



Wednesday, August 5, 2020
Minutes of the Regular Meeting of the City Council

CALL TO ORDER

A Regular Meeting of the South Pasadena City Council was called to order by Mayor Joe on Wednesday, August 5, 2020, at 7:45 p.m., in the Council Chamber, located at 1424 Mission Street, South Pasadena, California.

A brief introduction was provided by Mayor Joe on the procedures in place in an effort to prevent the spread of COVID-19.

ROLL CALL

Present via Zoom: Councilmembers Cacciotti, Khubesrian, and Schneider; Mayor Pro Tem Mahmud; and Mayor Joe.

Absent: None

City Staff Present: City Manager Stephanie DeWolfe (in attendance via Zoom); City Attorney Teresa Highsmith (in attendance via Zoom); and Chief City Clerk Ayala were present at Roll Call.

PLEDGE OF ALLEGIANCE

Councilmember Khubesrian deferred the flag salute to Tamara Binns, Executive Assistant to the City Manager.

Executive Assistant to the City Manager Binns led the flag salute.

Following the Pledge of Allegiance, Mayor Joe briefly spoke on the City's Code of Ethics and Conduct policy.

Mayor Joe made a motion directing the City Manager to bring back a future agenda item to discuss City Councilmembers conduct under the City Code of Ethics and Conduct policy. A second was provide by Councilmember Cacciotti.

1. CLOSED SESSION ANNOUNCEMENTS

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: Wireless Facilities Located at 701 La Portada Street, 815 Mission Street, 614 Stoney Drive, and 1055 South Lohman, South Pasadena.

Agency Negotiator: Stephanie DeWolfe, City Manager

Negotiating Parties: American Tower, Crown Castle, Everest Infrastructure, Mobilitie, SBA Communications, Tilson, TowerPoint, Tower Ventures, and Wireless Propco.

Under Negotiation: Price and terms of payment for proposed master lease agreement(s).

B. Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATOR, Pursuant to Government Code Section 54957.6

Conference with Labor Negotiators regarding labor negotiations with the following groups:

- Unrepresented Management Employees
- South Pasadena Police Officers' Association
- South Pasadena Firefighters' Association
- South Pasadena Public Service Employees' Association
- South Pasadena Public Service Part Time Employees' Association

City Negotiators: City Manager Stephanie DeWolfe; Interim Human Resources Manager Michael Casalou; Terri Highsmith, City Attorney

City Attorney Highsmith reported the following:

Item A – City Council received a briefing by the City's Real Property Negotiator regarding an offer to enter into a master lease with multiple negotiating parties for the wireless facilities located at 701 La Portada Street, 815 Mission Street, 614 Stoney Drive, and 1055 South Lohman, South Pasadena. No action was taken by City Council, but direction was provided to City's Real Property Negotiator.

Item B – City Council received a briefing by the City's Labor Negotiator regarding the status of negotiations with the City's bargaining units and unrepresented employees. No action was taken by City Council, but direction was provided to City's Labor Negotiator.

2. Public Comments - General

Mayor Joe announced that public comments were accepted until 12 p.m. the day of the City Council meeting. Comments received would be uploaded to the Additional Documents of the meeting and become part of the final meeting record.

Chief City Clerk Ayala and Kenia Lopez, Deputy City Clerk, read the public comments received aloud.

Public Comments:

- Ben Oswald – Expressed concern for the trees located near the proposed extension of E. Moffat St.
- Rachel Orfila – Expressed the need for more affordable housing in the City and suggested the City seek creative ways to support developments for it.
- Rick Chen – Expressed support for challenging the City’s RHNA requirement.
- Josh Betta – Expressed comments regarding the City’s financial transparency.
- Jan Marshall – Provided various questions and comments regarding the status of the City’s financial audit.
- Delaine Shane – Provided various questions and comments regarding the status of the City’s financial audit.
- Ian Sokolowski – Expressed support for the use of Measure M funds on bicycle improvement projects.
- Mary Urquhart – Expressed the need for City Council to take action on various matters including the financial audit, Josh Betta’s financial report, City Manager DeWolfe, and a City Councilmember conduct.
- Ron Rosen – Expressed comments regarding Councilmember Khubesrian’s misconduct.
- Sheila Rossi – Expressed comments regarding City Council taking action on public affairs, financial audits, and the City Clerk and Planning Departments.
- Anne Bagasao – Expressed concern for the City’s transparency regarding the City’s financial audit.
- Alan Ehrlich – Expressed comments regarding the City’s financial audit, payroll conversion to ADP, and consulting services.
- Mariana Huerta Jones – Expressed support for an inclusionary zoning ordinance and implementation of more affordable housing
- Steve Zikman – Expressed concerns regarding Councilmember Khubesrian’s misconduct and provided various suggestions to City Council regarding the matter.

