



Amended Additional Documents Distributed for the City Council Meetings of January 17, 2024

Item No.	Agenda Item Description	Distributor	Document
CS.	PUBLIC COMMENT	John	Email to Council
2.	PUBLIC COMMENT - GENERAL	Oli Kooner	Email to Council
2.	PUBLIC COMMENT - GENERAL	Marcus Batista	Email to Council
2.	PUBLIC COMMENT - GENERAL	Yvonne LaRose	Email to Council
4.	CERTIFICATE OF RECOGNITION FOR FIVE CONSECUTIVE YEARS OF AWARD-WINNING FLOAT ENTRIES IN THE ROSE PARADE	Sheila Pautsch, Community Services Director	Memo for Corrections
7.	APPROVAL OF PREPAID WARRANTS IN THE AMOUNT OF \$351,935.78; GENERAL CITY WARRANTS IN THE AMOUNT OF \$606,818.62; ONLINE PAYMENTS IN THE AMOUNT OF \$142,721.34; VOIDS IN THE AMOUNT OF (\$4,741.66); PAYROLL IN THE AMOUNT OF \$2,814,793.36	John	Email to Council
13.	CONSIDERATION OF APPOINTMENTS AND REAPPOINTMENTS TO CITY BOARDS, COMMISSIONS, AND COMMITTEES	Luis Frausto, Management Services Director	Memo for Corrections

14.	CONSIDER A RESOLUTION AMENDING THE GENERAL PLAN TO INCREASE DENSITIES IN THE MEDIUM INTENSITY AND HIGH INTENSITY LAND USE DESIGNATIONS AND AN ORDINANCE TO INCREASE THE DENSITY IN THE RESIDENTIAL MEDIUM (RM) AND RESIDENTIAL HIGH (RH) ZONES CONSISTENT WITH THE ADOPTED 6TH CYCLE HOUSING ELEMENT.	Josh Albrektson	Email to Council
14.	CONSIDER A RESOLUTION AMENDING THE GENERAL PLAN TO INCREASE DENSITIES IN THE MEDIUM INTENSITY AND HIGH INTENSITY LAND USE DESIGNATIONS AND AN ORDINANCE TO INCREASE THE DENSITY IN THE RESIDENTIAL MEDIUM (RM) AND RESIDENTIAL HIGH (RH) ZONES CONSISTENT WITH THE ADOPTED 6TH CYCLE HOUSING ELEMENT.	Ed Elsner	Email to Council
14.	CONSIDER A RESOLUTION AMENDING THE GENERAL PLAN TO INCREASE DENSITIES IN THE MEDIUM INTENSITY AND HIGH INTENSITY LAND USE DESIGNATIONS AND AN ORDINANCE TO INCREASE THE DENSITY IN THE RESIDENTIAL MEDIUM (RM) AND RESIDENTIAL HIGH (RH) ZONES CONSISTENT WITH THE ADOPTED 6TH CYCLE HOUSING ELEMENT.	Robert Wade	Email to Council
14.	CONSIDER A RESOLUTION AMENDING THE GENERAL PLAN TO INCREASE DENSITIES IN THE MEDIUM INTENSITY AND HIGH INTENSITY LAND USE DESIGNATIONS AND AN ORDINANCE TO INCREASE THE DENSITY IN THE RESIDENTIAL MEDIUM (RM) AND RESIDENTIAL HIGH (RH) ZONES CONSISTENT WITH THE ADOPTED 6TH CYCLE HOUSING ELEMENT.	Victor Tang	Email to Council
14.	CONSIDER A RESOLUTION AMENDING THE GENERAL PLAN TO INCREASE DENSITIES IN THE MEDIUM INTENSITY AND HIGH INTENSITY LAND USE DESIGNATIONS AND AN ORDINANCE TO INCREASE THE DENSITY IN THE RESIDENTIAL MEDIUM (RM) AND RESIDENTIAL HIGH (RH) ZONES CONSISTENT WITH THE ADOPTED 6TH CYCLE HOUSING ELEMENT.	Matt Gelfand	Email to Council

14.	CONSIDER A RESOLUTION AMENDING THE GENERAL PLAN TO INCREASE DENSITIES IN THE MEDIUM INTENSITY AND HIGH INTENSITY LAND USE DESIGNATIONS AND AN ORDINANCE TO INCREASE THE DENSITY IN THE RESIDENTIAL MEDIUM (RM) AND RESIDENTIAL HIGH (RH) ZONES CONSISTENT WITH THE ADOPTED 6TH CYCLE HOUSING ELEMENT.	Ben Jarvis, Senior Planner	PowerPoint
17.	COUNCILMEMBER COMMUNICATIONS	Michael A. Cacciotti, Councilmember	PowerPoint

From: [John C.](#)
To: [City Council Public Comment](#)
Subject: Email Public Comment for closed session agenda item A for South Pasadena City Council Meeting 1/17/2024
Date: Sunday, January 14, 2024 9:13:59 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Mayor Evelyn G. Zneimer, Mayor Pro Tem Jack Donovan, Council members Jon Primuth, Michael A. Cacciotti, and Janet Braun

The City Council needs to increase the pay for the South Pasadena Police Officers' Association, South Pasadena Firefighters' Association, South Pasadena Public Service Employees' Association, and Unrepresented Management Employees. If the city wants a fully staff department. Increase pay for city employees will help. Example how increase pay helps and works below from an article by Police 1 below:

More than 1K apply to LAPD after increasing officer starting pay by 13%

In August, the LAPD said 1,048 people applied, the largest amount of applications in a single month since September 2020

September 13, 2023 11:36 AM

By Sarah Roebuck

Police1

LOS ANGELES — After the Los Angeles Police Department announced a bump in starting salaries for officers, the department has seen a flood of new applicants.

In August, the department said 1,048 people applied, the largest amount of applications in a single month since September 2020, [NBC Los Angeles reports](#).

Up until that point, the LAPD had seen around 840 applications each month.

At the end of August, the Los Angeles City Council voted 12-3 [to ratify a contract with the city's police officers](#) to bump starting pay nearly 13%, putting the salary for a new officer at \$86,192. Officers will also see an annual base raise of

3%. Taken together with additional bonuses, officers covered by the contract will get a 4% to 6% wage increase each year for four years.

The LAPD stated that it is performing additional screenings and examinations to manage the growing volume of applications. It also mentioned that it is making efforts to shorten the period to under three months from the time of application to the start of academy training.

