



Wednesday, January 6, 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, January 6, 2016, at 7:30 p.m., in the Amedee O. "Dick" Richards, Jr., Council Chambers, 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; Evelyn G. Zneimer, City Clerk/Agency Secretary; Anthony J. Mejia, Chief Deputy City Clerk/Chief Deputy Agency Secretary were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

INVOCATION

Councilmember Khubesrian gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Khubesrian led the Pledge of Allegiance.

1. Closed Session Announcements

The Regular Closed Session of the City Council of January 6, 2016, was called to order by Mayor Mahmud at 6:00 p.m., with all Councilmembers present.

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 REAL PROPERTY NEGOTIATORS, Pursuant to
Government Code Section 54956.8

Properties: 1107 Grevelia Street (68499-01-01); 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 City Council provided direction to staff regarding the agenda item, but did not take any reportable action.

2. Presentation of Certificate of Appreciation to Lisa Markus, Community-at-Large Member, South Pasadena Youth Commission, for Volunteer Service to the South Pasadena Community

Mayor Mahmud presented a Certificate of Appreciation to Lisa Markus, Community-at-Large Member, South Pasadena Youth Commission, for her volunteer service to the South Pasadena community.

3. Presentation by the South Pasadena Chamber of Commerce on the Economic Gardening Project

Laurie Wheeler, President of the South Pasadena Chamber of Commerce (Chamber), reported on the success of the Economic Gardening Project and other economic development initiatives; advised that beginning January 2016 the Chamber is partnering with Pasadena City College to offer small business advice beginning January 2016; stated that the Chamber will be undertaking an image campaign, including replacement and upgrade of downtown holiday decorations; noted that the extension of the Metro Gold Line will increase ridership through South Pasadena.

4. Presentation by the South Pasadena Arts Council on the Utility Box Art Project

Howard Spector, Director of the South Pasadena Arts Council (SPARC), narrated a PowerPoint presentation regarding the Utility Box Art Project and thanked the City Council, staff, artists, and community for their support of the project; advised that SPARC is beginning the process to expand the program, including working with utility companies to explore the possibility of painting those boxes.

COMMUNICATIONS**5. Councilmembers Communications**

Councilmember Joe invited the community to attend an art exhibit and reception celebrating the works of Leo Politi on January 16, 2016, at the Library Community Room, noting that an original sculpture will also be installed at the Library.

Councilmember Khubesrian encouraged residents to attend a workshop hosted by the County of Los Angeles regarding the future of parks funding on January 14, 2016, in the Council Chambers.

Councilmember Schneider commended the South Pasadena Tournament of Roses Committee and volunteers for South Pasadena's Rose Parade Float "Fishing Follies" being named as the 2016 National Trophy recipient; thanked the South Pasadena Fire Department for their assistance with an incident at his residence.

Mayor Pro Tem Cacciotti displayed a photo depicting a Los Angeles County Sheriff's Deputy on the Metro Gold Line, noting that he grew up and resides in South Pasadena; displayed the Animal Commission and Natural Resources and Environmental Commission meeting agendas, pointing out that the City's Commissions undertake numerous important agenda topics; requested that staff provide an update on efforts to make South Pasadena a green zone; noted that the City Council previously directed staff to prepare a letter to be sent to vehicle manufacturers urging the development of alternative fuel emergency vehicles; recommended that a letter also be sent to the San Gabriel Valley Council of Governments (SGVCOG) requesting their support for the letter to be sent to vehicle manufacturers, seconded by Councilmember Khubesrian.

Mayor Mahmud presented Councilmember Joe with a photobook memorializing his term as Mayor and expressed appreciation for his service to the community; requested that the Natural Resources and Environmental Commission consider possible restrictions regarding the quality of and installation of artificial turf, seconded by Mayor Pro Tem Cacciotti; directed staff to agendize for future consideration possible amendments to the Municipal Code to allow non-electorate residents to serve on City Commissions as non-voting members, seconded by Councilmember Schneider.

