



Additional Documents Distributed for the City Council Special Meeting March 30, 2016

Item No.	Agenda Item Description	Distributor	Document
Closed Session	Closed Session – Public Comments	Christopher Sutton, Attorney for Mark and Roberta Nansen	Handout, Letter from CSutton to City Attorney Highsmith, dated 03/29/2016
3	Community Center	Sheila Pautsch, Community Services Director	PowerPoint, Staff Presentation
3	Community Center	Anthony J. Mejia, Chief Deputy City Clerk	Memo to Council
3	Community Center	Joanne Nuckols, South Pasadena Resident	Email to Council
3	Community Center	Tanya Parker, South Pasadena Resident	Email to Council
3	Community Center	Suzie Abajian, South Pasadena Resident	Email to Council
3	Community Center	Claudia Morales, Healthy South Pasadena Coalition	Email to Council
3	Community Center	Harry Knapp, South Pasadena Resident	Email to Council
4	Library Operations Study	Joe Matthews, Consultant	PowerPoint, Consultant Presentation

LAW OFFICE OF
CHRISTOPHER SUTTON
586 LA LOMA ROAD
PASADENA, CALIFORNIA 91105-2443
TELEPHONE (626) 683-2500 ... FACSIMILE (626) 405-984
Email: christophersutton.law@gmail.com

COPY

Tuesday, March 29, 2016

City Attorney Teresa Highsmith
City of South Pasadena
Colantuono, Highsmith & Whatley, PC
300 S. Grand Avenue, Suite 2700
Los Angeles, California 90071

Telephone: 213-542-5700
Facsimile: 213-542-5710
sent by email to: thighsmith@chwlaw.us

Re: "Deal Points" Proposed by Mark Nansen and Roberta Nansen

Ms. Highsmith:

Thank you for your several emails on the topic of settlement. This letter also is sent in direct contemplation of a settlement of all issues pending or suspected between my clients and the City of South Pasadena. My clients suggest that the following issues be listed, resolved, or processed as follows as part of the global settlement:

Historical Record

1. The Nansens will recite their chronology of the events since 2007, but the City will neither admit nor reject nor comment on this recitation. This will not be binding on the City.

Zoning and Building Permit Issues

2. The parties will agree and stipulate in the settlement document to the following fact: At no time has there been any formal determination by any City body or City hearing officer that any improvements on Lot 8 or Lot 9 violated any law at the time it was installed or at any time between then and through the date the settlement agreement is signed by all parties.
3. An outside planning firm will be agreed to by all parties and paid directly by the Nansens. The firm will not have performed any work for the City of South Pasadena or any City where the City's current and former City Attorneys are now the City Attorneys of South Pasadena. That outside firm will undertake all review, staff reports and inspections related to the two Hillside Development Permit ("HDP") applications and all other permit applications by the Nansens. Neither John Mayer, David Watkins, Craig Melicher, nor anyone associated with Transtech will participate in these processes. At all times the firm will communicate equally, fully, and simultaneously with the City and the Nansens during its review.

Closed Session - Sutton
Additional Material
AGENDA ITEM # PC
3/30/16 City Council Mtg.

Re: “Deal Points” Proposed by Mark Nansen and Roberta Nansen

4. City Prosecutor Jamaar Boyd-Weatherby will not participate in or communicate in any manner with any City employee, any employee at the outside planning firm, any Planning Commissioner, or any City Council Member regarding the Nansens' pending applications.
5. On or before April 11, 2016, the City will provide to counsel for the Nansens, Chris Sutton, the following documents:
 - a. The ordinance (if any) which deleted the 400 SF exemption for pergolas from SPMC 107.2 in the building code (date of this ordinance is needed);
 - b. The prior and existing code sections for swimming pools and any fencing standard and the ordinance which amended these provisions to add fencing, if any.
 - c. Code sections for closed-loop spa systems. City code official Pereira said such closed loop systems are permit exempt.
 - d. The pertinent prior building, plumbing, electrical, mechanical, and zoning code sections as they existed prior to the adoption of Ordinance No. 2190, including any prior and changed definitions.

Lot 8 (1948 Peterson Avenue vacant parcel) Hillside Development Permit and Permits

6. The City Planning Department staff will deem “complete” the 2015-2016 HDP application for the Lot 8 improvements (non-residence lot, Case No. 1850-HDP), and will set a Planning Commission hearing during April or May 2016. Chris Sutton as agent for Mark Nansen will make the following modifications to the 2015-2016 HDP application for Lot 8 so that it will be deemed complete:
 - a. No wall height will be changed from the current as-built height.
 - b. All diagrams and materials applicable to Lot 8 from the prior 2014 HDP application will be incorporated by reference into the 2016 application.
 - c. Certify that no soil or rock export or import will occur, except possibly between Lot 8 and Lot 9.
 - d. Certify that Mark Nansen is the sole and only owner of Lot 8.
 - e. No existing items near, at, or crossing the property line between Lot 8 and Lot 9 will be removed or altered.
 - f. Certify that all grading on Lot 8 and Lot 9 occurred before 1998 or was part of the original grading associated with the 1986-1987 house construction on Lot 9. That is, no grading requiring a grading permit occurred on Lot 8 after January 1, 1998.
7. At least 20 days prior to the first Planning Commission hearing, the City will identify any other item or items on Lot 8 the City believes needs a permit and/or may be included in the 2015-2016 HDP application, and such items will be added in detail to the matters considered by the Planning Commission for Lot 8. Absent such a listing of added items, the parties agree that as of the date the formal Settlement Agreement is signed there are no other improvements or items on Lot 8 that are unresolved or un-permitted.

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8. The settlement agreement will address the applicability of Section 107.2 and Ordinance 2190 for the spa and pergola (if it is on Lot 8) and list all the current SPMC code sections which apply.
9. The City staff will not recommend to the Planning Commission or City Council that there be any "deputy inspector" present during work or inspections on Lot 8 under the HDP. No such requirement will be imposed.
10. The City staff will not recommend to the Planning Commission or City Council that there be a "lot tie" recorded as to Lot 8 or Lot 9 under the HDP. No such requirement will be imposed.
11. The following specific improvements on Lot 8 will be resolved as follows, and the City staff will recommend the following to the Planning Commission and City Council:

The **Soils Report** submitted previously by the Nansens will be deemed sufficient for Lot 8 and Lot 9. No further soils analysis or engineering will be required related to soil. No soils report will be required to confirm or verify the prior report.

Item No. 1 (Lot 8) - **electrical box**, 2013 Permit No. 030947, inspected and finalized. No further action will be taken on Item No. 1 other than its listing in the HDP as no further action required.

Item No. 2 (Lot 8) - **electrical box**, 2013 Permit No. 030947, inspected and finalized. No further action will be taken on Item No. 2 other than its listing in the HDP as no further action required.

Item No. 3 (Lot 8) - **2011 Metal Arbor Frame**, 12.00' high at center, no fabric cover in place. The City believes this is an accessory structure of 290 SF. To the extent that it does not comply with the 2011 version of SP Building Code section 107.2 it will be removed or reduced to below 200 SF (further permit required - engineer's report re earthquake and wind tolerance), or if below 120 SF, no further permit required. Ultimate form or removal to be confirmed in HDP.