Chief Michel Moore reported that an additional 52 officers have either retired, resigned or moved to different agencies in the past few weeks. This has resulted in a current staffing level of 8,959, marking one of the lowest points in over a decade. Mayor Karen Bass has set a goal to increase the number of sworn officers in the department to about 9,500 by June 2024.

From, John

From: [Oli Kooner](#)
To: [City Council Public Comment](#)
Subject: Public Comment for Meeting on 1/17/23
Date: Wednesday, January 17, 2024 8:03:14 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I want the city of South Pasadena to make a public statement in support of an immediate permanent ceasefire in Palestine and in support of critical aid/resources to be delivered immediately to the people of Palestine.

From: [Marcus Batista](#)
To: [City Council Public Comment](#)
Cc: [Anne Bagasao](#)
Subject: Immediate Action Needed on Rent Control and Relocation Fees
Date: Wednesday, January 17, 2024 9:39:23 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Zneimer, Mayor Pro-Tem Donovan, and City Council Members,

I hope this message finds you well. In December 2023, the City committed to addressing rent stabilization and relocation fees, but to my most recent understanding, no action has been taken.

We urgently request the implementation of rent control measures to protect the stability of our housing in 2024. We urge you to direct your staff to prepare a report on rent stabilization and increased relocation fees as outlined in the Housing Element.

This matter is of great concern to the community, and we seek your prompt attention to it. I hope that you allow the South Pasadena Tenants Union to address this issue during the General Public Comment at the Open Session Meeting today, January 17.

Sincerely,
Marcus Batista

From: [Yvonne LaRose](#)
To: [City Council Public Comment](#)
Subject: Public Comment: Commencement of a New Administration
Date: Wednesday, January 17, 2024 11:58:10 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We begin 2024 with a new City Council administration, once again led by a woman. However, this time around the female-led Council emerges with a new step is displaying and embracing the wholesomeness found in acceptance and inclusion. I, among many others, celebrate it.

It was in 1981 that I found my "Alhambra", my "Granada", in South Pasadena and then made it my home. The city was enduring its growing pains from the many civil rights legislations. Yet my neighbors were part of the mixture I knew from my own Rockwellian environment. The move was merely a change in geography, nothing more.

Some shocks to the psyche occurred in the first four years. The second was hearing my boss (who was also an Altos neighbor) share the Altos development history. It was a casual matter regarding the design to prevent Asians from purchasing any of the lots. As we see today, the effort failed.

This new administration makes me reflect on many aspects of becoming an active and involved South Pasadena resident. I remember the names of our initial female mayors: Leila Cox, Alva Lee Arnold, Evelyn Fierro. I smile at their "warrior" stance on protecting our city and its citizens.

During my tenure in law school, I would periodically check on the news in the city. It was with overwhelming joy that I began seeing Asian faces on the City Council. "Yes!" I mentally shouted, "They've broken through."

And now, not only have Asians broken through for property ownership in the Altos but also in Government, with this Administration, we can say we have a woman who is Pacific Asian as our Mayor.

Congratulations!

Viva
Yvonne LaRose, CAC
Organization Development Consultant: Diversity/Title VII, Harassment, Ethics



City of South Pasadena
Management Services

Memo

Date: January 17, 2024

To: The Honorable City Council

Via: Arminé Chaparyan, City Manager *ppmm for AC*

From: Sheila Pautsch, Community Services Director

Subject: January 17, 2024, City Council Meeting Item No. 4 – Certificate of Recognition for Five Consecutive Years of Award-Winning Float Entries in the Rose Parade

This memo provides a correction to a scrivener's error to the title of Item No. 4 of the Regular City Council Meeting Agenda:

“Certificate of Recognition for the South Pasadena Tournament of Roses Committee for **Five** Consecutive Years of Award-Winning Float Entries in the Rose Parade”

From: [John C.](#)
To: [City Council Public Comment](#)
Subject: Email Public Comment for Agenda 7 for South Pasadena City Council Meeting January 17, 2024
Date: Sunday, January 14, 2024 11:49:58 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To South Pasadena Mayor Evelyn G. Zneimer, Mayor Pro Tem Jack Donovan, Councilmember Jon Primuth, Councilmember, Michael Cacciotti, and Councilmember Janet Braun

Please Approve Agenda Item 7. Especially both city prepaid warrant and city warrant below:

ENTERPRI - Enterprise FM Trust

0 12/18/2023

Inv FBN4902540

Line Item Date Line Item Description

12/06/2023 Monthly Tesla Lease Payment - December 2023
16,912.71

Inv FBN4902540 Total
16,912.71

0 Total:
16,912.71

ENTERPRI - Enterprise FM Trust Total:
16,912.71

Total:
16,912.71

ENTERPRI - Enterprise FM Trust

0 01/17/2024

Inv FBN4932610

Line Item Date Line Item Description

01/05/2024 Tesla Vehicle Fleet Lease January 2024
9,412.37

Inv FBN4932610 Total
9,412.37

0 Total:
9,412.37

ENTERPRI - Enterprise FM Trust Total:
9,412.37

Also, the comment below was submitted for May 3, 2023, May 17, 2023, June 21, 2023, August 16, 2023, September 6, 2023, October 4, 2023, October 28, 2023, and January 17, 2024. This comment has been updated because the City of Long Beach has renewed the Enterprise Leases contract again for the Long Beach Police Department on June 20, 2023 and also updated on January 17, 2024. This comment is for the South Pasadena City Council to stop questioning the Enterprise Lease contract.

Please stop questioning the use of the Enterprise Lease contract that South Pasadena Police Department is using because below the City of Long Beach used the Enterprise contract three times and below is how the Long Beach City Council voted. Not one city councilmember voted no. Agenda item information below:

May 12, 2015

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION: Adopt Specifications No. ITB FS15-005 and award a contract to Enterprise FM Trust, dba Enterprise Fleet Management, Inc., of St. Louis, MO, for leasing vehicles for various Police operations, in an annual amount not to exceed \$155,000, including tax and fees, for a period of four years; and, authorize the City Manager or designee to execute all documents necessary to enter into the contract, including any necessary amendments thereto. (Citywide)

DISCUSSION: City Council approval is requested to enter into a contract with Enterprise Fleet Management, Inc. (Enterprise), for the lease of up to 20 vehicles, as needed by the Police Department.

A motion was made by Councilman Andrews, seconded by Councilman Austin, to approve recommendation.

