



Wednesday, November 15, 2017
Minutes of the Regular Meeting of the City Council

CALL TO ORDER

A Regular Meeting of the South Pasadena City Council was called to order by Mayor Cacciotti on Wednesday, November 15, 2017, at 7:37 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: Stephanie DeWolfe, City Manager; Teresa L. Highsmith, City Attorney; Evelyn G. Zneimer, City Clerk; Anthony J. Mejia, Chief City Clerk; and Desiree Jimenez, Deputy City Clerk were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

INVOCATION

Councilmember Mahmud gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Mahmud led the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS

1. Closed Session Announcements

The Regular Closed Session of the City Council of November 15, 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 – EXISTING LITIGATION, Pursuant to Government Code Section 54956.9(d)(1):

Name of Case: Timothy Patrick Green v. City of South Pasadena et al., Los Angeles County Superior Court Case No. BC572438

- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Pursuant to Government Code Section 54956.9(d)(2):

Number of Anticipated Cases: 1

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

Number of Cases: 1

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

PRESENTATIONS

2. **South Pasadena Tournament of Roses Committee Annual Float Fundraiser Drawing for the Ultimate Tournament of Roses Experience**

Alan Vlacich, Janet Benjamin, and Bill Cullinane, representing the South Pasadena Tournament of Roses Committee (SPTOR), conducted the SPTOR's Annual Float Fundraiser drawing for the Ultimate Tournament of Roses Experience.

3. **Presentation of the Fiscal Year 2016-17 Annual Report of the Public Works Commission**

Lawrence Abelson, Chair of the Public Works Commission (PWC), presented the Fiscal Year (FY) 2016-17 Annual Report for the PWC.

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

Herb Shon, Chair of the Senior Citizen Commission (SCC), presented the FY 2016-17 Annual Report for the SCC.

COMMUNICATIONS

5. Councilmembers Communications

Councilmember Khubesrian expressed gratitude for the changes in dialogue regarding the State Route 710 and regional transportation ideologies; displayed photos and provided information regarding the new hanging garden at the Senior Center.

Mayor Pro Tem Schneider noted attendance of the recent Renewable Energy Council (REC) meeting; provided a brief update on the Climatec Study, reporting the City of South Pasadena's (City) plans to move forward on the implementation of solar panels and other energy-efficient items throughout South Pasadena.

Councilmember Joe requested that the City Manager provide an update on the Historic Resources Inventory.

Councilmember Mahmud provided an update regarding the progress of the Los Angeles Community Choice Energy, noting that Phase I servicing the Los Angeles County (County) load will soon begin and is 60% renewable energy, double that of Southern California Edison (SCE); stated that the Library Board of Trustees will take final action regarding the formation of a Library Foundation; reported a recent invitation to a Stakeholder Committee as a representative on behalf of Supervisor Kathryn Barger, regarding a proposed tax measure that would augment local water supplies and facilitate stormwater compliance; provided a summary of the recent trip to Sacramento, CA with Director of Public Works Director Toor to meet with the State Water Resources Control Board to discuss water quality regulations.

Mayor Cacciotti requested to agendaize the consideration of the Public Works Commission termination date, seconded by Councilmember Joe; requested a staff report of the current bicycle grants possessed by the City, seconded by Councilmember Khubesrian; invited residents to participate in the Annual South Pasadena Tiger Run; displayed photos of recent events and provided an update on projects surrounding the Arroyo Seco.

6. City Manager Communications

City Manager DeWolfe invited the public to attend upcoming meetings of the Cultural Heritage Commission and City Council for information regarding the Historic Resources Inventory; announced the November 21, 2017 Special Meeting of the City Council to discuss the Measure R Project List; displayed slides to provide updates on the Business License Amnesty Program, changes to the upcoming City Council meeting schedule, and extended public parking hours.

7. Merchant Minute

Mayor Cacciotti invited South Pasadena Chamber of Commerce President & CEO Laurie Wheeler to introduce local business owner Patrick Kirchen of Crossings Restaurant, who discussed the celebration of the business's fourth year in business and new menu offerings.

8. Reordering of and Additions to the Agenda

At the recommendation of the City Manager, the City Council agreed to continue Item No. 13 “Approval of Agreement with Vision Technology Solutions, LLC, for Upgrade to Website Design and Hosting Services” to the next Regular City Council Meeting.