Item No. 4 (Lot 8) - **1987 Lower Planter Wall**, 1.66 to 2.33' high, stacked interlocking blocks, no mortar or rebar used, permit exempt, and to be so confirmed in HDP as no further action required. No "geo-grid fabric" used because it is too short. Area was graded as part of 1986-1987 house construction on Lot 9.

Re: “Deal Points” Proposed by Mark Nansen and Roberta Nansen

(11.) **Item No. 5** (Lot 8) - **2001-2002 Upper Planter Wall**, 5.66' high, stacked interlocking blocks, no mortar or rebar used replaced 1986-1987 railroad ties. Area was graded as part of 1986-1987 house construction on Lot 9. To be processed and confirmed in the HDP under “Plan B” outlined by City Attorney Highsmith on March 11, 2016: No “geo-grid fabric” was used because behind this wall is a rock formation, and such conditions are not within the specifications of “geo-grid fabric.” An engineer for the Nansens submitted a letter to the City in 2015 which certified to the integrity and benefits of this block wall. Mark Nansen and the City will sign and record a notice that it was built without permits, but the City is not requiring permits based on the engineer’s letter, which will be attached to the recorded notice. All non-exempt walls to be processed via Plan B.

Item No. 6 (Lot 8) - **1987 Planter Wall**, 1.66' to 5.00' high, stacked interlocking blocks, no mortar or rebar used replaced 1986-1987 railroad ties. Area was graded as part of the 1986-1987 house construction on Lot 9. To be processed and confirmed in the HDP under “Plan B.”

Item No. 7 (Lot 8) - **2007 Planter Wall (semi circle)**, 2.33' high, stacked interlocking blocks, no mortar or rebar used, permit exempt, and to be so confirmed in HDP as no further action required. No “geo-grid fabric” used because the wall is too short.

Item No. 8 (Lot 8) - **2007 Planter Wall**, 5.00' high, stacked interlocking blocks, no mortar or rebar used replaced 1986-87 railroad ties. Area was graded as part of the 1986-1887 house construction on Lot 9. To be processed and confirmed in the HDP under “Plan B.”

Item No. 9 (Lot 8) - **2010 Planter Wall**, 3.00' high, stacked interlocking blocks, no mortar or rebar used, permit exempt, and to be so confirmed in HDP as no further action required. Area was graded as part of the 1986-1987 house construction on Lot 9. No “geo-grid fabric” was used because the wall is too short.

Item No. 10 (Lot 8) - **2006-2007 Planter Wall**, 4.33' to 5.00' high, stacked interlocking blocks, no mortar or rebar used replaced the 1986-1987 railroad ties. Area was graded as part of 1986-1987 house construction on Lot 9. To be processed and confirmed in the HDP under “Plan B.”

Item No. 11 (Lot 8) - **2010 Planter Wall**, 3.00' to 3.66' high, stacked interlocking blocks, no mortar or rebar used replaced 1986-1987 railroad ties. Area was graded as part of 1986-1987 house construction on Lot 9. To be processed and confirmed in the HDP under “Plan B.”

Re: "Deal Points" Proposed by Mark Nansen and Roberta Nansen

(11.) **Item No. 12** (Lot 8) - **2010 Planter Wall**, 2.00' high, stacked interlocking blocks, no mortar or rebar used, permit exempt, and to be so confirmed in HDP as no further action required. Area was graded as part of 1986-1987 house construction on Lot 9. No "geo-grid fabric" was used because the wall is too short.

Item No. 13 (Lot 8) - **2010 Planter Wall**, 4.33' to 5.00' high, stacked interlocking blocks, no mortar or rebar used replaced 1986-1987 railroad ties. Area was graded as part of 1986-1987 house construction on Lot 9. To be processed and confirmed in the HDP under "Plan B."

Item No. 14 (Lot 8) - **2010 Planter Wall**, 3.00' to 5.00' high, stacked interlocking blocks, no mortar or rebar used replaced 1986-1987 railroad ties. Area was graded as part of 1986-1987 house construction on Lot 9. To be processed and confirmed in the HDP under "Plan B."

Item No. 15 (Lot 8) - **2010 Patio Wall**, 3.00' to 4.33' high, stacked interlocking blocks, no mortar or rebar used replaced 1986-1987 railroad ties. Area was graded as part of 1986-1987 house construction on Lot 9. To be processed and confirmed in the HDP under "Plan B."

Item No. 16 (Lot 8) - **2010 Planter Wall**, 2.00' high, stacked interlocking blocks, no mortar or rebar used, permit exempt, and to be so confirmed in HDP as no further action required. Area was graded as part of 1986-1987 house construction on Lot 9.

Item No. 17 (Lot 8) - **2010 Planter Wall**, 2.66' high, stacked interlocking blocks, no mortar or rebar used, permit exempt, and to be so confirmed in HDP as no further action required. Area was graded as part of 1986-1987 house construction on Lot 9.

Item No. 18 (Lot 8) - **2010 Steps and Landing**, 2.50' high, stacked interlocking blocks, no mortar or rebar used, permit exempt, and to be so confirmed in HDP as no further action required. Area was graded as part of 1986-1987 house construction on Lot 9.

Item No. 19 (Lot 8) - **Poured Concrete 2010 Walkway and Steps**, permit exempt, and to be so confirmed in HDP as no further action required. Area was graded as part of 1986-1987 house construction on Lot 9.

Item No. 20 (Lot 8) - **2010 Four Steps**, 2.50' high, stacked interlocking blocks, no mortar or rebar used, permit exempt, and to be so confirmed in HDP as no further action required. Area was graded as part of 1986-1987 house construction on Lot 9. No "geo-grid fabric" was used because the wall is too short.

Re: "Deal Points" Proposed by Mark Nansen and Roberta Nansen

(11.) **Item No. 21** (Lot 8) - **2010 Planter Wall**, 1.00' to 3.00' high, stacked interlocking blocks, no mortar or rebar used, permit exempt, and to be so confirmed in HDP as no further action required. Area was graded as part of 1986-1987 house construction on Lot 9. No "geo-grid fabric" was used because the wall is too short.

Item No. 22 (Lot 8) - **2007 Stepped Wall**, 3.33' high, stacked interlocking blocks, no mortar or rebar used replaced 1986-1987 railroad ties. Area was graded as part of 1986-1987 house construction on Lot 9. To be processed and confirmed in the HDP under "Plan B."

Item No. 23 (Lot 8) - **1987 Wooden Railroad Tie Garden Wall**, 0.66 to 4.66' high, no mortar or rebar used, permit exempt, and to be so confirmed in HDP as no further action required. Area was graded as part of 1986-1987 house construction on Lot 9. Railroad ties installed as part of 1986-1987 house construction. On October 22, 2015, Mayer and Melicher stood on the level area supported by the railroad ties and said it was a pre-1998 improvement and no further permit was required.

Item No. 24 (Lot 8) - **2009 City's Poured Concrete & Cinder Block Wall** with rebar, footing & grading was installed on the Nansen property in 2009 by Excel Paving without any consent. It is 6.08 to 7.42 feet tall. Mark Nansen will submit his survey showing this wall is located on Lot 8. Imbedded boundary markers are located west of this City wall on the curb, showing that the wall is outside the City right-of-way and within Lot 8. The City will obtain and pay for at its own expense a soils and engineering report that the wall complies with standards for a privately built wall. This wall will be listed and confirmed in the HDP as a permit-exempt City structure located on the Nansen property.

