

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY
OF THE CITY OF SOUTH PASADENA
CONVENED THIS 19th DAY OF DECEMBER, 2012 7:37 P.M.
AMEDEE O. "DICK" RICHARDS, JR., COUNCIL CHAMBERS
1424 MISSION STREET**

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

Mayor Cacciotti convened the open session of the regular meeting of the South Pasadena City Council/Redevelopment Successor Agency (Agency) at 7:37 p.m. City Clerk/Agency Secretary Kilby called the roll. City Councilmembers/Agency Members present: Joe, Khubesrian and Schneider; Mayor Pro Tem/Agency Vice Chair Putnam; and Mayor/Agency Chair Cacciotti. Absent: None. Other Officials present: City Manager/Agency Executive Director Gonzalez; Assistant City Manager Straus; City Attorney/Agency Counsel Adams; Police Chief Payne; Fire Chief Wallace; Finance Director Thai; City Librarian Fjeldsted; Public Works Director Toor; Community Services Director Pautsch; Planning and Building Director Watkins; Transportation Manager Woods; Senior Planner Mayer; Assistant Finance Director Batt; Deputy City Clerk Jimenez; Assistant Planner Vizcarra; Executive Assistant Kbjian; and City Clerk Kilby.

Police Chaplain Dan Bricker offered the invocation, which focused on a recent mass shooting at an elementary school in Connecticut. Mayor Pro Tem Putnam offered a prayer for those who died in Newtown, Connecticut; for those traveling during the holidays; for those who serve in the military and public safety; for those with special needs; and for those who will celebrate in the coming days. He led the Pledge of Allegiance.

**CLOSED SESSION
ANNOUNCEMENTS**

City Attorney Adams announced that there was no Closed Session.

**PRESENTATION OF THE
2011-12 ANNUAL REPORT
OF THE LIBRARY BOARD
OF TRUSTEES**

Edward Pearson, Member, Library Board of Trustees, presented the Board's annual report.

**PRESENTATION OF THE
2011-12 ANNUAL REPORT**

Robert Conte, Chair, Cultural Heritage Commission (CHC), presented the Commission's annual report.

**OF THE CULTURAL
HERITAGE COMMISSION**

He responded to questions.

**PRESENTATION OF
CERTIFICATES OF
APPRECIATION TO
RETIRING LONGSTANDING
CITY OF SOUTH PASADENA
EMPLOYEES RICHARD
JENKINS, FIRE CAPTAIN,
YOLANDA VALDEZ,
ADMINISTRATIVE
SECRETARY, AND
STEPHANIE JONES,
UTILITIES BILLING
COORDINATOR**

Mayor Cacciotti read a Certificate of Appreciation for retiring longstanding employee Stephanie Jones, Utilities Billing Coordinator, Finance Department, who was not present to receive the certificate.

Mayor Cacciotti presented Certificates of Appreciation to retiring longstanding City of South Pasadena employees Yolanda Valdez, Administrative Secretary, Library; and Richard Jenkins, Fire Department, Fire Captain. Mayor Cacciotti described their contributions and their family life. He presented them with copies of *South Pasadena: A Centennial History*, second edition, by Jane Apostol. Both retiring employees made remarks.

**COUNCILMEMBERS'
COMMENTS (3 MINUTES
EACH)**

Councilmember Khubesrian expressed how difficult it has been this week at a local elementary school following the tragedy in Connecticut. She sent condolences to the families who are dealing with this horrific loss. She said some families are coping by sending letters to children of the Sandy Hook Elementary School to let them know that "we are thinking about them."

Mayor Pro Tem Putnam wished viewers holiday greetings and reminded all that the City will participate in the Tournament of Roses Parade with the oldest self-built float.

Councilmember Joe described the recent "Breakfast with Santa" event for children and displayed photographs from a PowerPoint presentation.

