

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL AND COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF SOUTH PASADENA
CONVENED THIS 5TH DAY OF MAY, 2010 7:32 P.M.
AMEDEE O. "DICK" RICHARDS, JR., COUNCIL CHAMBERS
1424 MISSION STREET**

ROLL CALL

Mayor Schneider convened the open session of the regular meeting of the City Council and the Community Redevelopment Agency (CRA) at 7:32 p.m. City Councilmembers/CRA Members present: Cacciotti, Putnam, and Sifuentes; Mayor Pro tem/CRA Vice Chair Ten; and Mayor/CRA Chair Schneider. Members absent: None. Other officials present: City Manager Davidson; Assistant City Manager Gonzalez; City Attorney/CRA Counsel Adams; Police Chief Watson; Fire Chief Wallace; Finance Director Thai; City Librarian Fjeldsted; Community Services Director Pautsch; Public Works Director Sweeney; Transportation Manager Woods; Planning and Building Director Watkins; Senior Planner Mayer; Deputy Public Works Director Furukawa; and City Clerk Kilby.

Mayor Pro tem Ten offered the invocation and led the Pledge of Allegiance.

Mayor Schneider said that the Council would recess into Closed Session at 10:00 p.m. to continue discussion on Closed Session agenda items.

**CLOSED SESSION
ANNOUNCEMENTS**

City Attorney Adams reported that at approximately 6:30 p.m., Mayor Schneider called the regular meeting of the City Council/Community Redevelopment Agency to order. There were no members of the public wishing to speak on the Closed Session items, he said, and the Mayor recessed the Council meeting into Closed Session. The first item, he said, was anticipated/pending litigation pursuant to Government Code Section 54956.9 (a)(c), City of South Pasadena v. Federal Highway Administration. Nothing was discussed on this item, he said, and the Council will be recessing at approximately 10:00 p.m. to address this. They met with legal counsel on pending litigation pursuant to Government Code Section 54956.9(a), City of South Pasadena v. Metropolitan Transportation Authority, he said, the Council received a report, and discussion took place. However, he said, this item was not completed and will be discussed further at

approximately 10:00 p.m.

City Attorney Adams said that special counsel has recommended that the City Council contract with two consultants. He said the information came to the Council after the posting of the agenda—today—and requires immediate action because of pending hearings before different governmental bodies. The Council can add the item to the agenda pursuant to Government Code Section 54954.2 (b) with a two-thirds vote of the Council, he said. The item to be added is: consideration of the retention of the services of the Victoria Transport Policy Institute and/or Rifkin Transportation Planning Group. Mayor Schneider asked for a motion to add the item to the agenda on an urgency basis. No motion was made, so the item was not added to the agenda.

PRESENTATION OF PROCLAMATION COMMEMORATING MAY 10, 2010 AS “CENTENARY OF THE HOLY FAMILY CHURCH” FOUNDED MAY 10, 1910 IN THE CITY OF SOUTH PASADENA

Mayor Schneider presented a proclamation commemorating May 10, 2010 as “Centenary of the Holy Family Church,” to Patti Pascale, Holy Family Church. She made remarks.

PRESENTATION OF A PROCLAMATION DECLARING THE MONTH OF MAY 2010 AS “OLDER AMERICANS MONTH” IN THE CITY OF SOUTH PASADENA AND PRESENTATION OF A CERTIFICATE OF RECOGNITION TO BARBARA SINCLAIR, OLDER AMERICAN OF THE YEAR

Mayor Schneider presented a proclamation declaring the month of May 2010 as “Older Americans Month” in the City of South Pasadena and a Certificate of Recognition to Barbara Sinclair, Older American of the Year. Recipient Sinclair made remarks. Walter Cervantes, Chair, Senior Citizen Commission, commended Ms. Sinclair for her contributions and expressed appreciation for her efforts.

