



Wednesday, March 1, 2017
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 Cacciotti on Wednesday, March 1, 2017, at 7:45 p.m., in the Amedee O. "Dick" Richards, Jr., Council Chamber, located at 1424 Mission Street, South Pasadena, California.

ROLL CALL

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

Absent: None.

City Staff

Present: Sergio Gonzalez, City Manager; Teresa L. Highsmith, City Attorney; Evelyn G. Zneimer, City Clerk; Anthony J. Mejia, Chief City Clerk were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

INVOCATION

Councilmember Mahmud gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Mahmud led the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS

1. Closed Session Announcements

The Regular Closed Session of the City Council of March 1, 2017, was called to order by Mayor Pro Tem Schneider at 6:30 p.m.

The meeting convened into Closed Session to discuss the following items as listed on the Closed Session Regular Meeting Agenda:

A. CONFERENCE WITH LEGAL COUNSEL – LABOR NEGOTIATIONS, Pursuant to Government Code Section 54957.6:

City Negotiators: City Manager Sergio Gonzalez, Human Resources Manager Mariam Lee Ko, and City Attorney Teresa L. Highsmith

Represented Employee

Organizations: Firefighters' Association (FFA)
Police Officers' Association (POA)
Public Service Employees' Association (PSEA) Full Time Unit
PSEA– Part Time Unit

Unrepresented Employees: Management Employees

B. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Pursuant to Government Code Section 54956.9 (d)(4):

Number of Cases: 2

City Attorney Highsmith reported that the City Council provided direction to staff regarding the agendaized Closed Session Items, but did not take any reportable action.

PRESENTATIONS

2. Presentation by the Pasadena Humane Society on Available Animal Adoptions

Julie Bank, Pasadena Humane Society (PHS) President/CEO, announced that a one-year old miniature poodle named Bixby is now available for adoption; encouraged residents to visit the adoption center; noted that low cost vaccinations and spay and neuter services are available at the Shelter.

3. Presentation of a Certificate of Appreciation to Outgoing Commissioner Janet Braun for Service on the Public Safety Commission

Mayor Cacciotti presented a Certificate of Appreciation to Janet Braun for her service on the Public Safety Commission. Police Chief Miller and Deputy Fire Chief Riddle presented a plaque in appreciation of Janet Braun.

4. Proclamation Declaring March 7, 2017 as "Arbor Day" in the City of South Pasadena

Mayor Cacciotti presented a Proclamation to Gina Atkinson and Stephanie Payne-Campbell, representing South Pasadena Beautiful, declaring March 7, 2017 as "Arbor Day" in the City of South Pasadena.

5. Presentation by City of Ontario Mayor Paul Leon on a Status Report on the Metro Gold Line Foothill Extension Construction Authority

Paul Leon, Mayor of the City of Ontario, narrated a PowerPoint presentation entitled “Foothill Gold Line Project Update”; spoke on the importance that the Metro Gold Line be extend to the Ontario Airport and beyond; stated that San Bernardino County will likely be financial responsible for extending the Metro Gold Line beyond the Los Angeles county limit.

Mayor Cacciotti commended Mayor Leon for advocating for additional parking and bicycle storage at the Metro Gold Line stations.

In response to City Council inquiry, Police Chief Miller advised that the Cities of Long Beach and Los Angeles will be providing police services on the Metro lines within those cities limits; advised that the Los Angeles County Sheriff ‘s Department will continue to provide its services on the Metro Gold Line.

COMMUNICATIONS

6. Councilmembers Communications

Mayor Pro Tem Schneider commended staff and the South Pasadena Preservation Foundation for the quality of the restoration of the Meridian Iron Works Museum; noted that the Finance Commission reviewed the City’s Comprehensive Annual Financial Report (CAFR) and provided recommendations related to pension obligation reserves; advised that the Cultural Heritage Commission will be providing recommendations to improve the Building Demolition Permit process; voiced concern that the Natural Resources and Environmental Commission (NREC) is no longer reviewing tree removal permits, noting that the NREC formed a subcommittee to review the City’s tree ordinance.

Mayor Pro Tem Schneider requested that the City Council agendize consideration of appointing a City Council Liaison to the Design Review Board, second by Mayor Cacciotti; requested that City staff make applications for building permits and related activities available online, second by Councilmember Mahmud.

