

**MINUTES OF THE SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF SOUTH PASADENA
CONVENED THIS 20TH DAY OF AUGUST, 2012 7:15 P.M.
AMEDEE O. "DICK" RICHARDS, JR., COUNCIL CHAMBERS
1424 MISSION STREET**

**ROLL CALL, INVOCATION,
PLEDGE OF ALLEGIANCE**

Mayor Cacciotti convened the special meeting of the South Pasadena City Council at approximately 7:15 p.m. City Clerk Kilby called the roll. City Councilmembers present: Joe, Khubesrian and Schneider; Mayor Pro Tem Putnam; and Mayor Cacciotti. Absent: None. Other officials present: City Manager Gonzalez; City Attorney Adams; Police Chief Payne; Finance Director Thai; Transportation Manager Woods; and City Clerk Kilby.

City Manager Gonzalez led the Pledge of Allegiance.

Mayor Cacciotti explained how the meeting would differ from other City Council meetings in regard to the license revocation hearing for King Spa. He asked that no photographs or video be taken.

PUBLIC COMMENT

Mayor Cacciotti said that public comment could be provided on agenda items only.

**LICENSE REVOCATION
HEARING PURSUANT
TO SOUTH PASADENA
MUNICIPAL CODE
SECTION 18.35-18.3--
KING SPA MASSAGE
LOCATED AT 1318
HUNTINGTON DRIVE**

Mayor Cacciotti and City Attorney Adams outlined the license revocation hearing proceedings for King Spa.

City Attorney Adams said that anyone who has information on the matter who wants to speak may need to be sworn in and be subject to cross-examination out of fairness and due process for the parties. He said documentary evidence will be introduced by the counsels, and they will then make a motion to have those entered into evidence. At that time, he said, each side will have an opportunity to comment on the documents with regard to their credibility. He said the burden of proof is on the City. Mayor Cacciotti said that City Attorney Adams is acting as counsel for the City Council. The prosecutor, Greg Palmer, is prosecuting the case for the City.

Prosecutor Palmer, of the law firm Jones & Mayer, addressed the "burden of proof" issue. He said he believed it should be "preponderance of the evi-

dence” as opposed to “clear and convincing evidence” and provided reasons for this. In response to a question posed by Mayor Pro Tem Putnam, City Attorney Adams recommended voting on the “burden of proof” issue after hearing from the attorneys.

Rebecca Elayache, attorney representing Shunhua Yan and King Spa, addressed the issue. She said that “clear and convincing evidence” should be the standard applied since there is a deprivation of a person’s livelihood.

Mayor Cacciotti questioned Prosecutor Palmer, who responded that this concerns simply the business license to operate a business within the City. This is why he maintained that the burden of proof should be “preponderance of the evidence,” he said. He responded to questions, stating that massage establishments’ owners/ operators do not need massage certificates. He described the difference between the two types of burdens of proof and the cases that upheld the standard. After Mayor Pro Tem Putnam made the following motion, Attorney Elayache objected, stating that this amounts to deprivation of Ms. Yan’s livelihood. It was clarified that the license being considered for revocation is the business license, not the massage therapist’s license.

By roll call vote (5 ayes), the City Council determined that the burden of proof standard to be established for the hearing would be “preponderance of the evidence.”

(Putnam, Joe)

Mayor Cacciotti asked a speaker (named below) who had submitted a speaker card to come to the podium. City Attorney Adams said that if the individual has evidence with regard to this matter, he may have to be sworn in and be cross-examined.

Carlos Sanchez, no address stated, said he is a citizen from South Pasadena, not a witness, and is not privy to any information of the cases. He expressed appreciation to the South Pasadena Police Department for an outstanding investigation. “Officers who go undercover are in a dangerous situation,” he said.

He said it is common knowledge about what happened at this establishment—illegal activity. He supported revoking the business license.

Prosecutor Palmer distributed notebooks containing 10 exhibits to the City Council. Opposing Counsel Elayache said she objected to Exhibit 6.

By consensus, the City Council moved Exhibits 1-5, excluding Exhibit 6, into evidence.

