



AGENDA
NATURAL RESOURCES AND ENVIRONMENTAL COMMISSION

TUESDAY, September 27, 2016

7:00 p.m.

AMEDEE O. "DICK" RICHARDS, JR. COUNCIL CHAMBERS
1424 Mission Street, South Pasadena, CA 91030

Commissioners: Al Benzoni, Kay Findley, William Kelly, Scott Kuhn, Stephen Leider,
Noah Puni, and Nancy Wilms
City Council Liaison: Council Member Robert S. Joe
Staff Liaison: Jennifer Shimmin

Roll Call

Approval of Minutes from Regular Meeting: August 23, 2016.

PUBLIC COMMENTS AND SUGGESTIONS

Time reserved for those in attendance who wish to address the Commission. All attendees should be aware that the Commission may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on a future agenda. Note: public input will also be taken during all agenda items.

BUSINESS ITEMS

- 1) **Renewable Energy Council Report Presentation (Kelly)** – Presentation by Dan Snowden-Ifft on the "Clean Energy Pathway for South Pasadena" report. (30 minutes)
- 2) **Tree Removal Appeal (Courdy)** – Applicant appeal of the Tree Removal Violation Penalties at 1701 and 1703 Hill Drive. (40 minutes)
- 3) **Polystyrene Ban (Shimmin)** – Update on the ban of polystyrene products, and possible recommendation for the City Council to adopt an ordinance. (30 minutes)
- 4) **Use of pesticides and fertilizers at City parks (Shimmin)** – Begin considering recommendations to be incorporated as part of the next park landscape maintenance contract (Council request).
- 5) **Graywater (Benzoni)** - Discussion and possible recommendation of language on graywater for update of city municipal building code. (10 minutes)
- 6) **Water Conservation Programs and Drought Update (Shimmin)** - City had a total water reduction of 30% for August 2016 versus 2013. (10 minutes)
- 7) **October Meeting Date Change (Shimmin)** – Consider cancelling the next Regular Meeting on October 25th, and holding a Special Meeting October 18th due to staffing issues. (5 minutes)

INFORMATION ONLY (No Discussion Required) (15 minutes)

- 8) **Urban Forest Update (Courdy)**
- 9) **Upcoming Events** – Fall Garden Workshop October 8th (co-hosted by South Pasadena Beautiful); 2016 Waterfest October 15th (put on by the Upper San Gabriel Valley Municipal Water District).

CHAIR COMMUNICATIONS

COMMISSIONER COMMUNICATIONS

STAFF LIAISON COMMUNICATIONS

COUNCIL LIAISON COMMUNICATIONS

ADJOURNMENT – Next Regular Meeting – October 25, 2016

STATE OF CALIFORNIA)
CITY OF SOUTH PASADENA)
COUNTY OF LOS ANGELES)

I declare under penalty of perjury, that I am an employee of the City of South Pasadena, and that I posted this Agenda on the bulletin board in the courtyard of the City Hall at 1414 Mission Street, South Pasadena on 9-22-16, as required by Law.

Date: 9-22-16 Signature: [Signature]

Item No. 2

City of South Pasadena Agenda Report

*Diana Mahmud, Mayor
Michael A. Cacciotti, Mayor Pro Tem
Robert S. Joe, Councilmember
Marina Khubesrian, M.D., Councilmember
Richard D. Schneider, M.D., Councilmember*

*Evelyn G. Zneimer, City Clerk
Gary E. Pia, City Treasurer*

COMMISSION September 27, 2016
AGENDA:

TO: Natural Resources and Environmental Commission

VIA: Paul Toor, Public Works Director

FROM: Kristine Courdy, P.E., Public Works Operations Manager

SUBJECT: **Applicant Appeal of the Tree Removal Violation Penalties at
1701 and 1703 Hill Drive**

Summary

On May 19, 2016 the City of South Pasadena was made aware that 12 trees were removed without a permit at 1701 and 1703 Hill Drive. City Staff developed the tree removal penalties based on Chapter 34, Trees and Shrubs, of the South Pasadena Municipal Code. The Applicant has submitted an appeal of the tree removal violation penalties requesting Natural Resources and Environmental Commission review the decision of City Staff.

Background

On May 19, 2016 the City of South Pasadena (City) was contacted about unpermitted tree removals at 1701 and 1703 Hill Drive. On May 23, 2016 City Arborist, Gonzalo Maravilla, took the following report of unpermitted tree removal activity:

1701 Hill Drive:

Native Tree Specie	Tree Size (diameter)
Walnut Tree	53-inches
Walnut Tree	19-inches
Walnut Tree	10-inches
Walnut Tree	18-inches
Walnut Tree	23-inches
Walnut Tree	9-inches
Walnut Tree	10-inches
Total Native Trees Removed: 7	142-inches

Non-Native Tree Specie	Tree Size (diameter)
Elm Tree	17-inches
Pepper Tree	22-inches
Total Non-Native Trees Removed: 2	39-inches

1703 Hill Drive:

Native Tree Specie	Tree Size (diameter)
Walnut Tree	7-inches
Walnut Tree	15-inches
Walnut Tree	28-inches
Total Native Trees Removed: 3	50-inches

Below is a summary of the correspondence regarding these tree removals between the City and Applicant:

- May 19, 2016: City notified about potential tree removal violations at 1701 and 1703 Hill Drive. Upon arrival to the site, City finds that trees have been removed without a permit. City notifies Applicant to stop work and apply for a tree removal permit.
- May 20, 2016: Applicant applies for a tree removal permit after nine trees were removed from 1701 Hill Drive and three trees were removed from 1703 Hill Drive. On May 23, 2016 City Arborist, Gonzalo Maravilla, completed his report of the trees that were removed without a permit.
- June 7, 2016: Letter sent from the City to the Applicant summarizing the unpermitted tree removal activity at 1701 and 1703 Hill Drive.
- June 8, 2016: Applicant sends a response to the City with an explanation of why the trees were removed without a permit.
- June 20, 2016: Letter sent from the City to the Applicant summarizing the replacement trees required on the site and requesting a planting plan to show compliance with the City of South Pasadena Municipal Code (SPMC) Chapter 34, Trees and Shrubs. Based on June 8, 2016 response from Applicant, City Staff proposed penalties for an unintentional violation.
- July 18, 2016: Applicant provides planting plan and letter from a Landscape Architect dated July 14, 2016 regarding the planting location of the replacement trees.
- July 26, 2016: Letter sent from the City to the Applicant summarizing the penalties and replacement tree required for the unpermitted tree removals.

Below is a summary of the proposed tree removal violations for 1701 and 1703 Hill Drive based on penalties for unintentional removal (further details are in the July 26, 2016 City letter):

- 1701 Hill Drive: 65 replacement trees required to be planted (58 to be Native species)
- 1703 Hill Drive: 32 replacement trees required to be planted (24 to be Native species)
- Double permit fee of \$220 for the violation

The Applicants Landscape Architect prepared a response dated July 14, 2016 outlining that the property cannot accommodate multiple trees as the site would be adversely impacted. Per SPMC Section 34.7.b.2.:

“Because of their size and/or significance, single tree(s) that have been removed may be required to be replaced with multiple trees, subject to review and approval by the director or his/her designee. If the subject property cannot accommodate multiple trees, alternative locations within the city (public right-of-way, park, etc.) may be designated.”

Based on review of the submitted documentation, the City approved planting of the replacement trees in the public-right of way. Below were the two options presented to the Applicant in the July 26, 2016 letter how to proceed with the planting the replacement trees:

- 1) Owner can plant the 97 City approved tree species in City approved locations of the public right of way. The City and Owner would work together to develop a plan of where the replacement trees would be planted. The trees would need to be planted before final permit issuance and the owner would need to guarantee survival of the tree for two years. Should the owner select this option, the City will require a deposit of \$31,525 until all trees have been planted, inspected and approved by the City.
- 2) Owner can have the City plant the 97 approved tree species in the public right of way. The Owner would need to pay for the tree planting and two year maintenance period. The unit price for a tree with a two-year warranty in the current City Urban Forestry contract is \$325 per tree. The total fee that would need to be submitted to the City for this option is \$31,525.

Analysis

On August 8, 2016 the property owner sent in a letter appealing the City decision regarding the penalties for the tree removal violation. Per SPMC Section 34.8:

“The applicant or any interested party may appeal the decision of the director to the natural resources commission by filing an appeal in writing submitted to the secretary of the commission within fifteen days after the date of decision of the director. Decisions of the commission may be appealed to the city council by filing such appeal in writing submitted to the city clerk within fifteen days after the date of decision of the commission. The appeal shall specifically identify the grounds upon which the appeal will be taken and summarize the facts and points of law in support of the appeal.”

Per SPMC Section 34.3:

“It is unlawful for any person to remove or transplant any significant or mature heritage tree, a significant, or a mature native species tree, or a significant or mature Oak tree from any property within the city unless a tree removal permit is first obtained from the city.”

The development of 1701 and 1703 Hill Drive was initially reviewed by the Planning Commission on January 28, 2013. That discussion was continued on February 25, 2013 where the Commission approved the Conditions of Approval for the Project under Resolution 13-05. Condition 57 was included in Resolution 13-05 regarding tree removals:

“Show all existing trees, including size and species, and indicate their disposition on the plans. If any trees are to be removed, per City Ordinance No. 2126, amendment of the City Municipal Code, file a tree removal permit application and provide a tree plan. See Section 34.5 of the Municipal Code for the required information and process. According to the replacement tree formula in the City of South Pasadena Municipal Code Section 34.7.5 (Replacement Trees), the developer shall provide two 24” box replacement trees (Native Species) for each 10 inch increment of the diameter of the existing tree being removed. Based on the proposed number of trees to be removed and that formula, 32 trees (24” box size) shall be provided and all of them shall be native species trees.”