Mayor Cacciotti reported on a recent American Youth Soccer Organization (AYSO) event. He requested that an item be placed on a future agenda to hear a report on the status of a vacant City-owned house in the Arroyo. This was seconded by Councilmember Khubesrian. He reported on his visit to the City-owned stables. He requested that Community Services Director Pautsch organize a tour for commissioners and the community. He reported on the Public Safety Commission and Youth Commission meetings. He reported on SR-710 meetings. He

acknowledged staff efforts in completing recent tennis court repairs at Garfield Park.

CITY MANAGER COMMUNICATIONS

City Manager Gonzalez made a presentation about the City's procedures and policies for approving requests for certificates and proclamations. He expressed apologies on behalf of staff for not circulating the request for a proclamation for "Modesty Week" to the entire City Council. The established procedure will be followed in the future, he said.

As requested by Councilmember Joe—in regard to the recent tragedy in Newtown, Connecticut, Police Chief Payne made a presentation about efforts being made to safeguard school children in the City.

REORDERING OF AND ADDITIONS TO THE AGENDA

Without objection, as requested by Mayor Pro Tem Putnam, Mayor Cacciotti said that Item #22, Election of Mayor/Successor Agency Chair and Mayor Pro Tem/Successor Agency Vice Chair, would be heard before any other item.

ELECTION OF MAYOR/SUCCESSOR AGENCY CHAIR AND ELECTION OF MAYOR PRO TEM/SUCCESSOR AGENCY VICE CHAIR FOR THE 2012- 2013 TERM

City Attorney Adams presented the staff report on the Election of Mayor/Successor Agency Chair and Mayor Pro Tem/Successor Agency Vice Chair.

Members of the public who expressed opposition to the current mayoral succession plan, in which Mayor Pro Tem Putnam would automatically become Mayor tonight, were Janet Ervin, no address stated; Clarice Knapp, 417 El Centro Street; Bianca Richards, no address stated; Gretchen Robinette, 921 Indiana Avenue; and Diana Mahmud, no address stated.

Councilmember Schneider said that he had prepared a statement. Since he had a very bad cold, he asked City Clerk Kilby to read the statement for him. In the statement read by the City Clerk, he expressed opposition to the existing mayoral succession plan. "My concern is that the City Council of 2010 should not dictate the officers for the subsequent City Council," one sentence of the statement read. Mayor Pro Tem Putnam made remarks and suggested that the Council adopt a nine-month mayoral term with a preset sequencing of mayors. He said that "certainty

in the process can outweigh all of this last-minute politicking, back-room dealing, scrambling, promising, and other things with people trying to become mayor.” Councilmember Joe urged the Council to preserve the positive working relationship that currently exists by doing what is best for the City; he supported Mayor Pro Tem Putnam’s proposal. Councilmember Khubesrian opposed Mayor Pro Tem Putnam’s plan as “thwarting voter wishes.” Councilmember Schneider opposed shortening the newly elected Councilmembers’ mayoral terms and opposed continuing the mayoral sequencing past the 2013 General Municipal Election. As requested by Councilmember Khubesrian, City Clerk Kilby read the vote counts from the November 8, 2011, City Council General Municipal Election for the winning candidates (with candidate Khubesrian receiving the most votes, followed by candidates Schneider and Joe). Mayor Cacciotti made remarks about the role of Mayor—the “first among equals.” He weighed the pros and cons of each position.

By roll call vote (3 noes, Councilmembers Khubesrian and Schneider and Mayor Cacciotti; 2 ayes, Councilmember Joe and Mayor Pro Tem Putnam), the City Council failed to approve a motion to adopt a short-range solution for the next four Mayoral/Redevelopment Successor Agency Chair terms that would permit each Councilmember to serve as Mayor/Chair for nine-month terms to begin November 2012 and end November 2015 with the sequence of Mayors/Successor Agency Chairs to begin with Mayor Pro Tem Putnam, to be followed by Councilmember Joe or Councilmember Khubesrian, followed by Councilmember Schneider (or following Mayor Putnam, some other rotation as desired by the City Council). An amendment was made by the maker of the motion and accepted by the seconder of the motion that the rotation to the next Mayor/Chair would not be automatic—that before a change, the issue would require ratification or a change vote by the City Council. The motion included direction that these decisions, if approved, be brought back in the form of a joint City Council/Redevelopment Successor Agency resolution.