COMMUNICATIONS

3. Councilmembers Communications

Councilmember Schneider provided comments on the following: commended the South Pasadena High School students in the Anti-Bias Club for their proposal of a Black Lives Matter mural; reported on a Mobility and Transportation Infrastructure Commission meeting; rank-choice voting in future elections; Al Fresco dining; reported on a Design Review Board meeting; etc.

Councilmember Schneider motioned to invite the South Pasadena High School Anti-Bias club to present their proposal for a Black Live Matter mural. A second was provided by Councilmember Cacciotti.

Councilmember Schneider requested the Mobility and Transportation Infrastructure Commission review/discuss a permanent plaza between El Centro St. and Mission St. (A second was received by Councilmember Khubesrian).

Councilmember Schneider requested City Attorney Highsmith provide a memo with suggestions regarding rank-choice voting.

Mayor Pro Tem Mahmud provided comments on the following: Clean Power Alliance and Southern California Edison income qualified discounted rates; reported on an Emergency League of California Cities Board of Director meeting and updated charter amendments; reminded the community to wear face masks; etc.

Councilmember Cacciotti provided comments on the following: volunteering to serve senior meals; City's financial audit; complaints regarding the City Park's garbage cans not being emptied; reminded the community to wear face masks; provided an update on the Metro Gold Line Foothill Extension Construction Authority's construction projects; etc.

Councilmember Cacciotti requested a presentation be made by the City's contracted auditing firm at the August 19th City Council meeting, to speak on the status of the City's financial audit. A second provided by Mayor Joe.

Councilmember Khubesrian provided comments on the following: the South Pasadena High School Anti-Bias Club; having the Public Arts Commission review the Black Lives Matter mural; various ways to encourage the use of face mask; youth/student liaison for the Mobility and Transportation Infrastructure and Public Safety Commissions; and announced her decision to not run for reelection for the November election. Councilmember Khubesrian continued to express the various challenges and difficulties she has faced recently while serving as a Councilmember, and her concern for the future of South Pasadena.

Councilmember Khubesrian motioned to move the balance of her discretionary fund to contribute towards the Black Lives Matter mural. (A second was received by Councilmember Schneider).

Mayor Joe did not provide comments.

4. City Manager Communications

City Manager DeWolfe provide comments on the following: a COVID-19 update on the Fire, Police, and Community Services departments, a City overview, and brief Los Angeles County update; an update on the status of the City's financial Audit; the City's Budget/revenues and expenses; community engagement and outreach processes; etc.

Mayor Pro Tem Mahmud had questions regarding community engagement.

City Manager DeWolfe answered questions accordingly.

5. Reordering of and Additions to the Agenda

There was no reordering of agenda items for this meeting.

CONSENT CALENDAR

Chief City Clerk Ayala announced there were Additional Documents for agenda Item Nos. 11, 14, and 18.

Councilmember Cacciotti pulled Item Nos. 11 and 13 for individual discussion.

Mayor Pro Tem Mahmud pulled Item No. 14 for individual discussion.

Chief City Clerk Ayala announced public comments were received for Item Nos. 8 and 11.

MOTION BY COUNCILMEMBER CACCIOTTI, SECOND BY MAYOR PRO TEM MAHMUD, CARRIED 5-0, to approve Consent Calendar Items Nos. 6, 7, 9, 10 and 12.

6. Minutes of the Regular City Council Meeting on June 10, 2020

City Council approved the minutes of the Regular City Council Meeting on June 10, 2020 as presented.

7. Minutes of the Regular City Council Meeting on June 17, 2020

City Council approved the minutes of the Regular City Council Meeting on June 17, 2020 as presented.

9. Approval of Resolution No. 7670 Appointing Delegates, Representatives, and Alternates to Various Agencies and Organizations to Clarify the Term for the San Gabriel Valley Mosquito and Vector Control District

City Council adopted **Resolution No. 7670** appointing delegates, representatives, and alternates as official representatives of the City of South Pasadena to clarify the term for the San Gabriel Valley Mosquito and Vector Control District.

10. Adoption of a Resolution No. 7671 Approving the Annual Auditor's Report and Authorizing the Collection of the Library Special Tax for Fiscal Year 2020-21

City Council adopted the attached **Resolution No. 7671** approving the Annual Auditor's Report for the levy of the Fiscal Year (FY) 2020-21 Library Special Tax (Tax).

