

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL AND COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF SOUTH PASADENA
CONVENED THIS 2ND DAY OF JUNE, 2010 7:42 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 7:42 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; Planning and Building Director Watkins; Transportation Manager Woods; Assistant Finance Director Batt; Senior Planner Mayer; and City Clerk Kilby.

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

**CLOSED SESSION
ANNOUNCEMENTS**

City Attorney Adams reported that at approximately 6:45 p.m., Mayor Schneider called the regular meeting of the City Council/Community Redevelopment Agency to order. All members of the City Council were present, he said. There were no members of the public present to give public comment, he said, and the City Council recessed into Closed Session. They met with legal counsel on one item, he said, conference with legal counsel on pending litigation pursuant to Government Code Section 54956.9(a), City of South Pasadena v. Metropolitan Transportation Authority. Special Counsel Jan Chatten-Brown provided the Council with a briefing on the status of this matter, he said, and the Council provided its Special Counsel with direction. The Council did not take final action, he said, and there is nothing further to report.

**PRESENTATION OF
FESTIVAL OF
BALLOONS FOURTH
OF JULY COMMITTEE**

Mayor Schneider introduced Joan Payne, Festival of Balloons 4th of July Poster Committee, who thanked the Council for helping to select the winners of the annual 4th of July poster contest, and the 5th graders who

POSTER WINNERS

participated in the contest. She announced the three winners and displayed the winning posters.

**PRESENTATION OF A
CERTIFICATE OF AP-
PRECIATION TO THE
SOUTH PASADENA
EDUCATIONAL FOUN-
DATION IN RECOG-
NITION OF 30 YEARS OF
DEDICATED SERVICE
TO SOUTH PASADENA
SCHOOLS**

Mayor Schneider presented a Certificate of Appreciation to South Pasadena Educational Foundation (SPEF) President Julie Giulioni; incoming SPEF President Ruby Kalra; and original SPEF Board Member Carol McCrary, in recognition of 30 years of dedicated service to South Pasadena schools. President Giulioni made remarks.

**PRESENTATION OF A
PROCLAMATION TO
PROMOTE SAFE DRIV-
ING ACROSS CALIFOR-
NIA AND TO EDUCATE
THE GENERAL PUBLIC
ABOUT THE DANGER OF
TEXTING WHILE
DRIVING**

Mayor Schneider presented a proclamation to Richard Roche, AT&T External Affairs Manager, to promote safe driving across California and to educate the general public about the danger of texting while driving. Mr. Roche urged all to refrain from texting while driving and to refrain from sending texts to someone who is driving. He suggested turning off cell phones while driving and to be an example to others.

**PRESENTATION OF
GOLD LINE EXTENSION
PROJECT AND
SCHEDULE**

Habib Balian, CEO, Metro Gold Line Foothill Extension Construction Authority, presented an update of the Gold Line extension project and schedule, accompanied by PowerPoint slides. He said that the Authority's non-voting member from the City, Dan Evans, is also in the audience. He invited all to the groundbreaking June 26 for the Pasadena to Azusa extension. Keith Hanks, Councilmember, City of Azusa and the South Pasadena representative on the Construction Authority, thanked the Council for the opportunity to serve on the Authority. He made remarks about the project. He responded to questions and announced that the intersection work at Mission and Meridian has been completed ahead of schedule.

Mayor Pro tem Ten, representative on the Joint Powers Authority Board for Phase II, said that the trials and tribulations that South Pasadena experienced will benefit the cities in the next extension. This includes modular sound walls, bell shields, substation design, and intersection alignment, he said. Mr. Balian concurred.

COUNCILMEMBERS'

Councilmember Cacciotti reported on his attendance at

COMMENTS

various community events, outside committees and City commissions. He introduced a new technology: vertical axis wind turbines, providing materials from Directional Energy to the City Manager. He requested that staff investigate using this technology in the City water system to pump water. This was seconded by Mayor Schneider. He thanked staff for taking part in a meeting with a renewable energy company to discuss how to store electrical energy.

Mayor Pro tem Ten reported on events he attended. He expressed thanks to the staff for organizing the recent Memorial Day service. He reported on a meeting of the League of California Cities, "Legislative Days." He showed a chart on the overhead projector that depicted funds subject to State takeaways. He announced that a proposition is being certified for the November ballot that would protect cities' funds from being taken by the State.

