



# Additional Documents List

## City Council Meeting

### September 16, 2020

(Updated 9/17/2020 at 8:30 a.m.)

Item No.	Agenda Item Description	Distributor	Document
16	Request For Review By the City Council of the Cultural Heritage Commission's Decision to Approve Project No. 2238-COA – Certificate of Appropriateness	Joanna Hankamer, Planning and Community Development Director Kanika Kith, Planning Manager	Memo & PowerPoint Presentation
17	Adoption of a Resolution Confirming the Fire Department's Compliance with Mandated Inspection Duties	Paul Riddle, Acting City Manager	Memo
18	Ratify Appointments for the Regional Housing Needs Assessment Appeal Ad Hoc Committee	Joanna Hankamer, Director of Planning and Community Development Margaret Lin, Manager of Long Range Planning and Economic Development	Memo
19	Approval of Option for Continued Virtual Public Commission Meetings	Maria E. Ayala, Chief City Clerk	Memo
21	Formation of Finance Ad Hoc Committee	Lucy Demirjian, Assistant to the City Manager Teresa Highsmith, City Attorney	Memo
PC	Public Comment submitted for: Regular Open Session - General Public Comment; Item Nos. 16, 18, 19, & 21	City Clerk Division	E-mail Public Comments



**City of South Pasadena  
Planning and Community  
Development Department**

# Memo

**Date:** September 16, 2020

**To:** Mayor and Members of the City Council

**From:** Joanna Hankamer, Planning and Community Development Director  
Kanika Kith, Planning Manager

**Prepared By:** Malinda Lim, Associate Planner

**Re:** Additional Document #2 for **Item No. 16** – 1030 Brent Avenue (Project No. 2238-RFR)

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The property owners of 1030 Brent Avenue, Mr. and Mrs. Roybal, have provided their rebuttal in response to comments from Mr. Travis Dunville. This response is included as **Attachment 1**. In addition, a public comment received from Elizabeth Chin is included as **Attachment 2**.

**Attachments:**

1. Roybal's Rebuttal Response
2. Written Public Comment

# **Attachment 1**

## **Roybal's Rebuttal Response**

September 9, 2020

Honorable City Council Members:

In regard to the matter of our project at 1030-1032 Brent being brought before you, we wish to explain and inform you of the trail of events up to this point.,

In March of 2018 a correction notice by the city was issued in response to a complaint of unpermitted work being done here. The inspector who came to our home told us that this could be remedied by going to City Hall and obtaining the proper permits.

We immediately responded and have followed the city's direction step by step in what has turned out to be a nearly three year arduous and expensive endeavor.

We are presenting you with this chronology of events showing our efforts at compliance and the permits obtained. We have a plethora of documents, letters, plans and e-mails to support the chronology and are prepared to forward these supporting documents upon your request.

It has been our intent to add a room addition to our home to make it more livable and to add to its value. We have been faithful in everything we have done in the past to maintain the historical quality of our home and we intend to continue that with the addition, if we are allowed to proceed.

We ask respectfully that you read the time line included here to get a clear picture of all that has transpired. We will also follow with a rebuttal to the allegations made by Travis Dunville, the complainant.

Sincerely,

Robert and Dianne Roybal

- 3/22/18 Original Correction Notice and Stop Work Order
- 4/9/18 Letter from city (Marlon Ramirez) regarding stop work order and steps required to bring property up to compliance.
- 5/9/18 Letter to Ramirez re. Progress in complying and deadline dates.
- 5/18/18 Letter sent to Marlon Ramirez indicating my progress and compliance on correction notice and stop work order.
- 6/24/18 Letter to Ramirez explaining architect needs to have a final consultation with Jeremy on the 26<sup>th</sup>, to finalize details on the drawings.
- 7/14/18 Letter to Marlon Ramirez to report progress and reporting a path to comply. Intent to begin process to change our duplex to a single-family residence with an ADU.
- 7/28/18 E-mail from architect (Jim Fenske) saying that he would come by, check dimensions and submit work done to Cultural Heritage Commission (CHC) with drawings.
- 7/30/18 E-mail from architect (Jim Fenske) "Ready to submit plans" sends bill.
- 8/14/18 E-mail from J. Fenske giving us an update on progress and further steps needed to satisfy City of South Pasadena.
- 8/24/18 Letter sent by us to Marlon Ramirez (Planning Coordinator) indicating progress and compliance. Reminding him of promise to extend deadline dates. (All letters send to Mr. Ramirez were sent by priority mail with receipts)
- 5/9/18-8/24/18 Copies of all 5 letters sent to M. Ramirez. (last letter never claimed.)
- 12/20/18 E-mail from J Fenske responding to our request for a progress report. He indicates that he is now working with new people and is discussing pathways to complete this process.
- 1/30/19 My contemporaneous notes from J Fenske text: Fenske reports that  
1. He received information that no ADU is needed. 2. Neighbors are getting angry and Building and Safety knows this. 3. Waiting for stamping plans. 4 Final decisions on ADU seem to be pending.

- 2/15/19 Email back and forth from Jim Fenske indicating that process of approval is again moving.
- 3/1/19 E-mails from Jose Villegas (Planning) to J Fenske giving us 30 days to obtain permits or incur a fine. He asks Fenske to meet with Jeffery Kao (Plan Checker) to do an "over the counter" final plan check.
- 3/4/19 E-mail to us stating approval of project pending clearing of ADU requirement.
- 3/4/19 Time line sent to Gus Alonzo when he came on scene (hand delivered)
- 3/7/19 Receipt of plan check fee \$643.43.
- 3/22/18- 3/29/19 Contemporaneous notes of discussion during permit process
- 3/28/19 E-mail from J. Fenske directing me to pull permits.
- 4/23/19 Copy of Public Works Dept. Plan Review Comment checklist with notations and supportive comments.
- 5/1/19 E-mail to J. Fenske: Public Works check list and my answers
- 5/2/19 Letter from Gus Alonzo (Code Enforcement Officer) as a follow-up to formally spell out compliance steps needed to satisfy violation.
- 7/11/19 Electrical permit to remove panel from 1030 unit pursuant to ADU conversion and to connect new line from main house panel to feed ADU unit. \$76.80
- 8/4/19 Edison information regarding removal of panel on ADU unit (1030) pursuant to city directives.
- 8/30/19 Communication to Fenske from Villegas that we would not be on the CHC agenda for September, postponed until October
- 10/1/19 Minutes of visit by Jose Villegas and inspector to view compliance in ADU conversion. He asked us to pull permit on removal of gas meter to 1030 unit and hook up to main house gas meter.
- 10/1/19 Permit for gas meter removal and gas line hook up to main house.
- 10/8/19 Comment letter from City of South Pasadena (Malinda Lim) to architect Jim Fenske verifying submittal of project and requesting corrections on plan measurement.

11/11/19 E-mail correspondence from J. Fenske to City Planning (Malinda Lim) showing drawings.

Time line Brent Ave. Project Cont.

p. 3 of 5

1/6/20 E-mails to and from city officials (new and old) picking up the ball on our belated approvals.

1/6/20 Letter from Gus Alonzo to notify us that officials will be by to our property to verify measurements (again).

1/9/20 Our notes regarding visit and measurements of city officials.

1/13/20, 2/4/20, 2/12/20, E-mails back and forth from City requiring us to do a new property line survey. Also, communications between City officials and Survey Company.

2/8/20 Survey contract and receipt of payment information \$3500.

2/20/20 Site survey map and interim plans for project.

3/13/20 E-mails from Dunville's disputing lot line surveys asking us to wait to record. E-mail from Dunville's (complaining neighbor) showing preliminary survey from their surveyor, asking us to wait.

5/29/20 E-mail from Jose Villegas stating that he has received the recorded survey and will accept it in submittal. Reminds us to make sure the site plan is consistent with the survey. He states that project is scheduled for June 18 CHC meeting.

5/29/20 E-mail from Fenske requesting copies of survey so that he can update plans.

6/8/20 E-mail from Malinda Lim (planner) that city needs more time to prepare paperwork for submittal to CHC meeting. Postponed until July.

6/24/20 E-mail with architect Fenske working out final door placement on South side of addition.

6/26/20 E-mail from Fenske showing final placement of doors and window on south Side of addition.

7/8/20 Text message from Nichol Dunville saying that she and her husband Travis were interested in buying our house "AS IS" before we put it on the market. Our response is that we will see it through with the city since we have much expense involved because of the complaints.

7/15/20 E-mails between Fenske and Lim regarding his (Fenske's) participation in the meeting.

7/15/20 E-mail from M. Lim asking for our contact numbers during the meeting in case they had questions. (Note: because of the postponed meeting in June, we had to be out of town and would be represented by Jim Fenske.)

7/16/20 Sent by M. Lim: Complaint letters from neighbors asking for denial of approval.

7/16/20 CHC Meeting – City Planner package requesting approval.

7/16/20 CHC after thorough discussion voted 3-0 to approve. Said we had to abide by various restrictions: Wait 15 days before starting to allow for appeals, plant a new tree and incur extra fines. (Recording of CHC meeting available at city website)

7/20/20 E-mail to Malinda Lim explaining why we had not responded before the CHC meeting, explaining why this process had been delayed so long, and thanking all involved at the city for their help in this process.

7/20/20 (1) E-mail to J. Fenske from Joanna Hankamer, Director of Planning, re: neighbor complaint that work has started too early, and forwarded to us. (2) Our response to J. Fenske that we were to installing a water heater cover, painting and clean up. Not related to new construction. We are aware of 15 day limitation and honoring it. (3) Information forwarded to J. Hankamer regarding activity.

