

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY/PUBLIC  
FINANCING AUTHORITY OF THE CITY OF SOUTH PASADENA  
CONVENED THIS 3<sup>RD</sup> DAY OF JULY, 2013 7:30 P.M.  
AMEDEE O. "DICK" RICHARDS, JR., COUNCIL CHAMBERS  
1424 MISSION STREET**

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

Mayor Schneider convened the Open Session of the regular meeting of the South Pasadena City Council/Redevelopment Successor Agency (Agency)/Public Financing Authority (Authority) at 7:30 p.m. City Clerk/Agency/Authority Secretary Kilby called the roll. Present were City Councilmembers/Agency/Authority Members Cacciotti, Joe and Putnam; Mayor Pro Tem/Agency/Authority Vice Chair Khubesrian; and Mayor/Agency/Authority Chair Schneider. Absent: None. Other Officials present: City Manager/Agency/Authority Executive Director Gonzalez; City Attorney/Agency/Authority Counsel Adams; Police Chief Miller; Fire Chief Wallace; Finance Director Batt; City Librarian Fjeldsted; Community Services Director Pautsch; Public Works Director Toor; Planning and Building Director Watkins; Transportation Manager Woods; Community Improvement Coordinator Ramirez; and City Clerk Kilby.

Councilmember Joe offered the invocation and led the Pledge of Allegiance.

**CLOSED SESSION  
ANNOUNCEMENTS**

City Attorney Adams said that at approximately 6:45 p.m., Mayor Schneider called the regular meeting of the South Pasadena City Council/Redevelopment Successor Agency/Public Financing Authority to order. He said there was no one from the public wishing to comment on Closed Session items. Mayor Schneider recessed the meeting into Closed Session, he said, to discuss the items on the Closed Session agenda. All members of the City Council were ultimately present, he said.

City Attorney Adams said the first item was conference with real property negotiators, allowed into Closed Session pursuant to Government Code Section 54956.8, concerning the lease of property located at 650 Stoney Drive, South Pasadena. He said the City negotiators were City Manager Sergio

Gonzalez and Community Services Director Sheila Pautsch. Both were present to advise the City Council, he said. The negotiating party, he said, was Time Warner Cable, under negotiation: price and terms of payment. The City negotiators provided the City Council with an update on negotiations, he said, the City Council gave direction, and no final action was taken in Closed Session.

The last remaining item was labor negotiations, he said, allowed into Closed Session pursuant to Government Code Section 54957.6, conference with labor negotiators regarding labor negotiations with one unrepresented employee: City Manager. He said that he (Richard Adams, City Attorney) was the City negotiator. He said he gave the City Council a brief with regard to this matter. He said the matter is on Open Session tonight for Council action. No action was taken in Closed Session, he said.

#### **COUNCILMEMBER COMMENTS**

Councilmembers reported on upcoming events, including tomorrow's Festival of Balloons Fourth of July festivities; one commented on the need to protect pets during fireworks.

Councilmember Joe made a motion to adjourn tonight's meeting in memory of the 19 fallen firefighters from the Granite Mountain Hotshots, Prescott, Arizona, who lost their lives, seconded by Mayor Schneider. He expressed gratitude to South Pasadena firefighters for their commitment to protecting the residents.

In regard to budgetary cutbacks from the federal government, Councilmember Cacciotti made a motion to add to a future agenda consideration to send a letter to Congresswoman Judy Chu asking that Community Development Block Grants (CDBG) not be cut.

Councilmember Cacciotti made a motion to add to a future agenda consideration to install motion sensors for the lights in the City Council Chambers, seconded by Mayor Pro Tem Khubesrian.

Councilmember Cacciotti requested that staff be directed to compile a list of all current Public Works

projects—start date, scope, estimated completion date, cost, and other information, seconded by Mayor Schneider.

**CITY MANAGER  
COMMUNICATIONS**

City Manager Gonzalez stated he had no communications for this evening.

**REORDERING OF AND  
ADDITIONS TO THE  
AGENDA**

Mayor Schneider said no changes or additions were needed.

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

Councilmembers Cacciotti and Putnam requested that Item #8, City Manager employment agreement, be removed from the Consent Calendar for separate consideration.