This information is being presented based on the Applicant appeal of the tree removal violations penalties proposed for 1701 and 1703 Hill Drive for Natural Resources and Environmental Commission consideration. The City used SPMC Chapter 34, Tree and Shrubs, in development of responses to the Applicant and in determining the tree violation penalties.

Public Notification of Agenda Item

The public was made aware that this item was to be considered this evening by virtue of its inclusion on the legally publicly noticed agenda, posting of the same agenda and reports on the City’s website and/or notice in the *South Pasadena Review* and/or the *Pasadena Star-News*.

Attachments:

1. Tree Removal Permit Applications for 1701 and 1703 Hill Drive
2. June 7, 2016 Letter from the City
3. June 8, 2016 Letter from the Applicant
4. June 20, 2016 Letter from the City
5. July 18, 2016 Letter from the Applicant (includes July 14, 2016 Landscape Architect letter)
6. July 26, 2016 Letter from City
7. August 8, 2016 Appeal Letter from Applicant
8. Condition 57 of 1701 and 1703 Hill Drive Conditions of Approval

CITY OF SOUTH PASADENA
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
1414 Mission Street — South Pasadena — CA 91030 — (626) 403-7240

PRIVATE PROPERTY TREE REMOVAL/REPLACEMENT PERMIT APPLICATION

Please submit plan if more than three (3) trees are involved.

Permit Fee: \$110.00, plus
Inspection Fee: \$ 140.00

PERMIT #: _____

JOB SITE: 1701 Hill Dr

PROPERTY OWNER'S NAME: Hill Dr Properties LLC

ADDRESS: 37th 3743 Mastor #6 PHONE: 626.676-7498
Los Angeles, CA 90034

CONTRACTOR'S NAME: Miguel Diaz

ADDRESS: 555 W 5th St, 31st floor PHONE: (626) 375-7677
Los Angeles, CA 90013

CITY BUSINESS LICENSE No: #931511

1. Type/Variety of Tree: Elm tree Size of Tree: 17"
(trees 4" in diameter or greater are Mature trees) (diameter of tree measured 4' from base of trunk)

Location: Hill Side
(specific location of tree on property i.e. front yard, side yard, etc.)

List Reasons for requesting this tree removal: _____
(include all conditions warranting the removal)

2. Type/Variety of Tree: peper Tree Size of Tree: 20"
(trees 4" in diameter or greater are Mature trees) (diameter of tree measured 4' from base of trunk)

Location: Next to the street
(specific location of tree on property i.e. front yard, side yard, etc.)

List Reasons for requesting this tree removal: _____
(include all conditions warranting the removal)

3. Type/Variety of Tree: Walnut tree Size of Tree: 53"
(trees 4" in diameter or greater are Mature trees) (diameter of tree measured 4' from base of trunk)

Location: Next to the street
(specific location of tree on property i.e. front yard, side yard, etc.)

List Reasons for requesting this tree removal: _____
(include all conditions warranting the removal)

4. walnut 19" damaged; Removed ^{with} No Permit
Hill side
5. walnut 10" damaged; Removed ^{with} No Permit.
Hill side
6. walnut 18" damaged; Removed ^{with} No Permit
Hill side
7. walnut 23" damaged; Removed with No permit
Hill side
8. walnut 9" damaged; Removed with No permit
Hillside
9. walnut 10" damaged; Removed with No permit -
Hillside
10. Palm tree 16" Healthy palm Recommended for
next to the driveway removal -

g-mell

5-23-2016

PRIVATE PROPERTY TREE REMOVAL/REPLACEMENT PERMIT CONDITIONS

- 1) Conditions must exist to warrant the removal of any mature tree. Healthy trees, which are not causing a hardship on the property owner, shall not be approved for removal.
- 2) Tree removals will include complete removal of the stump and backfill of the hole.
- 3) For every tree approved for removal, multiple replacement trees must be planted anywhere on the owner's property or on City's property upon City's approval. For replacement tree(s) planting in the parkway, root barriers will be required to control the root system. The size of the replacement tree(s) is(are) based on the diameter of the trunk and the type/variety of the approved tree(s) for removal. The replacement tree(s) must be a minimum of 24" box size or as specified by the Engineering Division.
- 4) Replacement trees must be planted within 90 days of the issuance date on the permit.
- 5) Prior to planting the replacement trees, a final inspection must be conducted by the City inspector to verify conformance with tree replacement requirements. Please call to schedule an appointment at (626) 403-7370, Monday through Friday from 7:00 a.m. to 3:30 p.m.
- 6) A 100-foot radius map and mailing labels shall be required to provide public notice of the tree removal. Residents within a 100-foot radius of the property shall be given 15-days to comment on the tree removal prior to issuance of the permit.

APPLICANT SIGNATURE:  Date: 5/20/16

City use only	
1. Approved or Denied (circle per tree)	Type/Variety Inspected: <u>Elm Tree</u>
Size of Tree <u>17</u>	Replacement tree size: _____ Qty: _____ Due by: _____
Comments: <u>Removed with NO Permit</u>	
Inspected by: <u>gmaravilla WE 9466A</u>	Date: _____
2. Approved or Denied (circle per tree)	Type/Variety Inspected: <u>Pepper tree</u>
Size of Tree <u>22</u>	Replacement tree size: _____ Qty: _____ Due by: _____
Comments: <u>Removed with NO Permit</u>	
Inspected by: <u>gmaravilla WE 9466A</u>	Date: _____
3. Approved or Denied (circle per tree)	Type/Variety Inspected: <u>Walnut</u>
Size of Tree <u>53"</u>	Replacement tree size: _____ Qty: _____ Due by: _____
Comments: <u>gmaravilla WE 9466A; Removed with NO Permit</u>	

CITY OF SOUTH PASADENA
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
1414 Mission Street – South Pasadena – CA 91030 – (626) 403-7240

PRIVATE PROPERTY TREE REMOVAL/REPLACEMENT PERMIT APPLICATION

Please submit plan if more than three (3) trees are involved.

Permit Fee: \$110.00, plus PERMIT #: _____
Inspection Fee \$ 140.00

JOB SITE: 1703 Hill Dr

PROPERTY OWNER'S NAME: Hill Dr. Properties LLC

ADDRESS: 3743 Ventura #6 PHONE: 626-676-7498
Los Angeles, CA

CONTRACTOR'S NAME: Miguel Diaz

ADDRESS: 555 W 5th St, 31st floor PHONE: (626) 375-7677
LA, CA 90013

CITY BUSINESS LICENSE No: # 93511

1. Type/Variety of Tree: Elm tree Size of Tree: 40" (not removed yet)
(trees 4" in diameter or greater are Mature trees) (diameter of tree measured 4' from base of trunk)

Location: Next to the street on Hill
(specific location of tree on property i.e. front yard, side yard, etc.)

List Reasons for requesting this tree removal: _____
(include all conditions warranting the removal)

2. Type/Variety of Tree: Elm tree Size of Tree: 45" (not removed yet)
(trees 4" in diameter or greater are Mature trees) (diameter of tree measured 4' from base of trunk)

Location: Hill side
(specific location of tree on property i.e. front yard, side yard, etc.)

List Reasons for requesting this tree removal: _____
(include all conditions warranting the removal)

3. Type/Variety of Tree: Walnut tree Size of Tree: 7"
(trees 4" in diameter or greater are Mature trees) (diameter of tree measured 4' from base of trunk)

Location: _____
(specific location of tree on property i.e. front yard, side yard, etc.)

List Reasons for requesting this tree removal: _____
(include all conditions warranting the removal)

✓

4. Walnut Tree 15" Removed with NO permit
Hill side
5. Walnut tree 16" dead tree; Recommended (not removed yet)
for removal - 5 replacements
Hill side
6. Walnut tree 28" Removed with no permit.
Hill side

Jmaravilla WE9466A

5-23-2016

PRIVATE PROPERTY TREE REMOVAL/REPLACEMENT PERMIT CONDITIONS

- 1) Conditions must exist to warrant the removal of any mature tree. Healthy trees, which are not causing a hardship on the property owner, shall not be approved for removal.
- 2) Tree removals will include complete removal of the stump and backfill of the hole.
- 3) For every tree approved for removal, multiple replacement trees must be planted anywhere on the owner's property or on City's property upon City's approval. For replacement tree(s) planting in the parkway, root barriers will be required to control the root system. The size of the replacement tree(s) is(are) based on the diameter of the trunk and the type/variety of the approved tree(s) for removal. The replacement tree(s) must be a minimum of 24" box size or as specified by the Engineering Division.
- 4) Replacement trees must be planted within 90 days of the issuance date on the permit.
- 5) Prior to planting the replacement trees, a final inspection must be conducted by the City inspector to verify conformance with tree replacement requirements. Please call to schedule an appointment at (626) 403-7370, Monday through Friday from 7:00 a.m. to 3:30 p.m.
- 6) A 100-foot radius map and mailing labels shall be required to provide public notice of the tree removal. Residents within a 100-foot radius of the property shall be given 15-days to comment on the tree removal prior to issuance of the permit.