PUBLIC COMMENTS

Kim Hughes, Public Works Commissioner, spoke regarding potential collaborative circulation improvements and traffic impacts within the region and in South Pasadena; noted that the PWC reviewed Monterey Road and stated there are more important areas to address at this time for a more sustainable future.

Lula Cummings, South Pasadena Resident, expressed concern regarding the October 2017 notice of rent increase at the apartments on 265 Monterey Road (Apartment Complex); stated the 40% rent increase does not include necessary improvements to the inside of her apartment; advised that the improvements that have been made revealed safety issues that have not yet been corrected; voiced concern for her son’s health due to reduced air quality caused by heavy construction and workers smoking on the property.

Martha Garcia, South Pasadena Resident, spoke on the alleged inhumane treatment to residents during construction at the Apartment Complex; discussed present hazard and safety concerns; indicated the 40% rent increase is unreasonable; requested assistance from the City to remedy the matter.

Susan Franco, South Pasadena Resident, explained the current living conditions at the Apartment Complex; reported alleged excess mess and noise pollution due to ongoing construction, which are having significant impacts to the immediate surroundings; expressed concern regarding the scheduled rent increase.

Glo Augustini, South Pasadena Resident, expressed health and financial hardships resulting from the construction and rent increase at the Apartment Complex; stated she has lost more than she would benefit from the renovations and cannot afford the increase on a fixed income.

Ron Rosen, South Pasadena Resident, indicated opposition to any study to evaluate the Monterey Road Diet (Diet), noting that the PWC is opposed to the Diet; emphasized the importance of considering Monterey Road in an overall traffic circulation plan rather than a separate study.

Shlomo Nitzani, South Pasadena Resident, expressed concern with consultant-related expenses and the reoccurrence of Monterey Road issues; opined that streets are in great disrepair; suggested utilizing funds allotted to the street slurry to complete street improvements.

Christopher Sutton, Attorney for the Caltrans Tenants Groups, presented information regarding the City’s ability to impose a nuisance finding against the state and declare Caltrans properties as a nuisance, based on California Health and Safety Code Section 179080.7(f); distributed copies

of a map and the aforementioned Code, urged the City Council to review and consider taking action on the matter; responded to City Council inquiries.

Mayor Cacciotti requested that the City Attorney review the matter, with consideration of a letter to Assemblymember Holden and Senator Portantino demanding that the nuisance be abated, and provide a report back to the City Council.

Barbara Eisenstein, South Pasadena Resident, summarized the history of the Friends of the South Pasadena Nature Park; recounted recurring problems with homelessness and graffiti; opined that landscaping contractors and the Police Department are not addressing the encampments on a weekly basis; suggested trimming the trees in a fashion that will discourage encampments; responded to City Council inquiries.

Councilmember Joe requested that the City Manager work with the Police and Public Works Departments to address weekly patrol and tree maintenance.

Mayor Cacciotti suggested that the landscape contract provisions include these details.

Toby Peters, South Pasadena Resident, reported a fence in front of his home that needs repair; stated he has been working with the Code Enforcement Division and intends to have it repaired.

Steve Stafford, Temple City Resident, expressed dissatisfaction with the first response training of local Police officers; advised the City Council that Former Police Officer Green, who was recently mentioned in newspapers regarding a lawsuit against the City, is the same Police Officer that responded when his mother experienced stroke symptoms; voiced contention with the care his mother received from Police Officers prior to her death.

Katherine Hashimoto, Pasadena Resident and Friends of the South Pasadena Nature Park Member, reported an episodic maintenance, suggested a weekly maintenance check should be conducted; noted that lower segment of the Arroyo Seco in Pasadena is being addressed and she has not observed issues, including trash, graffiti, and homeless encampments in that area.

Following a brief discussion, the City Council advised that City staff provide assistance connecting the tenants of the Apartment Complex with the Housing Rights Center (HRC); suggested including the matter on a future City Council meeting agenda to consider the inclusion of a rental inspection through business license fees; recommended staff meet with the HRC to see if they can provide assistance and to report back to the City Council; encouraged residents to call the Police regarding multi-housing smoking violations.

