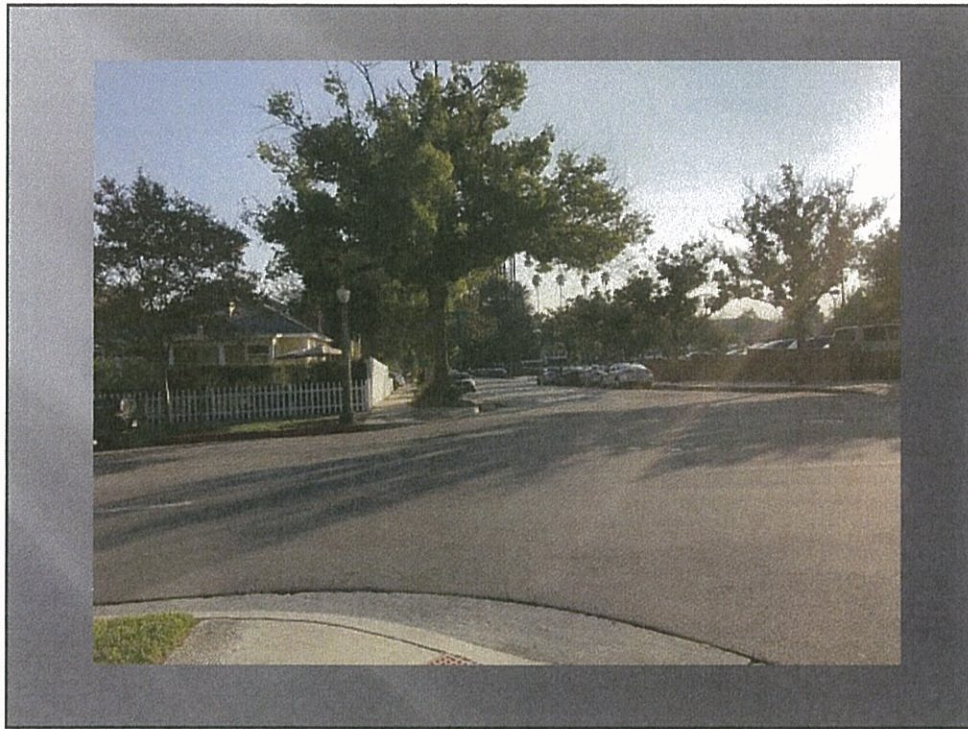




Additional Documents Distributed for the Regular City Council Meeting January 16, 2019

Item No.	Agenda Item Description	Distributor	Document
PC	Public Comments	Lisa Chin	PowerPoint; Various Photos
PC	Public Comments	Ed Simpson	Photos
5	Councilmember Communications	Marina Khubesrian, M.D.	PowerPoint; Various Photos
5	Councilmember Communications	Michael Cacciotti	PowerPoint; Various Photos
6	City Manager Communications	Stephanie DeWolfe, City Manager	PowerPoint
8	Minutes of the December 19, 2018	Marc Donohue, Chief City Clerk	Staff Memo re. Revision to December 19, 2018 Council minutes
11	Grant Award from LA County MTA.	Margaret Lin, Principal Management Analyst	Staff Memo re. Corrected Local Match Calculations
11	Grant Award from LA County MTA.	Margaret Lin, Principal Management Analyst	Staff Memo re. Corrected Consultant Name in Staff Report
14	Approval of Mayor's List of City Council Liaison and Regional Group Appointments	Marc Donohue, Chief City Clerk	Staff Memo re. Revised Copy of Stakeholders List
16	Trees & Shrubs Ordinance 1 st Reading	Dan Ojeda, Interim Public Works Director	PowerPoint; Staff Presentation
16	Trees & Shrubs Ordinance 1 st Reading	Dan Ojeda, Interim Public Works Director	Staff Memo re. Revised Ordinance With Changes Made
17	Boards and Commission General Provisions Revision Ordinance 1 st Reading	Marc Donohue, Chief City Clerk	Staff Memo re. Revisions to Proposed Ordinance

18	Capital Improvement Plan Quarter 2 Update	Karen Aceves, Principal Management Analyst	PowerPoint; Staff Presentation
19	2018-19 Strategic Plan Quarter 2 Update	Karen Aceves, Principal Management Analyst	PowerPoint; Staff Presentation





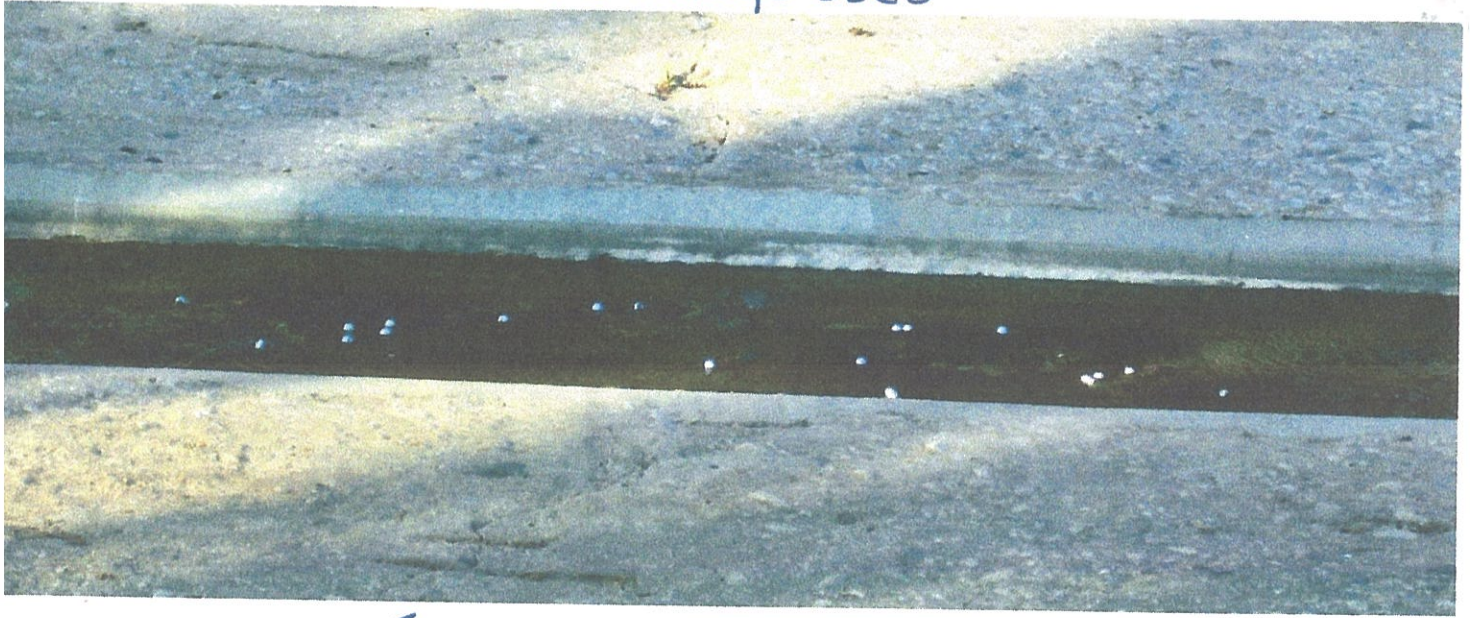
Additional Material
 NDA ITEM # PC
 01/18/19 City Council Mtg.

