



Additional Documents List City Council Meeting March 2, 2022

Item No.	Agenda Item Description	Distributor	Document
7	APPROVAL OF PREPAID WARRANTS IN THE AMOUNT OF \$111,515.51; GENERAL CITY WARRANTS IN THE AMOUNT OF \$598,342.66; SUPPLEMENTAL AUTOMATED CLEARING HOUSE PAYMENTS IN THE AMOUNT OF \$3,437.19; TRANSFERS IN THE AMOUNT OF \$21,533,943.05; PAYROLL IN THE AMOUNT OF \$561,263.28	Ken Louie, Interim Director of Finance	Memo provides clarification to the Staff Report.
18	DISCUSS THE SOUTH PASADENA HIGH SCHOOL ANTI-BIAS CLUB'S PROPOSED BLACK LIVES MATTER MURAL AT ORANGE GROVE PARK	Angelica Frausto-Lupo, Community Development Director Margaret Lin, Deputy Community Development Director	Memo provides additional information for Staff Report.
	WRITTEN PUBLIC COMMENT ITEM # 2, 15,16, 17,18	Christina Muñoz, Deputy City Clerk	Emailed public comment.



City of South Pasadena
Finance Department

Memo

Date: March 1, 2022
To: The Honorable City Council
Via: Arminé Chaparyan, City Manager
From: Ken Louie, Interim Director of Finance
Re: March 2, 2022, City Council Meeting Item No. 7 Warrants

Additional clarification regarding a \$21,500,000 automated clearing house (ACH) transfer was requested. The explanation is as follows:

At the regularly scheduled Council Meeting of February 2, 2022, the City Council approved the motion to remove \$21,500,000 from LAIF in favor of potential higher yields through the investor Morgan Stanley. This ACH transfer represents the funds coming in to the City from LAIF. These funds would shortly thereafter be re-invested with Morgan Stanley.



**City of South Pasadena
Community Development
Department**

Memo

Date: March 2, 2022

To: The Honorable City Council

Via: Arminé Chaparyan, City Manager

From: Angelica Frausto-Lupo, Community Development Director
Margaret Lin, Deputy Community Development Director

Re: March 2, 2022 City Council Meeting Item No. 18 Additional Document –
Discuss the South Pasadena High School Anti-Bias Club’s Proposed
Black Lives Matter Mural at Orange Grove Park

Attached is an additional document which provides the South Pasadena Public Library’s response, dated July 20, 2021, to the Anti-Bias Club’s request to locate the proposed mural on the exterior wall of the library.

On Tue, Jul 20, 2021 at 12:53 PM Cathy Billings <cbillings@southpasadenaca.gov> wrote:

Dear Lulu, Khalil, Maya, and Noah,

Thank you for waiting patiently for a reply while we worked through issues and questions related to your request that the City's Library host the Black Lives Matter mural sponsored by the SPHS Anti-Bias Club on our building's exterior.

As you know, at their June meeting, the Library Board discussed the request and determined that there needed to be a policy in place that would address art display and art donations before they could consider any proposal. Between the June and July meetings, Library staff collected examples of art display policies from other libraries, but we found none that addressed exterior artwork specifically.

At the July meeting, the Board discussed the idea of exterior murals generally and the Black Lives Matter mural specifically. Board members did not support the idea of an exterior mural at the library. Because the building exterior has a finite amount of space, it will never be possible to equitably represent the many contemporary topics that might be proposed for display. They discussed what they would wish to see included in a future policy related to art display on the building exterior, and the following key criteria were identified. Artwork should:

- Have a literary or library theme in keeping with the existing exterior artworks and decoration:
 - Author name engravings around the historic Community Room
 - Bronze sculpture by Leo Politi (depicts children reading)
 - "The Children's Hour" by Merrell Gage (depicts children being read to)
 - Merrell Gage Reliefs (depicting Don Quixote, Rip Van Winkle, Hamlet, etc.)
 - Merrell Gage sculpture (legend of St. George and the Dragon)
- Be removable/non-permanent or of a temporary nature (i.e., a short term exhibition)
- Be easy and inexpensive to maintain and resistant to vandalism

While the Board will not recommend to City Council that the Anti-Bias Club sponsored mural be located on the Library building, they appreciate having had the opportunity to consider your proposal. The discussion about art display that your request prompted was a useful and important one.

The library recognizes the significance of the Black Lives Matter movement, and will continue to give everyone an opportunity to expand their knowledge and experience the voices and stories of BIPOC through our collections and programs. We also welcome collaboration with the Anti-Bias Club that aligns with library services. If the Club wanted to hold a forum with the artist to get community feedback about the design, or display a small scale reproduction of the design indoors to engage the community, we would be happy to discuss these or any other ideas you might have.

Sincerely,

Cathy Billings
Library Director
South Pasadena Public Library
626-403-7352
cbillings@southpasadenaca.gov
www.southpasadenaca.gov/library

**Emailed Public Comment
City Council Meeting
March 2, 2022
Item #2**

From: [Chris Bray](#)
To: [City Council Public Comment](#)
Cc: [Armine Chaparyan](#); [Steven Lawrence](#)
Subject: a real things task list
Date: Tuesday, March 1, 2022 12:51:15 PM

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(General public comment, March 2)

Councilmembers,

So to finish the thought, I propose the following sample tasks as an alternative to a small-town city government agenda focused on global health and the direct control of the planetary climate:

- 1.) The library is still operating with reduced hours and staffing compared to pre-pandemic levels. Fully re-open the library to the pre-pandemic standard. I'm using the library wifi to write this, and in the ten minutes I've been sitting here, *six* people have walked up to the front of the library and tried the door. People expect the library to be open before 1:00, and should expect that.
- 2.) In much of the country, the standard of coverage for fire and EMS services starts with one company and station per 10,000 people. South Pasadena is already far below that standard, but now proposes substantial growth, in part because of our RHNA target. Begin planning to fund a second paramedic-staffed engine company.
- 3.) Arroyo Park is always covered in graffiti. Develop a plan to routinely clean it up, and work to prevent it.
- 4.) Orange Grove, between the 110 and Columbia Street, continues to cause concern to neighbors. Slow the traffic there.
- 5.) Accelerate new housing starts.

Clean parks, fully functional library, sustainably excellent police and fire services, some new housing. When you can do these things and succeed at them, turn to controlling the climate of the planet with the godlike powers you no doubt possess. Manage South Pasadena well, and *then* turn your attention to exerting the vastness of your global power. Run the *city*.

Chris Bray
South Pasadena resident

From: [Chris Bray](#)
To: [City Council Public Comment](#)
Cc: [Armine Chaparyan](#); [Steven Lawrence](#); [CCO](#); [All Commissions](#)
Subject: <https://stuffwhitepeoplelike.com/>
Date: Saturday, February 26, 2022 2:29:45 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

(General public comment, March 2, 2022)

Councilmembers,

If we were to play a game in which I issued the challenge, "Tell me you live in an affluent community on a six-figure pension without telling me you live in an affluent community on a six-figure pension," you couldn't give a better response than the current policy direction of our city government. Yes, Karen, we're all very concerned about making sure orange peels are properly sorted in the garbage cans – it's really one of the most pressing issues facing Americans in the current economic environment.

The preciousness of the city's emerging policy focus is becoming laugh-out-loud funny, but the *context* in which that preciousness is set is increasingly remarkable. Housing prices are becoming dangerously high in a county that already has shocking levels of homelessness, energy prices of all kinds are crushing the household budgets of low-income families, growth in food prices is rapid and unchecked, and many communities – so far not this one, but we're all watching – are experiencing a disturbing growth in violent crime and organized retail thefts. I thought the recent footage of rail lines near downtown LA littered with stolen cargo and discarded packages were a neat summary of the current sense in our country and our state of an implosion in routine order and social function. Basic things aren't *working*.

