

Additional Documents Distributed for the City Council Meetings of December 6, 2023

ltem No.	Agenda Item Description	Distributor	Document
SPH. 1	CONSIDERATION OF APPROVAL OF THE THIRD AMENDMENT TO THE LEASE AGREEMENT FOR 1507 AND 1503 EL CENTRO STREET	Alan Ehrlich	Email to Council
SP. 1	DISCUSSION AND DIRECTION REGARDING AN UPDATE TO THE CITY COUNCIL PROTOCOL AND PROCEDURES MANUAL	Alan Ehrlich	Email to Council
SP. 1	DISCUSSION AND DIRECTION REGARDING AN UPDATE TO THE CITY COUNCIL PROTOCOL AND PROCEDURES MANUAL	Domenica Megerdichian, Deputy City Manager	Memo for Addition (Staff Report and Attachments)
SP. 1	DISCUSSION AND DIRECTION REGARDING AN UPDATE TO THE CITY COUNCIL PROTOCOL AND PROCEDURES MANUAL	Roxanne Diaz, City Attorney	PowerPoint Presentation
2.	PUBLIC COMMENT - GENERAL	Jonathan Hawes	Email to Council
2.	PUBLIC COMMENT - GENERAL	Yvonne LaRose	Email to Council
2.	PUBLIC COMMENT - GENERAL	Yvonne LaRose	Email to Council
4.	SOCAL EDISON INFRASTRUCTURE PROJECT	Jeannette Soriano, Edison Representative	PowerPoint Presentation

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6.	APPROVAL OF PREPAID WARRANTS IN THE AMOUNT OF \$12,749.20; GENERAL CITY WARRANTS IN THE AMOUNT OF \$814,491.08; ONLINE PAYMENTS IN THE AMOUNT OF \$37,031.69; VOIDS IN THE AMOUNT OF (1,247.78): PAYROLL IN THE AMOUNT OF \$855,295.28	John	Email to Council
8.	JULY 2023 – SEPTEMBER 2023 BUDGET UPDATE	Luis Frausto, Management Services Director	Memo for Addition (Attachment No.3)
13.	APPROVAL OF CITY COUNCIL MEETING MINUTES FOR SEPTEMBER 27, 2023 AND OCTOBER 04, 2023	Luis Frausto, Management Services Director	Memo for Addition (Attachment No.1)
14.	CONSIDERATION OF A PURCHASE OF AN ASPHALT REPAIR VEHICLE FOR THE PUBLIC WORKS DEPARTMENT IN THE AMOUNT OF \$420,952 FROM BERGKAMP PAVEMENT PRESERVATION SOLUTIONS UTILIZING THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC) COOPERATIVE PURCHASING PROGRAM	Ted Gerber, Public Works Director	Memo for Revisions (Attachment No. 1)
14.	CONSIDERATION OF A PURCHASE OF AN ASPHALT REPAIR VEHICLE FOR THE PUBLIC WORKS DEPARTMENT IN THE AMOUNT OF \$420,952 FROM BERGKAMP PAVEMENT PRESERVATION SOLUTIONS UTILIZING THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC) COOPERATIVE PURCHASING PROGRAM	Ted Gerber, Public Works Director	PowerPoint Presentation
15.	CONSIDERATION OF APPROVAL OF TASK ORDERS WITH ULTRASYSTEMS, NINYO & MOORE, & SCEI TEC FOR ENVIRONMENTAL, GEOTECHNICAL, AND PRELIMINARY DESIGN REPORTS FOR THE HUNTINGTON DRIVE REGIONAL GREEN STREET STORMWATER PROJECT	Ted Gerber, Public Works Director	PowerPoint Presentation
17.	CONSIDER THE ACCEPTANCE OF THE TRANSFORMATIVE TRANSPORTATION STRATEGIES & MOBILITY SOLUTIONS PROGRAM OPPORTUNITY GRANT AWARD FROM THE SOUTH COAST AQMD IN THE	John	Email to Council

	AMOUNT OF \$499,789 FOR THE CITY ELECTRIFICATION PROJECT		
17.	CONSIDER THE ACCEPTANCE OF THE TRANSFORMATIVE TRANSPORTATION STRATEGIES & MOBILITY SOLUTIONS PROGRAM OPPORTUNITY GRANT AWARD FROM THE SOUTH COAST AQMD IN THE AMOUNT OF \$499,789 FOR THE CITY ELECTRIFICATION PROJECT	Ted Gerber, Public Works Director	PowerPoint Presentation
19.	COUNCILMEMBER COMMUNICATIONS	Councilmember Cacciotti	PowerPoint Presentation

Mark Perez

From:	Alan Ehrlich
Sent:	Tuesday, December 5, 2023 5:15 PM
То:	City Council Public Comment
Cc:	Anne Bagasao; William J. Kelly; Ella Hushagen; Josh Albrektson; Peter Giulioni Jr; Sheila Rossi; Ed
	Elsner
Subject:	Opposed to Housing Authority 3rd Amendment / lease extension

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 and members of the South Pasadena Housing Authority.

I oppose the extension of the month to month lease at 1503 - 1507 El Centro as it is in conflict with the city's committement to put affordable housing at the site, and further opposed as this is a waste of limited staff resources and unnecessary legal fees (the city attorney reviewed the lease amendment). Per the staff report, the current lease extends to 3/31/24 and then becomes month to month. It is wholely and entirely unnecessary to extend the lease to 1/31/25 or amend to any other date.

Per the staff report, the city is already in process of preparing a RFP to redevelop the site for housing, which is expected to be issued this month. While there is no guarantee how quickly a developer might bring forth a proposal, unnecessarily extending the lease can only lead to added delays and costs for a developer who may have a shovel ready project.

The only circumstance I can envision for a lease amendment is to modify the rate from the sweetheat below market rate of \$2,925 to an amount roughly equal to what other commercial space in the city leases for, roughly an increase of 8x, to \$25,000/month. With a lease rate change, the amount deposited into the Housing Authority trust fund would amount to \$250,000, rather than the paltry \$29,250, which is what would be collected with or without a lease termination date amendment.

This lease agreement, as with all other city leases, should be reviewed by the Finance Commission as it/they have a fiscal impact upon the city's current operating plan

Respectfully,

Alan Ehrlich

"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)



Mark Perez

From:Alan Ehrlich <</td>Sent:Tuesday, December 5, 2023 9:33 PMTo:City Council Public CommentSubject:Special Study Session Update to Protocol and Procedures Manual - staff report is missing in action

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 City Clerk, Council Members,

As of 9:23 pm on Dec 5, and for at least for the previous 4 hours, the 'additional documents' link on the council meeting web page has been broken. More specifically, the public has not had access to or a reasonable opportunity to review the proposed changes to the council protocol and procedures manual.

As such, the only reasonable course of action for the council this evening is to put over this item to the next regularly scheduled council meeting for discussion and direction to staff.

Respectfully, Alan Ehrlich

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- Supreme Court Justice Louis Brandeis

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Memo

Date:	December 5, 2023
То:	The Honorable City Council
Via:	Arminé Chaparyan, City Manager AC
From:	Domenica Megerdichian, Deputy City Manager
Subject:	December 6, 2023, Special City Council Study Session Item No. 1 – Discussion and Consideration of the Draft City Council Policies and Procedures Manual

This memo provides the staff report and attachments to Item No. 1 of the December 6, 2023 Special City Council Study Session.

Attachments:

- 1. Staff Report Discussion and Consideration of the Draft City Council Policies and Procedures Manual
- 2. Draft December 2023 City Council Policies and Procedures Manual
- 3. 2014 City Council Protocols

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ATTACHMENT

Staff Report – Discussion and Consideration of the Draft City Council Policies and Procedures Manual

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City Council Agenda Report



DATE:	December 6, 2023
FROM:	Arminé Chaparyan, City Manager
PREPARED BY:	Roxanne Diaz, City Attorney
SUBJECT:	Discussion and Consideration of the Draft City Council Policies and Procedures Manual

Recommendation

It is recommended that the City Council discuss and provide input and/or direction regarding the Draft City Council Policies and Procedures Manual.

Executive Summary

At the City Council October 2023 Strategic Planning Study Session, the City Council received a presentation from the City Attorney regarding "Good Governance" and the attributes of exceptional councils. While the City Council adopted City Council Protocols ("Protocols") in December 2014, the City Attorney noted that there were various areas that could be updated and that a revision could incorporate the principles of good governance, meeting management and other provisions that are hallmarks of exceptional councils.

Background and Analysis

As stated, the Protocols were adopted in 2014 and have not been updated or revised since that time. Protocols, policies and procedures related to the processes of legislative bodies are living concepts that should be reviewed and updated as needed. The proposed Draft City Council Policies and Procedures Manual ("Manual") reorganizes the current Protocols into a new document so that is easier to use with "Chapter" and "Section" headings that are understandable and reader-friendly. In the Draft Manual, Section headings that are highlighted signal that the section is new language for the Council's consideration. Portions of text that are highlighted also signal that this is new text that has been added to the existing Protocols that are in place for the Council's consideration.

Additional Chapters, sections and text were added to address a variety of topics including but not limited to the Council-Manager form of government, Council Districts, expanded chapter on Council and Mayor duties and responsibilities, addressing zoom comments and attendance at meetings using Zoom, a new chapter on rules of decorum and press and media relations and new provisions regarding commissions and Council liaisons. Draft City Council Policies and Procedures Manual December 6, 2023 Page 2 of 2

There is also a list of "Guiding Principles for Good Governance" which encapsulates the various themes and characteristics of exceptional city councils.

The City Attorney will lead the City Council in a discussion and overview of the Draft Manual at the City Council Study Session.

Fiscal Impact

There is no fiscal impact for the discussion and consideration of the City Council Policies and Procedures Manual.

Attachment

- 1. Draft December 2023 City Council Policies and Procedures Manual
- 2. 2014 City Council Protocols

ATTACHMENT

Draft December 2023 City Council Policies and Procedures Manual

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DRAFT FOR CITY COUNCIL DISCUSSION

CITY OF SOUTH PASADENA



CITY COUNCIL POLICIES AND PROCEDURES MANUAL

DECEMBER 2023

CHAPTER 1

PURPOSE OF MANUAL

Sections:

- 1.1 Introduction
- **1.2** Purpose and Intent
- **1.3** Amending and Updating Manual

1.1 Introduction

As provided by Government Code Section 36813, the South Pasadena City Council ("Council") may establish a set of policies, procedures and practices by which the Council, the City Manager and City Staff conduct City business and activities. With that in mind, the Council hereby establishes this City Council Policies and Procedures Manual ("Manual") for the benefit of the current and future Councils, staff and the general public.

1.2 Purpose and Intent

The purpose of this Manual is to assure the orderly and efficient conduct of the meetings and business of the City Council. The Council's policies, procedures and practices are contained in this Manual for ease of reference, and they have been established so that expectations and practices can be clearly articulated to guide Councilmembers in their actions and to promote continued collegiality and teamwork in the conduct of City business. The policies, procedures and practices set forth in this Manual are not exclusive and do not limit the inherent power and general legal authority of the City Council.

Additionally, this Manual is intended to serve as a resource document for newly elected Councilmembers by laying a foundation for an understanding of the roles, responsibilities and operations of the Council. Lastly, all City staff are obligated to follow the policies, procedures and practices contained in this Manual as applicable. In the event of any conflict between this Manual and any State statutes, ordinances, resolutions, or contracts, the State statutes, ordinances, resolutions, or contracts shall prevail.

1.3 Amending and Updating Manual

The Council may determine its own policies, procedures and practices and shall amend them from time to time and/or adopt new ones as it deems appropriate. This Manual may be amended by a majority vote of the Council.

CHAPTER 2

TYPE AND FORM OF GOVERNMENT

Sections:

- 2.1 General Law City
- 2.2 Council-Manager Form of Government
- 2.3 City Council Powers and Authority
- 2.4 City Council Districts

2.1 General Law City

The City of South Pasadena incorporated on March 2, 1888 and is a "general law" city. General law cities derive their authority from the "police power" granted by the state constitution and from the general laws enacted by the State Legislature. In terms of organization, general law cities, because they usually are governed by part-time councilmembers, are administered by a professional administrator, called the City Manager.

2.2 Council-Manager Form of Government

Government Code Section 34851 authorizes cities to establish a "city manager form of government." The City of South Pasadena has a Council/City Manager form of government. As described in the California Government Code, certain responsibilities are vested in the City Council and City Manager. Basically, this form of government prescribes that a City Council's role is that of a legislative policy-making body which determines not only the local laws that regulate community life but also what public policy is, and gives direction to the City Manager to administer the affairs of the city government and manage its daily operations in a businesslike and prudent manner. The City Council appoints the City Manager.

2.3 City Council Powers and Authority

The City Council is the legislative body of the City and serve as the community's decision makers. The powers and authority of the elected City Council are quite broad and far reaching. Basically, the City Council may undertake any actions related to City affairs other than those preempted or prohibited by state or federal law.

The City Council acts as a body and no individual Councilmember has any extraordinary power beyond those of other Councilmembers. While the Mayor and Mayor Pro Tem have several additional ceremonial and administrative responsibilities during their tenure in those positions, all five Councilmembers are equal. It is also important to note that policy is established by at least a majority vote of the City Council. During the deliberations over topics, Councilmembers may occasionally disagree with the decisions of the majority;

nonetheless, the decision of the majority does bind the Council as a whole to a particular course of action.

The City Council is charged with taking appropriate, necessary, and timely action to maintain the City of South Pasadena as a leading, well-managed, and innovative city at the forefront of desirable California Cities.

2.4 City Council Districts

In November 2018, the City of South Pasadena transitioned to district-based elections for the members of the City Council. This means that Councilmembers are no longer elected "at-large", which is a system in which all voters in the City have the opportunity to vote for candidates for all five seats on the City Council. Instead, the City conducts a district based election whereby the City is divided into five separate districts, each with one Councilmember who resides in the district and is chosen by the voters that reside in that district.

CHAPTER 3

COUNCIL DUTIES AND RESPONSIBILITIES

Sections:

- 3.1 General Description of Council Duties and Responsibilities
- 3.2 Representative of the City
- 3.3 **Positions on Regional, State and Federal Issues**
- 3.4 Handling of Litigation and Other Confidential Information
- 3.5 Representation of Private Interests
- 3.6 Resident Complaints
- 3.7 City Council District Communications and Coordination

3.1 General Description of Council Duties and Responsibilities

The City Council is the legislative body that creates and enacts policies, programs and projects under which the City operates. The Council is required to act on all legislative matters of the City by considering, approving and adopting all ordinances, resolutions, and programs requiring policy decisions. The Council also sets priorities for the City and determines the types and levels of programs and services provided to the community. In summary, it is the overall responsibility of the Council to gather information, keep a long-range perspective on issues of importance to the community, hold itself to the highest standards of ethical and professional conduct in the performance of its duties, be free of favoritism, listen carefully to the public, and conduct a reasonable and reasoned period of discussion prior to entering into the decision-making process. With all of that in mind, the following is a list of City Council general protocols, duties and responsibilities presented in summary fashion under specified topic headings (for ease of reference):

Ethics and Civility

- 1. The Council shall be stewards of the public interest as the primary concern.
- The Councilmembers shall demonstrate dignity, courtesy, honesty, integrity and respect during every public meeting.
- The Council shall set the tone and act with civility and a high level of professional decorum.
- The Council shall assure the fair and equal treatment of all persons coming before the City Council.
- The Council shall value all opinions, be tolerant of new and different ideas, and encourage different viewpoints while being mindful to not unnecessarily prolong discourse.
- 6. The Council shall work towards the common good, not personal interests.

7. The Council complies with all laws relating to open meetings, public records, and conflicts of interest.

Meetings and Meeting Management

- 8. Councilmembers shall strive to keep comments clear, concise, and on topic.
- Councilmembers shall be respectful of each other, the public and everyone's time and shall stay focused and act efficiently during public meetings.

10. Councilmembers are expected to attempt to persuade their colleagues to their point of view through reasoned debate, but also to accept the Council's ultimate decision graciously and as final. Councilmembers should not place the City Manager or staff in the position of having to deal with minority positions which do not further established Council policy.

Public Engagement

- 11. The Council encourages citizen participation in the development of City policies.
- 12. The Council desires the public to be fully informed about decisions that impact the community, and strongly encourages public participation and input as policies are established.
- 13. The Council participates in regional, state and national programs and meetings which serve the best interests of the City.

<mark>General</mark>

- 14. The Council looks to the City Manager, staff, and advisory commissions and committees for advice on city policies and legislative action. Notwithstanding, it is the City Council that makes and takes final action on city policies and legislative actions.
- **15.** The Council makes adequate provision when budgeting resources allow, for the training and continuing education of the Council and City Staff.
- 16. A quorum shall be three or more Councilmembers and a quorum is required to undertake business. Policies, goals and priorities for the City shall be established by a majority vote of at least a quorum of the Council unless otherwise required by State law.
- 17. Pursuant to Government Code Section 36936, ordinances, resolutions and orders for the payment of money must be adopted by a majority vote of the total membership of the City Council. As such, a majority of the City Council is defined as three of the total five Councilmembers. In limited circumstances, State law requires a super-majority of the Council to authorize specific actions. In such cases, a super-majority is defined as four of the total five Councilmembers.

- 18. Pursuant to California Assembly Bill 1234, each Councilmember shall receive at least two hours of training in general ethics principles and ethics laws relevant to their public service as required therein.
- 19. Pursuant to Assembly Bill 1661, each Councilmember shall receive at least two hours of training in prevention of harassment, discrimination and retaliation as required therein.
- 20. Councilmembers shall inform the City Manager and the Mayor as far in advance as possible of when they will be out of town or otherwise unavailable to conduct City business.

3.2 Representatives of the City

At all times, Councilmembers are viewed as representatives of the City. The conduct of Councilmembers is a direct reflection on the City, and Councilmembers should always conduct themselves accordingly. Except when specifically authorized by Council action or for purely ceremonial purposes, no Councilmember should make any statement on behalf the entire Council or indicate in any way that he/she is representing the City. In communications regarding City business, it is important to distinguish a Councilmember's personal views and opinions and the adopted City position, if one exists.

3.3 Positions on Regional, State and Federal Issues

The Council occasionally discusses and debates as to whether it should take positions of a broader perspective on issues of a regional, state or federal nature or limit itself to purely municipal positions and actions related to, or connected with, the City. It is the practice of the Council that it will only take positions on matters directly impacting the City and consistent with the City's adopted legislative platform.

3.4 Handling of Litigation and Other Confidential Information

When the City is involved in litigation and/or when closed sessions are conducted with the Council on subjects permitted by law, Councilmembers shall keep all information provided to them on such matters confidential. No disclosure or mention of information on these matters and discussions should be made to anyone other than to the City Attorney or City Manager. State law prohibits unauthorized disclosure of confidential information obtained during a closed session.

3.5 Representation of Private Interests

In keeping with their role as stewards of the public interest, Councilmembers shall not appear, advocate or otherwise communicate in writing or otherwise, on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City or any department of the City.

