



**Wednesday, November 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, November 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:** Elaine Aguilar, Interim City Manager; Teresa L. Highsmith, City Attorney; Anthony J. Mejia, Chief City Clerk; and Desiree Jimenez, Deputy City Clerk were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

**INVOCATION**

Police Chaplain Dan Bricker gave the invocation.

**PLEDGE OF ALLEGIANCE**

Girl Scout Troop 4661 led the Pledge of Allegiance.

**CLOSED SESSION ANNOUNCEMENTS**

**1. Closed Session Announcements**

The Regular Closed Session of the City Council of November 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 – INITIATION OF LITIGATION,  
Pursuant to Government Code Section 54956.9(d)(4):

Number of Cases: 1

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

City Negotiators: Interim City Manager Elaine Aguilar; Human Resources  
Manager Mariam Lee Ko; City Attorney Teresa L.  
Highsmith; and Attorney Steve Berliner

Represented Employee

Organization: Firefighters' Association (FFA)

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS, Pursuant to  
Government Code Section 54956.8:

Properties: 221 San Pascual Avenue, South Pasadena, CA 91030  
(APN Nos. 5716-021-270; 5716-021-271; 5716-021-903;  
5716-021-904)

Agency Negotiators: Interim City Manager Elaine Aguilar; City Attorney Teresa  
L. Highsmith

Negotiating Party:

1. Paddock Riding Club
2. All Equestrian Services, LLC
3. San Pascual Stables, LLC
4. Dark Horse White Knight, Inc.
5. Double Crown, LLC

Under Negotiation: Lease Agreement

D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION,  
Pursuant to Government Code Section 54956.9(d)(1):

Name of Case: Higginson v. Becerra, et al., U.S. District Court Case No.  
17CV2032 WQHJLB

City Attorney Highsmith reported that the City Council received briefings and 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, encouraged residents to visit the adoption center; noted that low cost vaccinations and spay and neuter services are available at the Shelter.

**3. Status Update Regarding the Metro Gold Line Extension Construction Authority**

Daniel Evans, Non-Voting Member of the Metro Gold Foothill Line Extension Construction Authority, provided a status update regarding the Gold Line Extension Project Phase 2 from Azusa to Montclair.

**4. Presentation of the Fiscal Year 2016-17 Annual Report of the Planning Commission**

Steven Dahl, Chair of the Planning Commission (PC), provided the Fiscal Year 2016-17 PC Annual Report.

**5. Presentation of the Fiscal Year 2016-17 Annual Report of the Public Safety Commission**

Ellen Daigle, Chair of the Public Safety Commission (PSC), provided the Fiscal Year 2016-17 PSC Annual Report.

**COMMISSION APPOINTMENT****6. Commission Appointment**

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to appoint Madeleine Wong to the Natural Resources and Environmental Commission as a Youth Non-Voting Member for a full one-year school term until June 30, 2018.

**COMMUNICATIONS****7. Councilmembers Communications**

Councilmember Khubesrian displayed photos regarding reductions in air pollution when utilizing emission-free landscaping equipment, a community meeting regarding business licensing, and children's Halloween costumes.

Councilmember Mahmud attended a San Gabriel Valley Council of Governments (COG) Transportation Committee meeting and received a presentation from Metro on their City bike share program, indicated bike share pods may be coming to South

Pasadena in the future; noted the COG Joint Powers Agreement 4<sup>th</sup> amendment was approved and will be submitted to member cities regarding the integration of Alameda Corridor East and COG and proceed with Measure M Projects; attended a COG General Assembly Meeting which focused on the future of transportation and the impacts of climate change; announced she was appointed as an at-large member to a County Stakeholder Advisory Committee to develop a County funding measure to address storm water.

Councilmember Joe spoke on the Certificate of Congressional Recognition from Congresswoman Judy Chu for the City's usage of Fiscal Year 2016-17 Community Development Block Grant funding for ADA sidewalk improvements and senior lunches; reported on the City's Preschool Story Time at the Public Library, noting that firefighters were in attendance and participated in the event.

Mayor Pro Tem Schneider noted he attended the Finance Commission meeting.

Mayor Cacciotti reported on the tour of the Garfield Reservoir and South Pasadena water facilities; attended Santa Monica Mountains Conservancy meeting; attended the Vecinos de South Pasadena Dia de los Muertos event; announced the annual Rotary Club Chili Cook Off.

#### **8. City Manager Communications**

City Manager Aguilar announced upcoming special City Council meetings regarding the General Plan and Measure R Project List; announced the closure of City facilities on November 10, 2017, in observance of Veterans Day.

#### **9. Reordering of and Additions to the Agenda**

None.