APPLICANT SIGNATURE: _____ Date: _____

City use only	
1. Approved or Denied (circle per tree)	Type/Variety Inspected: <u>E144</u>
Size of Tree <u>40"</u>	Replacement tree size: _____ Qty: _____ Due by: _____
Comments: <u>Healthy tree; Recommended for Denial</u>	
Inspected by: <u>Jmaravilla WE9466A</u>	Date: <u>5-23-2016</u>
2. Approved or Denied (circle per tree)	Type/Variety Inspected: <u>8 E144</u>
Size of Tree <u>45"</u>	Replacement tree size: _____ Qty: _____ Due by: _____
Comments: <u>Healthy tree; Recommended for Denial</u>	
Inspected by: <u>Jmaravilla WE9466A</u>	Date: <u>5-23-2016</u>
3. Approved or Denied (circle per tree)	Type/Variety Inspected: <u>walnut-</u>
Size of Tree <u>7"</u>	Replacement tree size: _____ Qty: _____ Due by: _____
Comments: <u>Removed with NO permit.</u>	



CITY OF SOUTH PASADENA

PUBLIC WORKS

1414 MISSION STREET, SOUTH PASADENA, CA 91030

TEL: (626) 403-7210 • FAX: (626) 403-7211

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June 7, 2016

Hill Dr. Properties LLC
Attn: Alain Romero
140 S Lake Ave, Suite 230
Pasadena, CA 911010

Subject: Tree Removal Violation at 1701 & 1703 Hill Drive

Dear Mr. Romero,

On May 19, 2016 the City of South Pasadena was contacted about tree removals at 1701 and 1703 Hill Drive. On May 23, 2016 City Arborist, Gonzalo Maravilla, took the following report of unpermitted tree removal activity:

1701 Hill Drive:

Native Tree Specie	Tree Size (diameter)
Walnut Tree	53-inches
Walnut Tree	19-inches
Walnut Tree	10-inches
Walnut Tree	18-inches
Walnut Tree	23-inches
Walnut Tree	9-inches
Walnut Tree	10-inches
Total Native Trees Removed: 7	142-inches

Non-Native Tree Specie	Tree Size (diameter)
Elm Tree	17-inches
Pepper Tree	22-inches
Total Non-Native Trees Removed: 2	39-inches

1703 Hill Drive:

Native Tree Specie	Tree Size (diameter)
Walnut Tree	7-inches
Walnut Tree	15-inches
Walnut Tree	28-inches
Total Native Trees Removed: 3	50-inches

Per South Pasadena Municipal Code Chapter 34 Trees and Shrubs, Section 34.3.a:

"It is unlawful for any person to remove or transplant any significant or mature heritage tree, a significant, or a mature native species tree, or a significant mature Oak tree from any property within the City unless a tree removal permit is first obtained from the City."

Under the Conditions of approval for Project Number 0340-DRX-HDP, 1701 and 1703 Hill Drive and Project number 1651-HDP, 1701 Hill Drive initially approved by the Planning Commission on February 25, 2013 and for the modifications to 1701 Hill Drive approved by the Planning Commission on June 23, 2014, the following condition was in place for tree removals:

"Show all existing trees, including size and species, and indicate their disposition on the plans. If any trees are to be removed, per City Ordinance No. 2126, amendment of the City Municipal Code, file a tree removal permit application and provide a tree plan. See Section 34.5 of the Municipal Code for the required information and process. According to the replacement tree formula in the City of South Pasadena Municipal Code Section 34.7.5 (Replacement Trees), the developer shall provide two 24" box replacement trees (Native Species) for each 10 inch increment of the diameter of the existing tree being removed. Based on the proposed number of trees to be removed and that formula, 32 trees (24" box size) shall be provided and all of them shall be native species trees."

Please provide a written explanation on why these trees were removed without permit. Staff will review the response to determine the next course of action. No further trees shall be removed from the site until these unpermitted tree removals are resolved and a tree permit for the remaining trees is issued. If you have any questions please direct them to me at 626-403-4376.

Regards,



Kristine Courdy, P.E.
Public Works Operations Manager

CC: Paul Toor, P.E.
Public Works Director

Hill Dr. Properties, LLC
Mailing address: % North by Northwest Capital, Inc
555 W 5th St, FL 31
Los Angeles, CA 90013

June 8, 2016

Kristine Courdy, P.E.
Public Works Operation Manager
City of South Pasadena
1414 Mission Street
South Pasadena, CA 91030

Re: Tree removal
1701 & 1703 Hill Dr.
South Pasadena, CA 91030

Dear Ms. Courdy:

Thank you for taking the time to address the recent issue of “tree removals” on the above referenced property. This correspondence is in response to your letter dated June 7, 2016, wherein, you ask for an explanation of why trees were removed from the property.

We acquired the properties on April 27th, 2016, and a significant amount of due diligence was exercised on our part and on behalf of the lender prior to the consummation of the real estate transaction (we acquired have a \$2M construction loan in place). By far the most important condition of the closing of escrow, was that we have a “shovel ready” project; meaning that final permits are issued and construction can begin immediately upon closing. That was our impression.

Prior to that happening we went to the Planning Department and Building & Safety on numerous occasions to make sure that the permits were current and viable. I repeat that we went several times to the counter and we were assured that the permits that were paid for and issued were in fact good and it was a shovel ready site. Only upon that information received from Planning and Building & Safety did we feel comfortable moving forward on the transaction.

After we took possession of the properties, we went to Building & Safety, filed and paid for a “change of ownership”. We also went with our contractor and filed him as “contractor of record”. Building & Safety changed out the past owner’s permits and put them under *Hill Dr. Properties, LLC*. Furthermore, we were issued our inspection cards and we also paid and were given our grading permit.

All of the above points to the fact that we indeed had a “shovel ready” site. We were given a green light to proceed with construction and begin grading. After the property was properly

secured with fencing and other mobility measures, we moved forward with clearing the brush from the sites in preparation for grading. Never in our development experience did we imagine that we would be halted because a tree permit was not issued.

This should have been a “condition of approval” PRIOR to the City issuing final permits. Furthermore, we were granted a Grading Permit, and inspection cards, which means that we should be allowed to commence grading. Our experience is that a contractor/ developer aren’t given final building permit or grading permits unless they are ready to begin construction, nor was this ever conveyed to us by planning or building departments.

The removal of some of the trees on site was in no way a malicious act on our part. We are following the tree removal plan that had been submitted to the city by the previous owner and was approved by the city in the environmental report. As you know we are working with all of you to rectify the issue and get us back to work. We are more than happy to pay for a “tree permit” but due to the stated facts above, should not be penalized for supposedly jumping the gun. It was never our intent to not comply with City regulations.

We are extremely sensitive to such issues as we always work with the City for the common goal of a good, safe, and sound development. We hope this clarifies and addresses your concern. We are local to the area and have lived in South Pasadena and now reside in Pasadena. South Pasadena is a great city and are proud to work within the community.

Respectfully submitted,

Alain Romero
Hill St Properties, LLC - Manager
626.676.7498



CITY OF SOUTH PASADENA

PUBLIC WORKS

1414 MISSION STREET, SOUTH PASADENA, CA 91030

TEL: (626) 403-7210 • FAX: (626) 403-7211

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June 20, 2016

Hill Dr. Properties LLC
Attn: Alain Romero
140 S Lake Ave, Suite 230
Pasadena, CA 911010

Subject: Tree Removal Violation at 1701 & 1703 Hill Drive

Dear Mr. Romero,

City Staff has received your response dated June 8, 2016. Per South Pasadena Municipal Code Chapter 34 Trees and Shrubs, Section 34.3.a:

"It is unlawful for any person to remove or transplant any significant or mature heritage tree, a significant, or a mature native species tree, or a significant mature Oak tree from any property within the City unless a tree removal permit is first obtained from the City."

Under the Conditions of approval for Project Number 0340-DRX-HDP, 1701 and 1703 Hill Drive and Project number 1651-HDP, 1701 Hill Drive initially approved by the Planning Commission on February 25, 2013 and for the modifications to 1701 Hill Drive approved by the Planning Commission on June 23, 2014, the following condition was in place for tree removals:

"Show all existing trees, including size and species, and indicate their disposition on the plans. If any trees are to be removed, per City Ordinance No. 2126, amendment of the City Municipal Code, file a tree removal permit application and provide a tree plan. See Section 34.5 of the Municipal Code for the required information and process. According to the replacement tree formula in the City of South Pasadena Municipal Code Section 34.7.5 (Replacement Trees), the developer shall provide two 24" box replacement trees (Native Species) for each 10 inch increment of the diameter of the existing tree being removed. Based on the proposed number of trees to be removed and that formula, 32 trees (24" box size) shall be provided and all of them shall be native species trees."

Per South Pasadena Municipal Code Chapter 34 Trees and Shrubs, Section 34.12.a. Penalties:

"Penalties for any person who unintentionally violates the provisions of this chapter shall be as follows: the standard inspection fee; double the required tree removal permit fee; and planting double the number of replacement trees require pursuant to section 34.7.5."

