



Wednesday, June 21, 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, June 21, 2017, at 7:44 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; Evelyn G. Zneimer, City Clerk; and Anthony J. Mejia, Chief City Clerk were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

INVOCATION

Mayor Pro Tem Schneider gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Schneider led the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS

1. Closed Session Announcements

The Regular Closed Session of the City Council of June 21, 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 – ANTICIPATED LITIGATION, Pursuant to Government Code Section 54956.9 (d)(2):

Number of Cases: 1

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

Number of Cases: 1

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

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

Represented Employee

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

Unrepresented Employees: Management Employees

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

PRESENTATIONS

2. **Presentation by the Sanitation District of Los Angeles County Regarding the Clearwater Tunnel Project**

Grace Robinson Hyde, Sanitation District of Los Angeles County Chief Engineer and General Manager, and Ray Trembley, Head of Facilities Planning Department, narrated a PowerPoint presentation entitled "Overview of Agency and Clearwater Program" and responded to City Council inquiries.

COMMUNICATIONS

3. **Councilmembers Communications**

Councilmember Khubesrian requested that the City Council agendize consideration of hiring a transportation consultant to assist with prioritizing specific projects in the Long-Range Transportation Plan as well as to coordinate with the local coalitions in selecting such projects, seconded by Mayor Pro Tem Schneider.

Councilmember Mahmud reported successful upgrades to the Library's internet capacity and computer resources; encouraged residents to participate in the next compost and mulch giveaway; announced the upcoming Fourth of July festivities and urged the community to participate in annual fundraising events.

Councilmember Joe displayed photos and reported on the Senior Center's Father's Day Luncheon.

Mayor Cacciotti displayed photos and reported on the Annual Torch Run, Chinese-American Elected Officials event, and the mulch giveaway; commended staff for the progress on the Arroyo Seco Bicycle and Pedestrian Trail; requested that the City Council agendaize consideration of issuing a letter to the Metro Board regarding security concerns on the Metro Gold Line, seconded by Councilmember Mahmud.

4. City Manager Communications

City Manager Aguilar invited the community to attend the Movie in the Park event, the Arroyo Seco Bicycle and Pedestrian Trail groundbreaking on June 27, 2017, and upcoming General Plan Focus Group meetings.

Police Chief Miller and Sargent Craig Phillips, representing the South Pasadena Police Officers Association, announced the My ID Program intended to provide pertinent medical information to first responders.

5. Merchant Minute

Mayor Cacciotti introduced Sara Rose and Rebecca Orlandini, of SugarMynt Gallery, who invited the community to visit their business, noting that their Gallery highlights a variety of Los Angeles area artists in a relaxed atmosphere with a small-town vibe; noted that the Gallery offers wine and paint events every month and will be hosting a special Halloween event featuring the Mike Myers House located next door.

6. Reordering of and Additions to the Agenda

The City Council agreed to reorder the agenda to consider Item No. 28 (Community Choice Energy Program) immediately following Item No. 25 (Historic Preservation Ordinance).

PUBLIC COMMENTS

Ron Rosen, South Pasadena resident, expressed concerns regarding two Golf Course buildings recommended for preservation by the Cultural Heritage Commission (CHC); encouraged the City Council to expedite the process for consideration of the CHC recommendation, suggesting that the buildings be ineligible for preservation.

Dillon Chang, South Pasadena resident, spoke regarding the historical designation of his home and requested that the City Council provide assistance with navigating the review process in the absence of consistent guidelines.

The City Council requested that City staff contact Mr. Chang regarding his property.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the Consent Calendar Item Nos. 7-14, 16-18, and 20-22; with Item Nos. 15, 19, and 23 pulled for separate discussion.

7. Minutes of the City Council Meeting of May 17, 2017

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the minutes of the May 17, 2017 City Council Meeting.

8. Prepaid Warrants, General City Warrants, and Payroll

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the City of South Pasadena Prepaid Warrants Nos. 198685 through 198737 in the amount of \$600,135.08; General City Warrants Nos. 198738 through 198858 in the amount of \$390,096.84; Payroll dated June 16, 2017, in the amount of \$501,983.61.