STATE OF THE UTILITY PRESENTATION BY SOUTHERN CALIFORNIA EDISON

Ronald Garcia, Region Manager, Local Public Affairs Department, Southeast Los Angeles Cities, Southern California Edison, presented the State of the Utility, accompanied by materials displayed on the overhead projector. He responded to a question from Councilmember Putnam about undergrounding of utilities on

Stratford Avenue using Rule 20A funds.

**COUNCILMEMBERS'
COMMENTS**

Councilmember Putnam requested that an item be added to a future agenda to permit him to designate the remainder of his discretionary funds for the 09-10 Fiscal Year. This was seconded by Councilmember Sifuentes. He announced the Woman's Club Operation Cookie and displayed a flyer on the overhead projector. He said a recent article described new earthquake faults and asked staff to investigate whether these new faults were examined in the recent MTA/Caltrans geotechnical study to evaluate the feasibility of a 710 tunnel. There may be need to amend the study, he said. This was seconded by Mayor Schneider. He thanked staff for an excellent presentation at the recent Planning Commission retreat. He requested that the presentation on the need for a General Plan update be presented to the Council at an upcoming meeting. This was seconded by Councilmember Sifuentes. He said he learned that there are 55 unreinforced masonry properties in the City. He requested that an item be added to a future agenda to discuss the issue and to consider requiring signage to identify buildings that have not been retrofitted. This was seconded by Mayor Schneider.

Councilmember Sifuentes noted that the City received a letter from Mr. Robert English about overwatering at Garfield Park. Along Huntington Drive, he said, he has noted broken sprinklers. He requested that staff monitor these problems and take corrective action. He noted that at the last meeting, resident Beverly Biber spoke about the Penny Pines reforestation campaign. He said that he had requested that his discretionary funds be donated to this campaign, but later found that since the organization was not affiliated with the City, he could not make the donation. However, he said, the City Council and the City Manager have made a donation to purchase one-acre worth of Penny Pines through the Woman's Club of South Pasadena.

Mayor Pro tem Ten said the month of May is Asian American Pacific Islander Heritage Month. He introduced Nebula Gu, who was crowned a princess at the 2010 Miss Los Angeles Chinatown Pageant. She is a graduate of South Pasadena High School, he said, and he described her background. He presented her with a Certificate of Recognition. Mayor Schneider agreed that

she could be given a City pin to wear as she attends events as a Miss Chinatown princess.

Mayor Pro tem Ten thanked the South Pasadena Chinese-American Club for allowing him to participate in the monthly feed-the-homeless program at Union Station in Pasadena. He found that no one from South Pasadena was being served at the facility. He said he would return to the Council to find out how the City can meet the needs of the homeless and how the community can share these responsibilities.

Councilmember Cacciotti thanked staff for the highly successful "Doggy Day" in Garfield Park. He reported on his attendance at a fundraiser for the Arroyos & Foothills Conservancy. He said residents requested that a program be instituted whereby parking permits can be purchased online. He asked staff to investigate. This was seconded by Mayor Schneider. With the introduction of Plug-in Hybrid Electric Vehicles (PHEVs), he requested that staff explore the installation of electric plug-in stations for the public. He asked staff to also explore with Los Angeles County and the San Gabriel Valley Council of Governments the creation of a network electric plug-in station. This was seconded by Mayor Schneider. In regard to the recent issue of State takeaways from cities, Councilmember Cacciotti announced a ruling that entitles the State to take redevelopment funds from cities. He asked the City Manager to report on the implications to the City. City Manager Davidson said that in the current fiscal year, \$216,000 would be taken; \$45,000 would be taken in the next year.

Mayor Schneider congratulated the Chamber of Commerce on its highly successful Eclectic Music Festival and Art Walk.

**CITY MANAGER
COMMUNICATIONS**

City Manager Davidson said he had no other announcements.

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

Councilmembers Cacciotti and Putnam requested that Item #14, batting cage, be removed from the Consent Calendar for separate consideration. Councilmember Putnam requested removing Item #13, compressed natural gas (CNG) station. Mayor Schneider said that since there are so many members of the public present

from the Consent Calendar to the end of the agenda. No objections were voiced.

