



Wednesday, November 4, 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, November 4, 2020, at 7:34 p.m., in the Council Chamber, located at 1424 Mission Street, South Pasadena, California.

**ROLL CALL**

**Present:** Councilmember Rossi

**Present via Zoom:** Councilmembers Cacciotti and Schneider; Mayor Pro Tem Mahmud and Mayor Joe

**Absent:** None

**City Staff Present:** Interim City Manager Sean Joyce (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**

The Flag Salute was led by Executive Assistant to the City Manager Tamara Binns.

**PUBLIC COMMENT**

**1. Public Comments - General**

Mayor Joe announced public comments for the meeting were received on a recorded voice line from the following individuals on general topics in addition to the emails received. He noted the public should be aware the City Council would not discuss comments or vote on non-agenda items and public comments on agenda items would be taken when the item is addressed.

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

- Ed Donnelly - Provided comments thanking South Pasadena voters for their support of Measure U in the November 3, 2020 election.

- Ava Dunville - Provided comments regarding her concerns South Pasadena Police Department (SPPD) and other City officials over incidents that took place at a rally on Sunday, November 1, 2020; and called for an investigation into the assault of a 16-year-old girl at the rally.
- Jan Marshall - Provided comments regarding her concerns at the South Pasadena Police Department's inability to maintain public safety at a rally on Sunday, November 1, 2020.

## COMMUNICATIONS

### 2. Councilmembers Communications

Councilmember Rossi reported receiving several comments regarding the rally and stated he was also in attendance. He noted he was personally acquainted with those who had been spit upon by the rally goers. He also reported having observed SPPD interactions with concerned parents, and expressed his own concerns with the situation. He recommended SPPD review its response, but was not calling for a formal investigation at this time.

Councilmember Cacciotti requested Chief City Clerk Ayala display various pictures regarding:

- Rally event - He commented on his observations of the event, and conversations with residents and Mayor Joe regarding same. He also spoke to Interim City Manager Joyce regarding concerns.
- Garfield Park - Photos of a resident and his family at Garfield Park. Councilmember Cacciotti commented on the use of the children's playground as fitness equipment and inquired as to why there is not a fitness area in South Pasadena. Councilmember Cacciotti suggested adding a small fitness area as a topic for the Parks & Recreation Commission. Mayor Joe seconded the motion.

Councilmember Schneider reported he and Mayor Pro Tem Mahmud attended a meeting with SPPD on October 26 to discuss a community complaint regarding City Council's approval of the South Pasadena High School Anti-Bias Club's Black Lives Matter mural on City property. The officers stated they consider Black Lives Matter to be an anti-police organization and encouraged City Council to reconsider the placement of the mural on City Hall.

Councilmember Schneider also reported on attending the Public Arts Commission meeting on October 28, to relay the details of his meeting with SPPD. He further commented on the Commission's comments and intent to review the artwork in the future.

Mayor Pro Tem Mahmud thanked the members of the community who strongly supported Measure U and noted its importance to the financial stability of the City.

Mayor Joe echoed Mayor Pro Tem Mahmud's comments thanking the Utility Users Tax (UUT) Committee. He advised a new traffic signal was placed into operation by residents at the corner of Orange Grove Avenue and Monterrey Road last week.

### **3. City Manager Communications**

Interim City Manager Joyce reminded residents the Housing Rights Center (HRC) would have a Housing Rights Workshop on November 5 at 6:00 p.m. regarding new state rent control laws and tenant rights. Registration information was provided.

Police Chief Joe Ortiz provided a review of the rally on November 1 in the area of Fair Oaks Avenue and Mission Street. Information included number of people in attendance and a breakdown of observed activity throughout the event, including a physical altercation. Chief Ortiz further elaborated on the investigation of said physical altercation, and the next steps involved. .

### **4. Reordering of and Additions to the Agenda**

Mayor Joe recommended moving Item No. 18 to be the first item heard before the Consent Calendar. City Council concurred.

Chief City Clerk Ayala announced two (2) additional documents were received for agenda Item Nos. 5 and 16. Both were uploaded to the City's website.