**APPROVAL OF NEW  
PROMISSORY NOTE  
SECURED BY DEED OF  
TRUST ON PROPERTY  
LOCATED AT 1700 MISSION  
STREET, SOUTH  
PASADENA, CA AND  
OWNED BY LILIAN AND  
KENNETH MYERS**

Councilmember Putnam said that he had questions on this item, Approval of a promissory note for property located at 1700 Mission Street, owned by Lilian and Kenneth Myers that needed to be discussed in Closed Session.

Councilmember Putnam made a motion to remove this item from tonight's Consent Calendar and to return it to Closed Session. No objections were voiced.

**APPROVAL OF THE  
MINUTES OF THE  
REGULAR CITY COUNCIL  
MEETING OF JUNE 19, 2013**

By roll call vote (5 ayes), the City Council approved the minutes of the regular City Council meeting of June 19, 2013.

(Cacciotti, Khubesrian)

**APPROVAL OF PREPAID  
WARRANTS IN THE  
AMOUNT OF \$823,331.65  
AND PAYROLL IN THE  
AMOUNT OF \$395,957.72**

By roll call vote (5 ayes), the City Council approved Prepaid Warrants #178789-178975 in the amount of \$823,331.65, and payroll 06-21-13 in the amount of \$395,957.72. Sitting as the Successor Agency to the Community Redevelopment Agency, the City Council approved Redevelopment Successor Agency warrants for \$25,854.71 (included in above total).

(Cacciotti, Khubesrian)

**SECOND READING AND  
ADOPTION OF ORDINANCE  
NO. 2248 TO AMEND THE  
SOUTH PASADENA**

By roll call vote (5 ayes), the City Council read by title only for second reading, waiving further reading, and adopted Ordinance No. 2248, AN ORDINANCE OF THE CITY COUNCIL OF THE

**MUNICIPAL CODE  
REGARDING REASONABLE  
ACCOMMODATION  
CONSISTENT WITH FAIR  
HOUSING AND DISABILITY  
LAWS**

CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING SECTION 36.400.020 AND SECTION 36.700.020 AND ADDING SECTION 36.410.110 TO THE SOUTH PASADENA MUNICIPAL CODE, PROVIDING A PROCEDURE FOR REASONABLE ACCOMMODATION IN THE CITY'S LAND USE AND ZONING REGULATIONS PURSUANT TO FEDERAL AND STATE FAIR HOUSING LAWS.

(Cacciotti, Khubesrian)

**DISCRETIONARY FUND  
REQUEST FROM MAYOR  
PRO TEM KHUBESRIAN IN  
THE AMOUNT OF \$350 FOR  
THE ORANGE GROVE PARK  
MURAL**

By roll call vote (5 ayes), the City Council approved a discretionary fund request from Mayor Pro Tem Khubesrian to reallocate \$350 of the \$500 in discretionary funds originally allocated on November 7, 2012, for the Senior Center Mural Project, for the purpose of the Orange Grove Park Mural, and to return the remaining \$150 originally allocated for the Senior Center Mural Project back to her discretionary fund account.

(Cacciotti, Khubesrian)

**DISCRETIONARY FUND  
REQUEST FROM MAYOR  
SCHNEIDER IN THE  
AMOUNT OF \$400 FOR THE  
ORANGE GROVE PARK  
MURAL**

By roll call vote (5 ayes), the City Council approved the request by Mayor Schneider to designate \$400 of his discretionary funds to the Orange Grove Park Mural.

(Cacciotti, Khubesrian)

**APPROVAL OF AN  
AMENDMENT TO THE  
EMPLOYMENT  
AGREEMENT WITH THE  
CITY MANAGER, SERGIO  
GONZALEZ**

Councilmember Cacciotti asked about a provision of the proposed amendment to the employment agreement with the City Manager, Sergio Gonzalez. He requested that the proposed Section D (Section 5 Automobile) be modified. Discussion followed.

By roll call vote (5 ayes), the City Council approved the proposed amendment to the employment agreement with the City Manager, Sergio Gonzalez, to read (additions underlined): "Employer shall provide Employee with a car allowance in the amount of \$400.00 per month on the condition that Employee purchases a fuel efficient hybrid, plug-in hybrid electric vehicle (PHEV), all-electric, compressed natural gas (CNG), hydrogen fuel cell, or other low-emission\alternative fuel vehicle." On an

amendment proposed by Councilmember Putnam and approved by the maker and seconder of the motion, the City Council modified the same sentence to read (additions underlined): “Employer shall provide Employee with a car allowance in the amount of \$400.00 per month on the condition that Employee purchases or leases . . . .”