**CONFLICT OF INTEREST
CONSENT ITEM #12**

Councilmember Putnam said that he was notified by staff that he had a potential conflict of interest on Item #12, water meter replacement project. City Attorney Adams said that for a consent item, all that is necessary is for the Councilmember to put on the record that he is recusing himself on that item. Councilmember Putnam recused himself from Item #12 due to a potential conflict of interest.

**APPROVAL OF THE
MINUTES OF THE
SPECIAL MEETING OF
APRIL 15, 2010, AND THE
REGULAR MEETING OF
APRIL 21, 2010**

By roll call vote (5 ayes), the City Council approved the minutes of the special meeting of April 15, 2010, and the regular meeting of April 21, 2010.

(Ten, Sifuentes)

**APPROVAL OF PREPAID
WARRANTS IN THE
AMOUNT OF \$450,817.06,
GENERAL CITY
WARRANTS IN THE
AMOUNT OF \$349,390.30
AND PAYROLL IN THE
AMOUNT OF \$405,187.01**

By roll call vote (5 ayes), the City Council approved the Prepaid Warrants #162632-162665 in the amount of \$450,817.06; General City Warrants #162666-162815 in the amount of \$349,390.30; and payroll in the amount of \$405,187.01, for a total of \$1,205,394.37. Sitting as the Community Redevelopment Agency (CRA) Board, they approved the CRA Warrants for \$147,181.82 (included in above total).

(Ten, Sifuentes)

**REQUEST FROM THE
SOUTH PASADENA
TOURNAMENT OF
ROSES COMMITTEE
FOR A \$2,500
CONTRIBUTION FROM
THE CITY FOR THE
"CRUZ'N FOR ROSES"
HOT ROD AND CLASSIC
CAR SHOW TO BE HELD
ON SEPTEMBER 19, 2010**

By roll call vote (5 ayes), the City Council approved the request from the South Pasadena Tournament of Roses Committee for a \$2,500 contribution from the City for the "Cruz'n for Roses" Hot Rod and Classic Car Show to be held on September 19, 2010.

(Ten, Sifuentes)

**AWARD OF CONTRACT
TO UNIVERSAL
COATINGS INC. IN THE
AMOUNT OF \$34,045 FOR
THE LIBRARY ROOF**

By roll call vote (5 ayes), the City Council accepted a bid dated March 18, 2010 from Universal Coatings, Inc., for the construction of the Library Roof Coating Project; rejected all other bids received; and authorized the City Manager to enter into a contract with Universal Coatings,

COATING PROJECT

Inc., for a not-to-exceed amount of \$34,045 for construction services.

(Ten, Sifuentes)

**AWARD OF CONTRACT
TO E.C. CONSTRUCTION
CO. IN THE AMOUNT OF
\$37,625 FOR THE LA
SENDA STREET
IMPROVEMENT
PROJECT**

By roll call vote (5 ayes), the City Council accepted a bid dated April 15, 2010 from E.C. Construction Co. for the construction of the La Senda Street Improvement Project; rejected all other bids received; and authorized the City Manager to enter into a contract with E.C. Construction Co. for a not-to-exceed amount of \$37,625 for construction services.

(Ten, Sifuentes)

**AWARD OF CONTRACT
TO ATLAS-ALLIED, INC.
IN THE AMOUNT OF
\$49,290 FOR THE WATER
METER REPLACEMENT
PROJECT PHASE II**

By roll call vote (4 ayes; 1 recused due to conflict of interest, Councilmember Putnam), the City Council accepted a bid dated March 25, 2010 from Atlas-Allied for the construction of the Water Meter Replacement Project Phase II; rejected all other bids received; authorized a budget transfer in the amount of \$40,000 from the Grevelia Water Main Replacement Project account number 500-9000-9292 to account 500-9000-9295 to cover the cost of the project; and authorized the City Manager to enter into a contract with Atlas-Allied, Inc., for a not-to-exceed amount of \$49,290 for construction services.

