



Wednesday, July 15, 2020
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 Joe on Wednesday, July 15, 2020, at 7:42 p.m., in the Council Chamber, located at 1424 Mission Street, South Pasadena, California.

A brief introduction was provide by Mayor Joe on the procedures in place in an effort to prevent the spread of COVID-19.

ROLL CALL

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

Absent: None

City Staff Present: City Manager Stephanie DeWolfe (in attendance via Zoom); City Attorney Teresa Highsmith (in attendance via Zoom); and Chief City Clerk Ayala were present at Roll Call.

PLEDGE OF ALLEGIANCE

Kenia Lopez, Deputy City Clerk, led the flag salute.

SPECIAL PRESENTATION

1. Briefing by Supervisor Barger on State Efforts in Response to COVID-19 Pandemic

Mayor Joe introduced Supervisor Kathryn Barger.

Los Angeles County Supervisor Barger, Representing the 5th District (also in attendance via Zoom audio) provided an update on the various State and County efforts in response to the COVID-19 pandemic.

City Council had questions and comments for Supervisor Barger regarding: Supervisor Barger's efforts to improve communities; South Pasadena's Farmers Market; third party food

delivery services fees; reopening of library services; LA County's eviction moratorium; anticipated full reopening of businesses and facilities; COVID-19 testing; etc.

Supervisor Barger answered City Council's questions accordingly.

2. CLOSED SESSION ANNOUNCEMENTS

A. Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATOR, Pursuant to Government Code Section 54957.6

Conference with Labor Negotiators regarding labor negotiations with the following groups:

- Unrepresented Management Employees
- South Pasadena Police Officers' Association
- South Pasadena Firefighters' Association
- South Pasadena Public Service Employees' Association
- South Pasadena Public Service Part Time Employees' Association

City Negotiators: City Manager Stephanie DeWolfe; Interim Human Resources Manager Michael Casalou

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

Name of Case: *Smith v. City of South Pasadena*

City Attorney Highsmith reported the following:

Item A – City Council received a briefing by the City's Labor Negotiator regarding the status of negotiations with the City's bargaining units and unrepresented employees. No action was taken by City Council, but direction was provided to City's Labor Negotiator.

Item B - City Council received a briefing from the City's Legal Counsel regarding the matter of *Smith v. City of South Pasadena*. No action was taken by City Council, but direction was provided to Legal Counsel.

3. Public Comments - General

Mayor Joe announced that public comments were accepted until 12 p.m. the day of the City Council meeting. Comments received would be uploaded to Additional Documents and become part of the final meeting record.

Chief City Clerk Ayala read the public comments received aloud.

Public Comment:

- Martin Dattola – Expressed concerns on recent protests in the City, their effect on City businesses, and support for the City’s Police Department.
- Sean Malatesta – Expressed concerns regarding the rise in the City’s building height limits.
- Victoria Patterson – Expressed concerns regarding the City’s Police Department handling of a recent crime.
- Joan Laidig – Asked City Council to consider not placing a building height limit repeal on the November 2020 voting ballot.
- Julian Petrillo – Asked City Council to consider not placing a building height limit repeal on the November 2020 voting ballot.
- Larry Abelson – Expressed concerns regarding the transparency of recent traffic related projects funded by Measure M.
- Josh Albrektson – Asked City Council questions regarding the State mandate on implementation of affordable housing units.
- Beverly Biber – Expressed concerns regarding the removal of a patch (a flag with a thin blue line through it) from Police Officer uniforms.
- Lee Guenveur – Expressed concerns regarding the removal of a patch (a flag with a thin blue line through it) from Police Officer uniforms.

COMMUNICATIONS

4. Councilmembers Communications

Councilmember Cacciotti provided comments regarding: concerns regarding nails found on residential properties that displayed signs expressing certain political positions; thanked Mayor Joe for meeting with him and several constituents regarding the criminal conduct; provided an update about a local unhoused individual and the Police Department’s immediate assistance; etc.