	Votes
Councilwoman Gonzalez	Yes
Vice Mayor Lowenthal	Yes
Councilwoman Price	Yes
Councilman Supernaw	Yes
Councilwoman Mungo	Yes
Councilman Andrews	Yes
Councilmember Uranga	Yes
Councilmember Richardson	Yes

October 20, 2020

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION: Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, and any necessary amendments, with Enterprise FM Trust, dba Enterprise Fleet Management, Inc., of St. Louis, MO, to lease vehicles for various Police operations, on the same terms and conditions afforded to Sourcewell, formerly The National Joint Powers Alliance, in an annual amount of \$125,656, with a 10 percent contingency of \$12,565, for a total annual contract amount not to exceed \$138,221, until the Sourcewell contract expires on July 24, 2022, with the option to renew for as long as the Sourcewell contract is in effect, at the discretion of the City Manager. (Citywide)

DISCUSSION City Council approval is requested to enter into a contract with Enterprise Fleet Management, Inc. (Enterprise), for the lease of up to 20 vehicles, as needed by the Police Department for various operations. This lease agreement will allow the City to replace currently leased vehicles of various makes and models that are now at the end of their term under the previous contract.

A motion was made by Councilmember Uranga, seconded by Councilmember Richardson, to approve recommendation.

	Votes
Councilwoman Zendejas	Yes
Councilmember Pearce	Yes
Councilwoman Price	Yes
Councilman Supernaw	Yes
Councilwoman Mungo	Yes
Dee Andrews	Yes
Councilmember Uranga	Yes
Councilmember Austin	Absent
Councilmember Richardson	Yes

June 20, 2023

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION: Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, and any necessary documents, including any necessary subsequent amendments, with Enterprise FM Trust, dba Enterprise Fleet Management, Inc., of St. Louis, MO to lease vehicles for various Long Beach Police Department operations, on the same terms and conditions afforded to Sourcewell, in a annual amount \$170,000, and authorize a ten percent contingency if \$17,000, for a total annual contract amount not to exceed \$187,000, for a period of three years, with the option to renew for an additional one-year period, at the discretion of the City Manager. (Citywide)

DISCUSSION: City Council approval is requested to enter into a contract with Enterprise Fleet Management, Inc. (Enterprise), for the lease of as-needed unmarked vehicles, by the Long Beach Police Department (LBPD) for various operations. This lease agreement will allow the City of Long Beach (City) to replace currently lease vehicles of various makes and models that are now at the end of their lease term under previous contract.

A motion was made by Councilwomen Kerr, seconded by Councilmember Uranga, to approve recommendation.

	Votes
Councilwomen Zendejas	Yes
Vice Mayor Allen	Yes
Councilmember Duggan	Yes
Councilman Supernaw	Yes
Councilwomen Kerr	Yes
Councilwomen Saro	Yes
Councilmember Uranga	Yes
Councilman Austin	Yes
Councilmember Ricks-Oddie	Yes

The City of Long Beach has been very stringent on how much city money Long Beach Police Department can spend on vehicle replacements. So the South Pasadena City council would think that the Long Beach City council would question this decision in using Enterprise by Long Beach Police Department and may vote no on this agenda, but that did not happen as you can see above. Also, Long Beach Police Department must minimize replacements and maximize use of their current fleet. Example of this is what Long Beach Police Department was approved for over the last decade and a half. In 2011 Long Beach Police Department was approved to purchase 130 2011 Ford Crown Victoria Police Interceptors, in 2014 2 Chevrolet Tahoe Police Pursuit Vehicle 2WD, in 2015 2 Chevrolet Suburban for K9 use, and in 2015 and 2016 was approved for 95 Ford Police Interceptor Utility. Long Beach Police Department fleet is about 400 vehicles. For the South Pasadena City council to know this can be very expensive because a

lot of City of Long Beach money goes into maintenance cost because most of the vehicles Long Beach Police Department uses are gassed powered vehicles.

From South Pasadena Resident,
John



Memo

Date: January 17, 2024

To: The Honorable City Council

Via: Arminé Chaparyan, City Manager *AKM TR AL*

From: Luis Frausto, Management Services Director

Subject: January 17, 2024, City Council Meeting Item No. 13 – Consideration of Appointments and Reappointments to City Boards, Commissions, and Committees

This memo provides a correction to a scrivener's error on page 13-1:

"It is recommended by Mayor **Zneimer** that the City Council appoint the following to City Boards, Commissions, and Committees:"

From: [Josh Albrektson](#)
To: [City Council Public Comment](#)
Subject: Item 14 Public Comment
Date: Wednesday, January 17, 2024 2:08:13 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I don't know if your staff is incompetent or they actually think this is a good strategy. You would think that after having these kinds of NIMBY tactics backfire on you guys over and over and over and over you would have learned your lesson, but I guess that is not the case. There is a reason your staff has wasted over a million dollars on the General Plan and Housing Element and it appears you guys are intent on wasting a ton more money.

The stipulated judgement is very very clear. You have to adopt the zoning in the adopted Housing Element. I spit out my drink when I heard your city attorney state at the Sept 27th meeting that you guys were close to complying with the judgement. How do we go from one incompetent law firm to another???

And this is the same incompetent firm that just lost a BIG case in Beverly Hills to Californians for Homeownership. But I'm sure this time it will be different.....

<https://beverlyhillscourier.com/2023/12/28/beverly-hills-appeals-judgment-in-housing-element-lawsuit/>

You might want to be sure to read that article to see what the punishment for Beverly Hills is.....

Just because you guys want to believe the Ostrich Farm and Huntington mixed use zones are not in the Housing Element doesn't mean they don't actually exist. They are half of your Housing Element zoning.

You have been explicitly told by Ca for Homes that they will seek a judgement against you if they are not adopted.

Like what the fuck are you guys doing?? You guys are guaranteeing that you will have a judgement against you in this case and also making sure that you will be at the top of the list of NIMBY cities to sue whenever a president is needed to be set.

Now, I know you guys don't care about the integrity of your staff when they are lying to help your NIMBY causes. I think you guys are 100% in favor of it. But your staff is not smart enough and competent enough to repeatedly lie to HCD and think you will get different results. Maybe HCD will forget the last 4 times your staff lied and believe them this time??

I'm just really amazed that you guys keep attempting it over and over and over and having it repeatedly backfire, and yet you try again.