GOLF COURSE

← ARROYO SECO CHANNEL

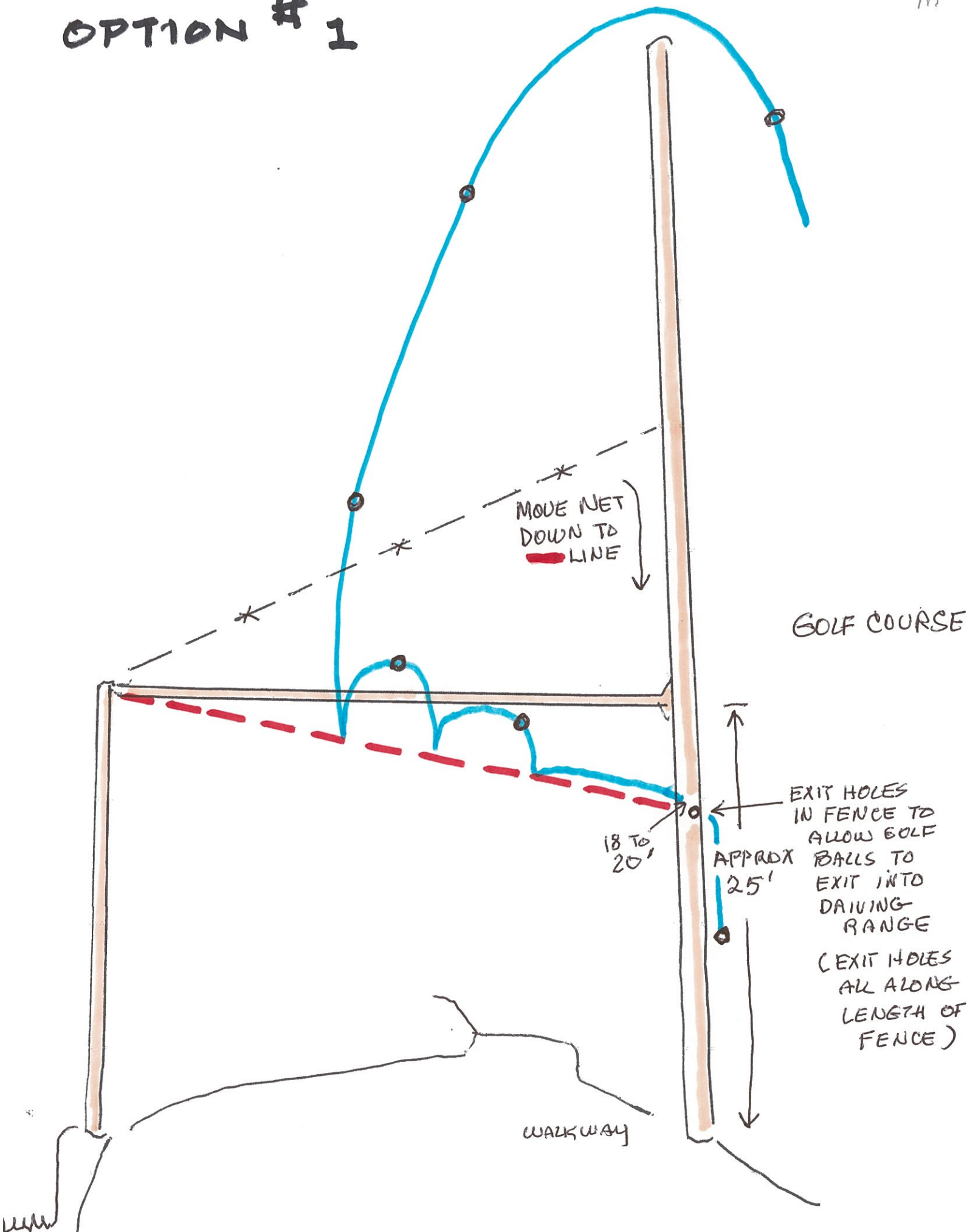
TURN OVER →

GOLF BALLS IN THE ARROYO SECO

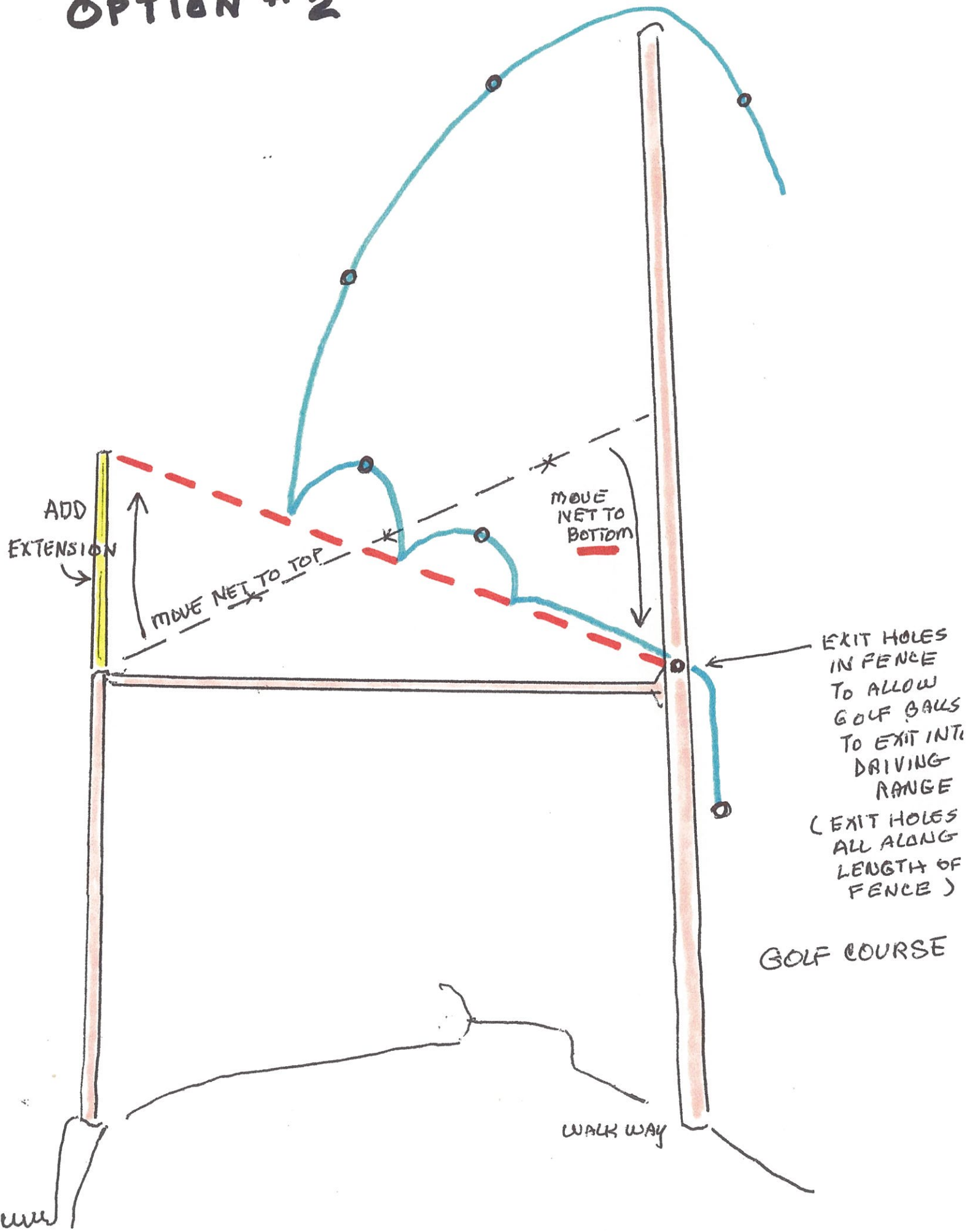


← OCEAN

OPTION # 1

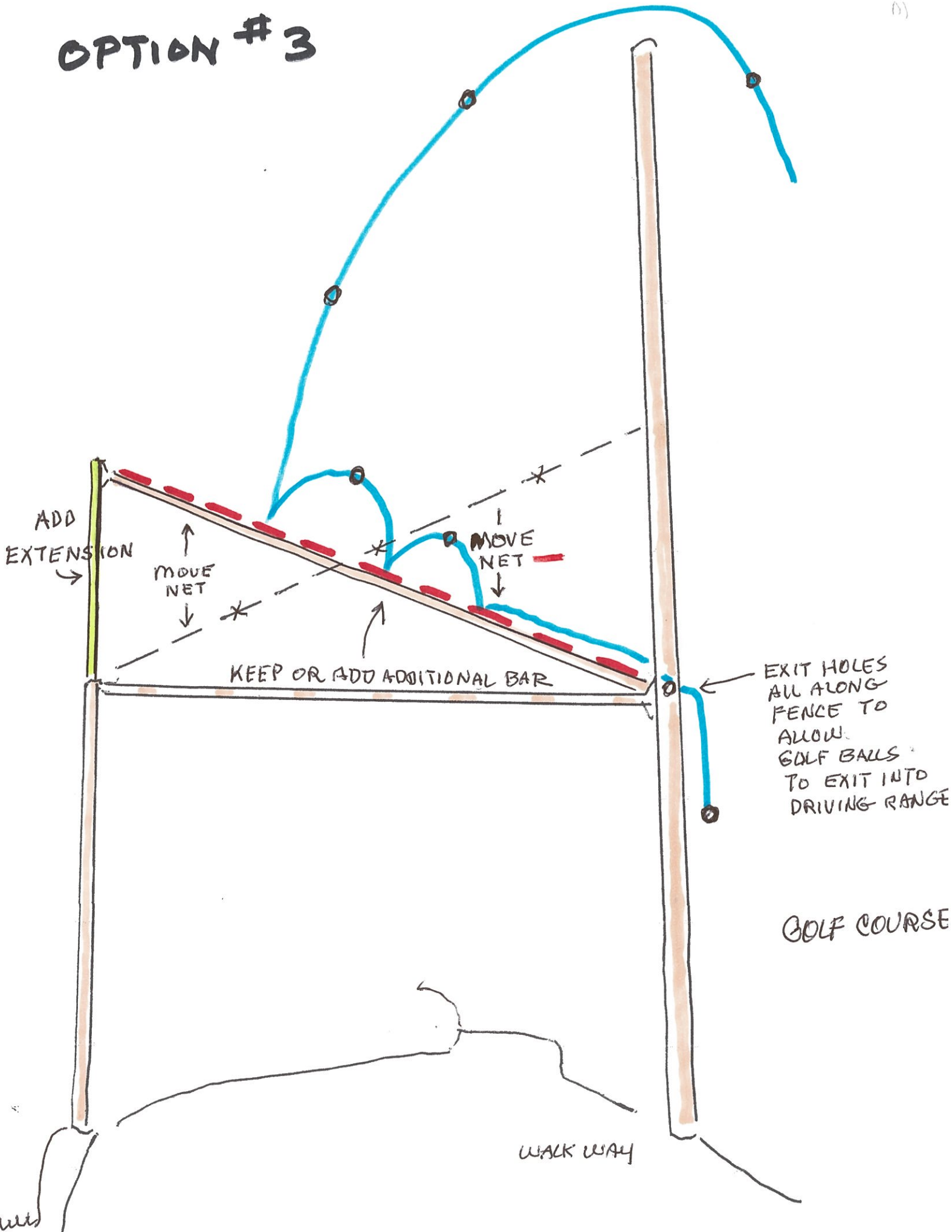


OPTION #2



OPTION #3

11)



Option #1

Using the existing framework, lower the netting to the Red dotted line to form an angle BACK to the driving range - open up a number of escape holes to allow balls to exit into the driving range.

Option #2

Retain all framework and add an extension to outer supports - Disconnect netting and reconnect to outer support, then bring down netting to connect to lower support fencing to again form an angle to direct balls to driving range.

Option #3

As in option #2 (if needed for more support) add another bar from extension on left to base of existing bar.



Baby Raffi Avedis Demirjian





5- 45' sled runs
Tot Area with 2 sled runs
Snow Play Area
Arts & Crafts

Pre-Sale Tickets are \$10 (through 5:00pm
on Friday) and \$15 the day of event.

Tickets may be purchased at the
Recreation Office by calling
(626) 403-7380 Monday-Friday, or at
www.southpasadenaca.gov/events





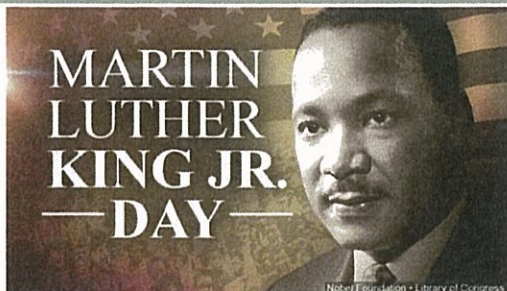


Additional Material
AGENDA ITEM # 5
1/16/19 City Council Mtg.









CLOSURE NOTICE

All City Facilities will be closed
on Monday, January 21st
In observance of Martin Luther King Jr. Day. City
facilities will resume normal business hours on
Tuesday, January 22nd





City of South Pasadena
City Clerk's Division

Memo

Date: January 15, 2019

To: The Honorable City Council

Via: Stephanie DeWolfe, City Manager 

From: Marc Donohue, Chief City Clerk 

Re: January 16, 2019, City Council Meeting Item No. 8 Additional Document –
December 19, 2018 City Council Minutes

Attached is a revised copy of the proposed minutes from the December 19, 2018 City Council meeting which provides additional discussion detail to Item No. 17.

Additional Material
AGENDA ITEM # 8
1/16/19 City Council Mtg.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to approve a professional services agreement with Matrix Consulting Group for an amount not to exceed \$34,500, as amended.

17. Adoption of an Administrative Minutes Policy

The City Council discussed the item and Chief City Clerk Donohue answered related questions.

The following concerns were discussed by the City Council during the discussion:

1. Looking into a mobile encoder device so that commissions did not have to meet in the Council Chamber; and
2. Potentially asking commissioners to prepare their own summary minutes; and
3. Receiving feedback from commissioners on the proposed policy; and
4. Having staff research the standards in other cities regarding the recording of commission meetings.

Mayor Khubesian opened the public comment period.

There being no one desiring to speak on this item, Mayor Khubesian closed the public comment period.

MOTION BY COUNCILMEMBER MAHMUD, SECOND BY COUNCILMEMBER SCHNEIDER, CARRIED 3-2 (MAYOR KHUBESRIAN & COUNCILMEMBER CACCIOTTI VOTING NO), to table this item to after the scheduled Commissioners Congress on February 28, 2019 and for staff to look into the following: (1) a potential mobile encoder device; (2) potentially asking commissioners to prepare their own summary minutes; (3) receive feedback from commissioners on the proposed policy; and (4) research standards in other cities regarding the recording of commission meetings.

ACTION/DISCUSSION

21. Approval of Public Works Department Reorganization and Transition: Approval of Amended Job Descriptions, Creation of a New Deputy Director Position for Water & Sustainability, and Authorization to Execute Second Amendment with Interwest Consulting Group for Interim Capital Improvement Plan Management Services

Human Resources Manager Lee Ko summarized the staff report and responded to City Council inquiries. She noted that the recommendation should reflect four job description instead of three.

Mayor Khubesian opened the public comment period.

There being no one desiring to speak on this item, Mayor Khubesian closed the public comment period.

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



**City of South Pasadena
Management Services**

Memo

Date: January 16, 2019

To: The Honorable City Council

Via: Stephanie DeWolfe, City Manager *S.*

From: Margaret Lin, Principal Management Analyst *M.L.*

Re: January 16, 2019, City Council Meeting Item No. 11 Additional Document – Authorize the City Manager to Accept a Grant Award from the Los Angeles County Metropolitan Transportation Authority in the Amount of \$332,000; Execute a Memorandum of Understanding for the City to Participate in the 626 Golden Streets Mission to Mission Ciclovía Working Group; and a Professional Services Agreement with BikeSGV for Services Associated with the Planning and Hosting of the 626 Golden Streets Mission to Mission Ciclovía

Attached is an additional document, which provides a correction to the consultant name for the Professional Services Agreement:

References to BikeSGV in the staff report have been changed to ActiveSGV.