## **INFORMATION REPORTS**

### **18. South Pasadena Homeless Plan**

Police Lieutenant Shannon Robledo provided a verbal report on the South Pasadena Homeless Plan, which included information such as: working with residents, coordinating internal and external stakeholder meetings over six months, developing the goals of the Plan, grand funding, etc.

Mayor Pro Tem Mahmud and Councilmember Cacciotti provided comments in support of the work SPPD and Lieutenant Robledo have accomplished in this area.

Lieutenant Robledo responded to questions and comments accordingly.

At Mayor Joe's request, Lieutenant Robledo shared the story of an unhoused resident with an amputated leg who refused assistance. He reported SPPD independently took initiative to obtain a wheelchair for the appreciative man.

## **CONSENT CALENDAR**

Councilmember Schneider pulled Item No. 12.

Councilmember Cacciotti pulled Item Nos. 7, 8, 9, 10 and 11 for individual discussion.

No public comment provided.

MOTION BY COUNCILMEMBER SCHNEIDER, SECONDED BY MAYOR PRO TEM MAHMUD, CARRIED 5-0, to approve Consent Calendar Item Nos. 5 and 6.

- 5. Approval of Prepaid Warrants in the Amount of \$91,276.83; General City Warrants in the Amount of \$369,165.35; Payroll in the Amount of \$573,019.90; Supplemental ACH Payments in the Amount of \$191,887.53**

City Council approved the Warrants as presented.

- 6. Adoption of a Resolution No. 7687 Approving the City of South Pasadena Investment Policy for Fiscal Year 2020-21**

City Council adopted Resolution No. 7687 approving the Fiscal Year (FY) 2020-21 Investment Policy.

#### **ITEMS PULLED FROM CONSENT**

Items 7, 8, 9 and 10 were heard concurrently.

- 7. Approval of a Mills Act Contract for Property Located at 335 Monterey Road (Assessor's Parcel Number 5311-012-010), Project No. 2348-MIL**
- 8. Approval of a Mills Act Contract for Property Located at 704 Meridian Avenue (Assessor's Parcel Number 5313-013-041), Project No. 2346-MIL**
- 9. Approval of a Mills Act Contract for Property Located at 1506 Rollin Street (Assessor's Parcel Number 5319-004-013), Project No. 2305-MIL**
- 10. Approval of a Mills Act Contract for Property Located at 1545 Ramona Avenue (Assessor's Parcel Number 5319-025-032), Project No. 2306-MIL**

In response to Councilmember Cacciotti's inquiries, Planning Manager Kanika Kith clarified the property tax implications of the Mills Act. Interim City Manager Joyce explained the City's share of the property tax is 26%.

Councilmember Cacciotti expressed concern the City is losing tax revenue on the four (4) homes. Planning Manager Kith responded to questions and comments accordingly.

Councilmember Schneider also commented on the various property requirements of the Mills Act and the benefits of same to the community.

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

1. Approve a Mills Act Contract for Property Located at 335 Monterey Road (Assessor's Parcel Number 5311-012-010), Project No. 2348-MIL
2. Approve a Mills Act Contract for Property Located at 704 Meridian Avenue (Assessor's Parcel Number 5313-013-041), Project No. 2346-MIL
3. Approve a Mills Act Contract for Property Located at 1506 Rollin Street (Assessor's Parcel Number 5319-004-013), Project No. 2305-MIL
4. Approve a Mills Act Contract for Property Located at 1545 Ramona Avenue (Assessor's Parcel Number 5319-025-032), Project No. 2306-MIL
5. Require staff to return with a report of income lost due to the Mills Act.

**11. Approval of Contract with Bob Murray & Associates for City Manager Executive Search Services**

In response to Councilmember Cacciotti's inquiry, Interim City Manager Joyce clarified the background check methodology that would be utilized in learning about candidates for City Manager. Interim City Manager Joyce explained that the recruiter would conduct an objective search and background check, and that, he, too, would assist in this effort.

