



Wednesday, October 2, 2019
Minutes of the Regular Meeting of the City Council

CALL TO ORDER

A Regular Meeting of the South Pasadena City Council was called to order by Mayor Khubesrian on Wednesday, October 2, 2019, at 7:59 p.m., in the Council Chamber, located at 1424 Mission Street, South Pasadena, California.

ROLL CALL

Present: Councilmembers Cacciotti, Mahmud, and Schneider; Mayor Pro Tem Joe; and Mayor Khubesrian.

Absent: None

City Staff Present: City Manager DeWolfe; City Attorney Highsmith; and Chief City Clerk Ayala were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

PLEDGE OF ALLEGIANCE

Mayor Khubesrian led the Pledge of Allegiance.

1. CLOSED SESSION ANNOUNCEMENTS

A. Anticipated Litigation

CONFERENCE WITH LEGAL COUNSEL—Anticipated Litigation, Pursuant to Government Code Section 54956.9(d)(2):

Number of Potential Cases: 3

B. Existing Litigation

CONFERENCE WITH LEGAL COUNSEL—Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1):

Smith v. City of South Pasadena

City Attorney Highsmith reported the following:

Item A – City Council reviewed three items of potential litigation. Direction was provided by City Council, with no action taken.

Item B – City Council received a status update in the matter of *Smith v. City of South Pasadena*, direction was provided to the City Attorney, with no action taken.

Mayor Khubesrian announced that ceremonial items would be taken next, followed by Agenda Item No. 15.

PRESENTATIONS

2. Certificate of Recognition: Elsa Durrett

Mayor Khubesrian presented a Certificate of Recognition to Elsa Durrett in recognition of her honorable and courageous actions during a life-threatening emergency that took place on August 21, 2019.

Fire Chief, Paul Riddle, provided a brief description of the recent fire incident and commended Ms. Durrett on her efforts.

Ms. Durrett was accompanied by her parents and various members of the South Pasadena Fire Department.

3. Proclamation – Walk or Bike to School Day

City Clerk Ayala read the proclamation for the record.

Mayor Khubesrian presented the Proclamation to Youth Commission Chair Zack Quesada and Vice-Chair Ismael Khan.

4. Merchant Minute

South Pasadena Chamber of Commerce President Laurie Wheeler introduced Justin Prietto, owner of Huntington Catering Co. and Los Parrot Café.

Mr. Prietto discussed his businesses and shared photos.

5. City of South Pasadena Promotional Video

South Pasadena Public Information Officer, John Pope, provided a brief PowerPoint presentation explaining the background, timeline, and purpose of the promotional video. The video was played for the audience.

PUBLIC COMMENTS

Yvonne Allen (Resident)

Expressed concern over increased cost of overnight parking permit for seniors.

Evelyn Allen (Resident)

Expressed concern over mass evictions served to all tenants at 635 Prospect Ave.

Lissa Reynolds (Resident, Managing Director of Fremont Center Theater, and SPARC Founder)

Read letter from SPARC board, concerns over the Civic Center Art Gallery going to a curator company from Encino.

Sandy Kitto (SPARC President)

Expressed concerns over the RFP process and results for the curating of the Civic Center Art Gallery.

Laurie Wheeler (South Pasadena Chamber of Commerce President)

Invited everybody to the South Pasadena Arts Crawl, October 19th.

Jan Marshall (South Pasadena Resident)

Expressed concerns over Rialto Theater.

Bianca Richards (South Pasadena Resident)

Expressed concerns over Civic Center Art Gallery curator selection process.

Anne Bagasao (South Pasadena Resident)

Thanked South Pasadena Fire and Police for observing and support Breast Cancer Awareness, shared her experience with breast cancer.

Chris Bray (South Pasadena Resident)

Expressed concerns over city employee retention, shared comments regarding recent news articles regarding South Pasadena.

Dean Serwin (South Pasadena Resident)

Commented on potential positive impact to the City if Measure A should pass.

John Srebalus (South Pasadena Resident)

Expressed concerns over City leadership and management.

James Reynolds (South Pasadena Resident)

Thanked Council for the support for SPARC, concerns over the future of SPARC and their collaboration with the Commission.

After completion of Public Comment, Mayor Khubesrian announced that City Council Agenda Item No. 16 would be taken out of order, and be heard at this time.

REPORTS

16. HDL Sales Tax Presentation

Tom Bachman, HDL, provided a PowerPoint presentation on the overview and breakdown of how a City's sales and use taxes work.

City Council had questions regarding: the "half-cent" tax, similar tax implementation throughout Los Angeles County cities, etc.

Mr. Bachman responded to Council accordingly.

No public comment provided.

After completion of City Council Agenda Item No. 16 Mayor Khubesian announced that Agenda Item No. 15 would be heard at this time.