12. Approve a Multi-year Agreement with Great Match Consulting to Provide Supplemental Staffing on an As-Needed Basis in an Amount-Not-to Exceed of \$40,000 per year

City Council:

1. Accepted a proposal dated June 18, 2020, from Great Match Consulting to provide supplemental staffing on an as-needed basis; and
2. Authorized the City Manager to enter into a multi-year agreement with Great Match Consulting for an amount-not-to exceed \$40,000 per year through June 30, 2023.

ITEMS PULLED FROM CONSENT

8. Minutes of the Special City Council Meeting on June 24, 2020

Chief City Clerk Ayala read the public comments aloud.

Public Comment:

- Steven Rossi – Expressed concern for corrections needed on the minutes regarding City Council's direction on the City's 2018-2019 audit.
- Richard Cheney – Expressed concern for corrections needed on the minutes regarding City Council's direction on the City's 2018-2019 audit.

City Council held a discussion regarding potential changes to the minutes of the Special City Council Meeting on June 24, 2020.

MOTION BY MAYOR PRO TEM MAHMUD, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve the minutes of the Special City Council Meeting on June 24, 2020 as presented.

11. Repurpose Available Measure M Multi Sub-regional Program (MSP) dollars for Reallocation in Next Year's Project Cycle

Chief City Clerk Ayala and Deputy City Clerk Lopez read the public comments aloud.

Public Comment:

- Andy Au – Expressed support for using Measure M funds to implement the City’s Master Bicycle Plan.
- Joel Dauten – Expressed support for using Measure M funds to implement the City’s Master Bicycle Plan.
- Terence Patrick – Expressed support for using Measure M funds to implement the City’s Master Bicycle Plan.
- Juliana Fong – Expressed support for using Measure M funds to implement the City’s Master Bicycle Plan.
- Topher Mathers – Expressed support for using Measure M funds to implement the City’s Master Bicycle Plan.
- Kim Hughes – Expressed concern for the lack of input by the Mobility and Transportation Infrastructure Commission on the projects presented.
- Bin Lee – Expressed support for the implementation of the City’s Master Bicycle Plan.
- Cathy Lee – Expressed support for using Measure M funds to implement the City’s Master Bicycle Plan.
- Samuel Zneimer – Expressed support for using Measure M funds to implement the City’s Master Bicycle Plan.
- Madeline Di Giorgi – Expressed support for using Measure M funds to implement the City’s Master Bicycle Plan.
- David Diaz – On behalf of Active SGV, expressed support for using Measure M funds to implement the City’s Master Bicycle Plan.
- Rona Bortz – Expressed support for the implantation of more bikeways and walkways.
- Michelle Hammond – Expressed recommendations to the City’s Bikeway Improvement Project and to consider the City Master Bicycle Plan.
- Cheryl Auger – Expressed support for the implementation of more bikeways.

City Council had questions and comments regarding: projects outside the City’s jurisdiction; competing interests on Measure M funds; updated Active Transportation Plan; bikeway improvements; future Mobility and Transportation Infrastructure Commission meetings for project reviews; costs and conditions on bike lane projects; etc.

City Manager DeWolfe and Shahid Abbas, Director of Public Works, answered all questions accordingly.

MOTION BY COUNCILMEMBER SCHNEIDER, SECOND BY MAYOR PRO TEM MAHMUD, CARRIED 5-0, to approve directing staff to bank and repurpose the available Measure M Multi Sub-regional Program (MSP) dollars for Reallocation in Next Year's Project Cycle.

Addition Documents were considered with the motion to include a letter from the Mobility and Transportation Infrastructure Commission regarding Measure M MSP Projects.

13. Adoption of a Resolution No. 7668 Authorizing Submittal of a Grant Application to Participate in the Used Oil Payment Program

Councilmember Cacciotti asked staff to briefly describe the details regarding the program for the public.

Director Abbas provide a brief comments on the programs purpose and procedures to participate.

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

1. Adopt a **Resolution No. 7668** authorizing the submittal of a grant application to participate in the State of California Department of Resources Recycling and Recovery's (CalRecycle) Used Oil Payment Program (OPP); and
2. Authorize the City Manager to execute all documents required to obtain the grant.

14. Adoption of Resolution No. 7669 Continuing the Proclamation of a Local Emergency Due to the Outbreak of COVID-19, Adding Regulations to Facilitate Expansion of the Al Fresco Dining and Retail Program, Including Suspension of Outdoor Dining Permit Fee, Adoption by Reference of Los Angeles County Ordinance Capping Fees for Third-Party Delivery Platforms for Food Delivery, and Authorizing the City Manager to Take All Necessary Actions as the Director of Emergency Services

Mayor Pro Tem Mahmud announced the Additional Documents for the item and asked they be considered in the motion.