MOTION BY COUNCILMEMBER CACCIOTTI, SECONDED BY MAYOR PRO TEM MAHMUD, CARRIED 5-0, to: approve the contract with Bob Murray & Associates for City Manager Executive Search Services.

**12. Adoption of a 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 expressed concerns over the infrastructure improvements which will be required to charge electric vehicles. He would like to see the State create a reasonable 15-year timetable to work towards these infrastructure needs. He requested an amendment to the City Council's resolution urging for this to happen much sooner than the 2035 proposed target year.

Councilmember Schneider further clarified he requests this language be included in the transmittal letter to avoid delays so the State can see the City is anxious to move the infrastructure needs along.

Mayor Pro Tem Mahmud reported Southern California Edison acknowledged it is in its best interest to build this infrastructure for shareholder returns on capital investments. She advised this process is underway but has no objection to Councilmember Schneider's proposal.

Mayor Pro Tem Mahmud recommended asking staff to return an ordinance regarding the mandatory installation of the requisite wiring required under state law in multi-unit dwellings and the electric vehicle chargers. Councilmember Schneider seconded the staff direction.

Councilmember Cacciotti quoted a section from Executive Order N-79-20 discussing enhanced electrical needs but expressed his approval of Councilmember Schneider's language accelerating the process.

MOTION BY COUNCILMEMBER SCHNEIDER, SECONDED BY MAYOR PRO TEM MAHMUD, CARRIED 5-0, to:

1. Adopted Resolution No. 7986 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.
2. Notate the City request for a timeline for related electrical infrastructure needs.

## **PUBLIC HEARING**

### **13. Adoption of Urgency Ordinance No. 2349 Establishing a 45-day Moratorium on Evictions for Substantial Remodels and discussion of Tenant Relocation Fees**

Assistant to the City Manager Lucy Demirjian provided the staff report.

City Council had various comments and questions regarding: edits to the proposed moratorium, a permanent ordinance, community outreach, etc. Assistant to the City Manager Demirjian, City Attorney Highsmith, and Planning Director Joanna Hankamer responded to questions and comments accordingly.

Mayor Joe opened the public hearing at 8:46 p.m.

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):

- Ed Elsner
- Danielle Leidner-Peretz
- Matt Buck
- Nicholas Taylor
- Ella Hushagen

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

- Brandon Yung - Provided comments urging the Council to pass stronger renter protections against renovation evictions..
- Amber Chang - Provided comments asking the Council to provide a 30-day moratorium on evictions at this meeting and stronger protections at the November 18 meeting requiring landlords to show they are acting in good faith by first obtaining the necessary permits.

- Jan Marshall - Provided comments strongly supporting a 30-day moratorium on evictions and urged the Council to adopt stronger protections from abuse at the next meeting.
- Ella Hushagen - Provided comments urging the Council to adopt a 30-day moratorium at the meeting and encouraged the Council to move quickly on stronger eviction protections at the next meeting requiring landlords to show they are acting in good faith by first obtaining the necessary permits.
- Andrea Siegel - Provided comments supporting the Council adopting a 30-day eviction moratorium at this meeting and even stronger protections at the November 18 meeting requiring landlords to show they are acting in good faith by first obtaining the necessary permits.
- Robin Adelku - Provided comments supporting the Council adopting a 30-day eviction moratorium at this meeting and even stronger protections at the November 18 meeting requiring landlords to show they are acting in good faith by first obtaining the necessary permits.
- Annie Chelsea - Provided comments supporting the Council adopting a 30-day eviction moratorium at this meeting and even stronger protections at the November 18 meeting requiring landlords to show they are acting in good faith by first obtaining the necessary permits.
- Sierra Martinez - Provided comments supporting the Council adopting a 30-day eviction moratorium at this meeting and even stronger protections at the November 18 meeting requiring landlords to show they are acting in good faith by first obtaining the necessary permits.
- John Srebalus - Provided comments thanking the Council for considering such a measure. He shared several local news stories about area residents whose landlords' repairs do not qualify as substantial remodeling but were evicted nonetheless, even during Los Angeles County's COVID-19 moratorium. He praised the proposed moratorium as a fair and just one.

