



**CITY OF SOUTH PASADENA
CITY COUNCIL - REGULAR MEETING**

MINUTES

WEDNESDAY, NOVEMBER 3, 2021 AT 7:00 PM

CALL TO ORDER:

The Regular Meeting of the South Pasadena City Council was called to order by Mayor Mahmud on Wednesday, November 3, 2021, at 7:00 p.m. The City Council Chamber are located at 1424 Mission Street, South Pasadena, California.

ROLL CALL

PRESENT

Mayor Diana Mahmud
Mayor Pro Tem Michael Cacciotti
Councilmember Jack Donovan
Councilmember Evelyn G. Zneimer

ABSENT

Councilmember Jon Primuth

Christina Muñoz, Acting Deputy City Clerk, announced a quorum.

CITY STAFF Arminé Chaparyan, City Manager; Andrew Jared, City Attorney; Christina Muñoz, Acting Deputy City Clerk were present at Roll Call. Other staff **PRESENT:** members presented reports or responded to questions as indicated in the minutes.

PLEDGE OF ALLEGIANCE

The Flag Salute was led by Councilmember Evelyn G. Zneimer

CLOSED SESSION ANNOUNCEMENTS

1. Closed Session Announcements

None

PUBLIC COMMENT

2. Public Comment - General

Mayor Mahmud announced public comments are intended to address matters not on the agenda for the meeting. Members of the public have the option of emailing, participating via Zoom (audio), or speaking in-person to address the City Council, as listed on the agenda.

Live Public Comment:

- Sam Burgess expressed concern with the upkeep of the Caltrans owned homes.
- Alan Ehrlich discussed Mayor Mahmud's investments in her Form 700; stated that the new Councilmembers elected haven't made progress on social justice issues in the City.

Zoom Public Comment:

- Sirin Hallberg discussed a claim that she filed with the City pertaining to a fallen tree.

PRESENTATIONS

COMMUNICATIONS

3. Councilmembers Communications

Councilmember Zneimer discussed a recent meeting of the Cultural Heritage Commission; discussed a recent meeting with the Acting Public Works Director; discussed a recent meeting with South Pasadena School District.

Councilmember Donovan discussed a recent meeting of the Youth Commission; discussed a recent interaction with a resident.

Mayor Pro Tem Cacciotti discussed a recent meeting of the San Gabriel Valley Homelessness Committee; discussed an upcoming important vote regarding pollution; shared a photo of Public Works staff using electric lawn equipment; shared photos of a recent Halloween party at City Hall; shared a photo of a recent zoom meeting with City staff on the weekend; shared a photo of horse manure at the Arroyo Seco Trail; shared a photo of a Caltrans apartment unit that needs upkeep; shared photos of himself with residents in the City; shared a photo of Public Works staff working in the City; shared a photo of a recycling center; and, shared a flyer of the upcoming Community Bike Ride event.

Mayor Mahmud discussed a recent meeting of a SGVCOG committee regarding County redistricting; discussed recent meetings of the Affordable Care Act working group; discussed a recent meeting with SCAG pertaining to housing; and, discussed an upcoming meeting of the Clean Power Alliance.

4. City Manager Communications

City Manager Chaparyan introduced Management Analyst Mary Jerejian.

5. Reordering of, Additions, or Deletions to the Agenda

None

CONSENT CALENDAR

- 6. **APPROVAL OF GENERAL CITY WARRANTS IN THE AMOUNT OF \$634,899.98; SUPPLEMENTAL ACH PAYMENTS IN THE AMOUNT OF \$29,870.33; TRANSFERS IN THE AMOUNT OF \$38,889.40; PAYROLL IN THE AMOUNT OF \$579,890.36.**

Recommendation

It is recommended that the City Council approve the Warrants as presented.

- 7. **PRESENTATION OF CITY COUNCIL MEETING MINUTES**

Recommendation

It is recommended that the City Council approve the minutes as listed on the agenda and as presented.

- 8. **THIS ITEM WAS MOVED OUT-OF-ORDER FOR SEPARATE DISCUSSION.**

- 9. **THIS ITEM WAS MOVED OUT-OF-ORDER FOR SEPARATE DISCUSSION.**

- 10. **THIS ITEM WAS MOVED OUT-OF-ORDER FOR SEPARATE DISCUSSION.**

- 11. **THIS ITEM WAS MOVED OUT-OF-ORDER FOR SEPARATE DISCUSSION.**

- 12. **AUTHORIZATION TO ACCEPT GRANT AWARD IN THE AMOUNT OF \$50,000 FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE STRATEGIC TRAFFIC ENFORCEMENT PROGRAM**

Recommendation

It is recommended that the City Council:

- 1. Authorize the City Manager or designee to accept a grant award in the amount of \$50,000 from the California Office of Traffic Safety for the

Strategic Traffic Enforcement Program into Revenue Account 101-0000-0000-5073-001;

- 2. Appropriate \$49,900 into 101-4010-4011-7050-000 Overtime – DUI Checkpoint and \$3,500 into 101-4010-4011-8022 OTS Grant Expenses.
- 3. Authorize the City Manager or designee to execute all necessary documents to accept the grant.