Additional Material
AGENDA ITEM # 11
1/16/19 City Council Meeting



City Council Agenda Report

ITEM NO. _____

DATE: January 16, 2019

FROM: Stephanie DeWolfe, City Manager

PREPARED BY: Margaret Lin, Principal Management Analyst

SUBJECT: **Authorize the City Manager to Accept a Grant Award from the Los Angeles County Metropolitan Transportation Authority in the Amount of \$332,000; Execute a Memorandum of Understanding for the City to Participate in the 626 Golden Streets Mission to Mission Ciclovía Working Group; and Professional Services Agreement with ActiveSGV for Services Associated with the Planning and Hosting of the 626 Golden Streets Mission to Mission Ciclovía**

Recommendation

It is recommended that the City Council authorize the City Manager to execute:

1. A Grant Award from the Los Angeles County Metropolitan Transportation Authority (Metro) in the amount of \$332,000 for the 626 Golden Streets Mission to Mission Ciclovía (Mission to Mission); and
2. A Memorandum of Understanding (MOU) for the City to participate in the Mission to Mission Working Group; and
3. A Professional Services Agreement (PSA) with Active San Gabriel Valley (ActiveSGV) for services associated with the planning and hosting of Mission to Mission.

Commission Review and Recommendation

This matter was not reviewed by a commission.

Discussion/Analysis

Open Streets Grant Award

The City, in collaboration with ActiveSGV, was awarded \$332,000 from Metro to plan and host Mission to Mission, which includes approximately five miles of open streets through the cities of Alhambra, San Gabriel, and South Pasadena (Partner Cities). The event will feature approximately 5 miles of open streets starting at the Mission Street/Meridian Avenue Gold Line Station traveling east along Mission Street to Marengo Avenue, south along Marengo Avenue to the City limit at Alhambra Road; from there it will continue through the City of Alhambra and end at the Mission in the City of San Gabriel.

Mission to Mission MOU and Working Group

The purpose of the Mission to Mission Working Group is to share resources and collaborate in the planning and hosting of the event. The MOU was drafted to formalize the creation of a working group and coordinate planning activities. Representatives from each of the cities have met and collaborated on the planning for Mission to Mission. The City will function as the Fiduciary Agent to enter into contracts for the planning, implementation, and hosting of Mission to Mission on behalf of the Working Group. As the Fiduciary Agent, the City will retain five percent of the grant funds for these administrative services.

Professional Services Agreement

Execution of the PSA with ActiveSGV will allow cities staff of the Mission to Mission Working Group to work with ActiveSGV to plan and host a successful open streets event. The Metro grant funding will be used to hire consultants to assist with the planning and operations of the event. ActiveSGV was included as a partner organization in the grant application and will serve as the primary coordinator for the event.

Next Steps

1. Execute a PSA for Traffic Control Services on behalf of the Mission to Mission Working Group.
2. City staff to participate in the Working Group to plan and host the Mission to Mission Ciclovía on May 19, 2019.
3. Coordinate with the partner cities to submit for reimbursement from Metro.

Background

In March 2018, the Metro Board approved initiation of Cycle Three of the Open Streets Grant Program. The City submitted an application with ActiveSGV, a non-profit bicycling advocacy group, to host an open streets event that would traverse approximately 5 miles, through the Partner Cities. On September 19, 2018, Metro awarded \$332,000 to the City for the Mission to Mission Ciclovía.

Legal Review

The City Attorney has reviewed this item.

Fiscal Impact

This project is funded through local monies (Proposition C) and will require a budget amendment increase the Golden Streets Grant Account (249-2010-2011-8170-000) to \$415,000, which will be reimbursed from the Miscellaneous Grants Account (101-0000-0000-5071-003). The participating cities will share costs (monetary, staffing, and other resources) which may result in significant savings. To initiate the agreement, member cities will provide a 20 percent in-kind match for the funds received based on the length of the route, number of soft closures, and number of hard closures within their jurisdiction. The total project cost is \$415,000; \$332,000 will be provided by Metro and in-kind matches from the participating cities will be responsible for \$83,000. The local match can include staff time or in-kind contributions. Of the \$83,000 of local match, the City would be responsible for \$32,004.82. This amount was

Authorize the City Manager to Execute Contracts and Agreements Associated with the 626 Golden Streets Mission to Mission Ciclovía

January 16, 2019

Page 3 of 3

calculated based on the number of miles, hard closures, and soft closures that would be included in each jurisdiction. In addition, the City will receive \$16,600 (five percent of the grant funds) as the Fiduciary Agent for administering the Metro grant. The in-kind match for the City paid through staff time will be charged to Golden Streets Grant Salaries Account (249-2010-2011-7000-000).

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. Grant Award
2. Mission to Mission MOU
3. PSA – ActiveSGV



City of South Pasadena Management Services

Memo

Date: January 16, 2019

To: The Honorable City Council

Via: Stephanie DeWolfe, City Manager *SD*

From: Margaret Lin, Principal Management Analyst *ML*

Re: January 16, 2019, City Council Meeting Item No. 11 Additional Document – Authorize the City Manager to Accept a Grant Award from the Los Angeles County Metropolitan Transportation Authority in the Amount of \$332,000; Execute a Memorandum of Understanding for the City to Participate in the 626 Golden Streets Mission to Mission Ciclovía Working Group; and a Professional Services Agreement with BikeSGV for Services Associated with the Planning and Hosting of the 626 Golden Streets Mission to Mission Ciclovía

Attached is an additional document, which provides a correction to the local match calculations for the Metro Grant in the following sections:

Staff Report, Fiscal Impact:

“The total project cost is \$415,000; \$332,000 will be provided by Metro and in-kind matches from the participating cities will be responsible for ~~\$66,400~~ \$83,000 for the local match... Of the ~~\$66,400~~ \$83,000 of local match, the City would be responsible for ~~\$25,602.52~~ \$32,004.82.”

Attachment 2, Mission to Mission MOU – Exhibit A:

Total Project Cost: \$415,000.00
Metro Grant Award: \$332,000.00
Administrative Fee (5%): \$16,600.00
Less Administrative Fee (5%): \$315,400.00

In-Kind Match: ~~\$66,400.00~~ \$83,000.00

<u>Partner City</u>	<u>Route Length (miles)</u>	<u># of Hard Closures</u>	<u># of Soft Closures</u>	<u>Funding Allocation*</u>	<u>Maximum Grant Funding Allocation</u>	<u>In-Kind Match Requirement</u>
Alhambra	2.50	34	5	50.00%	\$157,700.00	\$33,200.00 <u>\$41,500.00</u>
San Gabriel	0.71	10	0	11.44%	\$36,088.03	\$7,597.48 <u>\$9,495.20</u>
South Pasadena	1.79	26	4	38.56%	\$121,611.97	\$25,602.52 <u>\$32,004.80</u>
Total	5.00	70	9	100%	\$315,400.00	\$66,400.00 <u>\$83,000.00</u>

* $Route\ Length + 2(\#\ of\ Hard\ Closures) + 4(\#\ of\ Soft\ Closures) = 100\%$



City Council Agenda Report

ITEM NO. ____

DATE: January 16, 2019

FROM: Stephanie DeWolfe, City Manager

PREPARED BY: Margaret Lin, Principal Management Analyst

SUBJECT: **Authorize the City Manager to Accept a Grant Award from the Los Angeles County Metropolitan Transportation Authority in the Amount of \$332,000; Execute a Memorandum of Understanding for the City to Participate in the 626 Golden Streets Mission to Mission Ciclovía Working Group; and Professional Services Agreement with BikeSGV for Services Associated with the Planning and Hosting of the 626 Golden Streets Mission to Mission Ciclovía**

Recommendation

It is recommended that the City Council authorize the City Manager to execute:

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3. A Professional Services Agreement (PSA) with Bike San Gabriel Valley (BikeSGV) for services associated with the planning and hosting of Mission to Mission.

Commission Review and Recommendation

This matter was not reviewed by a commission.

Discussion/Analysis

Open Streets Grant Award

The City, in collaboration with BikeSGV, was awarded \$332,000 from Metro to plan and host Mission to Mission, which includes approximately five miles of open streets through the cities of Alhambra, San Gabriel, and South Pasadena (Partner Cities). The event will feature approximately 5 miles of open streets starting at the Mission Street/Meridian Avenue Gold Line Station traveling east along Mission Street to Marengo Avenue, south along Marengo Avenue to the City limit at Alhambra Road; from there it will continue through the City of Alhambra and end at the Mission in the City of San Gabriel.

Authorize the City Manager to Execute Contracts and Agreements Associated with the 626 Golden Streets Mission to Mission Ciclovía

January 16, 2019

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Mission to Mission MOU and Working Group

The purpose of the Mission to Mission Working Group is to share resources and collaborate in the planning and hosting of the event. The MOU was drafted to formalize the creation of a working group and coordinate planning activities. Representatives from each of the cities have met and collaborated on the planning for Mission to Mission. The City will function as the Fiduciary Agent to enter into contracts for the planning, implementation, and hosting of Mission to Mission on behalf of the Working Group. As the Fiduciary Agent, the City will retain five percent of the grant funds for these administrative services.

Professional Services Agreement

Execution of the PSA with BikeSGV will allow cities staff of the Mission to Mission Working Group to work with BikeSGV to plan and host a successful open streets event. The Metro grant funding will be used to hire consultants to assist with the planning and operations of the event. BikeSGV was included as a partner organization in the grant application and will serve as the primary coordinator for the event.

Next Steps

1. Execute a PSA for Traffic Control Services on behalf of the Mission to Mission Working Group.
2. City staff to participate in the Working Group to plan and host the Mission to Mission Ciclovía on May 19, 2019.
3. Coordinate with the partner cities to submit for reimbursement from Metro.

Background

In March 2018, the Metro Board approved initiation of Cycle Three of the Open Streets Grant Program. The City submitted an application with BikeSGV, a non-profit bicycling advocacy group, to host an open streets event that would traverse approximately 5 miles, through the Partner Cities. On September 19, 2018, Metro awarded \$332,000 to the City for the Mission to Mission Ciclovía.

Legal Review

The City Attorney has reviewed this item.

Fiscal Impact

This project is funded through local monies (Proposition C) and will require a budget amendment increase the Golden Streets Grant Account (249-2010-2011-8170-000) to \$415,000, which will be reimbursed from the Miscellaneous Grants Account (101-0000-0000-5071-003). The participating cities will share costs (monetary, staffing, and other resources) which may result in significant savings. To initiate the agreement, member cities will provide a 20 percent in-kind match for the funds received based on the length of the route, number of soft closures, and number of hard closures within their jurisdiction. The total project cost is \$415,000; \$332,000 will be provided by Metro and in-kind matches from the participating cities will be responsible for \$83,000. The local match can include staff time or in-kind contributions. Of the \$83,000 of local match, the City would be responsible for \$32,004.82. This amount was

Authorize the City Manager to Execute Contracts and Agreements Associated with the 626 Golden Streets Mission to Mission Ciclovía
January 16, 2019
Page 3 of 3

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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. Grant Award
2. Mission to Mission MOU
3. PSA – BikeSGV

EXHIBIT A
MISSION-TO-MISSION CICLOVIA
FUNDING ALLOCATION PLAN
FISCAL YEAR 2018-19

Total Project Cost: \$415,000.00 **In-Kind Match:** \$83,000.00
Metro Grant Award: \$332,000.00
Administrative Fee (5%): \$16,600.00
Less Administrative Fee (5%): \$315,400.00

<u>Partner City</u>	<u>Route Length (miles)</u>	<u># of Hard Closures</u>	<u># of Soft Closures</u>	<u>Funding Allocation*</u>	<u>Maximum Grant Funding Allocation</u>	<u>In-Kind Match Requirement</u>
Alhambra	2.50	34	5	50.00%	\$157,700.00	\$41,500.00
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Total	5.00	70	9	100%	\$315,400.00	\$83,000.00

* $Route\ Length + 2(\#\ of\ Hard\ Closures) + 4(\#\ of\ Soft\ Closures) = 100\%$



City of South Pasadena
City Clerk's Division

Memo

Date: January 15, 2019

To: The Honorable City Council

Via: Stephanie DeWolfe, City Manager *SD*

From: Marc Donohue, Chief City Clerk *MD*

Re: January 16, 2019, City Council Meeting Item No. 14 Additional Document – Approval of the Mayor's List of City Council Liaison and Regional Group Appointments

Attached is a revised copy of the proposed City Council Liaison and Regional Group Appointments. The only change in the revised copy is the elimination of the SR-710 Stakeholder Outreach Advisory Committee.