Councilmember Putnam congratulated SPEF on its 30th anniversary and invited all to attend the organization's annual Parti Gras on June 5. In regard to his previously approved request to add an item to a future agenda to designate the remainder of his discretionary funds for FY 2009-10, he said that he wanted to designate the funds to a Fire Department supplemental request.

Councilmember Putnam announced that Metro decided to move the 710 tunnel project forward into the Environmental Impact Report phase. Despite extensive efforts to prevent this from happening, he said, it happened anyway. He thanked all who worked behind the scenes and described some of the efforts. He explained why the City Council has not brought the resolution confirming the City's official position on the proposed 710 freeway back to the Council for discussion.

Councilmember Sifuentes provided an update on an emergency preparedness project he is working on with Assistant City Manager Gonzalez. He announced a June 5th Household Hazardous Waste Roundup.

Mayor Schneider reported on the Water Council. He discussed requirements to reduce water consumption 20% by 2020. He said the City's costs are increasing when the demand for water exceeds the established limit

of 3,000 acre feet: from \$450/acre foot to \$587/acre foot. He said the Water Council is looking at ways to conserve water and to change the way water is used in the City. The Water Council will present its final report to the Council on July 21, he said.

**CITY MANAGER
COMMUNICATIONS**

City Manager Davidson acknowledged efforts of Tracey Perkosky, Grants Analyst, to secure more than \$1.3 million in matching grant funds toward the Rogan traffic improvement projects. Ms. Perkosky made a presentation to Metro today, he said, and she was successful in securing an extension of the funding for at least two years. He said the funds were in jeopardy, and without her efforts and leadership, the funds would have been lost.

**APPROVAL OF THE
MINUTES OF THE
REGULAR MEETING OF
MAY 19, 2010**

By roll call vote (5 ayes), the City Council approved the minutes of the regular meeting of May 19, 2010.

(Cacciotti, Putnam)

**APPROVAL OF PREPAID
WARRANTS IN THE
AMOUNT OF \$360,502.24,
GENERAL CITY
WARRANTS IN THE
AMOUNT OF \$244,469.25
AND PAYROLL IN THE
AMOUNT OF \$399,725.41**

By roll call vote (5 ayes), the City Council approved the Prepaid Warrants #163042-163080 in the amount of \$360,502.24; General City Warrants #163081-163180 in the amount of \$244,469.25; and payroll 05/28/10 in the amount of \$399,725.41, for a total of \$1,004,696.90. Sitting as the Community Redevelopment Agency (CRA) Board, they approved the CRA Warrants for \$6,373.49 (included in above total).

(Cacciotti, Putnam)

**APPROVAL OF
SUBSTANCE ABUSE
POLICY FOR SAFETY-
SENSITIVE COMMUNITY
TRANSIT EMPLOYEES**

By roll call vote (5 ayes), the City Council approved the proposed Substance Abuse Policy for Safety-Sensitive Community Transit Employees and authorized the City Manager to sign the policy per Federal Transit Administration (FTA) guidelines.

(Cacciotti, Putnam)

**REQUEST BY MAYOR
SCHNEIDER FOR
APPROVAL OF FY
2009/10 DISCRETIONARY
FUND ALLOCATIONS
DESIGNATING \$2,000 TO
THE NATURE PARK AND
\$2,000 TO THE NATURAL**

By roll call vote (5 ayes), the City Council approved the request by Mayor Schneider designating \$2,000 to the Nature Park and \$2,000 to the Natural Resources and Environmental Commission (NREC) for the purchase of trees.

(Cacciotti, Putnam)

RESOURCES & ENVIRONMENTAL COMMISSION (NREC) FOR THE PURCHASE OF TREES

ADOPTION OF RESOLUTION NO. 7108 AUTHORIZING THE CITY MANAGER TO ENTER INTO A RECIPROCAL AGREEMENT WITH THE FRANCHISE TAX BOARD TO EXCHANGE DATA SPECIFIC TO CITY BUSINESS LICENSE INFORMATION

By roll call vote (5 ayes), the City Council adopted Resolution No. 7108, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A RECIPROCAL AGREEMENT WITH THE FRANCHISE TAX BOARD TO EXCHANGE DATA SPECIFIC TO CITY BUSINESS LICENSE INFORMATION, allowing the exchange of data for tax administration purposes.