7/20/20 E-mail from J. Fenske to J. Hankamer stating he intends to move on the construction documentation for the ADU once approved then to the construction documents for the addition., asking if that is correct. Also suggesting that in future remarks on the public record that staff warn complainant (Travis Dunville) to reconsider using language such as “fraud” that is potentially libelous.

7/20/20 (1) E-mail to J. Hankamer: We responded that we were doing work but that it was preparing for a new air conditioner pad and installing a new cover for our water heater. Also to make room for the new a/c we were disconnecting the washer and dryer. None of this had anything to do with the addition. (2) J. Hankamer e-mail saying complainant had videos of construction noise and demolition work. She is sending building inspector, please show him work we were doing and he can make a determination. (3) Our contemporaneous notes regarding visit of inspector and determination that no stop order or fine was given.



8/2 E-mail to J Fenske stating that a survey crew was here at 8:00 am on Sunday morning , apparently at the request of Mr. Dunville. No idea why that was done. Also asking him if he was aware on any requests for appeal as we had heard nothing.

8/2/20 E-mail from J. Fenske indicating no appeals had been filed and that he would begin to move forward with the permit for the ADU work. He also instructed us how to get permits online to do the work unrelated to the addition.

8/12/20 E-mail forwarded by me from J. Hankamer indicating another complaint from neighbor, and informing us for the first time that our project has been "called-up" to the city council for review. The end of the appeal was July 31 and why are we first hearing about this on August 12?

8/12/20 E-mail to Fenske explaining our frustration at continual harassment from neighbor when we are not working on the addition, and our difficulty getting permits. (2) His reply that we have a right to take out permits to maintain your home unrelated to addition

8/12/20 E-mails regarding "call-up" and M Lim's correction that it is not an appeal but a review. Various back and forth e-mails about how to get permits. J. Hankamer is cooperative in assisting us. Also E-mail to M. Lim regarding our rights if any to rebut this review.

8/14/20 E-mail from Dennis Tarango about what was needed to get permits.

8/18/20 E-mail to Cacciotti from us asking for reason for the call-up of our project, his response and our response back.

8/20/20 E-mail to J. Hankamer from us informing her of Cacciotti letter and asking for some formal request for the "Call-Up"

8/20/20 Sent site map requested by Nick at permittech to get permits.

8/20/20 Received Mechanical, Plumbing and Electrical permits.

8/21/20 E-mail to J. Hankamer informing her in advance that if she gets complaints today we are installing our much-awaited a/c with permits.



To: City Council Members  
From: Robert and Dianne Roybal  
Re: Project Number: 2238 – Request for Review

In 2002 we acquired this property and at that time it was neglected and run down.. We have since restored it faithfully to its original Craftsman architecture and has been very well maintained through the years. Our only issue is that the house is very small and inadequate requiring more living space. It has been our pursuit all along to add some square footage.

We have come to this impasse in our efforts to build an addition.

The CHC members were very conscientious and took considerable time and conversation to come to a unanimous approval on July 16, 2020.

Their acceptance of this project was predicated on three things:

1. That the project complies with codes
2. That it meets Secretary of Interior standards for historic properties
3. That it meets the City of South Pasadena design guidelines for historic properties.

The City Planning Staff stipulated that our project meets all three of these standards.

This modest addition will not only add to value our property, but will help boost and maintain property values along the entire block.

Because we had not taken out a permit for the project, the CHC and City Planning have decided to penalize us in the following ways:

1. Doubling our permit fees to the city
2. Requiring that no new additions be made to the property for five years.
3. Planting a replacement tree.

We have paid substantial fees and permits to the city in our effort to comply, as well as architectural and survey fees. As senior citizens on fixed incomes, we are concerned about the financial impact if we are not allowed to finish.

When we move forward, we will make every effort not to be disruptive in building. We will also make every effort to mitigate dust and debris, and will try as best we can to respect those that are working at home during this pandemic.

Mr. Travis Dunville wrote a letter requesting a review of the project that was approved at the CHC meeting on July 16<sup>th</sup>. He listed numerous issues he is contesting. Below are our direct responses to these issues. We have attempted to answer them in the order he stated them.

**Regarding carport issue on 2008 plans:** These involved an Edison setback that wasn't indicated on approved plans. We (owner) asked the city to scale down requirements by eliminating the upstairs bedroom addition and only doing the family room. It was discussed to be sufficient to move ahead. Subsequently, due to the financial crash of 2008, we had to postpone the project. A refund of permit fees only was given with the stipulation that the city would save the plans should we want to do the family room in the future, the plans are basically pre-approved.

**Re. Correction notice:** A formal Correction Notice was given and also a directive was sent giving us 30 days to obtain permits. This was in the form of an e-mail from J. Vallegas to J. Fenske. A hand written correction notice also was written on 3/22/18.

**Re. Chair review with Mr. Gallatin:** For clarification we were asking to keep the flat roof design, but he would only approve and did approve the gabled roof design as indicated on original plans with some door modification.

**Re. Building permit in June 2019:** Mr. Dunville is correct on this point and in effect the process was updated with changes in the size of the addition and its footprint.

**Re. Approvals dated 2008:** This is moot as process was reviewed and restarted commencing with the stop order on 3/22/18.

**Re. Visibility from the street:** You can see it from Wells Fargo parking lot? This defies credulity. Mr. Dunville is incorrect here again, only with considerable effort can you see anything, and rooflines are always visible, but this one is not. The body of the addition also cannot be seen.

**Re. The drawings in blue and red presented by planning to the CHC.** Note that these were presented to depict the proposed footprint of the addition and its approximate relation to other structures. Exact measurements are given on final plans.

**Re. ADU:** The structure in question was the original building and has permits. It is being converted to an ADU. All requirements have been completed except for the abandonment of address.

**Re. COA and Chair Review:** This review did happen 8/24/18. Two designs were presented one with a flat roof and one with a gabled roof. The chair preferred the

gabled roof, as it was consistent with the original design of the house. As for picking and choosing rules, isn't that the prerogative of the planning department In finding an equitable solution to this issue? Isn't it a question of how rules are interpreted and applied?

**Re. Removal of tree:** The tree in question was a non-mature multi trunked olive tree that a horticulturist determined to be competing with our native oak tree. Hence it was moved and replaced with a ginkgo biloba tree planted at the north side of the property.

**Re Multiple letters in opposition to the project:** Mr. Dunville sent letters soliciting neighbors to write letters in opposition to our project. It is doubtful any would have done this independently because the project does not impact our neighbors due to trees and fences that obscure it. There are at least 25 neighbors in the area. It should be noted that when a neighbor does not respond to the notice it shall be considered tacit approval.

**Re: Convoluted timeline and lag times:** Mr. Dunville's rendition of what transpired is factually incorrect. We submitted to you the actual timeline and records of events as they occurred. The lag times as stated were often caused by changes in personnel at the city. Several weeks, sometimes months would pass before new people were in place to pick up the ball. We waited patiently and inquired in a timely fashion as documented. Mr. Dunville complained that our project was taking too long, yet it has been his resistance that has added to the delay.

**Re facts and dimensions and resolution by survey:** When did we try to purchase a strip of land to conform? That simply never happened. On 10/1/19 Jose Villegas and an inspector visited our property to measure and view compliance with ADU process. He was verifying setback and measurements on the property. He asked us to pull a permit to remove gas meter from accessory unit. He later recommended that we do a survey, which we did.

**Re Ticked off and vindictive:** It is true that over the years we have had a relatively cordial relationship. However, since we moved here they have been quite opinionated about decisions we make regarding our property. During that time we have made no complaints whatsoever on them and have always tried to be neighborly and cooperative. However, Mr. Dunville. appears to be almost obsessively opposed our project. He claims to know more about our house than we do! His nit picking at every detail appears to be "ticked off and vindictive". it is completely untrue that we moved forward with construction on july 20<sup>th</sup>. As confirmed by the city inspector and as reported to city planning, we were preparing a place for a new a/c condenser and putting a new cover on our hot water heater. These activities had nothing to do with the addition. His continuing calling the city on this matter constitutes harassment.

We appreciate your review and consideration . Please refer to your time line.

# **Attachment 2**

## **Written Public Comment**

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**From:** L Chin [REDACTED] >  
**Sent:** Wednesday, September 16, 2020 12:56 PM  
**To:** PlanningComments <PlanningComments@southpasadenaca.gov>  
**Cc:** Michael Cacciotti - Personal [REDACTED] >  
**Subject:** Project #2238-COA; 1030 Brent Ave

**CAUTION:** This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

- 1) My name is Elizabeth Chin, 1701 Mission St, South Pasadena, CA 91030
- 2) Project #2238-COA; 1030 Brent Ave.

Dear City Council members,

In regards to the project #2238-COA , 1030 Brent Ave.

CEQA Section 15301 & Section 15331 exemption do not include "unpermitted" structure. If I remember correctly this patio had requested to be removed by the city before.

Based on my understanding , I don't see how these exemptions apply to the illegally built patio.

Everyone should equally follow the building code. I am sorry to ask will this be a special preference to someone?

Again, I am happy to see owners improving their property (follow the code). We always voted for the city on special assessments to improve the quality of life.

Thank you for reviewing my comments.

Thank You.  
Elizabeth Chin  
[REDACTED]

On Fri, Jul 3, 2020 at 6:37 PM L Chin [REDACTED] wrote:

Dear Mr. Gallatin,

Thank you all at the June 18 meeting. Good job! Well done!

I am aware that project number:2238-COA moved to the next meeting. I am looking forward to watching the July 16 meeting.