Paul Wong, South Pasadena Resident, Apartment Complex Off-site Property Manager, presented a written statement on behalf of the Property Owner Axetell Group LLC (Property Owner); stated he will address smoking on the property; noted the property was in disrepair when purchased and rents were kept far below the market rate; confirmed the Property Owner is making repairs to achieve code compliance and has spent a substantial amount of money to do so; specified that improvements were permitted by the City and planned in consultation with architects and structural engineers; stated disruptions during construction are unavoidable and

the owners could have vacated the property but, in an effort to avoid forced relocation, gave tenants a long leeway time; noted some are only paying 50% of market rate, and that the Property Owner has the right to recoup some cost to repair the property and to address the rate and tax increases.

John Srebalus, South Pasadena Resident, opined the letters sent to tenants regarding the rent increase were unethical.

Councilmember Mahmud advised Property Manager Wong that, per the South Pasadena Municipal Code, construction work can only begin after 8:00 a.m.

Mayor Cacciotti urged Property Manager Wong to arrange a meeting with the Property Owner Councilmember Khubesrian, and himself to discuss the rent related matter in a way that is favorable to both the tenants and the Property Owner.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the Consent Calendar Item Nos. 9-11, 14, and 16; with Item Nos. 12 and 15 pulled for separate discussion. Item No. 13 “Approval of Agreement with Vision Technology Solutions, LLC, for Upgrade to Website Design and Hosting Service” was pulled from the City Council Meeting Agenda and will be placed on the next Regular City Council Meeting.

9. Prepaid Warrants, General City Warrants, and Payroll

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the City of South Pasadena Prepaid Warrants Nos. 200565 through 200606 in the amount of \$172,917.57; General City Warrants Nos. 200607 through 200740 in the amount of \$768,796.58; Payroll dated November 3, 2017, in the amount of \$626,161.84.

10. Monthly Investment Reports for September 2017

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

11. Re-Appropriation of Fiscal Year 2016-17 Purchase Orders and Carryovers of Capital Improvement Projects

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the re-appropriation of Fiscal Year 2016-17 purchase orders and various Capital Improvement Projects into the City of South Pasadena’s FY 2017-18 expenditure budget.

14. Approval of a Resolution Establishing Compensation and Benefits for Unrepresented Management Employees, Superseding Resolution No. 7528

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve Resolution No. 7538 entitled “A Resolution of the City Council of the City of South Pasadena, California, approving unrepresented management employee benefits listing and management salary schedule, superseding Resolution No. 7528.”

16. Approval of a Resolution Adopting a Memorandum of Understanding Between the City of South Pasadena and the South Pasadena Firefighters’ Association

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to adopt Resolution No. 7539 entitled “A Resolution of the City Council of the City of South Pasadena, California, adopting a Memorandum of Understanding between the City of South Pasadena and the South Pasadena Firefighters’ Association superseding Resolution No. 7380.”

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

12. Approval of a Contract Amendment with Athens Services

Councilmember Mahmud requested an update to the Contract Amendment with Athens Services to include the correct contact information of the new City Manager and City Attorney; add specific language identifying a senior as a person of 62 years of age or older; include an audit provision to address concerns regarding rate adjustments, with language subject to approval by the City Attorney and Athens legal counsel; add language regarding trash receptacles located adjacent to bus stops as follows:

Page 12-7, Paragraph 6: “at least two times a week and more as the Public Works Director may occasionally determine is necessary.”

Public Works Director Toor introduced Athens Representatives, Executive Vice-President Gary Clifford and Senior Director of Government Affairs Christian Warner; reviewed the Contract Amendment key points by narrating a PowerPoint entitled “Athens Services Contract Amendment”; responded to City Council inquiries.

In response to City Council inquiries, Athens Representatives Clifford and Warner agreed to prepare a future presentation describing the recycling process, provide feedback to the Public Works Director regarding curbside parking and accessibility for street sweepers, and continue seeking grant funding.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the first contract amendment to the Athens Services Exclusive Refuse Service Agreement for refuse collection and processing services and authorize the City Manager to execute the contract amendment, as amended.

15. Award of Contract to LandCare for Landscape Maintenance Services

Councilmember Mahmud expressed appreciation to staff for the preparation of a thorough report; suggested including language to allow the Public Works Director discretionary approval of all green friendly products; advised Public Works Director Toor to preclude use of neonicotinoids.

In response to City Council inquiry, Public Works Director Toor stated the use of all chemicals will be reviewed annually and discussed the bidding process.