13. ADOPTION OF A RESOLUTION CONTINUING THE PROCLAMATION OF A LOCAL EMERGENCY DUE TO THE OUTBREAK OF COVID-19, AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS AS THE DIRECTOR OF EMERGENCY SERVICES, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY

Recommendation

It is recommended that the City Council approve the attached resolution continuing the proclamation of a local emergency due to the outbreak of COVID-19, authorizing the City Manager to take all necessary actions as the Director of Emergency Services, and authorizing remote teleconference meetings of the legislative bodies of the City.

14. THIS ITEM WAS MOVED OUT-OF-ORDER FOR SEPARATE DISCUSSION.

COUNCIL ACTION AND MOTION

Mayor Pro Tem Cacciotti requested to pull Item No. 14.

Councilmember Zneimer requested to pull Item Nos. 8, 9, 10, and 11.

Acting Deputy City Clerk Muñoz noted written public comment was received for Item Nos. 8 and 13.

Mayor Mahmud noted that Item No. 7 includes an additional document.

A motion was made by Mayor Pro Tem Cacciotti, seconded by Councilmember Zneimer and approved by roll call vote to approve Consent Calendar Item(s) 6-7 and 12-13, as presented and amended.

Motion carried, 4-0.

CONSENT CALENDAR - AGENDA ITEM(S) PULLED FOR SEPARATE DISCUSSION

8. DIRECTION TO FOREGO COLLECTION OF USER UTILITY TAX UNDERPAYMENT IN ARCADIA, ET AL. V. SOUTHERN CALIFORNIA EDISON CORP.

Recommendation

It is the recommendation of the Office of the City Attorney that the City Council take action to refrain from collecting past-due Utility Users Taxes (UUT) previously under-collected by Southern California Edison (SCE) in connection with the case titled Arcadia, et al. v. Southern California Edison Corp., and instead focus on ensuring that SCE accurately collects the correct amount of UUT going forward.

COUNCIL ACTION AND MOTION

Councilmember Zneimer asked if there was a cost-effective analysis before this was brought before the City Council; questioned why Southern California Edison is the collecting agency.

City Attorney Jared responded to City Council inquiries.

Mayor Mahmud provided a brief explanation as to why the City Council entered into the lawsuit.

Councilmember Zneimer recommended that the City withdraw from the lawsuit; requested that the item be moved to a future meeting; objected to the use of the word “past-due” in the recommended action and requested to use the word “previous”.

Mayor Pro Tem Cacciotti asked how much the City would be foregoing.

City Attorney Jared stated its around \$55,000 and responded to other City Council inquiries.

Mayor Mahmud opened the public comment period.

Written public comment:

Chris Bray expressed concern over recommended action.

With no other requests to speak, the public comment period was closed.

There was a discussion regarding as to why the item was brought before the City Council.

A motion was made by Mayor Mahmud, seconded by Mayor Pro Tem Cacciotti and approved by roll call vote to approve the Item No. 8, as presented.

Motion carried, 3-1, with Councilmember Zneimer voting no.

9. AMENDING THE HOLIDAY SCHEDULE FOR THE PUBLIC SERVICE EMPLOYEE ASSOCIATION – FULL TIME UNIT AND THE UNREPRESENTED MANAGEMENT UNIT

RESOLUTION

A RESOLUTION OF THE CITY OF SOUTH PASADENA AMENDING THE PUBLIC SERVICE EMPLOYEE ASSOCIATION – FULL TIME MEMORANDUM OF UNDERSTANDING FOR FISCAL YEARS 2019-2022 TO CLARIFY LANGUAGE REGARDING THE THANKSGIVING HOLIDAY

RESOLUTION

A RESOLUTION OF THE CITY OF SOUTH PASADENA AMENDING UNREPRESENTED MANAGEMENT EMPLOYEE BENEFITS LISTING AND MANAGEMENT SALARY SCHEDULE NO. 7626 TO CLARIFY LANGUAGE REGARDING THE THANKSGIVING HOLIDAY

COUNCIL ACTION AND MOTION

Councilmember Zneimer pointed out a minor typo that needed to be corrected in the resolution.

Mayor Mahmud opened the public comment period.