(Putnam, Joe)

City Attorney Adams said that in terms of the voting process, if the City Council adopts Robert's Rules of Order, a second is not necessary when nominations are made. There appeared to be consensus to adopt Robert's Rules of Order.

Councilmember Schneider nominated Councilmember Khubesrian as Mayor/Redevelopment Successor Agency Chair; she commented that this was the appropriate nomination since she had been the top vote getter; however, she declined. She said she would serve as a better Mayor if she had served as Mayor Pro Tem for a year.

Councilmember Khubesrian nominated Councilmember Schneider as Mayor/Redevelopment Successor Agency Chair; he accepted.

Mayor Cacciotti asked if there were additional nominations. Hearing none, he made a motion to close nominations, seconded by Councilmember Joe. The motion to close nominations was approved by roll call vote (4 ayes; 1 abstention, Mayor Pro Tem Putnam).

By roll call vote (4 ayes; 1 abstention, Mayor Pro Tem Putnam), the City Council approved Councilmember Schneider as Mayor/Redevelopment Successor Agency Chair for the 2013 term.

Councilmember Schneider nominated Councilmember Khubesrian as Mayor Pro Tem/Redevelopment Successor Agency Vice Chair; she accepted.

Mayor Cacciotti asked if there were additional nominations. Hearing none, he made a motion to close nominations (no second audible). The motion to close nominations was approved by roll call vote (5 ayes).

By roll call vote (5 ayes), the City Council approved Councilmember Khubesrian as Mayor Pro Tem/Redevelopment Successor Agency Vice Chair.

By roll call vote (5 ayes), the City Council directed that the newly elected officers would assume their

offices in the first week of January at the January 2, 2013, regular City Council meeting.

(Khubesrian, Schneider)

**ITEMS REMOVED FROM
THE CONSENT CALENDAR
FOR SEPARATE
CONSIDERATION**

Mayor Pro Tem Putnam requested that Item #11, Mills Act contract, and Item #15, Gold Line Joint Powers Authority, be removed from the Consent Calendar for separate consideration. He and Councilmember Joe said that they were recusing themselves from voting on Item #20, sewer improvement project. Mayor Cacciotti requested that Item #17, letter regarding the SR-710; and Item #9, prepaid warrants, be removed from the Consent Calendar for separate consideration.

**APPROVAL OF THE
MINUTES OF THE
REGULAR MEETING OF
DECEMBER 5, 2012**

By roll call vote (5 ayes), the City Council approved the minutes of the regular City Council meeting of December 5, 2012.

(Khubesrian, Schneider)

**SECOND READING AND
ADOPTION OF
ORDINANCE NUMBER 2241
REPEALING WATER RATES
ESTABLISHED BY
ORDINANCE NOS. 2230 AND
2232**

By roll call vote (5 ayes), the City Council read by title only for second reading, waiving further reading, and adopted Ordinance No. 2241, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, REPEALING ORDINANCE NOS. 2230 AND 2232.

(Khubesrian, Schneider)

**APPROVAL OF
LITIGATION SETTLEMENT
AGREEMENT SOCAL
MOBILE FOOD VENDORS
ASSOCIATION V. CITY OF
SOUTH PASADENA, CASE
NO. BC491335**

By roll call vote (5 ayes), the City Council approved the litigation settlement agreement between the SoCal Mobile Food Vendors Association v. City of South Pasadena in substantially the form as proposed and authorized the City Manager to sign the agreement.