APPROVED
AGENDA ITEM # 14
1/16/19



Liaison and Regional Group Appointments
Marina Khubesrian, M.D., Mayor
January 2019 to December 2019

City Commissions, Boards, and Committees	Appointed Liaison	Alternate
Animal Commission	Schneider	Mahmud
Cultural Heritage Commission	Joe	Schneider
Finance Commission	Mahmud	Khubesrian
Fourth of July – Festival of Balloons Committee■	Cacciotti	N/A
Freeway & Transportation Commission	Schneider	Cacciotti
Library Board of Trustees	Mahmud	Joe
Natural Resources and Environmental Commission	Khubesrian	Cacciotti
Parks and Recreation Commission	Cacciotti	Schneider
Planning Commission	Schneider	Mahmud
Public Arts Commission	Khubesrian	Schneider
Public Safety Commission	Khubesrian	Mahmud
Public Works Commission	Joe	Schneider
Renewable Energy Council	Cacciotti & Mahmud	N/A
Senior Citizen Commission	Cacciotti	Joe
South Pasadena Tournament of Roses Committee■	Khubesrian	Joe
Youth Commission	Joe	Cacciotti
Ad Hoc/Committees	Appointed Liaisons	
Ad Hoc/Committee: City Council and SPUSD Subcommittee	Joe & Khubesrian	
Ad Hoc/Committee: Economic Development	Joe & Khubesrian	
Ad Hoc/Committee: General Plan Advisory	Khubesrian & Mahmud	
Ad Hoc/Committee: Mission-Meridian Village Subcommittee	Khubesrian & Mahmud	
Ad Hoc/Committee: Caltrans Homes Subcommittee	Khubesrian & Schneider	
Ad Hoc/Committees	Appointed Liaisons	
Ad Hoc/Committee: South Pasadena Chamber of Commerce - Legislative	Mahmud	
Ad Hoc/Committee: South Pasadena Chamber of Commerce – Economic Development	Khubesrian	
Ad Hoc/Committee: South Pasadena Chamber of Commerce – Chamber Board	DeWolfe, City Manager	
Regional Groups – Appointment by City	Appointed Liaison	Alternate(s)
Arroyo Verdugo Communities Joint Powers Authority	Khubesrian	Mahmud
Foothill Employment and Training Consortium Policy Board	Joe	Schneider
Los Angeles County City Selection Committee	Khubesrian (always Mayor)	Joe

■ Members not appointed by Mayor

Liaison & Regional Group Appointments

Page 2

☰ ★ Δ	Los Angeles County Sanitation Districts, Board of Directors, District 16	Khubesrian (always Mayor)	Joe
	League of California Cities, Los Angeles Division	Mahmud	Khubesrian
☰ ❖ Δ	Metro Gold Line Phase II Joint Powers Authority Board	Cacciotti	Schneider
☰ ❖ Δ	San Gabriel Valley Council of Governments Governing Board	Mahmud	Joe
☰ ❖ Δ	Southern California Association of Governments General Assembly	Mahmud	Joe
☰ ❖ Δ	San Gabriel Valley Mosquito and Vector Control District	Khubesrian	N/A
Regional Groups –Appointment by Regional Group		Appointed Liaison	Alternate(s)
☰ Δ	Arroyo Verdugo Communities Representative to the Southern California Association of Governments Community, Economic and Human Development Committee	Joe	None
☰	Arroyo Verdugo Communities Appointment to the League of California Cities, LA county Division Board of Directors	Mahmud	None
☰ Δ	San Gabriel Valley Council of Governments appointment to Southern California Association of Governments Energy and Environment Committee	Mahmud	None
☰ ☰	Santa Monica Mountains Conservancy	Cacciotti	None
☰ ☰ Δ	South Coast Air Quality Management District San Gabriel Valley Board Member	Cacciotti	None

- ☰ Requires FPPC Form
- ❖ Council vote
- ★ Board Member is current Mayor; Alternate is appointed by Mayor
- ☰ Voted by Regional Group
- Δ Stipend

FIRST READING TO AMEND THE TREE ORDINANCE

JANUARY 16, 2019

City of South Pasadena

Goals of the Tree Ordinance Amendment

- Reorganize the Tree Ordinance
- Reflect the goal of maintaining a healthy tree canopy
- Improve the tree removal permit process and provide clarifications to help permit applicants
- Better align the application review process for tree removals associated with development so that projects don't get caught between two different approval processes (Planning versus NREC)
- Ensure trees are protected during development activity
- Defining criteria for referring tree removal applications to the NREC
- Increase the tree replacement requirements for trees associated with development projects.

Protected Trees & Shrubs

- Heritage Tree = Historical Landmark



Mature (> 4" Diameter)
Oak or Native Species
Tree



Significant (> 12" Diameter)
Species Tree

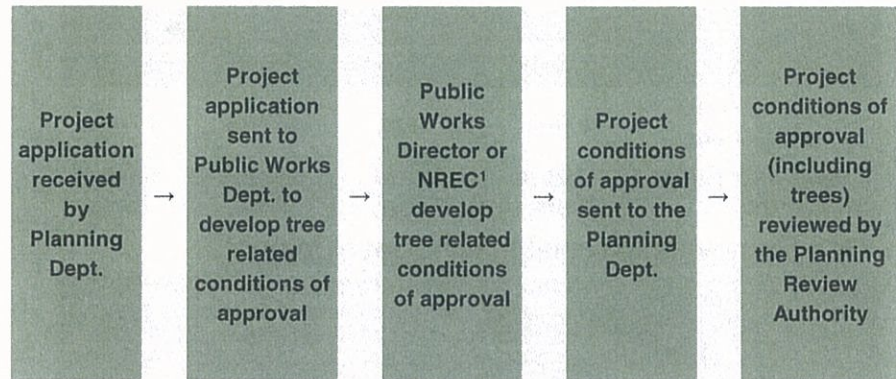


Shrub over 16-ft tall with
stems > 4" DBH

What Requires a Permit?

- Tree Removal Permit Required for All Protected Trees
- Tree Trimming Permit Required for Trimming more than 10% of a mature (> 4" Diameter) Oak or Native
- Public Works assists residents to determine what trees require a permit

Tree Removal Application Review for Development Projects



1) Section 34.10(c) lists the criteria that the Public Works Director shall follow for referring a tree removal permit application to the NREC.

Criteria for Referring Tree Removal Applications to the NREC

- The applicant is proposing to remove three or more healthy non-native significant trees.
- The applicant is proposing to remove any healthy significant oak trees or significant native species trees.
- The applicant is proposing to remove any heritage tree.
- The city receives reasonable objections during the notification period.
- An appeal of the director's decision has been filed in accordance with this chapter.
- At the discretion of the director.

Tree Replacement Requirements

Tree Removals Not Associated with Development:

	24" Box Replacement Trees Required based on the size of Tree Removed			
	0" – 10"	11" – 20"	21" – 30"	31" – 40"
Removal of Non-Native Trees	1 Tree	2 Trees	3 Trees	4 Trees
Removal of Native Trees	2 Native Trees	4 Native Trees	6 Native Trees	8 Native Trees

Tree Removals Associated with Development:

	24" Box Replacement Trees Required based on the size of Tree Removed			
	0" – 6"	7" – 12"	13" – 18"	19" – 24"
Removal of Non-Native Trees	1 Tree	2 Trees	3 Trees	4 Trees
Removal of Native Trees	2 Native Trees	4 Native Trees	6 Native Trees	8 Native Trees

Next Steps

- 1) February 6, 2019, second reading and adoption of the ordinances amending Chapter 34 (Trees and Shrubs) of the SPMC.
- 2) Staff will update all applications and the City website to ensure consistency with the proposed Tree Ordinance amendments.

Questions





City of South Pasadena Public Works

Memo

Date: January 16, 2019

To: The Honorable City Council

Via: Stephanie DeWolfe, City Manager *SD*

From: Daniel Ojeda, P.E., Interim Public Works Director *D.O.*

Re: January 16, 2019 City Council Meeting Item No. 16 Additional Document – First Reading and Introduction of an Ordinance to Amend Chapter 4 (Trees and Shrubs) of the South Pasadena Municipal Code

The proposed ordinance was modified to address suggestions raised by Councilmember Mahmud regarding:

1. Section 34.4(g) regarding trimming of oak trees should be removed from this section and placed where appropriate.
2. Sections 34.6 and 34.10 should be renamed and characterized respectively as “Procedure for Consideration of Tree Trimming/Removal Applications”.
3. Sections 34.6(a)(2) and (b)(2) and 34.10(a)(3) and (b)(2) change from “comments received *by* interested parties” to “comments received *from* interested parties”
4. Section 34.10(b)(3) the second sentence suggested to read as:

“The applicant shall be issued a tree removal permit following its payment of all fees associated with the tree removal as established by resolution of the city council and payment of a deposit sufficient to cover the cost of all required replacement trees as determined by the city's arborist, unless the director's decision is appealed to the commission.”

5. Is it anticipated we would annually adopt a fee schedule for the cost of such trees?

As part of any citywide fee schedule review and adoption.

Additional Material *16*
AGENDA ITEM #
1 1819 City Council Mtg.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF SOUTH PASADENA, CALIFORNIA
AMENDING CHAPTER 34 ("TREES AND SHRUBS") AND
AMENDING SECTION 36.410.020 ("PLANNING CLEARANCES")
OF CHAPTER 36 ("ZONING") FOR CONSISTENCY WITH
CHAPTER 34 ("TREES AND SHRUBS")

SECTION 1. Chapter 34 ("Trees and Shrubs") of the South Pasadena Municipal Code is amended to read as follows:

CHAPTER 34
TREES AND SHRUBS*

Sections:

- 34.1 Definitions.
- 34.2 Protected tree and shrub standard of care.
- 34.3 Maintenance of trees on public property.
- 34.4 Tree protection required in connection with development activity
- 34.5 Tree trimming permit applications.
- 34.6 Permit issuance or denial of tree trimming permit applications.
- 34.7 Criteria for approving tree trimming permit applications.
- 34.8 Appeals of tree trimming permit decisions.
- 34.9 Tree removal permit applications.
- 34.10 Permit issuance or denial of tree removal permit applications.
- 34.11 Criteria for approving tree removal permit applications.
- 34.12 Tree removal and replacement plans.
- 34.12-5 Replacement tree requirements.
- 34.13 Appeals of tree trimming and tree removal permit decisions.
- 34.14 Exemptions.
- 34.15 Obstruction.
- 34.16 Violations.
- 34.17 Penalties.