Your staff made promises to me, South Pasadena Tenants Union, and Care first in order to get us to support your Housing Element. They have broken every one of those promises. Instead of working to get Rent Control to the City Council by December as explicitly stated in the

Housing Element, they have wasted hundreds of hours and \$100k to Kaiser Rangwalla for their dumb NIMBY strategy.

And what do they plan on doing about Rent Control and the Tenant protections??? You know, the stuff to support the 52% of South Pasadena Residents that you guys always like to talk about?? They are going to spend \$400k on a consultant to do tenant protections sometime in the distant future.

At some point of time you guys really need to question the competence of your staff and city manager for repeatedly getting you guys in trouble and wasting hundreds of hours and over a million dollars in consultant fees.

--

Josh Albrektson MD
Neuroradiologist by night
Crime fighter by day

From: [Ed Elsner](#)
To: [Angelica Frausto-Lupo](#); [Alison Becker](#)
Cc: [CCQ](#); [City Council Public Comment](#)
Subject: Fwd: Public Comment -- Item 14., Regular Meeting, January 17, 2024
Date: Wednesday, January 17, 2024 3:53:42 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Ms. Frausto-Lupo and Ms. Becker,

I'm writing to expand a bit on CEQA issues related to the public comment that I submitted earlier today regarding the proposed density increases in the Residential Medium and Residential High zones (please see the comment below).

If the City decides to move forward with the proposed rezoning, I think there are very good practical reasons for the City to voluntarily prepare a new EIR document recognizing the true scope of the project after correcting the development capacity adjustment error in Table VI-51. This would really help the City meet its new obligations in the next RHNA cycle.

I did want to provide more specifics about one of the CEQA compliance issues that I am seeing.

The general plan amendment approved last September provided that the Medium Density land use designation would have a "Max 14 units/acre" density, that the High Density land use designation would have a "Max 24 units/acre" density, and that the "The General Plan projects 2,775 additional new residential units over a 20 year period."

The general plan amendment that is before the Council this evening proposes to increase Medium Density to a maximum of 30 units/acre and High Density to a maximum of 45 units/acre. However, despite these significant density increases, the 2,775 unit projection remains unchanged, and the proposed resolution includes a finding that the proposed density increases are somehow still within the 2,775 scope of the PEIR that was certified on September 27, 2023.

There is no evidence in the record supporting a determination that the proposed density increases would have no impact whatsoever on the additional unit projection. This determination would appear to defy common sense, and there is no commentary in the agenda report or anywhere else explaining how this could be.

(Incidentally, one of the reasons I made a decision not to proceed with a CEQA challenge to the PEIR last fall was that the 2,775 unit projection in the draft general plan amendment was not adjusted downward to account for the removal of the

proposed RM and RH rezoning before the amendment was approved by the City Council. This strongly suggested that if the RM and RH rezoning had been included in the general plan amendment, the project scope would have exceeded the 2,775 unit scope of the PEIR, and that the action taken by the City Council was intended to address that scope issue. I think that adding the RM and RH rezoning back into the mix now without a corresponding increase in the general plan's unit projection would support an argument that the deadline to challenge the certified PEIR has been equitably tolled.)

Using the projection methodology in Table VI-51 of the adopted housing element, with the 400% development capacity error corrected and assuming 30 and 45 du/acre, the proposed RM and RH rezoning represents a substantial change in the project that would require a major revision of the certified PEIR due to a substantial increase in the severity of previously identified impacts. Pub. Resource Code §15162(a)(1). At the very least, the City is obligated to prepare a subsequent EIR before approving the proposed RM and RH rezoning.

In an abundance of caution, and without waiving any other ground for objection in any of my previous written and verbal public comments, I wanted to directly state that I am objecting to the approval of the proposed RM and RH rezoning on the basis that a subsequent EIR is required by CEQA. Pub. Resource Code §§21177(a), (b).

Thank you for your consideration. I hope the City will look at voluntarily correcting the PEIR for the reasons explained in my written public comment below.

Ed Elsner
[REDACTED]

----- Forwarded message -----

From: **Ed Elsner** [REDACTED]
Date: Wed, Jan 17, 2024 at 10:16 AM
Subject: Public Comment -- Item 14., Regular Meeting, January 17, 2024
To: <ccpubliccomment@southpasadenaca.gov>
Cc: <jprimuth@southpasadenaca.gov>, <mcacciotti@southpasadenaca.gov>, <jbrown@southpasadenaca.gov>, <ezneimer@southpasadenaca.gov>, <jdonovan@southpasadenaca.gov>

Dear Mayor Zneimer, Mayor Pro Tem Donovan, and Councilmembers Braun, Cacciotti, and Primuth:

If the City Council decides to proceed with the proposed Residential Medium (“RM”) and Residential High (“RH”) rezoning, it should consider making the most of the rezoning by:

- Acknowledging the development capacity adjustment error in Table VI-51 of the adopted Housing Element, which resulted in a gross understatement of the anticipated development capacity of the Housing Element’s rezoning program;
- Correcting the recently-certified PEIR so that it discloses the true scope of the General Plan and zoning code amendments (“Project”) and fully analyzes the Project impacts;
- Adopting a statement of overriding considerations finding that the benefits of the Project -- in the current RHNA cycle as well as in the next -- outweigh its substantial and unavoidable impacts;
- Making a separate finding that a “no rezoning of RM and RH parcels” alternative is not feasible in light of the stipulated judgment in the *Californians for Homeownership* litigation;
- Amending the General Plan and zoning code to increase the densities of the RM and RH land use designations to 30 and 45 du/acre, as contemplated by the HE and agreed to in the stipulated judgment; and
- Amending Table VI-51 of the HE to correct the development capacity error (and other errors) and to accurately state the anticipated development capacity of the rezoning program.

The approach as outlined in the agenda report ignores (and implicitly denies) the development capacity error in Table VI-51.

Accordingly, if the City proceeds as outlined in the agenda report, the City will not be able to show that it can accommodate any of the new RHNA allocation in the next cycle.

More rezoning will be needed, and the City would certainly be required to prepare a new EIR, as the additional rezoning would not be within the 2,775 unit scope of the PEIR that was certified in September 2023.

So, even though the development capacity adjustment error in Table VI-51 actually resulted in excessive rezoning in the current RHNA cycle, the City would be unable to use the additional capacity to meet its new obligations in the next RHNA cycle.

The City could instead choose to correct the certified PEIR now so that it discloses the true scope of the Project, as determined using the HCD-approved methodology applied to corrected data in Table VI-51.