Thank You.  
Elizabeth Chin

[REDACTED]

On Thu, Jun 4, 2020 at 3:58 PM L Chin [REDACTED] wrote:

- 1) My name is Elizabeth Chin, 1701 Mission St, South Pasadena, CA 91030
- 2) Project #2238-COA; 1030 Brent Ave.

Dear Commissioners,

Regarding the consideration of a Certificate of Appropriateness to convert an unpermitted patio cover into habitable space.

My comments:

First, this unpermitted patio cover should follow South Pasadena City code requirements to submit a building permit get this patio cover legally permitted. It does not sound right to me. When the patio cover was built illegally and allow it convert to a living space.

My understanding the City of South Pasadena had required them to tear down this structure (patio) before (correct me if I am wrong). May be they should tear down the patio cover, get a permit to build an addition (additional living space) according to the city code.

I am happy to hear people willing to improve their property, getting more living space. But they need to follow the City Code requirements.

Thank you for reviewing my comments.

Thank You.  
Elizabeth Chin

[REDACTED]





**City of South Pasadena  
Planning and Community  
Development Department**

# Memo

**Date:** September 16, 2020

**To:** Mayor and Members of the City Council

**From:** Joanna Hankamer, Planning and Community Development Director  
Kanika Kith, Planning Manager

**Prepared By:** Malinda Lim, Associate Planner

**Re:** Additional Document for **Item No. 16** – 1030 Brent Avenue (Project No. 2238-RFR)

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Staff updated the presentation to include one new slide listing the options for the City Council's consideration, included as Slide No. 18.

**Attachments:**

1. Updated Staff's Presentation

# Attachment 1

## Updated Staff's Presentation



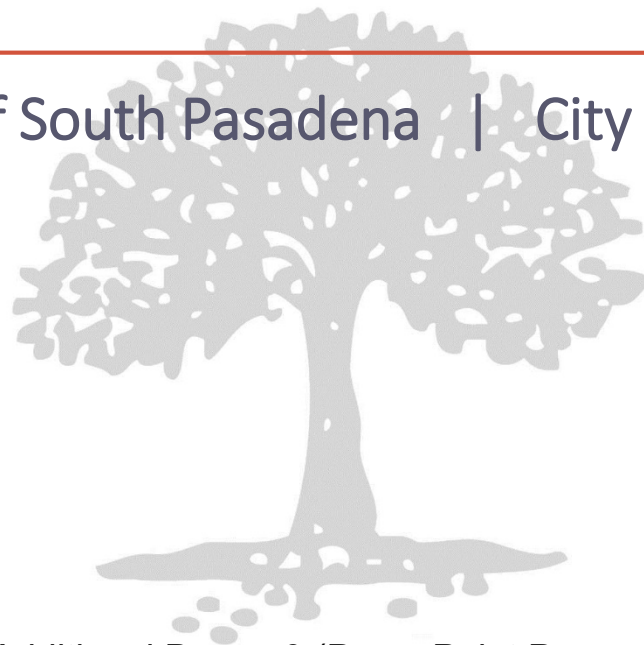
# 1030 Brent Avenue

## Project No. 2238-RFR

September 16, 2020

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City of South Pasadena | City Council





# Request For Review

- July 31, 2020 – 2 council members submitted the request
- In response to Mr. Travis Dunville's request to reconsider CHC decision





16 - Additional Docs - 5 (PowerPoint Presentation)









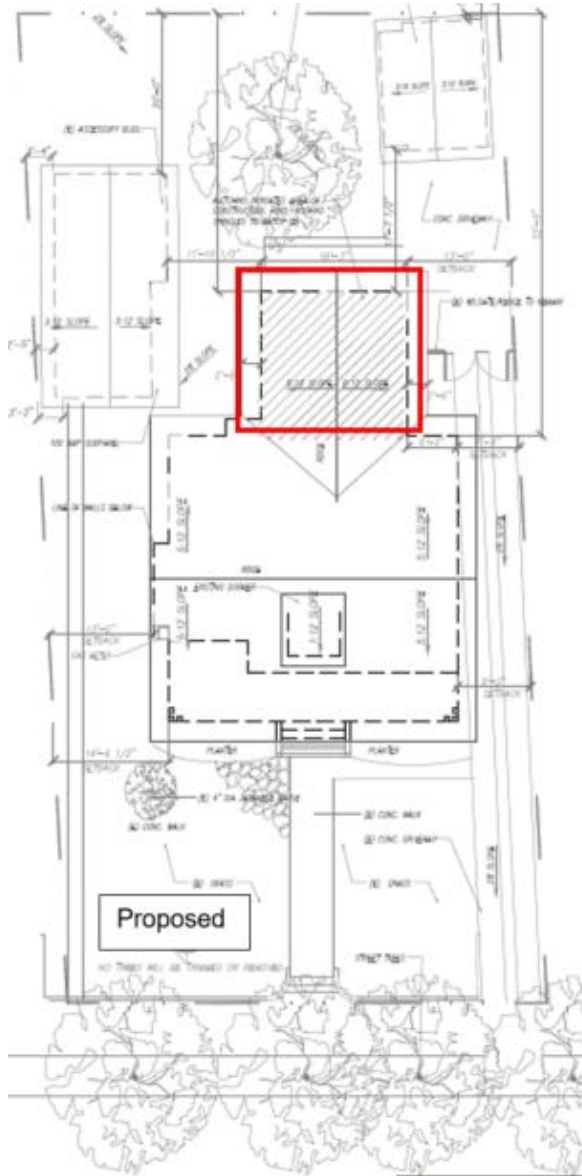
# Background History

- 2007 - Approval by CHC and DRB
- June 2008 - Staff approves the removal of the proposed second story addition
- March 2018 – Notification of unpermitted work
- January 2019 – CHC Chair approves a 293 sq. ft. rear addition
- June 2019 – Owner submits plans for a building permit inconsistent with January 2019 CHC Chair approval

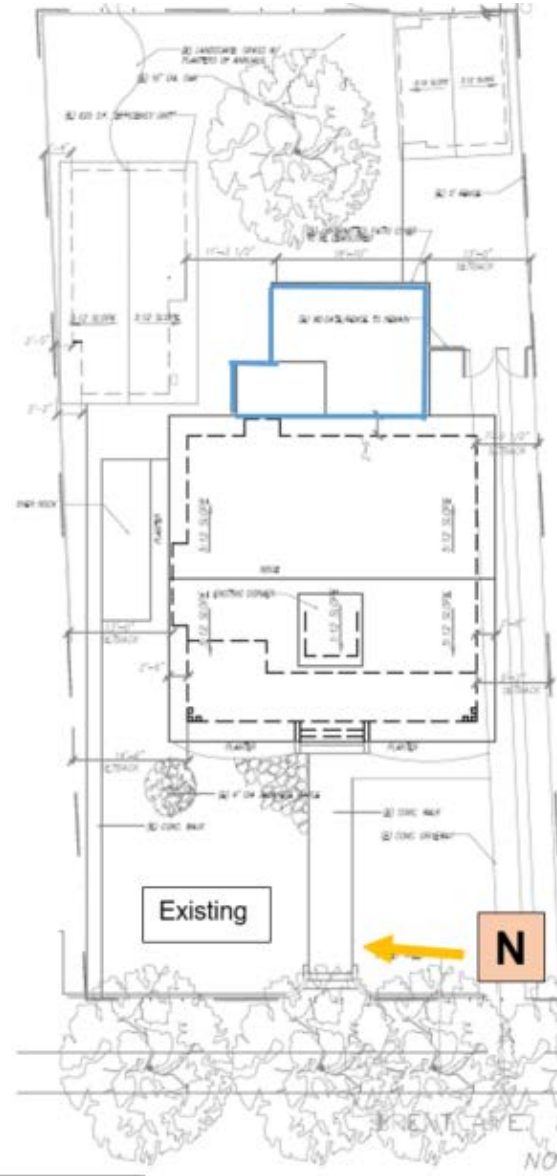




Proposed Site Plan



Existing Site Plan



— Area to be demolished  
— New addition area







## Existing West Elevation



*PROPOSED WEST ELEVATION (NO CHANGE)*  
*SCALE: 1/4" = 1'-0"*











# July 16, 2020 CHC

- Project passes 3-0
- Questions from Commission:
  - Was the detached unit that was converted into an accessory dwelling unit (ADU) permitted?
  - How many trees were removed without permit?
  - What was the delay for Code Enforcement compliance?
  - Can the proposed addition be denied?





# Issues Raised by Mr. Travis Dunville

1. *Staff stated in June 2008, Planning & Building staff approved the 400 square-foot carport removal*
2. *Staff stated a correction notice was issued in March of 2018.*
3. *Staff's statement that the CHC Chairman approved the minor modifications to the plans on August 24, 2018.*
4. *Staff's statement that the owner applied for a building permit in June 2019 based on the 8/24/18 CHC Chair approval but was found to be inconsistent. Then stated, based on all the changes from the originally approved COA, a new COA would be needed.*
5. *Staff's statement that there were 4 code issues with this property and 3 resolved without mentioning how they were resolved. Staffer stated while a single story was approved by CHC, the CHC chair stated he did not approve. The other single-story approval in 2008 by staffers.*
6. *Staff's statement that the proposed would not be visible from the street.*
7. *Staff's figure of the existing site plan outlined in blue.*





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# Conditions

- Record a covenant for removal of the unpermitted patio cover if the proposed addition is not built and for the proposed addition to be completed within 18 months from the date of approval of the Certificate of Appropriateness.
- Restrict the issuance of building permits for renovation or addition for 5 years.
- Double the cost of the building permit for the inspection fee.





