

Wednesday, October 7, 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, October 7, 2020, at 7:33 p.m., in the Council Chamber, located at 1424 Mission Street, South Pasadena, California.

ROLL CALL

Present via Zoom: Councilmembers Cacciotti, Rossi (attended in person), and Schneider; Mayor Pro Tem Mahmud; and Mayor Joe.

Absent: None

City Staff Present: Interim City Manager Sean Joyce; City Attorney Teresa Highsmith (in attendance via Zoom); and Chief City Clerk Maria E. Ayala were present at Roll Call.

PLEDGE OF ALLEGIANCE

The Flag Salute led by Councilmember Cacciotti.

1. CLOSED SESSION ANNOUNCEMENTS

A. 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: Interim City Manager Sean Joyce; Human Resources Manager Michael Casalou; City Attorney Terri Highsmith

B. PUBLIC EMPLOYMENT

Pursuant to Government Code Section 54957

Title: City Manager

City Attorney Highsmith reported the following:

Item A – City Council received a briefing by the City’s Labor Negotiator regarding the status of negotiations with the City’s bargaining units. Direction was provided by City Council.

Item B – City Council met and discussed procedures and processes regarding the recruitment for the next City Manager. No action was taken by City Council.

2. Public Comment

Chief City Clerk Ayala announced the names of those who submitted public comment via e-mail (these comments were not read, but are added to the official final record of the meeting and are available under the meeting’s Additional Documents):

- Gretchen Schulz
- William Kelly
- ARC South Pasadena
- Steve Zikman
- Ashley Owen
- Emily Mason
- Gary Yeung
- Josh Betta
- William Kelly (2)

Chief City Clerk Ayala played an audio recording of the public comment received via the City’s public comment phone line:

- Sally Kilby – Recognized employees and City leadership for their work during the pandemic; provided information and support regarding the City’s proposed Measure U.
- Jesse Alvarez – Expressed concern over abandoned residential properties that are being illegally occupied and used.
- Elizabeth Bagasao – Expressed concern over recent incident between a truck driver and protesters at a City intersection; and other political activity within the community.
- Meghan Adams – Expressed concern over the Police Chief’s recently planned prayer event with the American Society for the Defense of Tradition.
- Anonymous – Asked that Police Chief Ortiz be investigated over the recent actions taken.

- Matthew Barbado – Expressed concern over the Police Chief’s recently planned prayer event and requests the matter be investigated.
- Anti-Racism Committee of South Pasadena – submitted a letter to the City regarding concerns over the recent incident involving protesters.
- Minerva Garcia – Expressed concerns regarding the behavior of the South Pasadena Police Department; the handling of an attack of a protester participating in a recent march; and the handling of a recent incident between a truck driver and protesters; and various police policies.
- Victoria Patterson – Expressed concern over the Police Chief’s recently planned prayer event with the American Society for the Defense of Tradition.
- Victoria Patterson – Expressed concern over recent incident between a truck driver and protesters at a City intersection, and the manner in which it was handled by the Police Department.
- Steve Zikman – Expressed concern over the Police Chief’s recently planned prayer event with the American Society for the Defense of Tradition, Family and Property.
- Stephanie Yu – Expressed concern over the Police Chief’s recently planned prayer event with the American Society for the Defense of Tradition, Family and Property.
- Ella Hushagen – Expressed concern over the Police Chief’s recently planned prayer event with the American Society for the Defense of Tradition, Family and Property.
- Sam Hernandez – Commented on the City’s Al Fresco Dining Program and commended the City’s collaboration with the Chamber and businesses.
- Helen Tran – Commented on behalf of Care First Coalition which submitted a letter to the City requesting the Police Chief be investigated.
- Katrina Blutley – Expressed concern over the Police Chief’s recently planned prayer event with the American Society for the Defense of Tradition, Family and Property.
- Laurie Wheeler – Thanked the Council for the Al Fresco Dining Program.
- London Lang – Expressed concern over the Police Chief’s recently planned prayer event with the American Society for the Defense of Tradition, Family and Property.
- John Srebalus – Commented on the Police Chief’s recently planned prayer event with the American Society for the Defense of Tradition, Family and Property; and asks the matter be investigated.

COMMUNICATIONS

3. Councilmembers Communications

Councilmember Rossi reported on the following:

- Requests that emergency City contact phone numbers on the website be updated;
- He and Councilmember Schneider discussions with residents from the Meridian corridor. Motioned to direct staff to initiate a request-for-proposal for a traffic consultant to do a new study to consider all evidence, anecdotal information from the community, and all possible legal criteria to determine whether a 3- or 4-way stop sign at the intersections of Meridian and Pine Oak and Maple streets would increase pedestrian, bicycle, and vehicular safety. Councilmember Cacciotti provided a second.

