



Wednesday, October 21, 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 21, 2020, at 7:34 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 Schneider.

PUBLIC COMMENT

1. 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):

- Nicholas Taylor
- John Srebalus
- Ellen Hushagen

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

- Anne Bagasao – Commented on Council action towards renter protections.
- John Wang – Asks Council to pass the proposed urgency ordinance regarding AB1482.
- Nicholas Taylor – Asks Council to pass the proposed urgency ordinance regarding AB1482.
- Matthew Barbado – Asks Council to strengthen the City Ordinance on tenant protections.
- Alexandra Ramirez – Expressed concern over the lack of protection and action by the South Pasadena Police Department.
- Ellen Torres – Commented that the Friends of South Pasadena Public Library Board has voted to support Measure U.
- Ellen Daigle – Commented that a comprehensive proposal was provided to the Chamber as well as Councilmembers Rossi and Cacciotti on the “Shop, Eat, Support South Pasadena” campaign. Asks City for consideration of contributing funds towards the campaign.
- Bill Kelly – Asks the Council to prevent evictions until general permits have been acquired for construction.
- John Srebalus – Asks Council to adopt the proposed urgency ordinance.
- Jan Marshall – Asks Council to consider additional renter protections and affordable housing
- Ella Hushagen – Asks Council to consider strong support for renter protections.

Councilmember Schneider motioned to direct staff to have an agenda on the urgency ordinance for tenant protections on the next Council agenda. Councilmember Cacciotti provided a second.

Mayor Pro Tem Mahmud offered an amendment to Councilmember Schneider’s motion, to have the City consider a similar ordinance to that passed by the City of Long Beach, and that the item as presented on an urgency basis. Councilmembers Schneider and Cacciotti accepted the amendment.

Councilmember Rossi asked that the ordinance that was provided in the public comment be taken into consideration as well as that of the Long Beach ordinance.

COMMUNICATIONS

2. Councilmembers Communications

Councilmember Rossi asked that his request from September 16, to agendize an item to develop an ad hoc committee to review the re-empowerment of the commissions, be presented

at the next agenda. Councilmember Cacciotti provided a second to have the agenda item presented as soon as possible.

Councilmember Cacciotti reported on the following:

- Attended the ribbon cutting ceremony for the Grocery Outlet.
- Commended the Public Works staff for addressing a recent sewer lid issue.
- Police Department and Executive staff, some residents needed help.
- Commended the Police Department and Tamara Binns for assisting and providing immediate assistance for a resident that was in need of medical attention.
- Motioned to agendize an item at the next meeting for up to \$2,000 of his discretionary funds contributed towards the Chamber holiday lighting, decorations, etc. Councilmember Rossi provided a second.
- Motioned to ask the Chamber to present Council with a report on the plan for holiday season decorations. Councilmember Rossi provided a second.
- Encourages community to take advantage of Dumpster Day on October 24.
- Recent meetings and discussions with residents, Mayor and City Manager, regarding the issue of police reform, diversity and sensitivity, etc. Motioned to direct Interim City Manager Joyce to coordinate a diversity and sensitivity training. Councilmember Rossi provided a second.

Councilmember Schneider reported on the following:

- The Public Safety Commission has completed its review of the Public Safety Commission ordinance and requests that Council review its proposed changes at a future Council meeting. The Public Safety Commission has also completed its review of various police reform. A number of recommendations will be presented to Council for consideration at a future Council meeting.
- The Mobility and Transportation Infrastructure Commission is pleased that the Measure M funding will be reprogrammed to be used for local projects in the area.

Mayor Pro Tem Mahmud reported on the following:

- The Planning Commission approved construction of a two-story home on a vacant Caltrans property; continued consideration of a proposed building permit at 1312 Meridian; and considered tenant protections.
- Housing Rights Center presentation on tenant protections taking place on November 5.
- Attending MS4 TMDL Workshop regarding stormwater requirements.

Mayor Joe reported on the following:

- Reminded the community to shop local.
- Motioned to agendize an item at the next meeting for \$3,000 of his discretionary funds contributed towards the Chamber holiday lighting, decorations, etc. Councilmember Rossi provided a second.