3.6 Resident Complaints

- Upon receiving a complaint from a member of the public, the Councilmember shall direct that complaint to the City Manager for appropriate staff action and follow-up. If the complaint was provided to the Councilmember via email, the email should be forwarded only to the City Manager as it is not necessary to include or copy additional staff or third parties. An exception is when the complaint pertains to a matter in another Council District. In such case, the Councilmember shall notify the Councilmember representing that District.
- Councilmembers shall ensure they are in possession of all the facts and "both sides of the story" before making any statements to the press or to the complaining party regarding what action, if any, the City should take. The Councilmember shall not make any commitments on behalf of the City.
- 3. The Council shall allow City Staff to handle resident complaints and not attempt to direct a resolution of the problem. The Council shall allow City Staff appropriate time to address the concern and a resolution to the matter shall be communicated to the full Council.

3.7 City Council District Communications and Coordination

3.7.1 Councilmember/Staff District Communications

- a. City Staff will support Councilmembers and their districts utilizing the same communication and outreach procedures and practices that City Staff currently uses for City-wide communication and outreach.
- b. The Mayor and City Council shall be kept advised of the any potential and actual proposals for major projects and issues that have a significant impact in their district.

3.7.2 Councilmember/Staff Inter-District Communication and Coordination

- a. City Councilmembers meeting with a resident in another District or meeting with a business or entity located in another District are expected to encourage the resident, business or entity to communicate with their elected District Councilmember. The Councilmember will notify the District Councilmember of the meeting.
- b. The City Council will be informed of event invitations when the entire City Council is invited.
- c. Communications intended for the City Council as a whole will be shared with all City Councilmembers.

- d. The City Manager and staff will continue to make recommendations and provide City services based on the best interests of the community as a whole.
- e. City Councilmembers are elected by District but will continue to govern taking into account the needs of the entire community.

CHAPTER 4

MAYOR AND MAYOR PRO TEM DUTIES AND ROLES

Sections:

- 4.1 Selection of Mayor and Mayor Pro Tem
- 4.2 Mayoral Duties and Roles
- 4.3 Mayor Pro Tem Duties and Roles

4.1 Selection of Mayor and Mayor Pro Tem

4.1.1 Intent

Except in unusual circumstances, it is the intent of the Council that each Councilmember should have a fair and equal opportunity to serve as Mayor and Mayor Pro Tem. With that in mind, the following describes the guidelines for the selection of Mayor and Mayor Pro Tem.

4.1.2 Reorganization

The reorganization of the City Council shall be agendized for the 2nd regular meeting of December.

4.1.3 Process

- a. The current Mayor will ask for nominations (without a motion or second) for Mayor. Votes for each nominee (if more than one) will be taken and the nominee that receives three votes out of five will serve as Mayor.
- b. The newly selected Mayor will then take nominations (without a motion or second) for Mayor Pro Tern. Votes for each nominee (if more than one) will be taken and the nominee that receives three votes out of five will serve as Mayor Pro Tern.
- c. Both the Mayor and Mayor Pro Tem will serve for a twelve month period.
- d. The Mayor and Mayor Pro Tem serve at the pleasure of the Council.

4.2 Mayoral Duties and Roles

The following summarizes the Mayor's general duties and roles.

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- The Mayor is recognized as the official head of the City for all ceremonial purposes, as its official spokesman and presides over all City Council meetings.
- 2. The Mayor shall represent the Council in a professional manner at public events that reflects positively upon the City.
- 3. It is the Mayor's prerogative to make Commission Liaison assignments. The Mayor accommodates Councilmember choices whenever possible.
- 4. At a public meeting, the Mayor has the discretion to move agenda items and/or to take agenda items out of order to accommodate the needs of the Council or the public.
- The Mayor, as well as each Councilmember, recognizes and understands the unique role of representing the City, and takes both pride and care in ensuring that this representation always takes precedence over representing oneself or one's own personal views.
- In conjunction with the City Manager, the Mayor reviews the agenda for each Council meeting in preparation of presiding over the meeting.
- 7. The Mayor serves in the capacity of a facilitator during public meetings, and ensures that all views are heard and that the flow of the meeting progresses in an orderly and timely fashion. The Mayor takes care in providing an equal opportunity for each Councilmember to be heard. The Mayor should be an active listener and observer and take the Chair's prerogative to speak last.
- 8. The Mayor manages and coordinates the procedure for calling on members of the public wishing to address the Council at meetings by: (a) ensuring that individual speakers come forward to the podium rather than speaking from the audience; (b) if the individual speakers are utilizing a call-in option or an internet-based option (i.e. Zoom), that the individual speakers are called to speak; and (c) requiring speakers to address their comments directly to the Council as opposed to the audience.
- The Mayor ensures that items on the agenda move along without delay or disruption.
- 10. If necessary, the Mayor shall keep Councilmember questions, and comments from members of the public relevant and on topic.
- 11. The Mayor shall maintain meeting order and limit meeting disruptions. The Mayor should be viewed as an advocate for the process, first and foremost.
- 12. The Mayor signs all official correspondence of the City, counter-signs all warrants and other financial documents as authorized by ordinance or resolution of the

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Council, and executes all legal instruments in which the City is a party upon their approval by the Council unless execution authority has been delegated by the Council to the City Manager or another City official.

4.3 Mayor Pro Tem Duties and Roles

The Mayor Pro Tem performs all the duties of the Mayor during his/her absence, disability or when so designated by the Mayor.

CHAPTER 5 CITY COUNCIL MEETING GUIDELINES AND PROCEDURES

Sections:

- 5.1 Meetings of Council
- 5.2 Types of Meetings
- 5.3 Attendance at Meetings Telephonically/Internet-Based Option
- 5.4 City Council Preparation for Meetings
- 5.5 Public Hearing and Discussion Items-General Order of Business
- 5.6 Continuance of Agenda Items
- 5.7 Placing Items on the Agenda
- 5.8 Councilmember Communications
- 5.9 Agenda Reports
- 5.10 Direction to City Manager and City Staff

5.1 Meetings of Council

The South Pasadena Municipal Code provides the time and place for the holding of City Council meeting and the manner in which special meetings may be called. City Council meetings are held in the Amedee O. "Dick" Richards, Jr. Council Chambers located at 1424 Mission Street, South Pasadena. City Council meetings are generally conducted pursuant to Rosenberg's Rules of Order.

5.2 Types of Meetings

The City Council holds Regular Council meetings and Closed Sessions, as needed, generally on the first and third Wednesday of the each. Regular meetings begin at 7:00 p.m. and Closed Sessions are called as special meetings and generally start either at 5:30 p.m. or 6:00 p.m. Other meetings that can be called by the Mayor or the City Council include study session meetings, adjourned meetings, special meetings and emergency meetings. All City Council meetings are held and must comply with the provisions of the Brown Act codified at Government Code Section 54950 et. seq.

5.3 Attendance at Meetings - Telephonically/Internet-Based Option

City Councilmembers shall attend meetings in person. Alternatively, City Councilmembers may attend meetings telephonically or via an internet-based option but only in compliance with the provisions of the Brown Act and/or other applicable state laws.

5.4 City Council Preparation for Meetings

In advance of Council or committee meetings, Councilmembers shall adhere to the following protocols:

- Councilmembers should avoid surprising their colleagues or staff. To the maximum extent possible, Councilmembers should advise the City Manager in advance of issues or questions they intend to bring up at a public meeting. This refers to issues and questions that the City Staff would not normally anticipate or have researched for that particular meeting. Having minor questions resolved with City Staff prior to a public meeting will shorten meetings and move the agenda forward in a timely manner.
- 2. Councilmembers shall be prepared, which includes having read all agendas and supporting documentation prior to the meeting.
- 3. Councilmembers should stay abreast of regional issues affecting neighboring cities, counties, and the operations of other districts or agencies.
- 4. If any Councilmember becomes aware of an unexpected issue that may be brought up by a member of the public at a Council or other Public Meeting, that Councilmember will, as a courtesy, inform the City Manager. The City Manager shall inform the other Councilmembers to the extent legally permissible.
- 5. Councilmembers shall participate in Council meetings and other public forums while demonstrating respect, kindness, consideration and courtesy to others.

5.5 Public Hearing and Discussion Items-General Order of Business

Public hearings and discussion items at Council meetings proceed generally in the following order:

- 1. City staff presents a report of the item under consideration. If the item relates to a matter reviewed by a City Commission, Commissioner(s) may accompany staff to deliver the report or answer questions as appropriate.
- 2. Council members have an opportunity to ask questions of staff for clarification or to gather additional information.
- 3. Public comment is taken from affected parties or members of the public who wish to be heard.
- 4. At the close of public comment. the Mayor shall allow staff to respond to any public comment, which staff wishes to supplement or regards as inaccurate or in need of clarification.
- 5. The Mayor shall allow Councilmember to speak first, and prior to asking for a motion or direction to City Staff on the item, the Mayor shall summarize and/or provide final comments.

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6. The order of Council comments is at the discretion of the Mayor. If the item under consideration was studied first by a committee of the Council, members of the committee would be expected to lead off the discussion.

5.6 Continuance of Agenda Items

If a Councilmember is ill or away for any agenda item of special interest to that Councilmember, the item may be continued by the Council at that Councilmember's request, subject to any applicable statutory time periods, and only if such delay would not be adverse to the City's best interests. However, Councilmembers should not request a continuance without justifiable reason. The Council should keep in mind that the public may attend expecting discussion or action on the issue, staff has prepared reports, and there may be staff or consultants present just for that item. Councilmembers should coordinate with the City Manager about future agendas and their own schedules to avoid missing items that may be of particular interest to them.

5.7 Placing Items on the Agenda

The Mayor and one other Councilmember, or any two Councilmembers during Councilmember Communication may request to place an item on the City Council agenda. Items may return without a "staff report" so that the City Manager can communicate to the Council the anticipated amount of staff time the report will require and seek direction from the majority of the Council to move forward.

5.8 Councilmember Communications

The City Council agenda contains a section to allow Councilmember (up to three minutes) to report on recently attended or upcoming events, meetings, conferences or other matters within the subject matter of the City. Councilmembers should be mindful of the workload of the City Manager and City Staff when requesting to add items onto a future agenda. If the Councilmember report involves the use of supplemental documents either for distribution or presentation, the supplemental documents shall be provided to City Staff as early as possible so that City Staff can format, copy or otherwise prepare the documents for presentation at the Council meeting. Any distribution or presentation that discloses documents developed for or presented in any closed session or documents or information that are otherwise sensitive or confidential, to the extent provided for by law, shall not be used as part of the report.

5.9 Agenda Reports

 City Council Agenda Reports and attachments (i.e resolutions, ordinances, contracts, etc.,) are drafted by City Staff with review by the City Manager and/or Deputy City Manager. Agenda Reports, including resolutions, ordinances, contracts and the like, are documents drafted and provided by the City's professional staff and shall not be drafted or revised by members of any legislative body of the City. Any amendments to such documents by the Council or other legislative body is discussed and determined by the legislative body at the meeting where the agenda report and its attachments are presented for consideration.

2. The practice and use of "Additional Documents" as it relates to City Council agendas is a mechanism solely for the use by City Staff when there is a need to correct an error in a published agenda report or provide additional documents that should have been provided but were not included when the agenda was posted, as determined in the discretion of the City Manager, City Department Heads or the City Clerk.

5.9 Direction to City Manager and City Staff

Direction to staff must be determined by a majority of the Council and must be clearly identified at the Council meeting. Tacit approval, or lack of disagreement by others, is not considered direction. The Mayor should ensure that the direction staff receives is clear and represents the majority view of the Council.

CHAPTER 6

RULES OF DECORUM AT PUBLIC MEETINGS

Sections:

- 6.1 Purpose
- 6.2 Audience Rules of Decorum
- 6.3 Disruptive Behavior Prohibited at Public Meetings
- 6.4 Enforcement
- 6.5 Unlawful Behavior
- 6.6 Application to Public Meetings
- 6.7 Application to Speakers on Telephone/Internet-Based Option

6.1 Purpose

The City has numerous public meeting such as City Council meetings, Commission meetings, etc. ("Public Meetings"). In order to safeguard participatory democracy in South Pasadena, all persons attending Public Meetings in South Pasadena should strive to:

- Treat everyone courteously
- Listen to others respectfully
- Exercise self-control
- Give open-minded consideration to all viewpoints
- Focus on the issues and avoid personalizing debate
- Embrace respectful disagreement and dissent as democratic rights that are inherent components of an inclusive public process and tools for forging sound decisions.

Accordingly, the purpose of this Chapter is to ensure that community can formally address their local representatives in a public meeting regarding matters that relate to Council business or citizen concerns within the subject matter jurisdiction of the City Council while following certain rules of decorum.

6.2 Audience Rules of Decorum

The following shall apply to all Public Meetings.

1. *General.* Members of the audience have the right to express their views about items on the agenda or issues within the jurisdiction of the City subject to the time, place and manner rules described herein. Actions expressing the views of members of the public, such as clapping, whistling; stamping; sign waving are permitted as free speech so long as the actions do not disturb, disrupt, or otherwise

impede the orderly conduct of the meeting. The Council expects persons speaking at City Council meetings to do so in a civil manner that promotes the free exchange of ideas and encourages public participation.

- 2. Request to Speak. Members of the public may address the City Council during Public Comment and before consideration of any agenda item; however, no person shall address the Council without first being recognized by the Mayor. Any person wishing to speak, whether during Public Comment, Consent Calendar, or on an agenda item, shall first complete a Public Comment car and submit this form to the City Clerk or Deputy City Clerk before the Mayor calls for Public Comment or calls the particular agenda item. A speaker is not required to list his or her name and address, but doing so does helps the Council and staff to provide follow-up information to the speaker if needed.
- 3. *Non-Agenda Items.* The public has right to comment on matters within the jurisdiction of the City that are not listed on the agenda as provided herein. Public Comment on non-agenda items are limited to 30 minutes at the beginning of the agenda. If there are speakers remaining in the queue, they will be heard at the end of the meeting. Only speakers who submit a Public Comment card within the first 30 minutes of Public Comment period (or raise their hands on zoom), will be queued up to speak.
- 4. *Agenda Items*. The public has a right to comment on agenda items, including items on the Consent Calendar.
- 5. *Maximum Time Limits*. In general, persons may speak for a maximum of three (3) minutes on non-agenda and agenda items. Deferral of one speaker's time to another is not permitted. The Mayor has the discretion to reduce the maximum time limit for members of the public to speak on the item.
- 6. *Speak Only Once.* Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law.
- 7. Addressing the Council. Comment and testimony shall be directed to the Council through the Mayor. Dialogue between and inquiries from citizens at the lectern and individual Council Members, members of staff, or the seated audience is not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor.

6.3 Disruptive Behavior Prohibited at Public Meetings

6.3.1 General Provision

The Council expects persons speaking at Public Meetings to do so in a civil manner that promotes the free exchange of ideas and encourages public participation. No

person attending a Public Meeting shall engage in behavior that actually disrupts, disturbs or otherwise impedes the orderly conduct of any Public Meeting.

6.3.2 Examples of Disruptive Behavior

Examples of behavior that can actually disrupt, disturb, or otherwise impede the orderly conduct of a Public Meeting include, but are not limited to, the following:

- a. Speaking without being recognized by the Mayor or the presiding officer.
- b. Continuing to speak after the allotted time has expired.
- c. Speaking on an item at a time not designated for discussion by the public of that item.
- d. Throwing objects.
- e. Speaking on an issue that is not within the jurisdiction of the City Council.
- f. Speaking to the audience rather than to the City Council.
- g. Interrupting a person who is speaking to the City Council during such person's allotted time.
- h. Preventing a person from speaking to the City Council during such time as is allocated for comments from the public.
- i. Wearing of a mask, costume, disguise or other regalia or paraphernalia that actually disrupts, disturbs or otherwise impedes the orderly conduct of the City Council meeting.
- j. Uttering loud, threatening, or abusive language that actually disrupts, disturbs or otherwise impedes the orderly conduct of the City Council meeting.
- k. Clapping, whistling, stomping feet, and sign waving that actually disrupts, disturbs or otherwise impedes the orderly conduct of the City Council meeting.

6.4 Enforcement

The rules of conduct for Public Meetings set forth herein shall be enforced in the following manner:

1. *Warning to desist.* Whenever practicable, the Mayor, or the presiding officer, or a majority of the City Council shall give a warning to a person whose behavior is actually disrupting, disturbing or otherwise impeding the orderly conduct of a City

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Council meeting. The warning shall identify the disruptive behavior and the manner in which the person must comply. A warning shall not be necessary when it would not be effective due to extraordinary circumstances. Examples of extraordinary circumstances in which no warning is required include situations in which a warning would be difficult to hear over the noise of the disturbance; situations involving an immediate threat to public safety such as the throwing of objects or the display of a weapon; and situations involving a person who has been warned about the same type of disruptive behavior at a City Council meeting held within the prior thirty (30) calendar days.

- 2. *Recess.* If, after receiving a request from the Mayor, the person persists in violating the rules, the Mayor may order a recess. Any representative of law enforcement who is present at the meeting when the violation occurs shall be authorized to warn the person that his or her conduct is violating the rules and that he or she is requested to cease such conduct.
- 3. Order barring person from meeting. The Mayor, or the presiding officer, or a majority of the City Council may issue an order barring a person from the remainder of a City Council meeting if such person was warned at that City Council meeting about disruptive behavior and such person again engages in behavior that actually disrupts, disturbs or otherwise impedes the orderly conduct of the meeting. Additionally, the Mayor, or the presiding officer, or a majority of the City Council meeting without a warning if there are extraordinary circumstances and the person engages in behavior that actually disrupts, disturbs or otherwise, disturbs or otherwise impedes the orderly council meeting may issue an order barring a person from the remainder of a City Council meeting without a warning if there are extraordinary circumstances and the person engages in behavior that actually disrupts, disturbs or otherwise impedes the orderly conduct of the meeting.
- 4. *Removal.* If a person barred from the remainder of a City Council meeting does not voluntarily exit the Council chambers, the Mayor, or the presiding officer, or a City Council majority may direct the Sergeant-at-arms to remove that person from the Council chambers and exclude that person for the remainder of that meeting.
- 5. *Clearing the Room.* Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a person or groups of persons so as to disrupt, disturb or otherwise impede the orderly conduct of such meeting and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, City Council may order that the meeting room may be ordered cleared and the meeting shall continue in session. The motion to clear the room shall be by a vote not less than three members of the City Council in favor. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to Government Code Section 54957.9.

- 6. Sergeant-at-Arms. Any law enforcement officer on duty at a meeting may be directed to carry out all lawful orders given by the Mayor, or the presiding officer, or a majority of the City Council for the purpose of maintaining order at City Council meetings. Any Council Member may move to require the Mayor, or presiding officer, to enforce the rules of conduct and a majority vote of the Council shall require him or her to do so.
- 7. Violation of the California Penal Code. A person or persons who substantially impairs the conduct of a City Council meeting by knowingly and intentionally violating these rules of decorum may be prosecuted under Penal Code Section 403 for disturbing a public meeting. Every person who violates Penal Code Section 403 is guilty of a misdemeanor.

