



Wednesday, September 21, 2016
Minutes of the Regular Meeting of the
Joint City Council/Redevelopment Successor Agency

CALL TO ORDER

A Regular Meeting of the South Pasadena Joint City Council/Redevelopment Successor Agency was called to order by Mayor Mahmud on Wednesday, September 21, 2016, at 7:35 p.m., in the Amedee O. "Dick" Richards, Jr., Council Chamber, located at 1424 Mission Street, South Pasadena, California.

ROLL CALL

Present: Councilmembers/Redevelopment Successor Agency Members Joe, Khubesrian, and Schneider; Mayor Pro Tem/Agency Vice Chair Cacciotti; and Mayor/Agency Chair Mahmud.

Absent: None.

City Staff

Present: Sergio Gonzalez, City Manager/Agency Executive Director; Teresa L. Highsmith, City Attorney/Agency Counsel; Anthony J. Mejia, Chief City Clerk/Chief Agency Secretary were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

INVOCATION

Mayor Pro Tem Cacciotti gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Cacciotti led the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS**1. Closed Session Announcements**

The Regular Closed Session of the City Council of September 21, 2016, was called to order by Mayor Mahmud at 6:30 p.m., with all Councilmembers present, except Mayor Pro Tem Cacciotti.

The meeting convened into Closed Session to discuss the following items as listed on the Closed Session Regular Meeting Agenda:

- A. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Pursuant to Government Code Section 54956.9 (d)(4):

Number of Cases: 1

- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Pursuant to Government Code Section 54956.9 (d)(1):

Name of Case: City of Gardena v. Los Angeles Regional Water Quality Control Board and State Water Resources Control Board, Los Angeles County Superior Court Case No. BS156342

- C. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION, Pursuant to Government Code Section 54957.6 (d)(2):

Number of Potential Cases: 1

- D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS, Pursuant to Government Code Section 54956.8:

Properties: 1107 Grevelia Street (68499-01-01); 821 Bonita Drive (41597-01-01);
728 Bonita Drive (68222-01-01); 804 Valley View Road (62582-01-01);
and 2006 Berkshire Avenue (64544-01-01)

Agency Negotiators: City Manager Sergio Gonzalez; City Attorney Teresa L. Highsmith

Negotiating Party: California Department of Transportation (Caltrans)

Under Negotiation: Price and Terms of Payment

City Attorney Highsmith reported that the City Council provided direction to staff regarding the agenda items, but did not take any reportable action.

PRESENTATIONS**2. Presentation of the Fiscal Year 2015-16 Annual Report of the Parks and Recreation Commission**

Jose Zavala, Chair, representing the Parks and Recreation Commission (PRC), presented the Fiscal Year 2015-16 Annual Report of the PRC.

Mayor Mahmud and Councilmember Joe commended the PRC and staff on the success of the Concerts in the Park and conveyed support for continuing to hold these concerts every other week in next year.

3. Presentation on Refinancing of 2009 Water Bonds

Anna Sarabian, of Fieldman, Rolapp and Associates, narrated a PowerPoint presentation entitled "2016 Water Revenue Refunding Bonds"; advised that the bond pricing is expected to be locked by the end of October and said bonds would close around November 10, 2016.

Councilmember Schneider requested that all three amortization options be provided to the City Council.

COMMISSION APPOINTMENT**4. Youth Commission and Natural Resources and Environmental Commission Appointments**

Piper Fleming, Ismael Khan, and Connor Wang, introduced themselves and thanked the City Council for considering their appointments to the Youth Commission.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to:

1. Appoint Piper Fleming (8th Grade), Ismael Khan (8th Grade), and Connor Wang (7th Grade) to the Youth Commission for a full two-year school term from September 1, 2016 until June 30, 2018.
2. Appoint Hailey Bugg as the Non-Voting Youth Member to the Natural Resources and Environmental Commission for a full school year term from September 1, 2016 until June 30, 2017.

COMMUNICATIONS**5. Councilmembers Communications**

Councilmember Khubesrian advised that the City Council/South Pasadena Unified School District Board Ad Hoc Committee is exploring possible updates to joint use facility agreements; noted that the City received two proposals for the update of the City's General Plan; spoke on the success of the volunteer recognition dinner at the Senior Center; encouraged interested residents to apply to serve on the Los Angeles County Civil Grand Jury; advised that France is the first country to ban disposable plastic products.