Councilmember Cacciotti motioned to direct staff to bring forth a resolution for City Council consideration, regarding City Council’s stance against any type of racial injustice and hate crimes in the community. A second was provided by Councilmember Schneider.

Councilmember Khubesrian provided comments regarding: attending a Los Angeles County Vector Control District meeting; announced the 2021 Pasadena Rose Parade was cancelled; reported on residents’ concerns regarding rent and rent relief; etc.

Councilmember Khubesrian motioned to introduce a pool maintenance ordinance which would allow the City’s Code Enforcement to work with technicians from the LA County Vector

Control District to make sure that pools are restored to a healthy status. A second was provided by Mayor Pro Tem Mahmud.

Councilmember Schneider provided comments regarding: reported on subcommittee meetings he and Councilmember Khubesian attended with residents regarding anti-racism, traffic issues, etc.; residents Police Reform Forum on July 16th; Mobility and Transportation Infrastructure Commissions future discussion of Measure M funds allocation; etc.

Mayor Pro Tem Mahmud provided comments regarding: reported on a Clean Power Alliance Board meeting and their renewable energy projects; reminded the community to please pick up their dog's waste; reported on increased COVID-19 cases; reminded the community to follow LA County Public Health orders; etc.

Mayor Joe provided comments regarding: reminding the community to support local businesses during the pandemic; etc.

5. City Manager Communications

City Manager DeWolfe did not provide comments.

6. Reordering of and Additions to the Agenda

No items reordered.

CONSENT CALENDAR

Chief City Clerk Ayala announced there were no Additional Documents with revisions to agenda items.

Councilmember Cacciotti pulled Item No. 9 for individual discussion and public comment.

MOTION BY COUNCILMEMBER CACCIOTTI, SECOND BY COUNCILMEMBER SCHNEIDER, CARRIED 5-0, to approve Consent Calendar Items Nos. 7, 8 and 10-13.

7. Approval of General City Warrants in the Amount of \$388,686.72; LAIF Transfer in the Amount of \$5,000,000.00.

City Council approved the Warrants as presented.

8. Monthly Investment Reports for May 2020

City Council received and filed the monthly investment reports for May 2020.

10. Authorize the Third Amendment with West Coast Arborist Inc. for 2020-21 Fiscal Year Urban Forestry Services in a Total Not-to-Exceed Amount of \$379,500

City Council authorized the City Manager to execute the third Contract Amendment with West Coast Arborists Inc. (WCA), in an amount not-to-exceed \$379,500, for 2020-21 Fiscal Year (FY) Urban Forestry Services.

11. Approve the Purchase Order to Quinn Cat Company for an Air Compressor and Pneumatic Tools for the Public Works Streets Division in an Amount Not-to-Exceed \$26,937

City Council:

1. Accepted a quote dated May 1, 2020, from Quinn Cat Company for the purchase of one air compressor Model Number 185 CFM Atlas Copco, including pneumatic air tools, for Public Works Street Division; and
2. Authorized the City Manager to execute a purchase order with Quinn Cat Company in an amount not to exceed \$26,937; and
3. Declared the Public Works Department Ingersoll-Rand: P185JWD, manufactured in 1995 as surplus property, and instruct staff to dispose of the item in accordance with the South Pasadena Municipal Code Section (SPMC) 2.99-29 and City Surplus Disposal Policy.

12. Reject Previous Bid and Approve an Agreement with Inland Mechanical Services, Inc. for 2020 Civic Center HVAC System Retrofit, Senior Center Air Conditioning Unit Replacement, and Police Department HVAC Replacement in an Amount Not-to-Exceed \$427,270.80

City Council:

1. Rejected the previous one bid dated May 28, 2020, from Acco Engineering Systems for the Civic Center HVAC System Retrofit and Senior Center Air Conditions (AC) Unit Replacement (Bid No. 202003-02);
2. Accepted a bid dated July 1, 2020, from Inland Mechanical Services, Inc. for the 2020 Civic Center HVAC System Retrofit, Senior Center AC Unit Replacement, and Police Department HVAC Replacement (Project) (Bid No. 202004-02);
3. Rejected all other bids received for Bid No. 202004-02;
4. Authorized the City Manager to enter into an agreement with Inland Mechanical Services, Inc., for a bid amount of \$388,428; and
5. Authorized a construction contingency ten percent in the amount of \$38,842.80 for a total amount of \$427,270.80.