6. City Manager Communications

City Manager Gonzalez announced that the South Pasadena Unified School District's Environmental Impact Report for the Mission Place Project has been released for public comment; advised that residents' comments and questions should be directed to the school district, noting that the public comment period is open for a 45-day period; urged residents to register their cell phone numbers and email addresses with the City's reverse 911 system in order to receive alerts during and after emergencies.

7. Reordering of and Additions to the Agenda

None.

PUBLIC COMMENTS

Jose Zavala, South Pasadena resident, spoke on the success of the Tiger Run, pointing out that over \$14,000 was raised to benefit the South Pasadena High School Booster Club; thanked City staff for their assistance in coordinating the event; presented Councilmember Joe with a medal for finishing the run in 3rd place.

Bobbie Nansen, South Pasadena resident, stated that when the Southwest Hills streets were repaved, it was done so without environmental studies; asserted that the City diverted street improvement funds to improve specific residents properties due to their close relationships with a former Councilmember; asserted that the City took a portion of her property to construct a wall and did so without compensation nor environmental studies; voiced concern that storm runoff may cause mudslides or compromise trees on her property.

Councilmember Schneider requested that staff be prepared to address the allegations raised by Mrs. Nansen at the next City Council meeting.

Chris Sutton, Attorney representing the Nansen family, urged the City Council to cease its prosecution of the Nansen family, noting that the City's attorneys are attempting to prosecute Mark Nansen for alleged violations of the Municipal Code; asserted that staff is arbitrarily applying provisions of the Municipal Code.

Sam Burgess, South Pasadena resident, noted that CNN has reported that the National Rifle Association is threatening lawsuits against law enforcement agencies which destroy seized firearms; questioned whether it is the City's policy to destroy or resell seized firearms.

In response to Mr. Burgess, Mayor Mahmud noted that issues related to firearms are complex and that if the CNN report is deemed credible it would be appropriate for City Manager Gonzalez to use his discretion in determining whether to agendaize the matter for discussion.

Linda Krausen, South Pasadena resident, advised that public comments regarding the Trans-Pacific Partnership Trade Agreement are due by January 13, 2016; opined that the agreement would disadvantage local, state, and national laws because foreign corporations could seek legal review by the World Court; noted that as a result of international trade agreements, meat labeling laws were struck down by the World Court and meat packages will no longer label country of origin.

CONSENT CALENDAR

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve the Consent Calendar Item Nos. 8 through 13, with Item Nos. 10 and 14 pulled for separate consideration.

8. Minutes of the City Council Meetings of December 2, 2015 and December 16, 2015

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to approve the minutes of the December 2, 2015 Regular City Council Meeting, December 16, 2015 Study Session, and December 16, 2015 Regular City Council Meeting.

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. 191332 through 191439 in the amount of \$971,426.79; General City Warrants Nos. 191440 through 191621 in the amount of \$1,131,783.20; Payroll, dated December 18, 24, and 31, 2015, in the amount of \$862,307.33. Seated as the Successor Agency to the Community Redevelopment Agency, approve the Redevelopment Successor Agency Prepaid and General City Warrants in the amount of \$912.84 and Payroll, dated December 18, 24, and 31, 2015, in the amount of \$11,816.34 (included in the above totals).

11. Adoption of Resolutions Authorizing Signatories on City/Successor Agency Banking Accounts and Related Banking Documents

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

1. Adopt Resolution No. 7437 entitled "A Resolution of the City Council of the City of South Pasadena, California, authorizing signatures on City bank accounts with Bank of America."
2. Adopt Resolution No. 7438 entitled "A Resolution of the City Council of the City of South Pasadena, California, authorizing signatures on City bank accounts with Bank of the West."
3. Adopt a Resolution No. 7439 entitled "A Resolution of the City Council of the City of South Pasadena, California, authorizing investment of monies in the Local Agency Investment Fund."
4. Adopt a Resolution No. 2016-01SA entitled "A Resolution of the Successor Agency to the Community Redevelopment Agency of the City of South Pasadena, California, authorizing investment of monies in the Local Agency Investment Fund."