* For state law as to "Tree Planting Act of 1931," see Streets. & Highways Code, CA. §§ 22000 to 22202. As to "Park and Playground Act of 1909," see Government Code, CA. §§ 38000 to 38213.

As to hitching animals to trees, see § 5.12 of this Code. As to collection of brush, tree, etc., trimmings and stumps, see § 16.14. As to removal of trees from parks, see § 21.7.

34.1 Definitions.

As used in this chapter:

- (a) "Caliper" means the diameter of the trunk of a tree measured at four feet above natural grade. In the case of multi-trunked trees, "caliper" is the sum of each trunk measured at four feet above the grade.
- (b) "Certified Arborist" means a professional in tree care industry who has received their arborist certification through the International Society of Arboriculture.
- (c) "City Arborist" means a certified arborist designated by the Director.
- (d) "Commission" means the Natural Resources and Environmental Commission (NREC).
- (e) "Damage" means any action taken which causes injury, disfigurement or death of a tree.
- (f) "Deadwood" means limbs, branches or a portion of a tree void of green leaves during a season of the year when green leaves should be present.
- (g) "Development" shall be defined per the city zoning code, section 36.700.020.
- (h) "Director" means Public Works Director.
- (i) "Drip line" means a series of points formed by the vertical dripping of water from the outermost branches and leaves of a tree.
- (j) "Front yard" means that portion of private property as designated in the city zoning code.
- (k) "Heritage tree" means a tree of historical value because it is a South Pasadena historical landmark. A heritage tree may be located on private or public property.
- (l) "Intentional violation" means a violation of this Chapter 34 (Trees and Shrubs) that is committed by any person or entity who has actual or presumed knowledge of, or who has previously violated, its provisions. A commercial certified arborist/tree trimmer, a real estate developer, a general contractor, or anyone who has previously filed an application for a tree trimming or tree removal permit in the city shall be presumed to know the provisions of this Chapter 34.
- (m) "ISA" means the International Society of Arboriculture.
- (n) "Mature tree" means any variety of tree that has a caliper of at least four inches or more.
- (o) "Native species tree" means any species of tree native to Southern California as defined by ordinance or resolution adopted by the city council.
- (p) "Oak tree" means species of tree of the genus Quercus.

- (q) "Planning review authority" means the individual or official city body (director of planning and building, design review board, cultural heritage commission, planning commission or city council) identified by the city zoning code as having responsibility and authority to review and approve or disapprove the development permit applications described in Article 6 of the city zoning code (zoning code administration).
- (r) "Protected shrub" means a woody plant that is over sixteen feet in height, which has one or more trunk(s) equal to or greater than a four inch diameter.
- (s) "Protected tree" means a heritage tree, mature oak tree, mature native species tree, significant tree, or protected shrub.
- (t) "Protection" means the safeguarding of trees through proper treatment.
- (u) "Real estate developer" means a person or entity that is engaged in the business of constructing or rehabilitating commercial or residential structures within the city for sale or lease to third parties.
- (v) "Removal" means uprooting, cutting or severing of the main trunk of a tree.
- (w) "Shrub" means a woody plant that is less than sixteen feet in height and may be multi-stemmed.
- (x) "Significant tree" means any variety of tree that has a caliper of one foot or more.
- (y) "Standard of care" means compliance with ISA standards for tree care, irrigation, and maintenance, including trimming of foliage for tree or shrub.
- (z) "Tree" means a woody perennial usually having one dominant trunk and a mature height greater than sixteen feet.
- (aa) "Trimming" means cutting into the live wood of a tree or shrub to remove limbs and/or branches.

34.2 Maintenance of trees on private property.

Private property owners shall be responsible for the maintenance of trees on their property in accordance with the standard of care described in 34.1(y) of this chapter.

34.3 Maintenance of trees on public property.

The Public Works Department shall be responsible for the maintenance of trees on public property including but not limited to public rights-of-way and public parks. The Public Works Department shall prepare and implement the annual work plan for the maintenance of trees on public property. The adjacent property owner or tenant is responsible for irrigation of parkway trees in accordance with chapter 31.

34.4 Tree protection required in connection with development activity.

- (a) Development must not interfere with tree standard of care. Irrigation should be administered to replace any soil moisture lost due to site excavation and a tree should continue to receive the amount of irrigation needed to thrive.
- (b) Development shall not cause any physical damage to the limbs, bark, crown, or where the roots join the stem.
- (c) No grading shall occur within the drip line of a protected tree. All work conducted within the protected drip line area should be accomplished only with hand tools and all activity within this area should be kept to a minimum to minimize soil compaction. This area should not be subjected to incidental construction work or to disposal of construction debris, including but not limited to paint, plaster or chemical solutions.
- (d) Natural or preconstruction grade should be maintained per the recommendations of the city arborist in accordance with ISA standards. At no time during or after construction should soil be in contact with the trunk of any tree above natural grade.
- (e) No structure shall be located nor shall any construction requiring a permit occur within six feet of the trunk of a protected tree. No building, structure, wall or impervious paving shall be constructed within the drip line of any mature oak tree. Limited exceptions may be allowed by the director and documented on the permit.
- (f) Any required trenching should be routed to minimize root damage and cutting of roots should be avoided by placing pipes and cables above or below uncut roots.
- ~~(g) Pruning of oak trees and other trees should be limited to the removal of dead wood and the correction of potentially hazardous conditions as evaluated by a qualified certified arborist and approved by the director through the city's tree trimming permitting process. All pruning should be done in accordance with ISA pruning standards.~~

34.5 Tree trimming permit applications.

- (a) A tree trimming permit shall be required if:
 - (1) more than ten percent of the live foliage or limbs of a mature Oak tree or mature native species tree will be removed within a twelve-month period; or
 - (2) more than twenty percent of the live foliage or limbs of any heritage tree will be removed within a twelve-month period.
 - (3) Pruning of oak trees and other trees should be limited to the removal of deadwood and the correction of potentially hazardous conditions as evaluated by a qualified certified arborist and approved by the director through the city's tree trimming permitting process. All pruning should be done in accordance with ISA pruning standards.

(2)

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- (b) Any person applying for a tree trimming permit shall file with the director an application in writing on a form furnished by the director. The application shall contain the following information:
- (1) The name and residence or business address of the applicant;
 - (2) The location and description of the property on which the trees are located;
 - (3) A description of the proposed work including the reason for tree trimming. Photographs may be provided as exhibits, if desired;
 - (4) The name and state contractor's license number of the person who will perform the work. Permits shall only be issued to persons possessing a C-27 or C-61 (D-49) state contracting license;
 - (5) Additional information as the Director may require.
- (c) The application shall be accompanied by a nonrefundable fee in an amount established by resolution of the city council.

34.6 Permit issuance or denial of tree trimming permit applications. Procedure for Consideration of Tree Trimming/Removal Applications

- (a) For tree trimming permit applications associated with development:
- (1) Upon receipt of the completed application, the Director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a one hundred-foot radius of the property to be developed. Such property owners shall be given fifteen calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the director. The notification process may be waived if noticing associated with the development is being sent as required by the Planning Review Authority and such notice specifically identifies the proposed trimming of trees.
 - (2) The Director, after considering the application pursuant to the criteria set forth in Section 34.7, below, and any comments received ~~by~~ from interested residents, shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree trimming application. The Director's recommendations and conditions of approval shall be considered advisory to the planning review authority's decision associated with the development.
 - (3) When tree trimming permits associated with development are referred to the Commission, the Commission shall provide the planning review authority with

recommendations and conditions of approval associated with the proposed tree trimming application. The commission's recommendations and conditions of approval shall be advisory to the planning review authority decision associated with the development.

- (4) Tree trimming associated with development shall only be conditionally approved subject to the applicant receiving their development building permit and paying all fees associated with the tree trimming as established by resolution of the city council. Upon the planning review authority's approval of the development application and applicable conditions of approval, and payment of all required fees, the applicant shall be issued a tree trimming permit.

(b) For tree trimming permit applications *not* associated with development:

- (1) Upon receipt of the completed application, the Director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a one hundred-foot radius of the subject property. Such property owners shall be given fifteen calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the director.
- (2) Upon expiration of the fifteen-day period, the application shall be reviewed by the director, who shall, after considering the application pursuant to the criteria set forth in Section 34.7, below, and any comments received ~~by~~ from interested residents, approve, conditionally approve, or deny the application. The decision of the director shall be made in writing and provided to the applicant and to any interested persons who commented on the application.
- (3) The decision of the Director shall take effect fifteen calendar days after the date of mailing of the decision to the applicant and any interested persons to allow for the filing of any appeals. Unless the director's decision is appealed to the commission, upon payment of all fees associated with the tree trimming as established by resolution of the city council, the applicant shall be issued a tree trimming permit.

(c) The Director may refer any application for a tree trimming permit to the commission for any of the following reasons:

- (1) The city receives reasonable objections during the notification period; or
- (2) An appeal of the director's decision has been filed in accordance with this chapter; or
- (3) At the discretion of the director.

Should the application be referred to the commission, the commission shall make its recommendation (if the permit application is associated with development) or decision (if the permit application is not associated with development) during a noticed public meeting. A

decision of the commission shall not take effect until fifteen calendar days after the date of the public meeting have elapsed to allow for the filing of an appeal.

34.7 Criteria for approving tree trimming permit applications.

(a) A tree trimming permit may be issued in either of the following instances:

- (1) Where a written determination has been made by a certified arborist that the excess foliage or limbs of the tree pose a reasonable risk of injury or harm to persons or property or, are substantially interfering with the structural integrity or the use of an existing structure (including, but not limited to a fence or wall) and there is no feasible and reasonable alternative to mitigate the interference; or
- (2) Where a written determination has been made by a certified arborist, after a visual inspection or scientific evaluation, that the limbs proposed to be trimmed are diseased or damaged. The director or commission may waive the requirement for a certified arborist's written statement when the proposed limbs to be trimmed can reasonably be determined to be dead by a lay person's visual inspection, or when, after conducting an inspection of the tree, the director determines that the tree poses an obvious and imminent threat to life or property.

34.8 Appeals of tree trimming permit decisions.

(a) Appealing tree trimming permit decisions associated with development:

- (1) Tree trimming decisions associated with development are advisory to the planning review authority as a condition of approval of development. The applicant may appeal any development decision and conditions of approval pursuant to the appeal process set forth in the zoning code.

(b) Appealing tree removal permit applications *not* associated with development:

- (1) The applicant or any interested party may appeal the decision of the Director to the Commission by filing an appeal in writing submitted to the Commission staff liaison within fifteen calendar days after the date of decision of the director.
- (2) Decisions of the Commission may be appealed to the City Council by filing such appeal in writing submitted to the city clerk within fifteen calendar 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.

(c) The appellant shall be responsible for all actual costs, including staff time, associated with any appeals.

34.9 Tree removal permit applications.

- (a) Any person applying for a tree removal permit shall file with the director an application in writing on a form furnished by the director. The application shall contain the following information:
- (1) The name and residence or business address of the applicant;
 - (2) The location or description of the property on which the proposed trees are to be removed;
 - (3) A description of the proposed work included the reason for tree removal. Photographs may be included as exhibits, if desired;
 - (4) A tree removal and replacement plan in accordance with this chapter;
 - (5) The name and state contractor's license number of the person who will perform the work. Permits shall only be issued to persons possessing a C-27 or C-61 (D-49) state contracting license;
 - (6) Additional information as the director may require. This information may include, but is not limited to, a list obtained from the county assessor of the names of the owners of all parcels within a one hundred-foot radius of the property upon which the trees are to be removed or trimmed.
- (b) In addition to the application requirements of subsection (a) above, tree removal applications associated with development shall include all of the following:
- (1) An arborist report prepared by a certified arborist;
 - (2) Project narrative;
 - (3) The proposed development plan depicting the actual and proposed location of structures, topography and existing trees, whether to be retained or proposed for removal;
 - (4) Site plan with elevations showing before and after sight lines of the properties landscaping and trees;
 - (5) Any other information the director or commission deem necessary for reviewing the tree removal application.
- (c) The application shall be accompanied by a nonrefundable fee in an amount established by resolution of the city council.

