



Additional Documents List
Regular City Council Meeting
April 20, 2021
(Uploaded Online on 04/22/2021 @ 3:00 p.m.)

Item No.	Agenda Item Description	Distributor	Document
19	Adoption of an Urgency Ordinance Establishing Requirements for “Hero Pay” and Associated Protections for Grocery Workers in the City	Lucy Demirjian, Assistant to the City Manager	Memo to update proposed ordinance
20	Review and Provide Direction on the City of South Pasadena’s Caltrans Surplus Property Disposition Strategy	Lucy Demirjian, Assistant to the City Manager	PowerPoint Presentation
PC	Emailed Public Comment for: Regular Session Agenda Item Nos. 2, 4, 8, 17, 19, 20, 21, 23, 24	Maria E. Ayala, Chief City Clerk	Emailed Public Comments



**City of South Pasadena
Management Services
Department**

Memo

Date: April 21, 2021

To: The Honorable City Council

Via: Sean Joyce, Interim City Manager

From: Lucy Demirjian, Assistant to the City Manager

Re: April 21, 2021, City Council Meeting Item No. 19 Additional Document – Adoption of an Urgency Ordinance Establishing Requirements for “Hero Pay” and Associated Protections for Grocery Workers in the City

The attached document provides an updated urgency ordinance which includes a definition of “drug retail store” and associated changes to reflect that retail drug workers are covered under the ordinance as stated in the staff report.

URGENCY ORDINANCE NO. ____

**AN URGENCY ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF SOUTH PASADENA, CALIFORNIA,
ESTABLISHING PREMIUM PAY AND ASSOCIATED LABOR PROTECTIONS
FOR GROCERY AND DRUG RETAIL WORKERS WORKING IN SOUTH PASADENA
AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY**

WHEREAS, the new coronavirus 19 (“COVID-19”) disease is caused by a virus that spreads easily from person to person and may result in serious illness or death, and is classified by the World Health Organization (“WHO”) as a worldwide pandemic; and

WHEREAS, COVID-19 has broadly spread throughout California and remains a significant health risk to the community, especially members of our most vulnerable populations; and

WHEREAS, the WHO has declared that COVID-19 is a global pandemic, which is particularly severe in high risk populations such as people with underlying medical conditions and the elderly, and the WHO has raised the health emergency to the highest level, requiring dramatic interventions to disrupt the spread of this disease; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom proclaimed a state of emergency in response to new cases of COVID-19, directing state agencies to use all resources necessary to prepare for and respond to the outbreak; and

WHEREAS, on March 16, 2020, the City Council of the City of South Pasadena proclaimed the existence of a local emergency in response to new cases of COVID-19, authorizing the City Manager to exercise the emergency powers necessary to take extraordinary measures to prevent death or injury of persons and to protect the public peace, safety and welfare, and alleviate damage, loss, hardship or suffering; and

WHEREAS, on March 19, 2020, Governor Newsom issued a “Stay Home – Stay Healthy” proclamation closing all non-essential workplaces, requiring people to stay home except to participate in essential activities or to provide essential business services, and banning all gatherings for social, spiritual, and recreational purposes. In addition to healthcare, public health and emergency services, the “Stay Home – Stay Healthy” proclamation identified grocery and drug retail stores as essential business sectors critical to protecting the health and well-being of all Californians and designated their workers as essential critical infrastructure workers; and

WHEREAS, on March 19, 2020, in order to mitigate the effects of COVID-19 within the County of Los Angeles, the County Public Health Officer issued the “Safer at Home” Order to control the affects and spread of COVID-19 by closing all non-essential workplaces, requiring people to stay home except to participate in essential activities or to provide essential business services, and banning all gatherings of more than 10 people. In addition to healthcare, public health and emergency services, the “Safer at Home” Order identified grocery and drug retail stores as

essential business sectors critical to protecting the health and well-being of all Californians and designated their workers as essential critical infrastructure workers; and

WHEREAS, effective November 30, 2020, the County Department of Public Health enacted a new Health Officer Order requesting individuals to remain in their homes as much as possible and to avoid crowding and mingling with non- household members. The Order came after many Americans gathered and traveled over the Thanksgiving holiday in the midst of a winter surge of COVID- 19 cases and deaths. According to the County Department of Public Health, daily peaks are now more than double the County’s peak of daily cases during the summer surge. The region is currently experiencing a surge following the winter holiday season. The Southern California Region, which the City of South Pasadena is a part of, was at zero percent ICU capacity on January 15, 2021. Nevertheless, Grocery and drug retail workers report to work while others are directed to remain home to slow the spread of the virus; and

WHEREAS, on December 3, 2020, Governor Newsom extended the “Stay Home– Stay Healthy” proclamation; and

WHEREAS, on January 25, 2021 Governor Newsom lifted the statewide stay-at- home order, returning counties back to a tiered system; and

WHEREAS, on January 25, 2021, the California Department of Public Health (CDPH) ended the Regional Stay at Home Order, lifting the order for all regions statewide, including Southern California. This action allowed all counties to return to the Blueprint for a Safer Economy framework which uses color-coded tiers to indicate which activities and businesses can open based on local case rates and test positivity. Los Angeles County is in the strictest tier, the Purple Tier; and

WHEREAS, Los Angeles County remains in the most restrictive purple tier where many non-essential business operations remain closed and the virus remains widespread; and

WHEREAS, as of January 28, 2021, the WHO Situation Report reported a global total of 100,455,529 cases of COVID-19, including 2,166,440 deaths; California reported 3,200,000 cases of COVID-19, including 38,927 deaths; and South Pasadena has reported 1,874 cases of COVID-19, including 24 deaths; and

WHEREAS, grocery and drug retail stores are essential businesses operating in South Pasadena during the COVID-19 emergency making grocery and drug retail workers highly vulnerable to economic insecurity and health or safety risks; and

WHEREAS, grocery and drug retail workers ~~working for grocery stores~~ are essential workers who perform services that are fundamental to the economy and health of the community during the COVID-19 crisis. They work in high-risk conditions with inconsistent access to protective equipment and other safety measures; work in public situations with limited ability to engage in physical distancing; and continually expose themselves and the public to the spread of disease; and

WHEREAS, premium pay, paid in addition to regular wages, is an established type of compensation for employees performing hazardous duty or work involving physical hardship that can cause extreme physical discomfort and distress; and

WHEREAS, grocery and drug retail workers working during the COVID-19 emergency warrant additional compensation because they are performing hazardous duty due to the significant risk of exposure to the COVID-19 virus. Grocery and drug retail workers have been working under these hazardous conditions for months. They are working in these hazardous conditions now and will continue to face safety risks as the virus presents an ongoing threat for an uncertain period, potentially resulting in subsequent waves of infection; and

WHEREAS, the availability of grocery and drug retail stores is fundamental to the health of the community and is made possible during the COVID-19 emergency because grocery and drug retail workers are on the frontlines of this devastating pandemic supporting public health, safety, and welfare by working in hazardous situations. A study of grocery and drug retail store workers has also shown an accelerated risk of coronavirus infection faced by workers in customer-centric roles. Another report from CNBC reports how the toll of COVID has been particular hard on grocery and drug retail store workers who can't work from home and often have low pay and limited benefits. Additionally, new and potentially more contagious variants of the coronavirus that have been detected in California; and

WHEREAS, establishing an immediate requirement for grocery and drug retail stores to provide premium pay to ~~grocery~~ workers protects public health, supports stable incomes, and promotes job retention by ensuring that ~~grocery~~ workers are compensated for the substantial risks, efforts, and expenses they are undertaking to provide essential services in a safe and reliable manner during the COVID-19 emergency; and

WHEREAS, as a result of the COVID-19 pandemic, this Ordinance aims to protect and promote the public health, safety, and welfare during the new coronavirus 19 (COVID-19) emergency by requiring grocery and drug retail stores to provide premium pay for ~~grocery~~ workers performing work in South Pasadena. Requiring grocery and drug retail stores to provide premium pay to ~~grocery workers~~ ~~compensates~~ ~~grocery~~ workers for the risks of working during a pandemic. Grocery and drug retail workers face magnified risks of catching or spreading the COVID-19 disease because the nature of their work involves close contact with the public, including members of the public who are not showing symptoms of COVID-19 but who can spread the disease. The provision of premium pay better ensures the retention of these essential workers who are on the frontlines of this pandemic providing essential services and who are needed throughout the duration of the COVID-19 emergency. As such, they are deserving of fair and equitable compensation for their work; and

WHEREAS, this Ordinance is adopted pursuant to the City's police powers and powers afforded to the city in time of national, state, county and local emergency during an unprecedented health pandemic, such powers being afforded by the State Constitution, State law and the South Pasadena Municipal Code to protect the peace, health, and safety of the public. The South Pasadena City Council finds that this ordinance is necessary for the preservation of the public peace, health, and safety of grocery and drug retail workers working in South Pasadena and finds

urgency to approve this ordinance immediately based on the facts described herein and detailed in the staff report. Under Government Code Section 8634, this ordinance is necessary to provide for the protection of health, life and property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing Recitals are true and correct and incorporated by reference herein as if fully set forth.

SECTION 2. PREMIUM PAY FOR GROCERY AND DRUG RETAIL WORKERS.

A. Definitions.

For purposes of this Ordinance:

“Adverse action” means reducing the compensation to a grocery covered worker, garnishing gratuities, temporarily or permanently denying or limiting access to work, incentives, or bonuses, offering less desirable work, demoting, terminating, deactivating, putting a grocery covered worker on hold status, failing to rehire after a seasonal interruption of work, threatening, penalizing, retaliating, or otherwise discriminating against a covered grocery worker for any reason prohibited by this ordinance. “Adverse action” also encompasses any action by the hiring entity or a person acting on the hiring entity’s behalf that would dissuade a grocery covered worker from exercising any right afforded by this ordinance.

“Aggrieved party” means a grocery covered worker or other person who suffers tangible or intangible harm due to a hiring entity or other person’s violation of this ordinance.

“City” means the City of South Pasadena.

“Covered grocery worker” means a grocery or drug retail worker employed directly by a hiring entity who is entitled to premium pay pursuant to this Ordinance.

“Grocery or drug retail worker” means a worker employed directly by a hiring entity at a grocery store or drug retail store. Grocery or drug retail worker does not include managers, supervisors or confidential employees.

“Drug retail store” means a store that sells a variety of prescription and nonprescription medicines and miscellaneous items, including but not limited to, drugs, pharmaceuticals, sundries, produce, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, beverages, prepared foods, and other merchandise (also referred to as drug retail products).

“Grocery store” means a store that devotes seventy percent (70%) or more of its business to retailing a general range of food products, which may be fresh or packaged. There is a

rebuttable presumption that if a store receives seventy percent (70%) or more revenue from retailing a general range of food products, then it qualifies as a grocery store.

“Hiring entity” means a grocery or drug retail store that employs over three hundred (300) grocery or drug retail workers nationally and employs more than fifteen (15) employees per ~~grocery~~ store in the City of South Pasadena.

“Premium pay” means additional compensation owed to a covered ~~grocery~~ worker that is separate from hiring entity payments for providing services, bonuses, and commissions, as well as tips earned from customers.

“Respondent” means a grocery or drug retail store, parent company or any person who is alleged or found to have committed a violation of this Ordinance.

B. Grocery or Drug Retail worker coverage.

For the purposes of this Ordinance, covered ~~grocery~~ workers are limited to those who perform work for a hiring entity where the work is performed by that worker in the City of South Pasadena.

C. Hiring entity coverage.

1. For purposes of this Ordinance, hiring entities are limited to those who employ three hundred (300) or more ~~grocery-covered~~ workers nationally and employ more than fifteen (15) employees per ~~grocery~~ store in the City of South Pasadena.
2. To determine the number of ~~grocery-covered~~ workers employed for the current calendar year:
 - a. The calculation is based upon the average number per calendar week of grocery or drug retail workers who worked for compensation during the preceding calendar year for any and all weeks during which at least one (1) grocery or drug retail worker worked for compensation. For hiring entities that did not have any grocery or drug retail workers during the preceding calendar year, the number of grocery or drug retail workers employed for the current calendar year is calculated based upon the average number per calendar week of grocery or drug retail workers who worked for compensation during the first ninety (90) calendar days of the current year in which the hiring entity engaged in business.
 - b. All grocery or drug retail workers who worked for compensation shall be counted, including but not limited to:
 - i. Grocery or drug retail workers who are not covered by this Ordinance; and
 - ii. Covered ~~G~~grocery or drug retail workers who worked in South

Pasadena.

D. Premium pay requirement.

1. Hiring entities shall provide each ~~grocery covered~~ worker with premium pay consisting of an additional Three Dollars (\$3.00) per hour for each hour worked within the City of South Pasadena;
2. Hiring entities shall provide the pay required by Subsection D.1 for a minimum of sixty (60) days from the effective date of this Ordinance; ~~and-~~
3. This terms of this Ordinance shall be in effect for sixty (60) days from the effective date of this Ordinance, unless extended by Council action.

E. ~~Grocery Covered~~ worker and consumer protections.

1. No hiring entity shall, as a result of this Ordinance going into effect, take any of the following actions:
 - a. Reduce a ~~grocery covered~~ worker's compensation;
 - b. Limit a ~~grocery covered~~ worker's earning capacity.
2. It shall be a violation if this Ordinance is a motivating factor in a hiring entity's decision to take any of the actions in Subsection E.1 unless the hiring entity can prove that its decision to take the action(s) would have happened in the absence of this Ordinance going into effect.