6.5 Unlawful Behavior

The following conduct shall be unlawful:

- 1. Engaging in behavior that actually disrupts, disturbs or otherwise impedes the orderly conduct of a City Council meeting after receiving a warning at that meeting from the Mayor, or the presiding officer, or a City Council Member.
- 2. Refusing to leave the Council chambers after being barred for the remainder of a City Council meeting by the Mayor, or the presiding officer, or a City Council majority.
- 3. Returning to the Council chambers before the conclusion of a City Council meeting after being barred for the remainder of that meeting by the Mayor, or the presiding officer, or a City Council majority.

6.6 Application to Public Meetings

The above-reference public participation standards and procedures shall apply to all Public Meetings of the City including City Council and all commissions, boards and committees of the City.

6.7 Application to Speakers on Telephone/Internet-Based Option

The provisions herein shall apply and shall be adapted, as appropriate and practical, to speakers who participate in Public Meetings via a telephone or an internet-based option. Notwithstanding, the City is not required to provide such options for participation unless required by state law.

CHAPTER 7

CITY COUNCIL INTERACTION AND COMMUNICATION WITH CITY MANAGER AND STAFF

Sections:

- 7.1 General Overview
- 7.2 Interaction and Communication City Manager
- 7.3 Interaction and Communication Budget Review and Strategic Planning
- 7.4 Interaction and Communication City Attorney
- 7.5 Interaction and Communication City Staff
- 7.6 Other Council Interaction and Communication Policies

7.1 General Overview

Every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community. The City of South Pasadena is a general law city governed by the council/manager form of government. The City Council makes policies and fundamental governmental decisions. The City Manager is charged with implementing those policies and decisions and administering the day-to-day affairs of the City with the assistance of his/her staff. The City Council has direct authority over the City Manager and the City Attorney and those positions report to the City Council; all other employees of the City are under the direct authority of the City Manager. Following this hierarchy is important to the success of the basic structure and to maintaining positive and effective working relationships between the City Council and employees, and will prevent any confusion and/or inefficiency associated with potentially contradictory direction.

7.2 Interaction and Communication - City Manager

The following applies to Council interactions and communications with the City Manager.

- The Council provides policy direction to the City Manager, and, in turn, the City Manager, through City staff implements Council policy. The Council does not interfere with the operating decisions of the City, which are the responsibility of the City Manager. No individual Councilmember shall give any orders to the City Manager.
- Councilmembers shall feel free to communicate with the City Manager about any City issues, including resident concerns. However, Councilmembers should also be mindful of the City Manager's busy schedule and competing requests for access.

- 3. Complaints or concerns about any City services are taken up with the City Manager. It is not appropriate, in any situation, for a Councilmember to critique, ridicule, or complain about City services or City Staff in public.
- 4. Councilmembers may routinely ask (with the knowledge of the City Manager) department heads for information relative to their department. However, inquiries that require extensive research, or reports that may occupy more than cursory staff time should first be discussed with the City Manager, and may require action or approval by the entire Council.
- 5. Councilmembers shall endeavor not to burden the City Manager or City Staff with demands for individual time or attention on matters that the City Manager can better handle with a general communication to the Council as a whole.
- 6. Council Members shall not make comments regarding City personnel matters or discuss City personnel matters with any third party. Any concerns by a Council Member about the performance of a City employee or other personnel matters should be discussed privately with the City Manager. Any concerns by a Council Member about the performance of the City Manager should be discussed privately with the City Manager and/or the City Attorney
- 7. The Council should expect to be fully and promptly informed by the City Manager or his designee regarding any unusual activities or events of public concern. In turn, the City Manager shall keep each Councilmember fully, and equally, informed as to all matters of importance to the City, including agenda items, financial conditions, needs of the City, resident concerns, staffing needs and urgency items.
- 8. Councilmembers shall keep a friendly, but professional relationship with staff members, but avoid getting involved with personal matters, operational matters, work assignments or projects with any staff other than the City Manager.

7.3 Interaction and Communication - Budget Review and Strategic Planning

The following applies to protocols related to budget review and strategic planning.

- Each year the City Manager's Office shall facilitate a budget review and strategic planning process involving the City Council. This process shall provide the City Council with the opportunity to provide policy direction to City staff regarding the direction of the City and the programs to which the City will devote its resources. Staff will develop a priority list based upon the desires of the City Council, in conjunction with the annual budget review process.
- 2. Councilmembers will establish action and budget priorities for the City once a year during the annual budget review and strategic planning process.

- 3. Councilmembers should bring forward requests for deviations from the established budget priorities only if they involve a degree of urgency that cannot wait until the next budget review.
- 4. Changes from the priorities or budget allocations established during the annual budget review and strategic planning process should be pursued only after careful consideration, as they may involve changes in staff work load and appropriations, and because the original priorities were established through a comprehensive public process.

7.4 Interaction and Communication - City Attorney

Councilmembers may individually ask the City Attorney general questions involving matters related to their position as a councilmember. However, inquiries that require extensive research, opinions or reports should first be discussed with the City Manager, and may require action or approval by the Council.

7.5 Interaction and Communication - City Staff

The following applies to Council interactions and communications with Department Heads and City Staff.

- 1. Department heads report to the City Manager. Councilmembers shall not insert themselves into or interfere with that chain of command.
- 2. Councilmembers shall keep a friendly, professional relationship with staff members, and shall avoid getting involved with personal matters, operational matters, personnel matters, work assignments or projects with any staff other than the City Manager.

7.6 Other Council Interaction and Communication Policies

- Councilmembers should avoid expressions, comments or opinions (orally or in writing) of City fault, responsibility or liability in any matters involving property damage, personal injury or alleged breach of contract or alleged violation of law.
- 2. Councilmembers shall be flexible and cooperative in filling in for one another at meetings or important functions of the City.
- 3. If a Councilmember takes a position in the media, or at any public hearing, critical of a decision, or critical of fellow Councilmembers or members' positions on issues, such public comments should stick to the issues under contention and never involve personal attacks. Councilmembers shall be mindful when representing views or making comment, that such comments or positions are that of the individual Councilmember and not of the Council as a whole.

4. If any Councilmember feels that a provision of this Manual is being violated, it is appropriate for that member to discuss it individually with the errant Councilmember. If the City Manager or staff is involved, it is appropriate to discuss it with the City Manager. If this does not resolve the situation, it is appropriate, as a last resort, to bring up the matter as a future agenda item and ask for the issue to be put on a future agenda if there is the concurrence of an additional Councilmember.

CHAPTER 8

COMMISSIONS AND BOARDS

Sections:

- 8.1 Work Plans and Use of City Resources
- 8.2 Commission and Board Appointments and Vacancies
- 8.3 Council Liaisons to Commissions and Boards
- 8.4 Commission and Board Procedures and General Rules

8.1 Work Plans and Use of City Resources

- 1. The Council is responsible to make its vision for the City clear to all appointed and advisory Commission and Boards as policy guidance for those legislative bodies.
- Each Commission and Board in conjunction with the Staff Liaison, shall establish a yearly work plan that is consistent with the Commission and Board's powers and duties as set forth in the South Pasadena Municipal Code.
- 3. If a Commission or Board work plan item or other direction given to City Staff by the Commission requires extensive time, cost and/or resources (i.e. dedication of extensive staff time, including work by the City Attorney or outside consultants), to carry out the work plan item or direction from the Commission or Board, the City Council Liaison shall bring the matter to the City Council for their review and approval prior to the commencement of any work by City Staff. The City Manager shall determine whether the work plan item or direction given to City Staff is "extensive" and will require more than minimal City resources.

8.2 Commission and Board Appointments and Vacancies

8.2.1 Appointments to New Commissions and Board

Appointments for "new" Commissions or Boards are generally based on the recommendation of one nominee from each Councilmember. The nominations are then subject to approval by the entire Council.

8.2.2 Requests for Appointment or Re-Appointment

All persons requesting appointment or re-appointment to a Commission or Board shall make and submit a written application to the City Clerk. The City Clerk is to acknowledge receipt of each application by letter to the applicant which includes an explanation of the appointment process. The City Council shall provide an opportunity for applicants to come before the Council and be interviewed before nominations are made.

8.2.3 Nominations for Appointment or Re-Appointment

All nominations for appointment to a Commission or Board are to be placed on the Council's public agenda with the applicant's name and a copy of the application (with personal information redacted). All nominees are required to appear in person before the Council prior to appointment or re-appointment. The City Clerk shall send a letter to all applicants stating the results of the appointment process in which they participated.

8.2.4 Commission Vacancies

Vacancies on city commissions may occur from time to time due to term limits or a resignation. The City Clerk will advertise the vacancy and accept applications. Upon receipt of submissions, the City Clerks' Office determines if the applicant is an elector of the City, an eligibility requirement. Copies of applications received are forwarded to all Councilmembers for their review. The Mayor has the authority to nominate an applicant for appointment which is then placed on a Council agenda for concurrence. Councilmembers who object to the appointment can contact the Mayor prior to the meeting.

8.3 Council Liaisons to Commissions and Boards

8.3.1 Role of the Council Liaison

The Council liaison is that of an "observer" and liaisons should refrain from (i) participating or engaging in discussions or decisions of the Commission or Board; (ii) advising what the Commission or Board should or should not do or attempt to influence and/or guide its discussion; and (ii) speak on behalf of the full Council without appropriate authority. The Council liaison is not an advocate for or an exofficio member of the Commission or Board.

8.3.2 Quasi-Judicial or Adjudicatory Matters

An applicant appearing before a Commission or Board on a quasi-judicial or adjudicatory matter¹ has a right to a fair and unbiased decision-maker under the principles of due process. The Council liaison shall be mindful that their attendance and participation (of any) at such a meeting can create the appearance of bias and

¹ Quasi-judicial and adjudicatory proceedings involve the application of established laws or regulations to individual facts and ultimately the making of a decision. In these circumstances the legislative body is acting more like a court as there is a hearing and evidence is received. Examples include but are limited to hearings (and appeals) on discretionary permits such as conditional use permits, variances, tree permits, etc.

may prohibit the Council liaison from participating in the same matter should that matter be sent to the City Council for final decision or should the matter be appealed to the City Council for review. Accordingly, in such cases, the Council liaison shall not attend the Commission or Board meeting.

8.3.3 Attendance of Council Liaison at Commission or Board Meetings

Attendance at Commission or Board meetings by the Council liaison is at the discretion of the Councilmember. If the Council liaison addresses the Commission or Board, it is advisable that the Council liaison address the members from the podium or at a designated seat at the table with City Staff.

8.4 Commission and Board Procedures and General Rules

The following are general procedures and rules that apply to all Commissions and Boards.

- Commissioners and Board Members shall come to their own conclusions based on the evidence, the city's Municipal Code, and other governing documents. Substantial consideration is to be given by Commissioners or Board Members to the recommendations of staff contained in the agenda reports. Councilmembers do not dictate the decisions of Commissioners or Board Members.
- Commissioners and Board Members are encouraged to discuss questions or concerns about any agendized items with the Commission's staff liaison prior to Commission or Board meetings in order to be prepared to take action at public meetings. Commissioners and Board Members are to be mindful of undue consumption of staff time and resources.
- 3. Commissions and Boards do not have budgetary authority to expend or obligate city resources. Nor do Commissions or Boards have the authority to represent the City and/or the City Council or authority to take a position on a matter on behalf of the City.
- Any Commission or Board action should clearly state for the record the specific justification for the decision, so that the Council and the public may have the benefit of its reasoning.

CHAPTER 9

COMMENDATIONS, CERTIFICATES, PROCLAMATIONS AND DEDICATIONS;² LETTERS³

Sections:

- 9.1 Requests
- 9.2 Guidelines for Recognition
- 9.3 Forms in Which the Recognition Can Be Prepared
- 9.4 Dedication of Meeting
- 9.5 Letters

9.1 Requests

Requests for proclamations and certificates are received from members of the public, community organizations or directly from Councilmembers. Requests shall be put in writing and distributed to the City Council by the City Clerk or City Manager.

9.2 Guidelines for Recognition

In making the determination for issuing City recognition, the significance of the event or the contributions of the individual to the community shall be considered. The following types of requests may receive recognition:

- Community Events, Community Organizations
- Athletic/Academic Accomplishments
- Acts of Heroism
- Non-Profit Organization, Yearly Commemorative Events
- Eagle Scouts, Gold Arrow Scouts, Girl Scout Gold Award
- City Commissioner Appointments and Resignations
- Ethic Celebrations
- Milestone Birthdays or Anniversaries
- Regional Events and Recognition for Other Cities

The Mayor will provide direction to staff in accordance with these guidelines. Any Councilmember shall notify the Mayor with any objections. If so received, the Mayor shall agendize the matter for discussion.

² The City Council adopted these Guidelines for Commendation, Certificates, Proclamations, and Dedications by Resolution No. 6298 on February 1, 1995.

³ The City Council adopted these Guidelines for Letters by Resolution No. 7092 on January 6, 2010.

9.3 Forms in Which the Recognition can be Prepared

Certificates

- 1. Certificates are prepared in response to the type of recognition desired. These include Certificates of Appointment, Certificates of Recognition, Certificates of Appreciation and Certificates of Achievement.
- 2. The Mayor, in accordance with the guidelines set forth by the City Council, will determine if a certificate shall be issued and direct staff to prepare the Certificate. Presentations will be agendized if the recipient can be present at the meeting.

Proclamations

3. Proclamations contain several biographical or informational paragraphs. These are typically used for bringing attention to a particular subject by proclaiming something on a certain day, week or month. For example: Fire Prevention Week; Older American Month.

9.4 Dedication of Meeting

There are times when a meeting is dedicated to the memory of an individual. The Mayor with Council concurrence, provides direction to staff. When a meeting is dedicated a notation appears on the agenda, and the Mayor announces the dedication. After the meeting, an appropriate letter is sent to the family acknowledging the dedication.

9.5 Letters

The following are the guidelines related to the letters received by the Council, sent by the Council and general guidelines related to use of City letterhead.

- 1. Letters addressed to the City Council that do not require action by the Council may be responded to by a letter from the Mayor on behalf of the City Council, and a copy of the original letter and response will be distributed to all members of the City Council and City Manager.
- Letters expressing the City's official position, based on resolution or ordinance, shall be authorized by the City Council .if time permits (and if time does not permit, by the City Manager), and signed by the Mayor or the Mayor Pro Tern, if the Mayor is unavailable, and/or all members of the City Council. A copy of such letter shall be provided to all members of the City Council and the City Manager.
- 3. All other letters expressing the opinion and/or position of the entire City Council that is not based on Council action, resolution or ordinance must receive prior authorization from the City Manager and/or approval of the City Council.

- 4. Letters drafted by individual members of the City Council, authorized by the City Council, and on behalf of the City, speaking for the City and/or representing the City, shall indicate or announce that context in the beginning of the letter.
- 5. Letters drafted by individual members of the City Council in which he/she is speaking on behalf of himself/herself, and not the City, shall indicate or announce that qualification in the beginning of the letter.
- 6. Commissions shall not be permitted to send letters on City letterhead.
- 7. Congratulatory, commendation and letters of appreciation from Councilmembers on City letterhead shall be permitted without having to obtain prior authorization.
- 8. A copy of all letters on City letterhead sent by the Mayor or individual Councilmembers shall be provided to the City Clerk's Office.

CHAPTER 10

PRESS AND MEDIA RELATIONS

Sections:

10.1 Official Positions of the City
10.2 Press Releases
10.3 Contacts with Media
10.4 Councilmembers' Communication with Media

10.1 Official Positions of the City

The general practice of the City is to represent the official position of the City and to limit comments to stating the facts and circumstances, without personal opinions or conclusions.

10.2 Press Releases

All press releases pertaining to the City are issued by the City Manager on behalf of the City. The City Manager is authorized to issue press releases pertaining to City activities and events of public importance as deemed necessary and appropriate to keep the public informed. When the City issues a press release, the Mayor and Councilmembers are consulted in terms of any quotes from the Mayor or Councilmembers. All press releases are immediately distributed to the Council upon their release to the media.

10.3 Contacts with the Media

When dealing with the members of the media, the Mayor is the official spokesperson for the City and it is usually the Mayor and/or the City Manager who represents the position and interest of the City.

10.4 Councilmembers' Communication with Media

- 1. A Council Member must always be aware of his/her role as a policy maker in the organization, and the deference that is afforded a Councilmember by the public because of your office. Consequently, it is very important for a Councilmember to remember not to speculate or venture outside of their area of expertise. The public will rely on what they are told by an elected official.
- 2. Upon being contacted by the media, Councilmembers will notify the City Manager.
- 3. If a Councilmember speaks with the media, he/she shall clarify that he/she is expressing his/her own opinion as an individual and not speaking on behalf of the

Council unless he/she has been so authorized to do so by way of the City Council or the City Manager.

- 4. The Councilmembers must represent the best interests of the City Council as a whole and not solely of their position
- 5. The Councilmembers must respect and support the City Council's official decisions and positions in all subsequent communication of these decisions and positions approved by the City.
- 6. If a Councilmember does not feel knowledgeable about a particular issue when questioned by the media, it is recommended that the Councilmember direct the media contact to the City Manager. Finally, it is suggested that Councilmembers advise the City Manager when media contact occurs.

GUIDING PRINCIPLES FOR GOOD GOVERNANCE

Act in the Public Interest. Recognizing that stewardship of the public interest must be their primary concern, Councilmembers will work for the common good of all the people of South Pasadena and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the South Pasadena City Council, boards and commissions.

Comply with both the spirit and the letter of the Law and City Policy. Councilmembers shall comply with the laws of the federal government, State of California and the City of South Pasadena in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

Conduct of Councilmembers. The professional and personal conduct of Councilmembers must be above reproach and avoid even the appearance of impropriety. Councilmembers shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other Councilmembers, boards and commissions, staff or the public.

Respect for Process. Councilmembers shall perform their duties in accordance with the processes and rules of order established by the City Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions.

Conduct of Public Meetings. Councilmembers shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

Decisions Based on Merit. Councilmembers shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

Communication. Councilmembers shall verbally disclose any contact or receipt of substantive information they have received outside of the public decision-making process that is relevant to a matter under consideration by the Council prior to considering that matter so that all parties have the opportunity to respond to that information.

Conflict of Interest. In order to assure their independence and impartiality on behalf of the common good, Councilmembers shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. In accordance with the law, Councilmembers shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

Gifts and Favors. Councilmembers shall not take any special advantage of their public office to access services or opportunities for personal gain that are not available to the general public. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise or appear to compromise their independence of judgment or action.

Confidential Information. Councilmembers shall respect the confidentiality of information concerning certain negotiations (e.g., labor and real property), personnel matters, claims and litigation in order to avoid prejudicing the legal or negotiating position of the City or compromise the private interest of employees. They shall neither disclose confidential information without proper City Council authorization nor use such information to advance their personal/private, financial, or other interests.

Use of Public Resources. Councilmembers shall not use public resources not available to the general public, such as City staff time, vehicles, equipment, supplies, land or facilities, for private gain or political or personal purposes.

Representation of Private Interests. In keeping with their role as stewards of the public interest, Councilmembers shall not appear or otherwise communicate, on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City.