34.10 Permit Issuance or denial of tree removal permit applications. Procedure for Consideration of Tree Trimming/Removal Applications.

(a) For tree removal permit applications associated with development:

- (1) The applicant shall be responsible for all fees associated with the tree removal application review and processing in accordance with the fees established by resolution of the City Council.
- (2) Upon receipt of the completed application, the Director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a one hundred-foot radius of the subject property. Such property owners shall be given fifteen calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the director. The notification process may be waived if noticing associated with the development is being sent as required by the Planning Review Authority and such notice specifically identifies the proposed removal of trees.
- (3) The Director, after considering the application pursuant to the criteria set forth in Section 34.11, below, and any comments received ~~by~~from interested residents, shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree removal application. The Director's recommendations and conditions of approval shall be considered advisory to the planning review authority's decision associated with the development.
- (4) When tree removal permits associated with development are referred to the commission, the commission shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree removal application. The commission's recommendations and conditions of approval shall be advisory to the planning review authority decision associated with the development.
- (5) Tree removals associated with development shall only be conditionally approved subject to the applicant receiving their development building permit, paying all fees associated with the tree removal as established by resolution of the city council, and paying a deposit for the required replacement trees, in an amount sufficient to cover the cost of all required replacement trees, as determined by the city's arborist. Upon the planning review authority's approval of the development application and satisfaction of all conditions of approval, and payment of all required fees, the applicant shall be issued a tree removal permit. Upon the applicant's proof to city's satisfaction that the applicant has complied with the approved tree replacement plan, the city shall reimburse applicant's replacement tree deposit. Should applicant fail to plant any replacement tree in accordance with the approved replacement tree plan, the city shall retain the amount of the replacement tree deposit necessary to cover the cost to plant any required replacement trees in alternative locations within the city (public right-of-way, park, etc.), as permitted by this chapter.

(b) For tree removal permit applications *not* associated with development:

- (1) Upon receipt of the completed application, the Director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a one hundred-foot radius of the subject property. Such property owners shall be given fifteen calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the Director.
- (2) Upon expiration of the fifteen-day period, the application shall be reviewed by the director, who shall, after considering the application pursuant to the criteria set forth in Section 34.11, below, and any comments received ~~by~~ from interested residents, approve, conditionally approve, or deny the application. The decision of the director shall be made in writing and provided to the applicant and to any interested persons who commented on the application.
- (3) The decision of the Director shall take effect fifteen calendar days after the date of mailing of the decision to the applicant and any interested persons to allow for the filing of any appeals. ~~Unless the director's decision is appealed to the commission, upon payment of all fees associated with the tree removal as established by resolution of the city council, and paying a deposit for the required replacement trees, in an amount sufficient to cover the cost of all required replacement trees, as determined by the city's arborist, the applicant shall be issued a tree removal permit. The applicant shall be issued a tree removal permit following its payment of all fees associated with the tree removal as established by resolution of the city council and payment of a deposit sufficient to cover the cost of all required replacement trees as determined by the city's arborist, unless the director's decision is appealed to the commission. Upon the applicant's proof to the city's satisfaction that the applicant has complied with the approved tree replacement plan, the city shall reimburse applicant's replacement tree deposit. Should the applicant fail to plant any replacement tree in accordance with the approved replacement tree plan, the city shall retain the amount of the replacement tree deposit necessary to cover the cost to plant any required replacement trees in alternative locations within the city (public right-of-way, park, etc.), as permitted by this chapter.~~

(c) The Director may refer any tree removal permit to the commission for decision for any of the following reasons:

- (1) The applicant is proposing to remove three or more healthy non-native significant trees; or
- (2) The applicant is proposing to remove any healthy significant oak trees or significant native species trees; or
- (3) The applicant is proposing to remove any heritage tree; or

- (4) The city receives reasonable objections during the notification period; or
- (5) An appeal of the Director's decision has been filed in accordance with this chapter; or
- (6) At the discretion of the Director.

Should the application be referred to the commission, the commission shall make its recommendation (if the application is associated with development) or decision (if the application is not associated with development) during a noticed public meeting. A decision of the commission shall take effect fifteen calendar days after the date of public meeting to allow for the filing of any appeals.

34.11 Criteria for approving tree removal permit applications.

(a) Subject to the imposition of conditions pursuant to subsection (b) of this section, a tree removal permit may be issued in any one of the following instances:

- (1) Where the tree poses a reasonable risk of injury or harm to persons or property or, is substantially interfering with the structural integrity or the use of an existing structure (including, but not limited to, a fence or wall), swimming pool, or building and there is no feasible and reasonable alternative to mitigate the interference.
- (2) Where, upon taking into account the size, shape, topography and existing trees upon the lot, the denial of the permit would create an unreasonable hardship on the property owner. Redesign of any proposed development as an alternative to removal of an existing protected tree does not create an unreasonable hardship.
- (3) Where a written determination has been made by a certified arborist, after a visual inspection or scientific evaluation, that the tree is so diseased or damaged that it is no longer viable or is a threat to persons or property, including to other trees. The director or commission may waive the requirement for a certified arborist's written statement when the tree can reasonably be determined to be dead by a lay person's visual inspection or when, after conducting an inspection of the tree, the director determines that the tree poses an obvious and imminent threat to life or property.
- (4) For the removal of a significant or mature tree, where the proposed replacement tree(s) are of greater value or provide greater benefits than the tree proposed for removal.

(b) A tree removal permit may be conditioned upon the replacement or transplanting of the tree either on- or off-site. Such replacement or transplanting shall be subject to the following provisions:

- (1) Designation by the director or the commission of the number, size, species, and location of replacement tree(s) proposed for removal, the significance of the tree(s) on the lot as viewed from a public right-of-way, the size of the lot, and the number of existing trees on the lot.

(2) Because of its size and/or significance, a single tree proposed to be removed may be required to be replaced with multiple trees. If the subject property cannot accommodate multiple trees, alternative locations within the city (public right-of-way, park, etc.) may be designated.

(3) If a replacement tree is required, the property owner must agree to accept the conditions of replacement by his or her signature on the permit application and make the replacement tree deposit (per subsections 34.10(a) (5) or 34.10(b) (3)) before issuance of the permit.

(4) When the work designated in the permit is completed, the applicant shall contact the public works department for an inspection of the work. Any tree removal will require complete removal and grinding of the stump and backfilling of the hole.

(5) Should a designated replacement or transplanted tree not survive for a period of two years, the applicant shall be required to replace it with another tree or pay to the city the full cost of replacing the tree at a location to be determined by the city.

(6) Where the permit allows or requires the replacement or transplanting of tree(s), the director or commission may, in their discretion, as an alternative to paragraph (5) immediately above, require the applicant to post a bond or surety for a five-year period against the survival of the tree(s). The amount of the bond or surety shall be in accordance with the "Guide for Plant Appraisal" (ISA publication, most recent edition).

(7) Unless otherwise stated in the conditions of approval, the tree removal permit shall be valid for a period of one year with the planting of any new trees on the applicant's property to occur during the next planting season as determined by ISA and local climate conditions.

34.12 Tree removal and replacement plans.

Tree removal and replacement plans shall contain the following information:

- (a) A drawing of the property which shows the location and species of all existing protected trees;
- (b) A site plan showing the proposed development, including all existing and proposed structures, including the topography of the site, in accordance with subsection 34.9(b);
- (c) The tree species and trunk caliper of all trees to be removed;
- (d) The reason for removal. Any trees proposed for removal due to poor health or condition shall have the condition of the tree documented in a written report prepared and signed by a certified arborist;

- (e) A second drawing of the property after the proposed tree removal which shows remaining trees and all proposed replacement trees. The replacement tree sizes and species must be clearly identified; and
- (f) A certified arborist review of the tree plan, if required by the director. The certified arborist shall be contracted and managed by the city and all fees incurred shall be the responsibility of the property owner.

34.12-5 Replacement tree requirements.

The number of replacement trees is determined by the size of the existing tree(s) approved for removal, unless otherwise determined by the director in accordance with this chapter.

- (a) Listed below are the replacement tree requirements for permitted tree removal *not* associated with development:
 - (1) For replacement of significant trees, one twenty-four-inch box replacement tree shall be required for each ten-inch increment of the caliper of the existing tree proposed for removal, or portion thereof. For example:
 - i. One twenty-four inch box replacement tree shall be required for each tree removed with a caliper of less than ten inches.
 - ii. Two twenty-four inch box replacement trees shall be required for each tree removed with a caliper of between ten and twenty inches.
 - iii. Three twenty-four inch box replacement trees shall be required for each tree removed with a caliper of between twenty and thirty inches.
 - iv. Four twenty-four inch box replacement trees shall be required for each tree removed with a caliper of between thirty and forty inches; and so forth.
 - (2) For replacement of mature oak trees, mature native species trees, and heritage trees, two twenty-four-inch box native species replacement trees shall be required for each ten-inch increment of the caliper of the existing tree proposed for removal, or portion thereof. For example:
 - i. Two twenty-four inch box native species replacement trees shall be required for each tree removed with a caliper of less than ten inches.

- ii. Four twenty-four inch box native species replacement trees shall be required for each tree removed with a caliper of between ten and twenty inches.
- iii. Six twenty-four inch box native species replacement trees shall be required for each tree removed with a caliper of between twenty and thirty inches.
- iv. Eight twenty-four inch box native species replacement trees shall be required for each tree removed with a caliper of between thirty and forty inches; and so forth.

(b) Listed below are the replacement tree requirements for permitted tree removals associated with development:

(1) For replacement of significant trees, one twenty-four-inch box replacement tree shall be required for each six-inch increment of the caliper of the existing tree proposed for removal, or portion thereof. For example:

- i. One twenty-four inch box replacement tree shall be required for each tree removed with a caliper of less than six inches.
- ii. Two twenty-four inch box replacement trees shall be required for each tree removed with a caliper of between six and twelve inches.
- iii. Three twenty-four inch box replacement trees shall be required for each tree removed with a caliper of between twelve and eighteen inches.
- iv. Four twenty-four inch box replacement trees shall be required for each tree removed with a caliper of between eighteen and twenty-four inches; and so forth.

(2) For replacement of mature oak trees, mature native species trees, and heritage trees, two twenty-four-inch box native species replacement trees shall be required for each six-inch increment of the diameter of the existing tree proposed for removal, or portion thereof. For example:

- i. Two twenty-four inch box native species replacement trees shall be required for each tree removed with a caliper of less than six inches.
- ii. Four twenty-four inch box native species replacement trees shall be required for each tree removed with a caliper of between six and twelve inches.

- iii. Six twenty-four inch box native species replacement trees shall be required for each tree removed with a caliper of between twelve and eighteen inches.
- iv. Eight twenty-four inch box native species replacement trees shall be required for each tree removed with a caliper of between eighteen and twenty-four inches; and so forth.