Item No. 25 (Lot 8) - **1967 City Sewer Easement**, Sewer Pipe, 72.58' length, 6.00' wide, about 18.00' (depth varies), manhole within northeast corner of Lot 8. This easement was included in a judgment in case number NEC 4908, City of South Pasadena v. Norman Abbey, et al, and recorded on April 10, 1967, at Book D3609 pages 377 through 415, specifically at page 382 as "Parcel 6 (6527506 - 2 -F)." These grading and sewer improvements were permit exempt and remain so. The City shall vacate the easement by a City Council resolution and record to Mark Nansen a Quitclaim Deed to the physical improvements of the pipe, manhole and iron cover. The HDP approval shall list the easement and the improvements and confirm their permit-exempt status and the expected process of easement vacation and quitclaim to Mark Nansen.

Item No. 26 (Lot 8) - **1950 Edison Easement**, 99.06' length, 2 Edison Power Poles, Overhead Wires. Installed pursuant to Public Utilities Commission order. These Edison improvements are permit exempt. The HDP shall confirm their permit-exempt status and ownership by Southern California Edison.

Re: "Deal Points" Proposed by Mark Nansen and Roberta Nansen

- (11.) **Item No. 27 (Lot 8) - 2010 Stepped Wall, 5.33' high (2.66-foot section and 2.66-foot section), will be processed and confirmed in the HDP under "Plan B."**

Lot 9 (2145 Hanscom Drive - house parcel) Hillside Development Permit and Permits

12. The City Planning Department staff will revive and deem "complete" the 2014-2015 HDP application, but limited to Lot 9 improvements only (residence lot, Case No. 1705-HDP), and the City will set a Planning Commission hearing during April or May 2016. No further fee will be required to revive the prior application. Chris Sutton as agent for Mark Nansen will make the following modifications to the prior 2014-2015 HDP application for Lot 9 so that it will be revived and deemed complete:
- a. No wall height will be changed from the current as-built height.
 - b. All diagrams and materials applicable to Lot 9 from the prior HDP application will be incorporated by reference into the revived application.
 - c. Certify that no soil or rock export or import will occur, except possibly between Lot 8 and Lot 9.
 - d. Certify that Mark Nansen is not the sole owner of Lot 9.
 - e. No existing items near, at, or crossing the property line between Lot 8 and Lot 9 will be removed or altered.
 - f. Certify all grading on Lot 8 and Lot 9 occurred before 1998 or was part of the original grading associated with the 1986-1987 house construction on Lot 9. That is, no grading requiring a grading permit occurred on Lot 9 after January 1, 1988.
13. Prior to the Planning Commission hearing, the City will identify any other item on Lot 9 it believes needs a permit and/or may be included in a revived 2014-2015 HDP application, (Case No. 1705-HDP) and such items will be added to the matters considered by the Planning Commission for Lot 9. Absent such a listing of added items, the parties agree that as of the date the settlement agreement is signed there are no other improvements or items on Lot 9 that are unresolved or unpermitted.
14. The settlement agreement will address the applicability of Ordinance 2190 for the spa and pergola (if it is on Lot 9) and list all the current SPMC code sections which apply.
15. The settlement agreement will address whether the shade structure was removed from Lot 9 and list all current SPMC code sections which apply.
16. The City staff will not recommend to the Planning Commission or City Council that there be any "deputy inspector" present during work or inspections on Lot 9 under the HDP. No such requirement will be imposed.

Re: "Deal Points" Proposed by Mark Nansen and Roberta Nansen

17. The City staff will not recommend to the Planning Commission or City Council that there be a "lot tie" recorded as to Lot 8 or Lot 9 under the HDP. No such requirement will be imposed.
18. The following specific improvements on Lot 9 will be resolved as follows, and the City staff will recommend the following to the Planning Commission and City Council:

The **Soils Report** submitted previously by the Nansens will be deemed sufficient for Lot 8 and Lot 9. No further soils analysis or engineering will be required.

Item No. 28 (Lot 9) - **1986-1987 Single Family Residence interior improvements**, including poured foundations and retaining walls, framing, poured concrete floors and driveway, plumbing, electrical conduit, wiring, mechanical equipment, flooring, molding, window treatments, etc., all were fully permitted, inspected, and signed off.

Item No. 29 (Lots 8 and 9) - **1986-1987 Grading** conducted during the Lot 9 house's construction was fully permitted, inspected, and signed off. No further grading permit will be required for Lot 9.

Item No. 30 (Lot 9) - **1986-1987 Exterior** poured concrete walls, walkways, landings, balconies, and steps were fully permitted, inspected, and signed off.

Item No. 31 (Lot 9) - **220 Volt Electrical** work related to portable self-contained spa. All work covered in finalized and inspected Permit No. 030947. On the inspector's instructions concrete was poured over the inspected conduit and will be very difficult to remove. Thus, this is fully permitted and signed off by the City.

Item No. 32 (Lot) - **Portable Self-Contained Spa** with a closed loop system and no connection to plumbing or electrical systems other than a hard wired connection. It is self-supporting and free-standing, not touching any wall. This is an appliance similar to a washing machine. It has never been a "swimming pool." The HDP for Lot 9 will confirm that no further permit is required for this spa as merely a plug-in appliance.

Item No. 33 (Lot 9) - **1987 Railroad Tie Walls replaced** in 2009 by **two** parallel stacked interlocking block walls **uphill** from portable spa landing. Wall heights: 24 inches and 32 inches, 16 feet long. To be processed and confirmed in the HDP under "Plan B."

Item No. 34 (Lot 9) - **1987 Railroad Tie Wall replaced** in 2009 by **one** stacked interlocking block wall **downhill** from portable spa landing. Wall height: 40 to 64 inches. Wall length: 16 feet. To be processed and confirmed in the HDP under "Plan B."

Re: "Deal Points" Proposed by Mark Nansen and Roberta Nansen

- (18.) **Item No. 35** (Lot 9) - **1987 Patio Cover over bar area**, frame and corrugated metal sheets. Size: 14 by 12 feet. City believes it is 184 SF, structures over 120 SF need a permit. Obtain permit or reduce to below 120 SF. If a permit is sought, is also may need an engineer's report regarding wind and earthquake tolerance.

Item No. 36 (Lot 9) - **1987 Railroad Tie Wall** replaced in 2009 by one stacked interlocking block wall **north** of portable spa landing (continues wall from Lot 8). Wall height: 48 inches. Wall length 10 feet on Lot 9. To be processed and confirmed in the HDP under "Plan B."

Item No. 37 (Lot 9) - **1987 Railroad Tie Wall** replaced in 2009 by one stacked interlocking block wall **northeast** of portable spa landing (continues wall from Lot 8). Height: 32 inches. Short Length: 4 feet on Lot 9. To be processed and confirmed in the HDP under "Plan B."

Item No. 38 (Lot 9) - **1987 Railroad Tie Wall** replaced in 1989 by one stacked interlocking block wall near **northeast** corner of house (continues wall from Lot 8). Wall Height: 24 to 64 inches. Wall Length: 18 feet on Lot 9. To be processed and confirmed in the HDP under "Plan B."