9. Monthly Investment Reports for April 2017

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to receive and file the Monthly Investment Reports for April 2017.

10. Second Reading and Adoption of an Ordinance Amending South Pasadena Municipal Code Prohibiting Marijuana Businesses and Allowing for the Regulation of Cultivation for Personal Use

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to adopt Ordinance No. 2314 entitled "An Ordinance of the City Council of the City of South Pasadena, California, prohibiting marijuana businesses, and regulating the cultivation of marijuana for personal use."

11. Discretionary Fund Requests from Councilmember Joe for the Purpose of Computers for Seniors at the Senior Center, Educational Supplies for the Fire Department, Children's Summer Reading Program, Framing for the Shadow Box for the Ray Bradbury Conference Room at the Library

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the discretionary fund requests by Councilmember Joe designating \$1000 for the purpose of purchase of computers for seniors at the Senior Center, \$500 for the purpose of educational supplies for the Fire Department, \$400 for the purpose of the children's summer reading program at the Library, and \$100 for the purpose of framing for the historical shadow box for the Ray Bradbury Conference Room at the Library.

12. Discretionary Fund Request from Mayor Pro Tem Schneider in the Amount of \$850 for the Purpose of the South Pasadena Beautiful Arbor Committee

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the discretionary fund request by Mayor Pro Tem Schneider designating \$850 for the purpose of the South Pasadena Beautiful Arbor Committee.

13. Discretionary Fund Request from Councilmember Khubesrian in the Amount of \$800 for the Purpose of a Tower Garden at the Senior Center

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the discretionary fund request by Councilmember Khubesrian designating \$800 for the purpose of Tower Garden at the Senior Center.

14. Discretionary Fund Request from Mayor Cacciotti for the Purpose of an Eagle Scout Project

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the discretionary fund request by Mayor Cacciotti for the purpose of an Eagle Scout Project.

16. Approval of a One-Year Service Agreement with Intercare Holdings Insurance Services Inc., for the Administration of Workers' Compensation Claims

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve a one-year service agreement with Intercare Holdings Insurance Services, Inc., for the administration of workers compensation claims.

17. Contract Amendment with Great Match Consulting to Provide Supplemental Staffing on an As-Needed Basis

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to authorize the City Manager to execute a contract amendment with Great Match Consulting to extend the existing Agreement Term until June 30, 2018, and for an additional not-to-exceed amount of \$40,000 to provide supplemental staffing on an as-needed basis.

18. Adoption of a Resolution Authorizing Submittal of an Application to Participate in the Used Oil Payment Program

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

1. Adopt Resolution No. 7522 entitled "A Resolution of the City Council of the City of South Pasadena, California, authorizing submittal of an application to participate in the Used Oil Payment Program Cycle 8 (Fiscal Year 2017-18) and related authorizations."
2. Authorize the City Manager to execute all documents required to obtain the grant.

20. Award of a Professional Services Agreement to KOA Corporation for Engineering Design Services of the Fair Oaks Avenue Traffic Signal Improvement Project

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

1. Accept a proposal dated April 13, 2017, from KOA Corporation for engineering design services for the Fair Oaks Avenue Traffic Signal Improvement Project.
2. Reject all other proposals received.
3. Authorize the City Manager to execute an agreement with KOA Corporation for a not-to-exceed amount of \$97,000.

21. Approval of Covenant for 1214 Kolle Avenue (APN No. 5311-015-038)

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve a covenant for the proposed single-family home at 1214 Kolle Avenue, and authorize the recordation of the Covenant with the Los Angeles County Registrar-Recorder/County Clerk's Office.

22. Authorize a Letter of Opposition to Senate Bill 649 (Hueso) Wireless and Small Cell: Telecommunications Facilities

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to authorize a Letter of Opposition to Senate Bill 649 related to wireless and small cell: telecommunications facilities.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**15. Approval of a Contract with Envicom Corporation for Environmental Consultant Services Associated with a 15-Unit Condominium Project at 181-187 Monterey Road**

Following clarification, MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to authorize the City Manager to execute a contract with Envicom Corporation for an amount not-to-exceed \$40,884.91 to perform environmental analysis in compliance with the California Environmental Quality Act for a 15-unit condominium complex at 181-187 Monterey Road, noting reference to Mitigated Negative Declaration should be deleted.