Prosecutor Palmer presented an opening statement, outlining the results of an investigation of King Spa beginning in 2010.

Opposing Counsel Elayache presented an opening statement, providing her client's background in the massage field and as the King Spa operator. Anything that happened in January 2012 or earlier has nothing to do with Ms. Yan, she said. She said Ms. Yan will testify that she purchased the business from the original owner for a considerable amount of money, which she can document, and that there is no illegal activity going on at the business now. Opposing Counsel Elayache said she will ask the Council to find that there is insufficient credible evidence for revocation of the business license and to dismiss the complaint.

Mayor Pro Tem Putnam asked to see the King Spa business license. This was provided to the City Council and legal counsel by Finance Director Thai.

Prosecutor Palmer called his first witness: James Valencia, South Pasadena Police Department, who he said has been the sergeant in charge of detectives for five years. He was sworn in by City Clerk Kilby. He answered questions about investigations of King Spa beginning in 2010.

Opposing Counsel Elayache objected, stating that everything that will be testified to by the detective took place prior to Ms. Yan becoming the owner of the business. Prosecutor Palmer responded, stating that the action to revoke the business license has been pending for some time. He said the new owner assumed the liability when she purchased the business.

Opposing Counsel Elayache said Ms. Yan attempted to investigate the business when she and her insurance agent, who is serving as a translator for her tonight, sought information from City Hall and the Police Department. No information indicative of problems was provided, Counsel Elayache said.

Mayor Pro Tem Putnam said if the business license belongs with the business, regardless of ownership, the testimony is relevant. If the license attaches only to the individual, he said, the buyer should have obtained a new business license. City Attorney Adams recommended that the City Council take into consideration what has been said, continue with the hearing, and if questions remain, the attorneys can brief the Council on the issue and bring it back at another time. Mayor Pro Tem Putnam, speaking to Opposing Counsel Elayache, said the City Council understands the objection and that it will be preserved.

Prosecutor Palmer continued questioning Sergeant Valencia about the investigation of King Spa. He reviewed exhibits contained in the notebook he had distributed and asked questions about the documents and the results of his investigations. Opposing Counsel Elayache asked if there were any letters from the City to the owner of King Spa after September 20, 2010; Sergeant Valencia said that he had not seen any.

Opposing Counsel Elayache made a motion to exclude any witnesses. City Attorney Adams asked what witness is being asked to be excluded and why. Prosecutor Palmer said that Cruz Hernandez is his last witness. He said he wanted to designate Sergeant Valencia as his Investigating Officer. Opposing Counsel Elayache had no objection.

Cruz Hernandez, Detective, San Gabriel Police Department, was sworn in by City Clerk Kilby. He responded to questions posed by Prosecutor Palmer about his undercover investigation of King Spa on January 27, 2012. Opposing Counsel Elayache questioned Detective Hernandez, who responded that he could not identify Ms. Yan as being the individual performing illegal acts or being present at the location on that date.

Prosecutor Palmer requested that the King Spa business license and business license application be admitted as Exhibit 11. He moved Exhibits 1 and 2 in as evidence, which he described as reference statutes. In regard to Exhibit 3, he said he had only the draft of the "Notice of Intent to Recommend Revocation of King Spa Business License." He asked to leave the record open in order to supplement Exhibit 3 with the final "Notice of Intent." Mayor Cacciotti said that since there had been no objection to Exhibit 3, this document would be admitted. Exhibits 4-10 were described by the witnesses, he said, and he moved them into evidence.

Mayor Cacciotti said all are admitted into evidence, except for Exhibit 6, which Opposing Counsel Elayache said she made an objection to on the grounds of hearsay, lacks foundation. Prosecutor Palmer said the rules of evidence do not apply with the same rigidity in an administrative hearing. Sufficient authentication has come from the witness, he said. Prosecutor Palmer and Sergeant Valencia responded to questions from Councilmembers. Opposing Counsel Elayache objected to using an anonymous letter of complaint; she requested that Exhibits 5 and 6 be excluded on the grounds of hearsay, lacks foundation. Mayor Pro Tem Putnam argued that what is contained in the letter does not need to be true; it just needs to be a legitimate complaint. For that limited purpose, he said, it should be admitted.