3. City Manager Communications

Interim City Manager Joyce reported that the investigation into the October 4 incident has been completed and will be presented to the Los Angeles County District Attorney's Office for further review and filing considerations. Mr. Joyce reaffirmed the City's position against racism in any form and reiterated the City's Resolution No. 7673, commitment to diversity and to safeguarding the civil rights, safety and dignity for all residents.

Interim City Manager Joyce made the following announcements: Agenda Item No. 9 will be pulled from tonight's agenda; in response to a previous request by Councilmember Cacciotti regarding the backlog in the Planning Department an agenda item will be forthcoming on this matter as well as a similar agenda item on that of similar needs for the Finance Department; and the Housing Rights Workshop scheduled for November 5.

4. Reordering of and Additions to the Agenda

There was no reordering of agenda items.

Chief City Clerk Ayala announced additional documents provided for Agenda Item Nos. 7, 11, 13, 14, and 15.

CONSENT CALENDAR

Councilmembers Schneider and Cacciotti requested Item No. 8 be pulled for individual discussion.

Councilmember Rossi requested Item No. 11 be pulled for individual discussion.

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

5. Approval of Prepaid Warrants in the Amount of \$69,001.47; Prepaid Warrant Voids in the Amount of (\$605.00); General City Warrants in the Amount of \$713,533.30; Payroll in the Amount of \$575,311.74; LAIF Transfer in the Amount of \$2,600,000.00

City Council approved the Warrants as presented.

6. Monthly Investment Reports for August 2020

City Council received and filed the monthly investment reports for August 2020.

7. Adoption of Resolution 7685, Continuing the Proclamation of a Local Emergency Due to the Outbreak of COVID-19, Authorizing the City Manager to Take All Necessary Actions as the Director of Emergency Services

City Council adopted **Resolution No. 7685** (as presented in the Additional Document) to:

1. Continue the proclamation of a local emergency due to the outbreak of COVID-19; and

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

Agenda Item No. 9 was PULLED.

9. ~~Award of Contract to Motorola Solutions for the Purchase and Implementation of a Computer Aided Dispatch and Records Management System for a Not-to-Exceed Amount of \$579,257.82~~

Recommendation

~~It is recommended that the City Council approve a sole source contract with Motorola Solutions, Inc. for the purchase of a new Computer Aided Dispatch (CAD) and Records Management System (RMS) for a not to exceed amount of \$579,257.82, as authorized by SPMC Sec 2.99-29 (21).~~

10. Receive and File an Update on the 2021 Housing Element

City Council received and filed an update on the 2021 Housing Element.

Chief City Clerk Ayala announced the name of the individual who submitted public comment 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):

- Tom Williams

ITEMS PULLED FROM CONSENT

8. Adoption of Resolution No. 7686, Supporting Governor Newsom's Executive Order N-79-20 Requiring Sales of All New Passenger Vehicles to be Zero-Emission by 2035 and Additional Measures to Eliminate Harmful Emissions from the Transportation Sector

Councilmember Schneider motioned to amend the proposed resolution to include language stating the City supports the executive order being implemented as soon as 2025. Councilmember Cacciotti provided a second to the amendment.

Council held discussion regarding the feasibility of the executive order being able to being implemented sooner than 2035.

MOTION BY COUNCILMEMBER SCHNEIDER, SECOND BY COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to adopt **Resolution No. 7686** in support of Governor Newsom's Executive Order N-79-20, requiring sales of all new passenger vehicles to be zero-emission by 2035 and additional measures to eliminate harmful emissions from the transportation sector, and add language to state the City supports implementing the executive order as soon as 2025.

11. Approval of Request to the Attorney General Regarding City Attorney's Authority to Provide Confidential Information to Individual Councilmember Regarding Prior Closed Sessions and Prior Deliberations

Councilmember Rossi motioned for the item to be approved with the Additional Document that he provided to clarify the letter to the Attorney General.

City Attorney Highsmith presented the staff report on the item, and invited Councilmember Rossi to prepare his own letter to the Attorney General. It can be sent individually or attached to the letter City Attorney Highsmith prepared.