(Ten, Sifuentes)

**REQUEST BY COUNCIL-
MEMBER CACCIOTTI
FOR APPROVAL OF FY
2009/10 DISCRETIONARY
FUND ALLOCATIONS
DESIGNATING \$4,750
FOR THE 2010 CLEAN
AIR CAR SHOW**

By roll call vote (5 ayes), the City Council approved the request submitted by Councilmember Cacciotti designating \$4,750 to the 2010 Clean Air Car Show.

(Ten, Sifuentes)

**PUBLIC COMMENT
Disaster Preparedness**

Ted Shaw, 533 Orange Grove Avenue, said he was in the recent flooding disaster in Tennessee at the Grand Old Opry. He commended the operations of the organization and urged the City to ensure that the City is prepared for a disaster.

Walking instead of driving

Steve Felice, 1415 Laurel Street, urged all to walk instead of driving. He said that this is the solution to

parking problems in the City. He issued a challenge to residents to walk. Instead of riding in the 4th of July parade, he suggested that officials walk. He said the School District can urge students to walk to school once a month, not once a year.

710 freeway

Jim Miller, 1103 Hope Street, urged the City Council to adopt a position immediately opposing the proposed 710 freeway in any form, surface or tunnel.

PUBLIC HEARING TO CONSIDER OAKLAWN HISTORIC DISTRICT NOMINATION

8:18 p.m. Senior Planner Mayer presented the staff report on considering the Oaklawn Historic District nomination, accompanied by PowerPoint slides. He responded to questions.

Mayor Schneider opened the public hearing.

Speakers in favor of designating a Historic District for properties on Oaklawn Avenue, the Oaklawn Bridge and Waiting Station, Oaklawn Park, and the War Memorial Building were Ray Girvigian, 203 Oaklawn Avenue, who said he submitted a notebook to the Council earlier containing historical background and who submitted a deed and related documents tonight; Glen Duncan, 2031 Berkshire Avenue, Chair, Cultural Heritage Commission; Jan Krajeski, 309 Oaklawn Avenue; Odom Stamps, 318 Fairview Avenue, former Chair, Cultural Heritage Commission and current Board Member, South Pasadena Preservation Foundation; Gretchen Robinette, 921 Indiana Avenue; and Tiona Wierman, 121 South Lane, President, South Pasadena Preservation Foundation.

Opposed to designating the properties as a Historic District was Gail Anderson, who said he was Chief Medical Officer, Harbor/UCLA, and a former resident of the City at 217 Oaklawn Avenue, where his parents still reside. He said they are opposed to this District. Also opposed were Mark Anderson, Walter Anderson, and Jerry Anderson, all of 217 Oaklawn Avenue. Mark Anderson spoke of restrictions of the Mills Act. Walter Anderson said this was a basic infringement on homeowners' rights and that the impetus for the proposal has been the freeway. They would prefer to opt out, he said. Jerry Anderson questioned whether the process was fair since other City residents do not have this encumbrance. He questioned whether there was true informed consent. He also asked whether they can opt out.

Mayor Schneider closed the public hearing.

Discussion and questions followed. Two members of the audience residing in Historic Districts responded to a question about the percentage of residents voting for the District. Planner Mayer responded to questions about the "opt out" possibility and the balloting process. City Attorney Adams clarified how a property owner could be excluded from the District. Councilmember Putnam said he was uncomfortable with information provided to residents prior to the vote.

By roll call vote (3 noes, Councilmember Putnam, Councilmember Sifuentes, and Mayor Pro tem Ten; 2 ayes, Councilmember Cacciotti and Mayor Schneider), a motion failed to designate a Historic District for properties on Oaklawn Avenue and the Oaklawn Bridge and Waiting Station, Oaklawn Park, and the War Memorial Building.