With no requests to speak, the public comment period was closed.

A motion was made by Councilmember Zneimer, seconded by Mayor Pro Tem Cacciotti and approved by roll call vote to approve the Item No. 9, as amended.

Motion carried, 4-0.

10. 2021-2029 HOUSING ELEMENT: RECOMMENDED STRATEGY AND SCHEDULE CHANGE IN RESPONSE TO THE PASSAGE OF AB1398

Recommendation

It is recommended that the City Council approve the revised strategy for adoption of the 2021-2029 General Plan Housing Element in response to the recent adoption of AB1398.

COUNCIL ACTION AND MOTION

Housing Element Project Manager Elizabeth Bar-El made a presentation and provided an overview of the item.

Councilmember Zneimer noted minor typos in the recommended action and the staff report; inquired about the review and certification process of the housing element; asked what a “meta” schedule means.

Mayor Pro Tem Cacciotti discussed several key initiatives that are going on at the same time, including the adoption of the housing element.

There was a discussion amongst the City Council on the schedule towards adoption.

Housing Element Project Manager Bar-El responded to City Council inquiries.

Mayor Mahmud opened the public comment period.

With no requests to speak, the public comment period was closed.

A motion was made by Mayor Pro Tem Cacciotti, seconded by Councilmember Zneimer and approved by roll call vote to approve Item No. 10, as presented.

Motion carried, 4-0.

11. APPROPRIATION OF FUNDS FOR ARCHITECTURAL SERVICES

Recommendation

It is recommended that the City Council appropriate \$40,000 for payment to Architectural Resources Group (ARG) for the development of design standards and guidelines for Accessory Dwelling Units (ADUs) on historic properties.

COUNCIL ACTION AND MOTION

Councilmember Zneimer inquired what “in-kind staff time” meant.

City Manager Chaparyan noted it’s the staff’s time working on the project.

Mayor Mahmud opened the public comment period.

With no other requests to speak, the public comment period was closed.

A motion was made by Councilmember Zneimer, seconded by Mayor Pro Tem Cacciotti and approved by roll call vote to approve Item No. 11, as presented.

Motion carried, 4-0.

14. RECOMMENDATION TO JOIN THE SAN GABRIEL VALLEY REGIONAL FOOD RECOVERY PROGRAM

Recommendation

It is recommended that the City Council:

1. Approve participation in the Regional Food Recovery Program led by the San Gabriel Valley Council of Governments (SGVCOG) to comply with the edible food recovery component of Senate Bill 1383.
2. Appropriate \$60,705 in General Fund Undesignated Reserves to Public Works Environmental Services Account Number 101-6010-6015-8020-000

(Special Department Expense) to fund South Pasadena's portion of the SGVCOG agreement.

COUNCIL ACTION AND MOTION

Water Conservation & Sustainability Analyst Kasparian provided an overview of the staff report.

Mayor Pro Tem Cacciotti inquired who are food generators.

Councilmember Zneimer inquired if composting emits methane gas.

Water Conservation & Sustainability Analyst Kasparian responded to City Council inquiries.

Mayor Mahmud opened the public comment period.

With no other requests to speak, the public comment period was closed.

A motion was made by Mayor Pro Tem Cacciotti, seconded by Councilmember Zneimer and approved by roll call vote to approve Item No. 14, as presented.

Motion carried, 4-0.

PUBLIC HEARING

- 15. **FIRST READING AND INTRODUCTION OF AN ORDINANCE, AMENDING CHAPTER 16 (GARBAGE AND WASTE) AND CHAPTER 2 (ADMINISTRATION) OF THE SOUTH PASADENA MUNICIPAL CODE TO IMPLEMENT A MANDATORY ORGANIC WASTE DISPOSAL REDUCTION ORDINANCE AS REQUIRED BY SB 1383 AND CALRECYCLE**

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING SOUTH PASADENA MUNICIPAL CODE SECTION 16.1 ("DEFINITIONS"), SECTION 16.3 ("ILLEGAL ACCUMULATIONS"), SECTION 16.5 ("COLLECTION AND REMOVAL GENERALLY"), SECTION 16.13 ("TRANSPORTATION ALONG STREETS"), SECTION 16.14 ("PILING OF BRUSH, TREE, ETC., TRIMMINGS AND STUMPS"), SECTION 16.17 ("GENERALLY"), SECTION 16.18 ("LOCATION"), SECTION 16.19 ("UNAUTHORIZED REMOVAL OR INTERFERENCE WITH"), AND SECTION 16.22 ("COVERING OF GARBAGE RECEPTACLES; WRAPPING GARBAGE") OF CHAPTER 16 ("GARBAGE AND WASTE") RELATING TO MANDATORY ORGANIC WASTE DISPOSAL AND ADDING A NEW