Mayor Pro Tem Putnam requested a brief recess to confer with the City Attorney. Mayor Cacciotti recessed the hearing at 8:28 p.m. and reconvened the hearing at 8:31 p.m. Mayor Cacciotti read a pertinent section from the Government Code Administrative Procedures Act, which said that the content found in the subject exhibits would be used only to supplement or explain other evidence in the record.

By roll call vote (5 ayes), the City Council admitted Exhibits 5 and 6 for a limited purpose—to show that the police officer received these documents and that they precipitated an investigation—but not that the City Council considers any of the content to be true.

(Putnam, Joe)

Prosecutor Palmer said the City rests.

When questioned by Mayor Cacciotti, Opposing Counsel Elayache had no objection to moving the business license documents into evidence. City Manager Gonzalez, responding to a question posed by Councilmember Joe, explained written notes that were attached to the business license documents. He said these represent notes from the previous owner to the City.

Finance Director Thai was sworn in by City Clerk Kilby and then responded to questions about the contents of the business license application and the chronology of various names listed on the license. He confirmed that when the illegal act was committed on January 27, 2012, the name on the license was Meng Dong Wang, not Shunhua Yan. Her name was added sometime around March 27, 2012, he said, as a partner. A renewal notice was mailed in July, he said, to both parties. When it was returned, only Ms. Yan's name was on the renewal, he said. He said that the City was notified that a previous partner, Xiau Ye Huang, was no longer a partner on January 25, 2012.

Mayor Pro Tem Putnam said that if this document is admitted, Ms. Yan's social security number and driver's license number should be redacted. City Attorney Adams said that this information will be redacted for any public records requests.

Mayor Cacciotti asked if legal counsel had any questions for Finance Director Thai. Opposing Counsel Elayache posed a question: If Mr. Wang's name was taken off the license, and if he said that Ms. Yan had purchased the business and that she is the owner, would that require a new business license, and if so, how long would that take to approve? Finance Director Thai said that the City would not require a new business license application. However, he said, a new owner could apply for a new license. This would take less than a month, he said. The addition and removal of owner information due to the sale of a business, while not common, is acceptable, he said.

Opposing Counsel Elayache did not object to

admitting the business license documents into evidence.

By roll call vote (5 ayes), the City Council admitted the King Spa business license/business license application, including handwritten notes, into evidence, with redactions of social security numbers and driver's license numbers (identified earlier as Exhibit 11), for limited purposes.

(Putnam, Khubesrian)

Finance Director Thai made copies of exhibits Opposing Counsel Elayache planned to introduce; they were distributed to the City Council.

Opposing Counsel Elayache said the respondent wanted to testify. She commented that Ms. Yan is fluent in both Korean and Mandarin and that a request was made for the City to provide a Korean-language interpreter. She said the request was denied. She said Ms. Yan's insurance agent, Jianxiu Zhao, will serve as an English/Mandarin interpreter. She said Ms. Zhao will translate to the best of her ability, stating that her English is not perfect.

Mayor Pro Tem Putnam asked about the accuracy of the translation; Opposing Counsel Elayache said this could not be guaranteed. Mayor Pro Tem Putnam said that securing an interpreter was Opposing Counsel Elayache's responsibility. Mayor Cacciotti asked if there were any Mandarin or Korean speakers in the audience. Annie Wei Cacciotti, Mayor Cacciotti's wife, responded that she spoke Mandarin, and he asked her to assist. Mayor Cacciotti asked his wife to listen to the translation to ensure that the interpretation was correct.

Mayor Pro Tem Putnam asked if Ms. Zhao spoke English fluently. She responded in broken English. City Attorney Adams asked if she promised to translate accurately what is being asked of Ms. Yan; she said yes.