Item No. 39 (Lot 9) - **1987 Railroad Tie Wall** replaced in 1989 by one stacked interlocking block wall downhill from bar area near **southeast** corner of house. Wall Height: 48 inches. Wall Length 23 feet on Lot 9. To be processed and confirmed in the HDP under "Plan B."

Item No. 40 (Lot 9) - **1987 Railroad Tie Wall** replaced in 1989 by three stacked interlocking block walls near **south** corner of house and steps. Wall Height: 32 to 56 inches. Wall Length 20 feet on Lot 9. To be processed and confirmed in the HDP under "Plan B."

Item No. 41 (Lot 9) - **Plumbing in bar area**. Permits will be finalized under existing Permit No. 36142.

Waiver of Nansens' Right to Sue on HDPs and Conditions

19. As part of the Settlement Agreement the Nansens will waive right to file a writ petition in the Superior Court to overturn or challenge conditions of approval imposed by Planning Commission or City Council in the two HDP's. But the Nansens will have internal appeal rights from decisions by the staff (outside firm), City staff, and Planning Commission to the City Council. This waiver is limited to these two HDP's, and it does not apply to future applications to the City related to either Lot 8 or Lot 9. The waiver does not apply to future owners of either property.

Re: "Deal Points" Proposed by Mark Nansen and Roberta Nansen

Criminal Court Issues Resolved

20. The hearing on April 11, 2016, will be taken off-calendar as soon as agreement is signed.
21. Later, factual stipulation will be made on the record in open court that because various Stop Work Orders were in effect since 2011 no physical changes have been made by any member of the the Nansen family at either Lot 8 or Lot 9 since April 10, 2010 (Adams letter) and through the date of the stipulation, other than the following, which were allowed or required by the City:
 - a. Movement of soil within and between Lot 8 and Lot 9 in 2013 as a result of May 3, 2011, meeting with City staff and prosecutor.
 - b. Hand rail ordered installed in 2013 by City for concrete stairs on Lot 9 (2145 Hanscom). If a permit is required, one will be obtained and finalized, but the City first will provide the specific code section text that is applicable.
22. Mark Nansen's 8-13-2013 pleas and plea agreement will be withdrawn and all remaining charges will be dismissed with prejudice. The case file will be sealed as to both Roberta Nansen and Mark Nansen and the entries in the criminal index will be removed.

Inverse Condemnation Issues Resolved

23. City's 1967 easement (6.00' x 72.58') and sewer line installed on the property will be vacated and the remaining physical improvements quitclaimed to Mark Nansen.
24. City's 2009 retaining wall that was installed and maintained on Nansen's Lot 8 is shown on a survey. The markers imbedded in the curb establish the wall as on the Nansen property. City wall as poured in place without footings must be certified as safe by soils and engineering reports by an independent engineer stating the wall is designed to hold the surcharge behind it. City will pay for these reports. Mark will execute an easement deed for the wall, but will include a term that the wall may be removed or modified if and when a house is constructed on Lot 8. City will pay \$25,000 for this wall easement.
25. City's 2009 stormwater drains runoff from upper Hanscom Drive over the Nansen properties via an uphill property. Either the City will fix the drain to divert runoff away from both private properties, or City will pay to Mark Nansen \$150,000 for a drainage easement of unspecified location over Lot 8.

Civil Litigation Issues Resolved

26. City and employees, Transtech and employees, and Jones & Mayer and employees will forgive and release the two abstract judgements. Satisfaction of judgments in each case will be fully executed, recorded, and filed with the Superior Court prior to July 1, 2016.

Re: "Deal Points" Proposed by Mark Nansen and Roberta Nansen

27. Nansens will withdraw the pending oath of office lawsuit and dismiss the pending appeal. All sides to the litigation, including the City, Transtech, Jones & Mayer, and their respective employees mutually will waive any and all claim of costs, expenses, or attorney fees or expert fees.
28. City will pay to Mark Nansen and Roberta Nansen \$150,000 for: **(a)** charging them and incarcerating Mark based, in part, on code sections that were repealed in 2010, were not re-enacted, and which still do not exist; **(b)** Jamaar Boyd-Weatherby's false slandering of Roberta Nansen at the April 27, 2015, Planning Commission meeting by stating that she had pled "guilty" to one or more criminal charges (see transcript); **(c)** City staff and contractor testifying falsely or withholding pertinent information in the criminal case and civil suits at various times, which led in part to Mark Nansen's incarceration, finding of probation violation, coerced "nolo" pleas" and imposition of probation; **(d)** the City staff withholding requested public records on at least eight (8) instances from 2009 to 2012 which were needed for Mark Nansen's criminal defense; and **(e)** the City prosecutor repeatedly misrepresenting to the criminal court the status of SPMC section 107.2 (Building Code) before Ordinance No. 2190 in 2011 changed section 107.2, which had allowed the pergola and spa as permit exempt at the time they were installed.

Mutual and General Releases

29. Mutual and general releases will be included in the Settlement Agreement, including a release of all known and unknown claims as of the date of the written release under Civil Code section 1542. The parties to these releases will include Mark Nansen, Roberta Nansen, the City, its employees, its contractors (including Transtech and its employees and principals), and Jones & Mayer and its employees and principals.