# Staff Recommendation:

City Council **uphold** the Cultural Heritage Commission's approval of Project No. 2238-COA, Certificate of Appropriateness for 1030 Brent Avenue





# City Council Options:

- Approve with additional condition(s) added (e.g. demolition of the unpermitted patio cover prior to submittal of a building permit for the proposed addition); or
- Send the project back to the CHC for reconsideration; or
- Deny the project if required findings cannot be made.





# Questions?





**City of South Pasadena  
Management Services  
Department**

# Memo

**Date:** September 15, 2020

**To:** The Honorable City Council

**Via:** Paul Riddle, Acting City Manager

**From:** Paul Riddle, Acting City Manager

**Re:** September 16, 2020, City Council Meeting Item No. 17 Additional Document  
– Adoption of a Resolution Confirming the Fire Department’s Compliance with  
Mandated Inspection Duties

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The attached additional document shows the redline edits to the staff report clarifying the mandated inspections for South Pasadena schools and nursing facilities.



# City Council Agenda Report

ITEM NO. \_\_\_\_\_

**DATE:** September 16, 2020

**FROM:** Stephanie DeWolfe, City Manager

**PREPARED BY:** Paul Riddle, Fire Chief

**SUBJECT:** **Adoption of a Resolution Confirming the Fire Department's Compliance with Mandated Inspection Duties**

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## **Recommendation**

It is recommended that the City Council adopt the resolution acknowledging the receipt of the Fire Department's annual report of compliance for mandated inspection duties.

## **Commission Review and Recommendation**

This matter was reviewed by the Public Safety Commission.

## **Discussion/Analysis**

Existing law requires the Fire Department of any city, county, or district to inspect on an annual basis certain types of occupancies within their jurisdiction. These occupancies include schools, hotels, motels, lodging houses, apartment houses and accessory structures to those buildings. The purpose of these annual inspections is to ensure compliance with building standards and fire regulations.

As of January 1, 2019, Senate Bill (SB) 1205 requires the Fire Department to submit an annual report to the City Council confirming the Fire Department's compliance with its mandatory inspection duties. SB 1205 also requires that the annual report be given during the annual budget preparation or at another time set by the City Council. The City Council must acknowledge the receipt of the report by resolution.

In 2019, the Fire Department completed 1,206 inspections with 484 of the completed inspections State Mandatory Occupancies. The Fire Department was compliant in 2019 with its mandated inspection duties. The completed inspections were as follows:

- **Business Inspections, 722**
- **Apartment Inspections, 474** – *State Mandatory Occupancy*

- **Schools, ~~Six~~ Seven** – *State Mandatory Occupancy*
  1. South Pasadena High School
  2. South Pasadena Middle School
  3. Marengo Elementary School
  4. Monterey Hills Elementary School
  5. Arroyo Vista Elementary School
  6. Home Pre Schools and Day Care Centers
  7. Holy Family Church
  
- ~~—~~ **Nursing Care Facility Homes, ~~Four~~ Three** – *State Mandatory Occupancy*
  - ~~1.~~ 2. ~~South Pasadena Convalescent Hospital~~
    - ~~2.1.~~ 2.1. Prospect Manor
    - ~~3.2.~~ 3.2. Meridian Manor
    - ~~4.3.~~ 4.3. South Pasadena Care Center

The inspections were completed by suppression personnel as well as the Department’s Fire Prevention Specialist. Suppression personnel typically inspect businesses and the Fire Prevention Specialist is assigned to the mandated occupancies.

### Background

The Fire Department is responsible for conducting annual fire inspections for the City. The purpose of the annual inspections is to ensure that business, schools, apartments, hotels, and assisted living facilities are compliant with building standards and fire regulations. As previously stated, existing law requires the Fire Department to inspect certain occupancy types in the City and as a result of SB 1205, provide a report to the City Council.

In December 2016, a deadly fire at an Oakland warehouse, known as the Ghost Ship, killed 36 people, the highest death toll for a structure fire in the United States in over 10 years. The Ghost ship was a two-story warehouse that had been leased to artist who lived and worked in the building, periodically using it for events. Zoned as a warehouse, neither residential nor assembly uses were permitted by the city. Media reports suggested that the Ghost Ship hadn’t been inspected in 30 years. Had an inspection occurred, officials could have raised concerns about the safety and occupancy of the building.

SB 1205 was introduced in August, 2018 and deals with the issue of some local fire departments failing to keep up with the statutory-related annual building inspections. By requiring annual reporting of their compliance to the local city council or board of supervisors, the bill is intended to apply local pressure to comply.

### Legal Review

The City Attorney has reviewed this item.



**Fiscal Impact**

There is no fiscal impact as a result of SB 1205. The Fire Department has been compliant with the annual inspections of mandated occupancies for at least the previous 10 years.

**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*.

Attachment: Resolution



## City of South Pasadena Planning and Community Development Department

# Memo

**Date:** September 15, 2020  
**To:** The Honorable City Council  
**Via:** Paul Riddle, Interim City Manager  
**From:** Joanna Hankamer, Director of Planning and Community Development  
Margaret Lin, Manager of Long Range Planning and Economic Development  
**Re:** September 16, 2020, City Council Meeting Item No. 18 Additional Document –  
Ratify Appointments for the Regional Housing Needs Assessment Appeal Ad  
Hoc Committee

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Attached is an additional document which provides a revised recommendation for the Regional Housing Needs Assessment (RHNA) Appeal Ad Hoc Committee.

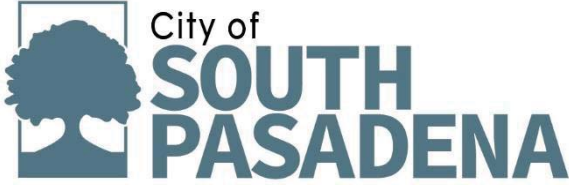
Following the close of the application period at 3:00 PM on September 11, 2020, Planning Commission Chair Braun and Vice-Chair Lesak participated on a call with Staff to review the three applications that were received. Based on the discussion, Staff recommends that the City Council ratify the appointments for the RHNA Appeal Ad Hoc Committee for a total of five members including the following individuals:

- Planning Commission Representatives
  - Janet Braun, Chair
  - John Lesak, Vice-Chair
- Community Members
  - Mark Gallatin, Cultural Heritage Commission Chair
  - Patrick Kirchen
  - Zhen Tao, Finance Commission Chair

Each applicant has demonstrated a significant amount of experience with the RHNA, housing elements, and the City's planning processes. Two of the community member applicants are also City commissioners. In addition, each individual provides a unique perspective that will be important in developing a comprehensive appeal for the City.

Attachment: RHNA Appeal Ad Hoc Committee Applications

**ATTACHMENT 1**  
RHNA Appeal Ad Hoc Committee Applications



# RHNA Appeal Ad Hoc Committee Application

(This Application is a Public Document)

On September 2, 2020, the City Council made a motion requesting the creation of a temporary 6<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA) Appeal Ad Hoc Committee (Committee). Residents are the underpinning of our community and the Mayor and City Council encourage your participation by volunteering to serve on the City’s Committee. The Committee will be comprised of two Planning Commissioners and a minimum of two residents to support staff on matters related to the City’s RHNA allocation appeal.

Full Name: Mark Steven Gallatin

Home Address: [REDACTED]

Preferred Phone No.: [REDACTED]

Secondary Phone No.: [REDACTED]

Email Address: [REDACTED]

<p>Are you a registered voter of the City of South Pasadena?</p> <p>Yes      No</p> <p><b>Yes</b></p>	<p>Have you ever been convicted of a crime other than a minor traffic violation/infraction?</p> <p>Yes      <b>No</b></p> <p>If yes, please describe the nature of each conviction under “remarks.”</p>
<p>Are you available to meet with the Committee and Staff using virtual meeting technology often during the 45-day appeal period?</p> <p><b>Yes</b>      No</p>	<p>How familiar are you with RHNA, Housing Elements, and Planning?</p> <p>0 1 2 3 4 5 6 7 8 9 <b>10</b></p> <p>0 - Not Familiar; 10 - Professional</p>
<p>How familiar are you with the City’s local history, resources, and planning processes?</p> <p>0 1 2 3 4 5 6 7 8 9 <b>10</b></p> <p>0 - Not Familiar; 10 - Professional</p>	<p>How comfortable are you reviewing technical documents?</p> <p>0 1 2 3 4 5 6 7 8 9 <b>10</b></p> <p>0 - Not Familiar; 10 - Professional</p>

(Additional sheets may be attached – You are welcome to provide a resume and/or letters of endorsement)

Occupational Experience: 32+ years experience as a City Planner and Planning Manager for two cities in the west San Gabriel Valley.

Educational Background: B.A. in Urban Studies, Cal State L.A. 1984, Masters Degrees in Urban and Regional Planning and Public Administration, U.S.C. 1992.

What relevant skills or experience can you bring to assist the City in developing its RHNA appeal: I have successfully managed the adoption of five housing elements during my career.

Why do you want to serve on the Committee: I want to offer my skills and experience to the City

and contribute to what will hopefully be a successful appeal resulting in a more realistic RHNA allocation better reflective of the scale and character of South Pasadena.

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Civic or community experience, membership, or previous public service appointments: \_\_\_\_\_

**Member, Cultural Heritage Commission since 2016, Chair since 2018.**

Member South Pasadena Preservation Foundation Board of Directors since 2017, President since 2019.

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Additional Information/Remarks: \_\_\_\_\_

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### **Who Can Be Appointed to the Committee?**

All registered voters within the South Pasadena City limits are eligible for appointment to an advisory body. Elected City officials and City employees are not eligible for membership on any board or commission. This is not a legislative body, and therefore, is not subject to the Brown Act.