(Khubesrian, Schneider)

**AUTHORIZE CITY
MANAGER TO EXECUTE
SUBRECIPIENT
AGREEMENT FOR FY11
URBAN AREA SECURITY
INITIATIVE (UASI) GRANT
PROGRAM IN THE**

By roll call vote (5 ayes), the City Council approved the proposed agreement and exhibits between the City of South Pasadena and the City of Los Angeles for the FY 2011 Urban Area Security Initiative Grant Program (UASI-11); approved the proposed amendment for FY 2008 UASI (UASI-08) between the City of Los Angeles and the City of South Pasadena for

**AMOUNT OF \$126,994 AND
FY08 UASI CONTRACT
AMENDMENT IN THE
AMOUNT OF \$45,600**

\$45,600 in additional funds; and authorized the City Manager to execute the agreements and all related documents, including future amendments.

(Khubesrian, Schneider)

**DECLARE OUTDATED CITY
PROPERTY AS SURPLUS
AND DIRECT STAFF TO
DISPOSE OF ITEMS
THROUGH THE CITY'S
AUTHORIZED AUCTION
VENDOR**

By roll call vote (5 ayes), the City Council declared items from the Community Services Department, the City Clerk's Office, the Library, and the Finance Department (IT) as surplus property and instructed staff to dispose of the items in accordance with South Pasadena Municipal Code Section 2.99-29 and City Policy, prescribing the manner in which such property is discarded.

(Khubesrian, Schneider)

**MONTHLY INVESTMENT
REPORTS FOR SEPTEMBER
AND OCTOBER 2012**

By roll call vote (5 ayes), the City Council and the City Council as the Successor Agency to the Community Redevelopment Agency (CRA) received and filed the monthly investment reports for September and October 2012.

(Khubesrian, Schneider)

**FIRST QUARTER FY 2012-
2013 FINANCIAL REPORTS**

By roll call vote (5 ayes), the City Council and the City Council as the Successor Agency to the Community Redevelopment Agency (CRA) received and filed the first quarter FY 2012-2013 financial reports.

(Khubesrian, Schneider)

**FORMATION OF AN AD
HOC MOBILE FOOD
VENDING POLICY
ADVISORY COMMITTEE
AND INITIATION OF A
ZONING CODE
AMENDMENT TO
REGULATE MOBILE FOOD
VENDING BUSINESS ON
PRIVATE PROPERTY
RESOLUTION NO. 7254**

By roll call vote (5 ayes), the City Council formed an Ad Hoc Mobile Food Vending Policy Advisory Committee to review, finalize and recommend new mobile food vending policies in the City; and adopted Resolution No. 7254, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DECLARING ITS INTENTION TO ENACT SECTION 36.300.120 OF THE SOUTH PASADENA MUNICIPAL CODE RELATING TO MOBILE FOOD VENDING BUSINESSES ON PRIVATE PROPERTY.

(Khubesrian, Schneider)

ACCEPTANCE OF PROJECT COMPLETION AND AUTHORIZATION TO FILE A NOTICE OF COMPLETION FOR THE ARROYO DRIVE, MARENGO AVENUE, MERIDIAN AVENUE AND HUNTINGTON DRIVE SEWER IMPROVEMENT PROJECT, AND AUTHORIZATION TO RELEASE RETENTION PAYMENT IN THE AMOUNT OF \$33,109 TO NIKOLA CORPORATION

By roll call vote (3 ayes, Councilmembers Khubesrian and Schneider and Mayor Cacciotti; 2 recused due to conflict of interest, Mayor Pro Tem Putnam and Councilmember Joe), the City Council accepted the project improvements as complete for the Arroyo Drive, Marengo Avenue, Meridian Avenue and Huntington Drive Sewer Improvement Project; authorized the issuance of a Notice of Completion for the project; and authorized payment of the retention to Nikola Corporation in the amount of \$33,109.