Councilmember Joe displayed photos and encouraged residents to attend the Moon Festival on September 24, 2016.

Mayor Pro Tem Cacciotti spoke on his attendance at the Metro Foothill Gold Line Extension Construction Authority meeting, noting that advanced planning is underway for the extension of the Gold Line from Glendora through Montclair; encouraged San Marino residents to inform their City Council of their support for a 626 CicLAVia in March 2017; displayed photos of the Cruz'n for Roses Hot Rod and Classic Car Show and street construction on Fletcher Drive.

Mayor Mahmud spoke on her attendance at the Metropolitan Water District's (MWD) inspection tour of the Bay Delta facilities and the San Gabriel Valley Water Forum; noted that the San Gabriel Valley Council of Governments is encouraging Caltrans to seek funding to reopen Highway 39; advised that the City Council will receive a presentation at a future meeting regarding Community Choice Aggregation, which allows local governments to procure wholesale renewable energy; invited residents to attend a solar panel informational meeting on September 22, 2016 in the Council Chamber.

6. City Manager Communications

City Manager Gonzalez advised that staff is finalizing a Request for Proposals to obtain a third party consultant to evaluate the Renewable Energy Council's recommendations, Community Choice Aggregation, and other renewable energy proposals; noted that the Iron Works building is undergoing renovations including a new roof and painting.

Police Chief Miller invited residents to attend "Coffee with a Cop" on October 4, 2016, noting that Eileen Decker, U.S. Attorney for the Central District of California, will also be in attendance. In response to City Council inquiries, Police Chief Miller spoke on recent burglaries in the San Gabriel Valley, noting that residents should contact the Police Department immediately if they suspect a burglary.

7. Reordering of and Additions to the Agenda

None.

PUBLIC COMMENTS

David Pennoyer, representing the Gracias Music Foundation (GMF), spoke on the mission of the GMF; noted that two performances are scheduled be held at the Shrine Auditorium in October; encouraged the City Council and residents to attend the performance, noting that tickets are free.

Yoon Jin Kim, representing GMF, noted that youth today face multiple challenges and that it is the mission of GMF to support youth in a positive way; invited the community to attend the upcoming performances at the Shrine Auditorium.

Casey Higgins, resident of San Dimas, stated that he is a candidate for the 41st Senate District; spoke on his professional experience as an attorney in the Los Angeles region; stated that his family has a long history of public service; advised that he is an advocate for local control.

Chad Terhune, South Pasadena resident, Treasurer for Franciscan Woods Neighborhood, voiced concern regarding erroneous trash charges for the past three months; stated that staff has acknowledged there is an error but has been unable to resolve these issues.

In response to City Council inquiries, Finance Director Batt advised that a bill code error was discovered and staff is working with Global Water to develop an accurate accounting of the refund amount. Mayor Mahmud requested that staff keep the City Council and City Attorney informed of similar billing errors caused by Global Water.

Mayor Pro Tem Cacciotti requested that the accuracy of utility bills be agendaized for a future City Council meeting, seconded by Mayor Mahmud.

CONSENT CALENDAR

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve the Consent Calendar Item Nos. 9, 10, 14, 15, and 16; with Item Nos. 8, 11, 12, and 13 pulled for separate discussion.

9. Prepaid Warrants, General City Warrants, Redevelopment Successor Agency Check Summary, and Payroll

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve the City of South Pasadena Prepaid Warrants Nos. 195226 through 195274 in the amount of \$305,941.93; General City Warrants Nos. 195275 through 195407 in the amount of \$1,363,958.15, and Payroll, dated September 9, 2016, in the amount of \$462,142.31.

10. Monthly Investment Reports for July 2016

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to receive and file the Monthly Investment Reports for July 2016 for the City Council, the Successor Agency to the Community Redevelopment Agency, and the Public Financing Authority.

14. Adoption of Resolutions and Side Letters with the South Pasadena Public Service Employees' Association and South Pasadena Public Service Part Time Employees' Association

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to:

1. Adopt Resolution No. 7479 entitled "A Resolution of the City Council of the City of South Pasadena, California, approving a side letter to the Memorandum of Understanding with the South Pasadena Public Service Employees' Association."
2. Adopt Resolution No. 7480 entitled "A Resolution of the City Council of the City of South Pasadena, California, approving a side letter to the Memorandum of Understanding with the South Pasadena Public Service Part Time Employees' Association."