12. Adoption of a Resolution Designating the City Manager as Signatory Authority, Adoption of a Reimbursement Resolution, and Adoption of a Resolution Dedicating Net Revenues of the Water Enterprise Fund for the Drinking Water State Revolving Fund Loan Program

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

1. Adopt Resolution No. 7440 entitled “A Resolution of the City Council of the City of South Pasadena, California, authorizing the City Manager to sign and file on behalf of the City a financial assistance application for financing agreement from the State Water Resources Control Board.”
2. Adopt Resolution No. 7441 entitled “A Resolution of the City Council of the City of South Pasadena, California, declaring the City’s intent to reimburse the State Water Resources Control Board for funding obtained through the Drinking Water State Revolving Loan Fund Program.”
3. Adopt Resolution No. 7442 entitled “A Resolution of the City Council of the City of South Pasadena, California, declaring the City of South Pasadena’s intent to dedicate net revenues of the water enterprise fund to payment of Drinking Water State Revolving Fund financing.”

13. Approval of Memorandum of Agreement for the Administration and Cost Sharing for Implementing the Coordinated Integrated Monitoring Program for the Upper Los Angeles River Watershed Management Area

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 5-0, to authorize the City Manager to sign a memorandum of agreement for the administration and cost sharing for implementation of the Coordinated Integrated Monitoring Program (CIMP) for the Upper Los Angeles River (ULAR) Watershed Management Area.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

10. Discretionary Fund Request from Mayor Mahmud in the Amount of \$600 for the Purpose of a Monarch Butterfly Waystation at the Nature Park

Monica Kelly, South Pasadena resident, expressed gratitude to Mayor Mahmud and City Council for utilizing discretionary funds to construct a monarch butterfly waystation at the Nature Park; noted that monarch butterfly habitat is shrinking which is threatening the species.

Bee Simpson, South Pasadena resident, thanked Mayor Mahmud for contributing towards the monarch butterfly waystation; commended the City Council for allocating the land to develop the Nature Park.

Mayor Mahmud thanked Barbara Eisenstein for establishing the Nature Park and the volunteers who assist in maintaining the park.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to approve the request by Mayor Mahmud designating \$600 for the purpose of establishing a monarch butterfly waystation at the City of South Pasadena Nature Park.

14. Approval of Memorandum of Understanding and Authorization for the City to Participate in the Golden Streets Festival Working Group to Share Resources and Collaborate in the Planning and Hosting of the Golden Streets Festival

In response to City Council inquiry, Principal Management Analyst Lin clarified that any unspent Los Angeles County Metropolitan Transportation Authority (LACMTA) funds not spent for joint resources will be reallocated to the partner cities to help offset planning and staffing costs.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER SCHNEIDER, CARRIED 5-0, to approve and authorize the City of South Pasadena to enter into a Memorandum of Understanding to participate in the Golden Streets Festival Working Group to share resources and collaborate in the planning and hosting of the Golden Streets Festival, with the following modification to the agreement:

1. "WHEREAS, State legislation AB 2766, signed into law in September 1990, established within the South Coast Air Quality Management District (SCAQMD) ~~has~~ created a Mobile Source Air Pollution Reduction Review Committee (MSRC) to develop a work program to fund projects."

PUBLIC HEARING

15. Introduction of an Ordinance Amending the South Pasadena Municipal Code Prohibiting the Cultivation of Medical Marijuana

Mayor Mahmud advised that she has developed proposed modifications to the ordinance which is available at the dais and on file with the City Clerk's Division.

Planning and Building Director Watkins presented the staff report. In response to City Council inquiries, Mr. Watkins advised that the Planning Commission expressed concerns related to a lack of available staff to adequately inspect and enforce restrictions to prevent commercial cultivation of medical marijuana; explained that until the State release details regarding its permitting process for medical marijuana it is unclear whether it will address cultivation inside a residence, noting that in some communities they are placing additional restrictions to address the matter.