The owner paid the standard inspection fee and tree removal permit fee on May 20, 2016 after the unpermitted tree removals occurred. A double permit fee of \$220 is still due for these tree

removal violations. Below are the penalty replacement trees required to be planted at each property:

1701 Hill Drive:

Trees Removed (diameter)	Tree Replacement Criteria	Standard Tree Replacements Required	Double Tree Replacement Penalty
Native: 142-inches	Two Native 24" box trees per 10-inches removed	29 trees	58 trees
Non-Native: 39-inches	One 24" box per 10-inches removed	4 trees	8 trees
TOTAL 24" BOX REPLACEMENT TREES REQUIRED AT 1701 HILL DRIVE (58 of the trees to be Native Specie)			66 trees

1703 Hill Drive:

Trees Removed (diameter)	Tree Replacement Criteria	Standard Tree Replacements Required	Double Tree Replacement Penalty
Native: 50-inches	Two Native 24" box trees per 10-inches removed	10 trees	20 trees
TOTAL 24" BOX REPLACEMENT TREES REQUIRED AT 1703 HILL DRIVE (20 of the trees to be Native Specie)			20 trees

If it is discovered that these were intentional removals, then the penalties outlined in South Pasadena Municipal Code Chapter 34 Trees and Shrubs, Section 34.12.b. shall apply in addition to the penalties outlined above.

Please submit a planting plan identifying the location of the replacement trees. Per the South Pasadena Municipal Code Section 34.7.b.2.:

"Because of their size and/or significance, single tree(s) that have been removed may be required to be replaced with multiple trees, subject to review and approval by the director or his/her designee. If the subject property cannot accommodate multiple trees, alternative locations within the city (public right-of-way, park, etc.) may be designated."

The planting plan should identify the location, specie and size of the replacement trees. No further trees shall be removed from the site until these unpermitted tree removals are resolved and a tree permit for the remaining trees is issued. If you have any questions please direct them to me at 626-403-4376.

Regards,



Kristine Courdy, P.E.
Public Works Operations Manager

CC: Paul Toor, P.E.
Public Works Director

Hill Properties, LLC

¶ NBNW Capital, Inc
555 w 5th St, 31st Floor
Los Angeles, CA 90013

July 18, 2016

Kristine Courdy, P.E.
Public Works Operation Manager
1414 Mission Street
South Pasadena, CA 91030

Re: 1710 and 1703 Hill Dr., South Pasadena

Dear Kristine,

This letter is in response to your correspondence dated June 20, 2016, regarding the Tree Removal Violation. On behalf of Hill Properties, LLC, we would like to request to forgo planting the 86, 24" box trees on the site. Based on the South Pasadena Municipal Code Section 34.7.b.2., we would like to recommend alternative locations for the trees.

The current landscape plans indicate that there is just no room to plant those trees and in doing so would negatively impact the hillside from its natural setting. Overplanting the hillside would definitely upset the neighbors as they would prefer to see typical chaparral setting.

Our request and conclusion was confirmed with William Peacock, a professional landscaper who has over 50 years of experience. We left Bill's letter and landscape plans with Alex Chou. The landscape plans have ample plants, trees, beautiful hearths cape, and an irrigation plan. Let us know what is needed to fulfill the City's expectations.

Respectfully submitted,



Alain Romero
Hill Properties, LLC



william l. peacock a.s.l.a.
landscape architect and site planner

851 misty isle drive glendale, ca 91207

Phone: 818.240.0874 FAX: 818.240.0032

CITY OF SOUTH PASADENA
RECEIVED
JUL 15 2016
PUBLIC WORKS DEPT.

July 14, 2014

Kristine Courdy, P.E.
Public Works Operation Manager
1414 Mission St
South Pasadena, CA 91030

RE: Tree planting plan for 1701 and 1703 Hill Dr., South Pasadena

Dear Ms. Courdy,

My name is William Peacock and I have been a landscape architect since 1960. I have recently reviewed the landscape plans for 1701 and 1703 Hill dr. and the correspondence from you to Mr. Alan Romero dated June 20, 2016, regarding the Tree Removal Violation.

The current landscape plans have significant hardscape, plants and trees (Ginko, Japanese Black Pine, and Cherry Laurel). They have a detailed irrigation plan. The violation calls out to plant approximately 86, 24" box trees on site. The properties cannot accommodate these multiple trees. There is not significant amount of area to plant these trees without having a significant impact on the natural condition of the hill and vegetation. The entire site below the houses would be adversely impacted. Based on the South Pasadena Municipal Code Section 34.7.b.2, I recommend alternative locations for the trees.

Sincerely,

William L. Peacock, A.S.L.A., Lic #1044



CITY OF SOUTH PASADENA

PUBLIC WORKS

1414 MISSION STREET, SOUTH PASADENA, CA 91030

TEL: (626) 403-7210 • FAX: (626) 403-7211

WWW.SOUTHPASADENACA.GOV

July 26, 2016

Hill Dr. Properties LLC
Attn: Alain Romero
140 S Lake Ave, Suite 230
Pasadena, CA 911010

Subject: Tree Removal Violation at 1701 & 1703 Hill Drive

Dear Mr. Romero,

City Staff has received your response dated July 18, 2016. Your submittal included a letter from Landscape Architect William L. Peacock dated July 14, 2016 stating the following:

"The violation calls out to plant approximately 86, 24" box trees on site. The properties cannot accommodate these multiple trees. There is not significant amount of are to plant these trees without having a significant impact on the natural condition of the hill and vegetation. The entire site below the houses would be adversely impacted. Based on the South Pasadena Municipal Code Section 34.7.b.2, I recommend alternative locations for the trees."

Per the South Pasadena Municipal Code Section 34.7.b.2.:

"Because of their size and/or significance, single tree(s) that have been removed may be required to be replaced with multiple trees, subject to review and approval by the director or his/her designee. If the subject property cannot accommodate multiple trees, alternative locations within the city (public right-of-way, park, etc.) may be designated."

Per South Pasadena Municipal Code Chapter 34 Trees and Shrubs, Section 34.12.a. Penalties:

"Penalties for any person who unintentionally violates the provisions of this chapter shall be as follows: the standard inspection fee; double the required tree removal permit fee; and planting double the number of replacement trees require pursuant to section 34.7.5."

1701 Hill Drive:

There were nine trees removed without a permit from 1701 Hill Drive, requiring planting of 58 24-inch box native trees and eight 24-inch box non-native trees. There is a permit requesting removal of one additional tree that will require planting of two 24-inch box non-native trees. Per the Landscape Plans prepared by S. Roy Kato Landscape Architect and dated February 10, 2014, there are three 24-inch box trees proposed for the Project Site. Below is a summary of the replacement trees required for 1701 Hill Drive:

Trees Removed (diameter)	Tree Replacement Criteria	Standard Tree Replacements Required	Double Tree Replacement Penalty
Unpermitted Removal Native: 142-inches	Two Native 24" box trees per 10-inches removed	29 trees	58 trees
Unpermitted Removal Non-Native: 39-inches	One 24" box per 10-inches removed	4 trees	8 trees
Permitted Removal Native: 16-inches	One 24" box per 10-inches removed	2 trees	2 trees (no penalty)
TOTAL 24" BOX REPLACEMENT TREES REQUIRED AT 1701 HILL DRIVE (58 trees to be Native Specie)			68 trees
Replacement Non-Native Trees shown on Landscape Plan dated February 10, 2014			(3 trees)
24" BOX REPLACEMENT TREES REQUIRED AT ALT. LOCATIONS FOR 1701 HILL DRIVE (58 trees to be Native Specie)			65 trees

1703 Hill Drive:

There were three trees removed without a permit from 1703 Hill Drive, requiring planting of 20 24-inch box native trees. There is a permit requesting removal of three additional trees that will require planting of four 24-inch box native trees and nine 24-inch box non-native trees. Per the Landscape Plans prepared by S. Roy Kato Landscape Architect and dated February 10, 2014, there is one 24-inch box trees proposed for the Project Site. Below is a summary of the replacement trees required for 1703 Hill Drive:

Trees Removed (diameter)	Tree Replacement Criteria	Standard Tree Replacements Required	Double Tree Replacement Penalty
Unpermitted Removal Native: 50-inches	Two Native 24" box trees per 10-inches removed	10 trees	20 trees
Permitted Removal Native: 16-inches	Two Native 24" box trees per 10-inches removed	4 trees	4 trees (no penalty)
Permitted Removal Non-Native: 85 inches	One 24" box per 10-inches removed	9 trees	9 trees (no penalty)
TOTAL 24" BOX REPLACEMENT TREES REQUIRED AT 1703 HILL DRIVE (24 trees to be Native Specie)			33 trees
Replacement Non-Native Trees shown on Landscape Plan dated February 10, 2014			(1 tree)
24" BOX REPLACEMENT TREES REQUIRED AT ALT. LOCATIONS FOR 1703 HILL DRIVE (24 trees to be Native Specie)			32 trees

Based on the City's review of the submitted documentation, it is approved to plant the replacement trees in the public-right of way. Below are the two options for the Owner on how to proceed with this request:

- 1) Owner can plant the 97 City approved tree species in City approved locations of the public right of way. The City and Owner would work together to develop a plan of where the replacement trees would be planted. The trees would need to be planted before final permit issuance and the owner would need to guarantee survival of the tree for two years. Should the owner select this option, the City will require a deposit of \$31,525 until all trees have been planted, inspected and approved by the City.

- 2) Owner can have the City plant the 97 approved tree species in the public right of way. The Owner would need to pay for the tree planting and two year maintenance period. The unit price for a tree with a two-year warranty in the current City Urban Forestry contract is \$325 per tree. The total fee that would need to be submitted to the City for this option is \$31,525.