MOTION BY MAYOR PRO TEM MAHMUD, SECOND COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve the attached **Resolution No. 7669**:

1. Continuing the proclamation of a local emergency due to the outbreak of COVID-19;
2. Adding regulations for the expansion of the Al Fresco Dining & Retail Program, including waiver of the fee for Outdoor Dining Permit;
3. Adopting the Los Angeles County Ordinance capping fees for third-party delivery platforms for food delivery; and

4. Authorizing the City Manager to take all necessary actions as the Director of Emergency Services.

Additional Documents were considered in the motion to provided clarification on edits to the resolution and accompanying attachments:

- Recitals in Resolution updated to reflect most current Los Angeles County Public Health Officer Order from July 18 , 2020
 - Deleted Attachment A1 and renamed Attachment A2 to Attachment A
- Section 8 “Guidance for religious gatherings” Added language to comply with County Health orders
- Section 9 “Protection of affected tenants” Updated to reflect the most current Los Angeles County Board of Supervisor’s (LABOS) action of July 21, 2020
 - New Attachment B
- Section 13 “Al Fresco Dining and Retail Program”
 - New Attachment C (redlined)
- Section 14 “Capping Fees on Third-Party Delivery Services” Updated to reflect the date of adoption of the LABOS ordinance, August 4, 2020
- Section 18 “Review” Added date of when order needs to be reviewed/extended: October 4, 2020

PUBLIC HEARING

15. Zoning Code Amendment for Streamline Planning Review and Minor Clean-up

Kanika Kith, Planning Manager, provided a PowerPoint presentation.

Mayor Pro Tem Mahmud had questions and comments regarding: Cultural Heritage Commission CEQA analysis; potential litigation; etc.

City Attorney Highsmith, Joanna Hankamer, Director of Planning and Community Development, and Manager Kith answered all questions according.

Mayor Joe opened to public hearing at 9:53 p.m.

Chief City Clerk Ayala announced no public comments were received for the item.

Mayor Joe closed the public hearing at 9:54 p.m.

MOTION BY MAYOR PRO TEM MAHMUD, SECOND COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to approve staff recommends that the City Council adopt an Ordinance amending South Pasadena Municipal Code (SPMC) Chapter 36 (Zoning) - Sections 36.400.020 (Authority of Land Use and Zoning Decisions), 36.400.040 (Application Preparation and Filing), 36.410.040 (Design Review), 36.410.060 (Conditional Use Permits and Administrative Use Permits), 36.410.065 (Hillside Development Permits), 36.420.020 (Time Limits and Extensions), 36.600.050 (Design Review Board), 36.610.050 (Applying, Filing, Processing and Decisions), 36.630.020 (Notice of Hearing), 36.630.040 (Review

Authority Decision and Notice), and 36.630.050 (Recommendation by Planning Commission).

ACTION/DISCUSSION ITEMS

16. Consideration of Ballot Measures for the November 3, 2020 General Municipal Election; Approval of Resolution for the Submission of Proposed Ordinance; and Approval of Language for the Ballot Measure

Lucy Demirjian, Assistant to the City Manager, provided a PowerPoint presentation on the Utility Users Tax measure.

City Council had questions and comments regarding: proposed building height increases on various housing opportunity sites; March 2021 special election; LA County election submission deadlines; community meetings and outreach; zoning modification maps; delays in the City's General Plan; etc.

Director Hankamer answered all questions accordingly.

Chief City Clerk Ayala and Deputy City Clerk Lopez read the public comments aloud.

Public Comments:

- Samuel Hernandez – Expressed support for including a measure to increase the existing 45-foot height limit on the November 2020 election ballot.
- Erin Coleman and John Guevarra – Expressed support for including a measure to increase the existing 45-foot height limit on the November 2020 election ballot
- Laurie Wheeler – Expressed support for including a measure to increase the existing 45-foot height limit on the November 2020 election ballot.
- Casey and Jessica Law – Expressed support for including a measure to increase the existing 45-foot height limit on the November 2020 election ballot.
- Andrew Berk – Expressed support for including a measure to increase the existing 45-foot height limit on the November 2020 election ballot.
- Ed Donnelley – Expressed support for including the Utility Users Tax measure on the November 2020 elections ballot. (signed by 14 individuals)
- Andrew Nam – Expressed support for including a measure to increase the existing 45-foot height limit on the November 2020 election ballot.
- Joanne Nuckols and Jan Marshall – Expressed opposition for including a measure to increase the existing 45-foot height limit on the November 2020 elections ballot. (signed by 87 individuals)

- Brandon Yung – Expressed support for including a measure to increase the existing 45-foot height limit on the November 2020 election ballot.
- Ella Hushagen and Bill Kelly – Expressed support for including a measure to increase the existing 45-foot height limit on the November 2020 election ballot. (signed by 53 individuals)
- Dominic Marziali – Expressed support for increasing the existing 45-foot building height limits.