19. Approval to Purchase a Caterpillar 914M Wheel Loader with Pin on Grapple Bucket from the Quinn Company

Mayor Cacciotti noted that the Air Quality Management District (AQMD) may have grant funding available to assist in purchasing a cleaner-fueled loader and requested that City staff follow-up with AQMD prior to completing the purchase.

Public Works Director Toor noted that there is only a need for a small loader and alternative fueled loaders appear to be too large to be stationed at the Service Yard.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to authorize the City Manager to purchase a Caterpillar 914M Wheel Loader with pin on grapple bucket from Quinn Company in an amount not-to-exceed \$149,194.13 and execute all related documents, subject to staff contacting AQMD regarding possible gap funding for the purchase of an appropriately-sized electric, hybrid, or alternative fuel loader and to provide Mayor Cacciotti with an update.

23. Award of Contract to Climatec, LLC, to Perform an Energy and Water Resources Investment Grade Audit

Councilmember Mahmud expressed concern that the proposed contract would obligate the City to contract with Climatec for implementation of the audit findings, without competitive bidding.

City Attorney Highsmith and Public Works Director Toor advised that the contract could be amended to clarify that the City will be under no obligations to utilize the services of Climatec for implementation of the audit findings.

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

1. Accept a proposal dated April 13, 2017, from Climatec, LLC, to perform an energy and water resources investment grade audit.
2. Reject all other proposals received.
3. Authorize the City Manager to execute an agreement with Climatec on behalf of the City of South Pasadena, subject to inclusion of City Attorney approved verbiage ensuring that the City will not be obligated to utilize Climatec for implementation of the audit findings.

ACTION/DISCUSSION**24. Discussion of City Public Safety Policy on Immigrant Status and Federal Enforcement**

Police Chief Miller presented the staff report; explained that the Police Department does not inquire about a suspects or victims immigration status nor does it participate in immigration enforcement actions; noted that Immigration and Customs Enforcement (ICE) holds are typically serve on agencies operating jail facilities, point out that the City does not operate a jail facility; advised that the City does not have an existing cooperative agreement with ICE nor is there any intent to enter into such agreement; responded to City Council inquiries.

Mayor Cacciotti opened the Public Comment period.

The following speakers requested that the City Council support adoption and implementation of policies which offer protections to residents regardless of immigration status:

Linda Krausen, South Pasadena resident

Anne Bagasao, South Pasadena resident

Abelardo de la Peña Jr., South Pasadena resident

Zahir Robb, South Pasadena resident

Dr. Pavitra Anand, South Pasadena resident

Ciena Valenzuela, South Pasadena resident

Megan Guerrero, South Pasadena resident

Ahilan Arulanthum, Director of Advocacy/Legal Director for ACLU of Southern California

Cambria Tortorelli, representing the Holy Family Catholic Church

Le Señora Christina, South Pasadena resident

Gilbert Saucedo, South Pasadena resident

Harry Knapp, South Pasadena resident

Carlos Sanchez, South Pasadena resident, expressed concerns regarding the level of misinformation contributing to the sense of fear in the community; encouraged the public to consider the existing checks and balances as it relates to immigration; urged the City Council to exercise caution when implementing new immigration policies.

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

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

1. Refer to the Public Safety Commission consideration of amending Policy 415 to clarify and align the policy with current practices and to evaluate City of Los Angeles Executive Directive No. 20 and City Attorney Report "Sanctuary City Litigation and Policies relating to the City's Undocumented Immigrant Population" for applicability, modification, and possible adoption in South Pasadena.
2. Establish a City Council Subcommittee of Councilmember Mahmud and Mayor Pro Tem Schneider to address immigration status related issues.