Chief City Clerk Ayala announced the name of the individual who submitted public comment 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):

- Chris Bray

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

- Chris Bray – expressed concern over the City Attorney's position on releasing attorney-client privileged information to new Councilmembers.

Councilmember Cacciotti asked if he would be able to participate in voting on the item as he is employed at the Attorney General's Office, but does not participate or perform any work for the unit to which the letter will be addressed.

City Attorney Highsmith responded and confirmed there is no conflict of interest for Councilmember Cacciotti to participate.

MOTION BY COUNCILMEMBER ROSSI, SECOND BY COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to approve the attached letter to the Attorney General, with an amendment to the motion to include a separate letter drafted by Councilmember Rossi, and that both letters be submitted at the same time.

PUBLIC HEARING

12. Project No. 2355-APP - Appeal of the Planning Commission's Decision to Approve Project No. 2191-HDP/TRP – Hillside Development Permit for the street extension of Moffat Street, which will be a private street extending westward from the northern end of Lowell Avenue to allow access to seven lots in the City of Los Angeles and a Tree Removal Permit (APN No's: 5310-006-039, 5310-006-038, 5310-005-010, 5310-005-011, and 5310-005-004)

Associate Planner Malinda Lim presented the staff report.

Council had various technical questions for staff. Planning Manager Kanika Kith and City Attorney Highsmith responded to questions accordingly.

Mayor Joe opened the public hearing at 9:08 p.m.

Planning Manager Kith played the presentations provided by the appellant and the applicant.

Chief City Clerk Ayala announced the name of the individuals 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):

- Neilesh Mutyala
- Courtney Rice
- Sergio Delgado
- Allegra Inganni
- Lowell Abellon
- Allan Heifetz
- Soo-Hyun Chung
- Steven Rivera
- Ashley Sandoval
- Mia Hernandez
- Jessica Leyva
- Elwing Suong Gonzalez
- Nancy Ladner
- Amanda Rojas
- Ashaki Jackson
- Ernesto Vazquez
- Jillian Ryan
- Rachel Jones
- Rickey Perez
- Leticia Callela-Austin
- Wendy Gutschow
- Angie Prasad
- Sharon Alcazar
- Joan Manansala
- Guadalupe Salcedo
- Chris Alvarado
- Laura DeLoretta
- Eck Chaiboonma
- Carmelita Salazar
- Marleen Munoz
- Stephen A. Scheck
- Tuni Chatterji
- John Nelson
- Kenneth Simoneit

- Kate Dollenmayer
- Priscilla Nunez
- Laura Escobar
- Brenda Contreras
- Rolando Thorbourne
- Micah Haserjian
- Jacqueline G.
- Sofia L.

Chief City Clerk Ayala played audio recordings of the public comments received via the City's public comment phone line. All comments received expressed concern and opposition to the proposed project:

- Nina Curts
- Sarah B.
- Lily Whallen
- Ashely De la Rosa
- Brenda
- Laura Ruiz
- Unknown
- Amenda
- Unknown
- Ernesto Vazquez
- Kristine Lang
- Theresa L.
- Laura Cortez
- Penelope U.
- Cynthia N.
- Andrew
- Courtney
- Tiff
- Mercedes
- Peter Kailinger
- Nancy Ladner
- Rolando Forborn
- Brenda Contreras
- Jackie
- Tracy Bueno
- Unknown
- Micah Haserjian

Micah Haserjian, appellant, provided rebuttal statements, and responded to questions from Council accordingly.

Steve Scheck, applicant, provided rebuttal statements, and responded to questions from Council accordingly.

City Attorney Highsmith also responded to Council questions accordingly.

Mayor Joe closed the public hearing at 10:46 p.m.

Council held considerable discussion and had various questions. City Attorney Highsmith provided responses accordingly.

Rossi motioned to continue the public hearing to a future meeting until responses to questions raised by the City Council could be received from the City of Los Angeles. Mayor Pro Tem Mahmud seconded the motion.

Councilmember Cacciotti asked if additional public comments must be taken if the public hearing is continued. City Attorney Highsmith confirmed and explained the process for receiving public comment for a continued public hearing.