### **How Does the Process Work?**

Filing period begins Thursday, September 3, 2020 and ends on Friday, September 11, 2020 at 3:00 P.M. All candidates will be appointed by the Mayor and ratified by the City Council during the Wednesday, September 16, 2020, City Council Meeting. The Committee is temporary and the term of the Committee will expire once the RHNA appeal period has concluded.

### **Where Do I File My Application?**

Completed applications should be submitted via email to:

City of South Pasadena  
Margaret Lin, Manager of Long Range Planning and Economic Development  
[mclin@southpasadenaca.gov](mailto:mclin@southpasadenaca.gov)

If you wish to drop off completed documents in person, please contact (626) 403-7236 for an appointment.



# RHNA Appeal Ad Hoc Committee Application

(This Application is a Public Document)

On September 2, 2020, the City Council made a motion requesting the creation of a temporary 6<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA) Appeal Ad Hoc Committee (Committee). Residents are the underpinning of our community and the Mayor and City Council encourage your participation by volunteering to serve on the City's Committee. The Committee will be comprised of two Planning Commissioners and a minimum of two residents to support staff on matters related to the City's RHNA allocation appeal.

Full Name: Patrick Kirchen

Home Address: [REDACTED]

Preferred Phone No.: [REDACTED]

Secondary Phone No.: \_\_\_\_\_

Email Address: [REDACTED]

<p>Are you a registered voter of the City of South Pasadena?</p> <p><input checked="" type="radio"/> Yes    <input type="radio"/> No</p>	<p>Have you ever been convicted of a crime other than a minor traffic violation/infraction?</p> <p>Yes    <input checked="" type="radio"/> No</p> <p><small>If yes, please describe the nature of each conviction under "remarks."</small></p>
<p>Are you available to meet with the Committee and Staff using virtual meeting technology often during the 45-day appeal period?</p> <p><input checked="" type="radio"/> Yes    <input type="radio"/> No</p>	<p>How familiar are you with RHNA, Housing Elements, and Planning?</p> <p>0 1 2 3 4 5 6 7 8 <input checked="" type="radio"/> 9 10</p> <p><small>0 - Not Familiar; 10 - Professional</small></p>
<p>How familiar are you with the City's local history, resources, and planning processes?</p> <p>0 1 2 3 4 5 6 7 <input checked="" type="radio"/> 8 9 10</p> <p><small>0 - Not Familiar; 10 - Professional</small></p>	<p>How comfortable are you reviewing technical documents?</p> <p>0 1 2 3 4 5 6 7 8 <input checked="" type="radio"/> 9 10</p> <p><small>0 - Not Familiar; 10 - Professional</small></p>

(Additional sheets may be attached – You are welcome to provide a resume and/or letters of endorsement)  
**Please see Attached Sheet for all Answers**

Occupational Experience: \_\_\_\_\_

Educational Background: \_\_\_\_\_

What relevant skills or experience can you bring to assist the City in developing its RHNA appeal: \_\_\_\_\_



Why do you want to serve on the Committee: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Civic or community experience, membership, or previous public service appointments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Additional Information/Remarks: \_\_\_\_\_  
\_\_\_\_\_

**Who Can Be Appointed to the Committee?**

All registered voters within the South Pasadena City limits are eligible for appointment to an advisory body. Elected City officials and City employees are not eligible for membership on any board or commission. This is not a legislative body, and therefore, is not subject to the Brown Act.

**How Does the Process Work?**

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**Where Do I File My Application?**

Completed applications should be submitted via email to:

City of South Pasadena  
Margaret Lin, Manager of Long Range Planning and Economic Development  
[mclin@southpasadenaca.gov](mailto:mclin@southpasadenaca.gov)

If you wish to drop off completed documents in person, please contact (626) 403-7236 for an appointment.

Answers to line items:

**Occupational Experience:**

Owner/Operator of Crossings Restaurant, Partner 47th Parallel Wines, General Manager at Patina Restaurant Group

**Educational Background:**

BA in English Literature, California State University Los Angeles,  
Strategic Marketing Management Business Course, Harvard

**What relevant skills can you bring to assist the city in developing its RHNA appeal?:**

With most of my professional experience in the service industry, I work well with others in a team environment. When opening my restaurant in the city, I spent a significant amount of time learning about city codes and zoning. I also spent time working with various agencies to make sure we met or exceeded every requirement for our project. I spent time working with the city's planning and public works departments to discuss the best ways to tackle certain issues our needs brought about, such as the best way to connect our water line to the city's main line on the opposite side of Mission.

Working with the city and county agencies required me to learn what the requirements for certain aspects of our project were, in order to have conversations with those approving our proposals. Despite having a very qualified contractor and architect, I took on the role of project manager and educated myself to make sure I knew exactly what our options were so we could make the best choices. I spent a lot of time navigating websites for various government agencies to locate the information needed.

**Why do you want to serve on the committee?:**

I have lived in South Pasadena for 18 years. We own two homes in South Pasadena. Our son attends the middle school and we are planning on him attending the high school. I am very aware of the many issues facing our city, especially with the recent economic effects of the pandemic. I know the city's resources are stretched and so is the staff and the time they have to focus on the many issues the city is facing.

I have learned quite a bit about the RHNA process over the last month and I would like to help the city navigate the appeal process by providing support.

I currently have the time to spend researching various angles of appeal and harvesting data and information to provide to the city staff to structure an appeal.

I recently participated in a phone call with SCAG discussing the metrics used to come up with the RHNA numbers. Knowing this information gives us the opportunity to question the methods used and pose more questions. We also were able to pose possible appeal points during the conversation and receive feedback as to the relevance and probability of being considered. I would like to continue pursuing these opportunities and I believe my time spent would be most useful to the Committee.



**Civic or Community experience, membership, or previous public service appointments:**

I served on the board for non-profit Professional Child Development Associates in Pasadena for 6 years.

**Additional Information/Remarks:**

I have spent many hours over the last several weeks putting time into research and fact gathering regarding the RHNA proposals.

I have engaged with various groups of concerned citizens discussing the issues the RHNA numbers pose to our city's development plans both now and in the future, as well as the possibility of losing local control over how our city develops if we do not properly deal with the proposed numbers and zoning adjustments. Everyone I have spoken to has asked me why I am not involved in the appeals process. This committee is the best way for me to participate I believe.



# RHNA Appeal Ad Hoc Committee Application

(This Application is a Public Document)

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Full Name: Zhen Tao

Home Address: [REDACTED]

Preferred Phone No.: [REDACTED]

Secondary Phone No.: \_\_\_\_\_

Email Address: [REDACTED]

<p>Are you a registered voter of the City of South Pasadena?</p> <p><input checked="" type="radio"/> Yes    <input type="radio"/> No</p>	<p>Have you ever been convicted of a crime other than a minor traffic violation/infraction?</p> <p>Yes    <input checked="" type="radio"/> No</p> <p>If yes, please describe the nature of each conviction under "remarks."</p>
<p>Are you available to meet with the Committee and Staff using virtual meeting technology often during the 45-day appeal period?</p> <p><input checked="" type="radio"/> Yes    <input type="radio"/> No</p>	<p>How familiar are you with RHNA, Housing Elements, and Planning?</p> <p>0 1 2 3 4 5 6 7 8 <input checked="" type="radio"/> 9 10</p> <p>0 - Not Familiar; 10 - Professional</p>
<p>How familiar are you with the City's local history, resources, and planning processes?</p> <p>0 1 2 3 4 5 6 7 8 <input checked="" type="radio"/> 9 10</p> <p>0 - Not Familiar; 10 - Professional</p>	<p>How comfortable are you reviewing technical documents?</p> <p>0 1 2 3 4 5 6 7 8 <input checked="" type="radio"/> 9 10</p> <p>0 - Not Familiar; 10 - Professional</p>

(Additional sheets may be attached – You are welcome to provide a resume and/or letters of endorsement)

Occupational Experience: Please see attached for all below

Educational Background: \_\_\_\_\_

What relevant skills or experience can you bring to assist the City in developing its RHNA appeal: \_\_\_\_\_

Why do you want to serve on the Committee: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Civic or community experience, membership, or previous public service appointments: \_\_\_\_\_  
\_\_\_\_\_

Additional Information/Remarks: \_\_\_\_\_  
\_\_\_\_\_

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**How Does the Process Work?**

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**Where Do I File My Application?**

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City of South Pasadena  
Margaret Lin, Manager of Long Range Planning and Economic Development  
[mclin@southpasadenaca.gov](mailto:mclin@southpasadenaca.gov)

If you wish to drop off completed documents in person, please contact (626) 403-7236 for an appointment.



**Occupational Experience:**

I have over 17 years of experience in financial research and analysis. My work focuses on the detailed research and analysis of various companies, topics and industries.

**Educational Background:**

I am a graduate of The Wharton School, University of Pennsylvania, with a concentration in finance and information systems.

**What relevant skills or experience can you bring to assist the City in developing its RHNA appeal:**

I've followed the RHNA process very closely in the past months and have proactively reached out to SCAG multiples times to seek more information and clarification on a number of their input assumptions. Along with a group of residents, we have mapped out a framework as a basis for an appeal, which includes historical elements, infrastructure capacity, school capacity, as well as making an argument against the HQTAs designations. I already have a solid amount of subject matter knowledge in this area which I believe would be helpful in the preparation of the appeal. With my background in research and analysis, I hope to help provide solid factual and quantitative support for our appeal to increase our likelihood of success in the appeal process.

**Why do you want to serve on the committee:**

We moved to South Pasadena four years ago and immediately fell in love with the city and its strong sense of community. We have since grown our family and hope to make this city our forever home. What we found in South Pasadena is a beautiful and unique community and hope we can maintain that going forward with thoughtful growth that meets our community values.