In that environment, you've casually chosen to increase energy prices for local businesses (which will pass the cost increase to customers), you're focused on *electric cars* for police, you're looking closely at how we sort garbage, and – unconscionably – you're about to vote to destroy a successful business, Fair Oaks Cigars. I thought the most telling line in the staff report on the tobacco ban was the one telling you that the only other cities that have done what you're proposing to do are Beverly Hills and Manhattan Beach. That's your clue that you've descended into the virtue-signaling hobby politics of affluent suburbanites.

Go walk around Fresno or or Blythe or Bell – or Garvanza – and tell people on the street that you're *desperately* concerned about cigar smoking and improper trash sorting. Please record the resulting discussions for my entertainment.

I grew up in Los Angeles in the 1970s, so I grew up breathing gray soup. I appreciate a focus on environmental issues, but balance and context matter. I promise you we have families in South Pasadena who are struggling to pay bills, and every policy choice you're making makes basic elements of daily life more expensive: energy, groceries and household basics, trash service, taxes. The city that recently increased the local sales tax – a regressive tax that hits low-income people the hardest – wants to increase trash pick-up costs to make sure we get bespoke handling for our organic waste. "This discarded arugula has not been properly managed!" Seriously, bless your little hearts. I substantially edited that last sentence for the sake of politeness.

South Pasadena is a small and affluent community that has, so far, mostly had the good fortune to ride above much of the social and economic disorder emerging in much of the country. But let's not assume our luck will hold.

The essential social order is falling apart. Fall back on core functions. Ensure rapid and effective police and fire response. Keep the streets and parks clean and well-maintained. *Get new housing approved and underway.* New housing, new housing, new housing. No one with an annual income below the cost of a Maserati gives a shit about sorting the trash.

And for crying out loud don't kill the cigar store. Someone built that – spent years of their lives making it, growing it, running it, nurturing it. You get to kill it as casually as *voting* that it has to die? Shameful.

You should get out more.

Chris Bray
South Pasadena resident

Christina Munoz

From: BEVERLY BIBER <bevb131@aol.com>
Sent: Wednesday, February 23, 2022 12:15 PM
To: City Council Public Comment
Subject: 2/23 Council meeting Agenda item #1

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Beverly Biber and I would like to comment on consolidation of Commissions As for placing an Animal Commission under a community services umbrella, the Council seems to think only of the popular fun events as a responsibility of an Animal Commission

I can go along with that up to a point, but since the animals don't have a voice I have a few things to say: For over 30 years, the SPAC has advised the city in a multitude of issues and saved city staff valuable time. I remember when a City manager and councilmember came to our meeting many years ago to tell us we had to get a "vicious dog" ordinance on the books. (That was during the surge of pit bull attacks mania in the 1990's. They showed us a recently approved ordinance by an LA area city which had language defining a "vicious dog" as a dog who "MAY APPEAR menacing". WHOAA! We said. In whose eyes!!!! We did labor intensive research (saving city staff time and money) and came up with a much more realistic and humane ordinance which had held up all these years. And there are so many more things we have done for the community like the baring dog ordinance. Originally they were accepting a next door neighbor's complaint rather than requiring multiple neighbors to sign a petition to be reviewed by our police or the animal control service. I could go on. But I think some of you know the rest of the story —SPAC has successfully served the pets and wildlife of our community as well as the city.

Thank you
Beverly. Biber
1250 Oak Hill Ave

Sent from my iPhone

**Emailed Public Comment
City Council Meeting
March 2, 2022
Item #15**

From: [Josh Albrektson](#)
To: [City Council Public Comment](#)
Subject: Item 15 Public Comment
Date: Tuesday, March 1, 2022 2:08:10 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Whoever wrote that we should widen Orange Grove Avenue in order to try to decrease the number of accidents has no concept of street designs.

Making the one lane street into a 2 lane street would increase the speed of the cars driving down Orange Grove and increase the number of accidents and severity of the accidents. By taking part of the sidewalk to widen the street, it would also make it more likely than any accident would include a pedestrian and make it much less pedestrian friendly.

The problem with this street is that the merge happens on a curve going downhill after Oliver street.

What should actually happen is the Orange Grove Blvd median should be revised between Columbia Street and Oliver street so that the two to one merge happens at this location. This would make the street MUCH safer and also cost a TON less than \$500k.

--

Josh Albrektson MD
Neuroradiologist by night
Crime fighter by day

Christina Munoz

From: Jack <jackhusted@gmail.com>
Sent: Tuesday, March 1, 2022 7:16 PM
To: City Council Public Comment
Cc: Diana Mahmud
Subject: Comments for South Pasadena Council Agenda (March 2, 2022)

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Councilmembers,

I am writing to comment on Agenda Item 15 regarding the Proposed Project List for Measure M.

Project 1: Orange Grove Avenue Widening from Oliver Street to Arroyo Seco Parkway

I strongly oppose this project. From my understanding this would remove the sidewalk along a section of Orange Grove Ave. I frequently run in this area and bike with my children. The sidewalk provides a safe route through a high traffic area.

The project description states: "*Significant negative impacts to pedestrian usage of the parkway are not expected, as there exists a wall along most of the route, where no homes are fronted on Orange Grove Avenue.*"

There is no study to support this, and it is absurd to think sidewalks are only needed directly in front of homes. Sidewalks should allow for continuous travel. Without a sidewalk, pedestrians will be forced to cross to the east side of the street. This would be inefficient and dangerous. Furthermore, it would omit people from walking to and from the adjacent neighborhood between Sterling Pl and Hermosa St.

The existing sidewalk and landscaped parkway is a scenic and enjoyable part of South Pasadena. Replacing a sidewalk with another vehicle lane would compromise pedestrian safety and community mobility. It is an expensive project with a negative impact. The extra lane also appears to be unneeded. At rush hour this evening, we observed no queue for the right turn to the 110 Fwy.

For your reference, attached is a photo of the subject sidewalk in use.

Project 3: Garfield Avenue and Monterey Road Traffic Signal

If a traffic light is installed, it should include a pedestrian signal and flashing beacons. A pedestrian button should give priority over the vehicle traffic.

Project 5: (item 5) Huntington Drive at Wayne Street marked crosswalk removal, as it lacks pedestrian controls, and there is not a bus transit stop at this location.

I live near the location and use this crosswalk regularly. It is difficult during busy hours, but it times well between the stop lights at Fletcher and Garfield. Without this crossing it will be a much further walk for residents to get across Huntington to the local grocery store, shops, and restaurants. If pedestrian controls are needed, they should be added, but we should not remove a useful crosswalk from the community.

Thank you for your consideration.

Sincerely,

Jack Husted
1973 Oak St
South Pasadena, CA
626-808-5274



Christina Munoz

From: Severin Martinez <severin.martinez@gmail.com>
Sent: Tuesday, March 1, 2022 10:30 PM
To: City Council Public Comment
Cc: Michael Cacciotti; Diana Mahmud; Evelyn Zneimer; Jon Primuth; Jack Donovan
Subject: Agenda Item 15 - Please use Measure M MSP to fund South Pasadena climate and bike plan implementation

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the South Pasadena City Council,

I am horrified to learn that there are plans to use good tax money to widen Orange Grove and install a signal at Garfield/Monterey, all without any traffic study or robust community engagement. Aside from these projects inducing more traffic and making streets less safe, they will also burden the City with unsustainable maintenance costs for something that has no positive return on its initial investment. These two investments alone will cost nearly \$1M and to bring faster cars and unpleasant sidewalks. No thanks!