Councilmember Schneider motioned that the matter be referred to the MTIC. Councilmember Cacciotti provided a second.

Councilmember Schneider reported on the following:

- Received an initial drawing of the engineer's drawing of a concept loop ramp. Motioned to have this referred to the MTIC for further action. Councilmember Cacciotti provided a second.

Councilmember Cacciotti reported on the following:

- Resident concerns over backlog in the Planning Department and the various Commissions' review and approval of various projects. Motioned to have an agenda item at a future Council meeting to discuss how the backlog can be relieved. Councilmember Schneider provided a second.
- Motioned to have a proposed resolution at a future Council meeting that would support Governor Newsom's Executive Order that prohibits the manufacturing of all internal combustion engines in California by 2035. Mayor Pro Tem Mahmud provided a second.
- Pictures from the recent event at the Senior Center the U.S. Chinese Women's Association of San Gabriel Valley.
- Positive feedback from staff regarding the difference at City Hall with having Interim City Manager Joyce.

Mayor Pro Tem Mahmud reported on the following:

- Participating in a water quality webinar wherein she provided a presentation on City's experience with water pollutant 1,2,3 TCP.
- Presided over last week's meeting at the Clean Power Alliance, and the Board's recent action to assist residential and business customers in paying their electrical bill
- Congratulated South Pasadena residents as South Pasadena is slightly above all other cities in census response rate.

Mayor Joe

- Motioned to direct staff to look into multiple uses for the parking lot in front of the playhouse on El Centro. Councilmember Cacciotti provided a second.

4. City Manager Communications

Interim City Manager Joyce announced that Agenda Item No. 18 will be pulled from tonight's agenda.

Interim City Manager Joyce also announced that the City has been awarded a \$40,000 grant to revise the City's existing accessory dwelling unit ordinance to integrate historic preservation guidelines.

Interim City Manager Joyce also commented on Police Chief Ortiz's issued apology over the planned prayer event. Police Chief Ortiz reported on the provided comments on the recent incident between a truck driver and protesters at a City intersection and provided contact information for community members to provide additional information.

5. Reordering of and Additions to the Agenda

There was no reordering of agenda items.

PRESENTATIONS

6. Southern California Edison Circuit Reliability Review Presentation

Jeanette Soriano, Southern California Edison Government Relations Manager, provided a PowerPoint presentation and responded to Council questions accordingly.

7. San Gabriel Valley Council of Governments Energy Wise Partnership Presentation

Alexander Fung, San Gabriel Valley Council of Governments Management Analyst, provided a PowerPoint presentation and responded to Council questions accordingly.

COMMISSION APPOINTMENTS

8. Review Applications and Confirm Appointments to the Finance Ad Hoc Committee

Public comment was provided via e-mail (this comment was not read, but is added to the official final record of the meeting and is available under the meeting's Additional Documents):

- Ed Elsner

Interim Assistant City Manager Elaine Aguilar provided the staff report.

Councilmember Cacciotti had various questions regarding the number of appointees to the committee and possibly expanding the number of appointments. City Attorney Highsmith responded to questions accordingly.

Councilmember Schneider motioned to appoint William Cullinane and Ed Corey to the committee.

Councilmember Rossi seconded Councilmember Schneider's motion with an amendment to also appoint Greg Chun as a third appointment to the committee.

Councilmember Schneider accepted the amendment to the motion.

Mayor Pro Tem Mahmud expressed concerns over appointing a committee with additional appointments.

Council held discussion over the differences between municipal accounting and private accounting processes.

Councilmember Cacciotti supported the motions on the floor and offered a substitute motion to expand the appointments to five. Councilmember Rossi seconded the substitute motion with the inclusion of Peter Giulioni and Charles Li.

Mayor Pro Tem Mahmud expressed concerns over scheduling of a large group.

Interim Assistant City Manager Aguilar responded to questions accordingly.

MOTION BY COUNCILMEMBER CACCIOTTI, SECOND BY COUNCILMEMBER ROSSI, CARRIED 5-0, to appoint the following individuals to the Finance Ad Hoc Committee: William Cullinane, Ed Corey, Greg Chun, Peter Giulioni, and Charles Li.

CONSENT CALENDAR

Councilmember Rossi requested Item No. 14 be pulled for individual discussion.

City Attorney Highsmith announced that Agenda Item No. 15 requires that the item be read aloud into the record prior to the Council taking action. Lucy Demirjian, Assistant to the City Manager, stated the monthly cost to employ Interim City Manager Joyce is \$16,656.25, if he serves a maximum of six months, the total cost will be \$99,937.50.