In response to City Council inquiries, City Attorney Highsmith advised that she has reviewed the modifications to the ordinance as recommended by Mayor Mahmud and determined that the City Council has the authority to regulate the personal use exemption as proposed; clarified that the ordinance would limit personal cultivation to a total of 32 square feet whether by an individual patient or caregiver.

Mayor Mahmud voiced concern that 100 square feet for personal cultivation is too large and could be used for the purpose of commercial cultivation; explained that 32 square feet is a reasonable limit for individuals to cultivate medical marijuana for personal use.

In response to City Council inquiry, Police Chief Miller and City Manager Gonzalez explained that enforcement of the proposed regulations would be undertaken by the Code Enforcement Division and would be complaint driven, noting that the Police Department would be involved for larger scale cultivation operations or distribution.

Mayor Mahmud opened and closed the Public Hearing, there being no others desiring to speak to this issue.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER KHUBESRIAN, CARRIED 4-1 (COUNCILMEMBER JOE VOTING NO), to introduce an Ordinance entitled "An Ordinance of the City Council of the City of South Pasadena, California, amending Section 36.350.240 (Medical Marijuana Dispensaries) of Article III (Site Planning and General Development Standards) of Chapter 36 (Zoning) by adding a new definition of 'Cultivation of Marijuana' and adding a citywide prohibition of the cultivation of marijuana," with the amendments distributed on the dais and on file with the City Clerk and waive further reading.

ACTION/DISCUSSION

16. Consideration of the 2016 City Council/Successor Agency Meeting Schedule

Chief Deputy City Clerk Mejia presented the staff report.

Mayor Mahmud opened and closed the Public Comments period, there being no one desiring to speak to this issue.

MOTION BY COUNCILMEMBER JOE, SECOND BY MAYOR MAHMUD, CARRIED 5-0, to cancel the Regular City Council Meetings of April 6 and August 3, 2016, and set aside March 30, 2016, for a Special City Council Meeting, if needed.

17. First Reading and Introduction of an Ordinance Amending South Pasadena Municipal Code Chapter 19A (Noise Regulations) to Restrict Construction Activity on City Recognized Holidays and the First Friday After Thanksgiving

Police Captain Solinsky presented the staff report.

Mayor Mahmud pointed out that the first Friday after Thanksgiving is not a holiday and is largely associated with commercial activity, questioning the rationale for restricting construction activity; noted that the City has not received a significant number of complaints as reported by Police Captain Solinsky.

In response to City Council inquiry, City Manager Gonzalez explained that the first Friday after Thanksgiving is an observed holiday for City staff and as such there is a lack of available staff to enforce construction activity regulations other than the Police Department; reported that the City did receive a complaint this past Friday after Thanksgiving which the Police Department was required to respond.

Mayor Mahmud opened and closed the Public Comments period, there being no one desiring to speak to this issue.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 5-0, to add Martin Luther King Day to the list of City recognized holidays as it related to restricting construction activity.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 4-1 (MAYOR MAHMUD VOTING NO), to add the Friday after Thanksgiving Day to the list of City recognized holidays as it related to restricting construction activity.

MOTION BY MAYOR PRO TEM CACCIOTTI, SECOND BY COUNCILMEMBER JOE, CARRIED 4-1 (MAYOR MAHMUD VOTING NO), to introduce an Ordinance entitled "An ordinance of the City Council of the City of South Pasadena, California, amending Section 19A.13 (Construction of Buildings and Projects) of Article 3 (Construction) of Chapter 19A (Noise Regulation) of the South Pasadena Municipal Code," and waive further reading.

18. Parking Recommendations for Adelaine Avenue

Principal Management Analyst Lin presented the staff presentation.

Mayor Mahmud opened the Public Comments period.

Roxsann Barry, South Pasadena resident, voiced concern regarding the excessive traffic and lack of available parking on Adelaine Avenue; asserted that customers of Trader Joe's and Halvorson's Cleaners occupy the on-street parking all day; stated that customers frequently block driveways and use driveways to conduct three point turns; stated that the traffic and parking issues are impacting safety and quality of life for residents of Adelaine Avenue; expressed support for a preferential permit parking district.