Why not install some no-brainer projects that actually improve safety and promote sustainable transportation and are the product of community engagement- like the many bike lanes identified in the city's Bike Plan! Some of these can even be installed without parking loss or lane removal (though personally I have no issue with losing some parking or travel lanes for the name of safety and the environment).

Like why doesn't South Pasadena put bike lanes on Monterey that connect to existing bike lanes on Monterey in the City of LA? Or close that ridiculous small bike lane gap between the York Bridge and the bike lanes on Pasadena Ave? When LA wanted to connect to the bike lanes on Pasadena Ave, city officials from South Pasadena said it would require either removing the eastbound travel lane between the bridge and/or shrinking the concrete median just west of Arroyo Verde Rd. Let's do it!

What will make South Pasadena a nicer, more attractive city is creating a more bicycle, pedestrian, and transit friendly streetscape. I urge you to improve the City's current Measure M Sub-Regional project list.

Thank you for your service to the South Pasadena community,

Christina Munoz

From: Eric Dunlap <ericmdunlap@gmail.com>
Sent: Wednesday, March 2, 2022 7:50 AM
To: City Council Public Comment
Subject: Agenda Item 15 Public Comment - Measure M MSP List

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Council,

I currently serve as a commissioner on MTIC, and I am writing to express my concerns with and opposition to two projects identified on the Proposed Project List for Measure M MSP funding:

- **Orange Grove Bl Widening:** This project would increase the number of southbound travel lanes by removing portions of the landscaped parkway along Orange Grove Bl and the ornamental pedestrian-scale lighting. No studies have been completed – or even a SWITRS report requested - to support this recommendation, and community outreach has not been obtained. The City shouldn't request funding for this project without a clear understanding of the safety implications and project outcomes.
- **Garfield Av/Monterey Rd Traffic Signal:** Similarly, a traffic study (i.e., traffic signal warrant) has not been completed for this signal. The City of San Marino, with whom the signal would be jurisdictionally shared, has not agreed with this recommendation. Further, the signal may improve the efficiency of the intersection, making Garfield Av and Monterey Rd a more attractive option for vehicular traffic.

The City has many unmet active transportation needs (i.e., implementation of the feasible Bike Plan elements and Citywide pedestrian infrastructure enhancements) that would be better suited for these funds to enhance the safety and sustainability of our community.

Let me know if you have any questions. Thank you.

Eric Dunlap

Commissioner, MTIC

Christina Munoz

From: Samuel Zneimer <szneimer@gmail.com>
Sent: Wednesday, March 2, 2022 9:29 AM
To: City Council Public Comment
Cc: Michael Cacciotti; Diana Mahmud; Evelyn Zneimer; Jon Primuth; Jack Donovan
Subject: Agenda Item 15 - Please use Measure M MSP to fund South Pasadena climate and bike plan implementation

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Dear members of the South Pasadena City Council,

I'm writing you today to address agenda item 15. I'm Samuel Zneimer, former resident, former MTIC chair and transportation advocate. As you know I care deeply about improving the South Pasadena, with a focus on transportation and climate change. Tonight, you have the opportunity to commit to the goals climate action goals and the multimodal future we have discussed for decades in South Pasadena. While we have spent millions on road projects and have future commitments of tens of millions for highway/ITS improvements, but yet minimal funds dedicated to improving active transportation. How will we ever encourage walking and biking if we won't commit to the infrastructure that makes people safer? I've heard the promises that we would fund these projects when funds are available, here is your opportunity to fulfill those promises and to fund projects that have been approved by City Council and help us achieve our climate action goals and the multimodal future we have been fighting for.

Below is additional information about projects on the City's current list and about potential projects that can be substituted that have been studied, outreach was formally conducted and approved by City Council. There are several projects on the City's current list for the AVCJPA Measure M Multi-year Subregional Program are inconsistent with the City's adopted Climate Action Plan and commitment to public safety and public health. These include the proposed widening of Orange Grove Boulevard (\$500,000) to two lanes which would require the removal of the landscaped parkway between Columbia and Arroyo Parkway, and the proposed Garfield Ave / Monterey Road traffic signal (\$400,000), which would encourage more traffic and speeding along this corridor. Traffic studies have not been completed for these projects to understand safety impacts, and there has been limited to no outreach conducted to inform their development.

At the same time there are a number of projects that the City has formally studied and vetted with the community, yet remain unrealized. Only a few miles of dedicated bikeways have been implemented since the City adopted its bike plan in 2011 after a comprehensive, year-long community planning process. Investing in safer streets for walking and bicycling is also strongly supported by local residents, as made clear by a student-led petition that garnered over 500 signatures in 2020.

The City has full discretion to utilize Measure M sub-regional funds to implement long-awaited safety improvements including those listed below. Each of these projects can be installed without removing street parking or travel lanes for vehicles, and would connect the City to existing regional facilities.

Fair Oaks Class II (bike lane): Monterey Road to Huntington Drive
Monterey Class II (bike lane): West City Limit to Pasadena Avenue
Arroyo Drive Class II (bike lane): Northern City Limit to Pasadena Ave
Garfield Class II (bike lane): Mission Street to Oak Street
Orange Grove Class II (bike lane): Grevelia to Mission St.
Oak Street Class III (bike route): Meridian Avenue to Garfield Avenue

The above-listed public safety projects can also be implemented quickly and at relatively low-cost, providing immediate benefits. The City's existing bike lanes are disjointed and provide limited utility to people who are concerned about safety but interested in bicycling.

There's no time like the present to invest in safer, healthier streets. Cities and counties around the region, United States and world have accelerated investments to help address dangerous street design, air pollution, and the climate crisis over the past two years. The City of Arcadia installed over 9 miles of bikeways in June 2020 despite having never adopted a local bike plan.

This agenda item is an opportunity for the City Council to advance the City's 2021 Climate Action Plan and 2011 Bike Plan in one fell swoop. As a local resident who strongly supports a more sustainable, pedestrian and bicycle-friendly South Pasadena, I urge you to please reconsider the current Measure M Sub-Regional project list and include the implementation of the City's 2011 bike plan.

Thank you for your service to the South Pasadena community,

Samuel Zneimer
1307 Talmage Street, Los Angeles formerly 1449 Indiana Ave, South Pasadena

Christina Munoz

From: Jairo Avalos <jairo.r.avalos@gmail.com>
Sent: Wednesday, March 2, 2022 10:11 AM
To: City Council Public Comment
Cc: Michael Cacciotti; Diana Mahmud; Evelyn Zneimer; Jon Primuth; Jack Donovan
Subject: Agenda Item 15 - Please use Measure M MSP to fund South Pasadena climate and bike plan implementation

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Dear members of the South Pasadena City Council,

As a local constituent who cares about street safety, clean air, and the future of our climate, I urge you to improve the City's current Measure M Sub-Regional project list.

Several of the projects on the City's current list for the AVCJPA Measure M Multi-year Subregional Program are inconsistent with the City's adopted Climate Action Plan and commitment to public safety and public health. These include the proposed widening of Orange Grove Boulevard (\$500,000) to two lanes which would require the removal of the landscaped parkway between Columbia and Arroyo Parkway, and the proposed Garfield Ave / Monterey Road traffic signal (\$400,000), which would encourage more traffic and speeding along this corridor. Traffic studies have not been completed for these projects to understand safety impacts, and there has been limited to no outreach conducted to inform their development.

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There's no time like the present to invest in safer, healthier streets. Cities and counties around the region, United States and world have accelerated investments to help address dangerous street design, air pollution, and the climate crisis over the past two years. The City of Arcadia installed over 9 miles of bikeways in June 2020 despite having never adopted a local bike plan.