Advocacy. Councilmembers shall represent the official policies or positions of the City Council to the best of their ability when authorized to do so. When presenting their individual opinions and positions, Councilmembers shall explicitly state they do not represent the Council, nor will they allow the inference that they do. While Councilmembers have the right to endorse candidates for City Council or other elected offices, it is inappropriate to mention or display endorsements during Council meetings or other official City meetings or other governmental meetings where the Councilmember is serving in their capacity as an elected official.

Policy Role of Councilmembers. Councilmembers shall respect and adhere to the Council-Manager structure of the City. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. Councilmembers shall not interfere with the administrative functions of the City or the professional duties of City Staff, nor impair the ability of the City Manager or City Staff to implement Council policy decisions.

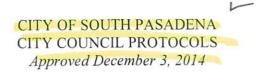
Independence of Commissions and Board. Because of the value of the independent advice of Commissions and Board to the public decision-making process, Councilmembers shall refrain from using their position to unduly influence the deliberations or actions of Commission and Board proceedings.

Positive Work Place Environment. Councilmembers shall support the maintenance of a positive and constructive workplace environment for City employees and for residents and businesses dealing with the City. Councilmembers shall direct their requests of staff pertaining to their elected or appointed role to the City Manager.

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ATTACHMENT 2014 City Council Protocols

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PREAMBLE

The City of South Pasadena is a General Law City, incorporated March 2, 1888, operating under the "Council-Manager" form of government.

The City Council is the legislative body; its members are the community's decision makers. Power is centralized in the elected council, which approves the budget and sets policy, for example. The City Council also focuses on the community's goals, major projects, and such long-term considerations as community growth, land use development, capital improvement plans, capital financing, and strategic planning. The City Council appoints the City Manager, a professional who carries out the administrative responsibilities to manage the daily operations of the City. The City Council evaluates the City Manager's performance.

The South Pasadena City Council is charged with taking appropriate, necessary, and timely action to maintain the City of South Pasadena as a leading, well-managed, and innovative city at the forefront of desirable California cities.

It is the overall responsibility of the City Council a) to gather information and knowledge; b) to take counsel; c) to keep a long-range perspective; d) to hold itself to the highest standards of ethical and professional conduct in the performance of its duties without regard to personal advantage; e) to be free of favoritism; f) to listen carefully to the public; and g) to conduct a reasonable and reasoned period of discussion prior to making decisions.

To accomplish the above-stated responsibilities, and as guidance for the orderly governance of the City, the South Pasadena City Council has adopted the following protocols. Except for those protocols that are based on law, these protocols are voluntary and non-binding. They are set forth here to clarify what has become, over time, successful procedures or best practices for the conduct of civic affairs within our City.

These protocols are intended to be consistent with all legal requirements applicable to the conduct of City affairs. In the instance of any conflict with State or federal law, or with the South Pasadena Municipal Code, such State, federal or municipal law requirements will control. In addition, official City meetings are generally conducted pursuant to Rosenberg's Rules of Order.

It is expected that the City Council will review and renew these protocols periodically to consider appropriate additions, deletions, and/or amendments.

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GENERAL

- 1. The Council participates in regional, state and national programs and meetings which serve the best interests of the City of South Pasadena.
- 2. The Council provides policy direction to the City Manager. The City Manager, through city staff, implements Council policy. The Council does not interfere with the operating decisions of the city, which are the responsibility of the City Manager. No individual Councilmember shall give any orders to the City Manager.
- 3. The City Manager keeps each Councilmember fully, and equally, informed as to all matters of importance to the city, including agenda items, financial conditions, needs of the city, resident concerns, staffing needs, and urgency items.
- 4. The Council endeavors not to burden the City Manager or staff with demands for individual time or attention on matters that the City Manager can better handle with general communications to the Council as a whole.
- 5. The Council looks to the City Manager, staff, commissions and committees for advice on city policies and legislative actions.
- 6. The Council complies with all laws relating to open meetings, public records, and conflicts of interest.
- 7. The Council encourages resident participation in the development of City policies.
- 8. The Council desires the public to be fully informed about decisions that impact the public, and encourages public comment as policies are set.
- 9. The Council makes adequate provision for the training and continuing education of the Council and city staff.
- 10. All Councilmembers should receive and review any documents shown or provided by city staff to any other Councilmember.
- 11. Councilmembers inform the City Manager as far in advance as possible of when they will be out of town or otherwise unavailable to conduct city business.

CITY COUNCIL PREPARATION

- 1. Councilmembers avoid surprising their colleagues or staff. To the maximum extent possible, Councilmembers advise the City Manager in advance of issues or questions they intend to bring up at a public meeting. This refers to issues and questions that the staff would not normally anticipate or have researched for that particular meeting. Getting minor questions resolved with staff prior to a public meeting will shorten meetings and move the agenda forward in a timely manner.
- 2. Councilmembers are prepared for Council or committee meetings, which includes having read all agendas and supporting documentation prior to the meeting.
- 3. Councilmembers stay abreast of regional issues affecting neighboring cities, counties, and the operations of other districts or agencies.

PUBLIC MEETINGS

- The City Council generally meets on the 1st and 3rd Wednesday of the month. Open/General Session starts at 7:00pm. Closed Session is typically held in the City Manager's Conference room located on the 2nd floor at City Hall and starts either at 5:30 p.m. or 6:00 p.m. Rules of Order shall apply to the City Council, all Commissions and Boards as set forth in resolution 6513 passed on January 7, 1998.
- 2. Public hearings and discussion items at Council meetings proceed generally in the following order:

a. City staff presents a report of the item under consideration. Commissioners may accompany staff to deliver report as appropriate.

b. Councilmembers have an opportunity to ask questions of staff for clarification or to gather additional information.

c. Public comment is taken from affected parties or members of the public who wish to be heard.

d. At the close of public comment, the Mayor allows staff to respond to any public comment which staff wishes to supplement or regards as inaccurate or in need of clarification.

e. The Mayor allows other Councilmembers to speak first, and then summarizes or provides the final comments before asking for a motion or direction to staff on the item.

f. The order of Council comments is at the discretion of the Mayor. If the item under consideration was studied first by a committee of the Council, members of the committee would be expected to lead off the discussion.

3. Any Councilmember who desires to recuse himself or herself for conflict of interest or any other reason shall do so as soon as the item is called and shall leave the Council chambers until the item is concluded.

- 4. Any Councilmember may request a continuance of an item on the agenda if that Councilmember needs more time to become fully informed and able to render a decision. However, a continuance need not be granted if a majority of the Council deems it necessary or reasonable to render a decision at the agendized time.
- 5. If a Councilmember is ill or away for any agenda item of special interest to that Councilmember, the item may be continued or tabled at that Councilmember's request, subject to any applicable statutory time periods, and only if such delay would not be adverse to the City's best interests. However, Councilmembers should not request a continuance without justifiable reason. Bear in mind that the public may attend expecting discussion or action on the issue, staff has prepared reports, and there may be staff or consultants present just for that item. Councilmembers should coordinate with the City Manager about future agendas and their own schedules to avoid missing items that may be of particular interest to them.
- 6. If any Councilmember becomes aware of an unexpected issue that may be brought up by a member of the public at a Council, commission or committee meeting, that Councilmember will, as a courtesy, inform the other Councilmembers and the City Manager to the extent legally permissible.
- 7. Councilmembers are expected to attempt to persuade their colleagues to their point of view through reasoned debate, but also to accept the Council's ultimate decision graciously and as final. Councilmembers should not place the City Manager or staff in the position of having to deal with minority positions which do not further established Council policy.
- 8. Councilmember comments provide an opportunity to report on recently attended or upcoming events, meetings and/or conferences. Councilmembers should be mindful of the workload of the City Manager and City Staff when requesting to add items onto a future agenda.
- 9. Subject to applicable legal deadlines, the Mayor or any Councilmember may move to refer back to staff any agenda item that is deemed to be incomplete or unready for final decision. The same rule applies to City Commissions.
- 10. Direction to staff must be determined by a majority of the Council and must be clearly identified at the Council meeting. Tacit approval, or lack of disagreement by others, is not considered direction. The Mayor should ensure that the direction staff receives is clear and represents the majority view of the Council.
- 11. Dedication of Meeting There are times when a meeting is dedicated to the memory of an individual. The Mayor with Council concurrence, provides direction to staff. When a meeting is dedicated, a notation appears on the agenda, and the Mayor announces the dedication. After the meeting, an appropriate letter is sent to the family acknowledging the dedication.

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12. All meeting participants shall conduct themselves in an orderly manner. As a last resort, any person who causes an actual disruption to, or impedes the orderly conduct of, the meeting may be removed from the meeting room pursuant to California Government Code Section 54954.3(c).

SELECTION OF THE MAYOR AND MAYOR PRO TEM

- 1. Except in unusual circumstances, each Councilmember should have a fair and equal opportunity to serve as Mayor and Mayor Pro Tem.
- 2. The reorganization of the City Council shall be agendized for the 2^{nd} regular meeting of \checkmark December.
- 3. Current Mayor will ask for nominations (without a motion or second) for Mayor. Votes for each nominee (if more than one) will be taken and the nominee that receives three votes out of five will serve as Mayor.
- 4. The newly selected Mayor will then take nominations (without a motion or second) for Mayor Pro Tem. Votes for each nominee (if more than one) will be taken and the nominee that receives three votes out of five will serve as Mayor Pro Tem.
- 5. Terms: Both the Mayor and Mayor Pro Tem will serve for a twelve month period.

MAYOR'S ROLE

- 1. The Mayor represents the City, is its official spokesperson, and presides over all City Council meetings.
- 2. It is the Mayor's prerogative to make Commission Liaison assignments. The Mayor accommodates Council choices whenever possible.
- 3. The Mayor, in consultation with the City Manager, sets the agenda for each Council meeting.
- 4. The Mayor and one other Councilmember, or any two Councilmembers may place an item on the City Council agenda. Items may return without a "staff report" so that the City Manager can communicate to the Council the anticipated amount of staff time the report will require and seek direction from the majority of the Council to move forward.

- 5. At a public meeting, the Mayor has discretion to move agenda items and/or to take them out of order to accommodate the needs of the Council or the public.
- 6. In the absence of the Mayor, the Mayor Pro Tem performs the duties of Mayor.
- 7. The Mayor is obliged to act as a facilitator during public meetings. The Mayor ensures that all views are heard and that the meeting progresses in an orderly and timely fashion. The Mayor provides an equal opportunity for each Councilmember to be heard.

CITY COUNCIL INTERACTION AND COMMUNICATION

- 1. Councilmembers are flexible and cooperative in filling in for one another at meetings or important functions.
- 2. Councilmembers do not engage in private discussions in violation of the Brown Act. A Councilmember who feels that a conversation is potentially a violation should express his or her concern and immediately withdraw from the conversation. Councilmembers are expected to honor such concerns and immediately cease the conversation even if they do not agree that the Brown Act applies in that particular instance.
- 3. If a Councilmember takes a position in the media, or at any public hearing, critical of a decision, or critical of fellow Councilmembers or members' positions on issues, such public comments should stick to the issues under contention and never involve personal attacks. Councilmembers shall be mindful when representing views or making comments and, if they do not reflect the majority of the Council, must claim the comments as their own personal opinion. Positions set forth in writing on City letterhead should clearly indicate if the position stated is one officially voted on by the City Council, or if it only represents the position of the individual Councilmember.
- 4. Councilmembers should avoid expressions, comments, or opinions of city fault responsibility or liability in any matters involving property damage, personal injury or alleged breach of contract or alleged violation of law.
- 5. If any Councilmember feels that a Protocol is being violated, it is appropriate for that member to discuss it individually with the errant Councilmember. If the City Manager or staffs are involved, it is appropriate to discuss it with the City Manager. If this does not resolve the situation, it is appropriate, as a last resort, to bring up the matter within the Future Agenda Item period of a public meeting and ask for the issue to be put on a future agenda.
- 6. Councilmembers may request, through the City Clerk, certificates or other awards recognizing special events, organizations or individuals of importance to the City. All such requests will be forwarded to the entire City Council for comment, request for more information, have staff vet the organization or to voice an objection. If no objection, the

Certificate shall be presented at a City Council meeting. It can also be mailed or presented at a function by the Mayor and/or requesting Councilmember. Such certificates or awards are normally to include the name and/or signature of all Councilmembers.

7. Councilmembers who plan or appear at programs or events which involve the use of City staff or resources shall provide notice of such programs or events to all Councilmembers.

COMMENDATIONS, CERTIFICATES, PROCLAMATIONS, AND DEDICATIONS

Note: The City Council adopted these Guidelines for Commendation, Certificates, Proclamations, and Dedications by Resolution No. 6298 on February 1, 1995.

Requests for proclamations and certificates are received from members of the public, community organizations or directly from Councilmembers. Requests shall be put in writing and distributed to the City Council.

GUIDELINES FOR RECOGNITION:

In making the determination for issuing city recognition the significance of the event or the contributions of the individual to the community shall be considered. The following types of requests may receive recognition:

- 1. Community Events, Community organizations
- 2. Athletic/Academic Accomplishments
- 3. Acts of Heroism
- 4. Non-profit organizations, Yearly Commemorative Events
- 5. Eagle Scouts and Golden Arrow Scouts
- 6. City Commissioner Appointments and Resignations
- 7. Ethnic celebrations
- 8. Milestone Birthdays or Anniversaries
- 9. Regional Events and Recognition for Other cities

The Mayor will provide direction to staff in accordance with these guidelines. Any Councilmember shall notify the Mayor with any objections. At which time, the Mayor shall agendize the matter for discussion.

FORMS IN WHICH THE RECOGNITION CAN BE PREPARED:

Certificates

1. Certificates are prepared in response to the type of recognition desired. These include Certificates of Appointment, Certificates of Recognition, Certificates of Appreciation and Certificates of Achievement.

2. The Mayor, in accordance with the guidelines set forth by the City Council, will determine if a certificate shall be issued and direct staff to prepare the Certificate. Presentations will be agendized if the recipient can be present at the meeting.

Proclamations

1. Proclamations contain several biographical or informational paragraphs. These are typically used for bringing attention to a particular subject by proclaiming something on a certain day, week or month. For example: Fire Prevention Week; Older American Month.

Letters

Note: The City Council adopted the following Guidelines by Resolution No. 7092 on January 6, 2010.

- 1. Letters addressed to the City Council that do not require action by the Council may be responded to by a letter from the Mayor on behalf of the City Council, and a copy of the original letter and response will be distributed to all members of the City Council and City Manager.
- 2. Letters expressing the City's official position, based on resolution or ordinance, shall be authorized by the City Council .if time permits (and if time does not permit, by the City Manager), and signed by the Mayor or the Mayor Pro Tem, if the Mayor is unavailable, and/or all members of the City Council. A copy of such letter shall be provided to all members of the City Council and the City Manager.
- 3. All other letters expressing the opinion and/or position of the entire City Council that is not based on Council action, resolution or ordinance must receive prior authorization from the City Manager and/or approval of the City Council.
- 4. Letters drafted by individual members of the City Council, authorized by the City Council, and on behalf of the City, speaking for the City and/or representing the City, shall indicate or announce that context in the beginning of the letter.
- 5. Letters drafted by individual members of the City Council in which he/she is speaking on behalf of himself/herself, and not the City, shall indicate or announce that qualification in the beginning of the letter.
- 6. Commissions shall not be permitted to send letters on City letterhead.
- 7. Congratulatory, commendation and letters of appreciation from Councilmembers on City letterhead shall be permitted without having to obtain prior authorization.
- 8. A copy of all letters on City letterhead sent by the Mayor and/or individual Councilmembers shall be provided to the City Clerk's Office.

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CITY COUNCIL INTERACTION AND COMMUNICATION WITH CITY MANAGER AND STAFF

- 1. Councilmembers feel free to communicate with the City Manager about any City issues, including resident concerns. However, Councilmembers are also mindful of the City Manager's busy schedule and competing requests for access.
- 2. Complaints or concerns about any City services are taken up with the City Manager. It is not appropriate, in any situation, to critique, ridicule, or complain about city services or staff in public.
- 3. Councilmembers may routinely ask (with the knowledge of the City Manager) department heads for information relative to their department. However, inquiries that require extensive research, or reports that may occupy more than cursory staff time should first be discussed with the City Manager, and may require action or approval by the entire Council.
- 4. Department heads report to the City Manager. Councilmembers do not insert themselves into or interfere with that chain of command.
- 5. The Council should expect to be fully and promptly informed by the City Manager or his designee regarding any unusual activities or events of public concern.
- 6. Councilmembers keep a friendly, professional relationship with staff members, but avoid getting involved with personal matters, operational matters, work assignments or projects with any staff other than the City Manager.
- 7. Each year the City Manager's Office shall facilitate a budget review and strategic planning process involving the City Council. This process shall provide the City Council with the opportunity to provide policy direction to City staff regarding the direction of the City and the programs to which the City will devote its resources. Staff will develop a priority list based upon the desires of the City Council, in conjunction with the annual budget review process.
- 8. Councilmembers will establish action and budget priorities for the City once a year during the annual budget review and strategic planning process.
- 9. Councilmembers should bring forward requests for deviations from the established budget priorities only if they involve a degree of urgency that cannot wait until the next budget review.
- 10. Changes from the priorities or budget allocations established during the annual budget review and strategic planning process should be pursued only after careful consideration, as they may involve changes in staff work load and appropriations, and because the original priorities were established through a comprehensive public process.

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11. Councilmembers may individually ask the City Attorney general questions involving matters related to their performance as City officials. However, inquiries that require extensive research, opinions or reports should first be discussed with the City Manager, and may require action or approval by the Council.

COMMISSIONS AND BOARDS

- 1. Commission appointments for "new" Commissions are generally based on the recommendation of one nominee from each Councilmember. The nominations are then subject to approval by the entire Council. The Commissions shall elect a Chair and Vice-Chair from among themselves, which positions shall rotate. Vacancies on city commissions may occur from time to time due to term limits or a resignation. The City Clerk will advertise the vacancy and accept applications. Upon receipt of submissions, the City Clerks' Office determines if the applicant is an elector of the City, an eligibility requirement. Copies of applications received are forwarded to all Councilmembers for their review. The Mayor has the authority to nominate an applicant for appointment which is then placed on a Council agenda for concurrence. Councilmembers who object to the appointment can contact the Mayor prior to the meeting. New commissioners must take an oath before attending a commission meeting they were appointed to.
- 2. The Council is responsible to make its vision for the City clear to all appointed and advisory bodies as policy guidance for those bodies.
- 3. While not a requirement, Councilmembers assigned as liaisons to a commission are expected to attend commission meetings to serve as Council contact rather than an advocate for or ex-officio member of the board or commission.
- 4. Commissions and boards are expected to make specific recommendations on matters brought before them, and not merely to pass them on to the City Council for final decision.
- 5. Councilmembers do not dictate the decisions of Commissioners and other board members. Commissioners and board members come to their own conclusions based on the evidence, the city's Municipal Code, and other governing and visioning documents. Substantial consideration is to be given by Commissioners to the recommendations of staff contained in the agenda reports.
- 6. Commissioners are encouraged to discuss questions or concerns about any agendized items with the Commission's staff liaison prior to Commission meetings in order to be prepared to take action at public meetings. Commissioners are to be mindful of undue consumption of staff time and resources.