City Attorney Highsmith explained a possible motion, as requested by Councilmember Cacciotti: to direct staff to modify the condition to require that the developer obtain permits for the construction of the seven homes from the City of Los Angeles prior to the City of South Pasadena allowing the issuing or approving of the grading permit necessary to begin construction of the road; meanwhile staff can check with Los Angeles to confirm that this is permissible; upon written confirmation from Los Angeles that this is not permitted, the City of South Pasadena may default to the original condition which was to require the developer to provide a form of written approval of the design of the houses just short of getting the building permits issued.

Councilmember Schneider clarified that the amendment to Councilmember Rossi's original motion to require a written response from the City of Los Angeles.

Mayor Pro Tem Mahmud offered an amendment of clarification from the City of Los Angeles as to the timeline for its review of the northeast hills zoning.

Councilmember Cacciotti offered an amendment to the motion to include that public comments would each be limited to one minute.

MOTION BY COUNCILMEMBER ROSSI, SECOND BY MAYOR PRO TEM MAHMUD, CARRIED 5-0, to continue the public hearing to November 18, 2020 until written responses to questions raised by City Council can be provided by the City of Los Angeles; clarification by the City of Los Angeles is provided on the timeline for its review of the northeast hills zoning; and that public comment will be limited to one minute each for the continued public hearing.

Recommendation

~~It is recommended that the City Council uphold the Planning Commission's approval of Project No. 2191 HDP/TRP, Hillside Development Permit for the street design of the private street~~

~~portion of Moffat Street connecting only to Lowell Avenue and Tree Removal Permit for the removal of five trees for the Moffat Street extension, subject to conditions of approval.~~

ACTION DISCUSSION ITEMS

At this time, City Council reached consensus to move Agenda Item Nos. 14 and 16 to a future meeting.

13. Approval of a Draft Letter Appealing the City's Regional Housing Needs Assessment Allocation

Manager of Long Range Planning and Economic Development Margaret Lin provided a PowerPoint presentation

Brief comments were provided by Councilmember Rossi and Mayor Pro Tem Mahmud.

Chief City Clerk Ayala announced the name of the individual who submitted public comment 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):

- Tom Williams

MOTION BY MAYOR PRO TEM MAHMUD, SECOND BY COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to approve a draft letter as provided in the Additional Documents appealing the City's Regional Housing Needs Assessment (RHNA) allocation.

14. Presentation of the Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ending June 30, 2019.

Recommendation

~~It is recommended that the City Council receive and file the City of South Pasadena's (City) Comprehensive Annual Financial Report (CAFR) for Fiscal Year (FY) ending June 30, 2019.~~

15. Presentation of the Rogan Funded Project

Public Works Director Shahid Abbas provided a PowerPoint presentation.

Brief comments were provided by Councilmember Schneider and Mayor Pro Tem Mahmud.

MOTION BY MAYOR PRO TEM MAHMUD, SECOND BY COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to appropriate funding, in two phases, from the following sources:

1. Immediately appropriate \$450,000 from Capital Growth Fund for PS&E / Environmental Phase;
2. Identify General Funds Reserves of \$1,410,000 for Construction Phase; and

3. Direct staff to seek alternative matching construction funding from other sources during the project's PS&E and Environmental phases.
- ~~1. Direct staff to aggressively pursue Metro approval of grant funds of \$1.86M to secure the City's matching obligation associated with the Rogan Grant~~
- ~~2. In the event staff is unsuccessful in this effort, appropriate Measure M Multi-Sub-regional Program (MSP) funds in the amount of \$1.72M and \$160,000 from the City's Capital Growth Fund to supplement Measure M MSP dollars to make up the required match. (The appropriation of Measure M funds, could involve the obligation of future year Measure M revenues)~~

INFORMATIONAL REPORTS


16. South Pasadena Homelessness Plan

At this time, Councilmember Rossi motioned to agendaize an item at the next meeting for \$3,800 of his discretionary funds contributed towards the Mission Street project, in addition to those by Councilmember Cacciotti and Mayor Joe. Councilmember Cacciotti provided a second.

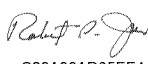
ADJOURNMENT

Mayor Joe announced the next Regular City Council meeting on November 4.

There being no further business, Mayor Joe adjourned the meeting at 11:33 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