Amedee Barry, South Pasadena resident, stated that on December 24, 2015, Police Officer Phillips was present to witness a vehicle collision on Adelaine Avenue as well as customers utilizing his driveway to make three point turns and another customer using a neighbor's driveway for parking; voiced support for a preferential permit parking district on Adelaine Avenue.

Peter Ervin, South Pasadena resident, noted that parking continues to be a challenge on Adelaine Avenue; spoke on his recent experience with a Trader Joe's customer who parked in his driveway because the parking lot did not have available parking; stated that due to the narrowness of the street, drivers frequently side-swipe parked vehicles.

Brant Dunlap, representing Trader Joe's, advised that Trader Joe's has made efforts to place signage to remind customers to be respectful of residents' driveways and to add additional bicycle racks; stated that he is working with other property owners to secure off-site parking; stated that he has not been made aware of any hit and runs impacting his customers.

Monica Barry, South Pasadena resident, advised that she has owned a residence on Adelaine Avenue before Trader Joe's was constructed; stated that traffic and parking issues have increased over the years to the current state which is unsafe for residents and the community; voiced support for establishing a preferential permit parking district on Adelaine Avenue.

There being no others desiring to speak to this issue, Mayor Mahmud closed public comment.

In response to City Council inquiry, City Attorney Highsmith opined that the record thus far does not establish that dangerous conditions exist, however there does appear to be traffic congestion and a lack of parking for the residents.

In response to City Council inquiries, Police Chief Miller advised that a three point turn is a legal maneuver not subject to City regulation; reported that one vehicle collision, eight blocking of driveways, and one non-injury hit and run accident were reported to the Police Department.

In response to City Council inquiries, City Manager Gonzalez explained that Ramona Avenue does have a 1-hour preferential parking district on weekdays and permit parking only on Saturdays and Sundays, noting that it was created in relation to the expansion of the Holy Family Catholic Church and the area specific plan.

During the course of discussion, the City Council agreed that a parking analysis should be conducted to evaluate the traffic flows and patterns, vehicle and pedestrian counts, parking duration, ingress and egress of Trader Joe's parking lot, and safety concerns on Adelaine Avenue.

Public Works Director Toor advised that a traffic analysis is warranted to study the traffic count, street capacity, and to develop possible recommendations, pointing out that it may help identify the root cause of concerns on Adelaine Avenue. City Manager Gonzalez advised that the parking analysis will take approximately two-three weeks to complete and staff will return to City Council.

MOTION BY COUNCILMEMBER KHUBESRIAN, SECOND BY MAYOR PRO TEM CACCIOTTI, CARRIED 5-0, to defer action to establish a preferential parking district at this time and to move forward with a traffic analysis for Adelaine Avenue.

19. Citizens' Initiative for the Repeal of the City of South Pasadena's Utility User's Tax - Sufficiency of Petition

Chief Deputy City Clerk Mejia presented the staff report.

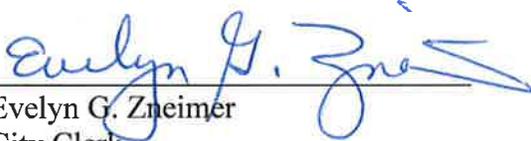
Mayor Mahmud opened and closed the Public Comments period, there being no one desiring to speak to this issue.

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

1. Receive, file, and accept the Certificate of Sufficiency of Initiative Petition for the repeal of the City of South Pasadena's Utility User's Tax (UUT) from the Chief Deputy City Clerk.
2. Order a report on the initiative measure pursuant to Election Code Section 9212 to be presented to the City Council no later than February 5, 2016.

ADJOURNMENT

Mayor Mahmud adjourned the Joint City Council/Redevelopment Successor Agency meeting at 10:00 p.m.



Evelyn G. Zneimer
City Clerk



Diana Mahmud
Mayor

Minutes approved by the South Pasadena City Council on January 20, 2016.