With a development capacity far exceeding 2,775 units formally recognized in an amended and corrected Table VI-51, and the true scope of the Project anticipated and analyzed in a corrected PEIR, the City would be better positioned for the next RHNA cycle.

The heavy lifting has already been done in the certified PEIR, and the analysis in a corrected PEIR would primarily be concerned with the increased severity of previously identified significant effects; this should minimize the expense of the document.

The stipulated judgment in the *Californians for Homeownership* litigation would also provide a basis for a finding that a “no RM or RH rezoning” alternative is infeasible for legal reasons (see *Tiburon Open Space Committee v. County of Marin* (2022) 78 Cal.App.5th 700).

The CEQA statute or guidelines do not expressly prohibit the preparation of a voluntary corrective EIR, and research did not turn up any published decision where an agency was sued because it prepared an EIR when it was not required to.

If an agency prepared a voluntary EIR document in order to correct a previously certified but erroneous EIR, thereby providing full disclosure and analysis of a project’s environmental impacts, there is no question that doing so would promote the fundamental policies of CEQA.

To be clear, the proposed RM and RH rezoning is not within the scope of the certified PEIR, and approving the rezoning would revive the CEQA scope issue that was addressed (but not entirely) by the previous deletion of the rezoning from the General

Plan and zoning code amendments.

However, the point of this public comment is that correcting the certified PEIR would yield practical benefits in the next RHNA cycle.

For that reason alone this presents an opportunity that should be given serious consideration before action is taken on the proposed RM and RH rezoning.

Ed Elsner



From: [vers bleu](#)
To: [City Council Public Comment](#)
Subject: Public comment 01/17/24
Date: Wednesday, January 17, 2024 10:32:33 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Regarding the adopted Housing Element

I would like to ask the mayor and council to move forward on matching the level of housing rights and protections that our neighbors in Los Angeles county and in Pasadena have achieved.

The recent substantial renovations ordinance was one step, but leaves many protections for renters far behind the communities around us. that includes rent control, unregulated family move-ins and real relocation assistance deserving the name. There are South Pasadena renters that are losing their homes, and their place in this community, because these loopholes and gaps exist.

The mayor and council should take action now, not later, to close the growing gap to our county neighbors and enact real and necessary protections – as they have promised. Our neighbors have those protections today because they are necessary for a modern, just and healthy community.

Thank you
Robert Wade

From: [REDACTED]
To: [City Council Public Comment](#)
Subject: Comments on agenda item #14 / Support for density increase
Date: Wednesday, January 17, 2024 11:55:12 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Council members,

This is Victor Tang, a developer would be interested in building condo units affordable to middle class families. With high land price, high labor cost and high construction loan interests, many projects will only be financially feasible with higher densities.

High city impact fees and utility connection fees is also a big burden for developers. City of Pasadena reduces such fees for project with onsite affordable units. I hope City of South Pasadena can have more affordable housing incentives on top of the standard State Density Bonus Law. Here are some languages from City of Pasadena affordable housing incentives:

Notwithstanding any other provision contained in this chapter, new residences which are rented or sold to persons and families of low or moderate income (as defined in Health and Safety Code Section 50093) pursuant to the city's inclusionary housing regulations, or which are skilled nursing units, or is a residential care facility for the elderly, or which are student housing residences, shall be assessed a fee of \$756 per unit. This fee may annually escalate at the same percentage as the consumer price index.

If a new residential development project is subject to the city's inclusionary housing ordinance, and all of the inclusionary housing units are built on-site, the noninclusionary residences shall receive a 30 percent discount on the residential impact fee.

Respectfully,

Victor Tang

From: [Matt Gelfand](#) on behalf of [REDACTED]
To: [Michael Cacciotti](#); [Jon Primuth](#); [Evelyn Zneimer](#); [Jack Donovan](#); [Janet Braun](#); [City Council Public Comment](#); [CCO Roxanne Diaz](#); [City Manager's Office](#); [Angelica Frausto-Lupo](#); [Alison Becker](#); ["Ginetta Giovinco"](#); ["McDougall, Paul@HCD"](#)
Cc:
Subject: Comment regarding Regular Meeting Agenda Item 14 and Closed Session Agenda Item C.1
Date: Wednesday, January 17, 2024 4:55:12 PM
Attachments: [2024-1-17 - Californians Letter to City Council.pdf](#)

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the City Council:

Please see the attached correspondence regarding Regular Meeting Agenda Item 14 and Closed Session Agenda Item C.1 at your upcoming meeting.

Sincerely,

Matthew Gelfand

--

Matthew Gelfand
Counsel, Californians for Homeownership
525 S. Virgil Avenue
Los Angeles, CA 90020

[REDACTED]
[REDACTED]

Californians for Homeownership is a 501(c)(3) non-profit organization that works to address California's housing crisis through impact litigation and other legal tools.



January 17, 2024

VIA EMAIL

City Council
City of South Pasadena
1424 Mission Street
South Pasadena, CA 91030

Email: jprimuth@southpasadenaca.gov; ezneimer@southpasadenaca.gov;
jdonovan@southpasadenaca.gov; jbrown@southpasadenaca.gov;
mcacciotti@southpasadenaca.gov; cco@southpasadenaca.gov;
ccpubliccomment@southpasadenaca.gov

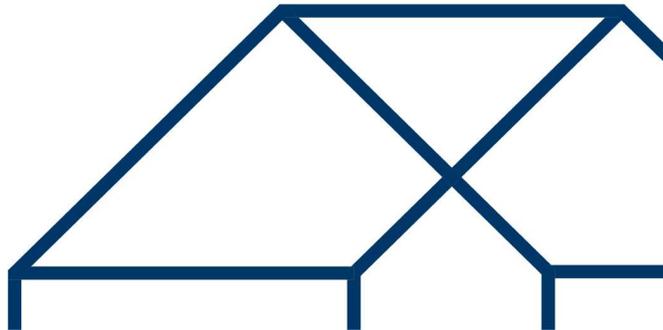
RE: *Californians for Homeownership v. City of South Pasadena*
L.A.S.C. Case No. 22STCP01388

To the City Council:

As you know, on August 19, 2022, a stipulated judgment was entered in our favor and against the City following the settlement of our litigation over the City's failure to timely adopt a substantially compliant general plan housing element. Under the terms of the judgment, the City was required to adopt its housing element (which it did on May 30) and then to complete the rezoning contemplated in its housing element within 120 days—that is, by September 27, 2023. The City failed to do so, instead adopting a version of its rezoning ordinance that falls far short of what was promised in its housing element.