The owner paid the standard inspection fee and tree removal permit fee on May 20, 2016 after the unpermitted tree removals occurred. A double permit fee of \$220 is still due for these tree removal violations. The Owner needs to submit the additional permit fee and comply with the requirements of the selected planting option for the replacement trees. The tree permit will be issued when all Project Conditions of Approval are addressed appropriately. Until then, no further trees shall be removed from the site.

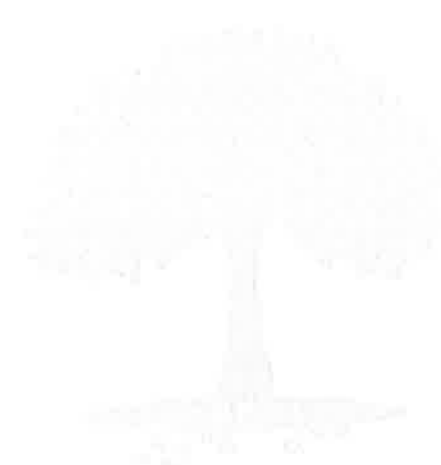
Please let the City know how you would like to proceed with planting the trees. If you have any questions please direct them to me at 626-403-4376.

Regards,



Kristine Courdy, P.E.
Public Works Operations Manager

CC: Paul Toor, P.E.
Public Works Director



Hill Properties, LLC
% North By Northwest Development
555 W 5th St, 31st floor
Los Angeles, CA 90013

August 8, 2016

Kristine Courdy, P.E.
Public Works Operation Manager
1414 Mission Street
South Pasadena, CA 91030

Re: 1710 and 1703 Hill Dr., South Pasadena

Dear Kristine,

We have received your determination letter dated July 26, 2016, as to the tree permit and violation fees. Given the circumstances that have led up to your determination, we strongly protested that we were not in violation of "illegal tree removal" in letter written to you on June 8th, 2016. See excerpts of our letter below and hence please consider this to be our request for appeal.

This correspondence is in response to your letter dated June 7, 2016, wherein, you ask for an explanation of why trees were removed from the property. We acquired the properties on April 27th, 2016, and a significant amount of due diligence was exercised on our part and on behalf of the lender prior to the consummation of the real estate transaction (we acquired have a \$2M construction loan in place). By far the most important condition of the closing of escrow, was that we have a "shovel ready" project meaning that final permits are issued and construction can begin immediately upon closing. That was our impression.

Prior to that happening we went to the Planning Department and Building & Safety on numerous occasions to make sure that the permits were current and viable. I repeat that we went several times to the counter and we were assured that the permits that were paid for and issued were in fact good and it was a shovel ready site. Only upon that information received from Planning and Building & Safety did we feel comfortable moving forward on the transaction. After we took possession of the properties, we went to Building & Safety, filed and paid for a "change of ownership". We also went with our contractor and filled him as "contractor of record". Building & Safety changed out the past owner's permits and put them under Hill Dr. Properties, LLC. Furthermore, we were issued our inspection cards and we also paid and were given our grading permit.

All of the above points to the fact that we indeed had a "shovel ready" site. We were given a green light to proceed with construction and begin grading. After the property was properly secured with fencing and other mobility measures, we moved forward with clearing the brush from the sites in preparation for grading. Never in our development experience did we imagine that we would be halted because a tree permit was not issued. This should have been a "condition of approval" PRIOR to the

City issuing final permits. Furthermore, we were granted a Grading Permit, and inspection cards, which means that we should be allowed to commence grading.

Our experience is that a contractor/ developer aren't given final building permit or grading permits unless they are ready to begin construction, nor was this ever conveyed to us by planning or building departments. The removal of some of the trees on site was in no way a malicious act on our part. We are following the tree removal plan that had been submitted to the city by the previous owner and was approved by the city in the environmental report. As you know we are working with all of you to rectify the issue and get us back to work. We are more than happy to pay for a "tree permit" but due to the stated facts above, should not be penalized for supposedly jumping the gun. It was never our intent to not comply with City regulations.

The determination letter did not address any of the points in our letter and your department moved forward as if we were in clear violation, without giving us a clear reason why.

We do not believe this is a black and white issue and would like to work with the City in finding alternatives to this fee which would put the project in jeopardy. The \$31,525 fee is exorbitant and not financially feasible for us, given the construction loan payments incurred already on our behalf.

Please submit this appeal letter as appropriate.

Respectfully submitted,

Alain Romero

Alain Romero
Hill Properties, LLC

49. Any storage or occupation of the public right-of-way shall be subject to an encroachment permit and the monthly permit fee.
50. Applicant shall pay for the outside consultant fees incurred to review any improvement plans during the plan check process.
51. Per City Council approval of Final Parcel Map No. 19646 on 07/30/91, roadway improvements to Warwick Place shall be approved prior to the City's issuance of any grading and building permits. Such improvements include: the widening of Warwick Place to 20' in width plus curb and gutter. A form of security for those improvements will be required before the issuance of building and grading permits.
52. A significant portion of the land is restricted from development by a slope easement along Hill Drive. The property owner(s) of 1701 and 1703 Hill Drive shall be responsible for the indefinite and unconditional maintenance of any portion of slope easement that is impacted by the hillside developments and improvements. This restriction shall be recorded in a covenant on the title for the properties located at 1701 and 1703 Hill Drive. This covenant shall be reviewed and approved by the Public Works Department and the City Attorney and a fully executed covenant, in recordable form, shall be provided to the City prior to obtaining a grading permit.
53. Provide a signed and stamped Geotechnical Engineer's recommendation that will ensure the structural integrity of the Hill Drive roadway as a result of work within the above-mentioned slope easement.
54. Provide clearance letters from utility companies for any relocation of utility lines that cross the properties at 1701 and 1703 Hill Drive prior to obtaining building permits for the project.
55. Provide landscape and irrigation plans per Chapter 70 of the Building Code for the graded slope.
56. Any temporary grading within the public rights-of-way shall be restored and landscaped to the satisfaction of the Public Works Department upon completion of final grading.
57. Show all existing trees, including size and species, and indicate their disposition on the plans. If any trees are to be removed, per City Ordinance No. 2126, amendment of Section 4.3 of the City Municipal Code, file a tree removal permit application and provide a tree plan. See Section 34.5 of the Municipal Code for the required information and process. According to the replacement tree formula in the South Pasadena Municipal Code Section 34.7.5 (Replacement Trees), the developer shall provide two 24" box replacement trees (Native Species) for each 10 inch increment of the diameter of the existing tree being removed. Based on the proposed number of trees to be removed and that formula, 32 trees (24" box size) shall be provided and all of them shall be native species trees.

South Pasadena Expanded Polystyrene Ordinance Sample Language

Need to check term usage and consistency

For possible consideration

Chapter 16.40 Expanded Polystyrene Disposable Food Service Ware Ban

16.40 Purpose

16.41 Definitions

16.42 Prohibition of Expanded Polystyrene Food Service Ware

16.43 Exceptions

16.44 Enforcement

16.45 Effective Date

16.46 No Conflict with Federal and State Law

16.40 Purpose

The purpose of this Chapter is to establish standards and procedures for environmental waste and litter reduction measures, and promote environmentally sustainable practices throughout the City by prohibiting the use and sale of expanded polystyrene food service ware by Food Providers within the City of South Pasadena and in City Facilities, city-managed concessions, city-sponsored events, city permitted events and all franchisees, contractors and vendors doing business with the City.

16.40 Definitions

As used in this chapter, the following terms and phrases shall have the following meanings:

A. "City Facilities" shall mean any building, structure, or vehicle owned or operated by the City of South Pasadena, its agents, agencies, departments, and franchisees.

B. "Customer" shall mean anyone purchasing food or beverages from a Restaurant or Food Provider.

C. "Disposable Food Service Ware" shall mean single-use disposable products used in the restaurant and food service industry for serving or transporting prepared, ready-to-consume food or beverages. This includes but is not limited to plates, cups, bowls, trays and hinged or lidded containers. This does not include single-use disposable items such as straws, cup lids, or utensils, nor does it include single-use disposable packaging for unprepared foods.

D. "Expanded Polystyrene" (EPS) shall mean polystyrene that has been expanded or "blown" using a gaseous blowing agent into a solid foam. EPS is sometimes called "Styrofoam", a Dow Chemical Co. trademarked form of polystyrene foam insulation.

E. "Food packager" shall mean any person, located within the City of South Pasadena, who places meat, eggs, baked products, or other food in packaging materials for the purpose of retail sale of those products.

F. “Food Provider” shall mean any Person or place that provides or sells Prepared Food within the City of South Pasadena to the general public to be consumed on the premises or for take-away consumption. Food Provider includes but is not limited to (1) a grocery store, supermarket, restaurant, drive-thru, cafe, coffee shop, snack shop, public food market, farmers' market, convenience store, or similar fixed place where Prepared Food is available for sale on the premises or for take-away consumption, and (2) any mobile store, food vendor, caterer, food truck, vending machine or similar mobile outlet. Food Provider also includes any organization, group or individual that regularly provides Prepared Food to its members or the general public as a part of its activities or services.

G. “Non-profit food provider” shall mean a recognized tax exempt organization which provides food or beverage as a part of its services.

H. “Person” or “anyone” shall mean any natural person, firm, corporation, partnership, or other organization or group however organized.

I. “Polystyrene” shall mean and include expanded polystyrene, which is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene).