34.13 Appeals of tree removal permit decisions.

- (a) Appealing tree removal permit applications associated with development: Tree removal decisions associated with development are advisory to the planning review authority as a condition of approval of development. An applicant may appeal any development decision and its conditions of approval pursuant to the appeal process set forth in the zoning code.
- (b) Appealing tree removal permit applications *not* associated with development: The applicant or any interested party may appeal the decision of the director to the commission by filing an appeal in writing submitted to the commission staff liaison within fifteen calendar 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 calendar 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.
- (c) If a tree removal is granted for a tree on the basis of imminent threat to life or property, the decision will be considered final and is not appealable.
- (d) The applicant shall be responsible for all actual costs, including staff time, associated with any appeals.

34.14 Exemptions.

- (a) No permit is required for the removal or trimming of a tree damaged by storm, fire, or other natural disaster which has been determined by the Director, Police Chief, Fire Chief, or code enforcement officer to be dangerous to life or property.
- (b) No permit is required when the fire department has deemed the trimming or removal of the tree(s) is critical to providing an effective firebreak.
- (c) Public utility companies required to trim or remove trees, upon submittal of a letter to the director or their designee outlining the specific trees along with reasons for removal or trimming, shall be exempt from the provisions of this chapter.
- (d) The City and its contractors will not be required to obtain permits, but shall otherwise comply with this chapter.

- (e) No permit is required for the removal of shrubs, other than protected shrubs.
- (f) No permit is required for trimming of any tree other than those species and sizes specified in Section 34.5(a).

34.15 Obstruction.

- (a) It is unlawful for any person, firm or corporation owning, leasing, occupying, having charge or control of any lot or premises in the City, to keep or maintain thereon any tree, shrub or plant, or portion thereof, that interferes with or obstructs the free passage of pedestrians along or upon adjacent public sidewalks or of vehicles along or upon adjacent public rights-of-way.
- (b) Every fence, sign, wall, hedge, tree, shrub or planting located within seventy-five feet of the point of intersection of the centerlines of streets or within seventy-five feet of the point of intersection of the centerline of a street and a railroad right-of-way, that is more than thirty-six inches in height measured from the nearest adjacent public street level and that, in the opinion of the director constitutes an obstruction to the clear view of motorists on the streets is declared to be a public nuisance; provided, however, that nothing in this section shall be deemed to apply to a wall, building or structure that has been or that may be constructed under a permit issued by the Building Department of the City.
- (c) A violation of this section does not exempt a property owner from having to otherwise comply with the permit requirements of this chapter.

34.16 Violations.

- (a) It is unlawful for any person to harm by any means, damage or cause to be damaged, or fail to comply with the standards of care described in subsection 34.1(y) for any tree located within the city.
- (b) It is unlawful for any person to remove or transplant any protected tree from any property within the city unless a tree removal permit is first obtained from the city.
- (c) It is unlawful for any person to trim more than twenty percent of the live foliage or limbs of any heritage tree located within the city within any twelve-month period, or cause the same to be done, without first obtaining a tree trimming permit from the city.
- (d) It is unlawful for any person to trim more than ten percent of the live foliage or limbs of any mature Oak tree or a mature native species tree located within the city within any twelve-month period, or cause the same to be done, without first obtaining a tree trimming permit from the city.
- (e) It is unlawful for any person to remove any tree from the parkway area between a sidewalk or private property line and street curb without first obtaining a tree removal permit from the city.

34.17 Penalties.

Any person violating any of the provisions of this chapter is guilty of a misdemeanor, except, at the discretion of the city prosecutor, the violation may be reduced to an infraction. Persons violating any of the provisions of this chapter shall be subject to the following:

- (a) Penalties for any person who unintentionally violates the provisions of this chapter shall be as follows:
 - i) the standard inspection fee; and
 - ii) double the required tree removal or trimming permit fee; and
 - iii) planting double the number of replacement trees required pursuant to section 34.12-5.
- (b) Penalties for an intentional violation of this chapter not associated with development shall be as follows:
 - i) the penalties described in subsection a) of this section, above; and
 - ii) the payment of a tree replacement fee in an amount up to, but not to exceed double the value of the destroyed, removed, or damaged tree. The city arborist shall determine the value of the destroyed, removed, or damaged tree by using the most recent edition of the ISA Guide for Plant Appraisal.
- (c) Penalties for an intentional violation in connection with development or anticipated future development on the property shall be the penalties described in subsections (a) and (b) and, in addition, the city manager may, in his or her discretion, refer the violation to the city prosecutor for criminal charges or to the Planning Commission for public hearing. The burden of proof shall be on the city to demonstrate that there is clear and convincing evidence to a reasonable certainty that there is an intentional violation. The planning commission, after considering all of the evidence, may impose the additional penalty of prohibiting the issuance of building or construction-related permits for a period up to five years from the date of the violation for the property upon which the violation occurred.

In determining whether a building permit may be issued with regard to the aforementioned prohibition, the planning commission shall consider whether the tree violation appears to be in furtherance of a development, as evidenced in the extent of tree damage, removal, damage to the root system, and/or excessive trimming of trees within the buildable area of a property; oral or written admissions; actions taken despite prior warnings; notices of violations; and the number and size of the damaged and/or removed trees.

Intentional violations in the context of development or anticipated development of property shall require the planning commission to determine whether restitution trees are to be planted on the property on which the violation occurred or on public land with costs paid to the city for tree selection, planting and maintenance, or a combination of both. The restitution trees shall be subject to either of the survival guarantees described in subsection 34.11(b) (5) or (6).

For purposes of this section, the violation shall be presumed to have occurred on the date the city has actual knowledge of the violation, and the violator shall have the burden of proving an earlier commencement date, if entitlement to an earlier date is claimed.

Notwithstanding the aforementioned prohibition, building or construction-related permits may be issued if in the opinion of the director of planning and building, they are necessary for the preservation of public health, safety or welfare.

- (d) Payment of any penalty and planting of replacement trees shall occur within sixty calendar days of the date the violator was directed to take such action by the director. If the violator does not complete planting of replacement trees within the allotted time, the director may procure and plant the requisite replacement trees, and the violator shall be responsible for reimbursing the city for such additional costs. Reimbursement is due and payable within thirty calendar days of the city's issuance of a billing statement.

If payment of the penalty or reimbursement costs is not received by the city in sixty calendar days, the city manager can instruct that the outstanding obligation be collected in any of the following manners:

- (1) A civil action in the name of the city, in any court of competent jurisdiction; or
 - (2) Use of a debt collection agency; or
 - (3) A lien on the subject property.
- (e) All penalties and additional costs related to a tree violation must be paid to the city prior to its issuance of building or construction-related permits unless, in the opinion of the director of planning and building, such permits are necessary for the preservation of public health, safety or welfare.

SECTION 2. Section 36.410.020 ("Planning Clearances") of Chapter 36 ("Zoning") of the South Pasadena Municipal Code is amended to read as follows:

36.410.020 Planning Clearances.

A. Purpose of Section. This Section provides a procedure for issuing Planning Clearances, which are used to verify that a proposed structure or land use activity complies with the allowed list of activities and development standards applicable to the category of use or the zoning district of the subject parcel.

B. Applicability. Generally, any project requiring a Building Permit in compliance with the Uniform Building Code that will result in additional floor area requires a Planning Clearance to determine compliance with this Zoning Code. It is at this point that the Department staff advises the property owner or applicant if not the property owner, of further approvals that may be needed. If no further approvals are needed, the project may then proceed to the Building Permit process.

Planning Clearance required.

a. Specifically, a Planning Clearance shall be required for:

(1) The use of vacant non-residential land or structures, which shall be filed at least 14 days before the date the use is to be commenced;

(2) A structure which is to be erected or remodeled, which shall be filed in conjunction with the companion Building Permit application; and

i. Tree removals and trimming. Should a specific development project require the removal of trees, or the trimming of trees, no building permits shall be issued until the property owner, or applicant if not the property owner, obtains a permit pursuant to SPMC Chapter 34 (Trees and Shrubs).

ii. Penalty for tree violations. Pursuant to SPMC Section 34.16 (Violations) of Chapter 34 (Trees and Shrubs), it is unlawful for any person to remove or transplant any significant or mature heritage tree, a significant or 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. It is unlawful for any person to trim or prune more than 20 percent of the live foliage or limbs of any significant or mature heritage tree located within the City within any 12-month period, or cause the same to be done, without first obtaining a tree trimming permit from the City. It is unlawful for any person to trim or prune more than 10 percent of the live foliage or limbs of any significant or mature Oak or significant or mature native species tree located within the City within any 12-month period, or cause the same to be done, without first obtaining a tree trimming permit from the City. It is unlawful for any person to damage or cause to be damaged any significant or mature heritage tree, a significant or mature Oak tree, or a significant or mature native species tree located within the City. It is unlawful for any person to remove any significant or mature tree or shrub from the parkway area between a sidewalk or private property line and street curb, without the written permission of the Public Works Director or designee.

With respect to a violation of Chapter 34 (Trees and Shrubs), and pursuant to Section 34.17 (Penalties), if it appears that the violation is related to development or anticipated future development on the property and the violation warrants an additional penalty, the City Manager may also refer the violation to the Planning Commission for a public hearing. The burden of proof shall be on the City to demonstrate that there is clear and convincing evidence to a reasonable certainty that there is an intentional violation. The Planning Commission may then hold a public hearing. The Planning Commission, after considering all of the evidence, may impose the additional penalty of prohibiting the issuance of building or construction-related permits for a period of up to five years from the date of the violation for the property upon which the violation occurred.

SECTION 3. SEVERABILITY. If any provision, section, paragraph, sentence or word of this ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections,

paragraphs, sentences or words of this ordinance, and their application to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this ordinance are severable.

SECTION 4. CEQA. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code Regs. Section 15308 as an agency regulatory framework that is intended to assure the maintenance, restoration, enhancement or protection of the environment.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code Section 36937.

SECTION 6. This ordinance shall take effect thirty (30) days after its final passage and within fifteen (15) days after its passage, the City Clerk of the City of South Pasadena shall certify to the passage and adoption of this ordinance and to its approval by the Mayor and City Council and shall cause the same to be published in a newspaper in the manner required by law.

PASSED, APPROVED, AND ADOPTED ON this 6th day of February, 2019.

Richard D. Schneider, M.D., Mayor

ATTEST:

APPROVED AS TO FORM:

Evelyn G. Zneimer, City Clerk
(seal)

Teresa L. Highsmith, City Attorney

Date: _____

I HEREBY CERTIFY the foregoing ordinance was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 6th day of February, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Evelyn G. Zneimer, City Clerk
(seal)



City of South Pasadena
City Clerk's Division

Memo

Date: January 16, 2019

To: The Honorable City Council

Via: Stephanie DeWolfe, City Manager *SD*

From: Marc Donohue, Chief City Clerk *MD*

Re: January 16, 2019, City Council Meeting Item No. 17 Additional Document –
Ordinance Revising Article IV (Boards and Commissions – General Provisions)

Attached is a revisions to the proposed ordinance revising Article IV (Boards and Commissions). The changes include clarification that no individual may serve more than six consecutive years on one commission.

2.23 Composition, appointment and removal of members

(a) Unless otherwise specified in this article, all boards and commissions shall consist of five adult members, all board and commission members to be appointed by the mayor of the city with at least three affirmative votes of the city council. All members of any city board or commission shall be subject to removal at any time without cause by motion of the city council adopted by at least three affirmative votes of the city council. Upon appointment, commission members take the oath of office. All members of any city board or commission shall be required to undertake Brown Act training, failure to complete the training within 6 months of appointment is cause for removal.