On December 20, 2023, we filed an enforcement motion against the City. We later agreed to withdraw that motion so that the City could attempt to resolve the dispute through additional rezoning at a hearing to be held later today.

If you adopt staff's recommended action this evening, the City will make considerable additional progress toward complying with its rezoning obligations. But the City's work will not be complete, and our dispute will not be resolved. While the planned rezoning resolves your September 2023 decision to exclude the RM and RH from rezoning entirely, it does not resolve hundreds of other instances where the City's zoning is inconsistent with the planned maximum densities in the housing element, including for a large subset of parcels within the RM and RH zones. We have attempted to enumerate these parcels in the chart at the end of this letter, to the extent that the City's map-based (rather than APN-based) approach to rezoning and the other information available to us have allowed us to identify the impacted sites. But to be clear, we are demanding that the City match its zoning to its operative housing element for *all* parcels, not just those for which we have been able to specifically identify the mismatch now.



We are aware that the City has begun to characterize some of the planned densities listed in its housing element as “errors.” Having observed the City’s housing element development process over the last two years, we do not believe that this is an accurate characterization. We do not believe that the City simply “made a mistake” when, for example, it assigned hundreds of RM- and RH-zoned sites a planned density of 70 dwelling units per acre. Instead, we believe that the City intended these to be instances of “non-vacant land in the Commercial General (CG), Mission Street Specific Plan (MSSP), Business Park (BP), Community Facilities (CF), and Residential Medium-Density (RM) and Residential High-Density (RH) zones that is proposed for . . . redesignation and rezoning to Mixed-Use, Ostrich Farm Zone, Downtown Mission, Downtown Fair Oaks, or as part of the General Plan and the Downtown Specific Plan (DTSP) updates.” (Housing Element at 168.) And now, we believe that the City has planner’s remorse over the densities it deliberately chose to include in its housing element.

If we are wrong, and the City really did assign erroneous maximum densities to nearly 400 sites in its housing element, the correct solution would be for the City to amend the housing element and seek HCD certification of that amended document. That the City discovered these “errors” months ago but has still not made progress toward amending its housing element is suspect, to say the least.

In light of the City’s failure to comply with the terms of the judgment entered against it, we intend to again move forward with an enforcement motion.

Sincerely,



Matthew Gelfand

cc: City of South Pasadena
Angelica Frausto-Lupo, Community Development Director
(by email to afraustolupo@southpasadenaca.gov)
Alison Becker, AICP, Deputy Community Development Director
(by email to abecker@southpasadenaca.gov)
Arminé Chaparyan, City Manager (by email to cmoffice@southpasadenaca.gov)
Roxanne Diaz, Esq., City Attorney (by email to rdiaz@rwglaw.com)
Ginetta Giovinco, Esq., Litigation Counsel (by email to ggiovinco@rwglaw.com)

California Department of Housing and Community Development
Paul McDougall (by email to paul.mcdougall@hcd.ca.gov)

Insufficiently Rezoned Sites Identified To Date

<u>APN</u>	<u>Zoned Maximum Density</u>	<u>Required Maximum Density</u>
5311001008	30	70
5311001020	30	70
5311002050	45	70
5311002051	45	70
5311002056	30	70
5311002057	30	70
5311002059	45	70
5311002122	45	70
5311002900	30	70
5311003026	45	70
5311003027	45	70
5311003028	45	70
5311003030	45	70
5311003031	45	70
5311003033	45	70
5311003034	45	70
5311003035	45	70
5311003036	45	70
5311003037	45	70
5311003038	45	70
5311003039	45	70
5311003040	45	70
5311004018	45	70
5311004019	45	70
5311004020	45	70
5311004023	45	70
5311004026	45	70
5311004027	45	70
5311004030	45	70
5311010006	30	70
5311010007	30	70
5311010008	30	70
5311010009	30	70
5311010010	30	70
5311010011	30	70
5311010012	30	70
5311010015	30	70

<u>APN</u>	<u>Zoned Maximum Density</u>	<u>Required Maximum Density</u>
5311010016	30	70
5311010022	30	70
5311010052	30	70
5311012004	30	70
5311012018	30	70
5311012020	30	70
5311015028	30	70
5311015029	30	70
5311015030	30	70
5311015048	30	70
5312001903	45	70
5312002002	45	70
5312002003	45	70
5312002004	45	70
5312002005	45	70
5312002006	45	70
5312002007	45	70
5312002008	45	70
5312002009	45	70
5312002023	45	70
5312002025	45	70
5313003039	45	70
5313003040	45	70
5313003041	45	70
5313003042	45	70
5313003045	45	70
5313004018	45	70
5313004030	30	70
5313004031	30	70
5313004032	30	70
5313004033	30	70
5313004034	30	70
5313004035	30	70
5313004036	30	70
5313004037	30	70
5313004038	30	70
5313004039	30	70
5313004040	30	70
5313004041	30	70
5313004042	30	70

<u>APN</u>	<u>Zoned Maximum Density</u>	<u>Required Maximum Density</u>
5313004043	30	70
5313004044	30	70
5313004045	30	70
5313004046	30	70
5313004047	30	70
5313004048	30	70
5313004049	30	70
5313004050	30	70
5313004051	30	70
5313004052	30	70
5313004053	30	70
5313009008	30	70
5313009009	30	70
5313009010	30	70
5313009011	30	70
5313009012	30	70
5313009013	30	70
5313009014	30	70
5313009015	30	70
5313009016	30	70
5313009017	30	70
5313009018	30	70
5313009019	30	70
5313009021	30	70
5313009022	30	70
5313009023	30	70
5313009024	30	70
5313009026	30	70
5313009027	30	70
5313009028	30	70
5313009029	30	70
5313009030	30	70
5313009031	30	70
5313009032	30	70
5313009034	30	70
5313010021	45	70
5313010047	45	70
5313010048	45	70
5313010049	45	70
5313010050	45	70