F. Notice of rights.

1. Hiring entities shall provide ~~covered~~ grocery or drug retail workers with a written notice of rights established by this Ordinance. The notice of rights shall be in a form and manner sufficient to inform grocery or drug retail workers of their rights under this Ordinance. The notice of rights shall provide information on:
 - a. The right to premium pay guaranteed by this Ordinance;
 - b. The right to be protected from retaliation for exercising in good faith the rights protected by this Ordinance; and
 - c. The right to bring a civil action for a violation of the requirements of this Ordinance, including a hiring entity's denial of premium pay as required by this Ordinance and a hiring entity or other person's retaliation against a ~~covered~~ grocery or drug retail worker or other person for asserting the right to premium pay or otherwise engaging in an activity protected by this Ordinance.

2. Hiring entities shall provide the notice of rights required by posting a written notice of rights in a location of the ~~grocery~~ store utilized by employees for breaks, and in an electronic format that is readily accessible to the ~~grocery~~covered workers. The notice of rights shall be made available to the ~~grocery~~covered workers via smartphone application or an online web portal, in English and any language that the hiring entity knows or has reason to know is the primary language of the grocery or drug retail worker(s).

G. Hiring entity records.

1. Hiring entities shall retain records that document compliance with this Ordinance for ~~covered~~ grocery or drug retail workers.
2. Hiring entities shall retain the records required above for a period of two (2) years.
3. If a hiring entity fails to retain adequate records required under this Ordinance, there shall be a presumption, rebuttable by clear and convincing evidence, that the hiring entity violated this Ordinance for each ~~covered~~ grocery or drug retail worker for whom records were not retained.

H. Retaliation prohibited.

No hiring entity employing a grocery or drug retail worker shall discharge, reduce in compensation, or otherwise discriminate against any grocery or drug retail worker for opposing any practice proscribed by this Ordinance, for participating in proceedings related to this Ordinance, for seeking to exercise their rights under this Ordinance by any lawful means, or for otherwise asserting rights under this Ordinance.

I. Violation.

The failure of any respondent to comply with any requirement imposed on the respondent under this Ordinance is a violation.

J. Remedies.

1. The payment of unpaid compensation, liquidated damages, civil penalties, penalties payable to aggrieved parties, fines, and interest provided under this Ordinance is cumulative and is not intended to be exclusive of any other available remedies, penalties, fines, and procedures.
2. A respondent found to be in violation of this Ordinance for retaliation under Section H above shall be subject to any appropriate relief at law or equity including, but not limited to reinstatement of the aggrieved party, front pay in lieu of reinstatement with full payment of unpaid compensation plus interest in favor of the aggrieved party under the terms of this Ordinance, and liquidated damages in an additional amount of up to twice the unpaid compensation.

K. Private right of action.

1. Any ~~covered~~ grocery or drug retail worker that suffers financial injury as a result of a violation of this Ordinance, or is the subject of prohibited retaliation under Section H, may bring a civil action in a court of competent jurisdiction against the hiring entity or other person violating this Ordinance and, upon prevailing, may be awarded reasonable attorney fees and costs and such legal or equitable relief as may be appropriate to remedy the violation including, without limitation: the payment of any unpaid compensation plus interest due to the person and liquidated damages in an additional amount of up to twice the unpaid compensation; and a reasonable penalty payable to any aggrieved party if the aggrieved party was subject to prohibited retaliation.

L. Encouragement of more generous policies.

1. Nothing in this Ordinance shall be construed to discourage or prohibit a hiring entity from the adoption or retention of premium pay policies more generous than the one required herein.
2. Nothing in this Ordinance shall be construed as diminishing the obligation of a hiring entity to comply with any contract or other agreement providing more generous protections to a grocery or drug retail worker than required by this Ordinance.

M. Other legal requirements.

This Ordinance provides minimum requirements for premium pay while working for a hiring entity during the COVID-19 emergency and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, policy, or standard that provides for higher premium pay, or that extends other protections to ~~grocery-covered~~ workers; and nothing in this Ordinance shall be interpreted or applied so as to create any power or duty in conflict with federal or state law. Nothing in this Section shall be construed as restricting a grocery or drug retail worker's right to pursue any other remedies at law or equity for violation of their rights.

N. Exemption for collective bargaining agreement.

All of the provisions of this Ordinance, or any part thereof, may be expressly waived in a collective bargaining agreement, but only if the waiver is explicitly set forth in the agreement in clear and unambiguous terms. Unilateral implementation of terms and conditions of employment by either party to a collective bargaining relationship shall not constitute a waiver of all or any of the provisions of this Ordinance.

O. No waiver of rights.

Except for a collective bargaining agreement provision made pursuant to Section N, any waiver by a ~~grocery-covered~~ worker of any or all provisions of this Ordinance shall be deemed contrary to public policy and shall be void and unenforceable. Other than in connection with the bona fide negotiation of a collective bargaining agreement, any request by a hiring entity to a ~~grocery-covered~~ worker to waive rights given by this Ordinance shall be a violation of this Ordinance.

SECTION 3. Urgency Findings. Pursuant to California Government Code Section 36937, this Ordinance is designed to protect the health, safety and welfare of the citizens of the City of South Pasadena and becomes effective immediately upon adoption by a four-fifths (4/5) vote of the City Council. The City Council hereby finds that there is an urgent need to adopt these regulations in order to address the current and immediate threats set forth above. Given the uncertain and evolving nature of the pandemic, the premium pay and associated protections must be immediately implemented to ensure that grocery or drug retail workers continue working and providing this essential service to the residents of South Pasadena and the region generally. The workers have already been working for many months throughout this pandemic with new variants continuing to emerge. Grocery or drug retail workers face magnified risks of catching or spreading the COVID-19 disease because the nature of their work involves close contact with the public, including members of the public who are not showing symptoms of COVID-19 but who can spread the disease. The provision of premium pay better ensures the retention of these essential workers who are on the frontlines of this pandemic providing essential services and who are needed throughout the duration of the COVID-19 emergency. This urgency ordinance is needed during the emergency in the interest of maintaining access to and continuity in essential grocery or drug retail services and access to food through grocery or drug retail store operations. Under Government Code Section 8634 and South Pasadena Municipal Code Chapter 11, this Ordinance is necessary to provide for the protection of life and property for the reasons set out herein. The Council therefore finds and determines that the immediate preservation of the public peace, health and safety, and protection of life and property, require that this Ordinance be enacted as an urgency ordinance pursuant to Government Code section 36937 and take effect immediately upon adoption by four-fifths of the City Council.

SECTION 4. CEQA. The City Council determines that the adoption of this Urgency Ordinance is exempt from environmental review under the California Environmental Quality Act (“CEQA”) pursuant to the following provisions of the CEQA Guidelines, 14 California Code of Regulations, Chapter 3: this Urgency Ordinance is exempt under CEQA Guidelines Section 15378(b)(5) in that it is not a “project” under CEQA, and will not result in direct or indirect physical changes in the environment. This ordinance only regulates the pay and protections for grocery or drug retail workers those matters would not result in physical changes to the environment.

SECTION 5. Severability. If any section or provision of this Urgency Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections and/or provisions of this Urgency Ordinance shall remain valid. The City Council hereby declares that it would have adopted this Urgency Ordinance, and each section or provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravened via legislation.

SECTION 6. Authority. This ordinance is enacted pursuant to Article XI, Section 7, of the California Constitution, and in compliance with Government Code section 36937.

SECTION 7. Publication and Effective Date. Upon adoption of this Urgency Ordinance

by no less than four-fifths (4/5) vote of the Council, the Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in newspaper of general circulation within fifteen (15) days after its adoption. This Urgency Ordinance shall become effective immediately upon its adoption.

SECTION 8. Repeal. This Ordinance shall be automatically repealed sixty (60) days after adoption.

PASSED AND ADOPTED by the City Council of the City of South Pasadena, State of California, on April 21, 2021 by the following vote:

AYES:

NOES:

ABSENT:

Diana Mahmud, Mayor

Attest:

Maria E. Ayala, City Clerk

SB 381: Caltrans Surplus Property Disposition Strategy

APRIL 21, 2021

Community Forum – April 14, 2021

Panelists:

- Bianca Richards
- Charles Loveman
- Christopher Sutton
- Joanne Nuckols
- Kristi Lopez
- Mark Gallatin
- Mary Urquhart
- Odom Stamps
- Dr. Richard Schneider
- Sally Takeda
- Tim Ivison

Subcommittee and Staff:

- Mayor Diana Mahmud
- Councilmember Jack Donovan
- Sean Joyce
- Adam Eliason
- Holly Whatley
- Lucy Demirjian
- Margaret Lin

Facilitator:

- Joanna Hankamer

Forum Notes from April 14, 2021

<u>Forum Notes from April 14, 2021</u>		<u>Response</u>
<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>	
Perceived problems	<ol style="list-style-type: none"> 1. South Pasadena Preservation Foundation (SPPF) Subcommittee provided a revised proposal on April 14th and welcomes the opportunity to discuss priorities. 2. SPPF believes there is a non-legislative solution and would like to see the City work with the Senator to transfer managing control of the program to the local level. 3. Viability of the side-by-side escrow concept 	<ol style="list-style-type: none"> 1. SB 381 proposes a legislative process to achieve the community objectives. 2. Pursing SB 381 does not preclude a parallel non-legislative process 3. Creates allowance of side-by-side escrow

Forum Notes from April 14, 2021

<u>Forum Notes from April 14, 2021</u>		<u>Response</u>
<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>	
Expanding agreements to cover all three cities in accordance with the Roberti Act	<ol style="list-style-type: none"> 1. Roberti Act is not all encompassing 2. Have seen how Caltrans does not adhere to the Roberti Act 3. Tenants from all three cities have been collaborating with one another 4. Roberti Act covers all three cities 5. The Governor's Office previously indicated that they only wanted to see one bill 6. The efforts towards developing the bill can be put towards negotiating with Caltrans 	Within the legislative schedule allowed, City of Los Angeles and City of Pasadena are welcome to join the legislative action or contact the bill's author if they see a benefit.

Forum Notes from April 14, 2021

<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>	<u>Response</u>
<p>Guarantee all current tenants — residential, non-profit, commercial — an absolute priority to purchase their property.</p>	<ol style="list-style-type: none"> 1. Important to have no evictions or displacement of tenants 2. Ongoing issues with Caltrans utilizing the term “Tenant of Good Standing” to evict tenants 3. Issues with tenants being able to obtain financing in time for the deadlines provided by Caltrans 4. If there was an agreement between Caltrans and the City/tenant organization or if the California Transportation Commission (CTC) develops a policy to address these issues, legislation would not be needed 5. Senator’s office will need to research whether a non-legislative solution is viable based on the current statutes and regulations governing Caltrans existing program 6. Roberti Act has specific legal statutes which supersede more generic state law 7. Issues with Caltrans’ interpretation of the new regulations and lack of opportunity to work with Caltrans on a different interpretation 	<p>Agreed. SB 381 proposes an absolute priority for all current tenants to purchase their property.</p>

Forum Notes from April 14, 2021

<u>Forum Notes from April 14, 2021</u>		<u>Response</u>
<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>	
<p>Require signed agreements delivered to the CTC for every sale, detailing either waiver or enforcement of absolute priority to purchase, whether that right is held by the city, the existing tenant, or a non-profit.</p>	<ol style="list-style-type: none"> 1. Difference between the right to purchase and ability to purchase (financing) 2. This could be adopted as a CTC policy 3. The more time that is provided the greater the likelihood of being able to secure financing 	<p>SB 381 proposes an absolute priority to purchase property to current tenants. SB 381 contemplates that Caltrans will follow whatever is necessary to properly transfer ownership of the properties.</p>

Forum Notes from April 14, 2021

<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>	<u>Response</u>
<p>Cancel all illicit debts, penalties, and disputes alleged by Caltrans Right of Way records. All tenants should be granted “good standing.”</p>	<ol style="list-style-type: none"> 1. Caltrans had previously asked tenants to complete repairs on their own, then Caltrans decided that tenants could no longer do repairs on their own, Caltrans also increased rents, evicted tenants, and allowed properties to go vacant 2. All of the tenants should have priority in purchasing the properties 3. Need to consider the particular situations of each tenant 4. This process could be considered as an alternative to a consent decree and establish goodwill with the tenants 5. A mediator could look at all of the issues to find a fair and equitable way to move forward with the sales 	<p>SB 381 does not contain this suggested language. Council needs to provide direction whether to add this to the Bill language; or to consider alternative language.</p>

Forum Notes from April 14, 2021

<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>	<u>Response</u>
<p>Guarantee affordable housing and shared equity mortgage assistance to all Caltrans tenants.</p>	<ol style="list-style-type: none"> 1. Traditionally a subsidy is provided and a covenant is used to maintain affordability 2. There should be a way to preserve communities and not limit purchasers 3. The equity goes to an affordable housing fund 4. Caltrans has been a poor landlord and should be held responsible for the condition of the properties or required to sell the properties at a discounted price 5. Properly pricing the home based on the condition of the property (e.g. historic, habitability, cost of repairs) 6. Sell the vacant historic properties at market rate less the cost of repairs and the funds be used in the corridor 7. Cities should do their own appraisals (Garfield lot sale) 	<p>SB 381 does not contain this suggested language in the Bill. Income qualified households are eligible for CalHFA mortgage financing but it is not available for non-income households. Council needs to provide direction whether to add this to the Bill language; or to consider alternative language.</p>

Forum Notes from April 14, 2021

<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>
<p>Prioritize the creation of cooperative and land trusts for housing, open space, and gardens.</p>	<ol style="list-style-type: none"> 1. Limited equity co-ops are less than optimum because of financing issues 2. The price of a property should be based on what it will be used as instead of what it can be used as (e.g. open space/gardens) 3. Language could be included to exclude lots that are being leased 4. SB 51 does not affect Pasadena or South Pasadena properties

Response

There is consensus for allowing the creation of cooperatives, land trusts, and common interest ownership.