(Khubesrian, Schneider)

APPROVAL OF PREPAID WARRANTS IN THE AMOUNT OF \$676,347.12, GENERAL CITY WARRANTS IN THE AMOUNT OF \$185,746.52 AND PAYROLL IN THE AMOUNT OF \$452,030.71

Mayor Cacciotti inquired about a warrant to the Alhambra Courthouse for \$11,955.50 for court fees. Finance Director Thai responded that this was for citation processing. Mayor Cacciotti requested that he investigate and report back to City Council. Councilmember Schneider noted there is missing information on one item; Finance Director Thai said that this was due to the location of the hole punch in the agenda report for notebooks.

By roll call vote (5 ayes), the City Council approved Prepaid Warrants #175989-176044 in the amount of \$676,347.12, General City Warrants #176045-176164 in the amount of \$185,746.52, payroll 12-07-12 in the amount of \$443,577.91, and special payroll 12-14-12 in the amount of \$8,452.80, for a total of \$1,314,124.35. Sitting as the Successor Agency to the Community Redevelopment Agency, the City Council approved Redevelopment Successor Agency warrants for \$10,003.24 (included in above total).

(Schneider, Joe)

APPROVAL OF A MILLS ACT CONTRACT FOR PROPERTY LOCATED AT 919 PALM AVENUE

Mayor Pro Tem Putnam asked when the subject property at 919 Palm Avenue, which is being considered for a Mills Act contract, was purchased.

Brian Knight, who said that he and his wife Cindy Knight are property owners, 919 Palm Avenue, purchased the property on December 22, 2010.

Mayor Pro Tem Putnam asked why the City should

subsidize the repairs on the home if it was purchased for a discounted price due to its dilapidated condition. Senior Planner Mayer said the issue was not raised at the CHC meeting. Discussion followed. Senior Planner Mayer and City Attorney Adams responded to questions. Councilmember Schneider suggested that in the future, a representative from the CHC attend these Mills Act discussions.

By roll call vote (4 ayes; 1 no, Mayor Pro Tem Putnam), the City Council entered into a Mills Act Contract with the property owner of 919 Palm Avenue.

(Khubesrian, Joe)

**CONSIDER APPROVAL OF
AMENDMENT NO. 3 TO
THE JOINT EXERCISE OF
POWERS AGREEMENT OF
THE GOLD LINE II JOINT
POWERS AUTHORITY**

Transportation Manager Woods responded to questions about the proposed amendment to the Joint Exercise of Powers Agreement of the Gold Line II Joint Powers Authority.

Councilmember Schneider, who was feeling ill, left the dais and the meeting at 9:36 p.m.

By roll call vote (4 ayes; 1 absent, Councilmember Schneider), the City Council approved Amendment No. 3 to the Joint Exercise of Powers Agreement of the Gold Line II Joint Powers Authority (JPA).

(Joe, Putnam)

**AUTHORIZE THE MAYOR
TO SUBMIT A COMMENT
LETTER TO CALTRANS
AND METRO ON THE
DRAFT PURPOSE AND
NEED, AND THE
REMAINING
ALTERNATIVES
PROPOSED FOR THE SR-710
STUDY AREA**

Transportation Manager Woods responded to questions posed by Mayor Cacciotti regarding the proposed comment letter to Caltrans and Metro on the draft Purpose and Need, and remaining alternatives proposed for the SR-710 study area. He said the Freeway and Transportation Commission added some passages to the draft letter; he said he had distributed the draft with the proposed additions highlighted. He read from the added passages. He responded to additional questions.

By roll call vote (4 ayes; 1 absent, Councilmember Schneider), the City Council authorized the Mayor to submit a comment letter to Caltrans on behalf of the entire City Council commenting on the draft Purpose and Need as well as the remaining alternatives pro-

posed to be studied in the environmental process for the proposed SR-710 extension. On an amendment requested by Councilmember Joe, the City Council directed staff to send copies of the letter to Metro, the City of Los Angeles, the City of Sierra Madre, and the Office of Senator Ed Hernandez (representative's name to be provided by Mayor Cacciotti).