This agenda item is an opportunity for the City Council to advance the City's 2021 Climate Action Plan and 2011 Bike Plan in one fell swoop. As a local constituent who strongly supports a more sustainable, pedestrian and bicycle-friendly South Pasadena, I urge you to please reconsider the draft Measure M Sub-Regional project list and include the implementation of the City's 2011 bike plan.

Thank you for your service to the South Pasadena community,
Jairo

Christina Munoz

From: Nick Humby <nick.humby@yahoo.com>
Sent: Wednesday, March 2, 2022 10:57 AM
To: City Council Public Comment
Cc: Michael Cacciotti; Diana Mahmud; Evelyn Zneimer; Jon Primuth; Jack Donovan
Subject: Agenda Item 15 - Please use Measure M MSP to fund South Pasadena climate and bike plan implementation

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Dear members of the South Pasadena City Council,

As a South Pasadena resident who cares about the safety of streets in my community, the quality of the air we breathe, and our future health and well-being, I urge you to improve the City's current Measure M Sub-Regional project list.

Several of the projects on the City's current list for the AVCJPA Measure M Multi-year Subregional Program are inconsistent with the City's adopted Climate Action Plan and commitment to public safety and public health. These include the proposed widening of Orange Grove Boulevard (\$500,000) to two lanes which would require the removal of the landscaped parkway between Columbia and Arroyo Parkway, and the proposed Garfield Ave / Monterey Road traffic signal (\$400,000), which would encourage more traffic and speeding along this corridor. Traffic studies have not been completed for these projects to understand safety impacts, and there has been limited to no outreach conducted to inform their development.

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Thank you for your service to the South Pasadena community,

Nick Humby
Park Avenue, South Pasadena

Christina Munoz

From: Rachel Wong <rachelwongdesign@gmail.com>
Sent: Wednesday, March 2, 2022 11:06 AM
To: City Council Public Comment
Cc: Michael Cacciotti; Diana Mahmud; Evelyn Zneimer; Jon Primuth; Jack Donovan
Subject: Agenda Item 15 - Please use Measure M MSP to fund South Pasadena climate and bike plan implementation

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At the same time there are a number of projects that the City has formally studied and vetted with the community, yet remain unrealized. Only a few miles of dedicated bikeways have been implemented since the City adopted its bike plan in 2011 after a comprehensive, year-long community planning process. Investing in safer streets for walking and bicycling is also strongly supported by local residents, as made clear by a student-led petition that garnered over 500 signatures in 2020.

The City has full discretion to utilize Measure M sub-regional funds to implement long-awaited safety improvements including those listed below. Each of these projects can be installed without removing street parking or travel lanes for vehicles, and would connect the City to existing regional facilities.

Fair Oaks Class II (bike lane): Monterey Road to Huntington Drive
Monterey Class II (bike lane): West City Limit to Pasadena Avenue
Arroyo Drive Class II (bike lane): Northern City Limit to Pasadena Ave
Garfield Class II (bike lane): Mission Street to Oak Street
Orange Grove Class II (bike lane): Grevelia to Mission St.
Oak Street Class III (bike route): Meridian Avenue to Garfield Avenue

The above-listed public safety projects can also be implemented quickly and at relatively low-cost, providing immediate benefits. The City's existing bike lanes are disjointed and provide limited utility to people who are concerned about safety but interested in bicycling.

There's no time like the present to invest in safer, healthier streets. Cities and counties around the region, United States and world have accelerated investments to help address dangerous street design, air pollution, and the climate crisis over the past two years. The City of Arcadia installed over 9 miles of bikeways in June 2020 despite having never adopted a local bike plan.

This agenda item is an opportunity for the City Council to advance the City's 2021 Climate Action Plan and 2011 Bike Plan in one fell swoop. As a local resident who strongly supports a more sustainable, pedestrian and bicycle-friendly South Pasadena, I urge you to please reconsider the current Measure M Sub-Regional project list and include the implementation of the City's 2011 bike plan.

Thank you for your service to the South Pasadena community,

- Rachel Wong
South Pasadena Resident

Christina Munoz

From: Andy Au <andyau8@gmail.com>
Sent: Wednesday, March 2, 2022 11:27 AM
To: City Council Public Comment
Cc: Michael Cacciotti; Diana Mahmud; Evelyn Zneimer; Jon Primuth; Jack Donovan
Subject: Agenda Item 15 - Please use Measure M MSP to fund South Pasadena climate and bike plan implementation

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the South Pasadena City Council,

As a South Pasadena resident who cares about the safety of streets in my community, the quality of the air we breathe, and our future health and well-being, I urge you to improve the City's current Measure M Sub-Regional project list.

Several of the projects on the City's current list for the AVCJPA Measure M Multi-year Subregional Program are inconsistent with the City's adopted Climate Action Plan and commitment to public safety and public health. These include the proposed widening of Orange Grove Boulevard (\$500,000) to two lanes which would require the removal of the landscaped parkway between Columbia and Arroyo Parkway, and the proposed Garfield Ave / Monterey Road traffic signal (\$400,000), which would encourage more traffic and speeding along this corridor. Traffic studies have not been completed for these projects to understand safety impacts, and there has been limited to no outreach conducted to inform their development.

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This agenda item is an opportunity for the City Council to advance the City's 2021 Climate Action Plan and 2011 Bike Plan in one fell swoop. As a local resident who strongly supports a more sustainable, pedestrian and bicycle-friendly South Pasadena, I urge you to please reconsider the current Measure M Sub-Regional project list and include the implementation of the City's 2011 bike plan.

Thank you for your service to the South Pasadena community,

Thank you for your thoughtful long term thinking on this issue.

Andy Au

Christina Munoz

From: Ryan Jones <ryannjones@gmail.com>
Sent: Wednesday, March 2, 2022 11:29 AM
To: City Council Public Comment
Cc: Michael Cacciotti; Diana Mahmud; Evelyn Zneimer; Jon Primuth; Jack Donovan
Subject: Agenda Item 15 - Measure M to fund bike plan implementation

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Dear members of the South Pasadena City Council,

The Measure M funds provide a great opportunity to make South Pasadena safer, cleaner (we need to cut down on the bad air quality days!) and more resilient to climate change. Putting those funds to use on the pending bike lanes means more people getting around safely and cleanly - surely, the lack of infrastructure is what keeps so many of my neighbors from cycling in the city, despite showing interest. Using the funds on car projects is a step backwards and leaves the city stuck in the old car-centric mode of thinking - we need more people using active transit options, and increased car speed and numbers isn't going to help with that.

Please prioritize the *safety* of South Pasadena's residents over the *convenience* of people driving (especially of those just driving through) and install the listed bike lanes.

Fair Oaks Class II (bike lane): Monterey Road to Huntington Drive
Monterey Class II (bike lane): West City Limit to Pasadena Avenue
Arroyo Drive Class II (bike lane): Northern City Limit to Pasadena Ave
Garfield Class II (bike lane): Mission Street to Oak Street
Orange Grove Class II (bike lane): Grevelia to Mission St.
Oak Street Class III (bike route): Meridian Avenue to Garfield Avenue

South Pasadena has a chance to be a real leader in active transportation infrastructure, and putting the Measure M funds there is the best step to getting there.

Thank you,
Ryan Jones
SP Resident

Christina Munoz

From: Shaun G <shaungong@gmail.com>
Sent: Wednesday, March 2, 2022 11:47 AM
To: City Council Public Comment
Subject: Agenda Item 15 - Please use Measure M MSP to fund South Pasadena climate and bike plan implementation

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I support the funding for bike lane improvement. As this will enhance the character of the community.