Ms. Yan responded to questions posed by Opposing Counsel Elayache as translated by Ms. Zhao. Through the interpreter, Ms. Yan said she purchased

the business April 26, 2012. She said she asked the City whether there was any issue with the existing business. She said she was told that after three months, the previous owner's name could be removed from the license. Otherwise, if she applied for a new license, she said she was told that the business would have to close and that there would be a three-month wait to obtain a new business license. The interpreter said that she accompanied Ms. Yan to City Hall and the Police Department to inquire about the business. When the interpreter began to testify and not simply translate, City Clerk Kilby swore her in (as requested by City Attorney Adams and Mayor Cacciotti).

Opposing Counsel Elayache introduced various exhibits, which were distributed to the City Council. Ms. Yan responded to questions about the documents and her operation of King Spa. She said she had no criminal record. As requested by City Attorney Adams and agreed to by Opposing Counsel Elayache, a Bank of America account number on the two-page bank statement was partially redacted (leaving the last four digits). Ms. Yan said neither she nor anyone who has worked for her have been cited for prostitution. The only corporate officer is herself, Ms. Yan said, and she said she is not affiliated with the previous owner. No one else's name is on the business license, Ms. Yan said. She responded to questions about her prior ownership of a spa in Pasadena.

Prosecutor Palmer conducted a cross-examination. Ms. Yan responded to questions about her inquiries into King Spa at City Hall on March 27, 2012. She indicated that the previous owner said that there was no problem with the business. She responded to questions about the Business Purchase Agreement (Exhibit B), which indicated that a new business license would be obtained. She said she applied for new corporate documents under the name King Spa Inc., and took over the lease from the previous owner. Ms. Yan said on May 1, 2012, she started the business as the new owner. Between March 27, 2012, and May 1, 2012, she said Mr. Wang owned the business. Since May 1, 2012, she said she has operated the business in compliance with all applicable codes. Prosecutor Palmer said a police report from June 13, 2012, reported that several violations

were found. She agreed that she had received a citation and has an upcoming court date.

As requested by Prosecutor Palmer, Mayor Cacciotti said without objection, Exhibit 12 (South Pasadena Police Department Crime Report dated June 13, 2012) was moved into evidence.

Opposing Counsel Elayache questioned Ms. Yan about the citation, her previous spa, her efforts to inquire about King Spa at the City, and her intent to have the previous owner's name removed from the business license. Ms. Yan said escrow closed April 26, 2012.

Ms. Yan responded to questions posed by Councilmembers about the business license; her relationship with the previous owner; how she learned about the sale of the business; how long she had operated her prior business; permits required in the City of Pasadena; whether the CPA (Certified Public Accountant) listed in documents (James Wang) is the same as the previous owner (Meng Dong Wang), or is related to him; whether she had employed Ping Li, an individual charged with illegal activity; how she investigated the business prior to purchase and why she asked the Police Department about the business; when she found out about the police incident at King Spa and the response of the previous owner to her queries after learning of the incident; and whether she was aware of police activity at other spas.

Annie Wei Cacciotti assisted by clarifying the interpreter's translation of a number of questions. The interpreter said that because Ms. Yan's native language is Korean, Ms Yan is experiencing some difficulty understanding Mandarin.

Interpreter Zhao, who said she accompanied Ms. Yan to the City, responded to questions by City Councilmembers about their queries about the business at the Police Department and City Hall. Ms. Zhao said they completed a form at the Police Department to obtain information but said that there was no response. The City said there was no problem with the business, she said. In response to a question from Opposing Counsel Elayache, Ms. Zhao said she knew the date

was March 27, 2012, because she consulted to her calendar. She produced a 2012 book-type calendar containing an appointment for that date at the City of South Pasadena and passed the calendar among the City Councilmembers for their review.

Mayor Cacciotti said that due to the late hour, the City Council will not be able to address all items on the agenda. He said Item #4, strategy regarding proposed SR-710 extension, will be addressed. He was uncertain about Item #6, update on Senate Bill 204. He said #5, review of the resolution stating the City's official position on the SR-710 extension, would not be heard.

