the amendment. By roll call vote, the motion passed unanimously. Absent: None.

**ADJOURNMENT**

Mayor Khubesrian adjourned the Regular Meeting of the South Pasadena City Council/Redevelopment Successor Agency/Public Financing Authority/ Housing Authority at 9:54 p.m.

  
Evelyn G. Zneimer  
City Clerk

  
Marina Khubesrian, M.D.  
Mayor

Minutes approved by the South Pasadena City Council on March 19, 2014.