- 7. Commissions do not have budgetary authority to expend or obligate city resources. Nor do Commissions have the authority to represent the City and/or City Council or to take a position on a matter on behalf of the City.
- 8. Any Commission or board action should clearly state for the record the specific justification for the decision, so that the Council and the public may have the benefit of its reasoning.
- 9. All persons requesting appointment or re-appointment to a Commission or Board shall make written application to the City Clerk. The City Clerk is to acknowledge receipt of each application by letter to the applicant which includes an explanation of the appointment process. The City Council shall provide an opportunity for applicants to come before the Council and be interviewed before nominations are made.
- 10. All nominations for appointment to a Commission or Board are to be placed on the Council's public agenda with the applicant's name and a copy of the application (with personal information redacted). All nominees are required to appear in person before the Council prior to appointment or re-appointment. The City Clerk shall send a letter to all applicants stating the results of the appointment process in which they participated.

RESIDENT COMPLAINTS

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- 1. Upon receiving a complaint from the public, Councilmembers direct that complaint to the City Manager for appropriate staff action and follow-up.
- 2. Councilmembers first ensure that they are in possession of all of the facts and both sides of the story before making any statements to the press or to the complaining party regarding what action, if any, the City should take.
- 3. The Council allows staff to handle resident complaints and does not attempt to direct a resolution of the problem. The Council shall allow staff appropriate time to address the concern and a resolution to the matter shall be communicated to the full Council.

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Discussion and Consideration of the Draft City Council Policies and Procedures Manual

MUSEUM

December 6, 2023

Prepared By: City Attorney's Office

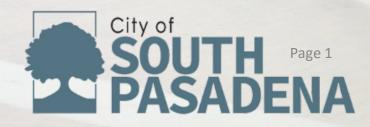


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- Chapter 9 Commendations, Certificates, Proclamations and Dedications; Letters
- Chapter 10 Press and Media Relations
- Guiding Principles for Good Governance



Overview

- SOUTH PASADENA CITY HALL
- 2014 Protocols Used as the Starting Point
- New Chapters and New Text
- Rearranged Sections and Text in Draft Manual
- User and Reader Friendly
- Underlying Themes of Good Governance, Meeting Management Principals and Attributes of Exceptional Councils
 - Recognizes Council Districts and Zoom Platform



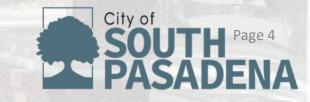
Overview

- SOUTH PASADENA CITY HALL
- Effective Leadership by City Council
- Responsive Management and Leadership by City Manager
- Meaningful Communication
- Understanding Roles and Fulfilling Expectations
- Fostering Mutual Respect
- Meeting Management
 - Ethical Conduct

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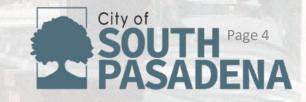
Chapter 1 – Purpose of Manual

- Replaces Existing "Protocols" Introduction and Purpose
- Policies, Procedures and Practices
 - Establish appropriate roles, expectations, communication for effective governance
- Living Document



Chapter 2 – Type and Form of Government

- Provides Overview of General Law City and Council-Manager Form of Government
- Council Powers and Authority
 - Council is the community's decision makers
 - Policy and action is established by the Council as a whole
 - All Councilmembers are equal
- Council Districts
 - Recognizes District-Based elections

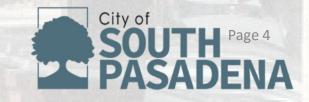


Chapter 3 – Council Duties and Responsibilities

- Duties and Responsibilities
 - Overview
 - Ethics and Civility
 - Meeting Management
 - Public Engagement
 - General
- City Representative
- City Positions on Regional, State and Federal Issues City of

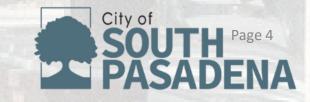
Chapter 3 – Council Duties and Responsibilities

- Litigation and Other Confidential Information
- Resident Complaints (from Protocols)
 - Notify Councilmember Representing District
 - Refrain from making commitments
- City Council District Communications
 - Staff Approach



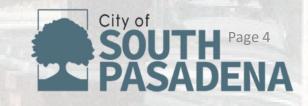
Chapter 4 – Mayor and Mayor Pro Tem Duties & Roles

- Robust List of Duties and Roles
 - Team Leader
 - Effective meeting and decision making
 - Advocate for the process
 - Transparency



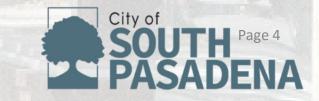
Chapter 5 – Meeting Guidelines and Procedures

- Continuation of Material in Protocols
- Types of meetings
- Recognizes new technology for attending meetings
- Councilmember Communications
 - Generally carries over language from agenda



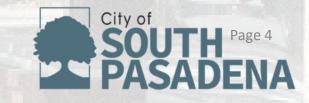
Chapter 6 – Rules of Decorum at Public Meetings

- New Chapter Zoom Bombing and Effective Meetings
- Brown Act permits the adoption of rules of decorum
- Purpose to safeguard rights of public to speak and recognize the need to conduct business
- Addresses "Disruptive Behavior" at public meetings
 - Examples listed
 - Enforcement of rules
- Applies to all meetings
 A.D. 77



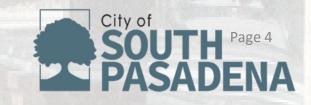
Chapter 7 – City Council Interaction and Communication with City Manager and Staff

- Continuation of Protocols
 - Reorganized
- Provide "General Overview"
- Adds new language regarding personnel matters



Chapter 8 – Commissions and Boards

- Continuation of Protocols
- New provisions regarding Commission work plans
- New provision regarding Council Liaisons
 - Role of Council Liaison
 - Quasi-Judicial and Adjudicatory Matters
 - Attendance



Chapter 9 – Commendations, Certificates, Proclamations and Dedications; Letters

- Continuation of Protocols
 - Added recognition of "Girl Scout" award
- Reorganized Material from Protocols



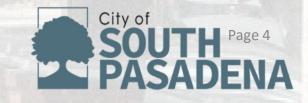
Chapter 10 – Press and Media Relations

- New Chapter
- Continues City's practices
- Provides process for contact with media

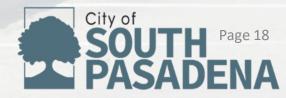


Guiding Principles for Good Governance

- Widely disseminated list of principles
- Reflects Civility and Democratic Process
- Accountability
- Government Ethics



Questions?



From:	jonathan hawes
То:	City Council Public Comment
Subject:	General public comment to be read at the next city council meeting
Date:	Wednesday, November 29, 2023 8:20:04 AM

Hello. My name is Jonathan Hawes. I served as El Monte City Clerk from 2013 to 2018. Since 2015 I have been a whistleblower on Andre Quintero and Team El Monte's embezzlement of \$10 million from the El Monte Promise Foundation scholarship fund. I have interviewed dozens of El Monte residents who have privately confirmed that Promise funds were used for fraudulent trips to Vietnam and Haiti, a bogus consultant in Salt Lake City, house repairs, and other unlawful expenditures. I have myself been interviewed by the FBI about two dozen times. Documents proving the embezzlement have been submitted to the FBI and the Los Angeles County District Attorney's Office.

A week ago, an El Monte resident with a documented history of harassing and fabricating lies about other residents, Gabby Leos, told a string of lies on cable news about El Monte Mayor Jessica Ancona. These lies were spoon-fed to her by City Manager Alma Martinez. El Monte Police Chief Jake Fisher, who went on record confirming one of Leos/Martinez's lies, needs to be fired for interfering in ongoing litigation by commenting publicly on said litigation, and for lying in his official capacity. Both Martinez and Fisher dislike Mayor Ancona due to her efforts to rid our city of the baleful influence of Andre Quintero and his Team El Monte minions, of which Martinez and Fisher are two. Martinez and Fisher have frequently made significant decisions without a vote from the council, which is unlawful, and Ancona has called out such improprieties, furthering their animosity towards her and her anti-corruption efforts.

I am asking the South Pasadena City Council to pass a resolution condemning these crimes and schemes in order to protect the greatest mayor El Monte has ever had, Mayor Jessica Ancona, and the vulnerable residents of one of the poorest cities in Southern California. If this criminal, FBI-investigated cabal succeeds in removing her from office via well-orchestrated, mendacious smear campaigns, we will be back to full dictatorship under Andre Quintero or one of his puppets. El Monte children, who should've been provided with college scholarships, were robbed by his embezzlement. Andre Quintero and Team El Monte members must go to prison. If you have any questions, please call or text me at the text of the provided with college scholarships.

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From:	Yvonne LaRose
То:	City Council Public Comment
Subject:	General Public Comment: Appearance of a Community
Date:	Wednesday, December 6, 2023 11:00:59 AM

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.

Yesterday we heard the Mayor's State of the City address. In that presentation, many aspects about the progress this city has made from past endeavors, current accomplishments, and future enterprises were some spirit-stirring statements.

There was a recollection of past Sundown Town proclamations. To underscore the sincerity of those three proclamations, it was affirmatively stated there will be sustained movement to take this city out of the past practices of exclusion and imposition of fear by moving us into the sunlight of embracing and celebrating an homogeneous population - old and young, ablebodied as well as impaired, all colors of humanity, heterosexual and variations.

One might ask why it's important to recognize and accept that spectrum of diversity. The answer is simple yet complex. Far from the creative storytelling of "Star Trek", we are not a city comprised of Borg where one central processing unit holds the knowledge and wisdom of all the entities it controls. We are a city comprised of many talents, perspectives, abilities, backgrounds, and more that come together to knit together a strong community of vibrancy because of its inhabitants' contributions. We need and thrive on the gifts that all of our population brings to the table.

Thus, it's important that we shy away from superficial appearances that could make people think there is legitimate acceptance and appreciation of all. Appearances do not tell the whole story and are not necessarily reality.

Let us strive to make a reality of the intents of our three Sundown Town proclamations by actualizing the principles of respect, appreciation, maturity, ability, and sharing in the whole of our being part of this community. We are part of this community, not because we appear to be but because we all belong here.

South Pasadena is our San Gabriel Valley mansion.

Viva Yvonne LaRose, CAC Organization Development Consultant: Diversity/Title VII, Harassment, Ethics

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City of South Pasadena

SCE Charge Ready Light-Duty Project Overview





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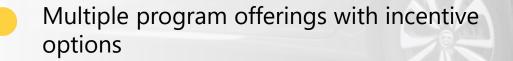
Charge Ready Highlights

\$436M program to support EV charging infrastructure for light-duty electric vehicles

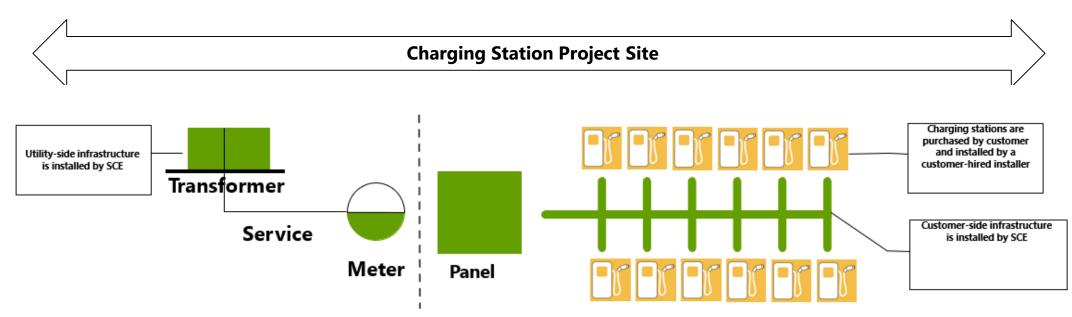
Expansion of the Charge Ready Pilot

Provides significant financial and technical assistance to install charging stations

Authorized budget will support over 30,000 charging ports



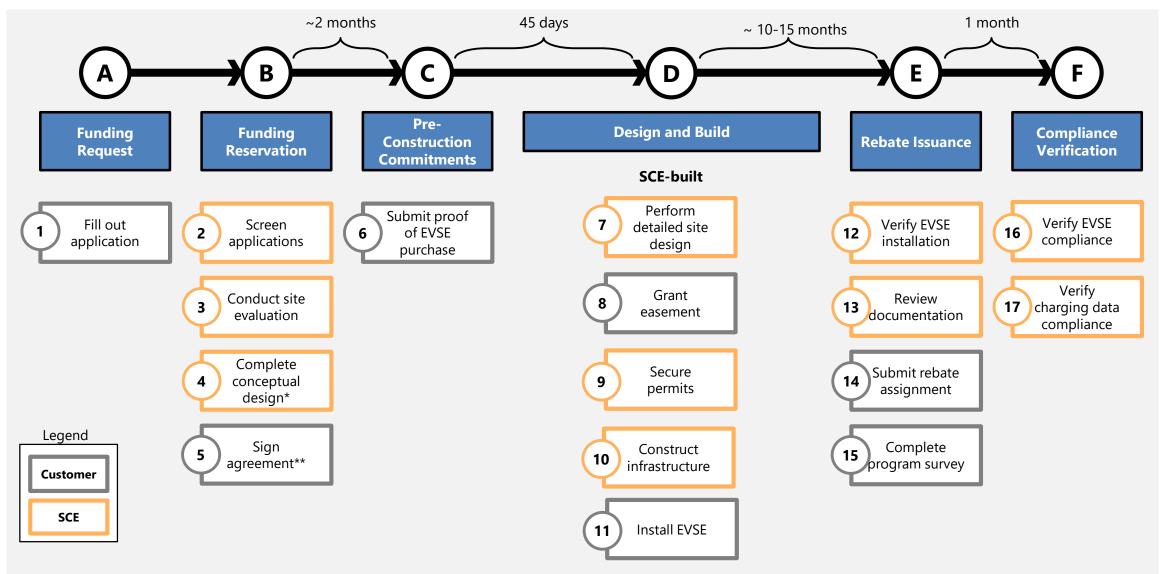
CR Project: SCE-Built Infrastructure



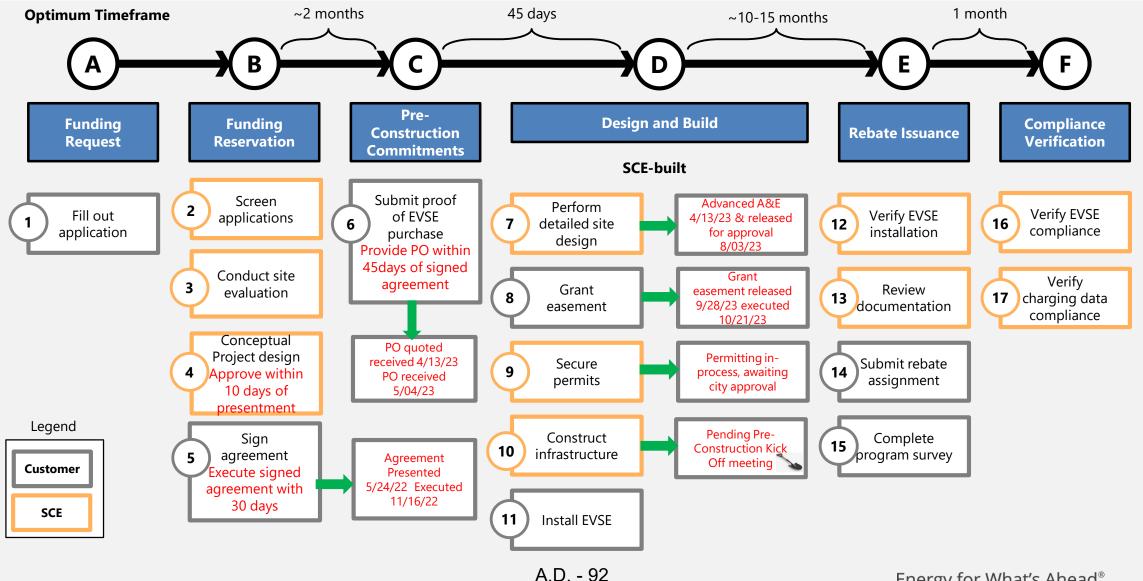
Infrastructure deployed by SCE (all costs covered by the Program). Covers costs associated with service drop, meter, panel and circuit dedicated to EV charging. Make-Ready ends at interconnection point with customer charging equipment providing AC service. Estimated Infrastructure investment \$650,000.00.

Customer-owned and installed with SCE partial rebate for select customer classes. Approximate Total Rebate \$24,650.00 for 34 ports.

Process Diagram: Infrastructure and Rebate



Process Diagram: City of South Pasadena



Construction Timeline Update





Energy for What's Ahead[™]



Q&A – Closing Remarks



7

Mark Perez

From:	Yvonne LaRose
Sent:	Wednesday, December 6, 2023 10:38 AM
То:	City Council Public Comment
Subject:	Public Comment: Changing of the Guard and Gatekeepers
Attachments:	Council Gatekeepers.docx; Master Key.docx; Key and Gavel.docx

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 attached documents are a meager acknowledgement to the diversity of talents, backgrounds, and skills represented by the members on the City Council dais. They are the Master Keys in making this a functioning city.

Each is unique in its focus and perspective. They create a prism that reflects seven different yet cohesive views of matters before us. Each is necessary for the part it plays in causing the whole to be what it is.

Viva Yvonne LaRose, CAC Organization Development Consultant: Diversity/Title VII, Harassment, Ethics

Keeper of the Master Key



In appreciation of service

to

The City of South Pasadena

For the Council Gatekeepers



To acknowledge your role in opening the doors to progress

And maintaining the health and wholesomeness

in the

City of South Pasadena

For the

Council Gatekeepers

³ A.D. - 97



To acknowledge your role in opening the doors to progress

And maintaining the health and wholesomeness

in the

City of South Pasadena

From:	John C.
To:	City Council Public Comment
Subject:	Email Public Comment for Agenda Item 6 for December 6, 2023 South Pasadena City Council Meeting
Date:	Saturday, December 2, 2023 1:06:47 PM

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 South Pasadena Mayor Jon Primuth, Mayor Pro Tem Evelyn Zneimer, Councilmember Jack Donovan, Councilmember, Michael Cacciotti, and Councilmember Janet Braun

Please Approve Agenda Item 6. Especially this city prepaid warrant below:

ENTERPRI - Enterprise FM Trust	
317899 11/16/2023	
Inv FBN4875367	
Line Item Date Line Item Description	
11/04/2023 Monthly Tesla Lease Payment - Nover	mber 2023
	10,682.02
Inv FBN4875367 Total	10,682.02 317899 Total:
10,682.02	
ENTERPRI - Enterprise FM Trust Total:	10,682.02

Also, the comment below was submitted for May 3, 2023, May 17, 2023, June 21, 2023, August 16, 2023, September 6, 2023, October 4, 2023, and October 28, 2023. This comment has been updated because the City of Long Beach has renew the Enterprise Leases contract again for the Long Beach Police Department on June 20, 2023. This comment is for the South Pasadena City Council to stop questioning the Enterprise Lease contract.