J. “Polystyrene food packaging” shall mean any food packaging which contains polystyrene foam or oriented polystyrene.

K. “Prepared food” shall mean any food or beverages which are served, packaged or are prepared on the Vendor’s premises by cooking, chopping, slicing, mixing, brewing, freezing, or squeezing. Prepared food may be eaten either on or off the Vendor’s premises. For the purpose of this ordinance, “Prepared Food” does not include raw, butchered, ground, chopped, or sliced meats, fish, and/or poultry sold from a butcher case or similar retail appliance for subsequent preparation.

L. “Restaurant” shall mean any establishment located within the city of South Pasadena selling prepared food to be eaten on or about its premises by customers. “Restaurant” includes a sidewalk food vendor.

M. “Retail Vendor” shall mean any store, shop, sales outlet, or other establishment which sells food packaging.

16.42 Prohibition of Expanded Polystyrene Food Service Ware

A. No restaurant, retail vendor, food packager, retail food vendor, or non-profit food provider shall provide Prepared Food to its customers in any food packaging which utilizes Expanded Polystyrene; or purchase, obtain, keep, distribute, sell for home or personal use, or give, serve, or otherwise provide to customers any food packaging which utilizes Expanded Polystyrene.

B. No Food Provider shall distribute or sell Prepared Food in any Disposable Food Service Ware made of EPS at any location within the City, unless it is wholly encapsulated or encased within a more durable material, as exempted in Section 16.43. This specifically includes, but is not limited to, cups, plates, bowls, clamshells and other products intended primarily for food service use, as well as coolers, containers and, ice chests.

C. No Person shall distribute or sell Prepared Food in any Disposable Food Service Ware made of EPS at City Facilities that have been rented, leased or are otherwise being used with permission of the City. This subsection is limited to use of City Facilities for which a Person has entered into an agreement with the City to rent, lease or otherwise occupy a City Facility. All facility rental agreements for any City Facility shall include a provision requiring contracting parties to assume responsibility for preventing the utilization and/or distribution of Disposable Food Service made of EPS while using City Facilities. *The facility rental agreement shall indicate that a violating contractor's security deposit will be forfeited if the City Manager or his designee determines that Disposable Food Service Ware made of EPS was used in violation of the rental agreement.*

D. No Person shall use or distribute Disposable Food Service Ware made of EPS at City-sponsored events, City-managed concessions and City meetings open to the public. This subsection shall apply to the function organizers, agents of the organizers, City Contractors, Food Providers and any other Person that enters into an agreement with one or more of the function sponsors to sell or distribute Prepared Food or otherwise provide a service related to the function.

E. The City, its departments, and its City Contractors, agents, and employees acting in their official capacity, shall not purchase or acquire Disposable Food Service Ware made of EPS, or distribute it for public use.

F. *All Food Providers required by this Code to have a business license shall certify compliance with this chapter on the annual business license renewal application.*

16.43 Exceptions

A. Food items which are packaged outside the boundaries of the City, provided that such food is not altered, packaged or repackaged within the City limits, are exempt from the provisions of this chapter. *Purveyors of food prepared or packaged outside the City are encouraged to follow of the provisions of this Chapter.*

B. The City Manager or his/her designee may exempt any Person from Section 16.42 following the operative date of this ordinance, as follows:

1. A request for an exemption shall be filed in writing with the City Manager or his/her designee and shall include documentation of the reason for the claimed exemption and any other information necessary for the City to make

its decision. The City may require the applicant to provide additional information as necessary to make the required determinations.

2. The City Manager or his/her designee may approve the exemption for a maximum of one (1) year, with or without conditions, upon finding that compliance would create an undue hardship. Undue hardship shall be construed to include but not be limited to situations where:
 - a. There are no reasonable alternatives to Disposable Food Service Ware for reasons that are unique to the applicant; or
 - b. Compliance with the requirements of this chapter would deprive a person of a legally protected right. The exemption may be extended for additional terms of up to one (1) year each, upon a showing of the continuation of the legal right.
3. The City Manager's written decision on the exemption is effective within 10 days of the decision. Decisions of the City Manager may be appealed by the Person applying for the exemption to the City Council. Appeals shall be filed in writing with the City Clerk within 10 days of the decision and shall be accompanied by a fee set by resolution of the City Council. Notice of hearing shall be given to the applicant at least 10 days prior to the hearing. The City Council shall make its decision within 60 days of receiving the appeal.

C. Food packaging required to be purchased under a contract entered into one year prior to the effective date of this Chapter is exempt from the provisions of this Chapter. This exemption will apply up to one (1) year from the effective date of this Chapter.

D. Food brought by individuals for personal consumption to City Facilities, including but not limited to City parks, and centers, provided that the City Facility is being used for individual recreation or similar purposes and such facility use is not part of a larger organized event that is otherwise governed by **Section 16.42 (B-E)**.

E. EPS coolers and ice chests that are intended for reuse are exempt from the provisions of this Chapter.

F. Construction products made from EPS are exempt if the products are used in a manner that prevents the Polystyrene from being released into the environment.

G. *The City Manager or his/her designee may also determine to exempt from the requirements of this Chapter the procurement of supplies or services in the event of a proclaimed emergency or when otherwise deemed necessary by the City Manager for the immediate preservation of the public health, safety, or general welfare.*

16.44 Enforcement

A. The City Manager or his/her designee shall have primary responsibility for enforcement of this Chapter. The City Manager or his/her designee is authorized to establish regulations and administrative procedures and to take any and all other actions reasonable and necessary to obtain compliance with this Chapter, including, but not limited to, inspecting any **Food Provider's** premises to verify compliance in accordance with applicable law.

B. Any **Person** violating or failing to comply with any of the requirements of this Chapter or of any regulation or administrative procedure authorized by it shall be guilty of an infraction.

C. The City Attorney may seek legal, injunctive, or other equitable relief to enforce this chapter and any regulation or administrative procedure authorized by it.

D. The remedies and penalties provided in this section are cumulative and not exclusive of one another.

16.45 Violations

Violations of this Chapter shall be punishable as follows:

A. For the first violation, the City Manager or his/her designee, upon determination that a violation of this chapter has occurred, shall issue a written warning notice to the **Person or Food Provider** which will specify the violation and the appropriate penalties in the event of future violations.

B. Thereafter, the following schedule shall apply:

a. A fine not exceeding one hundred dollars (\$100.00) for the first violation following the issuance of a warning notice;

b. A fine not exceeding two hundred dollars (\$200.00) for the second violation following the issuance of a warning notice.

c. A fine not exceeding five hundred dollars (\$500.00) for the third and any subsequent violation that occurs following the issuance of a warning notice. Any violation of this Chapter shall constitute sufficient grounds for the revocation, suspension, denial or non-renewal of a business license issued by the city, held by the violator for the location at which the violation occurs.

16.46 Effective Date

A. No **Food Provider** shall distribute or utilize disposable food service containers containing expanded polystyrene on or after one year following the adoption of this ordinance by the City Council.

B. No City facilities, City managed concessions, City sponsored events or City permitted events shall distribute or utilize disposable food service containers containing expanded polystyrene on or after the effective date of this ordinance.

16.47 No Conflict with Federal and State Law

A. Nothing in this Chapter shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law.

B. If any sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

**CONTRACT VECTOR
CONTROL SERVICES
WITH THE PASADENA
PUBLIC HEALTH
DEPARTMENT**

report on contracting vector-control services with the Pasadena Public Health Department. He responded to questions.

Mayor Sifuentes opened the public comment period. No one came forward and he closed the public comment period.

Mayor Pro tem Schneider opposed the contract. Several Councilmembers said that other options are available to resolve the issue of the "green pools" that have been identified in the City via helicopter. Councilmember Putnam said the Council is aware of other issues of pooled water in the streets, and spraying with pesticides.

By roll call vote (3 ayes, Councilmember Putnam, Mayor Pro tem Schneider, and Mayor Sifuentes; 2 noes, Councilmembers Cacciotti and Ten), the Council denied the request to negotiate an agreement with the Pasadena Health Department for vector-control services.

(Schneider, Sifuentes)

**URGENCY ITEM: METRO
LONG RANGE
TRANSPORTATION PLAN**

Councilmember Putnam reviewed the issue of the City's lawsuit related to Measure R funds and the proposed 710 tunnel. He said that since the project has not yet received environmental clearance, it is not an appropriate recipient of Measure R funds.

In a related matter, Councilmember Putnam said the 710 tunnel project is proposed to be included in Metro's Long Range Transportation Plan as a funded project. The City opposes this since there no project as of yet, he said, and the tunnel has not even been found to be feasible. The Metro Planning and Programming Committee will meet 10/14/09 on this issue. He said the Los Angeles Mayor has included the proposed Subway to the Sea on the constrained (funded) plan. It was recommended that the City find a way to object to the tunnel's inclusion on the constrained list that wouldn't also eliminate the Mayor's subway project. He said the Council needs to develop such an argument.

**TURE COMMISSIONER
TO INSPECT AND ABATE
WEEDS, BRUSH AND NA-
TIVE VEGETATION DE-
CLARED TO BE AN
EXISTING OR POTEN-
TIAL FIRE HAZARD,
AND SCHEDULE A
PUBLIC HEARING TO BE
HELD ON MARCH 3, 2010
TO HEAR OBJECTIONS
OR PROTESTS TO THE
VEGETATION MANAGE-
MENT PROGRAM**

By consensus (unanimous vote in favor), the Council adopted Resolution No. 7097, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DECLARING THAT WEEDS, BRUSH, RUBBISH AND REFUSE UPON OR IN FRONT OF SPECIFIED PROPERTY IN THE CITY ARE A SEASONAL AND RECURRENT PUBLIC NUISANCE AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF.