Shaun Gong

Christina Munoz

From: Michael Pusateri <michael@pusateri.org>
Sent: Wednesday, March 2, 2022 11:58 AM
To: City Council Public Comment
Cc: Michael Cacciotti; Diana Mahmud; Evelyn Zneimer; Jon Primuth; Jack Donovan; Michele Pusateri
Subject: South Pas City Council Meeting - Agenda Item 15

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

We live at 1914 Marengo Avenue since 1998 and raised both our daughters here, attending South Pas public schools.

We are residents and not simply cutting and pasting an email written by an advocacy group.

We are both cyclists and ride routinely. We are part of local cycling clubs and have been involved in teaching safe riding to new cyclists for years.

I commute to work from time to time, using the entries to the Arroyo Seco bike path to make my way to Universal City and back.

The Council is discussing the usage of Measure M funds and we want to urge you to consider placing a priority on bicycling specific items like improved use of bike lanes, and improvements to our pedestrian sidewalks and crossings.

Improvements to cycling and walkability will help lead to fewer cars on our roads.

Please help make South Pasadena a better place to live in, not just drive through.

Michele & Michael Pusateri

**City Council Meeting
March 2, 2022
Emailed Public Comment
Item #16**

Lucy Demirjian

From: Elizabeth Anne Bagasao <eabagasao@hotmail.com>
Sent: Tuesday, March 1, 2022 6:47 PM
To: Redistricting
Cc: John Srebalus
Subject: Feedback on Proposed Redistricting Maps

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern:

The purpose of redistricting is to adjust the City's district lines to shifts in demographics. The data used to redraw the map are from the most recent Census. Per the City's website, this process is required by State law, the California Voters Rights Act, and should be guided by the spirit and intent of that law and not the desires or political conveniences of City leaders or even certain members of the public.

Cities are to "draw their district lines to reflect how local populations have changed" however not knowing exactly what those changes are, South Pasadena Tenants Union opted not to submit a public map but instead to provide our feedback on those submitted by the public as well as the NDC maps. It is our goal to take a position that, in a small city such as ours, it is still possible for all people to be equally represented by balancing each district economically and racially.

In review of all the maps, we find Public Map 105 to be the most democratic.

In comparing Public Map 105 to the current map, all other public maps and the NDC maps, the equal distribution of race, income and renters creates the most equality across the board with low income residents, renters and the various racial communities, almost equally represented in each district. This balance creates accountability to these groups by the entire Council. (We recognize that because of the nature of the types of dwellings which are district to District 4, it will always have a majority of renters.)

In contrast, the other maps represent disparities based on race and income by creating three districts with larger white and wealthy populations. This leads to an imbalance of power on the Council which is the exact opposite of what the State law has intended.

When the poor, people of color and renters are corralled primarily into two districts, our issues are outnumbered two to three every time. As advocates for the low income, workers and renters in South Pasadena, we have had to work three times as hard to be heard by the council as have environmental and traffic advocates who are mostly white and upper income.

Public Map 105 appears to be an effort to truly balance the political, economic and racial scales of City Hall. While it is tidy to draw maps which visually “make sense”, it’s politically and socially just to draw maps which live up to the spirit of the California Voters Rights Act and do not disenfranchise the poor and people of color.

We assume that it is as unacceptable to our City leaders as it is to us to have two districts with less than 18% low income when it easily possible to draw lines in which each district has between 18% and 24% percent low-income residents. Renters make up 52% of our population in both multi and single family homes in all neighborhoods of the City. Yet, all other maps, including the current map, have renters jammed mostly into two districts also creating at least two districts with fewer renters and more wealthy homeowners. As is illustrated by Public Map 105, which is geographically very similar to the current map, economic and racial balance across each district can be achieved.

South Pasadena Tenants Union looks forward to working with our city leaders to redistrict South Pasadena in the most democratic and socially just way possible. We put our trust in those who were elected to lead our city to uphold our democratic ideals and liberal values. If you have questions or would like more explanation on our feedback provided herein, please don’t hesitate to contact Anne Bagasao directly at 626-660-8837 or John Srebalus at 323-830-9642.

We appreciation your consideration.

Sincerely,

Anne Bagasao

on behalf of South Pasadena Tenants Union

**Emailed Public Comment
City Council Meeting
March 2, 2022
Item #17**

From: [Van Groningen, Karinne](#)
To: [City Council Public Comment](#)
Cc: [AAP California Chapter 2](#); [Samantha Dorenfeld](#)
Subject: American Academy of Pediatrics California Chapter 2 Public Comment
Date: Monday, February 28, 2022 12:54:48 PM
Attachments: [SouthPasadenaTobaccoBan.pdf](#)

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Please see public comment letter attached for the Wednesday 3/2/2022 South Pasadena City Council meeting.

Public comment is re: **the ordinance amending Chapter 18, Article VI of the South Pasadena Municipal Code to prohibit the sale of all tobacco products and electronic smoking devices**

Thank you,

Karinne Van Groningen, MD, MPH
Preventive Medicine and Public Health
UCLA Health | Fellow PGY-5
kvangroningen@mednet.ucla.edu
Pronouns: she/her

UCLA HEALTH SCIENCES IMPORTANT WARNING: This email (and any attachments) is only intended for the use of the person or entity to which it is addressed, and may contain information that is privileged and confidential. You, the recipient, are obligated to maintain it in a safe, secure and confidential manner. Unauthorized redisclosure or failure to maintain confidentiality may subject you to federal and state penalties. If you are not the intended recipient, please immediately notify us by return email, and delete this message from your computer.



February 28, 2022

AAP-CA Chapter 2
P.O. Box 94127
Pasadena, CA 91109
Tel. (818) 422-9877
Fax: (888) 838-1987
www.aapca2.org

Re: Ordinance Amending Chapter 18, Article VI of the South Pasadena Municipal Code to Prohibit the Sale of all Tobacco Products and Electronic Smoking Devices

AAP-CA Chapter 2
Executive Committee 2020 - 2022

President
Damodara Rajasekhar, MD, FAAP
drajasekharndi@gmail.com

Vice President
Grant Christman, MD, FAAP
GCHRISTMAN@CHLA.USC.EDU

Secretary
Tanya Remer Altmann, MD, FAAP
DRTANYAALTMANN@ME.COM

Treasurer
Edward Tagge, MD, FAAP
ETAGGE@LLU.EDU

Immediate Past President
Alice Kuo, MD, PhD, MBA, FAAP
AKuo@mednet.ucla.edu

AAP-CA Chapter 2
Executive Director
Tomás Torices, MD
chapter2@aap-ca.org
Direct Line: (818) 422-9877

Dear South Pasadena City Council,

The American Academy of Pediatrics California Chapter 2, which represents pediatricians in southern California including South Pasadena, is in **full support** of the ordinance amending Chapter 18, Article VI of the South Pasadena Municipal Code to prohibit the sale of all tobacco products and electronic smoking devices.

No amount of tobacco is safe tobacco. Tobacco use is the leading cause of preventable death and illness within the United States and claims more than 440,000 lives each year.¹ The majority of adult smokers initiate tobacco use before the age of 18. In fact, the connection between children and tobacco use is so strong that the Commissioner of the US Food and Drug Administration (FDA) declared smoking a “pediatric disease” in 1995.

E-cigarettes specifically are the most commonly used tobacco product among youth and per the 2016 US Surgeon General’s report are unsafe for children.² E-cigarette products are typically advertised to youth by using flavored, such as fruit or candy, products. Further, there is strong evidence that youth who use e-cigarettes are significantly more likely to later use traditional or combustible cigarettes – a product that goes on to kill its long-term users.² And more recently was the emergence of e-cigarette, or vaping, product use-associated lung injury in teenagers, a devastating and completely preventable disease.³ As long as e-cigarettes are still accessible, they pose a substantial threat to children’s health.