MOTION BY COUNCILMEMBER CACCIOTTI, SECOND BY MAYOR PRO TEM MAHMUD, CARRIED 5-0, to approve Consent Calendar Items Nos. 9-13, 15-17, 19 and 20:

9. Minutes of the Special City Council Meeting on September 2, 2020

City Council approved the Minutes of the Special City Council Meeting on September 2, 2020 as presented.

10. Minutes of the Regular City Council Meeting on September 2, 2020

City Council approved the Minutes of the Regular City Council Meeting on September 2, 2020 as presented.

11. Minutes of the Regular City Council Meeting on September 16, 2020

City Council approved the Minutes of the Regular City Council Meeting on September 16, 2020 as presented.

12. Minutes of the Special City Council Meeting on September 23, 2020

City Council approved the Minutes of the Special City Council Meeting on September 23, 2020 as presented.

13. Minutes of the Special City Council Meeting on September 28, 2020

City Council approved the Minutes of the Special City Council Meeting on September 28, 2020 as presented.

15. Ratification of Employment Agreement for Post-Retirement Employment of Sean Joyce for the Position of Interim City Manager

City Council ratified the Employment Agreement with Sean Joyce for the position of Interim City Manager during the recruitment process for a new full-time City Manager.

16. Designate Romine Funds for Acquisition of Local History Collections

City Council approved expending \$3,000 from the Library's unrestricted Romine Estate Funds for the purpose of acquiring unique archival materials related to South Pasadena and regional history for the Library's Local History Collection.

17. Acceptance of Donation of \$9,925 for Library Fused Glass Artwork from the Friends of the South Pasadena Public Library, Inc.

City Council accepted a donation of \$9,925 from the Friends of the South Pasadena Public Library, Inc. (Friends) to be used for the purpose of commissioning and installing a fused glass public artwork in the Library's Ray Bradbury Conference Room.

Agenda Item No. 18 was PULLED.

~~18. Approve Change Orders in the amount of \$607,617.94 to Pacific Hydrotech Corporation (Change Order #2) for Construction and the Agreement with NV5, Inc., for additional not to exceed amount of \$273,250 (Change Order # 1) for the Construction Management and Inspection Services for the Graves Reservoir Replacement Project~~

Recommendation

It is recommended that the City Council:

- ~~1. Authorize the City Manager to approve change orders to Pacifica Hydrotech Corporation in the amount of \$607,617.94 for the construction of the Graves Reservoir Replacement Project; and~~
- ~~2. Authorize the City Manager to execute Contract Amendment with NV5, Inc., for additional not to exceed amount of \$273,250 for providing continued Construction Management Services; and~~
- ~~3. Authorize the City Manager to execute the agreement and any amendments provided there is funding in the budget, on behalf of the City, in a form approved by the City Attorney.~~

19. Award of Contract Extension to Eurofins Eaton Analytical, LLC, in a not-to-exceed amount of \$33,000 for Laboratory Testing and Analysis of Potable Water Samples

City Council:

1. Accepted a proposal dated September 1, 2020, from Eurofins Eaton Analytical, LLC, for extension of the current agreement for laboratory testing services for the analysis of water samples; and
2. Authorized the City Manager to execute Contract Amendment with Eurofins Eaton Analytical, LLC, for a not-to-exceed amount of \$33,000 for a one-year period.

20. Approval of Agreement with Spectrum Enterprise for Point to Point Managed Fiber Internet Service for 60 months at a total monthly cost of \$3,200

City Council authorized the City Manager to execute an agreement with Spectrum Enterprise (formerly Time Warner Cable) for “Point-to-Point” managed fiber internet services for a period of 60 months at the monthly cost of \$3,200.

ITEMS PULLED FROM CONSENT

14. Approval of Prepaid Warrants in the Amount of \$263,986.42; Prepaid Warrant Voids in the Amount of (\$5,329.08); General City Warrants in the Amount of \$423,344.66; Payroll in the Amount of \$1,208,704.56; Supplemental ACH Payments in the Amount of \$62,551.47.

Councilmember Rossi had questions regarding PlaceWorks. Motioned to direct staff to provide information on what has been provided by PlaceWorks. Councilmember Cacciotti provided a second.

Councilmember Rossi had various questions regarding the invoice and expenditures to date from Colantuono, Highsmith, & Whatley, and expressed concerns over not having received information he had requested on the background information of said invoices and closed session matters.

City Attorney Highsmith responded to Councilmember Rossi’s expressed concerns over releasing attorney-client privilege information and documents.

Considerable discussion was held by Council with City Attorney Highsmith providing comments and responses accordingly.