#### **PUBLIC COMMENTS**

Dan Watson, South Pasadena Rotary Club President, invited the community to the annual Chili Cook Off on November 4<sup>th</sup>; noted that the Club will be moving towards planting a tree for each member of the Rotary Club.

Yudi Schmukler and Elliot Zemel, representing South Pasadena Care Center, reported on the progress at the Center, noting room renovations, staffing changes, improved resident screening; noted that it is a 5-star rated facility by The Centers for Medicare & Medicaid Services; indicated that the Care Center is Medicaid certified and request City support to become Medicare certified with the Department of Health.

In response to Councilmember Joe, Mr. Schmukler discussed the current occupancy of approximately 80 patients and the composition of administrative staffing at the Center.

Councilmember Khubesrian encouraged the Center to forward information to the City regarding a letter of support for Medicare certification.

Bianca Richards, South Pasadena resident, expressed concern regarding Airbnb rentals on Fairview Avenue; inquired if this matter will be addressed through the business license process.

In response to Ms. Richards, Councilmember Khubesrian noted that the matter could be addressed during the update of the business license ordinance.

Shlomo Nitzani, South Pasadena resident, opined that street improvements are more important than tree planting; noting that Alpha Street in is need of improvements; suggested that the City should communicate with state and federal authorities regarding allegations that solar panel vendors are taking advantage of customers by capitalizing off of the federal tax credit program.

Mayor Cacciotti encouraged residents to attend the Public Works Commission meeting to discuss street improvement projects.

## **CONSENT CALENDAR**

Mayor Cacciotti recused himself on Item Nos. 15, 16, and 17, noting that he resides within 500 feet of the subject projects.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve the Consent Calendar Item Nos. 10-12, 14, 16-18; with Item Nos. 13, 15, and 19 pulled for separate discussion.

### **10. Correction to the Minutes of the September 6, 2017 City Council Meeting**

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve a correction to the Minutes of the September 6, 2017 City Council Meeting.

### **11. Minutes of the City Council Meeting of October 18, 2017**

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve the minutes of the October 18, 2017 City Council Meeting.

**12. Prepaid Warrants, General City Warrants, and Payroll**

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve the City of South Pasadena Prepaid Warrants Nos. 200366 through 200421 in the amount of \$393,176.36; General City Warrants Nos. 200422 through 200564 in the amount of \$757,394.48; Payroll dated October 20, 2017, in the amount of \$761,656.30.

**14. Award of Contract to Stantec Consulting Services, Inc., to Perform the Professional Engineering Services for the Wilson Well Head Treatment Project**

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to:

1. Accept a proposal dated August 29, 2017, from Stantec Consulting Services, Inc., to perform the professional engineering services for the Wilson Well Head Treatment Project and authorize the City Manager to execute an agreement with Stantec Consulting Services, Inc., for a not-to-exceed amount of \$82,792.
2. Reject all other proposals received.
3. Approve an appropriation in the amount of \$82,792 from the Water Division Operations reserves and authorize the Finance Director to transfer the funds to the Project Account.

**16. Award of Contract to Ninyo & Moore for Geotechnical and Material Testing Services for the Garfield Avenue Street Improvement Project**

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 4-0-1 (MAYOR CACCIOTTI RECUSED), to:

1. Accept a proposal dated August 23, 2017, from Ninyo & Moore for geotechnical services for the Garfield Avenue Street Improvement Project.
2. Authorize the City Manager to execute an agreement with Ninyo & Moore for a not-to-exceed amount of \$5,992.
3. Reject all other proposals received.

**17. Award of Contract to RKA Consulting Group for Inspection and Construction Management Services for the El Centro Street, Grevelia Street, and Garfield Avenue Street Improvement Project**

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 4-0-1 (MAYOR CACCIOTTI RECUSED), to:

1. Accept a proposal dated August 22, 2017, from RKA Consulting Group for inspection and construction management services for the El Centro Street, Grevelia Street, and Garfield Avenue Street Improvement Projects.
2. Authorize the City Manager to execute an agreement with RKA Consulting Group for a not-to-exceed amount of \$160,150.
3. Reject all other proposals received.

**18. Award of Contract to Control Automation Design, Inc., for Water Division SCADA System Maintenance Services**

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to:

1. Accept a proposal dated August 10, 2017, from Control Automation Design, Inc., for maintenance services of the Water Division Supervisory Control and Data Acquisition System.
2. Authorize the City Manager to execute an agreement with Control Automation Design, Inc., for a not-to-exceed amount of \$10,000 for an initial one-year period, with an option to renew the contract for two additional one-year periods under the same terms and conditions.

**ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**

**13. Second Reading and Adoption of an Ordinance Amending Section 19.55-3 of the South Pasadena Municipal Code to Allow for Overnight Parking at the Mission-Meridian Village Parking Garage**

Mayor Cacciotti noted the following correction to Page 13-1 of the staff report: "On October 18, 2017, the City Council unanimously introduced the ordinance amending Section 19.55-3 and authorized the City Manager to execute a lease agreement to allow the ~~South Pasadena Municipal Code (SPMC)~~ Los Angeles County Department of Public Works to park two shuttle vans overnight in the MMV Parking Garage."

In response to Councilmember Joe, Principal Management Analyst Lin indicated that overnight parking would begin in November 2017.

MOTION BY MAYOR CACCIOTTI, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to adopt Ordinance No. 2320 entitled "An Ordinance of the City of South Pasadena, California, amending Section 19.55-3 of the South Pasadena Municipal Code to allow for overnight parking at the Mission-Meridian Village Parking Garage."

**15. Award of Construction Contract to Sully-Miller Contracting Co. for the Garfield Avenue Improvement Project**

In response to City Council inquiry, Public Works Director Toor summarized the Garfield Avenue Improvement Project, noting that the Project includes water infrastructure improvements.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY MAYOR PRO TEM SCHNEIDER, CARRIED 4-0-1 (MAYOR CACCIOTTI RECUSED), to:

1. Accept a bid dated September 5, 2017, from Sully-Miller Co., for the construction of the Garfield Avenue Street Improvement Project and authorize the City Manager to enter into a contract with Sully-Miller Co., for an amount not-to-exceed \$1,219,200.
2. Reject all other bids received.
3. Approve an appropriation in the amount of \$920,000 from the Water Division Operation Reserve fund and direct the Finance Director to transfer funds to the Project account.

**19. Authorization to Issue a Payment to Shenkman & Hughes PC, Pursuant to California Elections Code Section 10010**

Councilmember Khubesrian noted that the payment will be accompanied with a letter of protest.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to authorize a payment in the amount of \$30,000 to Shenkman & Hughes PC, as required under the California Elections Code Section 10010, under protest, and authorize City Council signatures on the letter of protest.

**PUBLIC HEARING****20. Conduct a Public Hearing on the Proposed Water and Sewer Rates and Adopt Resolutions Establishing New Water and Sewer Rates**

Public Works Director Toor narrated a PowerPoint presentation entitled "Water & Sewer Rate Public Hearing" and responded to City Council inquiries.

Mayor Pro Tem Schneider noted the different rates paid across different cities in the region.

Councilmember Mahmud spoke on drought impacts, deferred maintenance and the need for statewide water infrastructure upgrades, which impact the local water rates.

Mayor Cacciotti opened the Public Comment period.

Kim Hughes, South Pasadena resident, spoke on the need to support the water rate increase noting the importance of replenishing the local aquifer to prevent collapse; opined the City needs to rebuild our water infrastructure facilities and system.

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

Deputy City Clerk Jimenez announced that a majority protest was not received and the City Council may proceed with consideration of the proposed water and sewer rates.

In response to City Council inquiry, Public Works Director Toor discussed state water conservation mandates, noted that penalties were built into the water rates; advised that the water rate structure does not have penalties within the rates, but enforcement policies can be adopted and enforced; noted that water efficiency funds will remain to promote conservation efforts.

Mayor Cacciotti spoke on the future of water acre feet cost to cities; spoke on deferred maintenance on water infrastructure and the need to provide funding for capital projects.

**MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to:**

1. Adopt Resolution No. 7536 entitled "A Resolution of the City Council of the City of South Pasadena, California, establishing water rates pursuant to Section 35.3, 35.4, and 35.5 of Chapter 35 of the South Pasadena Municipal Code."

*(motion continued on the following page)*

2. Adopt Resolution No. 7537 entitled "A Resolution of the City Council of the City of South Pasadena, California, establishing sewer rates pursuant to Section 30.10(b) of the South Pasadena Municipal Code."

## **ACTION/DISCUSSION**

### **21. Authorization to Enter into Negotiations with San Pascual Stables, LLC, for the Lease and Operation of the San Pascual Stables**

Community Services Director Pautsch presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened the Public Comment period.

Rayna Marotti, speaking on behalf of Paddock Riding Club Owner Alex Chavez, requested another meeting with the Ad Hoc San Pascual Stables Subcommittee and City Council to discuss the discrepancies.

Rebecca Rim, opined that the City has done well in evaluating the proposals and moving forward with San Pascual Stables, LLC; noted that the current operators have turned the Stables around and made it a successful operation; asserted that 65 horses could be relocated if the operator changes.