(Cacciotti, Putnam)

**PUBLIC COMMENT
Southern California Edison**

8:24 p.m. Ronald Garcia, Region Manager, Public Affairs, Southern California Edison, 1000 Potrero Grande Drive, Monterey Park, distributed an Edison local government reference guide to the City Council. He reviewed its contents.

**Assemblymember
Portantino's new Field
Representative**

Kristi Lopez, 215 N. Marengo Avenue, #115, Pasadena, introduced herself as the new Field Representative for Assemblymember Anthony Portantino, 44th District. She distributed her business card.

Water conservation

Kim Hughes, 1956 Huntington Drive, Chair, Natural Resources and Environmental Commission, and Member, Water Council, said water will be an issue for this coming fiscal year and for years to come. She made remarks about the budget and the importance of water conservation.

**Hermosa Street
Improvement Project**

Larry Abelson, 612 Hermosa Street, submitted a petition signed by 17 residents requesting that the Hermosa Street Improvement Project be reinstated as part of the Fiscal Year 2010-11 capital improvement program. He described the history of the project and the safety issues resulting from the poor condition of the street.

Mayor Schneider referred this issue to staff for comment.

Proposed 710 freeway

Jim Miller, 1103 Hope Street, said that at the recent Metro meeting on the proposed 710 tunnel, at which the decision was made to move forward with an envi-

ronmental impact review, no official representative of the City spoke. He said Councilmembers have evaded the issue of updating Resolution No. 6960, the official position on the freeway, and he urged them to make their position known now.

**PUBLIC HEARING
RESOLUTION NO. 7109
ADOPTING THE FY
2010/11 BUDGET**

8:35 p.m. City Manager Davidson provided an overview of this year's budget process. Finance Director Thai presented the staff report on the FY 2010-11 budget, accompanied by PowerPoint slides. He responded to questions. City Manager Davidson and Councilmember Sifuentes responded to questions about ongoing discussions being held with the South Pasadena Unified School District on ways to save custodial jobs at the District. Councilmember Putnam requested that staff prepare a chart to show per capita revenue from 2003 to present to compare with the PowerPoint slide, "General Fund Per Capita Costs." Expenditures, Councilmember Putnam said, are increasing greater than the rate of inflation. In response to a question from Councilmember Cacciotti, Director Thai described capital projects slated for the coming fiscal year.

Mayor Schneider opened the public hearing.

Bill Kelly, 1852 Oxley Street, Member, Natural Resources and Environmental Commission and the Water Council, said that the cost of overdraft water will increase. He requested setting aside funds to initiate a public education program to inform residents of the need to conserve water.

Mayor Schneider closed the public hearing.

Mayor Schneider requested that the City set aside up to \$10,000 for a public education outreach program to inform residents about water conservation and to prepare them for the possibility that water charges will increase if the City adopts a tiered water-rate billing structure. This was seconded by Councilmember Cacciotti. City Manager Davidson believed that funds could be found. Councilmember Cacciotti requested that this program be incorporated into the Clean Air Car Show and Green Living Expo.

Councilmember Putnam made remarks about the crucial need for street repair. He acknowledged efforts of staff in

developing a workable budget. Mayor Schneider commented on how much Highland Avenue has improved since it was reconstructed and repaved; he acknowledged efforts of the Public Work Department. In regard to the budget crisis, Councilmember Putnam said that other municipalities are partnering with adjacent cities to share resources.

Councilmember Cacciotti said that the City and School District could share janitorial and landscaping contractors. He requested adding to a future agenda: consideration of economies of scale/sharing resources with the School District. He said reserves have grown since he has been in office, and he requested a report depicting reserves over the past decade.

Mayor Pro tem Ten requested that the City work with the School District to hire a District maintenance employee part time to conduct minor street repairs.

By roll call vote (5 ayes) the City Council adopted Resolution No. 7109, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, ADOPTING THE FISCAL YEAR 2010/11 BUDGET.