(Cacciotti, Schneider)

Councilmember Sifuentes requested that staff investigate the possibility of modifying the City ordinance to permit residents to "opt out" of a historic district. Planner Mayer said the Cultural Heritage Commission (CHC) is looking at a comprehensive revision to the ordinance, and that this issue could be included in its review. In response to a question from Mayor Pro tem Ten, Planner Mayer said that the Cultural Heritage Commission's Landmark Subcommittee initiated the proposal to form a Historic District. The CHC is charged with informing the residents about the advantages and disadvantages of becoming a District, he said.

By roll call vote (5 ayes), the City Council requested that the issue of designating a Historic District for properties on Oaklawn Avenue and the Oaklawn Bridge and Waiting Station, Oaklawn Park, and the War Memorial Building be brought back to the City Council after completion of a process by which both sides are given an opportunity to present the issue, followed by a revote. They directed that a letter be sent to the residents from the Cultural Heritage Commission, redrafted in accord with concerns raised by the Council and property owners. Following this, they directed that a 10-day period be established in which those in opposition can send letters to neighbors.

Following this period, they directed that the ballot be mailed. They directed that the issue be re-agendized at a future City Council meeting.

(Putnam, Cacciotti)

**AWARD OF A FIVE YEAR
CONTRACT TO THE
SOUTH PASADENA
CHAMBER OF
COMMERCE FOR THE
OPERATION OF THE
SOUTH PASADENA
FARMERS' MARKET**

9:07 p.m. Assistant City Manager Gonzalez presented the staff report on consideration of a five-year contract to the South Pasadena Chamber of Commerce for the operation of the Farmers' Market. He responded to questions. Councilmember Cacciotti asked that speakers be limited to two minutes, and Mayor Schneider agreed.

Mayor Schneider opened the public comment period.

Speaking in favor of awarding the Farmers' Market contract to the South Pasadena Chamber of Commerce were: Thomas Field, 1501B Bank Street, Chair, Chamber of Commerce; John Vandercook, 1518 Mission Street; Gary Pia, 530 Martos Drive, Chamber of Commerce Board Member; Ted Shaw, 533 Orange Grove Avenue, with a business at 625 Fair Oaks Avenue; Glen Duncan, 2031 Berkshire Avenue; Carrie Adrian, 602 Garfield Avenue; Jeff Burke, 1419 Laurel Street; William Lewis, 12640 Little Tujunga Canyon, Lake View Terrace; Jim Bell, 2024 Fletcher Avenue; Victor Robinette, 921 Indiana Avenue, City Treasurer; Odom Stamps, 318 Fairview Avenue, who stated he is a former member of the previous Chamber of Commerce, former member of the now-defunct Mission West Association, and member and Treasurer, current Chamber of Commerce; Rich Roche, 1742 Monterey Road, Chamber of Commerce Board Member; Robert Siev, 414 Fairview Avenue; Dorothy Hedrick, 2038 Marengo Avenue; and Robin Salzer, 60 S. San Rafael, Pasadena.

Speaking in favor of awarding the contract to Raw Inspiration and expressing the opinion that the selection process was unfair were John Edwards, Raw Inspiration Board Member, and Jennifer McColm, 23501 Park Sorrento, Calabasas; John Martin, Spruce Street; Jay Adams, no address stated, a Raw Inspiration manager, who distributed a 14-page petition containing signatures of Market patrons and vendors who supported Raw Inspiration as the Market manager; Shane McLaren, no address stated; and Melissa Farwell, no address stated, Market Coordinator, Raw Inspiration.

Mayor Schneider closed the public comment period.

9:46 p.m. Discussion followed. Councilmember Sifuentes, as the councilmember on the selection committee, made remarks. He said he wanted to correct numerous statements made by critics of the process. Assistant City Manager Gonzalez and speaker Jim Bell responded to questions from the Council. Councilmember Putnam raised the issue of the payment schedule, asking why payments are not due monthly. Assistant City Manager Gonzalez responded and further discussion followed. Councilmember Putnam requested that the issue of the payment schedule be revisited once the Market is open and operating.