15. Award of Contract to Norton Rose Fulbright US LLP for Bond Counsel and Bond Disclosure Counsel Services

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve the agreement with Norton Rose Fulbright US LLP to provide bond counsel and disclosure counsel services in substantially to form.

16. Approval of Letters to the Governor on Various State Bills in Concurrence with League of California Cities' Position

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to authorize letters communicating the City's position on various bills from the 2016 California State Legislative Session.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

8. Minutes of the City Council Meeting of September 7, 2016

MOTION BY MAYOR MAHMUD, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 5-0, to approve the minutes of the September 7, 2016 City Council Meeting, as revised.

11. Approval of Fourth Amendment to the Employment Agreement with City Manager Sergio Gonzalez

City Attorney Highsmith presented the staff report and summarized the terms of the employment agreement with City Manager Sergio Gonzalez.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve, in substantially to form, a fourth amendment to employment agreement with City Manager Sergio Gonzalez.

12. Approval of a Mills Act Contract for Property Located at 325 Oaklawn Avenue

Senior Planner Mayer presented the staff report and responded to City Council inquiries.

Mayor Mahmud requested that staff and the City Attorney review the Mills Act Contract template to address specific criteria for non-renewal, as well as requirements for biennial progress updates.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 5-0, to approve a Mills Act contract for property located at 325 Oaklawn Avenue.

13. Approval of a License Agreement for Use of City-Right-of-Way at Peterson Street

Public Works Director Toor presented the staff report; explained that the property owners propose to install landscaping, fencing, parking, and access path to the residence; advised that the property owners would be required to obtain permits if grading becomes necessary.

City Attorney Highsmith explained the various methods of allowing a property owner to utilize public property; opined that the proposed license agreement would not constitute a gift of public funds, noting that the property owner would be responsible for landscaping and maintenance of the property which would be a benefit to the City.

Mayor Mahmud questioned the propriety of allowing for license agreements of public property for exclusive private use; suggested that it may be more appropriate for the City to consider such properties as surplus if there is no future intended use by the City.

Elisabeth Emirhanian, South Pasadena resident, opined that neighboring property owners should be notified regarding this proposal; explained that the subject easement was used as a staging area during construction and a soil mound was previously left on the City-owned property.

Chris and Margaret Cheung, Applicants, explained that it is unsafe for their children and pets to play in the backyard due to coyotes; stated that the proposal would allow for landscaping improvements and fencing to protect against coyotes; stated that they are not opposed to eliminating the proposed parking spaces.

In response to City Council inquiries, City Attorney Highsmith advised that there are instances in which an encroachment permit is granted to allow property owners to extend a fence beyond their property lines; stated that the City Council could require that any proposed fencing allow for visual access to the improved landscaping and open space.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 5-0, to:

1. Continue this item to a future City Council meeting, requesting that the property owners remove pavement and parking improvements, noting that any proposed fencing should allow for visual access to the open space.
2. Direct staff to provide public notice to property owners within a range of 500' radius of the subject property when this matter returns to a future City Council meeting.

ACTION/DISCUSSION**17. Adoption of a Resolution in Support of the Safe, Clean Neighborhood Parks and Beaches Ballot Measure**

Community Services Director Pautsch presented the staff report and responded to City Council inquiries.

Mayor Mahmud opened and closed the Public Comment period, there being no one desiring to speak on this item.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER SCHNEIDER, CARRIED 5-0, to adopt Resolution No. 7481 entitled "A Resolution of the City Council of the City of South Pasadena, California, supporting the Los Angeles County Proposition A 'Safe, Clean Neighborhood Parks and Beaches Measure of 2016.'"

18. First Reading and Introduction of an Ordinance to Amend the South Pasadena Municipal Code to Change General Municipal Election Dates to Coincide with Statewide General Elections in November of Even-Numbered Years

Chief City Clerk Mejia narrated a PowerPoint presentation entitled "California Senate Bill 415 'Voter Participation'" and responded to City Council inquiries.