Councilmember Khubesrian invited residents to participate in the upcoming General Plan workshops and speaker series; advised that the South Pasadena Middle School will be installing artificial turf for the sports court, noting that the product will utilize cork rather than crumb rubber; noted that the City Council/South Pasadena Unified School District Ad Hoc Committee is meeting monthly and residents are encouraged to raise their concerns by contacting herself or Councilmember Joe; encouraged residents to apply for the Library Board of Trustees.

Councilmember Mahmud announced that the San Gabriel Valley Council of Governments approved a proposal to hire additional staff to administer Measure M transportation projects; spoke on the success of the Senior Citizen Tech Day hosted by the Youth Commission, noting that it may become a monthly event; urged residents to complete and turn in their General Plan surveys; noted that many residents may be eligible to receive the Earned Income Credit.

Councilmember Joe invited residents to attend the next Public Works Commission meeting to discuss potential street improvements and other Capital Improvement Projects for inclusion in the Fiscal Year 2017-18 City Budget.

Mayor Cacciotti reported on his attendance at various regional meetings and events; displayed photos depicting the stenciling of Route 66 markers on Fair Oaks Avenue and a fallen tree at the Arroyo Seco Golf Course, encouraged residents to participate in the 626 Golden Streets Festival and introduced the event mascot, "Gabe the Sasquatch."

7. City Manager Communications

City Manager Gonzalez introduced newly hired Management Analyst Karen Aceves; announced upcoming community meetings regarding the City's Budget as well as renter's concerns.

8. Reordering of and Additions to the Agenda

None.

PUBLIC COMMENTS

Emilia Lomeli-Fannan, South Pasadena resident, advised that she represents two organizations develop residence for affordable housing; recommended that the City Council partner with her organizations to purchase vacant Caltrans-owned properties at an affordable price for the purpose of preserving the residences as affordable housing.

Richard Fannan, South Pasadena resident, spoke in favor of Mr. Lomeli-Fannan's proposal regarding vacant Caltrans-owned properties; stated that such a proposal would be at no cost to the City, while boosting its affordable housing stock.

Mayor Pro Tem Schneider requested that City staff work with Mrs. Lomeli-Fannan and report back to City Council regarding the possibility of preserving the vacant Caltrans properties for affordable housing, second by Councilmember Mahmud.

Janet Ferguson, South Pasadena resident, voiced concerns regarding a residential development project which proposes to remove over 30 pine trees on Hanscom Drive; advised that she appealed the project to the Planning Commission, which was subsequently approved; urged the City Council to take action to prevent the removal of the subject pine trees.

In response to City Council inquiry, City Manager Gonzalez advised that the subject development project's tree removal permit will need to be brought forward to the Natural Resources and Environmental Commission; noted that the City Council has the authority to call up a Board or Commission decision pursuant to the Municipal Code.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the Consent Calendar Item Nos. 10, 11, and 12; with Item Nos. 9, 13, 14, 15, and 16 pulled for separate discussion.

10. Prepaid Warrants, General City Warrants, and Payroll

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the City of South Pasadena Prepaid Warrants Nos. 197210 through 197260 in the amount of \$716,182.84; General City Warrants Nos. 197261 through 197416 in the amount of \$741,182.14; Payroll dated February 10, 2017, in the amount of \$460,272.21, and Payroll dated February 24, 2017 in the amount of \$427,735.60.

11. Presentation of the Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2016

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to receive and file the City of South Pasadena's Comprehensive Annual Financial Report for the Fiscal Year ending June 30, 2016.

12. Adoption of a Resolution to Destroy Expired Records, Per the City of South Pasadena Record Retention Schedule

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to adopt Resolution No. 7505 entitled "A Resolution of the City Council of the City of South Pasadena, California, approving the destruction of certain City records from the Management Services Department."

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**9. Minutes of the City Council Meeting of February 1, 2017 and February 15, 2017**

Mayor Cacciotti requested that minutes of the City Council Meeting February 1, 2017, be amended to reflect that Mayor Cacciotti requested that the Community Choice Energy proposal also be referred to the Renewable Energy Council.

MOTION BY MAYOR CACCIOTTI, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to approve the minutes of the February 1, 2017 and February 15, 2017 City Council Meetings, as amended.

13. Authorize a Revised Letter of Support for Assembly Bill 287 Regarding the State Highway Route 710: Advisory Committee

Mayor Pro Tem Schneider noted that Joanne Nuckols, South Pasadena resident, submitted recommended modifications to the proposed letter, noting that the Connected Cities and Communities (C3) should be expanded upon; pointed out that the SR-710 North extension is a Caltrans project, not a Metro project.