Miscellaneous Other Matters

30. Other matters that may be addressed in the written settlement agreement.

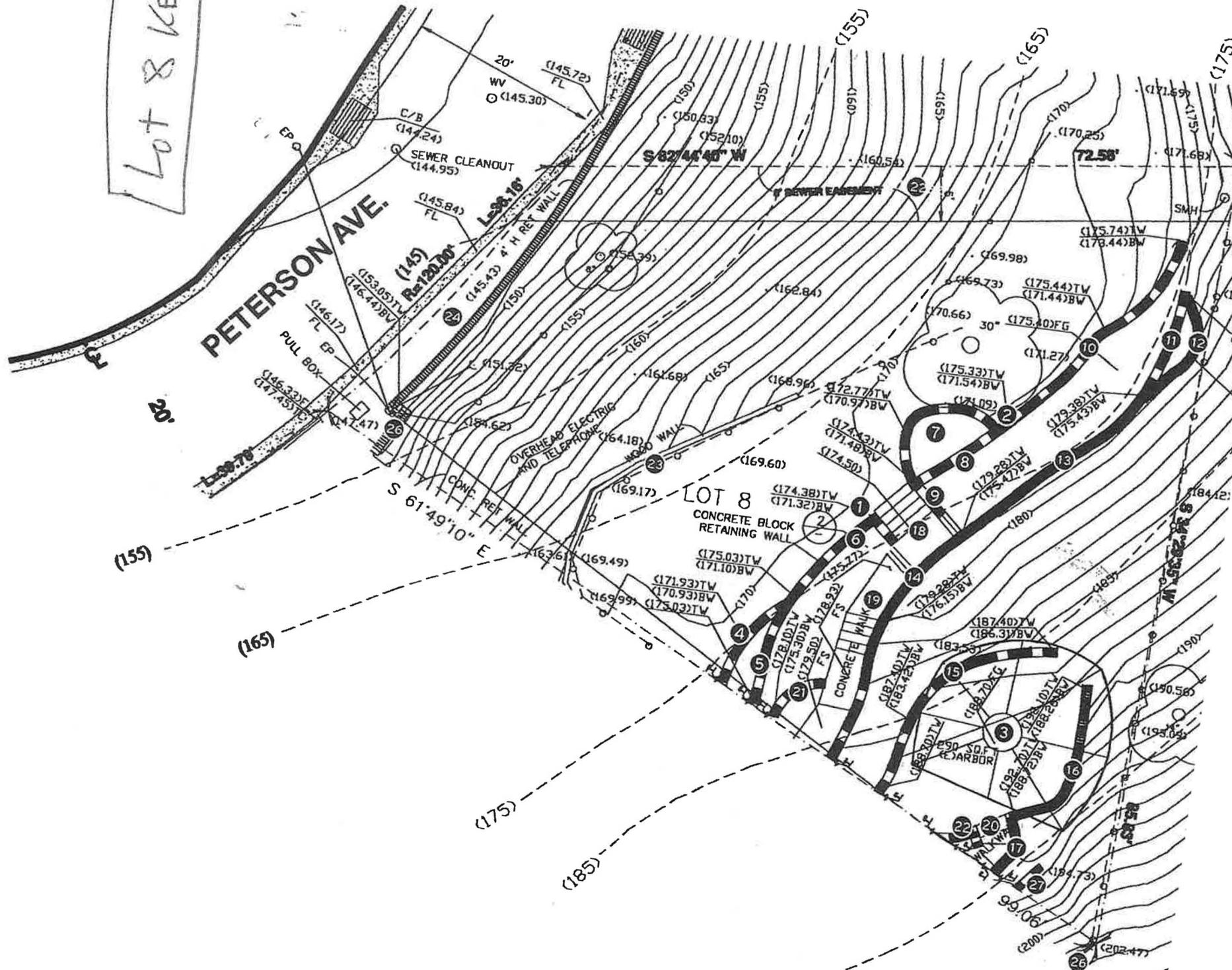
Sincerely,



Christopher Sutton
Attorney for Mark and Robert Nansen

cc: clients
Marvin Rudnick, Esq.

Lot 8 Key



SouthPasadena
Community
Center Feasibility Study



Community Center Feasibility Study City Council Presentation



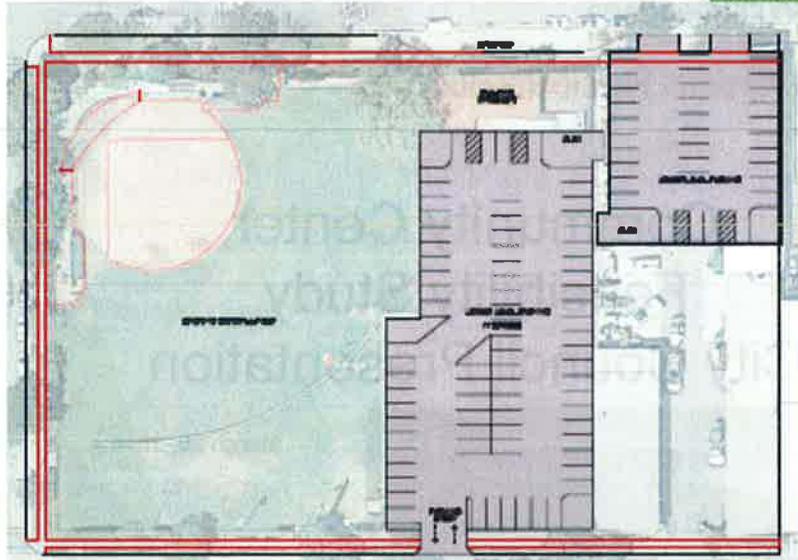
March 30, 2016

18 Month Process

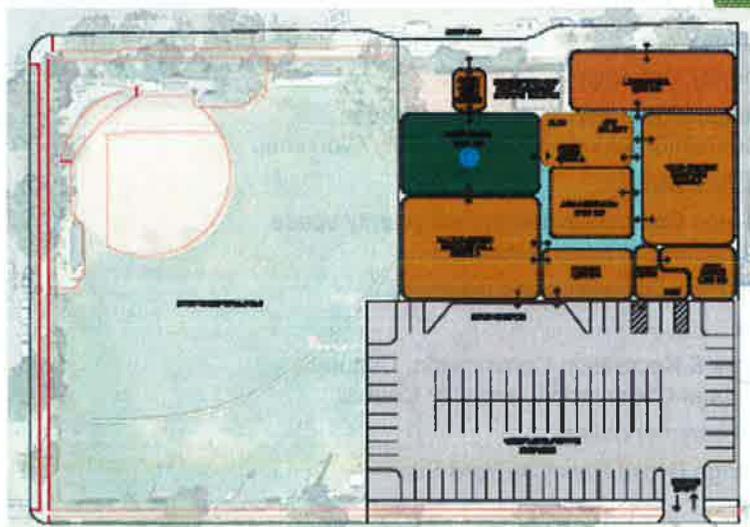
- ▶ Site Search
 - ▶ 8 sites were analyzed
 - ▶ 2 sites were chosen by the Ad-Hoc Committee
- ▶ Community Outreach
 - ▶ Stakeholder Interviews, Focus Groups, Community Survey, and Community Workshop
- ▶ Needs Assessment
 - ▶ Ad-Hoc Committee determined priority space needs from needs assessment
 - ▶ Site Plan Concepts were prepared
- ▶ Review
 - ▶ Parks & Recreation Commission, Cultural Heritage Commission, and City Council
- ▶ Final Recommendation
 - ▶ Orange Grove Park/City Yard Site



**Orange Grove Park and City Yard Site
Field Level Parking**



**Orange Grove Park and City Yard Site
First Level Parking, Community Center,
Youth Center, and Administration**



Orange Grove Park and City Yard Site Second Level Senior Center and Cultural Rooms



Restoration & Adaptive Use of Existing Recreation Building



- Historic Landmark #15
- CHC Recommendation is to restore and use the existing building within the community center design
- Ad-Hoc Committee preferred to repurpose the space
- Staff & Consultant Recommendation is for restoration and adaptive use

Next Phases of Design Study

- Determine the architectural design
- Refine the floor plans
- Do the site analysis to make sure the facility can be built

Next Phases of Design Study, continued

- Do a cost estimate to base the funding requirement on
- Put the funding package together
- Develop the financing strategy

Next Phases of Design Study, continued

- Do CEQA studies, and
- Process the project through City Commissions and City Council approval.

Recommendation

- That Council give staff and ICG direction to proceed to the next level of design on the concept plan which provides for the restoration and adaptive use of the existing Recreation Building (Historical Landmark #15), and
- Direct staff to return to City Council with the scope and fee for the next level of design study.

Alternative direction City Council could give staff?

- ▶ 1. City Council could give staff and ICG direction to proceed with declassifying the existing building (Historic Landmark #15) through the public hearing process and, if successful, demo the existing building and redesign the proposed community center per the comments from the Ad-Hoc Committee.
- ▶ 2. City Council could terminate the feasibility study at this point and not proceed with planning for a new community center in South Pasadena at this time.

City Council Discussion and Direction

SouthPasadena
Community
Center Feasibility Study





City of South Pasadena
City Clerk's Division,
Management Services Department

Memo

Date: March 30, 2016
To: The Honorable City Council
From: Anthony Mejia, Chief Deputy City Clerk *AM*
Re: March 30, 2016 Study Session City Council Meeting – Additional Document for Item No. 3 – South Pasadena Community Center

The City Clerk's Office received a citizen request for a copy of this memo prepared by the Cultural Heritage Commission on March 19, 2014, which relates to Item 3 regarding the potential South Pasadena Community Center on tonight's agenda.