(Cacciotti, Joe)

**MAYOR’S APPOINTMENT  
Jonathan David (J.D.) Weiss**

Councilmember Cacciotti said that two Public Safety Commission members wanted more time to talk to Mayor Schneider about the Public Safety Commission appointment, which is for an unexpired term until December 31, 2015. Councilmember Cacciotti requested that the item be postponed.

With concurrence of the City Council, Mayor Schneider said that this item was postponed.

**PUBLIC COMMENT  
H. Martin Foundation Far East  
Humanitarian Services**

Curtis Holland, 14329 Mar Vista Street, Whittier, said that he represents a worldwide humanitarian funding institution, the H. Martin Foundation Far East Humanitarian Services. He said he had the answer to the City’s economic problems—by the funding of this foundation. He distributed materials. He invited the City to initiate an appointment with the funding principal. Mayor Schneider said the City may be interested in exploring this opportunity.

**Southern California Edison  
update**

Ben Wong, Local Public Affairs Region Director, Southern California Edison (SCE), updated the City Council on SCE issues. He distributed materials on the Tehachapi Renewable Transmission Project and a workshop on electricity infrastructure issues in light of retirement of both units at the San Onofre Nuclear Generating Station. He responded to a question.

**Free mulch/compost giveaway**

Diana Mahmud, no address stated, expressed appreciation to the City for its sponsorship of the recent free mulch and compost giveaway. She announced the City’s upcoming Concert in the Park, “Sustainability Sunday,” on July 7, 2013.

**ADOPTION OF A  
RESOLUTION**

City Clerk Kilby presented the staff report on the proposal to adopt a City flag-lowering policy: when

**ESTABLISHING A CITY OF  
SOUTH PASADENA FLAG-  
LOWERING POLICY**

to lower the United States (U.S.) flag, where to lower the flag, and the procedure for flag lowering. Public Works Director Toor said that in order to designate the tall flagpole at Huntington Drive and Fair Oaks Avenue, the adjacent tree could be relocated or replanted; or the flagpole could be relocated. He said tree relocation is impractical, and flagpole relocation is expensive. He said that flying a smaller flag would not be aesthetically pleasing. He said the best solution is to remove the tree, install small plantings at the site, and replace the tree with at least three additional trees in the vicinity or elsewhere.

Questions and discussion followed, responded to by City Clerk Kilby, Public Works Director Toor, Community Services Director Pautsch, and City Manager Gonzalez. Councilmember Putnam and Councilmember Joe preferred the flagpole at Huntington Drive and Fair Oaks Avenue for flag lowering. Councilmember Putnam suggested that when the flag is lowered, a smaller flag can be substituted. He also suggested that the tree be trimmed. Councilmembers opposed removing the tree. Councilmembers supported lowering all flags in the City on occasions for flag lowering.

Mayor Pro Tem Khubesrian made a motion, seconded by Councilmember Cacciotti, to adopt the proposed dates and occasions for lowering of the U.S. flag; to designate the U.S. flags at the War Memorial Building and the intersection of Huntington Drive and Fair Oaks Avenue as the flags to be lowered during these occasions; and to direct staff to bring back to the City Council a report on the costs involved in lowering all City-controlled U.S. flags on these occasions. Councilmember Putnam requested that the motion be bifurcated to vote on the issue of the dates and occasions separately from the rest of the motion, seconded by Councilmember Cacciotti.

By roll call vote (5 ayes), the City Council adopted the following dates and occasions for lowering the U.S. flag to half-staff in the City of South Pasadena: on Memorial Day, the last Monday in May; on Patriot Day, September 11; upon the death of an

employee who died in the line of duty or who died as a result of injuries sustained while on duty; on the death of an elected official or former elected official as authorized by the City Manager in consultation with the Mayor; and on an occasion befitting a period of national or local mourning as authorized by the City Manager in consultation with the Mayor.

(Khubesrian, Cacciotti)

Councilmember Putnam said that the City Council should approve a policy whereby all City-controlled U.S. flags be lowered during the occasions and dates for flag lowering.