Without objections from Prosecutor Palmer or the City Council, Mayor Cacciotti said Opposing Counsel Elayache's Respondent's Exhibits A-G were admitted into evidence. Without objection from Opposing Counsel Elayache or the City Council, Mayor Cacciotti said that a South Pasadena Police Report dated June 13, 2012, regarding King Spa was admitted into evidence.

Prosecutor Palmer called one rebuttal witness: Finance Director Chu Thai, who responded to a question about names on the business license. In response to a question from Councilmembers Schneider and Khubesrian, Finance Director Thai said that citations issued to a business are not reflected on the business license. He said staff generally does not share this information with members of the public who inquire. If the license is suspended, that information can be shared. If a member of the public asked for a copy of a police report, he said he would have consulted with the City Attorney's office. He said that police actions/ notices of revocation of a business license for a business would not be routinely provided to new owners. In response to a question from Mayor Pro Tem Putnam, Finance Director Thai said a notice of revocation of a business license would not automatically be provided to a member of the public in an effort to maintain confidentiality. Counsel declined further questioning.

Sergeant Valencia was recalled as a witness. Councilmember Khubesrian asked what information would

be provided to a member of the public about a business. Sergeant Valencia said that staff would not reveal information about arrests that took place at a place of business. Depending on who she spoke to, he said, staff members may not have known what could be shared. At that time, he said, information about the arrests had been in the newspapers and was public information.

Prosecutor Palmer asked Sergeant Valencia whether criminal charges had been sought against Mr. Wang; Sergeant Valencia said yes. In response to a question, Sergeant Valencia said information about this could be obtained only by police from the Los Angeles Superior Court website. Sergeant Valencia said the public could obtain this information from the Los Angeles County Sheriff's Department website with a name and date of birth. Opposing Counsel Elayache asked if the Sheriff's website contained information about individuals who have been cited and released. Sergeant Valencia said no, information would be available only if they were arrested and booked.

City Attorney Adams, in response to a question posed by Councilmember Khubesrian, said that the Attorneys could brief the Council as to whether the current owner could be held responsible for illegal activity that occurred prior to her ownership of the business.

Mayor Cacciotti said both sides rest. Mayor Cacciotti called a brief recess at 11:04 p.m. and reconvened the meeting at 11:14 p.m.

Mayor Cacciotti directed counsel to prepare written briefs. He said once the Councilmembers identify the issues to be included, he will set a briefing schedule. No oral argument will be presented tonight, he said. The closing arguments will be contained in the briefs, Mayor Cacciotti said.

Councilmember Khubesrian asked if the previous owner or the current owner would be held responsible and accountable for the business license for the incident that occurred on January 27, 2012. She asked what constitutes due diligence when the parties had previously asked whether problems existed with the business.

Councilmember Joe asked how the recent citation from June 13, 2012, relates to a license revocation that is a result of matters that took place previously.

Councilmember Schneider asked what responsibility Ms. Yan has for activities that took place prior to her becoming the owner. He asked how much the language barrier contributed to the misunderstanding or the lack of knowledge.

Mayor Pro Tem Putnam said there was no dispute as to the prior illegal act, and thus no there is dispute that grounds for revocation exist. If the defense disputes that grounds for revocation exist, he said he would like to know that—other than the fact that there is new ownership. The only issue is the change in ownership issue, he said, and whether the current operator is operating an unlicensed business. The prior license was issued to a partnership, he said. The defendant purchased a corporation, a different business entity. He was not certain if this mattered, in accord with the doctrine of substantial compliance. A business license was taken out and is still in effect, he said. He asked if it made a difference that someone new is holding the license.

Mayor Cacciotti asked about responsibilities of the owner for activities of employees/contractors.

Mayor Cacciotti asked Prosecutor Palmer and Opposing Counsel Elayache to prepare closing argument briefs, limited to a maximum of 10 pages, to be submitted to the South Pasadena City Clerk's Office by Tuesday, September 4, 2012, by 5:00 p.m. He said they could submit optional reply briefs (limited to a maximum of 5 pages), which are due at the South Pasadena City Clerk's Office by Friday, September 14, 2012, by 4:00 p.m. All submitted documents should be served on opposing counsel by fax or email, he said. This item will be added to the agenda of the Regular City Council meeting of September 19, 2012. No objections were voiced.