Please stop questing the use of the Enterprise Lease contract that South Pasadena Police Department is using because below the City of Long Beach used the Enterprise contract three times and below is how the Long Beach City Council voted. Not one city councilmember voted no. Agenda item information below:

May 12, 2015

HONORABLE MAYOR AND CITY COUNCIL City of Long Beach California

RECOMMENDATION: Adopt Specifications No. ITB FS15-005 and award a contract to Enterprise FM Trust, dba Enterprise Fleet Management, Inc., of St. Louis, MO, for leasing vehicles for various Police operations, in an annual amount not to exceed \$155,000, including tax and fees, for a period of four years; and, authorize the City Manager or designee to execute all documents necessary to enter into the contract, including any necessary amendments thereto. (Citywide)

DISCUSSION: City Council approval is requested to enter into a contract with Enterprise Fleet Management, Inc. (Enterprise), for the lease of up to 20 vehicles, as needed by the Police Department.

A motion was made by Councilman Andrews, seconded by Councilman Austin, to approve recommendation.

VotesCouncilwoman GonzalezYesVice Mayor LowenthalYesCouncilwoman PriceYesCouncilman SupernawYes

Councilwoman MungoYesCouncilman AndrewsYesCouncilmember UrangaYesCouncilmember Richardson Yes

October 20, 2020

HONORABLE MAYOR AND CITY COUNCIL City of Long Beach California

RECOMMENDATION: Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, and any necessary amendments, with Enterprise FM Trust, dba Enterprise Fleet Management, Inc., of St. Louis, MO, to lease vehicles for various Police operations, on the same terms and conditions afforded to Sourcewell, formerly The National Joint Powers Alliance, in an annual amount of \$125,656, with a 10 percent contingency of \$12,565, for a total annual contract amount not to exceed \$138,221, until the Sourcewell contract expires on July 24, 2022, with the option to renew for as long as the Sourcewell contract is in effect, at the discretion of the City Manager. (Citywide)

DISCUSSION City Council approval is requested to enter into a contract with Enterprise Fleet Management, Inc. (Enterprise), for the lease of up to 20 vehicles, as needed by the Police Department for various operations. This lease agreement will allow the City to replace currently leased vehicles of various makes and models that are now at the end of their term under the previous contract.

A motion was made by Councilmember Uranga, seconded by Councilmember Richardson, to approve recommendation.

Votes Councilwoman Zendejas Yes Councilmember Pearce Yes Councilwoman Price Yes Councilman Supernaw Yes Yes Councilwoman Mungo **Dee Andrews** Yes Councilmember Uranga Yes Councilmember Austin Absent Councilmember Richardson Yes

June 20, 2023

HONORABLE MAYOR AND CITY COUNCIL City of Long Beach California

RECOMMENDATION: Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, and any necessary documents, including any necessary subsequent amendments, with Enterprise FM Trust, dba Enterprise Fleet Management, Inc., of St. Louis, MO to lease vehicles for various Long Beach Police Department operations, on the same terms and conditions afforded to Sourcewell, in a annual amount \$170,000, and authorize a ten percent contingency if \$17,000, for a total annual contract amount not to exceed \$187,000, for a period of three years, with the option to renew for an additional one-year period, at the discretion of the City Manager. (Citywide)

DISCUSSION: City Council approval is requested to enter into a contract with Enterprise Fleet Management, Inc. (Enterprise), for the lease of as-needed unmarked vehicles, by the Long Beach Police Department (LBPD) for various operations. This lease agreement will allow the City of Long Beach (City) to replace currently lease vehicles of various makes and models that are now at the end of their lease term under previous contract.

A.D. - 100

A motion was made by Councilwomen Kerr, seconded by Councilmember Uranga, to approve recommendation.

N	/otes
Councilwomen Zendejas	Yes
Vice Mayor Allen	Yes
Councilmember Duggan	Yes
Councilman Supernaw	Yes
Councilwomen Kerr	Yes
Councilwomen Saro	Yes
Councilmember Uranga	Yes
Councilman Austin	Yes
Councilmember Ricks-Oddie	e Yes

The City of Long Beach has been very stringent on how much city money Long Beach Police Department can spend on vehicle replacements. So the South Pasadena City council would think that the Long Beach City council would question this decision in using Enterprise by Long Beach Police Department and may vote no on this agenda, but that did not happen has you can see above. Also, Long Beach Police Department must minimize replacements and maximize use of their current fleet. Example of this is what Long Beach Police Department was approved for over the last decade and a half. In 2011 Long Beach Police Department was approved to purchase 130 2011 Ford Crown Victoria Police Interceptors and in 2016 was approved for 64 Ford Police Interceptor Utility. Long Beach Police Department fleet is about 400 vehicles. For the South Pasadena City council to know this can be very expensive because a lot of City of Long Beach money goes into maintenance cost because most of the vehicles Long Beach Police Department uses are gassed powered vehicles.

From South Pasadena Resident, John

Sent from Yahoo Mail on Android

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City of South Pasadena Management Services



Date: December 5, 2023

To: The Honorable City Council

Via: Arminé Chaparyan, City Manager 👫

From: Luis Frausto, Management Services Director

Subject: December 6, 2023, City Council Meeting Item No. 8 – July 2023 – September-2023 Budget Update

This memo provides an additional attachment to Item No. 8 (Attachment 3). The attached list provides a breakdown of the number of filled budgeted and authorized positions, by Department as of November 30, 2023.

Attachment: Budget Authorized Positions vs. Filled Positions, as of November 2023

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ATTACHMENT 3

Budget Authorized Positions vs. Filled Positions, as of November 2023

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Budget Authorized Positions vs. Filled Positions

As of November 30, 2023

	Budget	Authorized F	Positions	Filled Positions					
Department	Full Time	Part Time	Total	Full Time	Part Time	Total	Number of Unfilled Positions	% of Positions Filled	% of Position Unfilled
City Manager's Office	5	1	6	5	1	6	0	100.00%	0.00%
Community Development	13	0	13	12	0	12	1	92.31%	7.69%
Community Services	9	45	54	9	32	41	13	75.93%	24.07%
Finance	9	0	9	8	0	8	1	88.89%	11.11%
Fire	23	0	23	21	0	21	2	91.30%	8.70%
Library	10	33	43	9	27	36	7	83.72%	16.28%
Management Services	8	0	8	8	0	8	0	100.00%	0.00%
Police	55	6	61	43	3	46	15	75.41%	24.59%
Public Works	41	2	43	33	0	33	10	76.74%	23.26%
Totals:	173	87	260	148	63	211	49	81.15%	18.85%

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City of South Pasadena Management Services

Memo

Subject	December 6, 2023, City Council Meeting Item No.13 Approval of City Council Meeting Minutes for September 27, 2023, and October 04, 2023
From:	Luis Frausto, Management Services Director
Via:	Arminé Chaparyan, City Manager
To:	The Honorable City Council
Date:	December 4, 2023

This memo provides Attachment No. 1 to Item No. 13, September 27, 2023 Special City Council Meeting Minutes.

Attachment: September 27, 2023 Special City Council Meeting Minutes

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ATTACHMENT

September 27, 2023 Special City Council Meeting Minutes

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CITY OF SOUTH PASADENA SPECIAL MEETING OF THE CITY COUNCIL

<u>MINUTES</u> WEDNESDAY, SEPTEMBER 27, 2023, AT 7:00 P.M.

CALL TO ORDER:

The Special Meeting of the South Pasadena City Council was called to order by Mayor Primuth on Wednesday, September 27, 2023, at 7:30 P.M. in the City Council Chambers, 1424 Mission Street, South Pasadena, California 91030 and the Teleconference Location, Copenhagen Marriott Hotel, Kalvebod Brygge 5, 1560 Copenhagen V, Denmark.

ROLL CALL:

PRESENT	Mayor	Jon Primuth
	Mayor Pro Tem	Evelyn G. Zneimer
	Councilmember	Jack Donovan
	Councilmember	Michael A. Cacciotti Via Zoom
	Councilmember	Janet Braun

ABSENT None

Mark Perez, Deputy City Clerk, announced a quorum.

CITY STAFF PRESENT:

Arminé Chaparyan, City Manager; David Snow, City Attorney; and Roxanne Diaz, City Attorney were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

PLEDGE OF ALLEGIANCE

Mayor Primuth led the Flag Salute.

CLOSED SESSION ANNOUNCEMENTS

1. CLOSED SESSION ANNOUNCEMENT

A. <u>REAL PROPERTY NEGOTIATIONS</u>

(Government Code Section 54956.8)

- 1. Property Addresses:
 - a. 215 Fairview Avenue, APN 5317-007-903
 - b. 302 Fairview Avenue, APN 5317-012-903
 - c. 529 Prospect Avenue, APN 5317-036-904
 - d. 530 Orange Grove Avenue, APN 5317-036-900
 - e. 534 Orange Grove Avenue, APN 5317-036-903
 - f. 535 Meridian Avenue, APN 5317-036-903
 - g. 540 Prospect Avenue, APN 5317-035-901
 - h. 901 Bonita Drive, APN 5310-020-903
 - i. 1037 & 1039 Grevalia Avenue, APN 5315-012-903
 - j. 808 Valley View Road, APN 5310-020-901
 - k. 822 Valley View Road, APN 5310-020-902
 - I. 216 Fairview Avenue
 - m. 217 Fremont Avenue, APN 5317-012-901
 - n. 225 Fremont Avenue, APN 5317-012-902
 - o. 1131 Columbia Street, APN 5317-012-900
 - p. 1707 Meridian Avenue, APN 5310-031-903
 - q. 1008 Hope and 1002 and 726 Meridian, APN 5315-013-906

Agency Negotiator: Arminé Chaparyan, City Manager Negotiating Party: California Department of Transportation Under Negotiation: Price and Terms of Payment

 Property Address: 913 Meridian Avenue Agency Negotiator: Arminé Chaparyan, City Manager Negotiating Party: South Pasadena Preservation Foundation Under Negotiation: Price and Terms of Payment

B. CONFERENCE WITH LEGAL COUNSEL: <u>ANTICIPATED LITIGATION-SIGNIFICANT</u> <u>EXPOSURE TO LITIGATION</u>

(Government Code Section 54945.9(d)(2)) Number of Potential Cases: 3

C. <u>CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION</u> (Government Code Section 54956.9(d)(1))

1. City of South Pasadena, et al. vs California Department of Transportation, et al. (LASC Case No. 21STCP01779)

In Person Public Comment:

Jennifer Trotoux spoke on the South Pasadena Preservation Foundation property negotiations.

City Attorney Roxanne Diaz stated that no reportable action was taken regarding any of the items.

PUBLIC COMMENT

2. PUBLIC COMMENT

In Person Public Comment:

Steve Gavinas spoke regarding the current agreement with Athen's Services.

Harry Knapp spoke regarding the Evictions and the Eviction Moratorium.

Zoom Public Comment:

Alan Ehrlich spoke regarding the Electrification project and the Tesla vehicles.

PRESENTATION

3. SOUTH PASADENA LITTLE LEAGUE RECOGNITION

Mayor Primuth presented a certificate of recognition to the South Pasadena Little League, 2023 Junior Baseball Team for winning a Southern California Baseball Title and advancing to the West Region Tournament.

4. MERCHANT MINUTE – Twohey's Restaurant

President of the Chamber of Commerce Laurie Wheeler introduced Twohey's owner Tania Cristos, who gave a presentation on the restaurant.

5. STAFF INTRODUCTION

Fire Department:

Kevin Tiet, Management Assistant Edward Meza, Firefighter Paramedic Alex Khachatoorian, Firefighter Paramedic Gavin Boger, Firefighter Paramedic

Fire Chief Riddle introduced the new staff.

CHANGES TO THE AGENDA

6. <u>REORDERING OF, ADDITIONS, OR DELETIONS TO THE AGENDA</u>

Item No. 3 was heard prior to item no. 2 by direction of the Mayor.

CONSENT CALENDAR

OPPORTUNITY TO COMMENT ON CONSENT CALENDAR

Items listed under the Consent Calendar are considered by the City Manager to be routine in nature and will be enacted by one motion unless a public comment has been received or Councilmember requests otherwise, in which case the item will be removed for separate consideration. Any motion relating to an ordinance or a resolution shall also waive the reading of the ordinance or resolution and include its introduction or adoption as appropriate.

COUNCIL MOTION AND ACTION:

Mayor Pro Tem Zneimer requested to pull item nos. 9, 13, and 14 for separate discussion. A motion was made by Councilmember Cacciotti and seconded by Councilmember Braun to approve Item Nos. 7, 8, 11, 12, and 15 of the consent calendar as modified by the additional documents. The motion carried 5-0, by the following vote:

AYES:	Braun, Donovan, Cacciotti, Zneimer, Mayor Primuth
NOES:	None.
ABSENT:	None.
ABSTAINED:	None.

7. APPROVAL OF PREPAID WARRANTS IN THE AMOUNT OF \$150,880.02; GENERAL CITY WARRANTS IN THE AMOUNT OF \$2,111,576.34; ONLINE PAYMENTS IN THE AMOUNT OF \$178,990.21; TRANSFERS IN THE AMOUNT OF \$72,500.00; VOIDS IN THE AMOUNT OF (\$2,161.06); PAYROLL IN THE AMOUNT OF \$842,990.36

Recommendation

It is recommended that the City Council approve the Warrants as presented.

A motion was made to approve recommendation on the Consent Calendar.

8. MONTHLY INVESTMENT REPORTS FOR JULY 2023

Recommendation

It is recommended that the City Council receive and file the Monthly Investment Reports for July 2023.

A motion was made to approve recommendation on the Consent Calendar.

9. <u>CONSIDERATION OF APPROVAL OF THE SECOND AMENDMENT TO AN</u> <u>AGREEMENT WITH HDL SOFTWARE, LLC FOR BUSINESS LICENSE</u> <u>PROCESSING SERVICES AND APPROPRIATION OF FUNDS</u>

Recommendation

It is recommended that the City Council:

- 1. Approve the Second Amendment to the Professional Services Agreement with HdL Software, LC (HdL) for business license processing services through October 31, 2024, in the amount of \$75,000 and authorize the City Manager to execute the amendment.
- 2. Appropriate an additional \$45,850 from General Fund to cover excess.

This item was pulled for separate discussion by Mayor Pro Tem Zneimer.

Finance Director John Downs gave a presentation.

COUNCIL MOTION AND ACTION:

Mayor Pro Tem Zneimer requested to pull item no. 9 for separate discussion. A motion was made by Mayor Pro Tem Zneimer and seconded by Councilmember Braun to approve Item No. 9 of the consent calendar. The motion carried 5-0, by the following vote:

AYES:Braun, Donovan, Cacciotti, Zneimer, Mayor PrimuthNOES:None.ABSENT:None.ABSTAINED:None.

10. <u>SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF</u> <u>SOUTH PASADENA GRANTING AUTHORITY TO THE CITY MANAGER TO</u> <u>EXECUTE CERTAIN CONTRACTS AND OTHER LEGAL INSTRUMENTS AND</u> <u>AMENDING SECTION 2-18-6 OF THE SOUTH PASADENA MUNICIPAL CODE</u>

ORDINANCE

AN ORDINANCE OF THE CITY OF SOUTH PASADENA GRANTING AUTHORITY TO THE CITY MANAGER TO EXECUTE CERTAIN CONTRACTS AND OTHER LEGAL INSTRUMENTS AND AMENDING SECTION 2.18-6 OF THE SOUTH PASADENA MUNICIPAL CODE

Recommendation

It is recommended that the City Council consider the adoption of an "Ordinance of the City of South Pasadena Granting Authority to the City Manager to Execute Certain Contracts and Other Legal Instruments and Amending Section 2-18-6 of the South Pasadena Municipal Code."

This item was continued to the October 4, 2023 City Council Meeting.

11. CONSIDERATION OF APPROVAL OF THE MEMORIAL BENCH DONATION REQUESTS AND APPROVAL OF THE APPROPRIATION OF DONATED FUNDS TO THE COMMUNITY SERVICES BUDGET

Recommendation

It is recommended that the City Council consider:

- 1. Approval of a memorial bench donation of \$2,573.23 from Nancy Shires;
- 2. Approval of a memorial bench donation of \$1,481.13 from Kerri Maines; and
- 3. Approval of an appropriation of \$4,054.36 to Account No. 101-8030-8031-8020

A motion was made to approve recommendation on the Consent Calendar.

12. CONSIDERATION OF APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS FOR THE 626 GOLDEN STREETS ARROYOFEST 2023 EVENT

Recommendation

It is recommended that the City Council consider approval of a Memorandum of Understanding (MOU) between with the San Gabriel Valley Council of Governments (SGVCOG) and the City of South Pasadena for the 626 Golden Streets ArroyoFest 2023 Event.

A motion was made to approve recommendation on the Consent Calendar.

13. <u>CONSIDERATION OF APPROVAL OF FUND ALLOCATION AND</u> <u>APPROPRIATION TO COMPLETE THE ENVIRONMENTAL REVIEW DOCUMENTS</u> <u>FOR THE 2021-2029 HOUSING ELEMENT AND GENERAL PLAN/DOWNTOWN</u> <u>SPECIFIC PLAN IN THE AMOUNT OF \$78,606</u>

Recommendation

It is recommended that the City Council allocate and appropriate \$78,606.10 from General Fund Account Number 101-0000-0000-3200-000 to the Community Development Department Professional Services Account Number 101-7010-7011-8170-000.

Mayor Pro Tem Zneimer pulled the item for separate discussion.

Director of Community Development Angelica Frausto-Lupo gave a presentation.

COUNCIL MOTION AND ACTION:

Mayor Pro Tem Zneimer requested to pull item no. 13 for separate discussion. A motion was made by Mayor Pro Tem Zneimer and seconded by Councilmember Cacciotti to approve Item No. 13 of the consent calendar. The motion carried 5-0, by the following vote:

van, Cacciotti, Zneimer, Mayor Primuth

14. CONSIDERATION OF APPROVAL OF A FIVE-YEAR AGREEMENT WITH QUESTICA FOR BUDGET SOFTWARE SERVICES, WITH A FIRST-YEAR AMOUNT OF \$24,625 AND A TOTAL NOT-TO-EXCEED \$112,875

Recommendation

It is recommended that the City Council:

- 1. Approve a five-year agreement with Questica for Budget Software in the amount of \$24,625 for the first year and a not to exceed \$112,875 over the term and authorize the City Manager to execute the agreement; and
- 2. Appropriate \$12,312 from the General Fund and \$12,313 from the Water Fund to support the implementation and first year annual licensing for the Questica Budget software for a total of \$24,625.

Mayor Pro Tem Zneimer pulled the item for separate discussion.

Finance Director John Downs gave a presentation.

COUNCIL MOTION AND ACTION:

Mayor Pro Tem Zneimer requested to pull item no. 14 for separate discussion. A motion was made by Mayor Pro Tem Zneimer and seconded by Councilmember Braun to approve Item No. 14 of the consent calendar. The motion carried 5-0, by the following vote:

AYES:Braun, Donovan, Cacciotti, Zneimer, Mayor PrimuthNOES:None.ABSENT:None.ABSTAINED:None.

15. CONSIDERATION OF THE APPROVAL OF CITY COUNCIL MEETING MINUTES FOR AUGUST 29, 2023 AND SEPTEMBER 6, 2023

Recommendation

It is recommended that the City Council consider the approval of the minutes for the Regular City Council Meeting of September 6, 2023, Special Meetings of August 29, 2023 and September 6, 2023, Special Joint Meeting of September 6, 2023, and Special Housing Authority Meeting of September 6, 2023.