By roll call vote (4 ayes; 1 no, Councilmember Putnam), the City Council designated the U.S. flags at the War Memorial Building and the intersection of Huntington Drive/Fair Oaks Avenue as the flags to be lowered on those dates and occasions for flag lowering; and directed staff to prepare a report on the costs involved in lowering the remainder of the U.S. flags controlled by the City on those dates and occasions, for presentation at the August 14, 2013, special City Council meeting.

(Khubesrian, Cacciotti)

**AUTHORIZE THE CITY  
MANAGER TO APPROVE A  
CONTRACT AMENDMENT  
INCREASING THE HOURLY  
RATE FOR AN AGREEMENT  
FOR LEGAL SERVICES  
WITH ROSSMANN AND  
MOORE, LLP TO PROVIDE  
LEGAL ASSISTANCE ON  
MATTERS PERTAINING TO  
THE PROPOSED ROUTE  
STATE ROUTE 710**

Transportation Manager Woods presented the staff report on authorizing the City Manager to approve a contract amendment increasing the hourly rate for an agreement for legal services with Rossmann and Moore, LLP, to provide legal assistance on matters pertaining to the proposed route State Route 710. He responded to questions.

Diana Mahmud, no address stated, expressed strong opposition to the requested increase in legal fees. She requested that the firm be asked for its lowest rate, which the City, as a long-term client, deserves.

Questions and discussion followed.

By concurrence, the City Council established a City Council subcommittee of Councilmember Cacciotti and Mayor Pro Tem Khubesrian to confer with Special Counsel Antonio Rossmann within a week

to discuss the proposed fee increase for legal services provided by Rossmann and Moore, LLP, and to return to the City Council shortly with a proposal.

**CONSIDER SECURING PROFESSIONAL SERVICES OF AN INDIVIDUAL/FIRM TO PRODUCE A VIDEO/SHORT FILM ABOUT THE SR-710 STUDY/ALTERNATIVES, HIGHLIGHTING SOUTH PASADENA’S POSITION AND PROMOTING MASS TRANSIT TO MOVE PEOPLE MORE EFFECTIVELY AND EFFICIENTLY**

City Manager Gonzalez presented the staff report on the consideration to secure professional services of an individual or firm to produce a video or short film about the SR-710 study and alternatives, highlighting South Pasadena’s position and promoting mass transit to move people more effectively and efficiently. Councilmember Cacciotti, who made the proposal, described his idea to produce a compelling, transformative film that can change minds about the SR-710 study and alternatives. He estimated the video could cost up to \$30,000 and could be produced within a few months. He and City Manager Gonzalez responded to questions. Council-member Cacciotti said he would provide City Manager Gonzalez with a template of a South Coast Air Quality Management District Request for Pro-posals that could be adapted for this project.

By roll call vote (5 ayes), the City Council authorized the City Manager to contact film schools at the University of South California and the University of California, Los Angeles, over the next few weeks to explore producing a ten-minute video about the SR-710 study/alternatives utilizing student resources and to determine whether this is a viable option; and if not, to investigate companies that could produce the film and bring that information back to the City Council. On an amendment proposed by Councilmember Joe and approved by the maker and seconder of the motion, the City Council directed staff to inform partner cities about the project and to encourage collaboration between South Pasadena and coalition cities on the film.

(Cacciotti, Khubesrian)

City Attorney Adams recommended that three bids be obtained before selecting a company.

**REVIEW OF HEDGE HEIGHT LIMITATIONS WITHIN THE FRONT YARD SETBACK**

Community Improvement Coordinator Ramirez presented the staff report on the review of hedge height limitations within the front yard setback. He responded to questions.

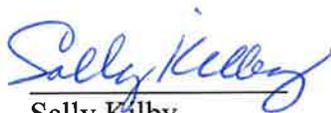
By voice vote (5 ayes), the City Council agreed to make no change to the existing ordinance regarding hedge-height limitations within the front yard setback.

(Khubesrian, Cacciotti)

**ADJOURNMENT**

By consensus, the City Council adjourned the regular City Council/Redevelopment Successor Agency/Public Financing Authority meeting at 9:32 p.m. in memory of the 19 fallen firefighters from the Granite Mountain Hotshots, Prescott, Arizona.

(Khubesrian, Cacciotti)

  
Sally Kilby  
City Clerk

  
Richard D. Schneider, M.D.  
Mayor