(Putnam, Cacciotti)

**REORDERING OF
AGENDA**

Mayor Schneider said that without objection, the following item would be taken up next.

**PUBLIC HEARING
CONSIDERATION OF
IMPROVEMENTS AT
THE INTERSECTION OF
MARENGO AVENUE AND
OXLEY STREET**

9:15 p.m. Public Works Director Sweeney presented the staff report on the proposed improvements at the intersection of Marengo Avenue and Oxley Street, accompanied by PowerPoint slides. He responded to questions.

Mayor Schneider opened the public hearing.

John Savage, 1117 Avon Place, supported removing the crosswalk in question.

Those opposing removing the east-west crosswalk in question were David Ashton, Stratford Avenue; Nicholas Panza, 1041 Garfield; Scott Moses, 1105 Marengo Avenue; James Dolan, 1039 Stratford Avenue; and Travis Dunville, 1036 Brent Avenue.

Jane Henning, 1841 Oxley Street, said that this is one of the most dangerous intersections she's ever seen. No one realizes there is only a two-way stop at the intersection, she said, and additional signage is needed. She said that she is an attorney, and that this situation constitutes a "dangerous condition." Valerie Harris, 1106 Stratford Avenue, who agreed that this is a dangerous intersection, opposed removing the crosswalk.

Mayor Schneider closed the public hearing.

Questions and discussion followed. Police Chief Watson responded to a question about traffic accidents at the intersection. Councilmember Putnam spoke about safety in marked vs. unmarked crosswalks. Mayor Pro tem Ten opposed creating blight with excessive signage and suggested constructing a traffic circle at this intersection. Mayor Schneider said there was substantial testimony that this is a dangerous intersection. Mayor Schneider requested that the traffic study be re-evaluated and that a traffic round be considered for this intersection.

By roll call vote (4 ayes; 1 no, Mayor Pro tem Ten), the City Council approved retaining the east-west crosswalk at the intersection of Marengo Avenue and Oxley Street and directed staff to investigate additional ways to improve the crosswalks and signage. On an amendment suggested by Councilmember Cacciotti and approved by Councilmember Sifuentes, the Council directed that the crosswalk be repainted; that larger signs be installed, and that two bright green warning signs be installed immediately in all directions—one in advance of the pedestrian crossing, and one at the crosswalk itself. They directed that staff evaluate the effectiveness of signage installed to date and additional signage and return to the Council in six months with a report.

(Sifuentes, Cacciotti)

Mayor Schneider said that following the six-month report, the Council would explore other safety improvements at the intersection. No objections were voiced.

**PUBLIC HEARING TO
CONSIDER ZONING**

10:13 p.m. The City Council took a one-minute recess.

10:14 p.m. Senior Planner Mayer presented the staff

**CODE AMENDMENTS
THAT DEFINES
“CONVENIENCE
SERVICES” AND
ALLOWS “PERSONAL
SERVICES” IN THE
COMMERCIAL OFFICE
ZONE (EXCEPT
FREMONT CORRIDOR)**

report on the proposed Zoning Code amendments to define the term “convenience services” and to allow “personal service” uses in the Commercial Office (CO) zone, except properties within the Fremont corridor. He responded to questions. Councilmember Putnam requested that “accounting offices” be added to the definition of convenience services.

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

By roll call vote (5 ayes), the City Council introduced by title only for first reading, waiving further reading, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING SECTIONS 36.700.020 AND 36.230.030 OF THE SOUTH PASADENA MUNICIPAL CODE RELATING TO CONVENIENCE SERVICE USES AND PERSONAL SERVICES WITHIN THE COMMERCIAL OFFICE (CO) ZONE IN THE CITY OF SOUTH PASADENA, adding “accounting services” (after legal services) to the definition of convenience services.

(Putnam, Cacciotti)

**CONSIDERATION TO
USE FORENSIC
ACCOUNTING SERVICES
FOR ARROYO SECO
GOLF COURSE**

10:20 p.m. Finance Director Thai presented the staff report on the use of forensic accounting services for the Arroyo Seco Golf Course. He and Community Services Director Pautsch responded to questions.