A motion was made to approve recommendation on the Consent Calendar.

PUBLIC HEARING

16. CONCURRENT CONTINUED HEARINGS – CONSIDERATION OF ADOPTION OF A RESOLUTION CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT, ADOPTION OF A RESOLUTION ADOPTING A NEW GENERAL PLAN, NEW DOWNTOWN SPECIFIC PLAN, AND RESCISSION OF MISSION STREET SPECIFIC PLAN. INTRODUCTION AND FIRST READING OF AN ORDINANCE TO AMEND THE SOUTH PASADENA MUNICIPAL CODE CHAPTER 36 (ZONING CODE) AND ZONING MAP PERTAINING TO REZONING THE EXISTING FOCUS AREA OVERLAY DISTRICT TO MIXED-USE OVERLAY DISTRICT AND INCREASE DENSITY IN CERTAIN RESIDENTIAL ZONING DISTRICTS IN COMPLIANCE WITH THE NEW GENERAL PLAN AND THE 2021-2029 HOUSING ELEMENT. INTRODUCTION AND FIRST READING OF ORDINANCES TO AMEND THE ZONING CODE PERTAINING TO 120-DAY IMPLEMENTATION PROGRAMS IN THE 2021-2029 HOUSING ELEMENT (PROJECT)

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE GENERAL PLAN UPDATE, DOWNTOWN SPECIFIC PLAN, AND HOUSING ELEMENT IMPLEMENTATION PROJECT

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, ADOPTING THE 2023 GENERAL PLAN AND THE DOWNTOWN SPECIFIC PLAN AS SHOWN IN EXHIBIT A, EXHIBIT B, EXHIBIT C, AND EXHIBIT D, AND RESCIND THE MISSION STREET SPECIFIC PLAN.

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, RESCINDING THE MISSION STREET SPECIFIC PLAN AS ADOPTED IN ORDINANCE NO. 2035

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING CHAPTER 36 (ZONING) OF THE CITY CODE OF THE CITY OF SOUTH PASADENA RELATED TO INCREASED DENSITY INCLUDING REZONING THE EXISTING FOCUSED AREA OVERLAY ZONE TO MIXED-USE OVERLAY ZONE AND INCREASING DENSITY IN THE RESIDENTIAL ZONING DISTRICTS, AND AMENDING THE ZONING MAP IN COMPLIANCE WITH THE UPDATED GENERAL PLAN AND THE 2021-2029 (6TH CYCLE) HOUSING ELEMENT

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING DIVISION 36.370 (AFFORDABLE HOUSING INCENTIVES) OF ARTICLE 3 (SITE PLANNING AND GENERAL DEVELOPMENT STANDARDS) OF CHAPTER 36 (ZONING) OF THE CITY CODE OF THE CITY OF SOUTH PASADENA TO REVISE REGULATIONS TO CONFORM TO STATE DENSITY BONUS LAW (CALIFORNIA GOVERNMENT CODE SECTION 65915)

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING CHAPTER 36 ARTICLE 2 DIVISION 36.22 AND CHAPTER 36 ARTICLE 3 DIVISION 36.350 OF THE CITY CODE OF THE CITY OF SOUTH PASADENA RELATING TO EMPLOYEE HOUSING

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING DIVISION 36.375 OF THE CITY CODE OF THE CITY OF SOUTH PASADENA CODE RELATING TO INCLUSIONARY HOUSING REQUIREMENTS

Recommendation

It is recommended that the City Council hold and conclude the continued hearings and consider the approval of the resolutions and introduce first reading of ordinances as follows:

- 1. Adopt a Resolution to certify and adopt the Program Environmental Impact Report (PEIR) prepared for the Project, make required findings, adopt Mitigation Monitoring and Reporting Program (MMRP), and adopt a Statement of Overriding Considerations;
- 2. Adopt a Resolution to adopt the General Plan and the Downtown Specific Plan (DTSP), inclusive of Planning Commission direction and errata revisions to both the General Plan and DTSP;
- 3. Introduce first reading of an Ordinance to rescind the Mission Street Specific Plan (MSSP) upon the effective date of the DTSP;
- 4. Introduce first reading of an Ordinance to amend the South Pasadena Municipal Code (SPMC) pertaining to rezoning of properties consistent with the new General Plan and the 2021-2029 (6th Cycle) Housing Element which will do the following:
 - a. Add Section 36.230.050 (Mixed-Use Overlay Development Standards) for the newly established Mixed-Use Overlay District;
 - b. Amend Section 36.250.340 (Focus Area Overlay District), to eliminate the Focus Area Overlay District and replace it with the newly established Mixed-Use Overlay District;
 - c. Increase density in the RM (Residential Medium Density), RH (Residential High Density), and Mixed-Use Overlay District in compliance with the Housing Element Programs;
 - d. Amend other Code Sections relating to ancillary changes to the SPMC regarding reference to the new DTSP, adoption of the new Zoning Map, and minor changes to the residential and commercial zoning district standards in relation to the rezoning; and,
 - e. Amend the Zoning Map to eliminate the Focus Area Overlay District and the MSSP boundary, and replace them with the Mixed-Use Overlay District and the DTSP boundary, respectively.
- Introduce first reading of an Ordinance to amend the South Pasadena Municipal Code Division 36.370 (Affordable Housing Incentives) to revise regulations to conform to State Density Bonus law (California Government Code Section 65915);
- 6. Introduce first reading of an Ordinance to amend the South Pasadena Municipal Code Division 36.220 (Residential Zoning Districts), Division 36.350 (Standards

for Specific Land Uses), and Division 36.700 (Definitions / Glossary), relating to Employee Housing; and,

7. Introduce first reading of an Ordinance to amend the South Pasadena Municipal Code Division 36.375 (Inclusionary Housing Requirements) relating to inclusionary housing requirements.

Planning Manager Matt Chang introduced Community Development Department staff: Director Frausto-Lupo, Deputy Director Alison Becker, Senior Planner Dean Flores and consultants Julian Niery and Kaiser Rangwala.

Planning Manager Chang presented on the item.

Senior Planner Dean Flores presented on the item.

City Attorney Roxanne Diaz joined the meeting.

Mayor Primuth opened the public hearing at 9:31 P.M.

In Person Comments:

Ed Elsner spoke regarding the data presented by the consultant.

Clarise Knapp spoke regarding the data presented by staff.

Mayor Primuth closed the public hearing at 9:37 P.M.

Health break at 9:50 P.M.

Returned from break at 10:07 P.M.

COUNCIL MOTION AND ACTION:

A motion was made by Councilmember Braun and seconded by Councilmember Cacciotti to adopt a resolution to certify and adopt the Program Environmental Impact Report prepared for the project, make required findings, adopt a mitigation monitoring reporting program, and adopt a statement of overriding consideration. The motion carried 4-1, by the following vote:

AYES:Braun, Cacciotti, Donovan Mayor PrimuthNOES:ZneimerABSENT:None.ABSTAINED:None.

Resolution No. 7832 was adopted.

A motion was made by Councilmember Braun and seconded by Mayor Primuth to adopt a resolution to adopt the General Plan and Downtown Specific Plan inclusive of errata as identified in the staff report with the exclusion of Table B3.2 and with revisions to remove any references to increased densities in the RM and RH designations. The motion carried 4-1, by the following vote:

AYES:Braun, Cacciotti, Donovan, Mayor PrimuthNOES:ZneimerABSENT:None.ABSTAINED:None.

Resolution No. 7833 was adopted.

A motion was made by Mayor Pro Tem Zneimer and seconded by Councilmember Braun to direct staff to work with HCD regarding revision to table 6-51 as well as review and address with HCD the commitment of density increases in the medium and high-density residential zones, and amendments to the Housing Element as appropriate. The City Attorney's Office is directed to reach out to Californians for Homeownership with regards the changes tonight. The motion carried 5-0, by the following vote:

AYES:	Braun, Cacciotti, Donovan, Zneimer, Mayor Primuth
NOES:	None.
ABSENT:	None.
ABSTAINED:	None.

A motion was made by Mayor Primuth and seconded by Mayor Pro Tem Zneimer to introduce an ordinance rescinding the Mission Street Specific Plan. The motion carried 5-0, by the following vote:

AYES:Braun, Cacciotti, Donovan, Zneimer, Mayor PrimuthNOES:None.ABSENT:None.ABSTAINED:None.

A motion was made by Councilmember Cacciotti and seconded by Councilmember Donovan to introduce an ordinance amending Chapter 36 of the South Pasadena Municipal Code related to the rezoning of the existing "focus area zone" to a new "mixed use overlay zone" and making other ancillary changes including amending the zoning map, however, excluding the proposed increases in density in the RM and RH designations and removing 36.220.020 C and D, and Section 36.220.040 Table 2-3 accordingly and authorize staff to make any other necessary conforming changes to ensure ordinance is internally consistent, including any conforming changes to the amended zoning map. The motion carried 4-0-0-1, by the following vote:

AYES:	Braun, Cacciotti, Donovan, Mayor Primuth
NOES:	None.
ABSENT:	None.
ABSTAINED:	Zneimer

A motion was made by Mayor Primuth and seconded by Councilmember Braun to introduce an Ordinance Amending Division 36.370 of the City's Municipal Code Related to Affordable Housing Incentives to Revise the Regulations to Conform to the State Density Bonus Law; an Ordinance to Amend Divisions 36.220, 36.350 and 36.700 of the City's Municipal Code Related to Employee Housing; and an Ordinance to Amend Division 36.375 of the City's Municipal Code Related to Inclusionary Housing Requirements and waive full reading. The motion carried 5-0, by the following vote:

AYES: NOES:	Braun, Cacciotti, Donovan, Zneimer, Mayor Primuth None.
ABSENT:	None.
ABSTAINED:	None.

A motion was made by Mayor Primuth and seconded by Councilmember Donovan to waive the full reading of all the ordinances previously introduced for first reading. The motion carried 5-0, by the following vote:

AYES:Braun, Cacciotti, Donovan, Zneimer, Mayor PrimuthNOES:None.ABSENT:None.ABSTAINED:None.

INFORMATIONAL REPORT

17. <u>REVIEW AND DISCUSSION OF AN INFORMATIONAL REPORT ON SENATE BILL</u> 329 AND SURVEY RELATED TO COUNCILMEMBER SALARIES

Recommendation

It is recommended that the City Council discuss the informational report on councilmember salaries in light of Senate Bill 329 (SB 329) and receive and file the report and survey.

Management Analyst Mary Jerejian introduced Management Intern Sophia Conchas to present the item.

Councilmember Cacciotti motioned to agendize this item for consideration following January 1, 2024.

18. PUBLIC SAFETY ANNUAL REPORTS

Fire Chief Riddle presented the Fire Annual Report.

Councilmember Cacciotti stated as we do this assessment and evolve into a 21st Century Fire Department that we look at this for efficiencies and efforts to save money while keeping the same outstanding service.

Councilmember Donovan thanked the Fire Department for their recent help at his home and appreciated they not only help with fire but educated us on how to clean up.

Police Chief Solinsky presented the Police Department Annual Report.

Councilmember Braun directed staff to provide a report on the electrification project and the plan for the replacement of the fleet.

PUBLIC COMMENT – CONTINUED

19. CONTINUED PUBLIC COMMENT – GENERAL

None.

COMMUNICATIONS

20. COUNCILMEMBER COMMUNICATIONS

Councilmember Donovan had no comments.

Councilmember Braun had no comments.

Mayor Pro Tem Zneimer had no comments.

Mayor Primuth had no comments.

Councilmember Cacciotti gave a presentation on his recently attended events and meetings. He went on to highlight the negative effects of volatile organic compounds (VOCs) and particulate matter's effects our kids, families, people that have compromised immune systems or breathing issues. He announced upcoming launch of the tesla police vehicles, which the public can expect to see in the next coming days or weeks. He highlighted his attendance at a local farmers market and a recent event held by Congresswoman Judy Chu. He highlighted Wells Fargo's adherence to the Gas-Powered Lear Blower Ban. Lastly, he highlighted his travels to Denmark with

AQMD to investigate the most advance Marine Ports in the world with the hopes that we can implement their features here.

21. CITY MANAGER COMMUNICATIONS

Assistant to the City Manager Tamara Binns announced the revisiting of the Strategic Plan for public input.

ADJOURNMENT

There being no further matters, Mayor Primuth adjourned the Special Meeting of the City Council at 11:45 P.M. The City Council reconvened into closed session.

Respectfully submitted:

Mark Perez Deputy City Clerk

APPROVED:

Jon Primuth Mayor

ATTEST:

Mark Perez Deputy City Clerk

Approved at City Council Meeting:

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City of South Pasadena Public Works



Date: December 5, 2023

To: The Honorable City Council

Via: Arminé Chaparyan, City Manager

From: Ted Gerber, Public Works Director

Subject: December 6, 2023 City Council Meeting Item No. 14: Consideration of a Purchase of an Asphalt Repair Vehicle for the Public Works Department in the amount of \$420,952 from Bergkamp Pavement Preservation Solutions Utilizing the Houston Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program

This memorandum outlines revisions made to Item 14 – Attachment 1, presenting revised recommendations:

It is recommended that the City Council consider:

- Approving the purchase of a FP5 Flameless Pothole Patcher asphalt repair vehicle from Bergkamp Pavement Preservation Solutions (Bergkamp) in the amount of \$420,952 \$435,734, including taxes and fees; and approve the use of the H-GAC Cooperative purchasing program for the procurement pursuant to Municipal Code Section 2.99-29(19) and the City's Purchasing Policy;
- Appropriating \$60,952 \$67,867 from the Water Enterprise Fund into Public Works Water Distribution Vehicles and Equipment Account No. 500-6010-6710-8540-000 to partially fund the purchase of the vehicle; and
- Appropriating \$60,000 \$67,867, from the Measure M Local Return Fund into a new Public Works Measure M Vehicles and Equipment Account No. 236-6010-6011-8540-000 to partially fund the purchase of the vehicle.

The correction is related to a revised quote included as an attachment to this memorandum. The previous quote did not include \$14,782 for the vehicle InPAVE attachment. InPave is a telematics system that automatically gathers performance data for the patcher and patching materials as they repair potholes. This data can be imported into different GIS systems, allowing for the generation of various reports.

Attachment - Bergkamp Pavement Preservation Solutions Revised Quote



Date

Prepared:

Buying City Co							
Agency: City of S	South Pasadena CA		Contractor:	Bergkamp Inc,			
Contact Person:			Prepared By:	Adam Neuse			
Phone:			Phone:	713-580-8148			
Fax:			Fax:				
Email:			Email:	adam.neuse@h	oustonfreightlin	ier.com	
Product D'	7 Description: M2-112, Co	onventional Cab, S	SBFA, TRA	(PRL-20M)			
-	e Unit Price Per Contractor's	H-GAC Contra	ct:				111749
B. Published Option	s - Itemize below - Attach addi as are options which were submitted	itional sheet(s) i	f necessary -	Include Option	n Code in des	cription if appl	icable.
	Description	Cost		Descr	iption		Cost
3000 RDS AUTOMATI	IC TRANSMISSION	5762	Premium Cab	Insulation			140
DA-F-13.3-3 13,300 LB	FRONT AXLE	190	Premium Hig	h Back Driver Sea	at		318
13,300 LB TAPERLEA	F FRONT SUSPENSION	235	5 Premium High Back Passenger Seat				338
224" Wheelbase		835	5 Adjustable Steering Column				359
11/32x3-1/2x10-3/16" F	398	8 Back Up Alarm				33	
L9N 320 HP N-GAS, 10	000 LB FT TQ	26938	Enhanced Stability Control				851
Trailer Towing Package	812	2 AM/FM/WB Radio with Bluetooth				368	
Driver Controlled Differ	rential Lock (One Axle)	551	ING	30101	TON		
Air Cab Mounts	91	BERGKAMP FP5 FLAMELESS PATCHER					
Dual West Coast Mirror	s w/LH-RH Remote	215	AS DESCRIBED IN THE ATTACHED WORKSHEET			KSHEET	195603
LH/RH 8" Bright Conve	ex Fender Mirrors	104	Subtotal From Additional Sheet(s):			ional Sheet(s):	
LH/RH Electric Window	NS	164	Subtotal B:			234305	
*	ions - Itemize below / attach ad ions are items which were not submi	·····	·				
	Description	Cost		Description			Cost
BENDIX LANE GUIDA OFF TIMFOUT	ANCE SYSTEM WITH 15 MINUT	E 1752					
				Subtotal From Additional Sheet(s):			(
						Subtotal C:	1752
Check: Total cost of U	Jnpublished Options (C) cannot exc Unit Price plus Published Options		tal of the Base	For this tra	nsaction the pe	ercentage is:	1%
D. Total Cost Before A	ny Applicable Trade-In / Other A	llowances / Disco	unts (A+B+C)			
Quantity Ord	lered: 1	X Subtotal	of $A + B + C$	347806	=	Subtotal D:	347806
E. H-GAC Order Proc	essing Charge (Amount Per Curre	ent Policy)				Subtotal E:	1500
F. Trade-Ins / Special J	Discounts / Other Allowances / Fro	eight / Installation	n / Miscellane	ous Charges			
	Description	Cost	Description			Cost	
Freightliner St	tandard Destination Charge	3375					
AGILITY 80 DO	GE CNG FUEL TANKS BOC	42524	ADD	CALIFORNIA S	ALES TAX @	10.25%	40,528.5
						Subtotal F:	86427.5
	Delivery Date:	9/30/2024		G. Total Pure			



MAKE ROADS BETTER

PRESENTATION

CITY OF SOUTH PASADENA, CALIFORNIA

DECEMBER 6, 2023

bergkampinc.com

Bergkamp, Inc. FP5 Flameless

All-In-One Mechanical Hot Mix Pothole Patcher



A.D. - 132

Property of Bergkamp, Inc.

CONFIDENTIAL



- -LADIES AND GENTLEMEN OF THE COUNCIL- WE ARE PROUD TO INTRODUCE OUR FP5 BEING CONSIDERED FOR PURCHASE BY YOUR CITY.
- THIS TRUCK MOUNTED HOT MIX UNIT CARRIES ALL TOOLS AND MATERIALS FOR OPERATORS TO ACCOMPLISH PERMANENT AND PROFESSIONAL ASPHALT REPAIRS



THE FP5 WAS ORIGINALLY INTRODUCED IN 2001 TO REPLACE AN EARLIER PROPANE HEATED MODEL AND NOW THERE ARE HUNDREDS OF FP5'S WORKING IN NORTH AMERICA AND WORLDWIDE.

TODAY, THE FP5 REMANS THE ONLY MACHINE OF ITS TYPE TO OFFER ELECTRIC HEATING OF MATERIALS DURING WORKING AND NON WORKING HOURS



- THE ONLY MACHINE OF ITS TYPE TO
- OFFER ELECTRIC HEATING OF MATERIALS DURING WORKING AND NONWORKING HOURS.
- THE FP5 WAS ORIGINALLY INTRODUCED IN 2001 AND NOW THERE ARE HUNDREDS OF FP5'S WORKING IN NORTH AMERICA AND WORLDWIDE.