Councilmember Khubesrian requested that the final letter be circulated to the City Council prior to being mailed; suggested that the term "SUPPORT" be added to the subject line of the proposed letter as well as the following modification: "*On behalf of the City of South Pasadena (City) we would like to express our support for ~~the goals outlined in~~ Assembly Bill 287 (AB 287, Holden).*"

MOTION BY MAYOR PRO TEM SCHNEIDER, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to authorize a revised letter of support for Assembly Bill 287 which would establish a State Highway Route 710: Advisory Committee, as amended by Mayor Pro Tem Schneider and Councilmember Khubesrian.

14. Authorize a Letter to Metro Requesting Support for Assembly Bill 287 State Highway Route 710: Advisory Committee

Councilmember Khubesrian suggested that the modifications proposed by Joanne Nuckols, South Pasadena resident, be incorporated into this proposed letter as well as including Assemblymember Holden's letter to California Secretary of Transportation Kelly as an attachment.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM SCHNEIDER, CARRIED 5-0, to authorize a letter to the Los Angeles Metropolitan Transportation Authority requesting support for Assembly Bill 287 which would establish a State Highway Route 710: Advisory Committee, as amended by Councilmember Khubesrian.

15. Authorize a Letter of Support for Senate Bill 275 Regarding Caltrans Property Tax Assessments

In response to City Council inquiry, City Manager Gonzalez explained that the proposed Senate Bill may result in a loss of property tax revenue for the City; noted that the Senate Bill will help ensure that Caltrans property tenants will have an opportunity to purchase the homes at an affordable price, but will also keep the property tax at an affordable rate.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY MAYOR PRO TEM SCHNEIDER, CARRIED 5-0, to authorize a letter of support for Senate Bill 275 which would require surplus Caltrans residential properties purchased at an affordable or reasonable price to be assessed at its affordable or reasonable price.

16. Second Reading and Adoption of an Ordinance Adding Subsections 26 and 27 to Section 24.02 (Nuisances and Property Maintenance) of the South Pasadena Municipal Code

Community Improvement Coordinator Ramirez presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened the Public Comment period.

Christian Poloni, South Pasadena resident, voiced opposition to the proposed ordinance; opined that the City Council should resolve the situation at Windsor Court utilizing other means.

Patricia Poloni, South Pasadena resident, spoke in opposition to the proposed ordinance citing concerns that the proposed ordinance may result in homeless being expelled from South Pasadena.

Adam Murray, South Pasadena resident, expressed opposition to the subject ordinance; cited concerns related to the exemption for religious institutions and whether a citation could be issued against the property occupant; suggested that the City could utilize existing property nuisance abatement provisions to address the property on Windsor Place; suggested that the City Council could retain the existing urgency ordinance until the issue at Windsor Place is resolved and could rescind the ordinance at that time.

Lisa Watson, South Pasadena resident, asserted that the proposed ordinance is anti-homeless and voiced her disappointment that the City Council is considering its adoption; opined that the City could utilize existing property nuisance regulations to address the situation at Windsor Court.

Owen Ellickson, South Pasadena resident, urged that the City Council find alternative means to address the situation at Windsor Court.

Sheila Rossi, South Pasadena resident, pointed out specific property maintenance provisions of the Municipal Code which may be utilized to address the situation at Windsor Court; opined that the City should focus on addressing abandoned and blighted properties.

Rochelle Gold, South Pasadena resident, spoke in opposition to the proposed ordinance, opining that it does not reflect her personal values regarding helping the homeless.

John Srebalus, South Pasadena resident, voiced concern that the proposed ordinance could be selectively enforced by the City against homeless individuals; suggested that the City Council develop a new ordinance to be narrow and as least restrictive as possible.

Shari Sakamoto, South Pasadena resident, expressed opposition to the ordinance, citing concern that it may be directed towards the homeless community.

Amy Turk, South Pasadena resident, requested that the City Council not adopt the proposed ordinance and to utilize existing nuisance regulations to address the situation at Windsor Court.

There being no others desiring to speak on this item, Mayor Cacciotti closed the Public Comment period.

In response to City Council inquiry, City Attorney Highsmith reviewed the situation at Windsor Court, noting that existing nuisance provisions cannot be applied to the situation; explained that nuisance abatement citations are only issued to the property owner and it is their responsibility to take appropriate action to resolve the condition(s) creating the violation; cautioned the City Council from enacting an urgency ordinance, rescinding said ordinance, and enacting a future ordinance if a similar situation arises; advised that the urgency ordinance includes appropriate exceptions for religious institutions and non-profit organizations.