**Civic or community experience, memberships, or previous public service appointments:**

I currently serve as the Vice Chair of the South Pasadena Finance Commission and have been actively involved with a group of concerned residents in the city regarding the RHNA housing element and how it may affect South Pasadena. I have also been researching the HQTAs designations within the city which is the reason for 986 units of our 2062 unit allocation. We have spoken with SCAG representatives on the matter and are seeking further clarifications on the validity of the Fair Oaks corridor being considered a high-quality transit corridor.

**Additional Information/Remarks:**

I look forward to the opportunity to serve on this committee and feel that my background and knowledge can be a great asset to this effort.



## City of South Pasadena City Clerk Division

# Memo

**Date:** September 16, 2020

**To:** The Honorable City Council

**Via:** Paul Riddle, Acting City Manager

**From:** Maria E. Ayala, Chief City Clerk

**Re:** September 16, 2020, City Council Meeting Item No. 19 Additional Document – Approval of Option for Continued Virtual Public Commission Meetings

---

This additional document is intended to provide additional information regarding virtual meetings for the Planning Commission, Cultural Heritage Commission, and Design Review Board. This information came as a result of a recent staff meeting, and, therefore, was not able to be initially provided in the agenda packet that was published last week.

Prior to transitioning to virtual meetings the Planning Commission was the only other entity that had their meetings streamed and broadcast (in addition to the Council Meetings). Although it was indicated in the original staff report that the option being recommended (Option 1) was to apply to all commissions with the exception of the Planning Commission, staff is now recommending that Planning Commission also be included to follow the same format as the Cultural Heritage Commission and the Design Review Board.

Because of the complexities within the subject matter of these three commissions and the legal processes that must be followed with a variety of their agenda items, staff has expressed that it is critical that all three bodies follow the same virtual meeting protocols.

Additionally, because these three bodies currently utilize GoTo Meetings as their virtual meeting platform, a change to comply with Option 1, would necessitate the department's subscription for one (1) annual Zoom Webinar account at a cost of \$400 (to better accommodate their meeting needs). Planning Department has indicated that supporting a new platform would not pose any issues; and they would continue to take public comment as they do now (via email and via recorded public comment).



**City of South Pasadena  
Management Services  
Department**

# Memo

**Date:** September 16, 2020

**To:** The Honorable City Council

**Via:** Paul Riddle, Acting City Manager

**From:** Lucy Demirjian, Assistant to the City Manager  
Teresa Highsmith, City Attorney

**Re:** September 16, 2020, City Council Meeting Item No. 21 Additional Document –  
Formation of Finance Ad Hoc Committee

---

Since the posting of the agenda, Councilmember Rossi has provided additional comments for consideration:

**Proposed composition and scope:**

1. Composition:
  - Two members of the Finance Commission,
  - Up to two members of the City Council, and
  - Two residents
2. Scope: To work with, and through, Staff (specifically Armine Trashian and Albert Trinh) to accomplish the following goals in advance of the November 3, 2020 elections:
  - Help ensure the 2018/19 CAFR is completed,
  - Help ensure the 2019/20 CAFR, while already delayed, is started and gets back on track for timely completion,
  - Finalize the 2020/21 Budget process,
  - Research and make recommendations (through Staff) to the Finance Commission and City Council regarding best practices for monthly and quarterly closing and reporting policies, and
  - Assess whether it is advisable for Staff to recommend a forensic audit be conducted for the period from July 2019 through the current period

## **Proposed selection processes for the committee:**

### **Option 1**

Issue on September 17, 2020 a Joint Finance Commission / City Council AdHoc Committee application with completed applications due to the City by September 25, 2020. The two resident participants would then be selected by the Finance Commission at a special meeting to be held during the week of September 28, 2020. The application would be issued via a press release and subsequently posted to the City's Finance Commission webpage, Facebook page, E-neighbors, and City Hall Scoop. It should be noted that Staff hours would need to be dedicated to the development, collection and processing of the applications as well as preparation of a Staff report for presentation to the Finance Commission during the special meeting.

### **Option 2**

Given the urgency of the needed financial reporting, the sensitivity of the information being reviewed, the specific background experience desired for the residents to be included in the AdHoc Committee, and the limited number of residents required for the AdHoc Committee, the City Council could provide direction as to specific residents that would meet the qualifications for participation in the Joint Finance Commission / City Council AdHoc Committee and have Staff reach out to them directly.

If those individuals are not interested in volunteering, then Staff can then initiate a public application process (as per Option 1) on Monday, September 21, 2020 with applications due by Monday, September 28, 2020 and in time for a special meeting of the Finance Commission later that same week.

**E-mail Public Comment 9/16/2020 REGULAR City  
Council Meeting**

**GENERAL PUBLIC COMMENT**

1. Stephanie Moreno
2. Sam Burgess
3. Chloe Martinez
4. Elizabeth Mason
5. Josh Betta
6. Chuck Jones



**From:** [Stephanie Moreno](#)  
**To:** [City Council Public Comment](#)  
**Subject:** Public Comment for City Council Meeting - 9/16/20  
**Date:** Tuesday, September 8, 2020 12:43:24 PM  
**Attachments:** [City Invite 100120 Final.pdf](#)

---

**CAUTION:** This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I would like to submit this information to the City Council Members during public comment at the city council meeting on 9/16/20. Thank you.



**SAN GABRIEL BASIN  
WATER QUALITY AUTHORITY**

# **SPECIAL UPDATE FOR CITY OFFICIALS**

**THURSDAY, OCTOBER 1, 2020**

**2:00 PM**

**ONLINE WEBINAR**

**Topics include:**

- **New City Funding for Groundwater Treatment**
- **PFAS Impact on the San Gabriel Valley**

To attend the webinar please register using the following link  
<https://attendee.gotowebinar.com/register/7567504636076036363>

For more information or questions contact Stephanie Moreno at [stephanie@wqa.com](mailto:stephanie@wqa.com)

*Stephanie Moreno*

San Gabriel Basin Water Quality Authority

626-338-5555 – office

[Stephanie@wqa.com](mailto:Stephanie@wqa.com)

[www.wqa.com](http://www.wqa.com)



**SAN GABRIEL BASIN  
WATER QUALITY AUTHORITY**

**SPECIAL UPDATE FOR  
CITY OFFICIALS**

**THURSDAY, OCTOBER 1, 2020**

**2:00 PM**

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To attend the webinar please register using the following link  
<https://attendee.gotowebinar.com/register/7567504636076036363>

For more information or questions, please contact Stephanie Brennan at [stephanie@wqa.com](mailto:stephanie@wqa.com)

**PC - Additional Docs - 4**

**From:** [Sam Burgess](#)  
**To:** [City Council Public Comment](#)  
**Subject:** Item #2--Open Session, Public Comment  
**Date:** Tuesday, September 15, 2020 8:30:29 PM

---

**CAUTION:** This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Re: Major Fire Hazard on the Horse/Hiking Trail

Mayor Joe and Council Members,

This is my 3rd comment in the last 4 years concerning this issue. Since the 1980's, I have walked the trail from the Nature Park to the Pasadena City limit (and many miles beyond).

Since this time, and to my knowledge, pruning of trees and clearing of dead underbrush has never taken place. Over this 35-40 year time, these trees and other plants have grown up and then died alongside and into the fence separating the golf driving range and the trail while both sides of the trail are littered and covered with dead trees and underbrush.

I do not need to remind you of the fire hazard. What I hope you understand is that when the fire does occur, the entire fence separating the driving range from the trail and the 40' high support poles will burn. There will be nothing left. The economic cost to the golf course will be substantial. And if the wind blows, either the golf course buildings or the private property along Arroyo Drive will be destroyed by windblown embers.

Please do not view this as a "sky is falling!" scenario. It is a reality.

Attached are photos of the trail showing my concerns. I encourage you to walk this short section of the trail and view it yourselves.

<https://photos.app.goo.gl/7mmhc3bz2cUEJ8XeA>

**From:** [Chloe Martinez](#)  
**To:** [City Council Public Comment](#)  
**Subject:** Public Comment  
**Date:** Wednesday, September 16, 2020 11:09:03 AM

---

**CAUTION:** This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear city council and city staff,

Thank you for your hard work. 2020 has been a difficult year for all of us. But now is the time we need you to establish your leadership over your constituency. We need you to take a difficult, but correct stand.

On November 3, 2020, Proposition 16 seeks to eliminate the California Constitution that will take us back into the 1960's. If Proposition 16 passes government will be legally permitted to discriminate based on race or gender.

Although Proposition 16 is summarized as providing for diversity, "governmental preferences" is a legalized form of discrimination.

You, as elected officials will no longer be permitted to work with companies with the best pricing and quality. You will be forced to work with whatever or whoever the state requires you to based on a preference, which is ambiguous on its face. You will be facing fiscal impact that's caused by less open competitions.

Further, your residents will be impacted. You will need to explain to certain races and genders that they get a minus. Not based on their merit. But merely because they were born into the wrong race or gender.

That's why, as a resident and constituent, I'm requesting you to a public stand against Proposition 16. Join hundreds of politicians, civil rights leaders, parents, and children to oppose proposition 16.

To find out more about Proposition 16 please click this link: [NoProp16.info](#) and [StopProp16.org](#)

Thank you!

A Concerned resident

Chloe Martinez

**From:** [Elizabeth Mason](#)  
**To:** [City Council Public Comment](#)  
**Subject:** Public Comment  
**Date:** Wednesday, September 16, 2020 11:17:07 AM

---

**CAUTION:** This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear city council members, city staff and fellow residents,

As the election season is coming up, I would like to draw your attention to Prop 16 which is about government preferences.