<u>APN</u>	<u>Zoned Maximum Density</u>	<u>Required Maximum Density</u>
5313010051	45	70
5313010052	45	70
5313010053	45	70
5313010054	45	70
5313010055	45	70
5313010056	45	70
5313010057	45	70
5313010058	45	70
5313010059	45	70
5313010060	45	70
5313010061	45	70
5313010062	45	70
5313010063	45	70
5313010064	45	70
5313010065	45	70
5313010068	45	70
5313011001	45	70
5313011004	45	70
5313011016	45	70
5313012001	30	70
5313012002	30	70
5313012003	30	70
5313012004	30	70
5313012005	30	70
5313012006	30	70
5313012010	30	70
5313012011	30	70
5313012012	30	70
5313012013	30	70
5313012014	30	70
5313012015	30	70
5313012016	30	70
5313012017	30	70
5313012018	30	70
5313012019	30	70
5313012020	30	70
5313012021	30	70
5313017009	45	70
5313017010	45	70
5313017011	45	70

<u>APN</u>	<u>Zoned Maximum Density</u>	<u>Required Maximum Density</u>
5313017013	45	70
5313017014	45	70
5313017017	45	70
5313017019	45	70
5313017020	45	70
5313017021	45	70
5313017022	45	70
5313017023	45	70
5313017024	45	70
5313017025	45	70
5313017026	45	70
5313017027	45	70
5313017028	45	70
5313017031	45	70
5313017038	45	70
5313017063	45	70
5313017067	45	70
5313017802	45	70
5313017902	45	70
5319004021	45	70
5319004022	45	70
5319004035	45	70
5319004036	45	70
5319004037	45	70
5319005021	45	70
5319005022	45	70
5319005023	45	70
5319005024	45	70
5319006005	45	70
5319006025	45	70
5319006027	45	70
5319006034	45	70
5319007001	45	70
5319007043	45	70
5319007048	45	70
5319008009	45	70
5319008018	45	70
5319018001	45	70
5319018002	45	70
5319018004	45	70

<u>APN</u>	<u>Zoned Maximum Density</u>	<u>Required Maximum Density</u>
5319018005	45	70
5319018006	45	70
5319018011	45	70
5319018012	45	70
5319018013	45	70
5319018015	45	70
5319018016	45	70
5319018017	45	70
5319018018	45	70
5319018019	45	70
5319018020	45	70
5319018022	45	70
5319018029	45	70
5319019007	45	70
5319019008	45	70
5319019009	45	70
5319019013	45	70
5319019014	45	70
5319019015	45	70
5319019016	45	70
5319019019	45	70
5319019021	45	70
5319019027	45	70
5319019040	45	70
5319019056	45	70
5319019061	45	70
5319019064	45	70
5319020012	30	70
5319020013	30	70
5319035002	45	70
5319035003	45	70
5319035012	45	70
5319035013	45	70
5319035014	45	70
5319035015	45	70
5319036016	45	70
5319036017	45	70
5319036018	45	70
5319036019	45	70
5319036021	45	70

<u>APN</u>	<u>Zoned Maximum Density</u>	<u>Required Maximum Density</u>
5319037001	45	70
5319037002	45	70
5319037003	45	70
5319037004	45	70
5319037005	45	70
5319037006	45	70
5319037007	45	70
5319038001	45	70
5319038008	45	70
5319038018	45	70
5319038020	45	70
5319038022	45	70
5319038028	45	70
5320003001	70	110
5320003003	70	110
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5320009015	45	70
5320009017	45	70
5320009022	45	70
5320009024	45	70
5320009028	45	70
5320010001	45	70
5320010002	45	70
5320010003	45	70
5320010005	45	70
5320011001	45	70

<u>APN</u>	<u>Zoned Maximum Density</u>	<u>Required Maximum Density</u>
5320011002	45	70
5320011003	45	70
5320011004	45	70
5320017015	30	70
5320018001	30	70
5320018003	30	70
5320018004	30	70
5320018006	30	70
5320018007	30	70
5320018014	30	70
5320018024	30	70
5320018026	30	70
5320020001	30	70
5320020003	30	70
5320020004	30	70
5320020006	30	70
5320021003	30	70
5320021004	30	70
5320021007	30	70
5320021009	30	70
5320021014	30	70
5320021020	30	70
5320021021	30	70
5320021023	30	70
5320021024	30	70
5320021025	30	70
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5320031013	30	70
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5320031015	30	70
5321007018	30	70
5321008016	30	70
5321008017	30	70
5321008049	30	70
5321011006	30	70
5321011007	30	70
5321011008	30	70
5321012008	30	70
5321012017	30	70
5321012018	30	70

<u>APN</u>	<u>Zoned Maximum Density</u>	<u>Required Maximum Density</u>
5321013001	30	70
5321013002	30	70
5321013003	30	70
5321013004	30	70
5321013005	30	70
5321013006	30	70
5321013007	30	70
5321013009	30	70
5321013010	30	70
5321014001	30	70
5321014002	30	70
5321014003	30	70
5321014004	30	70
5321014005	30	70
5321014006	30	70
5321014007	30	70
5321014012	30	70
5321014017	30	70
5321014018	30	70
5321015004	30	70
5321015005	30	70
5321015006	30	70
5321015007	30	70
5321015008	30	70
5321015009	30	70
5321015010	30	70
5321015011	30	70
5321015012	30	70
5321015013	30	70
5321015014	30	70
5321015015	30	70
5321015016	30	70
5321015017	30	70
5321015018	30	70
5321017003	30	70
5321017004	30	70
5321017006	30	70
5321017008	30	70
5321017009	30	70
5321017010	30	70

<u>APN</u>	<u>Zoned Maximum Density</u>	<u>Required Maximum Density</u>
5321017011	30	70
5321017013	30	70
5321017900	30	70
5321018001	30	70
5321018002	30	70
5321018003	30	70
5321018004	30	70
5321018005	30	70
5321018006	30	70
5321018007	30	70
5321018008	30	70
5321018009	30	70
5321018010	30	70
5321018011	30	70
5321018012	30	70
5321018013	30	70
5321018014	30	70
5321018015	30	70
5321018016	30	70
5321018017	30	70
5321018020	30	70
5321018025	30	70
5321018026	30	70
5321019012	30	70
5321019013	30	70
5321019014	30	70
5321019015	30	70
5321019016	30	70
5321019017	30	70
5321019018	30	70
5321019019	30	70
5321019020	30	70
5321019021	30	70

Item 14 General Plan and Zoning Text Amendment

January 17, 2024

Prepared By: Community Development Department

Agenda

SOUTH PASADENA CITY HALL

Project Overview:

- **Increase density in the RM and RH zones**
- **Text Clean-Up**

Background

- **In 2023, the City adopted the 6th Cycle Housing Element.**
- **The Housing Element assumed higher densities in the RM and RH zones.**
- **A Court Order required the City to increase density the RM and RH zones.**