Community Improvement Coordinator Ramirez advised that, since enactment of the urgency ordinance, the property owner has provided proof that he is taking appropriate actions to obtain an unlawful detainer action against the occupants at Windsor Court.

During the course of discussion, the City Council agreed that this matter should be tabled for 120 days and the urgency ordinance to remain in effect. Following the evaluation period, the City Council will determine if the ordinance should be amended or repealed.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY MAYOR PRO TEM SCHNEIDER, CARRIED 5-0, to table consideration of the proposed ordinance for 120 days. The City Council requested that the City Attorney meet with Adam Murray for up to 1-hour to discuss possible amendments to the urgency ordinance, in the event that City staff determines to recommend retention of the urgency ordinance.

RECESS

The City Council recessed at 10:19 p.m., and reconvened at 10:22 p.m., with all members present.

PUBLIC HEARING

17. Adopt a Resolution to Record a Notice of Special Assessment for Nuisance Abatement for 1854 Hanscom Drive

Community Improvement Coordinator Ramirez presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened the Public Hearing.

Cambria Tortorelli, Holy Family Catholic Church, advised that the Archdiocese of Los Angeles has agreed to pay the assessment invoice on behalf of Father Cotter; advised that Father Cotter continues to insist that it was a City tree that caused his retaining wall to fail.

There being no others desiring to speak on this item, Mayor Cacciotti closed the Public Hearing.

Councilmember Mahmud suggested that the City delay recording the assessment for one week to allow the Archdiocese to pay the invoice. City Attorney Highsmith advised that no additional cost will be incurred if the assessment is recorded and that it is advisable to proceed with recordation immediately.

MOTION BY MAYOR PRO TEM SCHNEIDER, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to adopt Resolution No. 7506 entitled "A Resolution of the City Council of the City of South Pasadena, California, to record a notice of special assessment for nuisance abatement."

ACTION/DISCUSSION**18. Consideration of the Formation of the Arroyo Verdugo Communities Joint Powers Authority To Ensure Representation Regarding Regional Transportation**

City Manager Gonzalez presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened and closed the Public Comment period, there being no one desiring to speak on this item.

Councilmember Mahmud noted that the Joint Powers Authority (JPA) is proposed to be six partnering agencies and may result in tie votes, suggesting that the agreement may need to address such situations; recommended that City staff evaluate whether costs to administer transportation projects will be reimbursed.

Following discussion, MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM SCHNEIDER, CARRIED 5-0, to direct City staff to move forward with the formation of the Arroyo Verdugo Communities Joint Powers Authority, contingent upon approval by all partnering agencies. If any partnering agency determines to withdrawal from the JPA, the City Council desires to reconsider the matter.

19. Receive and File the Mid-Year Financial Report for Fiscal Year 2016-17

Finance Director Batt narrated a PowerPoint presentation entitled "Mid-Year FY 2016/17" and responded to City Council inquiries.

City Manager Gonzalez advised that City staff would need to evaluate the legality of imposing a Utility Users Tax for television streaming services.

Mayor Cacciotti opened and closed the Public Comment period, there being no one desiring to speak on this item.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM SCHNEIDER, CARRIED 5-0, to receive and file the Mid-Year Financial Report for Fiscal Year 2016-17.

REPORTS**20. Receive and File a Status Report on Existing Grants and Grant Priorities Fiscal Year 2017-18**

Management Analyst Aceves narrated a PowerPoint presentation entitled "Strategic Grant Priorities" and responded to City Council inquiries.

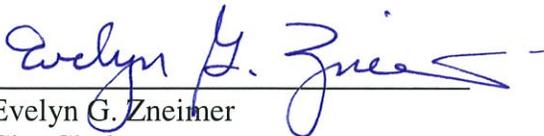
In response to City Council inquiry, City Manager Gonzalez advised that City staff will be recommending that the City take action to commence construction of the Arroyo Seco Bicycle/Pedestrian Trail before existing grant funds expire.

Mayor Cacciotti opened and closed the Public Comment period, there being no one desiring to speak on this item.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to receive and file the Strategic Grant Plan for the City of South Pasadena and confirmed the priorities for the application of grant funds for Fiscal Year 2017-18 (commencing July 1, 2017).

ADJOURNMENT

Mayor Cacciotti adjourned the Regular City Council meeting at 11:05 p.m.



Evelyn G. Zneimer
City Clerk



Michael A. Cacciotti
Mayor

Minutes approved by the South Pasadena City Council on March 15, 2017.