City Council held significant discussion regarding: the inability to place the increase of building height limits measure on the November 2020 ballot; Governor Newsom’s affordable housing projections/goals; November 2020 election turnout; expenses for a March 2021 special election; etc.

MOTION BY MAYOR PRO TEM MAHMUD, SECOND COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to approve ballot measures for the General Municipal Election on Tuesday, November 3, 2020; approved the **Resolution No. 7672** submitting a ballot measure to the voters; and approved language for the ballot measure:

- 1) The UUT measure be placed on the ballot at the current rate of 7.5% and without a sunset date, but rather language that states it will remain in place until repealed by the voters;

17. Resolution No. 7673 Affirming the City of South Pasadena’s Commitment to Diversity and to Safeguarding Civil Rights, Safety and Dignity of all of our Citizens

Chief City Clerk Ayala read the public comment aloud.

Public Comment:

- Josh Atlas – Expressed that the resolution does not solve the problems the City has and does not promote the safety, well-being, and dignity of the residents.

Councilmember Schneider provided of brief response regarding the City’s Police Department policy changes.

- Elana Mann – Expressed support for the adoption of the resolution.

Councilmember Cacciotti thanked Mayor Joe, City staff, and community members for contributing and bringing this resolution to City Council.

Councilmember Khubesrian spoke about the Anti-Racism Committee (ARC) of South Pasadena’s mission, and provided a brief update on the City’s community forums regarding policing.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to approve adopt a **Resolution No. 7673** entitled “A Resolution

Affirming the City of South Pasadena's Commitment to Diversity and to Safeguarding Civil Rights, Safety and Dignity of all of our Citizens.”

Mayor Joe requested the resolution be able on the City's website.

18. Al Fresco Dining and Retail Pilot Program – Update and Potential Expansion

Margaret Lin, Manager of Long Range Planning and Economic Development, provide a PowerPoint presentation.

City Council had various questions and comments regarding: locations for outside dining; COVID-19 CDBG funds; Al Fresco dining and retail applications received; coordinating a Retail fair; etc.

Director Hankamer and Manager Lin answered all questions accordingly.

Chief City Clerk Ayala read the public comments aloud.

Public Comment:

- Josh Alberktson – Expressed that costs for reinstalling the original stripping once the temporary permits have expired should be waived since business are having financial difficulties.
- Samuel Hernandez – Expressed support for the Al Fresco Dining and Retail program.
- Sam Zneimer – Expressed support for the Al Fresco Dining and Retail program and suggested using parking lanes to further expand retail space and seating for dining.

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

1. Receive an update regarding the Al Fresco Dining and Retail Pilot Program, including review of potential funding sources and a review of what other cities are doing;
2. Approve waiving the application fee for Sidewalk Dining Permits and approve the temporary designation of limited public off-street parking spaces as replacement or ADA parking spaces for the Al Fresco program as authorized by the August 5, 2020, Local Emergency Declaration Resolution;
3. Authorize Staff to issue Requests for Proposals for traffic control plans and traffic studies associated with Phase 2 of the program; and
4. Direct Staff to return during the August 19, 2020, City Council meeting with additional recommendations and associated funding requests based on Al Fresco applications received through August 7, 2020, for use of parking lanes, temporary parklets, and associated traffic and/or pedestrian safety studies for any proposed lane and/or street closures.

Additional Documents we considered in the motion providing clarification edits to Attachment 2: Permit Requirements.

INFORMATION REPORTS

19. Discussion of Fremont Avenue Traffic Calming

City Council reached a consensus to continue the item to the August 19th City Council meeting.

ADJOURNMENT

Mayor Joe announced a next Regular City Council meeting on August 19th.

There being no further business, at 11:19 p.m. Mayor Joe adjourned the meeting.

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Evelyn G. Zneimer, Esq.
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Evelyn G. Zneimer
City Clerk

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Robert S. Joe
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Robert S. Joe
Mayor