By roll call vote (5 ayes), the City Council approved a five-year contract, in substantially the same form as the proposed contract, with the South Pasadena Chamber of Commerce for the operation of the South Pasadena Farmers' Market.

(Sifuentes, Cacciotti)

**APPROVAL OF THE
AMENDMENT TO THE
LEASE AGREEMENT
FOR THE BATTING
CAGE FACILITY AT THE
ARROYO SECO YOUTH
RECREATION PARK**

9:56 p.m. Community Services Director Pautsch presented the staff report on the lease agreement for the City batting cage facility at the Arroyo Seco Youth Recreation Park. This amendment changes the payment schedule from quarterly to monthly, she said, and adds vendor names to the agreement. She responded to questions and agreed to provide the Council with a copy of the agreement's terms and conditions.

Councilmember Sifuentes requested that staff members develop a solution to avoid the problem of lapsed payments from vendors and incomplete revenue records. This was seconded by Councilmember Cacciotti.

Mayor Schneider opened the public comment period. No one came forward and he closed the public comment period.

Discussion followed.

By roll call vote (5 ayes), the City Council approved the proposed amendment to the lease agreement for the batting cage facility at the Arroyo Seco Youth Recreation Park. On an amendment to the motion proposed by

Councilmember Putnam and agreed to by the maker and seconder of the motion, the Council directed that the following be added: a provision in the lease that provides that all lessees are jointly and severally liable for all obligations in the lease.

(Cacciotti, Sifuentes)

REQUEST TO APPROPRIATE ADDITIONAL FUNDS TO COVER UNEXPECTED CONSTRUCTION COSTS FOR THE COMPRESSED NATURAL GAS (CNG) STATION

Due to the Council recessing to Closed Session, this item was postponed.

APPROVAL OF RECOMMENDATIONS FOR PRIORITIZATION OF TRAFFIC CALMING CONCEPTS FOR FREMONT AVENUE

Due to the Council recessing to Closed Session, this item was postponed.

AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT TO THE DESIGN SERVICES AGREEMENT WITH KENNEDY/JENKS CONSULTANTS FOR PRELIMINARY ENGINEERING DESIGN SERVICES FOR THE GARFIELD RESERVOIR

Due to the Council recessing to Closed Session, this item was postponed.

DIRECTION REGARDING IMPLEMENTATION OF A TIERED WATER RATE STRUCTURE

Due to the Council recessing to Closed Session, this item was postponed.

PRIORITIZATION OF STREET CAPITAL IMPROVEMENT PROJECTS FOR FY 2010/11

Due to the Council recessing to Closed Session, this item was postponed.

**REVIEW OF CITY
COUNCIL LIAISON
ASSIGNMENTS TO
COMMITTEES,
REGIONAL BOARDS,
GROUPS AND TAKE
ACTION AS NEEDED**

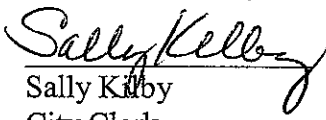
Due to the Council recessing to Closed Session, this item was postponed.


**RECESS TO CLOSED
SESSION**

By consensus, City Council recessed to Closed Session at 10:00 p.m. and left the dais and the Council Chambers.

**REPORT FROM CLOSED
SESSION AND
ADJOURNMENT**

City Attorney Adams reported that at approximately 10:10 p.m., the City Council recessed a second time into Closed Session in the City Hall Conference Room to discuss two items on the Closed Session agenda concerning the proposed 710 freeway. On the first item, City of South Pasadena v. Federal Highway Administration, the Council received a report from special counsel and discussed the matter. On the second item, City of South Pasadena v. Metropolitan Transportation Authority, he reported that the Council was briefed by special legal counsel and engaged in further discussion on the item. The Council gave direction to special counsel, he said, no final action was taken on either item, and there is nothing further to report. The Council adjourned at approximately 11:55 p.m.


Sally Kirby
City Clerk
CRA Secretary


Richard D. Schneider, M.D.
Mayor
Chair, CRA