2.25 Term of office.

(a) The term of office for boards and commissions shall be for three years (full term) commencing on January 1st and ending on December 31st. Notwithstanding, an appointment to a board or commission may be for a partial term of one or two years, if the mayor and city council find that it is necessary to do so in order to stagger the terms so that the terms of no more than three members of said commission or board will expire in the same year. Said partial term appointment shall be treated in the same manner as an appointment to an unexpired term. ~~For those board members and commissioners serving at the time of the passage of the ordinance codified in this article, whose terms end on a different date, their terms shall be automatically extended to the following December 31st.~~ A commissioner is allowed to serve a full term and two partial terms of varying lengths consecutively, as long as the total years of consecutive service on one commission does not exceed six years. If there is more than a three-month delay between the commencement of the term and appointment of a replacement member, the term will begin on the date the replacement appointment is made, and the term will be considered a partial term and will be treated in the same manner as an appointment to an unexpired term.

2.26 Terms of members—Filling vacancies.

The term of office of each board member or commissioner shall be for the appointed term three years or until their respective successors are appointed and qualify, and a commissioner may serve for not more than two consecutive full terms. An individual who previously served a total of six consecutive years on one commission shall not be eligible to serve on that commission again until one full year has lapsed. ~~A person who was appointed to serve a partial term or a prior board member or commissioner that has not served on the board or commission for a period of one year may be appointed to serve not more than two consecutive full terms.~~ If a vacancy occurs otherwise than by expiration of a term, it shall be filled by the mayor, with the approval of the city council, by appointment for the unexpired portion of the term. Resignations from commissions must be submitted in writing (email acceptable).

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF SOUTH PASADENA, CALIFORNIA,
AMENDING SECTIONS 2.23 (COMPOSITION, APPOINTMENT
AND REMOVAL OF MEMBERS), 2.25 (TERMS OF OFFICE) OF
ARTICLE IV (BOARDS AND COMMISSIONS – GENERAL
PROVISIONS) AND 2.26 (TERMS OF MEMBERS—FILLING
VACANCIES) OF CHAPTER 2 (ADMINISTRATION) OF THE
MUNICIPAL CODE OF THE CITY OF SOUTH PASADENA,
CALIFORNIA

SECTION 1. Section 2.23 (Composition, appointment and removal of members) of Article IV of Chapter 2 (Administration) of the South Pasadena Municipal Code is amended to read as follows:

“2.23 Composition, appointment and removal of members.

- (a) Unless otherwise specified in this article, all boards and commission shall consist of five adult members, all board and commission members to be appointed by the mayor of the city with at least three affirmative votes of the city council. All members of any city board or commission shall be subject to removal at any time without cause by motion of the city council adopted by at least three affirmative votes of the city council. Upon appointment, commission members take the oath of office. All members of any city board or commission shall be required to undertake Brown Act training, failure to complete the training within 6 months of appointment is cause for removal.
- (b) In addition. The mayor may appoint one nonvoting youth member to any board or commission of the city, at this or her discretion, in the same manner as prescribed in subsection a of this section.”

SECTION 2. Section 2.25 (Terms of office) of Article IV of Chapter 2 (Administration) of the South Pasadena Municipal Code is amended to read as follows:

“2.25 Term of office.

- (a) The term of office for boards and commissions shall be for three years (full term) commencing on January 1st and ending on December 31st. Notwithstanding, an appointment to a board or commission may be for a partial term of one year or two years, if the mayor and city council find that it is necessary to do so in order to stagger the terms so that the terms of no more than three members of said commission or board will expire in the same year. Said partial term appointment

shall be treated in the same manner as an appointment to an unexpired term. A commissioner is allowed to serve a full term and two partial terms of varying lengths consecutively, as long as the total years of consecutive service on one commission does not exceed six years.

- (b) The term of office for a nonvoting youth member of any board or commission shall be for one school year, commencing on September 2nd and ending on June 30th. Notwithstanding, an appointment of a youth member to a board or commission may be for a partial term. Youth nonvoting members are limited to two one-year terms in any one board or commission.

SECTION 3. Section 2.26 (Terms of members—filling vacancies) of Article IV of Chapter 2 (Administration) of the South Pasadena Municipal Code is amended to read as follows:

“2.26 Terms of members—Filling vacancies.

The term of office of each board member or commissioner shall be for the appointed term three years or until their respective successors are appointed and qualify, and a commissioner may serve for not more than two consecutive full terms. An individual who previously served a total of six consecutive years on one commission shall not be eligible to serve on that commission. If a vacancy occurs otherwise than by expiration of a term, it shall be filled by the mayor, with the approval of the city council, by appointment for the unexpired portion of the term. Resignations from commissions must be submitted in writing (email acceptable).”

SECTION 4. This ordinance shall take effect thirty (30) days after its final passage, and within fifteen (15) days after its passage, the City Clerk of the City of South Pasadena shall certify to the passage and adoption of this ordinance and to its approval by the Mayor and City Council and shall cause the same to be published in a newspaper in the manner required by law.

PASSED, APPROVED, AND ADOPTED ON this 6th day of February, 2019.

Marina Khubesian, M.D., Mayor

ATTEST:

APPROVED AS TO FORM:

Evelyn G. Zneimer, City Clerk
(seal)

Teresa L. Highsmith, City Attorney

Date: _____

I HEREBY CERTIFY the foregoing ordinance was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 6th day of February, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Evelyn G. Zneimer, City Clerk
(seal)

CAPITAL IMPROVEMENT PLAN QUARTER TWO UPDATE

JANUARY 16, 2019

City of South Pasadena

CIP OVERVIEW

- Adopted June 6, 2018
- Five Year
- Living Document
- Budgeting Tool
- Requires Council Approval
- Requires General Plan Alignment
- 44 Projects totaling \$109,338,170

FUNDING ALLOCATIONS

Category	2018-19 FY CIP Funding
Municipal Buildings and Facilities	\$424,859
Streets and Streetscapes	\$3,348,000
Street and Traffic Lighting	-
Sewer and Water	\$10,204,142
Technology Projects	\$314,000
Storm Water	-
TOTAL	\$14,291,001

STATUS UPDATE

Project Status Update	Number of CIP Projects
Completed	2
Under Construction	4
In-Design	4
Developing Specifications	5
Pending Authorization	5
Consultant Selection	1
Obtaining Bids	1
Not Started	1
Total	23

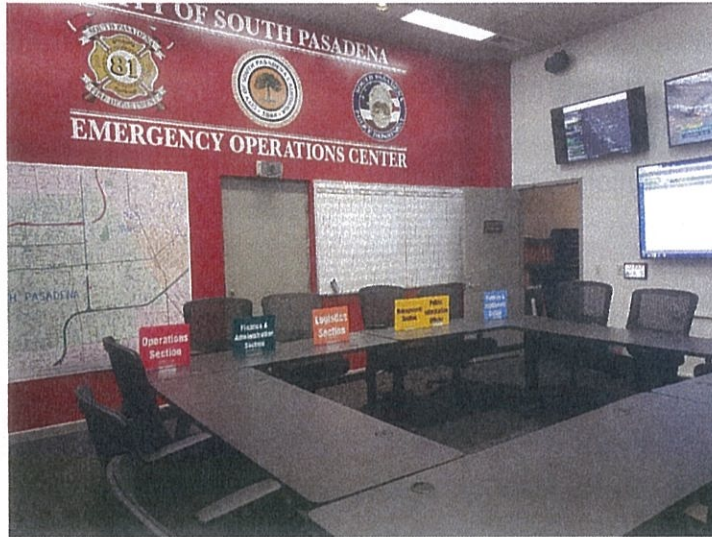
Accomplishments

- BTA Mission Street Bicycle Striping Improvement Project
- Emergency Operations Center
- War Memorial Drainage Mitigation
- Electric Vehicle Charging Station
- CNG Station

BTA MISSION STREET STRIPING



EMERGENCY OPERATIONS CENTER



WAR MEMORIAL DRAINAGE MITIGATION



EV CHARGING STATION



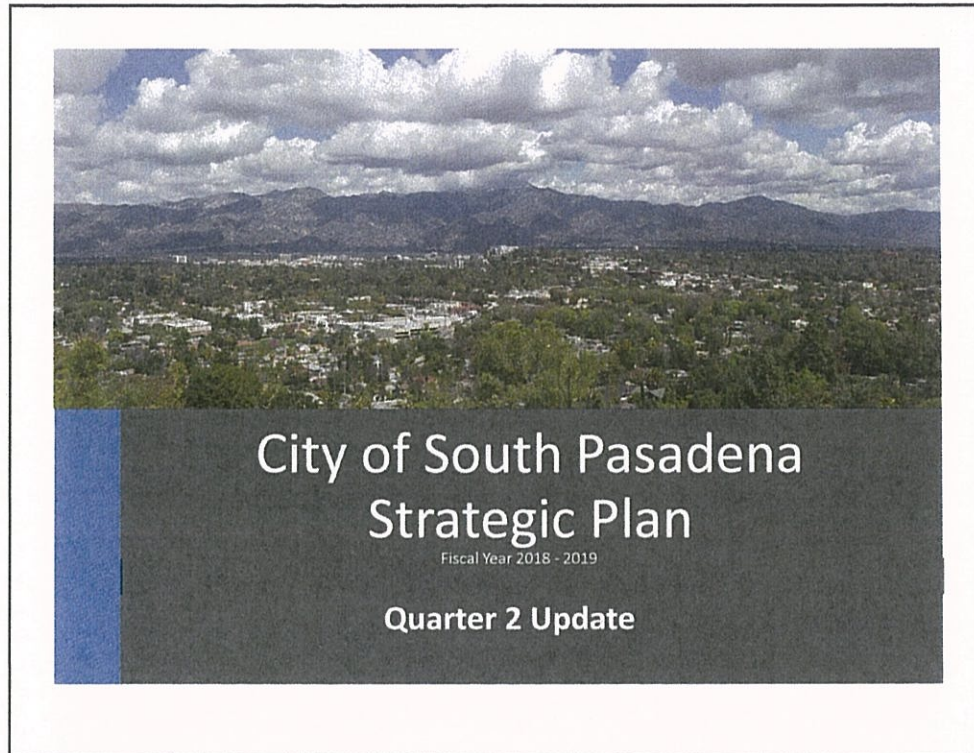
NEW PROJECTS

- CNG CHARGING STATION
- EV CHARGING STATION
- SAN PASCUAL STABLES HVAC
- WATER CONSERVATION MEDIANS
- WATER CONSERVATION IMPERVIOUS SURFACE DEMONSTRATION

NEXT STEPS

- PLANNING COMMISSION
- COUNCIL ADOPTION INTO CIP

QUESTIONS?



OVERVIEW

The **Strategic Plan** focuses on issues that are important to improving the quality of life in South Pasadena and responding to community priorities.

- April 2018 – City held Strategic Planning Session
- April 2018 – Citywide survey polled residents on six goals
- June 2018 – Strategic Plan adopted by City Council

GOALS:

- Develop and Implement Strong Fiscal Policies to Ensure a Resilient Financial Future.
- Create and Implement a Strong Economic Development Strategy to Strengthen the Local Business Districts.
- Develop a Comprehensive Emergency Preparedness Plan to Ensure Public Safety through Active Response and Recovery Efforts.
- Enhance Community Sustainability through Investment in Infrastructure and Environmental Management Programs.
- Plan for Affordable Housing to Comply with State Mandates and Respond to Community Needs.
- Enhance Customer Service through Innovation to More Effectively Respond to Community Priorities.

OBJECTIVES:

- Arts Ordinance
- Fee Study
- EOC Training
- Crisis Communication Plan
- Matrix Study Implementation Strategy
- ADU Ordinance

QUARTER 3:

- Branding and Marketing Plan
- Soft Story Inventory
- Financial Plan
- Economic Development Plan

NEXT STEPS:

- Quarterly Reports
- Review and Update Plan