Level of prioritization for each to be discussed by the community in public meetings.

Forum Notes from April 14, 2021

<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>	<u>Response</u>
<p>Require the creation of a community land trust as the City-approved non-profit Housing Related Entity (HRE).</p>	<ol style="list-style-type: none"> 1. Unsatisfactory experience with Esperanza (private HRE) 2. Priority for local oversight 3. Restrict the ability to teardown historic homes or rezone the properties to create apartment buildings 4. City should not be in the housing/rental business 5. Community land trust provides the opportunity for local control 6. Complex subdivision issues 7. Provide the City with the ability to regulate the process 8. South Pasadena Municipal Code prevents density bonuses in single family zones 9. Concern that the City may maximize the number of housing units (ADUs, JADUs) to meet the Regional Housing Needs Assessment allocation, less chance with a private owner (issue may fit somewhere else) 10. Would like to see the houses restored and returned to the community instead of being torn down 11. Cities should evaluate what to do with dilapidated homes 12. Some properties may now be eligible for historic listings/districts and should be evaluated as part of the appraisal 13. Caltrans should be held responsible for rehabilitating historic properties in accordance with state law 14. Should incentivize rehabilitation to minimize demolitions 15. Caltrans is not aware of what is historic 	<p>There is consensus for allowing a City-sponsored community land trust as an approved HRE and to allow a concurrent escrow with a city-sponsored community land trust; in SB 381 the concurrent escrow is proposed, but Caltrans may challenge concurrent escrows in negotiations.</p>

Forum Notes from April 14, 2021

<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>	<u>Response</u>
<p>Commit that no lot splits or zone changes other than those mandated by present or future state law will be granted to Caltrans surplus properties in the Residential Estate (RE) and Residential Single Family (RS) zones and in the Altos de Monterey Overlay Zone and that no demolitions of existing homes will take place in these zones.</p>	<ol style="list-style-type: none"> 1. Bonita Drive area residents are disproportionately affected by the proposed bill due to the number of Caltrans properties located in the area 2. Last year Bonita Drive area had squatters break into a Caltrans property and the vacant properties were subsequently boarded up 3. Concerned about vacant/uninhabitable properties and would like them to be sold to qualified buyers instead of rented for a minimum of 55 years 4. Concerns on what can be built on the two unimproved lots at 215 Fairview 5. Some of the lots were subdivided before Caltrans purchased them and there needs to be some City control over how the land is subdivided 	<p>SB 381 enables local control through a Community Land Trust with a board consisting of local residents deciding such matters as lot splits and zone changes for all properties in which they own.</p> <p>Council can decide whether the decision regarding demolition can wait until further property due diligence and local input from SPPF and building officials. There may be situations in which a new residence is in the best interests of the neighborhood.</p>

Forum Notes from April 14, 2021

<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>	<u>Response</u>
<p>Prohibit the subleasing of properties governed by an affordability covenant and the imposition of miscellaneous fees by an HRE, such that the total cost of renting the unit becomes unaffordable.</p>	<ol style="list-style-type: none"> 1. Affordable rent should also take fees into consideration to make sure the rent is truly affordable 2. Concerns regarding how the City will manage a HRE in an effective way including code enforcement 3. Regulatory agreement will spell out the leasing issues 4. Would like the City to facilitate the sale of the properties instead of renting the properties/ goal of homeownership 	<p>Agreed. This is a local policy choice established by the City and their sponsored HRE and therefore not necessary in SB 381.</p>

Forum Notes from April 14, 2021

<u>Topics/Amendment</u>	<u>Key Ideas/Concepts</u>
<p>Establish a Timeline for completion of the sales program.</p>	<ol style="list-style-type: none"> 1. Previous bills kept the 710 freeway in the Highway Code until 2024 and requires Caltrans to sell the properties within one year of being surplus 2. A deadline is needed to prevent Caltrans from doing nothing or prolonging the process

Response

Agreed that a deadline is needed, based on past poor performance, for Caltrans to engage Current Tenants and complete a purchase offer within 2-3 months. SB 381 establishes a timeline for Caltrans and the Current Tenants to close escrow on the sale within 9 months.

Panel Discussion Regarding Legislative or Non-Legislative Options:

<u>Legislative Option</u>	<u>Non-Legislative Option</u>
<ol style="list-style-type: none"> 1. Can diminish Caltrans' role in the process 2. Provides the City with more control and flexibility 3. Allows the City to work out the details regarding regulatory enforcement (e.g. subleasing at more than affordable rent) 	<ol style="list-style-type: none"> 1. Existing dissatisfactory situation with Caltrans 2. City currently has little control and does not know how Caltrans will apply the rules 3. Caltrans can delegate its responsibility to a city; however, Caltrans can also take that delegation back 4. Use CTC's authority to force Caltrans to adhere to the regulations

Panel Recommendations:

- Legislative option should still include negotiations with Caltrans/CTC (pursue both options at the same time)
- Continued discussion on the side-by-side escrow (Meeting held with SPPF on April 20th)

Number	Description	SB 381	SB 381 Committee Amendments
1	Current tenants receive purchase priority.	X	
2	City receives purchase priority of unoccupied properties before HREs	X	
3	City receives purchase priority after current tenant.	X	
4	Enables City to purchase properties at acquisition cost	X	
5	City allowed to transfer ownership.	X	
6	Enables non-income qualified tenant to purchase priority before any HRE.		X
7	Allow current tenants of MFR to form co-op and common interest ownership.		X
8	Current tenants have 9 months to purchase property.		X
9	Net Proceeds of rent/sales will be used for affordable housing in SP.		X
10	Allow City to transfer ownership to Community Land Trust.		X
11	Properties with affordability covenants will count towards RHNA.		X
12	Amend definition of "historic" to include those properties on a locally designated historic register.		X
13	Historic property sales will factor cost of repairs to include historic preservation ordinance.		X
14	Historic occupied sales will allow repair credit.		X
15	Enable historic property to be sold at FMV, with proceeds exclusively used for affordable housing		X

Legislative Next Steps:

Committee on
Transportation
(April 27, 2021)

Committee on
Budget and Fiscal
Review
(May 2021)

Bill moves from
the Senate to the
Assembly
(June 4, 2021)

Assembly policy
and fiscal
committees
**(July-August
2021)**

Last day to
amend bills
**(September 3,
2021)**

Last day for
Governor to sign
bills
**(October 10,
2021)**

Non-Legislative Next Steps:

Community meetings regarding priorities

Negotiations with Caltrans

Number	Description	SB 381	SB 381 Amendments	SPPF Proposal
1	Current tenants receive purchase priority.	X		
2	City receives purchase priority of unoccupied properties before HREs	X		
3	City receives purchase priority after current tenant.	X		
4	Enables City to purchase properties at acquisition cost	X		
5	City allowed to transfer ownership.	X		
6	Enables non-income qualified tenant to purchase priority before any HRE.		X	
7	Allow current tenants of MFR to form co-op and common interest ownership.		X	
8	Current tenants have 9 months to purchase property.		X	
9	Net Proceeds of rent/sales will be used for affordable housing in SP.		X	
10	Allow City to transfer ownership to Community Land Trust.		X	
11	Properties with affordability covenants will count towards RHNA.		X	
12	Amend definition of "historic" to include those properties on a locally designated historic register.		X	
13	Historic property sales will factor cost of repairs to include historic preservation ordinance.		X	
14	Historic occupied sales will allow repair credit.		X	
15	Enable historic property to be sold at FMV, with proceeds exclusively used for affordable housing		X	
16	Corridor wide agreement (including City of LA and City of Pasadena).			X
17	Guarantee all current tenants - residential, non-profit, commercial - an absolute priority to purchase.			X
18	Require signed agreements to the CTC for every sale			X
19	Cancel all illicit debts, penalties, and disputes alleged by Caltrans Right of Way records. All tenants should be granted "good standing."			X
20	Guarantee affordable housing and shared equity mortgage assistance to all Caltrans tenants.			X
21	Prioritize the creation of cooperatives and land trusts for housing, open space, and gardens.			X
22	Require the creation of a community land trust as the City-approved non-profit HRE.			X
23	Commit no lot splits or zone changes in RE or RS zones and Altos de Monterey Overlay Zone and no demolitions of existing homes will take place.			X
24	Prohibit subleasing of properties governed by affordability covenant and imposition of misc. fees by an HRE, such that the total cost of renting becomes unaffordable.			X
25	Establish timeline for completion of the sales program.			X

Regular City Council Meeting
E-mail Public Comment 04/21/2021

AGENDA ITEM NO. 2
General Public Comment

1. Rachel McIntyre; Lauren Child; Jill Brenek

From: Rachel McIntyre <[REDACTED]>
Sent: Sunday, April 18, 2021 11:35 AM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: City Council Agenda / Public Comment for April 21, 2021 Meeting

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 Mayor and City Council Members,

We are South Pasadena residents and volunteers with Moms Demand Action for Gun Sense in America which has a strong presence in South Pasadena. Moms Demand Action is a non-partisan grassroots organization made up of both non-gun owners and gun owners with the goal of reducing gun violence and improving gun safety for everyone. We believe the 2nd Amendment can be respected while simultaneously better protecting people through common sense gun legislation.

We request that South Pasadena adopt a Safe Storage Ordinance which would require all firearms in a residence be securely stored in a locked container or disabled with a trigger lock. One small child dies almost every day in this country after finding an unsecured firearm in their own home or in a relative's home or while playing at a friend's house. Two older children, particularly teens, die every day in this country by suicide from an unsecured firearm they obtain from their home or another family member's home. In addition, 80% of school mass shootings are done by current or former students, using an unsecured firearm obtained from their own home or a relative's home. **A Safe Storage ordinance has become more urgent than ever during Covid, given the dramatic rise in gun sales. Combined with more time spent sheltering at home and the increase in mental health issues, we have seen a shocking 43% increase in unintentional deaths of small children and a 9% increase in teen suicides.**

Research shows that keeping guns securely stored does NOT hinder self-protection- a gun can be accessed within seconds- but it DOES prevent unintentional deaths of children and teen suicides, by as much as 85% depending on the type of storage. Storing firearms in a securely locked container can also prevent guns from being easily stolen in a home robbery. A DOJ- approved safe storage device can be obtained for as little as \$40 so the cost is not at all prohibitive, and trigger locks are often given out free at police stations.

Some people are under the impression that the California Penal Code (25100) already addresses this issue but it definitely does not. It does not define how to safely store a firearm and it doesn't apply to all homes. For example, parents often hide their guns (feeling this makes them safe) rather than locking them up, but studies show 70% of children know the location of these hidden guns in their own home and many have even handled them.

Many cities and towns up and down California have already adopted Safe Storage ordinances, including our neighbor San Marino. We hope that South Pasadena will do the same.

When considering the penalty for violating the Safe Storage Ordinance, Moms Demand Action supports a civil penalty, rather than a criminal penalty. We suggest a fine or community service. This is because we feel people of color may be disproportionately affected by this law and we also think a criminal penalty is unnecessary. Most firearm owners are law abiding and will follow the law if it is simply in place. We feel having this ordinance on the books will ultimately help to change our culture, much like the seat belt law did in the 1980's. Towns early on in the process of adopting safe storage ordinances did often adopt a criminal penalty – that is, a misdemeanor-- but more recent towns have adopted a civil only penalty. We therefore ask that if you move forward with this ordinance, that a civil penalty be adopted.

We, at Moms Demand Action, are very happy to provide you with any additional information or answer any questions you may have as you consider this request. We can also provide you with the ordinances that have passed in other nearby towns and can also meet with your police chief if you like.

Best,

Rachel McIntyre
Lauren Child
Jill Brenek
Moms Demand Action Volunteers

Regular City Council Meeting
E-mail Public Comment 04/21/2021

AGENDA ITEM NO. 4
Armenian Genocide Remembrance Proclamation

1. Shoghig Yepremian
2. Marina Khubesrian; Mark Dreskin; Sofie Armine Dreskin; Maxwell Aram Dreskin
3. Suzie Abajian

From: Lucy Demirjian <ldemirjian@southpasadenaca.gov>
Sent: Wednesday, April 21, 2021 10:48:08 AM
To: Shoghig Yepremian [REDACTED]; City Council Public Comment
<ccpubliccomment@southpasadenaca.gov>
Subject: Re: ANCA Statement

On Apr 21, 2021, at 10:43 AM, Shoghig Yepremian <[y\[REDACTED\]@southpasadenaca.gov](mailto:y[REDACTED]@southpasadenaca.gov)> wrote:

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.

Honorable Madam Mayor Diana Mahmud, South Pasadena City Council Members, and staff:

My name is Shoghig Yepremian. I am the current chair of Armenian National Committee of America (ANCA), Pasadena Chapter. Our address is [REDACTED].

I have a prepared a statement for your agenda item #4 listed under Presentation.

The Armenian National Committee of America (ANCA) Pasadena Chapter Board members would like to thank South Pasadena City Council and staff for including the Armenian Genocide Proclamation on your April 21, 2021 agenda as you do every year in the month of April.

Last September, Azerbaijani forces, backed by Turkey, invaded the independent Artzakh Republic forcibly displacing tens of thousands of Armenians from their homes and perpetrated countless war crimes against the innocent civilian population as well as cultural sites. For ANCA and the Armenian Community, commemorating April 24th this year includes commemorating our fallen heroes from Artsakh war as well.