13. Discretionary Fund Request from Mayor Pro Tem Diana Mahmud in the Amount of \$1,527 to Purchase a 2020 Census Banner

City Council approved the Discretionary Fund request by Mayor Pro Tem Diana Mahmud to purchase one double sided 2020 Census Banner to hang across Fair Oaks Avenue and Mission Street in the amount of \$1,527. The census message will be displayed on both Fair

Oaks and Mission. The original request was \$1,400.37 was amended by Mayor Pro Tem Mahmud to \$1,527 to cover the larger banner size.

ITEMS PULLED FROM CONSENT

9. Adoption of Resolution No. 7667 Updating the City of South Pasadena Records Retention Schedule

Chief City Clerk Ayala read the public comments aloud.

Public Comment:

- Joanne Nuckols – Expressed opposition for public records related to transportation or 710 Freeway subject matter from being destroyed without appropriate review.

Councilmember Cacciotti wanted to confirm that all files regarding litigation matters be properly reviewed by the City Attorney's Office.

Mayor Pro Tem Mahmud had questions regarding the retention for 710 Freeway records; records regarding litigation subject matter; etc.

City Attorney Highsmith and Chief City Clerk Ayala answered questions accordingly.

MOTION BY COUNCILMEMBER CACCIOTTI, SECOND BY MAYOR PRO TEM MAHMUD, CARRIED 5-0, to adopt Resolution No. 7667 updating the City's Records Retention Schedule.

PUBLIC HEARING

14. Public Hearing Confirming Charges Assessed by the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures for the Abatement of Hazardous Vegetation on Respective Parcels of Unimproved Private Properties Constituting a Fire Hazard

Paul Riddle, Fire Chief, provided a staff report.

Mayor Joe opened the public hearing at 8:41 p.m.

Chief City Clerk Ayala announced no public comment were received on this item.

Mayor Joe closed the public hearing at 8:42 p.m.

MOTION BY COUNCILMEMBER CACCIOTTI, SECOND BY MAYOR PRO TEM MAHMUD, CARRIED 5-0, to approve property owners with pending weed abatement charges the opportunity to question or receive an explanation of pending charges, confirm the 2020

declaration list of charges.

ACTION/DISCUSSION ITEMS

15. Consideration of Ballot Measures for the November 3, 2020 General Municipal Election

City Manager DeWolfe introduced the item and briefly explained each potential measure.

Lucy Demirjian, Assistant to the City Manager, provided a PowerPoint presentation on the Utility User's Tax and the Transient Occupancy Tax.

Joanna Hankamer, Director of Planning and Community Development, provided a PowerPoint presentation on the building height limits.

Chief City Clerk Ayala read the public comments received aloud.

Public Comments:

- Casey Law – Expressed support for all three ballot measures and provided reasons for supporting an increase on the building height limits.
- Ron Rosen – Expressed opposition for removal of the building height limits.
- Delaine Shane – Expressed support for the placing the Utility User's Tax measure on the November 2020 ballot, and opposition for increasing building height limits and the transient occupancy tax.
- Joanne Nuckols – Expressed support for the placing the Utility User's Tax measure on the November 2020 ballot, and opposition for increasing building height limits and the transient occupancy tax.
- Caroline Quinn – Expressed opposition for increasing building height limits.
- Ella Hushagen – Expressed support for placing increasing building height limits item on the November 2020 ballot.
- Meghan Kiser – Expressed concern for placing three measures on one ballot, and expressed opposition for increasing building height limits.
- Fiona and Glen Eddy – Expressed opposition for placing increasing building height limits item on the November 2020 ballot.
- Jan Marshall – Expressed support for the placing the Utility User's Tax measure on the November 2020 ballot, and opposition for increasing building height limits and the transient occupancy tax.