Mayor Joe closed the public hearing at 8:57 p.m.

City Council held considerable discussion on this item including: support for the emergency ordinance; importance of dissemination of information, concerns regarding expanding tenant relocation fees beyond one month (Mayor Pro Tem Mahmud requested this be considered by the Planning Commission); a mechanism to make potential future adjustments to the fees as the pandemic's impact on the housing market evolves; exploring the act of evictions by taking units off the market and then returning them to the market once the current tenant has left; etc.

Director Hankamer responded to questions and comment by Council accordingly.

MOTION BY COUNCILMEMBER ROSSI, SECONDED BY COUNCILMEMBER CACCIOTTI, CARRIED 5-0, to adopt Urgency Ordinance No. 2349 an Urgency Ordinance of the City Council of the City of South Pasadena, California, Establishing an Interim Moratorium on Evictions of Residential Tenancies Due to Substantial Remodeling or Demolition of the Unit in the City of South Pasadena, and Declaring the Urgency Thereof.

Mayor Joe reopened the discussion over tenant relocation fees.

Councilmember Cacciotti moved on behalf of Councilmember Rossi and himself to set relocation fees to 2.5 times the monthly Fair Market Rent as published to match Pasadena's standard.

Considerable discussion was held by the Council regarding: the rate only applying to individuals at 140% of average median income and is not available to all residents; suggestion of raising the State's one-month standard to two-months as an added deterrent from landlords taking such action; reviewing similar actions by the City of Pasadena; studying the immediate costs of moving costs associated with moving within South Pasadena; etc.

Assistant to the City Manager Demirjian, City Attorney Highsmith, and Director Hankamer responded to comments and questions accordingly and agreed to come back with a variety of options for consideration.

## **ACTION/DISCUSSION ITEMS**

**14. Receive and File a Presentation by the Chamber of Commerce and Approve Discretionary Fund Requests from Councilmember Cacciotti (\$2,000), Mayor Joe (\$3,000), and Councilmember Rossi (\$3,870) for Business District Holiday Lighting and Decorations.**

Assistant to the City Manager Demirjian provided the staff report.

South Pasadena Chamber of Commerce President Laurie Wheeler reported on the importance of shopping within the City is this year to local businesses, and further elaborated on the Chamber's efforts and planned events in this area. Ms. Wheeler also responded to Council questions regarding specific costs.

Councilmember Cacciotti clarified the dollar amount proposed from his discretionary funds to be \$1,500.

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



- Michelle McCauley and Camille DePedrini - Provided comments thanking the Council for its generous gifting of discretionary funds to support local businesses and praised Ms. Wheeler's work on this endeavor.
- Ellen Daigle - Provided comments thanking the Council for supporting local businesses by generously gifting discretionary funds, thanked Ms. Wheeler for her work, and local businesses for their collaboration.
- Kelly Kidd - Provided comments thanking the Council for its support of small businesses to help keep them ahead of online retailers like Amazon and making South Pasadena special. He also suggested enhanced future promotion of South Pasadena's Route 66 heritage.
- Shelley Stephens - Provided comments thanking the City Council for supporting the business community with their discretionary funds, recognizing how important it is to support small independent businesses in these unique times, and praised Ms. Wheeler's efforts.

MOTION BY MAYOR PRO TEM MAHMUD, SECONDED BY COUNCILMEMBER ROSSI, CARRIED 5-0, to:

1. Approve discretionary fund requests by Councilmember Cacciotti in the amount of \$1,500.
2. Approve discretionary fund requests by Mayor Joe in the amount of \$3,000.
3. Approve discretionary fund requests by Councilmember Rossi in the amount of \$3,870.

#### **15. Finance Department Temporary Staffing Request**

Council agreed to hear a summarized staff report citing their familiarity with the department's needs.

Interim Assistant City Manager Aguilar provided a brief staff report.

No public comments provided.