The ANCA Pasadena Chapter would like to extend its gratitude to South Pasadena City Council for standing in solidarity with the Armenian American community in recognizing the Armenian Genocide for this 106th anniversary.

Thank you!

Shoghig Yepremian
President
Yepremian Consulting, Inc.
[REDACTED]
[REDACTED]

Email Disclosure Statement: The information contained in this email message and its attachments is intended only for the private and confidential use of the recipient(s) named above, unless the sender expressly agrees otherwise.

From: MARINA KHUBESRIAN <[REDACTED]>
Sent: Wednesday, April 21, 2021 9:10 AM
To: City Clerk's Division <CityClerk@southpasadenaca.gov>; City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Agenda Item #2

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 Mayor Mahmud and City Councilmembers,

My family and I are pleased to see the Proclamation of Remembrance of the Armenian Genocide on the agenda for tonight's meeting. This City has issued similar proclamations for the past several years which have been received by Armenian National Committee of the Americas, Pasadena Chapter, an organization working hard to ensure that the Armenian Genocide is remembered by the world and never repeated.

My paternal grandmother, Tigranuhi Ouzounian, was a Genocide survivor and witness to horrific cruelty and injustice as many of her family members did not survive and those that did were driven out of their ancestral homes in what was Western Armenia by the Ottoman Turkish government and military in 1915.

To this day, the Turkish government denies the reality of what happened and in fact continues its use of military force to occupy more Armenian homeland driving its native inhabitants out of their homes and lands, destroying our cultural heritage in the Armenian Highlands know as Artsakh.

Thank you for issuing this Proclamation and joining the numerous cities in a global fight for justice by recognizing April 24 as Genocide Remembrance Day in the City of South Pasadena on this 106th year of commemoration.

Sincerely,

Dr. Marina Khubesrian
Dr. Mark Dreskin
Ms. Sofie Armine Dreskin
Maxwell Aram Dreskin

Marina Khubesrian, M.D.
Integrative Family Medicine
TeleCare/Doctors Without Borders
Languages: English, Armenian, Medical Spanish

From: Suzie Abajian <[REDACTED]>
Sent: Wednesday, April 21, 2021 1:32 PM
To: City Clerk's Division <CityClerk@southpasadenaca.gov>
Cc: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Agenda Item #2

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 Mayor Mahmud and City Councilmembers,

My family and I are pleased to see the Proclamation of Remembrance of the Armenian Genocide on the agenda for tonight's meeting.

I am the grandchild of four genocide survivors Mari Panossian, Vartan Khanzadian, Sion Helvadjian and Bedros Abajian. My grandparents together with their families were forcefully displaced from their ancestral homeland (Western Armenian highlands) and driven to the Syrian desert on a death march by the Ottoman Empire in 1915. They were witness to many atrocities and lost many of their family members to the genocide. My father was born in a refugee camp in Aleppo, Syria. I was also born in Aleppo as a third generation refugee of the genocide.

To this day, the Turkish government denies these historic facts and continues its discriminatory and oppressive policies against not only the small population of Armenians who still reside in their ancestral lands in modern day Turkey but also other minoritized communities such as the Kurdish community. Furthermore, the Turkish government has been using military force to join the Azerbaijani government in occupying more of our ancestral lands, forcefully displacing its indigenous people and destroying our cultural and historic monuments in Artsakh.

Thank you for taking a stand for justice by issuing this Proclamation and joining the numerous cities in a global fight for justice by recognizing April 24 as Genocide Remembrance Day in the City of South Pasadena on this 106th year of commemoration.

Sincerely,
Dr. Suzie Abajian

Suzie Abajian, Ph.D.
[REDACTED]

Regular City Council Meeting
E-mail Public Comment 04/21/2021

AGENDA ITEM NO. 8

Approval of General City Warrants in the Amount of \$177,705.67; General City Warrant Voids in the Amount of (\$82.13); Payroll in the Amount of \$551,317.30; Supplemental ACH Payments in the Amount of \$134,838.67; LAIF Wire Transfers in the Amount of \$1,500,000.00

1. Alan Ehrlich

From: Alan Ehrlich <[REDACTED]>
Sent: Wednesday, April 21, 2021 3:38 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Public Comment Agenda Item #8

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.

City clerk, please attach this public comment to the council packet for tonight's meeting,
thank you, Alan

"I didn't have time to write a short letter, so I wrote a long one instead." — Mark Twain

"Sunlight is said to be the best of disinfectants."

- Supreme Court Justice Louis Brandeis

-

"Openness in government is essential to the functioning of a democracy."

International Federation of Professional & Technical Engineers, Local 21 v. Superior Court
California Supreme Court, 42 Cal.4th 319 (2007)

Alan Ehrlich, Council district 3

Public Comment, Agenda Item #8, City Council meeting April 21, 2021

Honorable Mayor, city council members.

Before voting to approve the warrants on the consent calendar, I have a request to the city manager and ask you to provide the appropriate direction.

Over the last three years, the city has spent 100s of thousands of dollars for public works consultants from Interwest Consulting Group. These temporary on call workers are used for common public works functions such as transportation project management and engineering plan checks. A few council meetings ago, you were asked to approve another 6 figure extension of an Interwest contract. Likewise, the warrants this evening include one for WG Zimmerman Engineering, which provides public works and capital improvement support services

The request is simple, ask finance and human resources to prepare a staff review the total costs of using Interwest consultants and WG Zimmerman for capabilities the public works department should have in house. An opinion letter 08-506 issued by the CA attorney general June 1, 2010 states general law cities can not contract out basic government functions, which is why the city ended its' contract with Intercon for parking enforcement. These basic public works functions performed by consultants are no different.

Regular City Council Meeting
E-mail Public Comment 04/21/2021

AGENDA ITEM NO. 17

**First Reading and Introduction of an Ordinance to
Amend South Pasadena Municipal Code (SPMC)
Chapter 31 (Streets and Sidewalks) Pertaining to
Signs in the Public Right of Way**

1. Deborah Lutz
2. Lena Woo
3. Ella Hushagen
4. Alan Ehrlich

From: Deborah Lutz <[REDACTED]>
Sent: Tuesday, April 20, 2021 7:50 PM
To: CCO <cco@southpasadenaca.gov>
Subject: Agenda Item #17

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 Council Members,

As a resident of South Pasadena I support strict regulations on how the city allows protestors to use signs.

Over the past summer the BLM participants posted signs on private property, used vulgarity and created ongoing visual distractions near the intersection of Fair Oaks Ave and Mission Street. These distractions posed a safety hazard for those driving through the intersection.

In addition they repeatedly hung banners from city light posts. When asked to remove them they taunted the police in an attempt to provoke a confrontation and claim racism. The banner hangers were advised that it was against city ordinance to hang the signs without permits. These particular signs featured an image of President Trump screaming with words including "racists" coming out of his mouth.

At the time this was going on I called the Police Department several times. Each time I was told that they were specifically instructed not to take the banner down and that they couldn't do anything about the people who were illegally hanging it on city property.

The entire situation was very calculated. It put not only residents at risk but it put our police officers in a difficult position.

Regardless of political preference no organization should be allowed to post on private property (construction fence at Mission and Fair Oaks), City property (light posts) or endanger residents but creating visual distractions for drivers.

I support strict and enforceable guidelines that are enforced equally in all occasions. What occurred this past summer a test for what is to come. Our city needs to be prepared to equally represent all residents. BLM South Pasadena has demonstrate lack of respect for city officials and our community as a whole.

Sincerely,

Deborah Lutz

From: Lena Woo <[REDACTED]>
Sent: Tuesday, April 20, 2021 10:47 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Regarding agenda item #17

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 vote NO on agenda item 17 in which it regards the regulation of public signage on sidewalks and other public areas. This is an attack on free speech and should not be allowed to pass.

Lena Woo, MSW
Suzanne Dworak-Peck School of Social Work University of Southern California, '19

From: Ella Hushagen <[REDACTED]>

Sent: Wednesday, April 21, 2021 12:00 PM

To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>

Cc: Helen Tran <[REDACTED]>; John Srebalus <[REDACTED]>; Anne Bagasao <[REDACTED]>; Fahren James <[REDACTED]>

Subject: Public Comment Re: Agenda Item 19

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.

Hello,

Please find attached a public comment in support of the proposed hero pay ordinance, item 19 on tonight's agenda for open session.

Thanks.

Ella



April 21, 2021
Public Comment Regarding Agenda Item 17

South Pasadena is poised to prohibit signs posted, without permit, in or above public right of ways, ostensibly because “[s]ome confusion regarding political campaign and protest signs posted in the public right of way arose during the previous election cycle.” This is a transparent capitulation to a minority of residents and businesses who complained about Black Lives Matter South Pasadena’s peaceful demonstrations at Fair Oaks and Mission from June through November 2020, as well as those who complained about similar signs placed by people close to their homes. We oppose the ordinance proposed by the City Manager.

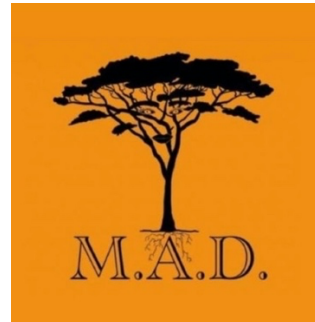
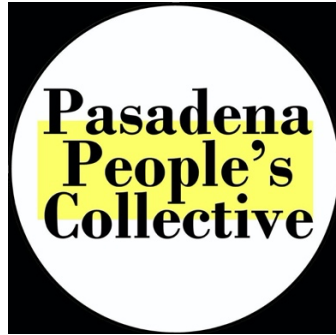
The Black Lives Matter demonstration in South Pasadena prominently displayed signs on and above sidewalks to rally support behind the movement for Black lives. The demonstration was conscientious about leaving space for accessible passage by pedestrians, families pushing strollers, and people using wheelchairs and other mobility devices. Black Lives Matter South Pasadena took great care to make sure the signs were securely in place, and did not pose a hazard for passersby. The signs were a visible reminder, to commuters passing through and community members alike, that there is much work to be done to advance racial justice.

The ordinance the City Manager now casually and quietly proposes would prevent such future peaceful demonstrations—without any explanation about why the prohibition is necessary. The scope is vague, and consequently, vulnerable to selective, unconstitutional enforcement. What “mediums of communication” are prohibited? Are real estate sidewalk signs permitted? What about students’ Independence Day art projects, and signs about missing persons, garage sales, and lost pets posted to utility poles? What does the city make of private holiday lights strung on public trees? Which spaces qualify as public right-of-ways? Are parking strips, parkways, and medians public right-of-ways?

South Pasadena may be subject to legal challenge if the ordinance is only enforced against “political” signs that happen to offend a handful of noisy community members. We are troubled by what appears to an effort to suppress speech with no rational or compelling basis. We urge you to reject the proposed ordinance prohibiting signs posted to public right-of-ways.

Signed,





Katherine Washington, Hope Collective

My Ancestors Dream

Kelly Valenzuela, Voices of Long Beach
Justin Frazier, My Ancestors Dream

Kiyoko Dodson
Ryan Dodson
Joseph Lee
Nicholas Macias
Shari Sakamoto
Ricardo Miranda
Sarah Davenport
Shannon Thomas
May Lee
Renee Herscovici
Alex Parker
Dwayne Draughon
Jonathan Lee
Keyanna Bean
Ava Dunville
Travis Dunville
Nichole Dunville
Audrey Dunville
Divina Davidds-Garrido
Chantelle Hershberger
Julie Eunha Kim

Kaveh Naeeni
Ana Derby
Minou Nikou
Masoud Naeeni
Kourosh Naeeni
Tracy Iazaro
Ben Dunham Sarah
Graciela Cruz
Fahren James
Ella Hushagen
Helen Tran
Phung Huynh
Victoria Patterson
Anne Bagasao
John Srebalus
William Kelly
Matthew Barbato
Sarah Graciela Cruz
Gillian Moore
Thomas Hawk Zenteno
Andres Obridado



Eric Fabbro
Jaylynn Bailey
Ryan bell
Charles Xu
Nathaniel Sagman
Milan Roberson
Ada L. Ramirez
Carolynn Ghiloni
Jonathan Ghiloni
Yinhei Ghiloni

Guohua Ghiloni,
Isabela Ghiloni
Key'anna Ghiloni
Grace McCullough
Raquel Ramirez
Willie Wu
Jon Paul Arciniega
Laura Parada
Alejandra Estrada

From: Alan Ehrlich <[REDACTED]>
Sent: Wednesday, April 21, 2021 3:10 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Public Comment, Item # 17 council meeting 4/21

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.

City clerk, for tonight's council meeting,

"I can't give you a brain, but I can give you a diploma"

- Wizard of Oz to the Scarecrow

"Sunlight is said to be the best of disinfectants."

- Supreme Court Justice Louis Brandeis

-

"Openness in government is essential to the functioning of a democracy."

International Federation of Professional & Technical Engineers, Local 21 v. Superior Court
California Supreme Court, 42 Cal.4th 319 (2007)

Alan Ehrlich, Council district 3
Public Comment, Agenda Item #17, City Council meeting April 21, 2021

Honorable Mayor, city council members.

I urge you to vote no to the proposed staff recommendation to amend Municipal Code 31-2-7, Signs in the public right of way.

The staff recommendation and review by the city attorney is flawed, these changes clearly would impact the non-commercial free speech rights afforded to every citizen under the US and CA constitutions. Political speech is protected speech, whether government officials like it or not.