*CC: Council; CM; CA; CDEC; PEL B; COMMUNITY SERVICES; REFERENCE BINDER;
original to 3/30/2016 ADDL DOC*

Additional Material
AGENDA ITEM # 3
3/30/16 City Council Mtg.
Special Study Session

City of South Pasadena

Date: March 19, 2014
To: Honorable Mayor and Members of the Council
From: Cultural Heritage Commission
Re: **Municipal Plunge Building, 815 Mission Street (Landmark No. 45)**

The Cultural Heritage Commission opposes any plan that involves demolition of the Municipal Plunge Building (Landmark No. 45) at 815 Mission Street. Commissioners agree that the building can be restored as part of the proposed recreation center since it appears to be structurally sound, and because it originally functioned as part of a public swimming pool facility. The Commission also favors a more contemporary architectural style for new facility buildings at Orange Grove Park. This is explained under the section entitled “Architectural Style vs. Architectural Character” below.

The Cultural Heritage Commission (CHC) wants to bring the following issues and concerns to the City Council’s attention regarding the conceptual idea of demolishing Landmark No. 45, the Municipal Plunge building (815 Fair Oaks Avenue) as part of a new recreational facility.

General Plan & Preservation Ordinance

Demolition of a City Landmark without serious consideration of alternatives would be contrary to the goals and policies of South Pasadena’s General Plan (Historic Preservation Element) and preservation ordinance. Section 2.64 of the draft preservation ordinance states: “It is the intent of the City of South Pasadena that Cultural Resources will not be demolished, inappropriately altered or relocated unless extraordinary circumstances exist”. Goal No. 2 of the General Plan’s Historic Preservation Element encourages the maintenance and preservation of historic structures and artifacts, and requires government agencies to maintain properties they own in the City (Policy No. 2.7).

CEQA Applicability

Effects on the Landmark would be subject to the California Quality Act (CEQA). A proposal to demolish the Municipal Plunge Building would trigger an Environmental Impact Report (EIR). An EIR is required when a project will have a significant and unavoidable impact on a historic resource. Demolition of a historic resource (subject to CEQA review) is a significant and unavoidable impact.

General Comments on Municipal Plunge Building

- The CHC has not been engaged in the process to date. Members of the public spoke at the 02/19/15 CHC meeting about how they were not informed about this proposal, particularly when a City Landmark is being recommended for demolition.
- There was no public comment in favor of demolishing the Plunge Building or any other aspect of the presentation.
- There was strong public comment in opposition to demolishing the Plunge Building.
- The Commission sees no compelling justification for demolishing a City Landmark.
- The consultants making the presentation did not have an architect present. They presented themselves as Landscape Architects. This seems too complicated a project not to have an architect in the lead.
- Upon questioning, it was revealed that the consultant had not previously designed a community center that included a historic preservation element.
- We suggest that a preservation architect be included in further reviews of the project as it moves forward.
- There is a need for a concerted preservation strategy. The design should integrate the Plunge Building in the project. The consultant presented the Plunge Building as a liability; we take objection to this. This aspect of the project should be managed as an opportunity for the City. The building was originally designed as a Community Center, and it was designated as a Landmark partly for this aspect of its history. It can easily be given a second life as part of a contemporary Community Center. This kind of Adaptive Re-use is standard preservation practice. The consultant should be directed to recognize the economy of this approach, as well as the cultural value.
- The City currently has an A+ rating for preservation from the LA Conservancy, and this is an opportunity to lead by example and maintain this distinction.

Study of Alternative Sites: *Site Concept One*

- What is of greatest concern is that the consultant presented the location of the garage entrance as absolutely required, but the issue had not been carefully studied. This became clear upon questions from the Commission. When asked why they located the garage entrance on the Mission Street side, the consultant's answer was, "this is just a study." There was no substantive reason offered. This seems rather weak justification for demolishing a City Landmark.
- The proposed garage entrance location, near a major intersection, could have adverse effects on traffic. The consultant reported that they had not received any input from the City's traffic engineer regarding this aspect of the proposal. The existing vehicle

entrance to the Maintenance Yard may be a more reasonable location with less impact on traffic, and it could be integrated in to the parking garage design.

- The El Centro side of the site has a lower elevation, which would make it easier to enter the garage. Upon questioning, the consultant made it clear that they had not considered this as an option.
- There was no information on parking requirements and parking design. Hence we have no way to evaluate the validity of the consultant's claim that preserving the Plunge Building has the purported consequence of requiring an additional parking level.
- The parking garage need not follow a cookie-cutter design. It can be adapted to the functional needs of the project. Hence, a garage entrance in another location can be designed to function well.
- When preservation of historic structures is a guiding objective, the design may be able to not follow generic engineering solutions. We are looking for site-specific design.

Study of Alternative Sites: *Site Concept Two*

The Commission observes the following points in favor of Option 2 (purchasing and repurposing the existing office building at 845 El Centro Street).

- Option 2 already has parking. Building underground parking to accommodate Option 1 will likely be very expensive. Also, the suggestion to build parking under Orange Grove field will likely disrupt and displace youth that use the field regularly. Because Option 2 already has parking and it should be seriously considered.
- Option 2 will not displace or disturb the historic resource associated with Option 1. No funds will have to be spent to examine and accommodate the impacts of the project on a historic resource. Option 2 does not impact a historic resource and will not require the review and approval of the CHC.
- Option 2 will not likely require a costly EIR, nor will it trigger CEQA with respect to a historic resource. The regulatory costs associated with Option 2 appear to be significantly lower than Option 1.
- Option 2 repurposes and reuses an existing building which is vastly more environmentally friendly than constructing a new building. Option 2 helps protect the environment.

Study of Alternative Sites: *Site Concept Three*

- This scheme has the potential to avoid any adverse impact on the Plunge Building, if redesigned. The Site Plan could be re-organized to incorporate the Plunge Building.

- The Commission asked why the scheme cannot be changed to use the Maintenance Yard site for new construction and preserve some or all of the existing community facilities on the Western parcel. This could be worthy of study as Option Four.
- This scheme seems less successful as a Community Center because it is divided into two sites. It is less convenient, less efficient, and it could have traffic & safety issues with many pedestrians crossing the street El Centro.

Summary of Site Alternatives

- The plan alternatives served as a test fit of the project's spatial requirements. They are valuable as diagrams of square footage and general spatial organization. However, these diagrams do not serve as architectural plans.
- The Commission strongly encourages the Option One Alternative, which involves changing the location of the garage entrance and preserving the Plunge Building as an Adaptive Re-use component of the project.
- The Commission recognizes several advantages to *Site Concept Two*.

Architectural Style vs. Architectural Character

We do not recommend use of a predetermined "Architectural Style." Rather, we suggest that "Architectural Character" come from careful study of the physical, historical, and cultural context. New buildings should be products of their time. Excellent works of architecture are those that contribute to our community's current identity, and which we will value as historic 50 to 100 years in the future.

The Secretary of the Interior's Standards suggests that new development be "compatible" with historic resources. This need not be construed as "replicating" or "falsely historic."