ARTICLE V (ORGANIC WASTE DISPOSAL) TO CHAPTER 16 ("GARBAGE AND WASTE") CONSISTENT WITH THE STATE'S MODEL MANDATORY ORGANIC WASTE DISPOSAL REDUCTION ORDINANCE AND ADDING A NEW SECTION 2.99-29C ("RECOVERED ORGANIC WASTE PRODUCT AND RECYCLED-CONTENT PAPER PROCUREMENT REQUIREMENTS") OF CHAPTER 2 ("ADMINISTRATION") OF THE SOUTH PASADENA MUNICIPAL CODE RELATING TO RECYCLED AND ORGANIC WASTE PROCUREMENT

Recommendation

It is recommended that the City Council read by title only for first reading, waiving further reading, and introduce an ordinance to amend Chapter 16 and Chapter 2 of the South Pasadena Municipal Code (SPMC) to implement a Mandatory Organic Waste Disposal Reduction Ordinance as required by SB 1383 and CalRecycle, within the City of South Pasadena.

COUNCIL ACTION AND MOTION

Acting Public Works Director Gerber made a presentation and provided an overview of the item.

Mayor Mahmud noted that an updated ordinance was included in the additional documents.

Councilmember Zneimer inquired how enforcement is accomplished; inquired about the colored bins provided to residents.

Councilmember Donovan inquired how material will be separated in modified bins.

Mayor Mahmud inquired that under these new regulations, enforcement can take place if there is co-mingling of waste; inquired about the time period for residents to comply; inquired about public outreach; inquired about the fine amount levels.

Acting Public Works Director Gerber responded to City Council inquiries.

There was a discussion as to what would be considered organic waste.

Mayor Pro Tem Cacciotti inquired about the multiple tiers referenced in the ordinance; inquired about the barrels being provided by the City.

Councilmember Zneimer inquired if the new regulations will increase costs from Athens Services; inquired if the City's credits received will be affected by the new regulations.

City staff responded to City Council inquiries.

City Attorney Jared noted changes in the proposed ordinances that was provided by staff in the additional documents.

Mayor Mahmud noted that additional changes will need to be made in the ordinance when it comes for second reading.

Mayor Mahmud opened the public hearing.

Sam Burgess stated that apartment buildings will have a difficult time storing these additional bins; asked if the City will be provided colored bins on the street.

A member of the public asked if the City is paying for the material recovery facility (MRF).

Mayor Mahmud and City staff briefly responded to comments.

Christian Warner, Athens Services, responded to several points made during the item discussion.

Mayor Pro Tem Cacciotti inquired about waste characterizations.

Councilmember Zneimer inquired if trash bins at public parks are included in waste characterization.

Mayor Mahmud requested that Athens Services provide notice to City staff when they are out notifying multi-unit complexes and businesses of the new regulations.

Mayor Pro Tem Cacciotti inquired about the use of electric equipment.

Christian Warner, Vice President of Athens, responded to City Council inquiries.

With no other requests to speak, Mayor Mahmud closed the public hearing.

Mayor Mahmud requested to relabel the term, "garbage and waste" to "organic waste and non-organic waste" and define non-organic waste as any type of waste that is not organic.

City Attorney Jared requested that change be made to the chapter heading, with staff analyzing the remaining ordinance for any applicable change.

There was a discussion about the definition of "waste".

City Attorney Jared recommended bringing back a modified ordinance for first reading at the next City Council meeting so that staff has time to make all the requested and necessary changes.

A motion was made by Mayor Mahmud, seconded by Mayor Pro Tem Cacciotti and approved by roll call vote to continue the public hearing to the November 17, 2022 City Council meeting.

Motion carried, 4-0.

ACTION / DISCUSSION

None

INFORMATION REPORTS

None

ADJOURNMENT

There being no further matters, Mayor Mahmud adjourned the meeting of the City Council at 9:54 PM, to the next Regular City Council meeting scheduled on Wednesday, November 17, 2021.

Respectfully submitted:



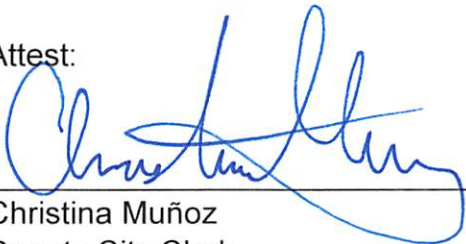
Christina Muñoz
Deputy City Clerk

APPROVED



MICHAEL A. CACCIOTTI
MAYOR

Attest:



Christina Muñoz
Deputy City Clerk