On an amendment proposed by Mayor Cacciotti, the City Council directed that additional content be added to the proposed draft, Need 7: Slow travel speeds: Unstated need—sub-regional mobility. As suggested by Mayor Cacciotti, the City Council directed staff to review this sub-regional area from the Gold Line in the southern portion (ending at Atlantic) to the 210 in Pasadena by looking at all the educational institutions in that region and to include this information in this section of the draft letter—East Los Angeles Community College (25,000 students); Cal State Los Angeles (24,000-25,000 students); Caltech (several thousand); DeVry University; USC Keck School of Medicine in Pasadena and Alhambra; Glendale Community College; other colleges in Burbank; Azusa Pacific University; the Claremont Colleges; and other colleges. Information about employment centers should be included—the Los Angeles County Public Works Department (1,600 engineers); the Alhambra; along with entertainment locations in Alhambra and Monterey Park, such as the new Atlantic Times Square. The letter should contain information to emphasize that light rail should be accessible to those traveling to these centers, and that economic development and revitalization would be stimulated as a result. For example, a light rail stop is being investigated in Alhambra near Mission and Fair Oaks. The City Council directed that additional research should be conducted on these issues and content included in the draft letter in the section on sub-regional mobility. As requested by Mayor Cacciotti, the City Council directed that the letter be signed by all City Councilmembers (electronically).

(motion, second, inaudible)

**PUBLIC COMMENT
City Council and social media
to inform the community**

Vicky Kirkwood, Monterey Road, in regard to the proposed SR-710 extension, said that she attended a recent SR-710 protest meeting where few South Pasadena residents were present. She suggested that the City Council develop a social media page to inform residents about such meetings or other important activities.

REORDERING OF AGENDA

Mayor Cacciotti said without objection, Item #24, Exclusive Negotiation Agreement, Genton Property Group, would be heard ahead of Item #23, Oversight Board.

**PUBLIC HEARING:
APPEAL OF PLANNING
COMMISSION DECISION
TO UPHOLD PLANNING
DIRECTOR'S
INTERPRETATION WITH
REGARD TO THE
APPLICABILITY OF SOUTH
PASADENA MUNICIPAL
CODE SECTION 36.220.40
TO SMALL
NONCONFORMING
PARCELS**

Mayor Pro Tem Putnam recused himself on this item; he left the dais and the room. City Attorney Adams stated that since two members of the Council were absent, a unanimous vote of three would be needed.

Planning and Building Director Watkins presented the staff report on the appeal of the Planning Commission decision to uphold the Planning Director's interpretation with regard to the applicability of South Pasadena Municipal Code (SPMC) Section 36.220.40 to small nonconforming parcels.

The issue at hand is an interpretation that affects 2,000 residential lots, Planning and Building Director Watkins said. The applicant is arguing that no Floor Area Ratio (FAR) restrictions apply to his lot on Illinois Avenue, he said, and therefore, he should not have to apply for an FAR variance. City Manager Gonzalez said the applicant is trying to build a larger home than would be allowed according to interpretation by the Planning and Building Director, who determined that the FAR does apply. He said the Planning Commission is in agreement with the Planning and Building Director.

Mayor Cacciotti opened the public hearing and invited the applicant and his representatives to speak. He permitted the applicant and his three representatives five minutes each.

David Margrave, 928 Buena Vista Street, applicant, made a presentation. The applicant's representatives followed: Brian Cravens, Project Architect, Ewing

Architects, 723 E. California Boulevard, Pasadena, who distributed a handout containing a diagram and who utilized a poster board to illustrate his points; Milan Garrison, consultant, MG Resolutions, Inc., 3016 E. Colorado Boulevard, Suite 5626, Pasadena; and Steven R. Garcia, residence at 501 Prospect Avenue, South Pasadena, who said he is with Knapp, Petersen & Clarke law firm, 550 N. Brand Boulevard, Suite 1500, Glendale. He said he is a former South Pasadena Planning Commission Member and Chair. He illustrated his points with a PowerPoint presentation.