If we can limit the number of children and adolescents who use tobacco products, we can improve child health and over time, reduce adult tobacco use. Prohibiting the sale of combustible and electronic tobacco products is an essential step in protecting our children and broader society. Thank you for your dedication to children’s health and for your future support on this ordinance.

Sincerely,

Karinne Van Groningen, MD, MPH
Legislative and Policy Analyst

AAP-CA2

References:

1. https://downloads.aap.org/AAP/PDF/sotco_tobacco_product_control_issue_brief.pdf
2. <https://publications.aap.org/pediatrics/article/143/2/e20183652/37305/E-Cigarettes-and-Similar-Devices>
3. <https://publications.aap.org/pediatrics/article/146/1/e20194104/77017/Clinical-Features-of-E-cigarette-or-Vaping-Product>

From: [Lucy Demirjian](#)
To: [City Council Public Comment](#)
Subject: FW: [BULK] Public Comment for City Council - Agenda Item #17
Date: Monday, February 28, 2022 5:10:58 PM
Attachments: [NATO Letter on South Pasadena CA Tobacco Ordinance \(February 2022\).pdf](#)
[FDA Compliance South Pasadena CA accessed 022622.xlsx](#)
[image001.png](#)
Importance: Low

From: Jaime Rojas Jr <jaime@rojascommunications.com>
Sent: Monday, February 28, 2022 2:28 PM
To: City Clerk's Division <CityClerk@southpasadenaca.gov>
Subject: [BULK] Public Comment for City Council - Agenda Item #17
Importance: Low

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Good Afternoon City Clerk,

On behalf of the National Association of Tobacco Outlets, we are submitting our public comments for the consideration of the City Council for tomorrow's meeting. Should you have any questions, please do not hesitate to contact me.

Thank you.

Jaime Rojas

--

National Association of Tobacco Outlets
Legislative Consultant



10808 Foothill Blvd. Ste. 160-516

Rancho Cucamonga, CA 91730
Tel: 213.400.8664
www.RCGcommunications.com



NATO

February 28, 2022

Mayor Michael Cacciotti
Members of the South Pasadena City Council
City of South Pasadena
1414 Mission Street
South Pasadena CA 91030

RE: Proposed Ban on Tobacco Products Sales

Dear Mayor Cacciotti and Councilmembers:

As the Executive Director of the National Association of Tobacco Outlets (NATO), a national retail trade association that represents more than 65,000 retail stores throughout the country including several South Pasadena retail stores, I am writing to submit our comments and concerns regarding the Tobacco Retail Sales Ban which is Agenda Item 17 for your March 2, 2022 meeting. As this is a ban on all tobacco products, except cigars in the single cigar lounge in the city, it includes a ban on tobacco products that have been determined by the U.S. Food and Drug Administration to be “appropriate for the protection of the public health.” We would ask that the City Council not adopt this ordinance for the reasons explained below.

Store Closures and Layoffs Will Likely Follow the Ban: Our convenience store members recently experienced losses of up to 45% in gasoline sales and 20% or more in grocery, snack, beverage, and tobacco product sales during the recent market disruptions. These sales losses are significant numbers because convenience stores usually rely on tobacco product sales for approximately 36% of in-store sales. We note that the staff memorandum merely states that “some have estimated between 15-20% of their revenue is from tobacco sales.” This may be true for “some,” but it is not true for the average convenience store.

Moreover, the profit margin for the sale of tobacco products exceeds that of many other products, including food and gasoline, so even if a grocery store or gas station only had 15-20% of its revenue from tobacco, that represents a larger part of their profit. For this reason, the 8-month amortization period is unfairly small. Even those stores that could show hardship would have only 20 months of amortization, too short of a period of time to adequately compensate them from this profound regulatory prohibition. This may well result in costly litigation for the city and its retailers, costs the retailers do not wish to incur in light of not only the recent losses they have suffered, but the recent payroll cost increases they have incurred to attract and retain employees and as a result of inflation.

If South Pasadena retailers must remove all tobacco products from their shelves, it will be very difficult to compete with retailers in neighboring localities, as those retailers will be able to provide tobacco products plus the market basket of other goods and services those customers purchase while at retailers in other cities. South Pasadena retailers will also not be able to compete with illicit sellers who do not care to whom they sell their products. Employee layoffs and store closures are real possibilities, particularly for gas stations and convenience stores, and grocery prices may need to rise to offset the lost profits from tobacco sales.

South Pasadena Retailers are Responsible, Legitimate Businesspeople: NATO and its South Pasadena retail members share everyone's interest in keeping tobacco products out of the hands of persons under 21 years old, but banning all tobacco products for 21 and over adults makes no sense from a health standpoint or economic point of view. According to the FDA, retailers in South Pasadena have a 100% compliance record by refusing to sell to underage persons (see attached spreadsheet). The city is not making tobacco use illegal, so residents and others who purchase tobacco products in South Pasadena will simply go outside the city to legitimate retailers, or to the existing illicit market for cigarette products. There will be no positive health effect in South Pasadena. Why would the City Council want to harm South Pasadena's responsible, legitimate retailers and force their customers to other neighboring cities or to illicit markets when there will be absolutely no health benefit?

Low and Declining Use of Tobacco Products Makes Ruining Retail Businesses Unnecessary: In 2020, the Surgeon General's *Smoking Cessation* report stated that smoking had declined since the original 1964 Surgeon General's report on smoking and health from 52% to 16% among men and 34% to 12% among women, meaning smoking has declined over 60%. The figure in California is even lower, according to the California Department of Public Health, which found that only 10.1% of the state's adults smoked. Is it the least bit surprising that the polling figures in your staff report find that about 70% of people support phasing out cigarette sales, when only 10% smoke? What is more surprising is that 30% of people do not think that sales should be phased out, given that only 10% smoke. The polling numbers illustrate the classic case of the "tyranny of the majority;" those who do not smoke wish to force others to conform to their preferences.

As to youth, California's Healthy Kids Survey for 2019-2020 for South Pasadena Unified School District, only 9% of 11th graders had *ever* smoked a whole cigarette and only 4% had done so, even once, in the past 30 days; only 1% had *ever* tried smokeless tobacco and 1% currently use smokeless tobacco. (Contrast this with the same survey's finding that 30% of 11th graders currently used alcohol, 14% were currently binge drinkers, and 21% currently used marijuana.) The same survey found that in 2019, 16% of 11th graders currently used e-cigarettes; this figure should be considered in light of the CDC's recent findings that nationally, current e-cigarette use among high schoolers dropped about 60% from 2019 to 2021. See *E-Cigarette Use Among Middle and High School Students — National Youth Tobacco Survey, United States, 2021*, US Department of Health and Human Services, Centers for Disease Control and Prevention, Morbidity and Mortality Weekly Report, October 1, 2021, Vol. 70, No. 39. This means that the empirical data showing very low and declining underage use rates of traditional products in the South Pasadena and the national trend of a 60% drop in e-cigarette use does not support depriving all 21 and over adults their ability to buy tobacco products in South Pasadena.

FDA Intends to Ban Menthol Cigarettes and Flavored Cigars: The City of South Pasadena should not pursue a total tobacco ban because the Food and Drug Administration announced in April 2021 that the agency intends to publish a rule, expected by April 2022, to ban the sale of menthol cigarettes and all flavored cigars. With such a sweeping regulation, the city council should pause and allow the FDA's

proposed regulation process which the agency intends to ban some of the same tobacco products that would be prohibited under the proposed ordinance.