Background

- **In September 2023, the City Council adopted a new General Plan and Zoning Code to support the Housing Element.**
- **The City Council did not increase density in the RM and RH zones because:**
 - **Public testimony raised concerns regarding the loss of naturally occurring affordable housing in these areas.**
 - **The RHNA obligation could be met without upzoning RM and RH areas.**
 - **Ambiguity in General Plan development capacity.**

Project Description

The Project involves two components:

- 1. General Plan Amendment (GPA); and**
- 2. Zone Text Amendment (ZTA)**

Project Description: GPA

The GPA would do the following:

- **Increase the maximum density in the Residential Medium Intensity designation to 30 units per acre.**
- **Increase the maximum density in the Residential High Intensity designation to 45 units per acre.**
- **No other changes are proposed.**

Project Description: ZTA

- **The ZTA would do the following:**
 - **Increase the maximum density in the Residential Medium zone to 30 units per acre.**
 - **Increase the maximum density in the Residential High zone to 45 units per acre.**
- **The ZTA does not affect the City's height limit: City residents will consider that issue as part of a ballot initiative in November 2024.**

Project Description: ZTA

The ZTA would also:

- **Update text to reflect correct General Plan Land Use Designations.**
- **Affirm that Hillside Development Standards do not apply to the Affordable Housing Inventory sites listed Housing Element Table VI-50, removing a barrier for affordable housing.**

Planning Commission

- **Planning Commission considered the increased density in August 2023 and recommended City Council approval.**
- **On September 23, 2023, the City Council adopted most of the Planning Commission's recommendation but did not approve the increased density in the RM and RH zones.**

Discussion

- **The Court Order in Californians for Homeownership v. City of South Pasadena compels the City Council to increase residential density in the RM and RH zone.**
- **The increased densities were assumed in both the Housing Element Environmental Assessment and the General Plan PEIR; both of which were adopted/certified by Council.**

Public Noticing

- **A notice was published in the Pasadena Star News on January 5, 2024.**
- **Two comment letters have been received.**

Environmental Analysis

- **Impacts were analyzed by the General Plan/DTSP PEIR and Housing Element EA.**
- **Native American Tribal Consultation was conducted as part of the PEIR process.**
- **No further CEQA analysis is required.**

Next Steps

February 7th

Second reading of the Ordinance.

March 8th

Ordinance takes effect.

Summary

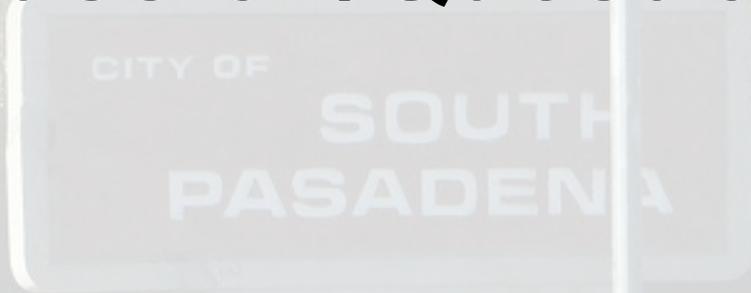
- **The increased density for the RM and RH zones is considered a Housing Element clean-up item.**
- **Other minor zoning text revisions are likewise considered clean-up items.**
- **No further CEQA analysis is required.**

Recommendation

Adopt a Resolution to amend the General Plan and introduce an Ordinance to revise applicable Divisions of the SPMC as shown in Exhibit A.



Discussion/Questions



City Council Communications

January 17, 2024

Councilmember Michael A. Cacciotti

A.D. - 53

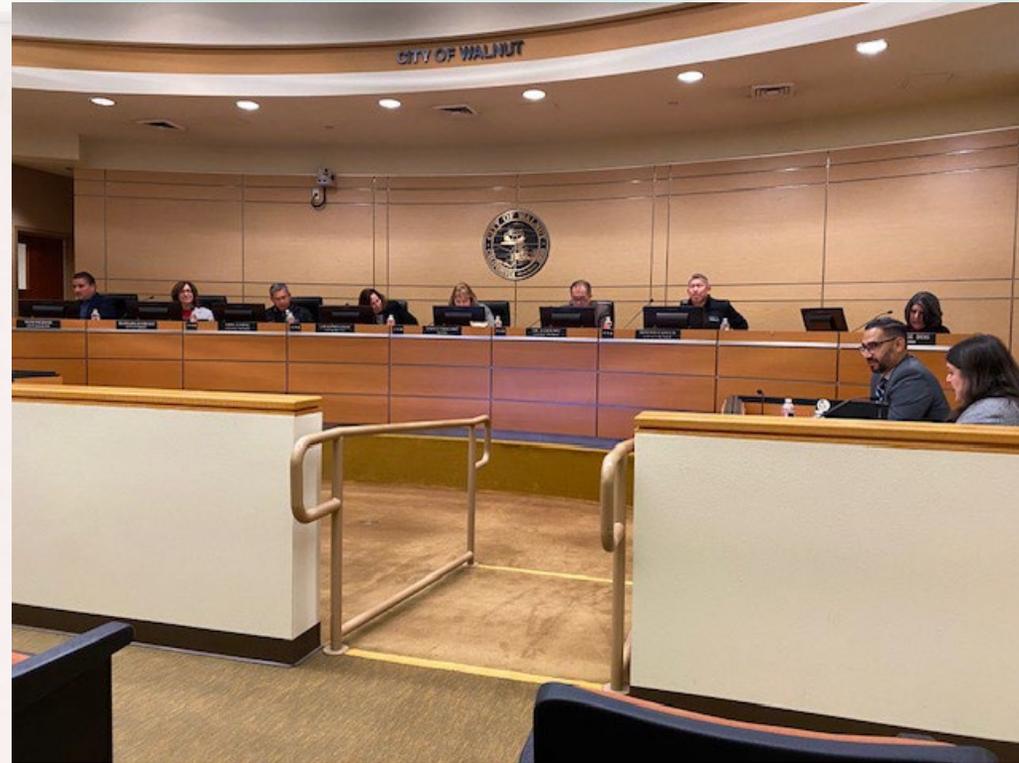
Recent Meetings/ Community Highlights

SOUTH PASADENA CITY HALL



A.D. - 54

Recent Meetings



A.D. - 55

Community Highlights



A.D. - 56

Community Highlights



Community Highlights



A.D. - 58