The California Constitution says: "a) The State SHALL NOT discriminate against, or grant PREFERENTIAL treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

Proposition 16 will strike out and eliminate this language from the California Constitution. No substitute is provided.

However, the summary being put forth to voters is this: "ALLOWS DIVERSITY AS A FACTOR IN PUBLIC EMPLOYMENT, EDUCATION, AND CONTRACTING DECISIONS. LEGISLATIVE CONSTITUTIONAL AMENDMENT."

If diversity is the goal (according to the summary) why eliminate the Constitution that says you cannot benefit one race/gender over another? Why not propose a proposition that says it? If you specifically benefit one race/gender over another isn't THAT discrimination?

Some people say that this Proposition will hurt one or two races specifically because of their higher performances in College admissions, which I don't agree. In the long run, it hurts everyone and it hurts our state because Prop 16 will eliminate equal opportunity and fair competition which made California one of the most prosperous and diversified states in the whole country.

Therefore, please take the time to read everything this year and be an informed Voter. I also urge the city council to take a position to oppose Prop 16. Prop 16 will legalize discrimination and waste tax money to fund the bureaucracy. Our city doesn't need it. California doesn't need it!

A Concerned resident

Elizabeth Mason

**From:** [Josh Betta](#)  
**To:** [Stephen Rossi](#); [Michael Cacciotti](#); [Michael Cacciotti - Personal](#); [Diana Mahmud](#); [Diana Mahmud](#); [Dr. Richard Schneider - Personal](#); [Robert Joe](#); [Robert Joe](#); [All Commissions](#); [City Council Public Comment](#); [mallerdice@chwlaw.us](#); [gbell@chwlaw.us](#); [cbrock@chwlaw.us](#); [hcanvanaugh@chwlaw.us](#); [mcolantuono@chwlaw.us](#); [Teresa Highsmith](#); [jdcristina@chwlaw.us](#); [ndamle@chwlaw.us](#); [rdunn@chwlaw.us](#); [agiragosian@chwlaw.us](#); [pgraham@chwlaw.us](#); [charkins@chwlaw.us](#); [showard@chwlaw.us](#); [ajared@chwlaw.us](#); [jjones@chwlaw.us](#); [jlee@chwlaw.us](#); [levin@chwlaw.us](#); [jpancake@chwlaw.us](#); [arawcliffe@chwlaw.us](#); [rreed@chwlaw.us](#); [druderman@chwlaw.us](#); [lshoemaker@chwlaw.us](#); [asparrow@chwlaw.us](#); [mslentz@chwlaw.us](#); [msummers@chwlaw.us](#); [hwhatley@chwlaw.us](#); [lwcyoff@chwlaw.us](#); [lzagarolia@chwlaw.us](#)  
**Cc:** [Ben Tansey](#); [Josh Betta](#); [Steven Lawrence](#); [Bill Glazier](#); [Jan Marshall](#); [Keena Betta Moro](#); [Yolanda Guterrez](#); [Anne Bagasao](#); [Mary Urquhart](#); [Sheila Tully](#); [City Clerk's Division](#); [Sheila Rossi](#); [Joanne Nuckols](#); [Ellen Teez](#); [ezneimer](#); [Chris Bray](#); [Zhen Tao](#); [Edward Elsner](#); [edwinmchoi@gmail.com](#); [Ellen Wood](#); [Evelyn Zneimer](#); [Paul Riddle](#); [Lucy Demirjian](#); [Cathy Billings](#); [Joanna Hankamer](#); [Joe Ortiz](#); [Gary Pia](#); [Marina Khubesrian](#); [Marina Khubesrian](#); [FFindley](#); [rscheider@southpasadenaca.gov](#); [Karen Aceves](#); [City Manager's Office](#); [Maria Ayala](#); [Sheila Pautsch](#); [Shahid Abbas](#); [Brian Solinsky](#); [terry@ramscpa.net](#); [Ronald Rosen](#); [William J. Kelly](#); [Alan Ehrlich](#); [Penny Arevalo](#); [Jonah Valdez](#); [Kenia Lopez](#); [Kristine Courdy](#); [Jason Henry](#); [Sean Moro](#); [David Watkins](#); [Editor](#); [David Serrano](#); [Delaine Shane](#); [Delaine Shane](#); [David Watkins](#); [Chris Jeffers](#); [Jim Rainey](#); [Gigi Betta](#); [Billy Wood](#); [barbara kerwin](#); [editor@scng.com](#); [ccastellanos@outlooknewspapers.com](#); [Transtech Info](#); [Sam Burgess](#); [tbray@scng.com](#); [Tamara Binns](#); [Tim Bradley](#)  
**Subject:** Public Comment: The Recent Conduct of City Attorney Highsmith  
**Date:** Wednesday, September 16, 2020 12:14:50 PM  
**Attachments:** [Teresa Highsmith Media Statements 9.16.pdf](#)

**CAUTION:** This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## Concerning the Recent Conduct of City Attorney Teresa Highsmith

Recently, City Attorney Teresa Highsmith made statements, on the record, to a local news reporter. Ms. Highsmith told the reporter that she did not actively participate in the creation of the City's complaints against Dow Chemical Company and Shell Oil Company.

***City Attorney Highsmith's conduct raises serious questions about attorney-client privilege. The City Council, Ms. Highsmith's employer, must investigate and respond.***

If Ms. Highsmith was present during closed session meetings pertaining to the City's complaints against Dow and Shell, then Ms. Highsmith is assumed to be "knowledgeable" about the confidential deliberations of the City Council. She is therefore bound by State-sanctioned closed session confidentiality laws.

Was City Attorney Highsmith authorized by the City Council to make media statements concerning the private deliberations of the City Council? If she was not authorized by make media statements, then City Attorney Highsmith has violated attorney-client privilege laws, exposing herself, and her firm, Colantuono Highsmith Whatley, PC, to malpractice liability.

If City Attorney Highsmith was not present during closed session meetings pertaining to the City's complaints against Dow and Shell, then she is not held to the same "knowledgeability" standards. In this circumstance, however, the fundamental questions are the same...

...why the hell is the City Attorney making media statements about closed session matters?

...in what way do the City Attorney's media statements advance the interests of the

City?

On their face, the timing of the City Attorney's actions could not be worse. Only days after Marina Khubresian resigned over matters, potentially criminal, being investigated by the District Attorney... Only hours after the removal of City Manager Stephanie DeWolfe for financial and administrative mismanagement...

There is little doubt that the historical events in South Pasadena have been the subject of multiple conversations in the partnership of the City Attorney's firm: Colantuono Highsmith Whatley, PC. If Ms. Highsmith's professional judgment is to be called to question in these matters -- and it should -- her judgment is likely a reflection of the corporate interests of Colantuono Highsmith Whatley, PC.



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**From:** [Chuck Jones](#)  
**To:** [City Council Public Comment](#)  
**Subject:** Outside Dining Public Comment  
**Date:** Wednesday, September 16, 2020 6:37:58 PM

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### South Pas Outdoor Dining

Hi, my name is Chuck Jones with Jones Coffee Roasters located at 1006 Mission Street. I am a South Pas resident and I have lived in the area for 40 years.

I want to thank the City for taking swift action to implement temporary safe spaces for outdoor dining, a lifeline for our local food businesses.

As a temporary solution, outdoor dining will help local, family-owned restaurants survive and possibly flourish. I am blessed to have a building owner like Clara Richards who has made helpful rent concessions for us. Unfortunately, they are not sustainable, and we probably won't survive.

My hope with this letter is to preserve our little town and our little family-run businesses, the heart of South Pas.

I am not talking about McDonalds, The Habit, Chipotle, Starbucks, and Coffee Bean & Tea Leaf. I'm referring to the "little guys" like Two Kids, Mike & Anne's, Radhika, Aro, Munch Company, Lost Parrot, La Monarcha and Tomato Pie, to name a few.

The Independent Restaurant Coalition expects 85% of independent restaurants to close by the end of this year.

This recovery will be slow and painful. If we lose these businesses, stores would be dark, property values would drop, taxes will increase and neighbors would be financially displaced, like myself.

If we embrace this temporary solution, then our commercial sector could survive and might become a destination for shopping and dining by outside consumers. Instead of taking a "night out" in Old Town Pasadena or DTLA, you could be walking down the street to enjoy an exceptional local dining experience.

In closing, I would like us to consider an alternative, almost endangered approach: compassion and empathy. Independent restaurant owners are doing their best to survive, pay their rent and provide for their families and employees. They have never been in this situation before and neither has our city. Instead of pushing them down or criticizing them when they fall, maybe we can exhibit more empathy and compassion as they try different solutions. Do not allow our twisted, leaderless politics divide us as South Pasdenians. Let's find the common ground and look for solutions, knowing that mistakes will be made, and no one is perfect.

**E-mail Public Comment 9/16/2020 REGULAR City  
Council Meeting**

**AGENDA ITEM NO. 16**

**Request For Review By the City Council of the  
Cultural Heritage Commission's Decision  
to Approve Project No. 2238-COA – Certificate of  
Appropriateness**

1. Jim Fenske
2. Brenda Blatt

## ***Jim Fenske Architecture***

9-16-20

City of South Pasadena Council Members

Subject: 1030 Brent Ave. Addition

Dear Council Members,

I am writing in support of my clients, Robert and Diane Roybal.

Ten years ago the Roybals asked me to design a second floor addition within the limits of the Cultural Heritage guidelines. This project was eventually abandoned but a second less ambitious project was subsequently designed and approved by the CHC. This second project sat untouched for almost a decade when the Roybals called me to help them with a problem: they had illegally built a covered patio without permits.