Applicant Margrave submitted a letter of support to City Clerk Kilby; he said it was from South Pasadena resident Harry How.

Mayor Cacciotti invited those opposing the applicant's appeal to speak. Those speaking against overturning the Planning Commission decision to uphold the Planning and Building Director's interpretation were Steven Friedman, Chair, Planning Commission; Anthony George, Vice Chair, Planning Commission, who said he was a practicing architect, 1000 Fremont Avenue, Suite F; Harry Knapp, 417 El Centro Street; Steve Felice, 1415 Laurel Street, Member, Planning Commission, who said he has practiced law for 30 years in real estate; and Karen Bachand, 1929 La France Avenue, who said she is a former member of the General Plan Advisory Committee and the Planning Commission.

Steven R. Garcia, identifying information noted above, presented the applicant's rebuttal, limited by Mayor Cacciotti to three minutes.

Mayor Cacciotti closed the public hearing. Questions followed. City Attorney Adams said that while reference has been made to a specific property, the item before the City Council is a Code interpretation that is not site specific. Mayor Cacciotti made remarks, stating that the SPMC's intent to avoid and prevent mansionization was clear.

By roll call vote (3 ayes, Councilmembers Joe and Khubesrian and Mayor Cacciotti; 1 absent, Councilmember Schneider; 1 recused due to conflict of

interest, Mayor Pro Tem Putnam), the City Council approved Resolution No. 7255, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION'S DECISION TO UPHOLD THE PLANNING DIRECTOR'S INTERPRETATION OF THE ZONING CODE REGARDING THE APPLICABILITY OF DEVELOPMENT STANDARDS FOUND IN SOUTH PASADENA MUNICIPAL SECTION 36.220.040 TO SMALL NONCONFORMING PARCELS AND DENYING AN APPEAL OF THE DIRECTOR'S INTERPRETATION.

(Joe, Khubesrian)

Mayor Pro Tem Putnam returned to the dais.

**APPROVAL OF AN
EXTENDED EXCLUSIVE
NEGOTIATION
AGREEMENT AND
DEPOSIT ESCROW
AGREEMENT WITH
GENTON PROPERTY
GROUP, LLC FOR THE
DOWNTOWN
REVITALIZATION
PROJECT**

Assistant City Manager Straus presented the staff report on the approval of an extended Exclusive Negotiation Agreement and extended Deposit Escrow Agreement with Genton Property Group, LLC, for the Downtown Revitalization Project. He responded to questions. Jonathan Genton, CEO, Genton Property Group, LLC, made a presentation and responded to questions.

City Manager Gonzalez made additional remarks about a contested parcel of land in the Downtown Revitalization Project Area. He said the City is appealing a decision of the California Department of Finance (State) that the parcel is not a housing asset. Regardless of the State's decision, he said, the City will be able to sell the property. Assistant City Manager Straus and Mr. Genton responded to questions; Mr. Genton said the proposed agreement excludes this parcel. Michael Busch, President, Urban Futures, Inc., responded to questions about disposing of the property if the Downtown Revitalization Project does not go through.

Mr. Genton responded to questions about the proposed Downtown Revitalization Project. He said residential units will no longer be part of the planned Mound/Hope parking structure. Some reconfiguration of parking at the major site may take place, he said, to activate Mission Street and to expand the

plaza. Some reduction in the residential component will occur, he said. Mr. Genton said the Environmental Impact Report does not include the Rialto Theatre (Rialto), and thus cannot be part of this particular project. However, he said, the Rialto will become even more valuable once the subject project is completed. City Manager Gonzalez said the current developer has not offered the Rialto funding for improvements. Assistant City Manager Straus responded to questions about the term of the agreement.