In response to a question about the conduct of the next meeting, City Attorney Adams said the hearing has concluded. Written briefs will be prepared for deliberations and a decision, he said. Regarding the

issue of taking additional public comment, City Attorney Adams said he would research this issue.

**STRATEGY REGARDING
PROPOSED SR-710
EXTENSION**

Mayor Pro Tem Putnam said nearby cities oppose the freeway route through their cities and ask that another route be chosen—by implication, “go back to South Pasadena.” The City needs to educate others, he said, as to the best alternative, either no-build or multi-modal alternative transportation options. Since members of the City Council should not speak in public without authorization in advance from the City Council, he said he wanted to obtain authorization to enable him to contact Los Angeles, Pasadena, and other cities to persuade them that the best alternative is not one that goes through a different city, and that they should look at the need for the project. Councilmember Schneider said much of that work has already been done.

Weston DeWalt, a Pasadena resident, reviewed opposition to a recently proposed SR-710 route through southwest Pasadena. He said the City of Pasadena is prevented from taking action that is contrary to a policy (Measure A) favoring the completion of the SR-710 extension. He said a 1989 Supreme Court decision determined that legislation must be considered in the context in which it was passed. Pasadena adopted a resolution opposing the route, he said. He expressed opposition to all proposed routes.

Sam Burgess, no address stated, said the audience has been in the Chambers for four and one-half hours waiting to discuss the SR-710 extension. He asked why this topic was scheduled after a massage parlor hearing, which was expected to be lengthy. People spent a lot of time persuading others from nearby cities to attend, he said, and now they have all left. He urged the City Council to clearly oppose the SR-710 north extension in any form or in any direction. He urged the City Council to oppose the SR-710 south extension as well. He advised sending a representative to the City Council meetings in various cities.

Councilmember Joe apologized for scheduling this topic after the hearing. Mayor Cacciotti asked how items in addition to the strategy session were added to the agenda; he said he authorized only the strategy

session. Discussion followed.

Don Jones, 1636 Fair Park Avenue, Los Angeles, expressed appreciation to the City Council for meeting with the State Auditor regarding the Caltrans properties. He said the report is a "toxic stew of graft and corruption . . . it is a road map that shows how the people have been robbed . . . how your city has been robbed" He urged the City Council to request the Attorney General to begin an investigation immediately.

Bob Holmes, no address stated, Secretary, West Pasadena Residents' Association, expressed interest in working with the City on strategies to oppose the SR-710 extension. He said his organization is scheduling meetings with members of the Metro Board. He said he is soliciting comments from this City Council as to how to go about this.

Mary Ferrero, 2030 Fremont Avenue, said she convinced neighbors to attend this meeting on the SR-710. However, she said, due to the late hour, they all left. Neighbors thought the freeway fight was over, she said. She said residents need to be educated.

Mary Ann Parada, 1710 Ramona Avenue, said that she wished Mayor Pro Tem Putnam had been at the recent Pasadena City Council meeting, during which Pasadena City Councilmember Victor Gordo said that opening the 210 freeway to the 215 freeway did not bring less congestion. At least 700-800 people were in attendance, she said, to protect their homes. They supported the no-build alternative, she said. She urged the City Council to contact the Attorney General and "put those guys in jail."

Mayor Pro Tem Putnam said those pushing the SR-710 are politically connected, intelligent, and determined. Out of 32 cities in the San Gabriel Valley Council of Governments (SGVCOG), he said only two oppose the freeway. Proponents say once the Avenue 64 routes are eliminated, all the opposition in Pasadena will disappear. He requested authorization to contact people on behalf of the City to attempt to gain political support that will help in the long run. If the City waits until the end of October, he said, the

opportunity will be lost. He responded to questions. All environmental data shows that any project would be bad, he said, and the Southern California Association of Governments and others promoting the project to enhance mobility and reduce pollution have never released their modeling and have not proven that there is any benefit from building the project. Measure A in Pasadena may be put back on the ballot, he said.