ACTION/DISCUSSION

15. Authorize the South Pasadena Housing Authority to Enter Into a Memorandum of Understanding with Heritage Housing Partners, New Prospect Housing, LLC, and New Economics for Women to Purchase the Remaining State Route 710 Phase I Surplus Properties for Affordable Housing Purposes

City Manager Dewolfe provided a brief background of the item. Principal Management Analyst, Margaret Lin, provided the report on the item.

City Council had questions regarding financial risk to the City and the escrow process.

City Attorney Highsmith provided responses accordingly.

Public Comment:

Libby Curiel (Tenant Association): concerned over the lack of outreach to and inclusion of existing tenants in the study.

Christopher Sutton (Attorney for CalTrans Tenants): concerned over process and commented on past and future potential legal action.

Michele Millner (Heritage Housing Partners): explained HHP's work with the tenants, and their operations as a housing non-profit.

Roberto Flores (South Pasadena Resident): commented on concerns over language in the proposed MOU.

Mark Gallatin (South Pasadena Resident): commented on concerns over language in the proposed MOU.

After the completion of Public Comment, City Council continued dialogue and had questions regarding: the process of which entities, and in what order, the properties may be acquired; financing and financial risk to the City if purchase is completed; legal deadlines for property purchase; HRE proposal timeline; MOU language regarding tenant displacement; and need for affordable housing in the City. City staff and City Attorney Highsmith responded accordingly.

MOTION BY COUNCILMEMBER MAHMUD WITH ADDITIONAL DIRECTIVE, SECOND BY COUNCILMEMBER CACCIOTT, CARRIED 5-0 TO Authorize the South Pasadena Housing Authority to enter into a Memorandum of Understanding with Heritage Housing Partners, New Prospect Housing, LLC, and New Economics for Women to purchase the remaining State Route 710 (SR-710) Phase I surplus properties for affordable housing purposes, to include direction that the New Economic for Women (NEW) contact tenants to work directly with them.

REPORTS (*Continued*)

17. Southern California Edison Liability Report

Jeanette Soriano, SCE Government Relations Manager, provided a PowerPoint presentation on the SCE Liability Report and answered questions regarding SCE shutoff process and procedures; and the number of residents on certain circuits.

PUBLIC HEARING

14. Appeal of the Planning Commission Decision (Project No. 2221-Appeal) to Approve a New Triplex Development at 817 Orange Grove Place (APN: 5315-018-064)

Kanika Kith, Interim Senior Planner, provided a PowerPoint presentation on the overview and timeline of the project.

City Council had questions regarding: wall removal in one of the housing units; City zoning of the project area; various structural regulations for the project; etc.

Ms. Kith responded to Council questions accordingly.

Mayor Khubesrian opened Public Hearing at 10:15 p.m.

Public Comment:

Elizabeth Hollingsworth (Appellant) provided a PowerPoint presentation explaining the various reasons behind her appeal to the project.

Patrick Perry (Representing the Property Owner) explained the project and its compliance with City regulations.

Tara Kawakami (South Pasadena Resident): expressed concerns over increased traffic in the neighborhood if project is allowed.

Enrique Anorve (South Pasadena Resident): expressed concerns over increased traffic in the neighborhood if project is allowed; proposed project is inconsistent with the neighborhood architecture; concerns regarding the removed wall; etc.

Mayor Khubesrian closed the Public Hearing at 10:44 p.m.

After completion of Public Comment, City Council held considerable dialogue and discussion regarding: City recourse against continued construction beyond what is approved; housing units as rental units; concerns over demolition performed; applicability of the Housing Accountability Act; Planning Commission purview and approval of the project; etc.

Ms. Kith and City Attorney Highsmith responded to City Council questions accordingly.

Staff provided an Additional Document, a memo providing a corrected Project Description and clarification regarding the total number of bedrooms, and the Public Works Conditions of Approval.

MOTION BY COUNCILMEMBER MAHMUD WITH ADDITIONAL CONDITIONS, SECOND BY COUNCILMEMBER CACCIOTT, CARRIED 5-0 TO:

1. Conduct a public hearing; and
2. Deny the Appeal (Project No. 2221-Appeal) to uphold the Planning Commission approval of a new triplex development located at 817 Orange Grove Place, subject to the Conditions of Approval with additional conditions from Public Works. Additional Conditions include: The property owner does not intent to sell the proposed units and therefore a Tentative Tract Map is not required. The Public Works Conditions of Approval should not include Conditions 2 and 4 relating to the Tentative Tract Map.

CONSENT CALENDAR

Staff pulled Agenda Item No. 9.

Agenda Item No. 11 approved with annotation.

Agenda Item No. 12 approved with correction.

No Public Comment provided.

MOTION BY MAYOR KHUBESRIAN, SECOND BY MAYOR PRO TEM JOE, CARRIED 5-0, to approve Consent Calendar Items Nos. 10, 11, 12, and 13.

10. Prepaid Warrants, General City Warrants, and Payroll

Recommendation

Approve the City of South Pasadena Prepaid Warrants Nos. 308451 – 308534 in the amount \$263,488.88; General City Warrants Nos. 308535 – 308602 in the amount of \$1,016,088.97; Payroll dated September 20, 2019 in the amount of \$897,451.28.