Mayor Mahmud opened and closed the Public Comment period, there being no one desiring to speak on this item.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to introduce an ordinance entitled "An Ordinance of the City Council of the City of South Pasadena, California, amending Section 299-33 'General municipal election' of the South Pasadena Municipal Code relating to changing the general municipal election date to the first Tuesday after the first Monday in November of each even-numbered year, commencing with the General Municipal Election of November 2017," and waive further reading.

19. Adoption of a Resolution Supporting the Los Angeles County Metropolitan Transportation Authority's One-Half Percent Sales Tax Ballot Measure on the November 8, 2016 Election Ballot

City Manager Gonzalez presented the staff report and responded to City Council inquiries.

During the course of discussion, it was noted that Measure M local funding allocations would be appropriated through the Arroyo Verdugo Sub-region Steering Committee.

Mayor Mahmud opened the Public Comment period.

Beth Steckler, representing Move LA, thanked the City Council for its leadership in the fight against the 710 North Extension project; noted that Measure M will expand the region's public transportation system and ease traffic congestion.

There being no others desiring to speak on this item, Mayor Mahmud closed the Public Comment period.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY COUNCILMEMBER SCHNEIDER, CARRIED 5-0, to adopt Resolution No. 7482 entitled "A Resolution of the City Council of the City of South Pasadena, California, supporting the proposed sales tax ballot Measure M (Los Angeles County Metropolitan Transportation Authority one-half percent sales tax increase) on the November 8, 2016 Election Ballot," with the following revisions:

- a. That it be noted that the City of South Pasadena endorses the Foothill Gold Line as part of a multi-modal transportation strategy and the continued extension of the Gold Line.
- b. Reference to Connected Cities and Communities Coalition to be expanded to list all membership cities.
- c. Reference to the "Beyond the 710" to include a brief description of its mission and completed projects.

20. Adoption of a Resolution Transitioning the Water Conservation and Supply Shortage Plan from Stage 2 to Stage 1: Moderate Water Supply Shortage

Senior Management Analyst Shimmin presented the staff report and responded to City Council inquiries. In response to City Council inquiry, Public Works Director Toor advised that the Key Well, used to monitor the local ground water supplies, is at a historic low level.

Mayor Mahmud opened and closed the Public Comment period, there being no one desiring to speak on this item.

Councilmember Schneider stated that he supports the Natural Resources and Environmental Commission's recommendation to retain a two-day outdoor landscape watering restriction and maintaining water conservation incentives and rebates; noted that imported water is significantly more costly than local ground water, encouraging residents to conserve water.

Mayor Mahmud and Councilmember Joe pointed out that current water supply conditions do not warrant maintaining Stage 2 conservation restrictions, noting that residents may become fatigued and reluctant to comply with severe water conservation measures when necessary.

City Manager Gonzalez advised that staff will provide City Council with a status update on the City's water rebate programs.

Following discussion, MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to adopt Resolution No. 7483 entitled "A Resolution of the City Council of the City of South Pasadena, California, declaring a Stage 1: moderate water supply shortage and enacting a twenty percent (20%) conservation standard."

21. Consideration of State Route 710 Surplus Property Sales Final Environmental Impact Report Comment Letter

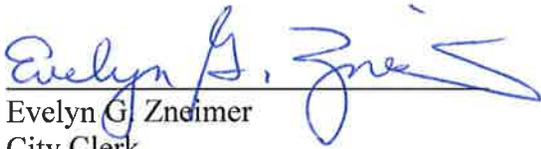
City Manager Gonzalez presented the staff report.

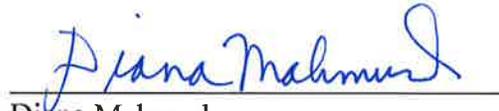
Mayor Mahmud opened and closed the Public Comment period, there being no one desiring to speak on this item.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 5-0, to approve a public comment letter regarding the State Route 710 (SR-710) Surplus Property Sales Final Environmental Impact Report, as revised.

ADJOURNMENT

Mayor Mahmud adjourned the Joint City Council/Redevelopment Successor Agency meeting at 10:35 p.m.


Evelyn G. Zneimer
City Clerk


Diana Mahmud
Mayor

Minutes approved by the South Pasadena City Council on October 5, 2016.