MOTION BY MAYOR PRO TEM MAHMUD, SECONDED BY COUNCILMEMBER ROSSI, CARRIED 5-0, to:

1. Receive an update regarding the status of Finance Department projects;
2. Allocate \$74,150 from General Fund Reserves to provide temporary, additional staffing assistance to complete the FY 2020 CAFR and FY 2020/2021 Budget; and
3. Authorize the Interim City Manager to sign employment agreements with the two (2) CALPERS annuitants, for a combined total salary amount not to exceed \$74,150.

#### **16. Planning Backlog of Projects and Request for Enhancement and Backfill Resources**

Director Hankamer provided the staff report.

Councilmember Cacciotti offered praise to Interim City Manager Joyce and Interim Assistant City Manager Aguilar for their efforts to get the City back on track. He also praised Director of Planning and Building Hankamer, Senior Planner Kith, and her staff for their work navigating the backlog.

Councilmember Rossi echoed Councilmember Cacciotti's comments and requested staff determine appropriate staffing levels to prevent backups requiring temporary assistance as discussed in the past two (2) agenda items.

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):

- Mark Gallatin
- Mark Smeaton

**MOTION BY COUNCILMEMBER CACCIOTTI, SECONDED BY COUNCILMEMBER ROSSI, CARRIED 5-0, to:**

1. Receive an update regarding the backlog of planning applications;
2. Allocate \$186,400 from General Fund Reserves to provide temporary, additional staffing assistance to process the backlog of planning applications for approximately six months; and to provide temporary staffing to backfill the position of the Long Range Planning and Economic Development Division Manager during an extended absence of approximately four months;
3. Approve a Professional Services Agreement (PSA) with two firms, Rincon Consultants, Inc. and Sagecrest Planning+ Environmental in an amount not to exceed \$120,000 for up to six months for enhancement services to address the planning application backlog; and
4. Delegate to the Interim City Manager the approval of an Employment Agreement with CalPERS annuitant Elizabeth Bar-El in an amount not to exceed \$57,950 to provide backfill temporary planning services for four months during the leave of the Planning Manager.

**17. Formation of an Ad Hoc Committee to Review and Make Recommendations on the Responsibilities and Duties of City Boards and Commissions**

Chief City Clerk Ayala briefly introduced the item.

Councilmember Rossi clarified if the Ad Hoc Committee were approved tonight applications could be available for current and former Commissioners who would like to comprise the Committee. He expresses support for waiting for the next Council meeting after the election is finalized before allowing current and former Councilmembers to apply.

Council held considerable dialogue on this matter including: concern over the ability for the proposed Ad Hoc Committee to achieve its goals; considering an Ad Hoc Committee that would include a sitting member from each of the existing commissions; asking active commissioners for specific recommendations; a streamlined process to help staff and commissioners accomplish goals and objectives; etc.

Mayor Pro Tem Mahmud further commented on staff's current workload and the impact of an additional Ad Hoc Committee. Mayor Pro Tem Mahmud asked for Interim City Manager Joyce to opine on the matter.

Mayor Joe expressed his opinion in favor of an Ad Hoc Committee which will identify the duties and responsibilities of the Boards and Commissions and consider consolidation.

Interim City Manager Joyce commented that this matter is a Council policy decision but believes it is necessary to clear up ambiguity. He cited his experience with similar subject matter while serving as City Manager in the City of Sierra Madre.

City Attorney Highsmith commented on the legal issues surrounding the proposed Ad Hoc Committee.

Councilmember Cacciotti commented on the City's current number of commissions and past failed efforts to try to reduce the number. Although a review of is necessary, he recommends this be revisited when the next Council is installed.

Councilmember Rossi agreed it could be held over for the next Council. Mayor Joe moved to hold the matter over until January. There was no opposition.

Chief City Clerk Ayala announced the names of those who submitted public comment via email (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):

- Larry Abelson

## ADJOURNMENT


Mayor Joe announced the next regular City Council meeting on November 18, 2020.

There being no further business, at 10:11 p.m. Mayor Joe adjourned the meeting.

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Maria E. Ayala  
Chief City Clerk

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Diana Mahmud  
Mayor

*City Council Approved: 02/17/2021*