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

Discussion continued. Councilmember Putnam said that this analysis would consist of verifying the receipts of a cash business, which he said is relatively simple. He recommended that staff conduct this. He said the IRS has issued new audit technique guidelines, and he distributed a copy of an article about this to the Council. He read from the document.

By roll call vote (5 ayes), the City Council directed staff to analyze the records of the Arroyo Seco Golf Course in accord with guidelines from the IRS on auditing cash businesses. The Council directed the Finance Department

to return to the Council if problems develop.

(Putnam, Cacciotti)

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

10:30 p.m. City Manager Davidson provided an overview of the issue. He said Mayor Pro tem Ten requested that this item be placed on the agenda.

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

Mayor Pro tem Ten expressed concern about the City's lack of representation at meetings of the San Gabriel Valley Council of Governments (SGVCOG). As the alternate representing the City, he said he discovered that the City had been removed from the organization's Transportation Committee due to its absence from the last three meetings. If the City wants to continue to participate in important transportation discussions, he said, the representative must attend meetings. Discussion followed about who can represent the City and the difficulty of attending meetings. Mayor Pro tem Ten said he needs to be informed if the representative, Mayor Schneider, cannot attend.

Mayor Schneider concluded that the solution is better communication. Mayor Pro tem Ten said the meeting is always the third Thursday of the month, but that he couldn't attend all the time. Mayor Schneider said he would adjust his schedule to attend as much as possible.

**REVIEW OF
RESOLUTION 7092
REGARDING POLICIES
AND PROTOCOLS FOR
THE USE OF CITY
LETTRHEAD BY
COUNCILMEMBERS AND
COMMISSIONERS AND
TAKE ACTION AS
NEEDED**

10:40 p.m. City Manager Davidson presented the staff report on the review of policies and protocols for the use of City letterhead.

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

Mayor Pro tem Ten said he had requested that this item be added to the agenda. He said that official letterhead has been used to cite personal opinions, and that this sends the wrong message. As a result, he said, it is hard to maintain the strategic position of the City. Other cities question the City's position. Whenever a letter is sent on City letterhead, he said, there is the appearance that this

is the City's position.

Councilmember Putnam said that individual Councilmembers have a right to express a viewpoint on City stationery in response to citizens' inquiries. It should be clear that the Councilmember is writing on his own behalf, individually, he said, and not on behalf of the City. Mayor Pro tem Ten recommended that stock phrases be employed to make it clear that a Councilmember is expressing a personal opinion. Councilmember Putnam suggested that the City Attorney develop acceptable language that could be included in letters. Mayor Pro tem Ten noted that the Council never saw a recent letter to Metro that was co-signed by the mayors of three cities, including South Pasadena. Additional discussion took place on the adopted policy for sending letters.

**RESOLUTION NO. 7110
DETERMINING AND
ESTABLISHING AN
APPROPRIATIONS LIMIT
FOR FISCAL YEAR
2010/11 IN ACCORDANCE
WITH ARTICLE XIII OF
THE CALIFORNIA
CONSTITUTION**

Assistant Finance Director Batt presented the staff report on the appropriations limit for Fiscal Year 2010-11. He said that this year, a different adjustment factor is being used, which resulted in a positive 2% change for the City. He responded to questions.

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

By roll call vote (5 ayes), the City Council adopted Resolution No. 7110, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DETERMINING AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11 IN ACCORDANCE WITH ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION AND GOVERNMENT CODE SECTION 7910.

(Cacciotti, Putnam)

**RECEIVE AND FILE
FINDINGS OF CITYWIDE
SEWER VIDEO PHASE I
ASSESSMENT**

Due to the late hour, this item was postponed.

GENERAL PLAN UPDATE

Due to the late hour, this item was postponed.

**UPDATE AND POSSIBLE
ACTION REGARDING
THE USE OF RULE 20A
FUNDS FOR THE
PURPOSE OF UNDER-
GROUNDING ELECTRIC
LINES AND EQUIPMENT**

Due to the late hour, this item was postponed.

ADJOURNMENT

By voice vote, the City Council adjourned the City Council meeting at 11:00 p.m.

(Cacciotti, Putnam)



Sally Kilby
City Clerk
CRA Secretary



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