I spoke with Marlin (code enforcement officer), Jose, John and Knarick (city planners) at the city and worked out a method to lift my clients out of their difficulties. We agreed to do the following tasks:

1. establish the second unit as an ADU;
2. take out the permits for the originally approved family room addition;
3. reuse the existing patio structure within the framework of the proposed addition;

This effort would satisfy the planning department and building department and code enforcement officer and so make them whole again, at least in the eyes of the city.

Part of this process required that the Roybals get a survey and carefully parse the drawings and submittals so that the submittal met a high standard of exactitude. Jose and then Malinda both carefully went over my drawings and when they as well as the director Joanna were satisfied it finally went to the CHC where it was approved.

This was a very prolonged and protracted effort. My contract started in 5/18 and we have yet to submit for plan check. We just got our entitlements two months ago!

During this past two years the planning department and the city government in general has gone through a lot of upheaval culminating in the firing of the city manager. The entire planning department (except for Jose) has been fired, quit or retired since this project started. It's no wonder it has taken two and a half years to get to this point.

Additionally, a neighbor has chosen to insist that the city council lay down its vitally important business to hear this complaint. I'm all for hearing the complaints of the dispossessed and downtrodden to make sure that everyone is treated fairly but this should be handled by code enforcement and the building and planning department. I believe we should treat malefactors with swift and direct action. Do this and our city laws will be respected. Over do it and we risk enabling a black market of illegal construction and earning the disrespect by everyone who wants to live here.

What punishment would be appropriate without incurring another lawsuit against the city? Why not simply insist that the owners get a permit for an addition and go through the proper channels as has already been agreed to by the planning department staff as well as the code enforcement officer?

*jfenske architecture 111 peterson avenue south pasadena california tel. 323.257.8727 fenske@pacbell.net*

*Robal  
Brent Ave.  
South Pasadena*

Retreating to a less legally tenable position (pay fines, disallow any permits for five years, public flagellation) would certainly produce a less believable city council. Respect for our small town authority would just start to reflect certain aspects of the lack of respect for national authority so prevalent today.

Please allow the Roybals to continue to follow the planning departments' direction so they can have their family room addition.

Respectfully submitted,

**Jim Fenske Architecture**

Jim Fenske

**From:** [Brenda Blatt](#)  
**To:** [City Council Public Comment](#)  
**Subject:** Session item # 16  
**Date:** Wednesday, September 16, 2020 5:30:14 PM

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Council Members,

I'd like to begin by mentioning that my intention was to call to leave my comment regarding Session Item #16. That was impossible because while the notice the city sent stated 5:00 as the time by which the message needed to be left, the messages were closed for the day. Turns out the correct time is 4:00. Not helpful.

What I wish to speak about is the city's absolute inability and/or lack of interest in resolving the matter at hand. I am so fatigued of reading about emails gone to "spam" entire files missing etc... The city is has shown complete negligence in handling this issue. Due to ignoring communications and failure to show due diligence this has become a mess. For everyone.

Both parties in this matter deserve for the city to see this through. The issues that have been plaguing this matter between neighbors deserves to be legitimately worked out so that everyone has been heard and real solutions can be had for everyone involved. This has been going on for years now and ignoring it is not working.

Brenda Blatt  


**E-mail Public Comment 9/16/2020 REGULAR City  
Council Meeting**

**AGENDA ITEM NO. 18**

**Ratify Appointments for the Regional Housing Needs  
Assessment Appeal Ad Hoc Committee**

3. Ed Elsner

**From:** [Ed Elsner](#)  
**To:** [City Council Public Comment](#)  
**Cc:** [Robert Joe](#); [Diana Mahmud](#); [Michael Cacciotti](#); [Dr. Richard Schneider - Personal](#); [REDACTED]  
**Subject:** [REVISED] Public Comment: Regular Meeting, Sept. 16 -- Item 18 (RHNA Ad Hoc Committee)  
**Date:** Wednesday, September 16, 2020 11:02:21 AM

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[Please submit this revised public comment in the place of the one previously submitted; a link has been corrected and other minor edits were made. Thank you.]

With a limited amount of time to research and compose an appeal of the city's 6th Cycle Regional Housing Needs Assessment allocation, it is important that the ad hoc committee and planning staff optimize the time spent on each of the three bases of appeal, which are listed at page 10-18 of the [agenda packet](#) (and more fully described in SCAG's published [appeal procedures](#)).

At the outset, a closer look should be taken at whether the second and third bases for appeal are viable.

Under the second basis, an appeal may be based on "SCAG[is failure] to consider information submitted by the local jurisdiction relating to certain local factors outlined in [Govt. Code § 65584.04\(e\)](#)...."

This refers to a "[local planning factor](#)" survey that was circulated by SCAG in the Spring of 2019 and which was due on April 30, 2019. The survey elicited information relating to a list of local planning factors that SCAG was required to include in developing its regional allocation methodology (as opposed to calculating a jurisdiction's allocation under the final methodology that was ultimately adopted).

Among the listed factors are "opportunities and constraints to development of additional housing in each member jurisdiction," such as "[e]ach member jurisdiction's existing and projected jobs and housing relationship" and "availability of land suitable for urban development or for conversion to residential use, the availability of underutilized land, and opportunities for



infill development and increased residential densities."

As written, the second basis for appeal appears to be available to jurisdictions who timely submitted the local planning factor survey. A [report](#) by the SCAG subcommittee that developed the local planning factor survey is consistent with this interpretation:

*For an appeal to be based on the planning factors listed in subsection (e) of Government Code 65584.04, a jurisdiction is required to have submitted a local planning factor survey with input on the corresponding local planning factors.*

(See page 26-27 of 72 of the subcommittee report.)

Unfortunately, according to SCAG's [Final RHNA Methodology Data Appendix](#), South Pasadena did not submit the local planning factor survey. (See page 223 of the linked PDF document.)

The third basis for appeal is related to the second: "That a significant and unforeseen change in circumstance has occurred in the jurisdiction after April 30, 2019 [i.e., the deadline to submit the local planning factor survey] and merits a revision of the information previously submitted by the local jurisdiction."

Like the second basis for appeal, this third basis appears to be available only to jurisdictions who submitted a local planning factor survey on or before April 30, 2019 (and who experienced the requisite change in circumstance after that date).

Counsel to the ad hoc committee on the viability of the second and third bases for appeal would be beneficial.

If it is determined that these bases for appeal are viable, direction should be provided on how the appeal can demonstrate that SCAG failed to consider local planning factors in the development of the final allocation methodology (e.g., what evidence would be relevant to show this) and that the failure resulted in an increased RHNA allocation for South Pasadena.

Thank you for your consideration.

Ed Elsner



**E-mail Public Comment 9/16/2020 REGULAR City  
Council Meeting**

**AGENDA ITEM NO. 19**  
**Approval of Option for Continued Virtual Public  
Commission Meetings**

1. Josh Albrektson

**From:** [Josh Albrektson](#)  
**To:** [City Council Public Comment](#)  
**Subject:** Item 19, City Council Meeting 9/16/20  
**Date:** Friday, September 11, 2020 3:15:54 AM

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Whichever option is chosen, I think it is important that the meetings be posted on YouTube or another platform so that people can watch the videos later.

I know that the meeting minutes are the "official record" according to the Brown Act, but that act is almost 70 years old and they didn't even have color TVs back then. Having the ability to review the presentations as they were presented and hearing what people said is important.

HCD and SCAG both use a form of Zoom and then post the videos to YouTube. Maybe each committee should have it's own YouTube Channel and the videos can be posted without much effort into making it look nice.

--

Josh Albrektson MD  
Neuroradiologist by night  
Crime fighter by day

**E-mail Public Comment 9/16/2020 REGULAR City  
Council Meeting**

**AGENDA ITEM NO. 21  
Formation of Finance Ad Hoc Committee**

1. Steven Lawrence

**From:** [Steven.Lawrence | SouthPasadenan.com](mailto:Steven.Lawrence@SouthPasadenan.com)  
**To:** [City Council Public Comment](#)  
**Subject:** PUBLIC COMMENT  
**Date:** Wednesday, September 16, 2020 4:46:26 PM

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Wednesday, September 16, 2020, at 6:30 p.m. CITY COUNCIL MEETING PUBLIC COMMENT  
REGARDING: ITEM 21. Formation of Finance Ad Hoc Committee

Honorable Mayor and Council Members:

On its website, the city states that it seeks “to provide a more inclusive and transparent budget presentation to our residents.” In its recently adopted Code of Ethics, the Council invoked “the furtherance of transparency” as a virtue. The Finance Commission has cited “the necessity of transparency in city finances.” Councilmember Mahmud on June 24 said, “I strongly support the city’s need to be transparent and to explain to our residents past inaccurate financial statements.” And in its Comprehensive Annual Finance Report, the city promises “a continued commitment from the City Council in conducting the financial operations and corresponding financial disclosures of the City in an open, public and transparent manner.” It is the strong recommendation of the South Pasadenan News that the city live up to the meaning of these assertions and commitments by ensuring the Ad Hoc Finance Committee hold only open, publicly- noticed meetings. The reasons for this are:

1. It was public scrutiny alone which forced the city to acknowledge and meaningfully confront its financial infirmaries.
  2. The public has an immutable right to understand how its tax dollars are being managed.
  3. The embarrassment or discomfort of city officials is not a legal ground for withholding information.
  4. The city needs to strengthen the trust of its citizens.
- We implore you to act conscientiously.  
Thank you.

News Reporting Staff | The South Pasadenan News  
1127 Mission Street  
South Pasadena, CA 91030