- Tara Kawakami – Expressed opposition for placing the increasing building height limits item on the November 2020 ballot.
- Jack Donovan – Expressed concern for placing three measures on one ballot and asked City Council to only place focus on the Utility Users Tax.
- Kristen Swift – Expressed opposition for placing the increasing the building height limits item on the November 2020 ballot.
- Chris Fogel and Jennifer Kale – Expressed opposition for placing the increasing the building height limits item on the November 2020 ballot.
- Bill Kelly – Expressed support for placing the increasing building height limits item on the November 2020 ballot.
- John Srebalus – Expressed support for placing the increasing building height limits item on the November 2020 ballot, and opposition for the transit occupancy tax.
- Jonathan M. Eisenberg – Expressed support for placing the increasing building height limits item on the November 2020 ballot.
- Madeline Di Giorgi – Expressed support for placing the increasing building height limits item on the November 2020 ballot.
- Victoria Arriola-Monaci – Provided comments on what areas multi-story buildings should be limited to.

City Council discussed each potential ballot measure separately.

Utility Users' Tax:

City Council held significant discussion regarding the Utility Users' Tax and spoke on topics regarding: community support; potential rate increase; term and/or perpetuity of tax; potential tax on streaming services; etc.

City Manager DeWolfe and Assistant to the City Manager Demirjian responded to questions accordingly.

City Council reached consensus that the Utility Users' Tax should be on ballot for November 3, 2020.

City Manager DeWolfe confirmed updated research would be presented to City Council on the August 5th City Council meeting.

Councilmember Cacciotti requested that a robust comparison report of all surrounding cities tax rate be provided.

Transient Occupancy Tax:

City Council held significant discussion regarding the Transient Occupancy Tax and spoke on topics regarding: surrounding city Transient Occupancy Tax rates; concerns on voter support; previous resident survey regarding potential sources of revenue; City's ability to oversee sources of Transient Occupancy Tax; etc.

Mayor Pro Tem Mahmud expressed support on placing the item on the November 3, 2020 ballot.

Mayor Joe, Councilmembers Cacciotti and Schneider expressed opposition on placing the item on the November 3, 2020 ballot.

Khubesrian expressed waiting to place it on the November 2022 ballot, but would favor putting on November 2020 ballot as well. Councilmember Cacciotti concurred.

Increase of Building Height Limits in Specified Areas:

City Council held significant discussion regarding the Increase of Building Height Limits in Specified Areas and spoke on topics regarding: public comment against the potential measure; State mandated RHNA requirements; Southern California Association of Governments issuance of final housing element numbers; partnering with neighboring cities to challenge the RHNA requirements; vet out all City's options regarding zoning; consideration of the Planning Commission's decisions/opinions on the matter; inclusionary housing ordinance; etc.

Mayor Pro Tem Mahmud and Councilmember Khubesrian expressed support on placing the item on the November 3, 2020 ballot.

Mayor Joe, Councilmembers Cacciotti and Schneider expressed opposition on placing the item on the November 3, 2020 ballot.

INFORMATION REPORT

16. South Pasadena COVID-19 Update

Fire Chief Riddle provided a brief verbal presentation on the general overview of the City, and a report on the Fire Department.

Mayor Pro Tem Mahmud and Councilmember Cacciotti had questions regarding: COVID-19 related transportations; anticipation of HVAC repairs; etc.

Fire Chief Riddle and Shahid Abbas, Director of Public Works, answered questions accordingly.

Sheila Pautsch, Director of Community Services, provide and verbal report on the Community Service Department.

Councilmember Cacciotti and Khubesrian had various comments and questions regarding 2020 Census form deliveries; Arroyo Seco Golf Course; AYSO and youth sport programs; etc.

Director Pautsch answered all questions accordingly.

ADJOURNMENT

Mayor Joe announced a next Regular City Council meeting on August 5th.

There being no further business, at 10:24 p.m. Mayor Joe adjourned the meeting.

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Evelyn G. Zneimer, Esq.
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Evelyn G. Zneimer
City Clerk

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Robert S. Joe
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Robert S. Joe
Mayor