A sign supporting Blue Lives Matter, thank you heros, or the SPEF thermometer are entitled to the same first amendment protections as a sign supporting Black Lives Matter or Recall the city council (you can fill you name in the blank). The council does not get to pick and choose which messages they agree with and which they oppose. The parkways belong to the public, they are not private property.

I would like to see council member Primuth explain to his SPEF supporters why the thermometer can't go up and why all the Thank you SPEF, congratulations graduates signs must be removed under threat of civil penalty.

I'm not surprised city attorney approved this item. Her track record of providing bad legal advice to the city is remarkable in its consistency. The city could put the taxpayers money to better use , substantially reduce its legal costs and the frequency of anticipated litigation items on closed session agendas by replacing the city attorney with someone more qualified. The first amendment right protecting free speech is law school 101. Anybody who fails law 101 is not qualified to be an attorney, much less a city attorney.

Thank you for upholding the rule of law of the Unites States of America and State of California by voting against this proposal.

Regular City Council Meeting
E-mail Public Comment 04/21/2021

AGENDA ITEM NO. 19

**Adoption of an Urgency Ordinance Establishing
Requirements for “Hero Pay” and Associated
Protections for Grocery Workers in the City**

1. Randy Cabrera
2. Michael Mizgalski
3. Gilbert J Vargas
4. Ella Hushagen
5. Daniel Saunders
6. Alan Ehrlich

From: Randy Cabrera <[REDACTED]>
Sent: Monday, April 19, 2021 6:52 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Item 19/ hero pay

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.

- Your Name- Randy Cabrera

- Public Comment for
Item #19/Hero Pay

I would like to say thank you for giving us your support on hero pay. I feel like it will help all my co workers including me. We have all struggled during the pandemic and I feel like it will help us get back on our feet. Once again thank you and we all hope it passes!!!!!!

Sent from my iPhone

From: michael mizgalski <[REDACTED]>

Sent: Wednesday, April 21, 2021 7:09 AM

To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>

Subject: Corrected: Thank you for your support with a open session, agenda #19 "Hero Pay"!

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.

Hi, my name is Michael Mizgalski and this is for agenda #19 open session.

I've been in the grocery business for 36 years and a happy resident of South Pasadena for 25. I've been working in one of the major grocery stores in this city for 10 years now.

Let me first start by thanking all the council men and women who have, so far, agreed with the "hero pay", you've done the right thing.

For those who are still undecided, let's talk about the profits made by two of the major grocery chains in 2020.

Kroger's total sales \$132 billion 8.4% from 2019

Albertsons net sales and other revenue totaled \$16 billion, up 11.2%

These record sales are a result of changing customers habits (eating at home), and the hard, and now, dangerous work of the grocery workers inside the stores.

Grocery workers risk their lives everyday to help put food on the tables of this community, a risk of life they didn't sign up for when applying for the job, unlike Police Officers, or health care workers, nor do they receive the same pay. Most are working at minimum wage.

One day it's just the job they've been doing for years and enjoying, the next day it's a job that can kill them and their family.

The majority of our citizens can choose who they social distance from, while grocery workers don't get that choice.

During an average eight hour shift I come in close contact, six feet or less, with roughly one hundred customers, more on the weekends and you can double that on holiday weeks.

Unlike in a health care facility, grocery customers are not being carefully screened before coming into the store. Temperatures not taken, questions about their social habits aren't asked, and face masks aren't replaced with fresh ones like my doctor did the other day.

A mask on is all that's required to enter, and once they do, many pull the mask down under their nose or off completely. Which forces many of the workers to confront these customers and ask that they put their masks back on. Some do, some argue.

Many of our regular, local customers, no longer come in the store, but are now using Instacart for their shopping. A company that employs people from all over Los Angeles, who by the way, have little or no respect for social distancing.

My store alone has had 30 employees infected by Covid 19 since it's beginning, a couple of those cases had to be hospitalized.

"Hero Pay" is not so much about receiving the compensation grocery workers like me have rightfully

earned, but, about acknowledging the hard work we've given to the companies, and the risks we are continuing to take in doing so.

At tomorrows meeting, please consider doing the right thing.

Thank you for your time.

Sincerely,
Mike Mizgalski

Agenda item #19 open session

From: Gilbert Vargas <[REDACTED]>

Sent: Wednesday, April 21, 2021 11:00 AM

To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>; Diana Mahmud <dmahmud@southpasadenaca.gov>; Jack Donovan <jdonovan@southpasadenaca.gov>; Evelyn Zneimer <ezneimer@southpasadenaca.gov>; Michael Cacciotti <mcacciotti@southpasadenaca.gov>; Jon Primuth <jprimuth@southpasadenaca.gov>

Subject: Council open meeting agenda item 19

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.

good day honorable mayor and council members, I submit my comments regarding "hero pay" for your consideration.

I oppose the proposed ordinance on a general basis. I don't believe it is in the interest of the city and residents to mandate private business enterprise "pay rates" above and beyond the requirements of the county, state and federal governments.

I believe that most businesses in our city are small and or family owned business operations. I submit that they and even the larger businesses are profit driven enterprises, so they will by necessity only pass along the increased cost to the consumer. This hidden "taxation" without a need will only prove burdensome to those businesses already struggling to recover from the many suppressive actions taken by local, state and federal agencies in the name of "Covid response". If we are "all in this together" let's not separate into interest groups. I am thankful the many food service workers remained on the job at a time others did not have the option and believe a sincere personal expression of gratitude should be sufficient.

We should be looking for ways to make doing business in South Pasadena easier not more burdensome and expensive for business owners and the residents alike.

Thank you for your consideration

Peace, Deacon Gilbert J Vargas (Gil)

From: Ella Hushagen <[REDACTED]>

Sent: Wednesday, April 21, 2021 12:16 PM

To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>

Subject: Public Comment: Agenda Item 17 Re: Municipal Ordinance Prohibiting Signs

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.

Hello,

Please include the attached comment in the agenda packet for tonight's City Council meeting, open session, agenda item 17.

Thanks.

Ella Hushagen

April 21, 2021

Regarding Agenda Item 19, Open Session, Hero Pay

Thank you for your leadership advancing hero pay forward in South Pasadena. Hero pay for grocery workers enjoys broad support in the community. (See attached comment from April 7, 2021 meeting). We applaud Councilmembers Zneimer, Cacciotti and Primuth for recognizing the moral imperative to give workers a modest raise to compensate them for the serious risks they undertake each day. We hope that the lobbyists for the grocery stores, with their slick reports and well-compensated lawyers, will not have more sway in this debate than the voters of South Pasadena.

We note that the pause on Johnson & Johnson vaccination will, unfortunately, slow the County's progress in achieving herd immunity. Frontline retail jobs are still dangerous, and the modest hero pay ordinance negotiated on April 7 takes a step toward recognizing and compensating grocery workers for their sacrifice.

Thank you for adopting hero pay at tonight's City Council meeting.

Signed,

Anne Bagasao
Ella Hushagen
Fahren James
John Srebalus
Helen Tran

April 7, 2021
Public Comment, Special Meeting, Agenda Item 9
Regarding: Hero Pay for Retail Workers in South Pasadena

On January 20, 2021, the Council approved a motion by Mayor Pro Tem Cacciotti for staff to draft an ordinance providing hero pay to our city's retail workers. On April 7, 2021, staff is seeking the Council's guidance regarding whether to move forward with an urgency ordinance for hazard pay.

In other jurisdictions around California, cities and counties are moving ahead with hazard pay for retail workers. The cities of **Long Beach, Los Angeles, Santa Monica, Montebello, West Hollywood, Palm Springs, Irvine, Coachella, Oakland, Berkeley, San Jose, and San Francisco** have enacted hazard pay ordinances, as has the **County of Los Angeles** for unincorporated areas, to compensate retail workers for the added risks burdening them during the pandemic.

The momentum behind local hazard pay ordinances grew out of congressional stalemate and **breathhtaking profits by major retailers**. According to the Brookings Institution, in 2020 retailers averaged 40% profit increases compared to 2019.¹ Brookings found that in 2020, **Kroger's profits were up 90%, up \$962 million** from 2019.² **Albertsons' profits were up 153% over the previous year, from \$344 million to \$871 million.**³

Meanwhile, economic insecurity for workers is high and retail workers risk coronavirus infection each day they work. Some retailers offered hazard pay early in the pandemic, and some, including Trader Joe's,⁴ are still paying a modest wage premium. The Brookings Institution report found that, when available, hazard pay makes a meaningful difference for low-wage retail workers, particularly for women and people of color. The authors determined that **retailers could increase the amount of hazard pay they offer substantially while still earning record profits.**⁵

South Pasadena should not retreat from good policy in fear of the grocery associations' intimidation tactics to beat back local ordinances. On February 25, a federal district court denied the California Grocers Association's motion for a preliminary injunction to temporarily overturn the Long Beach hero pay ordinance. Kroger's decision to close two retail locations in Long Beach has been widely pilloried as retaliation against essential workers. In sum, **the grocery associations are coming up short in courts of law and public opinion.**

The COVID-19 pandemic has infected and killed Black and Latinx Americans at vastly disproportionate rates. The pandemic's racial and ethnic disparities are caused, in part, by the

¹ Kinder, Molly, et al. *Windfall Profits and Deadly Risks: How the biggest retail companies are compensating essential workers during the COVID-19 pandemic*. Brookings Institution. November 2020. Available online at <https://www.brookings.edu/essay/windfall-profits-and-deadly-risks/>

² Kroger's is the parent corporation of Ralph's.

³ Albertson's is the parent corporation of Vons.

⁴ Trader Joe's announced it is cancelling annual raises because it is offering hazard pay.

⁵ Kinder, Molly, et al. *supra* n. 1.

heightened risk of infection to essential workers, such as grocery store workers who are more likely to be Black and Latinx.⁶

Here in South Pasadena, residents enjoy lower rates of COVID-19 transmission and higher rates of vaccination than the County average.⁷ Residents also benefit from the convenience of six grocery options from major retailers within our city's three-and-a-half square miles, which have been open continuously throughout the pandemic. As South Pasadena addresses its history as a sundown town, it must consider concrete measures to remedy racial inequities affecting people who work here for low wages. Requiring retailers to give a modest pay bump to the workers who assist South Pasadenans every day is one such concrete measure the city can take.^{8,9}

We urge South Pasadena to put teeth behind its widespread yard signs thanking essential workers for their service. ***Agendize an urgency hazard pay ordinance for the April 21 City Council meeting.***

Signed,

1. Sean Abajian
2. Alana Adye-Jones
3. Jennifer Alano
4. Ahilan Arulanantham
5. Alexander Aquino
6. Martin AuYeung
7. Anne Bagasao
8. Dr. Paula Bagasao
9. Kerrie Barbato
10. Matthew Barbato
11. Chris Becker
12. Robin Becker
13. Sierra Betinis
14. Katrina Bleckley
15. Erin Bonz
16. Felicie Borredon
17. Laurent Borredon
18. Jessica Bradford
19. Matthew Brown
20. Colin Burgess
21. Tony Butka
22. Ivan Cabrera
23. Julie Chen
24. Beth Clendenin
25. Emily Clone
26. Janna Conner-Niclaes
27. Laura Copeland
28. Shari Correll
29. Melinda Creps
30. Isa D'Arleans
31. Matthew Defulgentis
32. Steven Anthony Diez Jr.
33. Grace Dennis
34. Audrey Dunville
35. Ava Dunville
36. Nichole Dunville
37. Travis Dunville
38. Frederick Eberhardt
39. Jonathan Eisenberg
40. Richard Elbaum
41. Owen Ellickson
42. Alan Ehrlich
43. Justin Ehrlich
44. Stephanie Ehrlich

⁶ Kinder, Molly, et al., *supra* n. 1.

⁷ Lin, Rong-Gong and Luke Money. "COVID-19 vaccine rates in Brentwood, Santa Monica twice as high as poorer L.A. County areas." *Los Angeles Times*, March 2, 2021. <https://www.latimes.com/california/story/2021-03-02/covid-vaccine-rates-wealthy-la-areas-double-poor-areas>

⁸ Logan, Erin. "Californians broadly back COVID-19 hazard pay, protections for farmworkers, poll finds." *Los Angeles Times*, February 23, 2021. <https://www.latimes.com/california/story/2021-02-23/latino-and-indigenous-californians-are-disproportionately-impacted-by-covid-19>

⁹ Kinder, Molly, et al. *supra* n. 1.