FDA Has Found Some Tobacco Products to be for the Public Health: The FDA has taken significant actions that have resulted in the removal of a substantial number of vapor products. In fact, the FDA has thus far rejected about 7 million electronic smoking devices which may no longer be legally sold in the entire country. However, the FDA is currently considering over applications for over 50,000 products as to whether they support public health. Thus far, it has granted applications for an e-cigarette, Vuse Solo, and cartridges used with that device; four flavored modern nicotine products, Verve Discs and Verve Chews in Blue Mint and Green Mint flavors; several General snus products; and some heat-not-burn products. The significance of these decisions should not be lost on the Council. For the FDA to grant those applications, it was required to and did find, after exhaustive scientific studies, that the marketing of those products was “appropriate for the protection of the public health.” By granting these applications, the FDA has concluded that some tobacco products protect public health, and it is still working on applications for tens of thousands of other tobacco products. It would be premature for the city to issue a blanket ban on all tobacco products as the FDA may well grant marketing approval of other products as “appropriate for the protection of the public health.” The city’s ban on tobacco products would work against the public health benefits of those products.

We urge the City Council not to move forward with the proposed ban on flavored tobacco products. Thank you for your consideration.

Sincerely,

Thomas A. Briant

NATO Executive Director

To the City of South Pasadena:

The owners and employees of the Foremost Liquor Market located at 301 Monterey Road, South Pasadena **OPPOSE** the ordinance banning the sale of cigarettes within the city. There are several reasons why we believe this ban would do no good and instead inflict considerable harm on several parties. The reasons are outlined below:

1. As we mentioned in our prior letter, banning the sale of tobacco products does not cause people to stop smoking or reduce smoking. Rather, these people simply go to neighboring cities (which are quite literally only a few blocks away) and buy cigarettes from there. Not only does this inconvenience our customers who will still smoke nonetheless, but it causes us to lose our regular customers. These customers also buy several other products, including liquor, beer, wine, sodas, grocery, etc. which comprise a large part of our revenue. South Pasadena is a small city, and simply banning cigarettes here will not be a deterrent to those who smoke — it will only cause small businesses to suffer.
2. Tobacco sales account for 30-35% of our revenue. We are a small, family-owned business that has been in South Pasadena for decades, but if we lose so much of our revenue, we won't be able to survive. This ordinance would not reduce smoking, but would instead punish our business and our customers.
3. The primary businesses in South Pasadena who would be affected are all in agreement that this ordinance would not have any positive impact, but would just hurt customers and businesses alike. Likewise, many of our regular customers have voiced that they are against this ordinance.
4. Studies show that these types of ordinances lack evidence of effectiveness (as seen in 2019 in Hawaii) and often end in failure because they are not sustainable for customers or businesses. In fact, a similar proposal in Hermosa Beach, CA failed for this very reason in 2019 — there was significant concern by city council members on how this would negatively impact local businesses without producing the desired effect.
5. It is unfair and unethical to propose a ban which would hurt businesses so significantly. This ordinance would force us to close down our business, lose our goodwill, and on top of that, the landlord would come after us for compensation as we have a longterm lease in place. In other words, this ordinance would lead to our bankruptcy. Of note, in the twenty years we have owned this business, we have never even had a single violation of selling cigarettes to a minor.

We understand the concern regarding tobacco use and would like to encourage you to consider reasonable and impactful alternatives. For example, we recommend considering banning the issuance of new tobacco retail licenses. This is an approach that Hermosa Beach adopted instead of an outright ban and it would achieve sustainable, long-term results.

We encourage you to consider the nuances of this situation more extensively. We hope we can reach a solution that benefits both retailers, customers, and the beloved residents of South Pasadena.

Sincerely,

Foremost Liquor Market

Compliance Check Inspections of Tobacco Product Retailers Through 1/31/22 - Search Results

You searched for:

City contains: South Pasadena

State is CA

Retailer Name	Street Address	City	State	Zip
ARCO AM/PM	736 MISSION ST	SOUTH PASADENA	CA	91030
ARCO AM/PM	736 MISSION ST	SOUTH PASADENA	CA	91030
ACRO AM/PMP	1200 FAIR OAKS AVE	SOUTH PASADENA	CA	91030
ARCO AM/PM	736 MISSION ST	SOUTH PASADENA	CA	91030
CHEVRON	1400 MISSION ST	SOUTH PASADENA	CA	91030
PAVILIONS	1213 FAIR OAKS AVE	SOUTH PASADENA	CA	91030
SHELL	718 FAIR OAKS AVE	SOUTH PASADENA	CA	91030
RALPHS #21	1745 GARFIELD AVE	SOUTH PASADENA	CA	91030
VONS #3075	1129 FAIR OAKS AVE	SOUTH PASADENA	CA	91030
RITE AID #5531	914 FAIR OAKS AVE	SOUTH PASADENA	CA	91030
BRISTOL FARMS	606 FAIR OAKS AVE	SOUTH PASADENA	CA	91030
FOREMOST LIQUOR MARKET	301 MONTEREY RD	SOUTH PASADENA	CA	91030

Minor Involved	Sale to Minor	Product Type	Brand	Flavor	Inspection Date	Decision Date
Yes	No	N/A	N/A		Not available	12/16/2021
Yes	No	N/A	N/A		Not available	7/24/2019
Yes	No	N/A	N/A		Not available	10/29/2014
Yes	No	N/A	N/A		Not available	10/29/2014
Yes	No	N/A	N/A		Not available	10/29/2014
Yes	No	N/A	N/A		Not available	10/29/2014
Yes	No	N/A	N/A		Not available	10/29/2014
Yes	No	N/A	N/A		Not available	10/28/2014
Yes	No	N/A	N/A		Not available	10/28/2014
Yes	No	N/A	N/A		Not available	10/28/2014
Yes	No	N/A	N/A		Not available	10/28/2014
Yes	No	N/A	N/A		Not available	10/28/2014

Inspection Result	Link	Charges
No Violations Observed		N/A
No Violations Observed		N/A
No Violations Observed		N/A
No Violations Observed		N/A
No Violations Observed		N/A
No Violations Observed		N/A
No Violations Observed		N/A
No Violations Observed		N/A
No Violations Observed		N/A
No Violations Observed		N/A
No Violations Observed		N/A
No Violations Observed		N/A

From: [Alison Wehrle](#)
To: [City Council Public Comment](#)
Subject: FW: Letter OPPOSING ordinance on tobacco sale
Date: Tuesday, March 1, 2022 11:07:20 AM
Attachments: [Letter to South Pasadena .pdf](#)

From: Jack Sidhu <jpjs22@gmail.com>
Sent: Tuesday, March 1, 2022 10:58 AM
To: Public Safety Commission Comment <pscpubliccomment@southpasadenaca.gov>
Subject: Letter OPPOSING ordinance on tobacco sale

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the City of South Pasadena:

This is a letter against the proposed ordinance to ban all tobacco in the City of South Pasadena. Thank you for your time and consideration.