**PUBLIC WORKS
DEPARTMENT USE OF
CHEMICALS AND
PESTICIDES**

Public Works Director Sweeney presented the staff report on the Public Works Department's use of chemicals and pesticides. He responded to questions.

Mayor Schneider opened the public comment period. No one came forward and he closed the public comment period.

By voice vote (5 ayes), the Council approved to receive and file the report on the Public Works Department's use of chemicals and pesticides.

(Cacciotti, Sifuentes)

**AUTHORIZE CITY
MANAGER TO EXECUTE
CALTRANS MASTER
AGREEMENT AND
SUPPLEMENTAL
AGREEMENT TO
ACCEPT FUNDING FOR
THE FAIR OAKS
CORRIDOR PROJECT
RESOLUTION NO. 7098**

Deputy Public Works Director Furukawa presented the staff report concerning two agreements—a Caltrans master agreement, and a supplemental agreement to accept funding for the Fair Oaks Corridor Project.

Mayor Schneider opened the public comment period. No one came forward and he closed the public comment period.

By voice vote (5 ayes), the Council authorized the City Manager to execute the proposed Master Agreement Administering Agency-State Agreement for Federal-Aid Projects and the Supplemental Agreement for the Fair Oaks Corridor Project (ESPL-5071 018). They adopted Resolution No. 7098, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ADMINISTERING AGENCY-STATE AGREEMENT AND PROGRAM SUPPLE-

He announced a request from the Los Angeles County and the Superior Court for citizens to apply for the Los Angeles County Civil Grand Jury.

Councilmember Cacciotti reported that at a special Parks and Recreation Commission meeting, there was significant community opposition to the proposal to create a park on Lot 117 in the Monterey Hills. He reported on the recent Community Redevelopment Commission meeting, during which the five-year Community Redevelopment Agency Implementation Plan was discussed.

Councilmember Cacciotti reported that he was contacted by the Attorney General to provide information about City Manager salaries. With assistance from the City Manager and the Assistant City Manager, he said he was able to assist in the Attorney General's investigation of salaries in the City of Bell.

Councilmember Cacciotti said an environmental company, ICELL, makes smart battery systems that increase the efficiency of solar power. The company has made a proposal to the City, he said. He requested that this be placed on the agenda for the next meeting. This was seconded by Mayor Schneider.

Councilmember Cacciotti announced a hazardous waste and E-waste Roundup September 11, 2010, at the South Pasadena Unified School District.

Councilmember Cacciotti announced the annual South Pasadena Clean-Air Car Show and Green-Living Expo October 10, 2010. He displayed posters and a flyer on the overhead projector describing the event and items to be raffled.

Councilmember Putnam said that due to the recent quarantine on fruits and vegetables due to the Oriental fruit fly, he cannot share produce. He announced that pesticide will be applied in ~~the~~ impacted locations. He requested that a map and information be placed on the City website so that residents can determine who they can share produce with.

Mayor Schneider reminded viewers that the

infrastructure projects, seconded by Mayor Schneider.

Councilmember Joe requested that staff coordinate a presentation to be made by the Foothill Workforce Investment Board at a future City Council meeting, seconded by Councilmember Cacciotti.

Councilmember Joe requested that an item be placed on a future agenda to consider establishing an ad hoc committee of the City Council dealing with the massage parlor issue, seconded by Councilmember Cacciotti.

Mayor Pro Tem Khubesrian requested that staff or the NREC investigate whether the City is using pesticides implicated in bee colony collapse disorder and what the options are to destroying hives.

Mayor Schneider requested that an item be added to a future agenda to reconsider the City's official position on the SR-710 extension issue, seconded by Mayor Pro Tem Khubesrian. He made comments about recent developments related to the proposed freeway extension.

CITY MANAGER COMMUNICATIONS

City Manager Gonzalez noted that when the City Council approves the minutes of the July 17, 2013, meeting, it approve the minutes of the regular and special City Council meeting of the same date. No objections were voiced.

City Manager Gonzalez announced that the City's in-house Water Conservation Analyst will make a presentation to the NREC about programs the City is offering for residents, e.g., toilet exchange, drought-tolerant landscaping.

City Manager Gonzalez announced that the City will be submitting a significant application to Congresswoman Judy Chu's office through the Water Resources Development Act to obtain a grant to rebuild the Graves Reservoir.

REORDERING OF AND ADDITIONS TO THE AGENDA

Mayor Schneider asked if there were any changes or additions to the agenda. No requests were voiced.

information, and the contributions of the Library to South Pasadena arts. They reported on various commission activities and decisions.

Councilmember Joe requested that staff attend the upcoming Caltrans workshops on the sale of SR-710-related properties in order to work with Caltrans staff on proper planning and building procedures.

Mayor Pro Tem Khubesrian announced she is working with staff to eliminate the use of **pesticides** containing chemicals linked to breast cancer.

Councilmember Cacciotti expressed appreciation to Police Chief Miller for responding to a request for a speed-control mechanism on Ramona Avenue and for participating in the Walk or Bike to School Day. Councilmember Cacciotti, seconded by Mayor Schneider, requested that staff investigate programs to subsidize residents who wish to remove grass (turf). Councilmember Cacciotti requested that staff schedule another high-efficiency toilet exchange in the City at the South Pasadena School District parking lot. Councilmember Cacciotti requested that the City organize a program, working with local service clubs, to teach seniors how to remove lawns. He suggested that the Water Conservation Analyst spearhead this program.

Councilmember Cacciotti noted that he had previously requested that the City analyze all City facilities to determine if existing energy sources could be replaced by solar or wind systems. He requested that a solar/wind renewable energy council be established to make a recommendation to the Natural Resources and Environmental Commission (NREC) on cost-saving programs. He requested that staff work with Daniel Snowden-Ifft, Professor of Physics, Occidental College, as well as a South Pasadena resident, on developing a proposal for the City, seconded by Mayor Schneider. He introduced Professor Snowden-Ifft, who made a brief presentation about a large solar installation he initiated at Occidental College.

Councilmember Putnam cautioned drivers to take

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11. ACCEPTANCE OF PROJECT COMPLETION AND AUTHORIZATION TO FILE A NOTICE OF COMPLETION FOR HANSCOM DRIVE STREET IMPROVEMENT PROJECT PHASE II, AND AUTHORIZATION TO RELEASE RETENTION PAYMENT IN THE AMOUNT OF \$54,383 TO GENTRY BROTHERS, INC.

13. ACCEPTANCE OF PROJECT COMPLETION AND AUTHORIZATION TO FILE A NOTICE OF COMPLETION FOR FY2013-14 CDBG SIDEWALK PROJECT, AND AUTHORIZATION TO RELEASE RETENTION PAYMENT IN THE AMOUNT OF \$5,690 TO TORO ENTERPRISES, INC.

14. AUTHORIZE THE CITY MANAGER TO EXECUTE FOUR PROFESSIONAL SERVICES AGREEMENTS ON BEHALF OF THE "5-CITIES ALLIANCE" FOR CONSULTING SERVICES FOR THE SR-710 NORTH STUDY AND ALLOCATE AN ADDITIONAL \$5,000 FOR INDIVIDUAL IN-PERSON MEETINGS WITH CITY COUNCIL AND STAFF

16. APPROVAL OF AN AGREEMENT FOR LEGAL SERVICES WITH COLANTUONO, HIGHSMITH & WHATLEY, PC

17. FIRST AMENDMENT TO LEASE AGREEMENT FOR PROPERTY AT 1503-1507 EL CENTRO STREET

ITEMS PULLED FROM THE CONSENT CALENDAR FOR SEPARATE CONSIDERATION

12. AWARD OF A LANDSCAPE MAINTENANCE SERVICES CONTRACT TO TRUGREEN LANDCARE

Councilmember Mahmud requested the addition of a provision to the landscape maintenance services agreement that would prohibit the contractor from the use of any **pesticide** or insecticide that contains Neonicotinoids. She recommended page 135 be amended by adding a new paragraph "G" to Section "1.13 Control of Insects, Rodents and Other Pests" to state: "Notwithstanding any previously identified chemical, contractor shall be prohibited from applying any **pesticide** or insecticide, which is a Neonicotinoid."

Councilmember Cacciotti indicated the City is possibly one of the first cities in the entire nation to approve a "green" landscape maintenance services agreement that will serve as a model for other cities. He recommended the following modifications to the landscape maintenance services agreement: 1) Add the word "non-toxic" to page 120 - Section D. Fungicides, Herbicides and Insecticides: All chemicals used in the everyday course of landscape maintenance need to be green friendly and "non-toxic."; 2) All chemicals must be approved by the Public Works Director; 3) TruGreen LandCare must provide a list of chemicals to be used; and 4) Change the start date for Garfield Park on page 117 to

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JUNE 1, 2016

In response to City Council inquiries, Public Works Director Toor explained that requests for mosquito control services go unanswered because we do not participate in a vector control district and the lack of commercial mosquito control options; advised that if we annex into a vector control district and in the future desire to de-annex, the City will be required to identify an alternative source for services.

Councilmember Schneider recommended that if the City Council moves forward with initiating annexation into a vector control district, that it revisit its decision in six months to assess the mosquito population and vector-borne disease outbreaks following the summer season.