By roll call vote (4 ayes; 1 absent, Councilmember Schneider), the City Council approved an extended Exclusive Negotiation Agreement (ENA) with Genton Property Group, LLC, in substantially the form set forth in the agenda packet for nine months, effective December 19, 2012; and authorized the City Manager retroactively and prospectively to execute an extended Deposit Escrow Agreement for the Downtown Revitalization Project.

(Putnam, Joe)

**APPROVAL OF
RESOLUTION NO. 7256 SA
AUTHORIZING THE
TRANSMITTAL OF THE
DUE DILIGENCE REVIEW
OF NON-HOUSING FUNDS
TO THE OVERSIGHT
BOARD**

City Manager Gonzalez presented a brief report on the approval of a resolution authorizing the transmittal of the due diligence review of non-housing funds to the Oversight Board. Due to the late hour, the City Council, by consensus, waived hearing the staff report by Assistant Finance Director Batt. Mayor Cacciotti determined that there was no one present who wanted to offer public comment.

By roll call vote (4 ayes; 1 absent, Councilmember Schneider), the City Council, seated as the Successor Agency to the South Pasadena Community Redevelopment Agency, adopted Resolution No. 7256 SA, A RESOLUTION OF THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF SOUTH PASADENA, AUTHORIZING SUCCESSOR AGENCY STAFF TO TRANSMIT THE NON-HOUSING DUE DILIGENCE REVIEW TO THE OVERSIGHT BOARD AND TO OTHER STATE AGENCIES PURSUANT TO THE HEALTH AND SAFETY CODE.

(Putnam, Khubesrian)

AGREEMENT WITH URBAN FUTURES, INC., TO SERVE AS A FINANCE ADVISOR FOR POSSIBLE WATER BOND REFUNDING FOR AN AMOUNT NOT TO EXCEED \$20,000

Gary Pia, City Treasurer, presented the staff report on the proposed agreement with Urban Futures, Inc., to serve as a finance advisor for possible water bond refunding for an amount not to exceed \$20,000.

Michael Busch, President, Urban Futures, Inc., made a presentation about the proposed project. Questions followed. City Treasurer Pia made concluding remarks, recommending that the agreement be approved.

Diana Mahmud, no address stated, cautioned against entering into the proposed agreement due to the cost for what is “basically coordination.” There is no hourly breakdown, she said. She urged the City Council not to vote on this now and to consider the issues she raised.

As requested by Mayor Cacciotti, City Treasurer Pia addressed the speaker’s concerns. He said the Finance Committee supported entering into an agreement with Urban Futures, Inc. City Manager Gonzalez said that the City does not know where the market will be in three to four months; he urged the City Council to make an immediate decision to achieve maximum savings. He acknowledged the efforts of the City Treasurer, who answered additional questions.

By roll call vote (4 ayes; 1 absent, Councilmember Schneider), the City Council approved a professional services agreement with Urban Futures, Inc., to provide financial advisory (FA) services for a possible bond refunding for an amount not to exceed \$20,000.

(Khubesrian, Putnam)

FIRST READING AND INTRODUCTION OF AN ORDINANCE TO AMEND THE SOUTH PASADENA MUNICIPAL CODE RELATED TO REGULATIONS FOR WATER-CONSERVATION IN LANDSCAPING

Due to the late hour, this item was postponed.

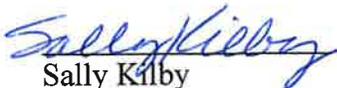
**A SUMMARY LIST OF
EXISTING CITY PROPERTY
LEASES AND PROFESSION-
AL SERVICE AGREEMENTS
AND CONTRACTS**

Due to the late hour, this item was postponed.

ADJOURNMENT

By consensus, the City Council adjourned the regular City Council/Redevelopment Successor Agency meeting of December 19, 2012, at 11:57 p.m., in memory of the 20 children and 6 adults who died in the recent Sandy Hook Elementary School, Connecticut, tragedy—as proposed by Councilmember Joe.

(Putnam, Khubesrian)


Sally Kilby
City Clerk


Richard D. Schneider, M.D.
Mayor