Natalie Sanchez

From: Joanne Nuckols [REDACTED]
Sent: Wednesday, March 30, 2016 10:52 AM
To: Natalie Sanchez
Cc: Larry & Diana McGrail; Odom Stamps
Subject: Re: March 30, 2016 REVISED South Pasadena City Council Special Meeting Agenda

South Pasadena city council for 3/30/16 meeting.

Sorry for late comment on agenda item related to demolition of Plunge building. Please follow recommendation of CHC not to delist or demolish.

I am emailing from Charleston, SC, one of the most historic cities in the US. Multitudes of historic buildings that the people and city government cherish and fight to protect abound.

I expect the same from you related to our few historic buildings. They contribute to our sense of place. And, how could or city have any credibility fighting against the 710 to protect historic properties and neighborhoods if we can't save a city owned building which could be a prime example of a great adaptive reuse with a bit of creative effort.

Joanne Nuckols

Sent from my iPhone

On Mar 29, 2016, at 7:37 PM, Natalie Sanchez <nsanchez@southpasadenaca.gov> wrote:

Good Evening,

Attached is the REVISED Open Session agenda for the **March 30, 2016** South Pasadena Special City Council Meetings. Please note that the Special Closed Session will begin at 6:30 p.m., followed by a Special Study Session at 7:30 p.m. Once the agenda packet has been posted, it may be viewed on the City's website: <http://www.southpasadenaca.gov/citycouncilmeetings>.

Natalie Sanchez, Management Assistant
City of South Pasadena
1414 Mission Street
South Pasadena, CA 91030
(626) 403-7200 ext. 233
www.southpasadenaca.gov

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From: Desiree Jimenez
Sent: Tuesday, March 29, 2016 4:18 PM
To: Natalie Sanchez
Subject: FW: March 30, 2016 South Pasadena City Council Special Meeting Agendas

CC: Council; CM; CA; CCCC; PAB; Community Services; Reference Binder;
Original to 3/30/2016 ADDL Docs 1

Additional Material
AGENDA ITEM # 3
3/30/16 City Council Mtg.
Special - Study Session

From: Desiree Jimenez
Sent: Friday, March 25, 2016 4:49 PM
Subject: March 30, 2016 South Pasadena City Council Special Meeting Agendas

Good Evening,

Attached are the agendas for the **March 30, 2016** South Pasadena Special City Council Meetings. Please note that the Special Closed Session will begin at 6:30 p.m., followed by a Special Study Session at 7:30 p.m. Once the agenda packet has been posted, it may be viewed on the City's website: <http://www.southpasadenaca.gov/citycouncilmeetings>.

Desiree Jimenez
Deputy City Clerk
City of South Pasadena
1414 Mission Street
South Pasadena, CA 91030
(626) 403-7230
(626) 403-7211 fax
djimenez@southpasadenaca.gov

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Natalie Sanchez

From: Anthony Mejia
Sent: Wednesday, March 30, 2016 12:53 PM
To: Natalie Sanchez
Subject: FW: Community Center for South Pasadena needs your support

From: Tanya Parker [REDACTED]
Sent: Wednesday, March 30, 2016 12:51 PM
To: Marina Khubesrian
Cc: Anthony Mejia
Subject: Re: Community Center for South Pasadena needs your support

Hello,

I would like to submit my vote for the recommendation on the Community Center from **Staff and Consultant** for the **Restoration and Adaptive Use of facility**. It seems to be a good compromise that allows the historical nature of the building's style while being able to repurpose it for better use.

Thank you,

Tanya Parker

1715 Diamond Ave

CC: Council; CM; CA; OSCC; P&B; COMMUNITY SERVICES; REFERENCE BINDER;
ORIGINAL to 3/30/2016 ADPL Docs

Desiree Jimenez

From: Desiree Jimenez
Sent: Wednesday, March 30, 2016 3:10 PM
To: City Council
Cc: Sergio Gonzalez; Teresa Highsmith; Sheila Pautsch; David Watkins; John Mayer; Knarik Vizcarra; City Clerk's Division; Lucy Demirjian
Subject: March 30, 2016 Study Session Special City Council Meeting - Additional Document - Item No. 3

Suzie Abajian just called back to ask that the additional support items below be included during consideration:

- Support for the Community Center to be utilized as a wellness center, youth center, and multi-purpose center; and
- Support for moving ahead with the Project

Desiree Jimenez
Deputy City Clerk
City of South Pasadena
1414 Mission Street
South Pasadena, CA 91030
(626) 403-7230
(626) 403-7211 fax
djimenez@southpasadenaca.gov



From: Desiree Jimenez
Sent: Wednesday, March 30, 2016 2:31 PM
To: City Council
Cc: Sergio Gonzalez; Teresa Highsmith; Sheila Pautsch; David Watkins; John Mayer; Knarik Vizcarra; City Clerk's Division; Lucy Demirjian
Subject: March 30, 2016 Study Session Special City Council Meeting - Additional Document - Item No. 3

Good Afternoon Mayor Mahmud and Councilmembers,

Regarding tonight's March 30, 2016 Study Session Special City Council Meeting Agenda Item No. 3 "Discussion and provide direction regarding the potential South Pasadena Community Center,"

Suzie Abajian, South Pasadena resident, has indicated support (via telephone) for the following items:

- Support for the Commissions' recommendation to Council;
- Support for the Spanish Style and Site Plan 1;
- Support for keeping the façade of the Plunge Building; and
- Support to continue the existing teen program

Desiree Jimenez
Deputy City Clerk
City of South Pasadena
1414 Mission Street

ABAJIAN
Additional Material 3
AGENDA ITEM # 3
3/30/16 City Council Mtg.

Natalie Sanchez

From: Claudia Morales <claudia@godayone.org>
Sent: Wednesday, March 30, 2016 2:06 PM
To: City Clerk's Division
Subject: Support for South Pasadena Community Center

Dear Mayor Diana Mahmud and members of the City Council,

On behalf of the Healthy South Pasadena Coalition am writing to express our support for converting Orange Grove Park and the neighboring City Yard into a multi-use and multifunctional Community Center. We support the Ad-Hoc Committee's proposal to repurpose the space and demolish the existing structure. This option allows for the development of a structure that is completely tailored to the needs of the community.

Thank you for taking time to make this issue a priority.

Best,

Claudia Morales
Community Prevention Coordinator, Day One
175 N. Euclid Avenue
Pasadena, California 91101
626-229-9750
Claudia@goDAYONE.org

**Day One builds vibrant, healthy cities
by advancing public health,
empowering youth, and
igniting change**



Natalie Sanchez

From: Anthony Mejia
Sent: Wednesday, March 30, 2016 3:28 PM
To: Natalie Sanchez
Subject: FW: Community Center

From: Knapp [REDACTED]
Sent: Wednesday, March 30, 2016 12:19 PM
To: 'Diana Mahmud'; Sergio Gonzalez; City Clerk's Division
Cc: Michael Cacciotti - Personal; 'Marina Khubesrian'; Dr. Richard Schneider - Personal; [REDACTED]
Subject: Community Center

Please accept these as comments for tonight's meeting;

- 1) We concur with the consultant's, staff's and CHC's recommendation that the plunge bldg be preserved and adapted for re-use. It was landmarked in 2000 and landmarking = preservation by definition. It is bad policy to demolish, sets a precedent and is not within the goals of the General and Specific Plans of the City.
- 2) Speaking of the Specific Plan, keep in mind that the entire property is within The Mission Street Specific Plan that reinforces the above statement and its zoning parameters apply. Don't see this fact mentioned anywhere in the staff report.
- 3) Project looks a little too ambitious. A separate bldg for lease-out? We are now going into property mgt? That worked well for Caltrans. 153 auto parking structure? Keep in mind that the south side of the street from Margrave's to Orange Grove is residential. A drive -by on most any warm day will show a lot of toys in the front yards.
- 4) Gym & Fitness Center? Is this need or want?
- 5) \$20 mil project with a bond issue? Again a little ambitious. Given the task of getting the UUT extended may make getting a bond approval difficult.
- 6) A little history: The council considered putting a skate park where the tennis courts are after an ad hoc committee's recommendation with the Arroyo a second choice. Its location in the Arroyo today is a result of the aforementioned neighbors handing the council their lunch with the first proposal. I think MC was there and should remember.