Mario Burciaga, Evergreen Lawncare (Evergreen) Co-Founder, stated his company did not have sufficient time to submit a bid to the City of South Pasadena; expressed continued interest in bidding on the Landscape Maintenance Services Contract; responded to City Council inquiries.

City Attorney Highsmith responded to City Council inquiries, confirming that the City Council has the authority and legal standing to open a new bid on the Landscaping Maintenance Services Contract; clarified she does not recognize sufficient cause for a bid protest at this time.

Public Works Director Toor expressed concern regarding a smaller company's capability of handling a contract with a sizeable city, including prevailing wage challenges and elevated expectations from the City Council and the community; emphasized the importance of public sector experience and suggested working with Evergreen on smaller projects.

Don Cully, Regional Vice-President, and Cody Martin, Branch Manager, LandCare, responded to City Council inquiries.

In response to City Council inquiries, Public Works Director Toor emphasized the flexibility of the Landscape Maintenance Services Contract to accommodate the financial and aesthetic needs of the City; advised that there is minimal in-house staff available to accomplish contracted items.

Councilmember Mahmud expressed dissatisfaction with LandCare services but acknowledged the company's efforts and cooperation in becoming green energy efficient; noted the expense between LandCare and the next responsible bidder is a significant 25% difference; stated it is imperative for LandCare to provide exceptional care for public space, specifically medians, parks, and bare areas; encouraged Evergreen to submit bids for future City projects after developing more experience with public sectors.

In response to City Council inquiry, Dan Mabe, American Green Zone Alliance Founder, CEO, & President, indicated that there is sufficient equipment to sustain the needs outlined within the contract.

Councilmember Khubesian expressed concern for an impact to the General Fund in excess of \$60,000; requested to return to a future City Council meeting to present a reduced scope of work to minimize the impact to the General Fund.

Following discussion, the City Council requested that Public Works Director Toor return to the December 20, 2017 City Council Meeting with a report identifying areas in which a reduced level of service can be provided, reducing the impact to the General Fund.

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

1. Award a contract to LandCare for Landscape Maintenance Services for \$393,000 per year and authorize the City Manager to execute the Landscape Maintenance Services Agreement with LandCare effective January 1, 2018.
2. Reject all other proposals received.
3. Appropriate a sum of \$56,500 from the General Fund reserves for Fiscal Year 2017-18 services and authorize the Finance Director to make the necessary transfers.

ACTION/DISCUSSION

17. Adoption of a Resolution Declaring a Public Nuisance and Order of Abatement for 2054 Fremont Avenue

Community Improvement Coordinator Marlon Ramirez narrated a PowerPoint presentation entitled "2054 Fremont Ave." and responded to City Council inquiries.

Police Captain Solinsky stated local law enforcement has had minimal contact with the property owner at 2054 Fremont Avenue and did not find her to be incapable of caring for herself.

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

City Attorney Highsmith responded to City Council inquiries; explained the special assessment lien process; confirmed that upon the approval of the Resolution, the homeowner will still have 30 days to take action and avoid increased fees.

Mayor Cacciotti requested that the next City notice sent to the property owner include language informing the property owner that they themselves can contact a local group to seek assistance for the landscape abatement.

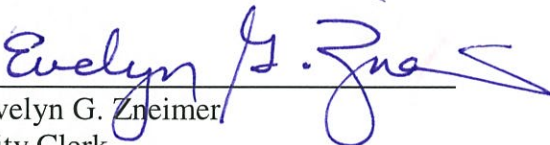
Mayor Cacciotti noted a correction needed to the Resolution, Page No. 17-6 of the City Council Meeting Agenda Packet, to substitute the word “*abatement*” in all areas, eliminating use of the word “*demolition*.” The following correction should be made:

“.....order the abatement of the premises by means of ~~demolition~~ abatement of the premises within 30 days.”


MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to adopt Resolution No. 7540 entitled “A Resolution of the City Council of the City of South Pasadena, California, declaring the property at 2054 Fremont Ave., City of South Pasadena, a public nuisance, and ordering that the nuisance be abated within 30 days.”

ADJOURNMENT

Mayor Cacciotti adjourned the Regular City Council Meeting at 11:14 p.m.



Evelyn G. Zreimer
City Clerk



Michael A. Cacciotti
Mayor

Minutes approved by the South Pasadena City Council on January 17, 2018.