45. Sarah Erlich
46. Judy Evind
47. Tzung-lin Fu
48. Noel Garcia
49. Lorena Gomez
50. Luca Goodrich
51. Dean Gordon
52. Rachel Hamilton
53. Michelle Hammond
54. Sharon Hannah
55. Marcela Hawk
56. Tanya Henderson
57. Alec Henderson
58. Will Hoadley-Brill
59. Eric Hoffman
60. Tracey Holder
61. Kelly Hom
62. Laboni Hoq
63. Mariana Huerta
64. Che Hurley
65. Ella Hushagen
66. Phung Huynh
67. Lory Ishii
68. Amber Jaeger
69. Sam Jaeger
70. Fahren James
71. Adeline Jasso
72. Marion Johnson
73. Amy Jones
74. Ryan Jones
75. Erin Kalavsky
76. Matt Kalavsky
77. Cassandra Kaldor
78. Dennis Kang
79. Monica Kelly
80. William Kelly
81. Afshin Ketabi
82. JuHee Kim
83. Sunyah Kim
84. Kristen Kuhlman
85. Caitlin Lainoff
86. Casey Law
87. Jessica Law
88. Ahn Leng
89. Laurien Lien
90. Melissa Lien

Jacinta Linke, elected delegate AD41
LACDP
91. Tony Lockhart
92. Sofia Lopez
93. Tiana Lopez
94. Vivian Ly
95. Casey Macgregor-Toshima
96. Elena Mann
97. Jan Marshall
98. Demetra Mazria
99. Grady McFerrin
100. Laura McSharry
101. David Melford
102. Robin Meyer
103. Sean Meyer
104. Julia Moreno Perri
105. Jacob Morris
106. Jenny Muninnopmas
107. Paola Munoz
108. Tudor Munteanu
109. Elizabeth Murillo
110. Andrea Nagata
111. Ayaka Nakaji
112. Anna Nakhienchanh
113. Robyn Nedelcu
114. Katie Neuhoff
115. Anna Newell Brown
116. Raf Niclaes
117. Joanne Nuckols
118. Suzanne Noruschat
119. Carla Obert
120. Gayle Oswald
121. John Oswald
122. Steve Pattenson
123. Chris Patterson
124. Cole Patterson
125. Ry Patterson
126. Victoria Patterson
127. Georgina Paul
128. Kelly Pedersen
129. Sarah Perez-Silverman
130. Sherry Plotkin
131. FJ Pratt
132. Natasha Prime
133. Jose Quiguer
134. Melissa Quilter

135. Myron Dean Quon
136. Alexandra Ramirez
137. Minoli Ratnatunga
138. Eray Rea
139. Zahir Robb
140. Aliza Rood
141. Jason Rosner
142. Shawn Ross
143. Shari Sakamoto
144. Daniel Saunders
145. Allie Schreiner
146. Barrett Schreiner
147. Denise Schulz
148. Gretchen Schulz
149. Andrea Seigel
150. Alexandra Shannon
151. Katherine Siew
152. Glafira Silva
153. Sean Singleton
154. Alison Smith
155. Chris Smith
156. John Srebalus
157. Levi Srebalus
158. Mark Stepro
159. Ryan Stone
160. Nancy Tam
161. Noemie Taylor-Rosner
162. Kathleen Telser
163. Andrew Terhune
164. Cassandra Terhune
165. Amy Tofte
166. Cambria Tortorelli
167. Helen Tran
168. Ciena Valenzuela-Peterson
169. Elizabeth Wendorf
170. Stefani Williams
171. Gwen Wong
172. Kathleen Wong
173. Maya Yahoun
174. Rita Yee
175. Jean Yu

From: Daniel Saunders <[REDACTED]>
Sent: Wednesday, April 21, 2021 2:34 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Yes on Hero Pay

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.

My name is Daniel Saunders. I live and vote in District 2. This public comment is regarding agenda item 19 ("hero pay").

Several cities in Los Angeles County and around the country have already passed ordinances requiring large grocery and drug retailers to pay a temporary hourly premium – also known as “hero pay” – because of the risk their workers have assumed during COVID-19. An extra \$3 per hour for the next 60 days is a small ask of companies that have profited greatly and, arguably, immorally from this pandemic while workers continue to bear the full risk.

Our essential workers deserve hero pay. Throughout this pandemic our grocery workers have been there for us, day in and day out. While their corporate employers enjoyed increased profits, our grocery workers at Ralphs, Pavilions, Trader Joes, Bristol Farms and Vons absorbed all the risk. I want my city to recognize the continued sacrifices and the selfless work that our local grocery staff have done this past year, and most importantly to remunerate them for the essential and valuable labor they have done and which their corporate employers have refused to acknowledge. Please pass the Emergency Ordinance for Hero Pay. Thank you.

Daniel Saunders

From: Alan Ehrlich <[REDACTED]>
Sent: Wednesday, April 21, 2021 9:47 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Fw: Public comment Agenda 19 Hero Pay

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.

Linda, Maria,

I think I forgot to include the attachment to the original email. If you can, please add it to the submitted written comments

Alan

Alan Ehrlich, Council district 3

Public Comment, Agenda Item #19, City Council meeting April 21, 2021

Honorable Mayor, city council members.

I support hero pay for the workers in our city and urge you not to compromise at a \$3 per hour increase, but vote for \$5 as has been done in all other cities and counties enacting this type of measure.

Our front line workers in supermarkets, drug stores, etc, do not and did not have the choice of working remotely from home. Their only choice was report to work to serve higher income people, like most who live in South Pasadena, or not be able to put food on the table.

I have a simple request for this evening, which is that all council members announce who they have had ex parte discussions with on both sides of this issue. It was not until more than 40 minutes into the council discussion two weeks ago that Mayor Mahmud admitted she had spoken with managers at Ralph's who were opposed to the ordinance. The Mayor did not meet with any proponents of the measure.

I have heard reports that council member Donovan has also talked with business leaders opposed to treating their employees fairly and respectfully while they have reaped hundreds of millions of dollars in windfall profits. Yet, when proponents of this measure asked for a similar meeting, council member Donovan did not respond.

Former PUC Michael Peevey was forced to resign after it became public that he was having back channel negotiations with PG&E executives. Assuming Mahmud and Donovan want resign over their public trust and ethical lapses, perhaps they should both recuse themselves from the discussion and voting on this matter this evening as their opinions appear to be biased and tainted.



CAPITOL ALERT

Capitol Alert

Probe of back-channel dealing continues at California PUC

By David Siders

dsiders@sacbee.com



MARCH 29, 2015 04:57 PM,

Michael Peevey.

Michael Peevey.

Michael Peevey's announcement last fall that he would not seek reappointment to the California Public Utilities Commission appeared to offer closure to years of controversy surrounding his tenure.

The commission, which regulates California's massive energy and telecommunications industries, had been shaken by revelations of back-channel communications with Pacific Gas and Electric Co. following a fatal gas line explosion in San Bruno in 2010.

On the same day critics assembled in San Francisco to call for his ouster, Peevey relented. In a prepared statement, he said, "Twelve years as president is enough."

Then, at his final meeting in December, Peevey closed with a laugh.

"Don't shoot," the commission president said. "I surrender!"

In the months since Peevey left the PUC, however, the scandal that ushered him out of office continues to erupt.

Investigators executed a search warrant at Peevey's house in January. Lawmakers this month convened oversight hearings on private communications and safety measures at the PUC.

Last Wednesday, Michael Picker, the new president of the commission, acknowledged that before the explosion that killed eight people in San Bruno, PG&E diverted money approved for pipeline safety to executive compensation.

"I think there's a very clear case that in some places, the utility did divert dollars that we approved for safety purposes toward executive compensation," Picker told state senators at an oversight hearing.

Since last summer, the PUC has released tens of thousands of emails documenting close ties between regulators and utility officials, and law enforcement officials are searching for more.

Federal and state authorities opened separate investigations regarding rate-setting procedures and the San Bruno gas-line explosion last year. They have requested about 1.6 million documents, and the PUC has received more than 200 other public records requests, Picker said.

Ed Howard, an expert in regulatory and administrative law at the University of San Diego's Center for Public Interest Law, said, "I would be shocked if what we've learned so far even gets beyond the tip of the iceberg."

Asked about the scope of the investigation, Picker said, "I have no idea where it goes." He said he avoids details of the investigation so that he does not inadvertently disclose information to anyone law enforcement officials might be targeting.

Public outrage over PG&E and the PUC flared last summer, with the release of an initial cache of emails at the prodding of the city of San Bruno. The correspondence showed Peevey giving public relations advice to PG&E. It revealed that his then-chief of staff, Carol Brown, tutored a utility executive in

how to answer questions from an administrative law judge in the San Bruno proceedings.

Brown suggested to the executive, Laura Doll, that she write a “sweet note” to the judge. Doll was grateful. In one email to Brown, Doll responded, “Love you.”

Emails released later that year showed PUC and PG&E executives apparently coordinating the selection of a judge in a rate-setting case, and Peevey pressuring PG&E for political contributions to favored causes.

In one email, Brian Cherry, a former PG&E executive, said Peevey wanted the utility to spend at least \$1 million opposing a ballot measure seeking to undo provisions of Assembly Bill 32, California’s greenhouse gas reduction law. As the president of the state’s chief regulatory agency, Peevey wielded immense power over utilities such as PG&E.

Howard, who testified at an oversight hearing in Sacramento this month, said, “My jaw hit the floor” when he learned about the judge selection process and how casually PG&E and state regulators interacted. He said the emails depicted a “thoroughly dysfunctional, lawless and renegade culture” at the PUC.

In January, the state Department of Justice seized day planners, computers and a thumb drive from the home of Peevey and his wife, Democratic state Sen. Carol Liu.

The Department of Justice said in its search warrant that it was investigating a felony. But no charges have been filed against Peevey.

First appointed to the PUC by then-Gov. Gray Davis in 2002, the former president of Southern California Edison Co. has long-standing ties to Democratic Party politics in California, including Gov. Jerry Brown.

Peevey is widely credited with advancing California’s renewable energy policies at the PUC, and Brown has held fast in his support of the former commissioner.

Two days after investigators searched Peevey’s house, Brown said at a news conference that Peevey was “a real champion in advancing the state’s environmental goals.” The next month, Brown administration officials joined

prominent Democrats, including former Assembly Speaker Willie Brown, at a tribute dinner for Peevey in San Francisco.

The event was advertised as honoring Peevey's "lifetime of service to the people of California," with proceeds benefiting the Goldman School of Public Policy at UC Berkeley.

Goldman School administrators initially defended the event, but the school's dean reversed course amid public criticism.

In a letter to faculty, staff and students, Henry Brady said the school was "merely to be the beneficiaries of excess funds generated by the event," a fact he said was "largely lost in the ensuing coverage."

In declining to accept the money, Brady said he regretted that an "effort to provide resources for the Goldman School was undercut by these events and misunderstandings."

Peevey, meanwhile, resigned from Goldman's advisory board.

According to Brady, Peevey wrote to him, "This sorry episode has led me to question my value to the School going forward."

Neither Peevey nor Liu responded to requests for comment. Liu was absent from the Senate and excused for "personal business" in the days immediately after the search of her home, as well as for five days in February, according to Senate records.

Like her husband, she has demonstrated a willingness to engage in his defense.

Last year, Liu lobbied her colleagues on the Senate floor against a bill, eventually approved, expanding a restriction on PUC members sitting on boards of nonprofit organizations created by the commission.

Liu called the measure "a jab at my husband, period."

The bill's author, Sen. Jerry Hill, a Democrat who represents San Bruno, returned with other lawmakers this year to introduce legislation seeking, among other measures, to impose greater restrictions on private, or "ex parte,"

communications between regulators and utilities.

“The initial scandals have now turned into the layers of an onion being peeled back,” said Sen. Mike McGuire, a Healdsburg Democrat who has used his seat on the Senate Energy, Utilities and Communications Committee to rail against what he said is a lack of public involvement in PUC proceedings.

McGuire, who sits directly in front of Liu in the Senate chamber, added, “Whether it’s the issue of ex parte communication, the lack of public involvement or individual scandals, this is now a focus of the state Legislature.”

Picker, a former renewable energy adviser to Brown, said he agrees with many of the lawmakers’ concerns, including about the closeness of regulators and utility officials.

PUC officials are screening emails now for ethical breaches and inappropriate communications. A broader culture change at the PUC, Picker said, could take three years.

Like Brown, Picker praised his predecessor for his environmental work, calling him “a very complicated person who got things done.”

“The way he dealt with a very complicated agency is he just cut through the bureaucracy,” he said. “Sometimes when you do that, it leads to problems.”

At a legislative hearing on the PUC this month, Assemblyman Anthony Rendon, D-Lakewood, thanked Picker for attending, noting it had been three years since Peevey appeared before the panel.

He applauded Picker’s “contrasting and refreshing commitment to transparency.” But he said, “At the same time, we recognize the daunting challenges that you face in this effort.”

“On a nearly daily basis,” Rendon told Picker, “we hear about new allegations of backroom deals and policy procedures and organizational culture at the PUC that continues to undermine the public’s confidence and trust in the commission.”

Seated before the lawmakers, Picker said, “I wish I could say that this was going to be a simple process to modernize the CPUC and to make it a truly available as well as transparent and accessible and fair organization.”

But he added, “I think that we have a long ways to go.”

This post was updated at 2:15 p.m. March 30, 2015 to correctly attribute a quote from a March 25 legislative hearing to PUC president Michael Picker.

Call David Siders, Bee Capitol Bureau, (916) 321-1215. Follow him on Twitter [@davidsiders](#).

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SOAPBOX

Next PUC chief must be independent advocate for clean energy

NOVEMBER 09, 2014 4:00 PM

EDITORIALS

Ex-PUC chief’s tribute made everyone look bad

FEBRUARY 12, 2015 6:39 AM

SOAPBOX

PUC pledges to improve safety, rebuild public trust

JANUARY 14, 2015 4:00 PM

 **COMMENTS** 

Regular City Council Meeting
E-mail Public Comment 04/21/2021

AGENDA ITEM NO. 20
Review and Provide Direction on
the City of South Pasadena's Caltrans
Surplus Property Disposition Strategy

1. Maria Lopez
2. Mary H. Farley
3. Chris Bray
4. Jenny Bright
5. Susan Sulsky
6. Michael Girvigian
7. Mike Lesnever
8. Mark Haines
9. Karla R Miller
10. Chris Bray
11. Gilbert J Vargas
12. Gilbert Saucedo
13. Victoria Patterson

From: Maria Lopez <[REDACTED]>
Sent: Saturday, April 10, 2021 8:33 PM
To: SB381comment <SB381comment@southpasadenaca.gov>
Subject: SB381 Question

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'm curious if the city of South Pasadena (or entity as such) have conducted a formal or informal current census of the racial/ethnic profile of home ownership in the city of South Pasadena, CA? And if the city would consider prioritizing equitable home ownership for people of color (in addition to economically disadvantage families that fall below the median income as indicated in the current Affordable Sales Program) as part of the criteria for home ownership for the properties along the 710 corridor in efforts to enhance diversity in the community and eliminate racial disproportionality of home ownership in South Pasadena?