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

Mayor Cacciotti read the recommendation to move forward in finalizing the terms with San Pascual Stables, LLC and if it is unsuccessful to move forward with Paddock Riding Club.

In response to City Council inquiry, Integrated Consulting Group, Inc. Senior Associate Ron Hagan reviewed the scoring system and participation for 1<sup>st</sup> round and 2<sup>nd</sup> round interviews.

**MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0 to authorize City staff to enter into negotiations with San Pascual Stables, LLC, for the lease and operation of the San Pascual Stables and that City staff work with San Pascual Stables LLC, in its new management configuration, to finalize the financial terms and operating conditions for the Agreement. If negotiations with San Pascual Stables LLC are unsuccessful, then the City should proceed with negotiations with Paddock Riding Club for the new Agreement.**

**22. Appointment to the San Gabriel Valley Mosquito and Vector Control District**

Chief City Clerk Mejia 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.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to appoint Councilmember Khubesrian to serve as the City's representative to the San Gabriel Valley Mosquito and Vector Control District Board of Trustees effective January 1, 2018, for a two-year term.

**23. Discussion, Direction, and Approval Regarding the Funding for the Design of Two Pocket Parks Located at 2006 Berkshire Avenue and 1107 Grevelia Street**

Community Services Director Pautsch presented the staff report and responded to City Council inquiries.

Mayor Cacciotti opened the Public Comment period.

Ellen Wood, Finance Commissioner, voiced support if funding is allocated from Measure A funds, but noted if funding comes from the General Fund, that it be low maintenance.

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

Councilmember Khubesrian recommended that options be presented as what has happened in other pocket parks to help generate ideas during the community meetings; noted the importance of shade.

Councilmember Mahmud recommended that staff facilitate the initial meeting and provide the input to the architect who would then develop the design and facilitate the second meeting.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY MAYOR PRO TEM SCHNEIDER, CARRIED 5-0, to approve the solicitation of proposals for an architect for the design of the two pocket parks located at 2006 Berkshire Avenue and 1107 Grevelia Street and the use of Park Impact Fee for the design, staff will facilitate the initial community meetings to assist with the cost.

The City Council heard Item No. 25 prior to Item No. 24.

**25. Approval of South Pasadena Chamber of Commerce Request for One-Time Allocation of Business Improvement Tax Funds in the Amount of \$25,000 for Holiday Decorations**

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

Mayor Cacciotti opened the Public Comment period.

Laurie Wheeler, South Pasadena Chamber of Commerce President, spoke on the decorations purchased last year and the addition of more decorations and responded to City Council inquiries.

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

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER MAHMUD, CARRIED 5-0, to approve a request from the South Pasadena Chamber of Commerce for a one-time allocation in the amount of \$25,000 of Business Improvement Tax funds to enhance seasonal decorations along business corridors.

**24. Direction Regarding an Appropriate Memorial for Former Councilmember David Margrave**

Community Services Director Pautsch presented the staff report and responded to City Council inquiries.

Councilmember Mahmud suggested that the Community Services Department have the purview to approve the design of a monument for consistency purposes.

Mayor Cacciotti opened the Public Comment period.

John Mass, AYSO Commissioner, spoke on the contributions of David Margrave serving as a referee for youth soccer; noting David was always helpful in event and maintenance service.

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

Community Services Director Pautsch indicated that despite efforts to communicate with the Margrave family, a definitive suggestion for a memorial has not yet been received.

Councilmember Khubesrian indicated opposition to the naming of a soccer field, noting that the youth house has an existing plaque which could be augmented.

Mayor Pro Tem Schneider spoke on his personal knowledge of former Councilmember Margrave, and indicated support for naming a soccer field to commemorate former Councilmember Margrave's commitment to AYSO.

Councilmember Mahmud recommended the City table the matter until the support of the Margrave family is obtained.

Councilmember Joe indicated support for a memorial sculpture.

Community Services Director Pautsch indicated the City will table the matter until notice is received from the Margrave family should they wish to move forward with a memorial.

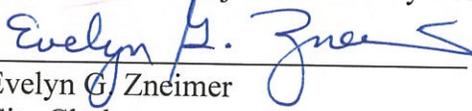
The City Council tabled action until staff has contacted the widow of former Councilmember Margrave to determine support status in the naming of the field.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to table the matter, pending confirmation from the widow of former Councilmember Margrave indicating support for the naming of the field.

## ADJOURNMENT

The City Council thanked Elaine Aguilar for her service as Interim City Manager.

Mayor Cacciotti adjourned the City Council Meeting at 11:03 p.m.

  
Evelyn G. Zneimer  
City Clerk

  
Michael A. Cacciotti  
Mayor

Minutes approved by the South Pasadena City Council on December 20, 2017.