Councilmember Cacciotti motioned to direct City Attorney to prepare a letter to the Attorney General requesting an opinion on the potential release of attorney-client privilege information and documents to new councilmembers. Councilmember Rossi agreed to Councilmember Cacciotti’s motion.

MOTION BY MAYOR PRO TEM MAHMUD, SECOND BY COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to approve the Warrants as presented.

PUBLIC HEARING

21. Delisting 822 Orange Grove Place from the South Pasadena Inventory of Cultural Resources (Project No. 2321-COA/DEL)

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

Chief City Clerk Ayala announced public comment was provided via e-mail (this comment was not read, but is added to the official final record of the meeting and is available under the meeting's Additional Documents):

- Tara Kawakami

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

City Council reached consensus to waive the staff report on the item.

MOTION BY COUNCILMEMBER CACCIOTTI, SECOND BY COUNCILMEMBER ROSSI, CARRIED 5-0, to adopt **Resolution No. 7684** and take the following actions:

1. Find that 822 Orange Grove Place qualifies for removal from the Inventory of Cultural Resources pursuant to South Pasadena Municipal Code (SPMC) Section 2.64(a)(1)(B)(4); and
2. Remove 822 Orange Grove Place from the Inventory of Cultural Resources.

ACTION DISCUSSION ITEMS

22. Approval of Program Budget for Purchase of a Storage Area Network Unit, Network Servers and Devices

Assistant to the City Manager Demirjian presented the staff report.

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

1. Approve the program budget for the purchase of a Storage Area Network (SAN) unit, three servers, and assorted network devices and software; and
2. Waive purchasing requirements and authorize purchase utilizing co-operative purchasing agreements through the Western States Contracting Alliance (WSCA), the U.S. General Services Administration (GSA), and the National Intergovernmental Purchasing Alliance (NIPA) pursuant to South Pasadena Municipal Code (SPMC) Section 2.99-29(19); and
3. Authorize the City Manager to execute any documents necessary or appropriate to facilitate said purchases, for a not-to-exceed amount of \$112,000.

23. Repurposing of the Remaining \$7,000 from the Civic Center Art Gallery to Fund Public Art on the Concrete Barricades Used for the Al Fresco Dining and Retail Pilot Program

Manager of Long Range Planning and Economic Development Margaret Lin presented the staff report and responded to Council questions and comments accordingly.

MOTION BY MAYOR PRO TEM MAHMUD, SECOND BY COUNCILMEMBER SCHNEIDER, CARRIED 5-0, to approve repurposing of the remaining \$7,000 from the Civic Center Art Gallery to fund public art on the concrete barricades used for the Al Fresco Dining and Retail Pilot Program.

24. Conditional Approval for the Location of the Proposed Black Lives Matter Mural by the South Pasadena High School Anti-Bias Club

Manager of Long Range Planning and Economic Development Lin presented the staff report and responded to Council questions and comments accordingly.

Chief City Clerk Ayala announced the names of those who submitted public comment via e-mail (these comments were not read, but are added to the official final record of the meeting and are available under the meeting's Additional Documents):

- Ayaka Nakaji
- Cassandra Kaldor
- Gretchen Schulz
- Phung Huynh
- Will Hoadley-Brill
- Kris Kuramitsu
- Skye Harris

Chief City Clerk Ayala played an audio recording of the public comment received via the City's public comment phone line:

- Robyn Becker – Expressed support for the proposed mural.
- Richard Elbaum – Expressed support for the proposed mural.
- Lulu Tulatnek – Expressed support for the proposed mural.
- Phung Huynh – Expressed support for the proposed mural.
- Noah Kuhn – Expressed support for the proposed mural.
- Stephanie Williams – Expressed support for the proposed mural.
- Elizabeth Bagasao – Opposed the proposed mural until there is meaningful change in police reform.
- London Lang – Opposed the proposed mural at this time due to the recent actions against protesters.

MOTION BY COUNCILMEMBER SCHNEIDER, SECOND BY MAYOR PRO TEM MAHMUD, CARRIED 5-0, to provide conditional approval for the location of the proposed

Black Lives Matter (BLM) mural by the South Pasadena High School Anti-Bias Club on east-facing wall of City Hall pending final design approval by the Public Art Commission.

At this time City Council reached consensus to move Agenda Item No. 25 to a future agenda.


INFORMATIONAL REPORTS

25. South Pasadena Homelessness Plan

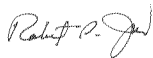
ADJOURNMENT

Mayor Joe announced the next Regular City Council meeting on October 21.

There being no further business, Mayor Joe adjourned the meeting at 10:38 p.m.

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Maria E. Ayala
Chief City Clerk

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Robert S. Joe
Mayor

City Council Approved: 12/02/2020