Best,
Maria Lopez
(213)215-7558

Sent from [Mail](#) for Windows 10

From: MARY FARLEY <[REDACTED]>
Sent: Monday, April 12, 2021 11:51 AM
To: CCO <cco@southpasadenaca.gov>
Cc: Diana Mahmud <dmahmud@southpasadenaca.gov>
Subject: SB 381

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 am a thirty five year resident at 831 Bonita Drive. The street is very closely built. My home is three feet from a Cal Trans house that has been vacant for twenty years, ostensibly because of a weak foundation. During those decades I have had several causes for concern. I filled a large hole in the front yard after my gardener claimed that he had almost broken his ankle in it. (I planted a tree in the hole; the tree is thriving.) I retrieved an empty can of a substance used in home repairs (I no longer remember which substance) from my grandchild. I restrained my dog from catching a rat running off the property during a late evening walk. Most recently, I visited the South Pas Fire Department with a photo of a dense forest of thick stemmed weeds that had grown throughout the lawn, higher than my head, posing an obvious fire hazard three feet from my bedroom. In a city of 3.4 square miles, Code Enforcement was blissfully unaware of this situation.

I am incensed that our City Council—a member of which reportedly described El Sereno as a community with a council that does not listen to them [meeting of April 7] cc0—is actively moving to undertake management of these properties without community consent. The sale of 901 Bonita to a motivated homeowner who could not otherwise afford to live here would help to satisfy our municipal requirement under the Regional Housing Needs Assessment. As a longtime resident of Bonita, and a forty one year resident of South Pasadena, I demand a community forum regarding SB 381.

With regards,

Mary H. Farley

From: Chris Bray <[REDACTED]>

Sent: Tuesday, April 13, 2021 10:25 AM

To: SB381comment <SB381comment@southpasadenaca.gov>

Cc: CCO <cco@southpasadenaca.gov>; All Commissions <allcommissions@southpasadenaca.gov>; Sean Joyce <sjoyce@southpasadenaca.gov>

Subject: questions for april 14 sb 381 forum

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.) Caltrans is currently a defendant in ongoing litigation over some of its properties in the 710 corridor. What is the City of South Pasadena's potential exposure to litigation over the acquisition of these properties, and what analysis has the city done to prepare for this exposure? What do you anticipate will be the annual cost to the city for legal costs related to the management and regulation of these houses as city-owned properties? Has the city attorney provided you with an analysis of likely legal costs and potential litigation?

2.) The state currently pays for CHP officers and private security guards to secure Caltrans-owned properties in the 710 corridor. If the City of South Pasadena acquires these properties, what will be the city's monthly security cost, and how many SPPD officers will be assigned to security duties at city-owned 710 corridor properties to replace the CHP officers who are currently assigned to these security duties? What analysis and planning has the city done to prepare to replace state-run security at these sites? Do you have a detailed security plan, with costs, that you can disclose to the public?

3.) What do you project will be the total annual cost to the City for management and regulation of the Caltrans-owned properties that the city is planning to acquire? How much monthly staff time, in hours, will be required when the city takes responsibility for dozens of residential properties? Two questions here that require **numbers** for an answer: cost in dollars, cost in staff time.

Thank you.

Chris Bray
South Pasadena resident

From: Jenny Bright <[REDACTED]>
Sent: Wednesday, April 14, 2021 12:11 PM
To: Tamara Binns <tbinns@southpasadenaca.gov>
Cc: SB381comment <SB381comment@southpasadenaca.gov>
Subject: Re: TEST

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.

The restoration of an historic home is an extremely costly venture, invariably far more expensive than even the best laid plans can predict. This is particularly true in the case of a house that has been vacant for years.

The idea of securing funding for restoration and rent supplementation through an equity loan is poorly considered. Equity loan interest rates on a free and clear property are extremely high, not to mention already sky high rates for a long-vacant property in disrepair.

This venture will end up negatively affecting our City budget immensely down the road. Historical renovation is not a "one and done." It is an ongoing process and an ongoing expense, far greater than newer construction would be. Additionally, there is a high likelihood that this equity loan funding will go towards other City priorities, such as lawsuits, rather than to the historical restoration of the properties for which it was secured.

These properties should be sold by Caltrans at market value to new owners. Our City will still have oversight of the condition of the homes and restoration through our building codes, ordinances and zoning laws already in place.

Caltrans should use those profits from sales to grant affordable housing projects efficiently as opposed to a plan of having a very small City attempting to turn a bunch of very expensive-to-maintain historic homes into affordable housing units. Our City of South Pasadena can then use the additional property tax revenue to incentivize developers to build far more cost efficient affordable housing units, far more cost efficient affordable housing units that our City of South Pasadena will not be responsible for paying to maintain, in relative perpetuity.

From: Susan Sulsky <[REDACTED]>
Sent: Tuesday, April 13, 2021 1:03 PM
To: SB381comment <SB381comment@southpasadenaca.gov>
Subject: Comments on SB381

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 wish to state my concern with SB381 which would allow the City of South Pasadena to purchase the CalTrans Surplus Properties. I have no faith that the City staff and City Council will be able to fairly and equitably manage these properties. Personally, I have lived next door to a home that does not comply with most of the Municipal City Codes, and the City does little to enforce them, creating a less than livable situation.

How can one reasonably expect that the Council or staff will do the right thing with the abandoned properties? Isn't it time to just relinquish them to an organization such as Habitat for Humanity which has a track record of rehabilitating and creating housing for first time home owners?

Thank you,

Susan Sulsky
[REDACTED]

From: Michael Girvigian <[REDACTED]>
Sent: Wednesday, April 14, 2021 1:34 PM
To: SB381comment <SB381comment@southpasadenaca.gov>
Subject: My comments on SB381

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.

Hello,

I do not agree with the SB-381 proposal. The Cal Trans properties, whether occupied or vacant, should be sold- preferably to low income families.

Creating perpetual rentals out of the Cal Trans properties was never the idea. Going back to the 1979 Roberti Act, the intention was always to sell these properties to lower income families to give them a chance to get into the housing market and restore the neighborhoods.

Pasadena tried transferring ownership, with disastrous results. Repeating the experiment and believing the outcome would be different, is a mistake.

Home ownership matters. Home ownership provides financial security, safety, a sense of self worth, and pride in the community. The state might not believe in home ownership anymore, RHNA seems to be proof of this, but I expect the City of South Pasadena to still believe in home ownership.

I am formally against SB-381, and for that matter, all those who came up with it.

Sincerely,

Michael Girvigian
[REDACTED]

Sent from my iPhone

From: Michael Lesnever <[REDACTED]>
Sent: Wednesday, April 14, 2021, 1:31 PM
To: tbinns@southpasadenaca.gov
Subject: Caltrans Properties

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 Ms. Binns,

I been following along, through the media, regarding South Pasadena's plan to purchase the surplus 710 freeway homes from Caltrans, take on the responsibility to renovate the properties and then lease them to low income individuals. Although I am a proponent of affordable housing, I disagree with this current plan and believe there are better ways to obtain the same results.

As someone who has been through the renovation of a historic home in South Pasadena I intimately know the high costs involved with this type of project and the ongoing maintenance expenses with an older home. I believe that these expenses would quickly outpace any rents received and become a financial burden on our City. I do not believe that the City of South Pasadena should be a landlord and have the responsibility of maintaining these properties, in this scenario the costs far outweigh the intended benefit.

Like many residents of our City, I look out my windows and see these vacant homes and think about how we can best employ these underutilized resources.

Here is an alternate plan:

1. The City of South Pasadena buys/obtains the homes from Caltrans
2. The City of South Pasadena then sells all the homes publicly to the highest bidder for each property.
 - 2a. This creates the largest return for the city
 - 2b. This puts the renovation expense and ongoing maintenance on the new buyers
 - 2b. This puts these properties on the tax roll, thus creating a recurring property tax revenue stream
 - 2c. The City maintain's control over the renovations of these properties through its permitting process and Cultural Heritage Commission input/approval.
3. The City of South Pasadena then uses the proceeds of these sales to create a fund specifically focused on affordable housing.
4. The City of South Pasadena uses this Affordable Housing Fund (AHF) to incentivize private developers to build affordable housing within the City.
5. The City of South Pasadena manages these affordable housing units, along the lines of the City of San Francisco (<https://sfmohcd.org/bmr-ownership>), whereas any property built with AHF dollars must be sold in perpetuity as a below market rate home.

5a. Set-up an affordable housing lottery for perspective low/moderate income buyers. These buyers would need to meet affordability criteria determined by the City prior to being eligible to purchase a below market rate home.

5b. If a property is built using public funds it must always be sold below market rate. This process would be managed/enforced by the city.

I realize this plan isn't complete and more details need to be hashed-out, but I do believe this plan accomplishes the primary need for affordable housing, while secondarily it relieves the City of landlord responsibilities (not a core competency), increases revenue through property taxes and permitting fees, provides local construction jobs, it heals the blight of boarded-up homes and overall beautifies our City; all without a huge burden on our City's budget.

I hope you'll please share these thoughts with the board.

Mike Lesnever



From: Mark Haines <[REDACTED]>
Sent: Monday, April 19, 2021 9:25 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: South Pasadena Preservation Foundation Amendments to SB 381

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.

As a nearly 50 year resident of South Pasadena, I am very interested in proposals dealing with CalTrans surplus properties in the former I-710 corridor. Looking at the list of properties, I'm reminded of the many families who once lived in those homes and who contributed to making South Pasadena a special place.

I wholeheartedly support the South Pasadena Preservation Foundation proposed amendments to SB 381 (attachment 2 to the staff report) and urge our city council to formally adopt the recommendations.

Respectfully,
Mark Haines

[REDACTED]
South Pasadena, CA 91030

From: Miller, Karla R (US 7310) <[REDACTED]>
Sent: Tuesday, April 20, 2021 6:00 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Petition Against SB381

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.

To Whom It May Concern,

I support the Demands of UCT. This has gone on too long and left a lot of us treading lightly on what's going to happen to us in the near future.

I couldn't pick just one of the demands because they are all just as important. Although I would like to purchase, I have never been told purchase price which makes me leery and doesn't leave me much room to find out what the purchasing entails.

I love the area and have been in this home for over 20 years. I know during this time, most of us have taken care of the property as if our own, but there are certain requests for property up keep that falls at death's ears, or is not considered an emergency.

Karla

If you are always trying to be normal, then you will never know how amazing you can be. Do the best you can until you know better. Then when you know better, do better.

Dr. Maya Angelou

From: Chris Bray <[REDACTED]>
Sent: Wednesday, April 21, 2021 10:11 AM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Cc: senator.portantino@senate.ca.gov; david.kim@sen.ca.gov; Talin.Mangioglu@sen.ca.gov; Steven Lawrence <steven@southpasadenan.com>
Subject: sb 381 public comment -- item #20, 4/21 open session

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.

Councilmembers,

One of my least favorite city managers used to nevertheless say something to the Claremont City Council that I appreciated: He used to tell them to slow down and think carefully, because "you're making a hundred-year decision." You're doing something that will be written on the landscape of the city long after we're all dead, so do your due diligence, don't rush a decision, and get it right.

When you discuss city ownership of Caltrans houses, you're making a hundred-year decision, and you're burdening future city councils with the management of a decades-long affordable housing covenant that the city will pay to enforce and work to manage. You've done zero due diligence – *zero*. You've done no analysis, and you have no plan.

Caltrans is now being sued over state-owned houses in the 710 corridor. I've asked you to disclose and discuss your analysis of your exposure to litigation if the city takes over the ownership of these houses. You haven't done it. You've done no analysis, and you have no plan.

Caltrans is now paying for CHP officers and private security guards to secure vacant houses in the 710 corridor. I've asked you to disclose and discuss your analysis of the security costs to the city if the city takes over the ownership of these houses. You haven't done it. You've done no analysis, and you have no plan.

I've asked you to disclose and discuss your analysis of the staff time you'll be compelled to commit to the management and regulation of a \$75 million real estate portfolio, and to say up front how much money you think you'll spend on staff and consultants to manage these properties and comply with an affordable housing covenant for 55 years. You haven't done it. You've done no analysis, and you have no plan.

This is a shamefully stupid course of action, begun by a relentlessly obtuse mayor who asked Senator Portantino to introduce legislation ahead of any discussion with anyone in the community. You should be embarrassed to find yourselves here, debating a half-formed plan to buy an enormous-to-a-small-city portfolio of real estate with, quite simply, no plan.

What Mayor Mahmud proposes to you is that you all jump off the bridge together, then formulate a plan for hitting the water as you fall. Good luck with that.

Chris Bray

South Pasadena resident

From: Gilbert Vargas <[REDACTED]>
Sent: Wednesday, April 21, 2021 11:36 AM
To: CCO <cco@southpasadenaca.gov>; City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: City council open meeting agenda item 20

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.

Honorable mayor and city council members, I writing to offer my comments regarding the disposition of the "Surplus Cal Trans" residential properties in South Pasadena.