• TO COMPLY WITH STATE OF CALIFORNIA MANDATES, THE FP5 WILL BE MOUNTED ONTO A SINGLE AXLE FREIGHTLINER TRUCK WITH CNG FUEL TANKS



HOT MIX PATCHING STEPS AS OUTLINED BY THE US CORP OF ENGINEERS

• USE PAVEMENT BREAKER TO BREAK UP THE ASPHALT AROUND THE AREA AROUND THE POTHOLE. IMPORTANT TO HAVE GOOD CONTAINERIZATION FOR THE MIX.





STEP 2

 REMOVE THE DAMAGED ASPHALT FROM THE REPAIR AREA AND THROW INTO THE MACHINE'S REAR OR SIDE SPOILS BIN



A.D. - 138



KE ROADS STEP 3- CLEAN AREA WITH THE FP5 'S COMPRESSED AIR TO PROMOTE BETTER ADHESION BY TACK COAT





STEP 4

• APPLY A THIN LAYER OF TACK COAT WHICH IS THE "ADHESIVE" TO HOLD THE HOT MIX IN PLACE





STEP 5 DELIVER THE MIX





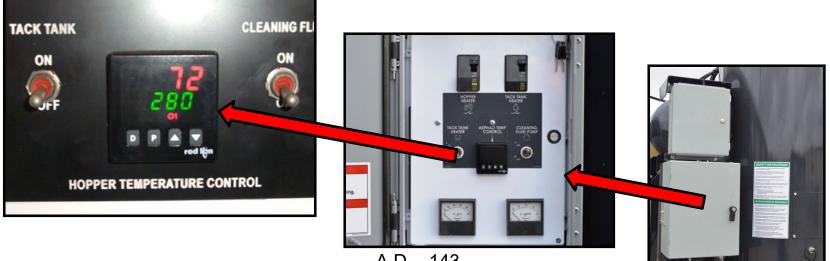


All Electric Power Plant

Onboard Power Source is a Hydraulically Driven 230 VAC, 42 A Electric Generator

Hopper Heater Includes Thermostatic Controller, Displaying Set-Point & Actual Temperature; 40 A GFCI that trips at 5 mA for Operator's Safety and Protection





A.D. - 143

Property of Bergkamp, Inc.

CONFIDENTIAL

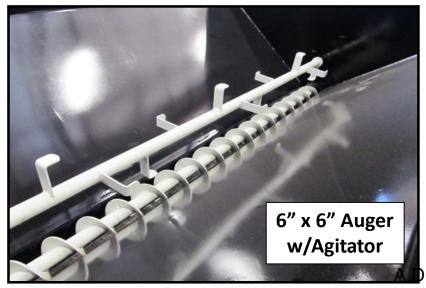
Asphalt Hopper

5.1 yd³ Insulated Hopper w/50° Slopes Encased in a Double-Steel Jacket 2, 220 VAC 4 kW Electric Element Heaters

Hopper Doors are Insulated in Double-Layered Steel Construction Hydraulically Operated from Controls Accessible From Ground Level









Property of Bergkamp, Inc.

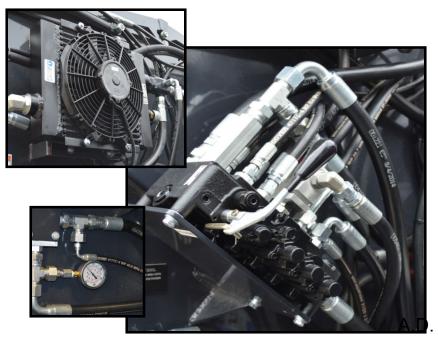
CONFIDENTIAL

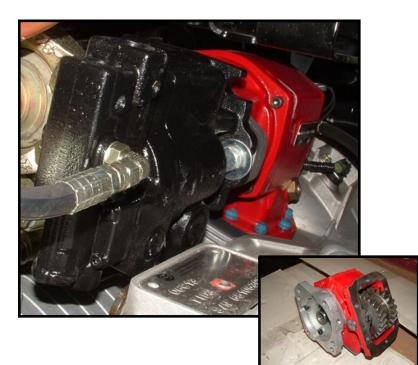
Hydraulics System

25 Gallon Steel Hydraulic Reservoir

PTO to Match Chassis, 21 hp Minimum w/In-Cab On / Off Control

Variable Volume Single Stage Piston Pump, Direct Mounted to Heavy-Duty Clutched-Drive and Single Speed <u>Wet Spline PTO</u>





Hoses Rated to 3000 psi

Multi-Spool Control Valves for All Functions, w/Built-In Adjustable Relief.

Auxiliary Hydraulic Circuit w/Quick Coupling Attachment & Controls at Operator's Station

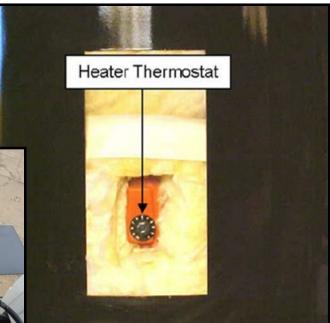
Property of Bergkamp, Inc.

Emulsion Tank & Applicator

80 Gallon (or 120) ASME Asphalt Emulsion Tank 2.0" of Insulation; 230 VAC Thermostatically Controlled, w/1000 W Silicone Drum Heat Band KEY: NO Direct Contact w/Emulsion!

6.4" x 8" Opening for Easy Fill & Inspection Pressure Relief Valve Cleaning Fluid Valve For Tack Wand

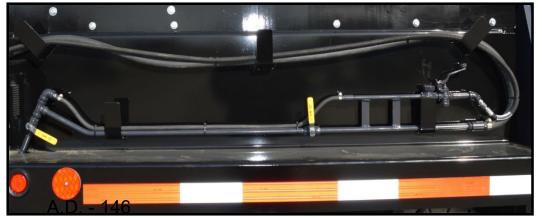




Self Cleaning Tack Wand System!

- Pressurized Air to clean out the pothole
- Change-over to spraying Tack instantly
- Push <u>all</u> remaining Tack still in line, back to the Heated Emulsion Tank
- Run Cleaning Fluid through same line with the turn of a valve
- > Available on a retractable Hose Reel
 - 1 Wand 1 System Never Clogged!

Property of Bergkamp, Inc.

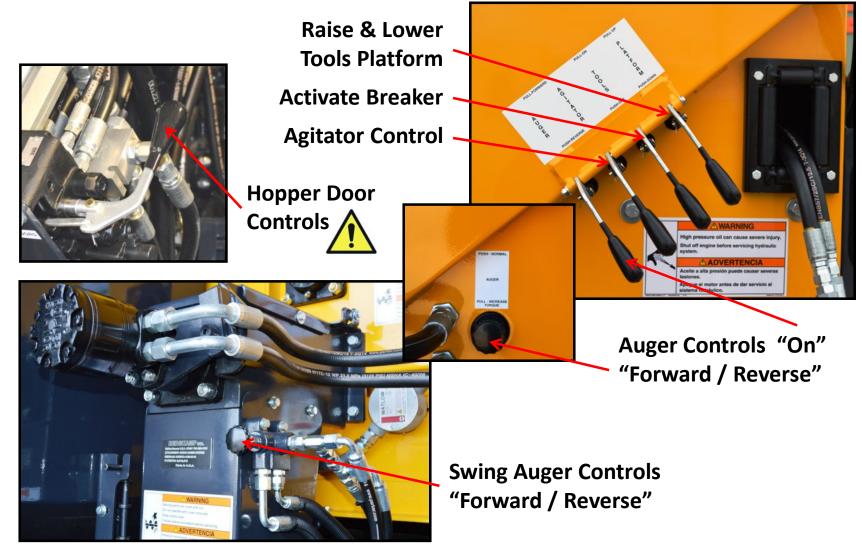


PIVOT TACK SYSTEM DESIGNED TO KEEP AIR/TACK LINES ABOVE OPERATOR AND AVOID TRIPPING HAZARDS IN TRAFFIC





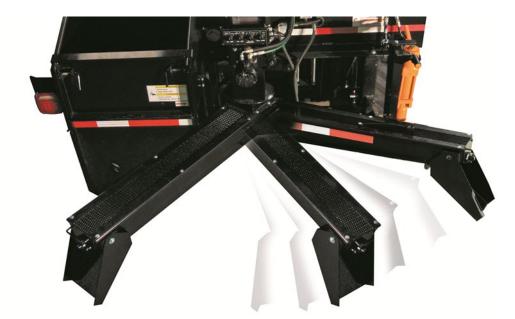
External Operator Controls



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Property of Bergkamp, Inc.

THE FP5 PATENTED SWING AUGER DESIGNED TO PLACE MATERIAL EXACTLY WHERE NEEDED WITHOUT EXCESSIVE SHOVELING AND DESIGNED FOR SHOULDER REPAIRS





Rear Lift Platform

Platform Easily Lowers to Ground to Avoid Having to Lift Heavy Breaking or Compacting Equipment!

Available with a Stanley 67# Breaker, and either a Wacker Plate Compactor or a Bomag Single Drum Roller





Hydraulic Breaker Features 25' of Retractable Hose

Property of Bergkamp, Inc.

Access Platform

The Bergkamp FP5 has the Largest, Safest Access Platform Available!

Excellent Visibility into Hopper Safe and Easy Access to All Tanks w/Safety Tread Stairs & Handrails

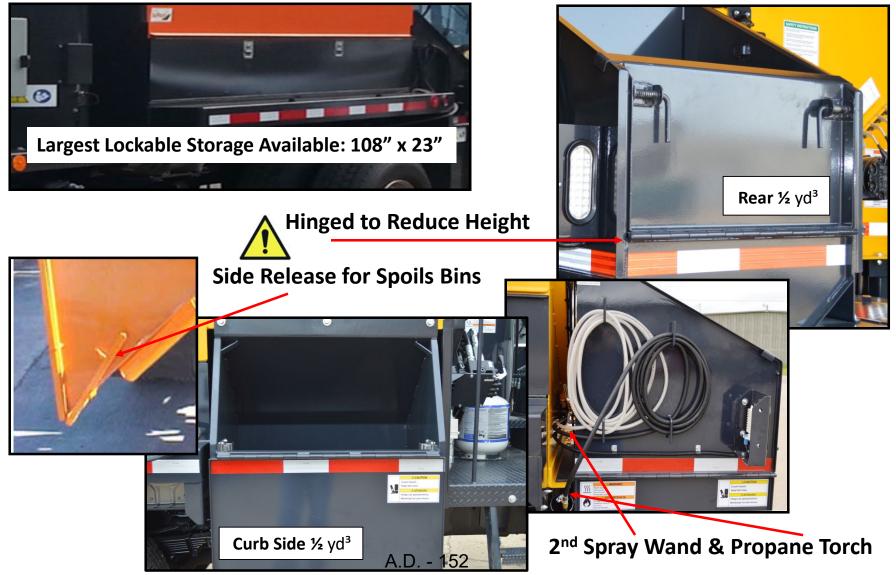
- 80 Gallon Tack Tank
- Hydraulic Fluid Tank
- Air and Water Tanks
- Cleaning Fluid Tank

Use the Spray Wand located at the front of the hopper to spray down your hopper before taking on fresh material. Eliminate material sticking to the hopper walls!



Property of Bergkamp, Inc.

Storage and Spoils Bins



Property of Bergkamp, Inc.



THE BERGKAMP FP5 FLAMELESS PATCHER

THANK YOU FOR YOUR KIND CONSIDERATION OF OUR MACHINE

• BERGKAMP INC WOULD BE HONORED TO SERVE YOUR CITY IN THE FUTURE.



Aerial View of the FP5



A.D. - 154

From:	John C.
To:	City Council Public Comment
Subject:	Email Public Comment for Agenda 17 for December 6, 2023 South Pasadena City Council Meeting
Date:	Saturday, December 2, 2023 1:18:28 PM

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 South Pasadena Mayor Jon Primuth, Mayor Pro Tem Evelyn Zneimer, Councilmember Jack Donovan, Councilmember, Michael Cacciotti, and Councilmember Janet Braun

Please Approve Agenda Item 17. This agenda item is important because it would help the city of South Pasadena pay for the electric vehicles infrastructure, the 10 Tesla Model Y's and Tesla Model 3's being lease by Enterprise for the South Pasadena Police Department and other electric vehicles purchase by the city of South Pasadena.

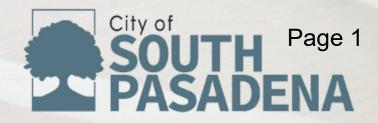
From, John South Pasadena Resident

Sent from Yahoo Mail on Android

AQMD & MSRC Transformative Transportation Strategies & Mobility Solutions Program Grant Award

December 6, 2023

Prepared By: South Pasadena Public Works Department



Overview

- May 2022 MSRC releases Program Opportunity Notice for the Transformative Transportation Strategies & Mobility Solutions Program
- Aug 2022 19 responses received including South Pasadena's
- Nov 2022 City submitted sole proposal as requested by MSRC
- May 2023 AQMD approved contract award of \$499,789 per MSRC's recommendation
 - SCAQMD = South Coast Air Quality Management District
- MSRC = Mobile Source Air Pollution Reduction Review Committee

Page 2

50% Match of Program Funds

Cost Breakdown

Procurement Category	Maximum AB2766 Discretionary Funds payable under this Agreement	Other Funds Applied to Match	Total Cost	
Tesla Model Y police patrol	\$81,009 (down payment)	\$81,009	\$162,018	
vehicles (If less than 10 vehicles	\$316,080 (in ten			
are procured, payments shall be pro-rated)	equal installments of \$31,608 to be paid semi-annually)	\$316,080	\$632,160	
Police patrol vehicle	\$0	\$96,129 (down payment)	\$96,129	
aftermarket upfitting	\$0	\$409,170 (over life of lease)	\$409,170	
Tesla Model 3 police administration vehicles	\$ 0	\$630,522	\$630,522	
Police-dedicated Level II charging stations	\$2,700 (installation costs)	\$260,495 (all other costs)	\$263,195	
Emergency-response-dedicated Level III charging station	\$100,000	\$125,000	\$225,000	
Staff/public Level II charging stations	\$0 A D 158	\$295,706	\$295,706	
Totals	\$499,789	\$2,214,111	\$2,713,900	

Civic Center / City Hall

Legend

7 New Police Dual Port Level 2 EV Chargers (14 Ports) 2 New Police Single Port Level 2 EV Chargers (2 Ports) 2 New Fire Dual Port Level 2 EV Chargers (4 Ports) 6 New Public Dual Port Level 2 EV Chargers (8 Ports) 2 New Public Single Port Level 2 EV Chargers (2 Ports) Existing Level 3 MSRC Funded EV Charger (2 Ports) New Level 3 Dual Port Level 3 Charger (2 Ports) New SCE Installed Transformer New SCE Installed Distribution Pedestal New ADA Van Accessible Loading



A.D. - 159

ESTIMATED EQUITY LEASE COSTS - REVISED

VEHICLE	VEHICLE PURCHASE PRICE (VPP)	AFTERMARKET COST FROM UNPLUGGED (INCLUDED IN CAPITALIZED COST)	25% CAPITALIZED PRICE REDUCTION (MONEY DOWN: VPP + AFTERMARKET)	AVERAGE GAIN ON PRIOR FROM SELLING 20 CITY- OWNED VEHICLES*	MONTHLY LEASE PAYMENT WITH TAX	QUAN- TITY	TOTAL MONTHLY COST x QTY	ANNUAL COST x QTY	TOTAL MONEY DOWN x QTY
2022 TESLA MODEL Y PATROL	\$56,696	\$47,005	\$26,735	\$6 <mark>,</mark> 970	\$1,656	9	\$14,900	\$178,802	\$240,611
2022 TESLA MODEL Y K9	\$56,696	\$49,986	\$27,556	\$6 <mark>,</mark> 970	\$1,680	1	\$1,680	\$20,156	\$27,556
2022 TESLA MODEL 3 DETECTIVE	\$49,940	\$6,324	\$12,440	\$6 <mark>,</mark> 970	\$826	9	\$7,431	\$89,172	\$111,958
2022 TESLA MODEL 3 CADET	\$49,940	\$8,559	\$12,999	\$6 <mark>,</mark> 970	\$862	1	\$862	\$10,347	\$12,999
*Added proceeds of sale from auction of old vehicles, dependent on infrastucture completion						20	\$24,873	\$298,477	\$393,123

Annual Costs: Year 1 Cost: \$691,601

\$1,885,509_{A.D. - 160}

Years 2, 3, 4, & 5: \$298,477

Total Cost:

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Infrastructure Costs		<u>One-Time</u>	<u>/</u>	Annual	2	Sub-total	<u>Total</u> \$ 477,538
Level 2 Infrastructure & 1-Year Maintenance					\$	197,063	
Police	\$	80,734	\$	11,278			
Fire	\$	19,509	\$	2,506			
Public	\$	73,010	\$	10,025			
Level 2 Rebates					\$	(24,650)	
Police	\$	(11,600)	\$	-			
Fire	\$	(2,900)	\$	-			
Public	\$	(10,150)	\$	-			
Level 3 Infrastructure & 1-Year Maintenance (Pol	ice)			\$	251,500	
Design Engineering & Support	\$	50,000	\$	-			
Device Purchase	\$	100,000	\$	-			
Device Installation & Electrical Infrastructure	\$	100,000	\$	-			
Network	\$	-	\$	500			
Maintenance	\$	-	\$	1,000			
Project Administrative Costs					\$	53,625	
Police Coordination Consulting (est. 75%)	\$	40,219	\$	-			
Other Coordination Consulting (est. 25%)	\$ A.	13,406 D 161	\$	-			-

	One-Time	<u>Annual</u>	<u>Sub-total</u>	<u>Total</u>	
Annual Savings & New Revenue (approximations based on operating assumpt	tions)			\$	(65,867)
Gasoline Costs v. Electricity Savings	\$ -	\$ (28,663)	\$ (28,663)		
Maintenance Savings	\$ -	\$ (16,500)	\$ (16,500)		
Low Carbon Fuel Standard Credits	\$ -	\$ (20,705)	\$ (20,705)		
Charging Revenue	\$ -	\$ (22,075)	\$ (22,075)	\$	(22,075)

\$ (499,789)

MSRC Grant			\$ (499,789)
MSRC Grant Level 2 Contribution	\$ (2,700)	\$ -	
MSRC Grant Level 3 Contribution	\$ (100,00)	\$ -	
MSRC Grant Patrol Down Payment Contribution	\$ (81,009)	\$ -	
MSRC Grant Patrol Lease Contribution	\$ (316,080)	\$ -	

SOUTH PASADENA CITY HALL

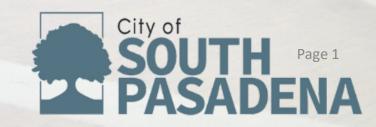
Questions?

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City Council Communications

December 6, 2023 Councilmember Michael A. Cacciotti



Recent Meetings/ Community Highlights

SOUTH PASADENA CITY HALL











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PASADENA















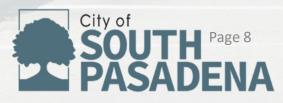




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Recent Meetings/ Community Highlights