Councilmember Schneider supported contacting others and at the same time being careful not to tell other cities what to do. Councilmember Joe suggested sending a letter to Metro similar to the letter that Pasadena sent concerning the alternatives. Adjacent cities are issuing resolutions and letters, Mayor Pro Tem Putnam said, and this is the time to meet with other City Councils. Councilmember Khubesian emphasized communicating the City's strong opposition to a bored tunnel alternative in any SR-710 freeway resolution revision. Mayor Cacciotti spoke about the City's multi-pronged approach to fight the freeway (litigation, legislation, lobbying). He said SGVCOG cities do not support the City's efforts. Mayor Pro Tem Putnam suggested that Councilmembers select a neighboring city (Monterey Park, San Marino, Pasadena, Highland Park Neighborhood Council, San Gabriel, Arcadia, Sierra Madre, Temple City), and speak at public comment during meetings to tell the Councils what they should be doing on the SR-710. He recommended that they provide a copy of the City's current freeway resolution and advise that they adopt a similar one. These cities should re-evaluate their position on the freeway, he said, since no matter where it is built, it will impact their city. The best alternative is no alternative, he said, until the project has been demonstrated, and after it has been proven that there are no environmental impacts. Mayor Cacciotti volunteered to speak at a City of Sierra Madre Council Meeting; Mayor Pro Tem Putnam said he would meet with the City of San Marino. Mayor Cacciotti requested that City Manager Gonzalez coordinate meeting times.

By a consensus of the City Council, Mayor Cacciotti reopened public comment and limited comments to one minute each.

Sam Burgess, no address stated, suggested that the Councilmembers ask to be added to the agenda of each city so that discussion can take place.

Ellen Biasin, San Rafael Hills, Pasadena, said she has been spending all her time investigating the proposed SR-710 route alternative through the San Rafael Hills. She said no one has thought about the spectre of 14 lanes heading north toward "your freeways, your streets, your homes . . . do you know how much pollution that's going to cause?"

Weston DeWalt, Pasadena, advised striking while the iron is hot. The next Pasadena City Council meeting is September 10, 2012, he said, followed by another Council meeting on September 24, 2012.

By voice vote (5 ayes), the City Council authorized Mayor Pro Tem Putnam and Mayor Cacciotti to formally meet with elected officials in nearby cities to try to discourage those cities from taking a position that simply moves the proposed SR-710 extension from their city into South Pasadena or to other cities. The City Council authorized them to attempt to convince other cities of the merits of the City's current freeway position, as embodied in the current resolution confirming the City's official position on the SR-710 extension (Resolution No. 7172). In response to a request by Councilmember Schneider for authorization to speak on behalf of the City to individuals he might encounter, Mayor Pro Tem Putnam amended his motion (seconded by Councilmember Joe) to authorize Councilmember Schneider and other Councilmembers to speak on behalf of the City in regard to the City's position on the proposed SR-710 extension (coordinating with the City Manager or his designee to avoid duplicating efforts).

(Putnam, Cacciotti)

**REVIEW RESOLUTION NO.
7172: CITY'S OFFICIAL
POSITION ON THE SR-710
FREEWAY EXTENSION**

Due to the late hour, this item was postponed. Councilmember Khubesrian said she would like to consider this item after the SR-710 Community Forum to be held on September 26, 2012.

**UPDATE REGARDING STA-
TUS OF SENATE BILL 204**

Due to the late hour, this item was postponed.

FUTURE AGENDA

Councilmember Joe said he would not be in attendance at the upcoming City Council meeting on September 5, 2012. City Manager Gonzalez said that he would send the draft agenda this week to the City Council and review the items with the Mayor so that adjustments can be made.

ADJOURNMENT

By consensus, the City Council adjourned at 12:35 a.m. August 21, 2012.


Sally Kirby
City Clerk


Michael A. Cacciotti
Mayor