Harry & Clarice

*Cc: Council; CM; CA; OSCE; Pg B; Community Services; Reference Binder;
Original to 3/30/16 ADDL Docs*

South Pasadena Public Library Operations Study

Joe Matthews
March 30, 2016
City Council Study Session

Purpose of the Study

“Determine how library resources
can be better allocated to meet
strategic plan goals”

My Perspective

Opportunity for:

- Improved customer service
- Increase staff capacity
- Meet new service demands
- Rationalize use of space
- Increasing engagement with the community

Library Today

- 68% of residents have library cards
- Of these, 46% borrowed materials in the last year
- Library is full – 138,000+ items
- 18 digital resources
- Collection well used
- Programs well attended
- Great staff

South Pasadena Library Patrons

Age Range	Total	Library Use This Year	% Use This Year
Under 16	2,795	1,520	54.4%
16 – 24	2,324	617	26.5%
25 – 34	2,577	560	21.7%
35 – 44	3,092	1,232	39.8%
45 – 54	3,063	1,163	38.0%
55 +	3,193	1,327	41.6%
No age data	697	292	41.9%

Technology

- WiFi
- Internet guest passes
- IT upgrade/replacement budget line item
- Self-checkout stations
- Credit card payments
- Library app
- Expand social media
- RFID
- Increase # of Internet workstations
- Upgrade PCs
- Fiber optics
- Patron registration workstation
- New library Website
- Distribute library programs
- Shared ILS system

Materials

- “Rightsize” book collection
- Donated materials
- Increase eBooks
- Streaming music service
- Integrate reference materials into the general collection
- Reduce print subscriptions
- Increase audio collection
- Update Collection Development policy

Facilities

- Parking
- Design charrette
- Flooding
- Friends display shelving
- Single service desk
- Remodel first floor
- Space allocation study
- Large screen monitor

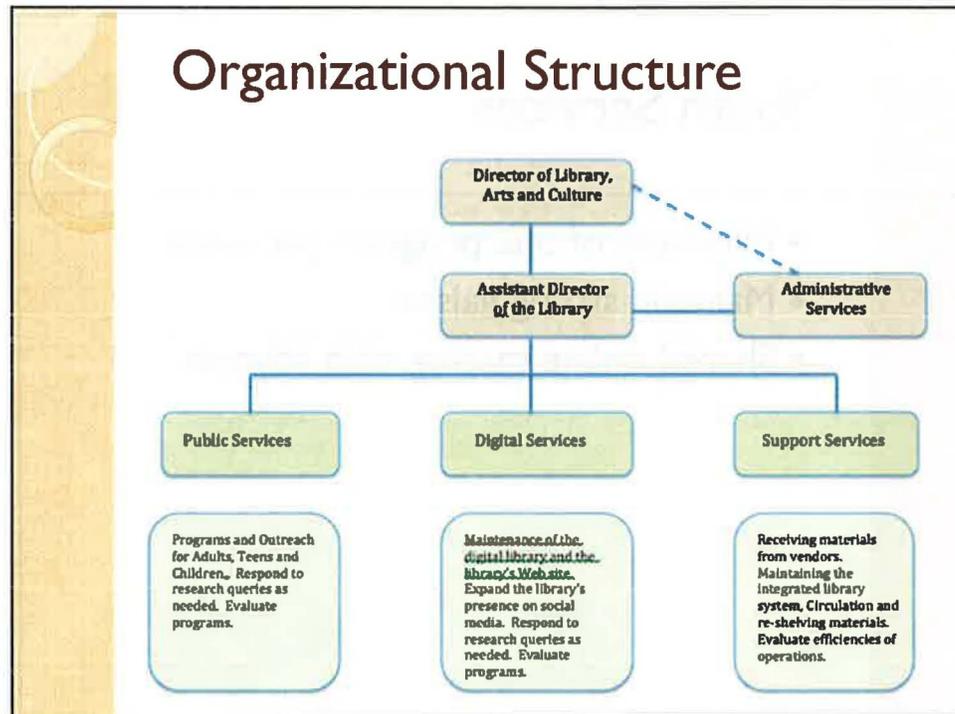
Youth Services

- Minimum of one program per week
- Maintain strong liaison
- Shared online catalog with schools

Operations

- Auto shipment of new materials
- Stop repairing books
- Identify program attendees
- Library cards
- Full processing (drop use of OCLC)
- Translate Welcome brochure
- Facebook page
- Open Thursday night

Organizational Structure



Organizational Structure

- Tools for roving service
- Tech savvy staff members
- Stop desk reference service
- Provide pre-school training
- Create original content

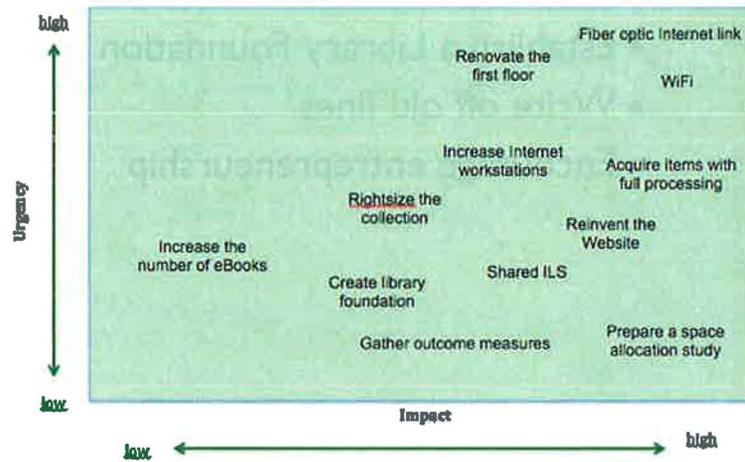
Finance

- Establish a Library Foundation
- Write off old fines
- Encourage entrepreneurship

Using Data

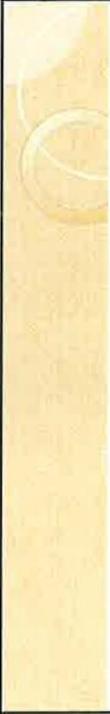
- Outcome data
- Performance measures
- Retain customers
- Email overdue notices
- Customer satisfaction survey

Priorities



Remember

In the future,
the library will be more about what
it *does* for people
rather than what it *has* for people.



Discussion