The City Council further directed that the Public Safety Commission meetings related to these discussions be advertised and held in the City Council Chambers during evening hours.

25. First Reading and Introduction of an Ordinance Amending the South Pasadena Municipal Code to Update the City of South Pasadena Historic Preservation Ordinance

Senior Planner Mayer narrated a PowerPoint presentation entitled “Historic Preservation Ordinance” and responded to City Council inquiries.

Mayor Cacciotti opened the Public Comment period.

Richard Petty, South Pasadena resident, requested that the City Council refrain from terminating Mills Act contracts under the proposed ordinance as to avoid unintended financial complications for the recipients.

Glenn Duncan, South Pasadena resident, referenced updates that were approved by the Cultural Heritage Commission but omitted from the updated document; submitted printed copies detailing suggested amendments.

Marcello Vavala, representing the Los Angeles Conservancy, spoke in favor of and encouraged the City Council to support the updated Historic Preservation Ordinance.

Joanne Nuckols, South Pasadena resident, spoke in favor of the ordinance and encouraged the City Council to consider language revisions to strengthen and clarify the section addressing non-emergency demolition of a historic resource.

Ellen Wood, South Pasadena resident, urged the City Council to order an operational audit of policies and procedures relative to planning, building, and historic preservation to provide clarity and consistency.

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

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to introduce an ordinance entitled “An Ordinance of the City Council of the City of South Pasadena, California, repealing and replacing Article IVH (Cultural Heritage Commission) of Chapter 2 (Administration) with a new Article IVH (Cultural Heritage Commission) of the South Pasadena Municipal Code to update the legal framework needed to protect the City’s Cultural Resources,” with the following modifications:

- a. Insertion of the following verbiage regarding Mills Act contracts: 1) The term of Mills Act Contracts shall be a minimum of 10 years unless a property owner is issues a notice of non-renewal as provided below in section 2.68 e. 5); 2) Each Mills Act Contract shall provide that unless a notice of non-renewal is issued, a year shall be added automatically to the initial term on the anniversary date of the contract or such other date as specified in the contract; and 3) The owner shall have the right (per Government Code Section 50282) to appeal a notice of non-renewal.
- b. Delete reference to Potential Historic Districts and Preservation Planning Areas.
- c. Delete reference to “indirect” within the definition for alterations.

26. Discussion of the San Gabriel Valley Council of Governments' Integration of the Alameda Corridor East

This matter was continued to a future City Council meeting, without discussion.

27. Water Conservation Rebate Program for Fiscal Year 2017-18

This matter was continued to a future City Council meeting, without discussion.

28. Consideration of an Ordinance Approving the Joint Powers Agreement for Los Angeles Community Choice Energy and Authorizing the Implementation of a Community Choice Aggregation Program

Senior Management Analyst Shimmin narrated a PowerPoint presentation entitled "Los Angeles Community Choice Energy" and responded to City Council inquiries.

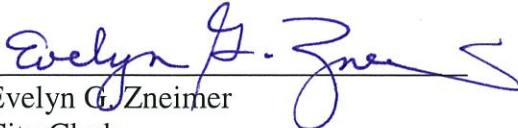
Mayor Cacciotti opened and closed the Public Comment period, there being no one desiring to speak on this item.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY MAYOR PRO TEM SCHNEIDER, CARRIED 5-0, to:

1. Introduce an ordinance entitled "An Ordinance of the City Council of the City of South Pasadena, California, approving the Joint Powers Agreement for Los Angeles Community Choice Energy and authorizing the implementation of a Community Choice Aggregation Program."
2. Appoint Diana Mahmud to serve as the City's Director to the Joint Powers Authority.
3. Direct staff to solicit applications for interested parties, meeting the specified criteria, to serve at the alternate Director to the JPA for consideration by the Mayor and confirmation by the City Council

ADJOURNMENT

Mayor Cacciotti adjourned the City Council Meeting at 11:51 p.m.


Evelyn G. Zneimer
City Clerk


Michael A. Cacciotti
Mayor

Minutes approved by the South Pasadena City Council on July 19, 2017.