In response to City Council inquiries, Dr. Ken Fujioka, General Manager of the San Gabriel Valley Mosquito and Vector Control District, confirmed that the District provides education, monitoring, disease surveillance, and inspection and control services; explained that vector mosquitos have been detected in the surrounding cities, noting however that diseases such as Chikungunya and Zika virus have not been detected in southern California; advised that in the event that **pesticides** are administered against adult mosquitos, neighbors would be notified a minimum of 48 hours before application.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 4-0 (COUNCILMEMBER SCHNEIDER ABSTAINING), to direct staff to initiate the annexation process to the San Gabriel Valley Mosquito and Vector Control District (SGVCD) and to engage the SGVCD for mosquito surveillance and control on an as-needed basis.

15. Consideration of Modifying Eligibility Requirements for City Boards, Commissions, and Committees

Mayor Mahmud advised that she requested that this matter be re-agendized, noting difficulty in identifying qualified applicants for commissions which require specialized expertise such as the Cultural Heritage Commission; pointed out that there are residents of South Pasadena who desire to participate on the commission level but due to their citizenship status are precluded from being appointed; suggested that the eligibility requirements for commissions be modified to allow up to one non-electors to serve on each commission.

Mayor Mahmud opened the Public Comment period.

Ron Rosen, South Pasadena resident, voiced opposition to allowing non-electors residents to serve on City commissions; questioned if the City has conducted sufficient outreach to solicit additional applicants; pointed out that commissioners often have aspirations to run for public office and that non-electors would be precluded from doing so.

Kim Hughes, South Pasadena resident, suggested that serving on a City commission could serve as an incentive for residents to become citizens and therefore electors; questioned and recommended whether a non-electors resident could serve in a non-voting capacity such as a special advisor to a particular commission.

Item No. 6

City of South Pasadena Agenda Report

*Diana Mahmud, Mayor
Michael A. Cacciotti, Mayor Pro Tem
Robert S. Joe, Councilmember
Marina Khubesian, M.D., Councilmember
Richard D. Schneider, M.D., Councilmember*

*Evelyn G. Zneimer, City Clerk
Gary E. Pia, City Treasurer*

COUNCIL AGENDA: September 21, 2016
TO: Honorable Mayor and City Council
VIA: Sergio Gonzalez, City Manager
FROM: Lucy Demirjian, Assistant to the City Manager
Jennifer Shimmin, Senior Management Analyst
SUBJECT: **Adoption of a Resolution Transitioning the Water Conservation and Supply Shortage Plan from Stage 2 to Stage 1: Moderate Water Supply Shortage**

Recommendation

It is recommended that the City Council adopt a resolution to rescind the current Stage 2 condition of the Water Conservation and Supply Shortage Plan and implement Stage 1, as detailed in South Pasadena Municipal Code (SPMC) Chapter 35, Article IV, with a call for a 20% reduction in water usage by all customers.

Fiscal Impact

Under the current rate structure, transitioning from Stage 2 to a Stage 1 water shortage condition potentially could increase the water revenues generated from its customers who are billed by volumetric consumption.

Commission Review and Recommendation

This matter was reviewed by the Natural Resources and Environmental Commission (NREC), and they oppose increasing the number of days a week from two to three for which irrigation of landscaping is allowed under Stage 1 conditions. The NREC does, however, support the call for a 20% reduction in water usage by all customers.

Background

On April 22, 2015, in response to drought conditions, the City Council adopted Resolution No. 7394 declaring a water shortage condition, and implementing Stage 2 of the City of South Pasadena's (City) Water Conservation and Supply Shortage Plan (SPMC Section 35), requiring a limitation on landscape irrigation to no more than 2 days per week. This put into place additional water conservation measures to achieve the State's 28% water use reduction mandate. In March, 2016, this reduction mandate was lowered to 26% based on revisions made by the State Water Resource Control Board (SWRCB).

On May 9, 2016, Governor Edmund G. Brown issued Executive Order B-37-16 directing the SWRCB to adjust emergency water conservation regulations, and require that local water agencies determine their own water reduction targets to be in effect through January 2017. On May 18, 2016, the SWRCB officially accepted the requirements of his executive order, issuing

changes to the drought emergency water conservation regulations. At this time, the City self-certified that its water supply was greater than its water demands for the next three years. Thus, the City's mandatory water reduction target was set at 0% through January 2017.

Analysis

While winter and spring precipitation improved water supply conditions throughout the state that does not mean that the drought is over. Governor Brown's emergency drought declarations remain in place, based on the persistence of drought in many areas of the state, which will become more severe if precipitation levels are reduced this coming winter. Although the City's local water supply conditions are holding steady, storage will decrease if precipitation levels are reduced this coming winter.

The SWRCB has revised its emergency conservation regulations and the City is no longer subject to a mandatory usage reduction. In order to balance the continuing need to conserve with the need to maintain the integrity and health of the City's urban forest and landscapes, staff is recommending changing the shortage condition from Stage 2 to Stage 1 which would increase the number of days per week for irrigation of landscape from two to three; it is also recommended that the Council lower the call for water use reduction from 26% to 20%. Maintaining a 20% reduction target will also help ensure that the City is able to meet its water demands with its available supply, and will not need to purchase water from its wholesaler. If the City were to need to purchase water, it would come at an increased cost.

The proposed resolution incorporates the State's prohibition on the irrigation of ornamental turf in public medians with potable water. Moving from Stage 2 to Stage 1 will increase the permitted watering days from two to three days per week, and will continue to enforce the repair of broken or leaking pipes within 72 hours. Residents will be informed of this change through the City's website, social media, E-neighbors monthly newsletter, and a message on the utility bill.

Legal Review

The City Attorney has reviewed this item.

Public Notification of Agenda Item

The public was made aware that this item was to be considered this evening by virtue of its inclusion on the legally publicly noticed agenda, posting of the same agenda and reports on the City's website and/or notice in the *South Pasadena Review* and/or the *Pasadena Star-News*.

Attachments:

1. Resolution transitioning Water Conservation and Supply Shortage Plan from Stage 2 to Stage 1
2. SPMC Chapter 35, Article IV. Water Conservation and Supply Shortage Plans

RESOLUTION NO. XXXX

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SOUTH PASADENA, CALIFORNIA,
DECLARING A STAGE 1: MODERATE WATER SUPPLY
SHORTAGE AND ENACTING A TWENTY PERCENT (20%)
CONSERVATION STANDARD**

WHEREAS, on May 7, 2014, the City Council adopted the Water Conservation and Supply Shortage Plans Ordinance No. 2268, which provides direction on “Water Conservation Provisions and Water Shortage Plans” for the City of South Pasadena (City) in case of drought or emergency; and

WHEREAS, on April 22, 2015, the City Council adopted Resolution No. 7394, declaring a Stage 2: Serious Water Supply Shortage and imposing emergency regulations pursuant to Chapter 35 of the South Pasadena Municipal Code; and

WHEREAS, on May 9, 2016, California Governor Edmund G. Brown, Jr. issued Executive Order B-37-16, directing actions aimed at using water wisely, reducing water waste, and improving water use efficiency for the years and decades ahead, and directed the State Water Resources Control Board (SWRCB) to extend the emergency regulations for urban water conservation through the end of January 2017; and

WHEREAS, on May 18, 2016, the SWRCB adopted a statewide water conservation approach that replaces the prior percentage reduction-based water conservation standard with a localized self-certification approach; and

WHEREAS, the City has self-certified to the SWRCB that its water supply is greater than its water demand for the next three years; and

WHEREAS, the City’s local water supply conditions are holding steady, storage will decrease if precipitation levels are reduced this coming winter; and

WHEREAS, it is essential to balance the continuing need to conserve with the need to maintain the integrity and health of the City’s urban forest and landscapes; and

WHEREAS, the City encourages all opportunities to conserve water and other natural resources throughout the South Pasadena community; and

WHEREAS, the City limits watering days to three designated days per week, enforces repairing broken or leaking pipes within 72 hours, and recommends a 20% reduction in water usage.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City declares a Stage 1: Moderate Water Supply Shortage thereby restricting water consumption in the City as follows:

1. Limiting Landscape Irrigation: Overhead irrigation of lawn, landscape or other vegetated area is limited to three designated days per week, as follows:
 - a. Monday, Wednesday, and Friday for addresses ending in an even number
 - b. Tuesday, Thursday, and Saturday for addresses ending in an odd number
2. Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions shall be repaired within 72 hours of notification by the Public Works Department (Chapter 35.84).

SECTION 2. A 20% voluntary water reduction goal is established for all customers. The 20% reduction shall be calculated on an annual consumption basis (total units used from January 1st to December 31st, versus the consumption for base year 2013).

SECTION 3. The City Clerk of the City of South Pasadena shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City. This resolution shall be effective fifteen days (October 6, 2016) after the adoption of the resolution and shall stay in effect until further announcement by the City Council.

PASSED, APPROVED AND ADOPTED ON this 21st day of September, 2016.

Diana Mahmud, Mayor

ATTEST: APPROVED AS TO FORM:

Evelyn G. Zneimer, City Clerk
(seal)

Teresa L. Highsmith, City Attorney

I HEREBY CERTIFY the foregoing resolution was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 21st day of September, 2016, by the following vote:

AYES: Cacciotti, Joe, Khubesrian, Schneider, and Mayor Mahmud
NOES: None
ABSENT: None
ABSTAINED: None

Evelyn G. Zneimer, City Clerk
(seal)