It is my belief all the properties should be returned to private ownership. Many require special care due to the significant historical and architectural compliments they provide to the community. The least efficient means of providing that stewardship is through a government agency. A recent local example is the City of Los Angeles housing program spending nearly \$750,000/unit to build homeless transition residences. No builder would remain in business for long with that type of waste.

Returning the property to the private ownership status enjoyed pre-Cal Trans will generate critical additional property tax revenue locally and through the state level. The return to private ownership and care is the most efficient means of caring for these older properties and best serves the community.

If the city chooses not to fight the state and federal mandates for "housing diversity" being imposed on us it should seek separate opportunities to address those issues and not try to resolve those challenges in this process. Cal Trans should be strongly encouraged to expedite the sale and transfer of the properties through the process already in place.

We know community members who have successfully accepted the generous purchase agreements provided through the existing process. We are also aware there are others who want even more favorable agreements and have not come to terms under the current program. One such case involves a new (substituted) tenant who wants to purchase a \$1Million property for +/- \$30K. The existing process allows for Cal Trans to proceed down the beneficiary line to engage with persons with other levels of interest in the properties.

I discourage the transfer of these properties to "non/not for-profit" entities which would also bypass the tax revenue generation available only through private ownership. Let us not impose additional restrictions or add outside interests into the distribution of these properties.

Thank you for your consideration.

Peace, Deacon Gilbert J Vargas (Gil)

From: Gilbert Saucedo <[REDACTED]>
Sent: Wednesday, April 21, 2021 12:21 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Item 20 of Today's Agenda

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.

My name is Gilbert Saucedo. I am an attorney in private practice, and currently I represent the United Caltrans Tenants, an association of families living in the 460+ residential properties owned by Caltrans in the defunct 710 North Corridor in South Pasadena, Pasadena, and the El Sereno area of Los Angeles. I am in favor of option 2 of item 20.

The existence of 3 contradictory and confusing proposed bills is perplexing. These bills were drafted without any participation or vetting by the affected tenants and are very concerning because rather than solve any problems, they merely create confusion. We need a solution that fully allows the affected tenants to be equal players in the process. Option 2 would provide for equity in participation and content.

I have written a letter to Governor Newsom and All Members of the California State Legislature expressing these views. I attach a copy of that letter to this email, for your information.

LAW OFFICE OF GILBERT SAUCEDO

April 20, 2021

Governor Gavin Newsom and
All Members of the California State Legislature

Re: **Harmonizing the Three Proposed Bills that Would Amend the Roberti Law: SB51, AB512, and SB381**

Dear Elected Officials:

As an attorney, I represent the United Caltrans Tenants, an association of families living in the 460+ residential properties owned by the California Department of Transportation ("Caltrans") in the defunct 710 North Corridor in Pasadena, South Pasadena, and the El Sereno area of the City of Los Angeles. There are three current legislative proposals to amend the Roberti Law governing the final sales of these properties: SB51 (Durazo), AB512 (Holden) and SB381 (Portantino).

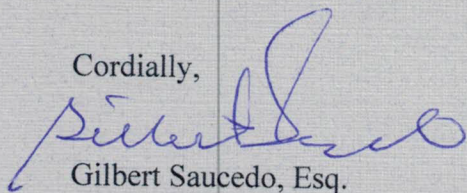
In 2020, a former bill SB9 covered the entire 710 North corridor, but after being amended and passed in the Assembly it was caught in the end of session adjournment crunch.

SB51 eliminates the right of existing tenants in El Sereno to form co-ops to buy multi-family properties where they live and favors non-tenant entities. SB381 protects tenants' co-op rights in South Pasadena, but does not address El Sereno or Pasadena. SB512 proposes a wholly different approach for all the Caltrans 710 Corridor vacant lots in all three cities.

These three 2021 bills need to be harmonized. The resulting bill needs to cover all Caltrans properties in the 710 North Corridor. In 2020, the Governor's office insisted that SB9 had to be amended to cover the entire corridor in order to avoid the constitutional ban on local legislation.

The United Caltrans Tenants, representing the hundreds of tenants renting homes and apartments from Caltrans, wants a solution for the ENTIRE 710 North Corridor. Until a unified approach is agreed, UCT requests and urges that SB51, SB512, and SB381 be delayed to allow the conflicts between the three pending bills to be resolved.

Cordially,



Gilbert Saucedo, Esq.

GILBERT SAUCEDO • ATTORNEY AT LAW

Telephone: [REDACTED] • Facsimile: [REDACTED] • [REDACTED]

From: Victoria Patterson <[REDACTED]>
Sent: Wednesday, April 21, 2021 3:15 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Petition against SB381 Agenda 20 and 21

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 Council,

Disregard my public comment. I'm submitting for agenda 20 and 21 this petition from the neighborhoods. Another person will be making a public comment regarding the petition.

Best,

Victoria Patterson

Petition Signatures SB391

Joanne Nuckols
Tom Nuckols
Victoria Patterson
Chris Patterson
Cole Patterson
Ry Patterson
Laurance Lau
Callie Lau
Delaine Shane
Russel Shane
Elizabeth Anne Bagasao
Ann Ogawa
Ava Herrera
Blair Slattery
Bonnie Kingry
Brian Bright
Brock Carlson
Doug Watkins
Ed Herrera
Emily Beaghan
Grace Song
Jean-Claude Jones
Jenny Bright
Jerry Wong
Matthew Burmood
Barry Kleinman
Phil Stalker
Billy Reed
Linda Esposito
Matthew Barbato
Larry McGrail
Marko Chase
Fahren James
Danzy Senna
Natasha Prime
Richard Guerrero
Megan Guerrero
Po Lin
Bert DeMars
Brandon Fox

Jamie Drinville
Chris Mathews
Michael Kemp
Mila Renken
Megan Guerrero
Christine Chin
Colleen Grace
Ezequiel Quezada
Michele Clark
Marko Chase
Anne Rector
Raymond Givigian
Kathleen Baumann
Traci Samczyk
Veronica Arenta
Sally Takada
Heidi Owen
Esther Mar
Joo Lee

What do I need from you?

Please read the below petition. **We need as many neighbors as possible to sign the petition to help the city council understand how important this issue is to our neighborhood. If you will add your name to this petition to the city council, please respond back to me as soon as possible. AND, please pass along to your neighbors who you think may sign it too. The more signatures, the more the city council will take us seriously.**

Thank you!
Sally
712 Bonita Drive
sallytakeda@sbcglobal.net

PETITION

As residents of the former 710 corridor, and adjacent, in South Pasadena who will be disproportionately affected by any state and local legislation related to the disposition of the Caltrans housing, we disagree with the proposed language of SB 381.

Caltrans has mismanaged these properties for over 50 years by subjecting their tenants to substandard living conditions, failing to maintain vacant homes, and ignoring the neighboring homeowners who live with their negligence and the devaluation of the properties in our neighborhood. Instead of the city's promotion of a vague and top down forced piece of state legislation, we residents want the city to facilitate the following:

- **IMMEDIATE SALE AND RESTORATION OF VACANT, UNOCCUPIED CALTRANS PROPERTIES TO QUALIFIED, OWNER-OCCUPIED BUYERS**

We want all, unoccupied, vacant properties to be sold to a pool of qualified buyers who will restore the properties and become the resident home owner.

- **NO OUTSIDE "HRE" MANAGEMENT OF PROPERTIES**

We DO NOT want any unoccupied, vacant properties to be managed by a Housing Related Entity ("HRE") and managed as "affordable housing". We already have this with Caltrans. Additionally, the city has lacked enforcement on the maintenance of other entities like Esperanza Housing in our neighborhoods. Sell them to a qualified buyer so they can rehabilitate the property and reside in it. Homeownership brings a sense of stability, belonging to a community and pride of ownership!

- **HOMEOWNERSHIP FOR CURRENT CALTRANS TENANTS RESIDING IN THEIR HOME**

We want our neighbor-CT tenants to be guaranteed priority to purchase their property. The Roberti Act promised these tenants the option to buy years ago. Many are waiting for ownership to do the necessary home restorations.

- NO LOT SPLITS OR ZONE CHANGES OTHER THAN THOSE MANDATED BY PRESENT STATE LAW**

We DO NOT want any Caltrans properties to be allowed to be demolished in order for a buyer to then build any other type of home than is already mandated by present law. Already, our neighborhood is at its capacity. Adding more parking, more potholes on the streets from overuse, more sewer line issues by adding density is an overburden to our already dense neighborhood.

Our city's #1 income is our property taxes! Place these properties back on the county tax rolls! We have patiently waited for these homes to sell for several years. Please allow the sales to continue with the existing Roberti Act without additional legislation.

Regular City Council Meeting
E-mail Public Comment 04/21/2021

AGENDA ITEM NO. 21

**Award Contract to CivicStone, LLC to
Determine, Prepare, and Implement a Surplus
Property Acquisition and Rehabilitation Strategy
in an Amount Not-to-Exceed \$75,000**

1. Victoria Patterson

From: Victoria Patterson <[REDACTED]>
Sent: Wednesday, April 21, 2021 3:15 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Petition against SB381 Agenda 20 and 21

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Dear Council,

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Petition Signatures SB391

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Tom Nuckols
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Chris Patterson
Cole Patterson
Ry Patterson
Laurance Lau
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Russel Shane
Elizabeth Anne Bagasao
Ann Ogawa
Ava Herrera
Blair Slattery
Bonnie Kingry
Brian Bright
Brock Carlson
Doug Watkins
Ed Herrera
Emily Beaghan
Grace Song
Jean-Claude Jones
Jenny Bright
Jerry Wong
Matthew Burmood
Barry Kleinman
Phil Stalker
Billy Reed
Linda Esposito
Matthew Barbato
Larry McGrail
Marko Chase
Fahren James
Danzy Senna
Natasha Prime
Richard Guerrero
Megan Guerrero
Po Lin
Bert DeMars
Brandon Fox

Jamie Drinville
Chris Mathews
Michael Kemp
Mila Renken
Megan Guerrero
Christine Chin
Colleen Grace
Ezequiel Quezada
Michele Clark
Marko Chase
Anne Rector
Raymond Givigian
Kathleen Baumann
Traci Samczyk
Veronica Arenta
Sally Takada
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Joo Lee

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Sally
712 Bonita Drive
sallytakeda@sbcglobal.net

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- NO LOT SPLITS OR ZONE CHANGES OTHER THAN THOSE MANDATED BY PRESENT STATE LAW**

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Our city's #1 income is our property taxes! Place these properties back on the county tax rolls! We have patiently waited for these homes to sell for several years. Please allow the sales to continue with the existing Roberti Act without additional legislation.

Regular City Council Meeting
E-mail Public Comment 04/21/2021

AGENDA ITEM NO. 23

**Consideration of Appointment of City Council City
Leased Recreational Facility Ad Hoc Committee**

1. Alan Ehrlich

From: Alan Ehrlich <[REDACTED]>
Sent: Wednesday, April 21, 2021 4:02 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Iten #23 ad hoc subcommitte

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.

Thank you

"Sunlight is said to be the best of disinfectants."
- Supreme Court Justice Louis Brandeis

-

"Openness in government is essential to the functioning of a democracy."
International Federation of Professional & Technical Engineers, Local 21 v. Superior Court
California Supreme Court, 42 Cal.4th 319 (2007)

Alan Ehrlich, Council district 3

Public Comment, Agenda Item #23, City Council meeting April 21, 2021

Honorable Mayor, city council members.

For once, I am submitting a public comment in your best interests. I recommend you reject the staff report to form an ad hoc subcommittee to review parks and rec leases. I know how hard and how much time council members spend on the public's business and this task would be better performed by the Parks and Recreation Commission, who can then provide their recommendations to the council.

Don't make more work for yourselves. The current process works

Regular City Council Meeting
E-mail Public Comment 04/21/2021

AGENDA ITEM NO. 24
Adoption of a Resolution Changing
the Start Time of the Closed Session and
Open Session Regular City Council Meetings

1. Alan Ehrlich

From: Alan Ehrlich <[REDACTED]>
Sent: Wednesday, April 21, 2021 3:55 PM
To: City Council Public Comment <ccpubliccomment@southpasadenaca.gov>
Subject: Public Comment Agenda #24

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.

Thank you, Alan

"Sunlight is said to be the best of disinfectants."

- Supreme Court Justice Louis Brandeis

-

"Openness in government is essential to the functioning of a democracy."

International Federation of Professional & Technical Engineers, Local 21 v. Superior Court
California Supreme Court, 42 Cal.4th 319 (2007)

Alan Ehrlich, Council district 3

Public Comment, Agenda Item #24, City Council meeting April 21, 2021

Honorable Mayor, city council members.

I am opposed and ask you to reject the recommendation of staff to move the start time of council meetings to 6:30 an hour earlier, and I am opposed for the same reason, logic, in the recommendation from staff.

Moving the council meetings earlier would make it more difficult to view and participate in council meetings. Many residents, those of us still commuting to work, do not make it home by 6:30, and if we do, 6:30 is the hour when we would be having dinner with out children and helping them with homework.

What would make the council meetings more open to participation would be returning them to the council chambers where members of the community can attend, rather than the very limited participation in the meetings held via Zoom, when some of you are not even on camera. LA County has been in the orange tier for several weeks, enabling movie theaters, indoor sports arenas and schools to reopen. What is your excuse for the delay other than hiding from the public?

If the underlying concern is that council meetings run on too long and end too late, then perhaps the mayor can maintain better control and limit council member comments and discussion rather than letting members filibuster when the vote is not going their way. Under Mayor Joe's leadership, few council meetings went past 11 pm or midnight