11. Second Reading and Adoption of an Ordinance Amending Chapter 2 (“Administration”), Article II (“Officers and Employees Generally”) by Adding a New Section (“Code of Ethics and Conduct”) and Adoption of Resolution Establishing a Code of Ethics and Conduct Policy Applicable to Elected and Appointed Officials

Recommendation

1. Read by title only for second reading, waive further reading, and adopt an ordinance amending Chapter 2 (“Administration”), Article II (“Officers and Employees Generally”) by adding a new section (“Code of Ethics and Conduct”);
- ~~2. Adopt a resolution establishing a Code of Ethics and Conduct policy for all elected and appointed officials, including members of advisory boards, commissions and committees, to address responsibility, fairness, respect and integrity.~~

Chief City Clerk Ayala read the Ordinance by Title.

City Council adopted the Ordinance with direction to staff to remand the policy to the Commissions for prior review before presented to Council for final approval.

12. Authorize the First Amendment to the Professional Services Agreement with Wildan Engineering Incorporated for Code Enforcement Services for a Total Not-To-Exceed Amount of ~~\$83,780~~ \$81,120.

Recommendation

Authorize the City Manager to execute the first amendment to the Professional Services Agreement (PSA) with Wildan Engineering Incorporated to extend the term of the PSA by 12 months for a total not-to-exceed amount of \$83,780 to continue providing the City with code enforcement services.

Additional Document was provided by Staff to provide the corrected “Not-to-Exceed Amount” of \$81,120.

13. Authorize the First Amendment to the Professional Services Agreement with Interwest Incorporated for Assistant Planner Staffing Services for a Total Not-To-Exceed Amount of \$58,100

Recommendation

Authorize the City Manager to execute the first amendment to the Professional Services Agreement (PSA) with Interwest Incorporated to extend the term of the PSA by three months for a total not-to-exceed amount of \$58,100 to continue providing the City with assistant planner staffing services.

ITEMS PULLED FROM THE CONSENT CALENDAR

9. Minutes of the City Council Meeting on July 17, 2019

Chief City Clerk Ayala announced two corrections to the proposed Minutes as follows:

Page 9-4 shall be corrected to read as follows: "Councilmember Mahmud noted that additional documents were provided for Item Nos. 15, 22, and 24 with minor changes. She requested that the motion be made to include those revisions. *Additional Documents included the following: Agenda Item No. 15, a Revised Contract Amendment that included additional items to the proposed scope of work for the bicycle parking and CNG station; Agenda Item No. 22, a copy of the proposed Resolution for Council's consideration; and Agenda Item No. 24, updated salary schedules with corrected salary ranges and clarification as to the effective date of first salary schedule for each group.*"

Page 9-9 shall be corrected to read as follows: "Ms. Demirjian responded to questions from Mayor Pro Tem Joe *on how a "no" vote would impact City operations* ~~is the vote was no~~".

MOTION BY COUNCILMEMBER MAHMUD WITH TWO CORRECTIONS, SECOND BY COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to approve the Minutes of the City Council Meeting of July 17, 2019.

COMMUNICATIONS

6. Councilmembers Communications

Councilmember Mahmud encouraged residents to be a good neighbor and be mindful of their dogs.

Councilmember Cacciotti reported on the following: Would like to honor a recently deceased prominent community member at a future Council Meeting (Councilmember Schneider provided a second); displayed pictures of the Women's Club, Chinese Moon Festival, and the recent breakfast event at the Senior Center.

Mayor Pro Tem Joe displayed pictures of the Moon Festival; and congratulated Mayor Khubesrian and Planning Commission Vice-Chair Janet Braun for being recognized as Wonderful Women Achievers by *Business Life Magazine*.

Mayor Khubesrian reported on the following: L.A. County Mayors Convening; displayed pictures of recent visit to observe the goats clearing hazardous brush in South Pasadena; displayed flyer announcing Coffee with Mayor and City Manager event to take place October 3rd at 2:30 p.m. at Berry Opera; and displayed flyer announcing the South Pasadena public safety associations sponsoring Breast Cancer fundraiser event, Spaghetti Dinner on October 19th.

Councilmember Schneider asked if the October 16th Council Meeting would be cancelled.

City Manager DeWolfe informed City Council regarding lack of content for an October 16th Council Meeting. City Council reached consensus to cancel the Regular City Council Meeting of October 16th.


7. City Manager Communications

No communication items reported by City Manager DeWolfe.

ADJOURNMENT

Mayor Khubesrian announced the recent death of prominent community member Paul Abbey and his many contributions to the South Pasadena community. There being no further business, at 11:35 p.m. Mayor Khubesrian adjourned the meeting in memory of Mr. Paul Abbey.


Evelyn G. Zheimer
City Clerk


Marina Khubesrian, M.D.
Mayor