To the City of South Pasadena:

The owners and employees of the Foremost Liquor Market located at 301 Monterey Road, South Pasadena **OPPOSE** the ordinance banning the sale of cigarettes within the city. There are several reasons why we believe this ban would do no good and instead inflict considerable harm on several parties. The reasons are outlined below:

1. As we mentioned in our prior letter, banning the sale of tobacco products does not cause people to stop smoking or reduce smoking. Rather, these people simply go to neighboring cities (which are quite literally only a few blocks away) and buy cigarettes from there. Not only does this inconvenience our customers who will still smoke nonetheless, but it causes us to lose our regular customers. These customers also buy several other products, including liquor, beer, wine, sodas, grocery, etc. which comprise a large part of our revenue. South Pasadena is a small city, and simply banning cigarettes here will not be a deterrent to those who smoke — it will only cause small businesses to suffer.
2. Tobacco sales account for 30-35% of our revenue. We are a small, family-owned business that has been in South Pasadena for decades, but if we lose so much of our revenue, we won't be able to survive. This ordinance would not reduce smoking, but would instead punish our business and our customers.
3. The primary businesses in South Pasadena who would be affected are all in agreement that this ordinance would not have any positive impact, but would just hurt customers and businesses alike. Likewise, many of our regular customers have voiced that they are against this ordinance.
4. Studies show that these types of ordinances lack evidence of effectiveness (as seen in 2019 in Hawaii) and often end in failure because they are not sustainable for customers or businesses. In fact, a similar proposal in Hermosa Beach, CA failed for this very reason in 2019 — there was significant concern by city council members on how this would negatively impact local businesses without producing the desired effect.
5. It is unfair and unethical to propose a ban which would hurt businesses so significantly. This ordinance would force us to close down our business, lose our goodwill, and on top of that, the landlord would come after us for compensation as we have a longterm lease in place. In other words, this ordinance would lead to our bankruptcy. Of note, in the twenty years we have owned this business, we have never even had a single violation of selling cigarettes to a minor.

We understand the concern regarding tobacco use and would like to encourage you to consider reasonable and impactful alternatives. For example, we recommend considering banning the issuance of new tobacco retail licenses. This is an approach that Hermosa Beach adopted instead of an outright ban and it would achieve sustainable, long-term results.

We encourage you to consider the nuances of this situation more extensively. We hope we can reach a solution that benefits both retailers, customers, and the beloved residents of South Pasadena.

Sincerely,

Foremost Liquor Market

From: [Montgomery Messex](#)
To: [City Council Public Comment](#)
Subject: Item 17 3/2/22 City Council Agenda - LAC Dept. of Public Health Letter
Date: Tuesday, March 1, 2022 9:53:50 AM
Attachments: [South Pasadena DPH Tobacco Retail Ban Letter 3.2.22 FINAL.pdf](#)

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern:

Please find attached a letter from Dr. Tony Kuo, M.D., M.S.H.S., Director of the Los Angeles County Department of Public Health Division of Chronic Disease and Injury Prevention, regarding Item 17 on the March 2, 2022 South Pasadena City Council Agenda. If you have any questions, please let me know.

Thank you,
Monty

Monty Messex, MPH
Program Manager
Tobacco Control and Prevention Program
Division of Chronic Disease and Injury Prevention
Department of Public Health
County of Los Angeles



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
County Health Officer

MEGAN McCLAIRE, M.S.P.H.
Chief Deputy Director

TONY KUO, M.D., M.S.H.S.
Director
Division of Chronic Disease and Injury Prevention
3530 Wilshire Blvd, 8th Floor
Los Angeles, CA 90010
TEL (213) 351-7825 • FAX (213) 351-2713

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March 2, 2022

South Pasadena City Council
City Council Chambers
1414 Mission Street
South Pasadena, CA 91030

Honorable Mayor Cacciotti and Councilmembers:

The County of Los Angeles is committed to protecting the health and well-being of youth and the general public. Cigarette smoking is responsible for more than 480,000 deaths per year in the United States. In California, 40,000 adults die annually from smoking, and 440,600 California youth now aged 17 and younger are projected to eventually die from smoking. Nearly all tobacco use begins during youth and progresses during young adulthood. More than 3,200 children age 18 or younger smoke their first cigarette every day.

Nationally the total economic cost of smoking is more than \$300 billion a year. In 2009, the cost of smoking in California totaled \$18.1 billion. This adds up to \$487 per state resident and \$4,603 per smoker. In Los Angeles County, tobacco use is directly linked to the top five causes of death: coronary heart disease, stroke, lung cancer, pneumonia, and emphysema. Smoking costs Los Angeles County \$4.4 billion in health care expenses and lost productivity from illness and premature death annually.

Consumer products containing chemicals proven to cause a severe threat to human health have been banned in the U.S. and are no longer marketable. Examples include lead, chlorofluorocarbons, and polychlorinated biphenyls, some of which are found in tobacco.

The 2009 Family Smoking Prevention and Tobacco Control Act specifically permits states and localities to prohibit sales of tobacco products. For instance, in California over 100 jurisdictions prohibit the sale of flavored tobacco products. This includes the County of Los Angeles, Alhambra, Pasadena, Manhattan Beach and Beverly Hills. In 2019 the cities of Beverly Hills and Manhattan Beach took the additional step of prohibiting the sale of all tobacco products, becoming the first and second jurisdictions, respectively, in the nation to adopt such policies.

March 2, 2022

Page 2

We thank you for your leadership and commitment in supporting healthy neighborhoods where all community members thrive. We stand ready to share our experiences and lessons learned with your city, as you proceed with your policy and its implementation in the community.

If you have questions or need further information about the County's ordinance, please feel free to contact Tonya Gallow, Director of the Los Angeles County Tobacco Control and Prevention Program, at 213-351-7890 or via email tobacco1@ph.lacounty.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'Tony Kuo', written in a cursive style.

Tony Kuo, M.D., M.S.H.S.

Division of Chronic Disease and Injury Prevention
Los Angeles County Department of Public Health

TK:mm

From: [Jozue Mourinho](#)
To: [City Council Public Comment](#)
Subject: Tobacco Ban
Date: Monday, February 28, 2022 3:36:14 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello my name is Joshua Lopez and i am emailing you regarding the planned tobacco ban for South Pasadena. As a employee of a tobacco retailier in the city I find this unfair law will affect many families and small business owners tremendously to the point of cut hours,lost wages and lost business. The retailer i work for is strict with all tobacco compliance sales laws. We sell mainly to older people and sales to minors laws are strictly enforced. This law ,in all its ridiculousness,is going to hurt many people. Is someone trying to make a name for themselves on the city council? Is this the way to go about it. I find it very funny Evelyn G. Zneimer , a lawyer that fights for immigrant's rights, has introduced a law that will hurt immigrants,as most of the owners of tobacco retailers in South Pasadena are immigrants. It makes me sad as a American that such a law would come to the city council of South Pasadena when there are other more important issues to deal with. I thank you for your time.

Christina Munoz

From: Julia Ruedas <julia@thewellnesscenterla.org>
Sent: Tuesday, March 1, 2022 8:31 PM
To: City Council Public Comment
Subject: Public Comments
Attachments: Letter of Support Senator Portantino, Breathe Free South Pasadena Coalition Support Letter.pdf; Letter of Support - Assemblymember Holden - Breathe Free South Pasadena Coalition - LAC USC.pdf; Letter of Support - Cancer Action Network - South Pasadena - Flavored.pdf; AAP-CA2_SouthPasadena_TobaccoBan.pdf; Statement for SoPas Safety Commission re Smoking Cessation 10.18.21.docx; South Pasadena DPH Tobacco Retail Ban Letter 3.2.22 FINAL.pdf; SouthPasadenaTobaccoBan.pdf; Public Comment, Julianna Fong.docx

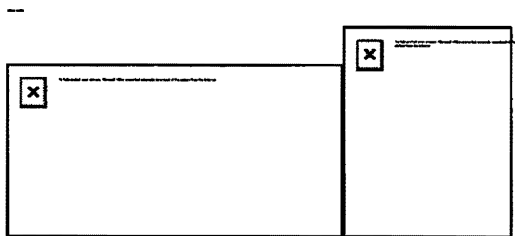
CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening, City of South Pasadena.

Please find attached the written public comments to be read during tomorrow's council meeting.

Much appreciated,

Julia Ruedas



Julia Ruedas, MPA - Policy Analyst
| t. (213)784-9259
| e. julia@thewellnesscenterla.org

LAC+USC Medical Center Foundation | The Wellness Center
1200 North State Street, Suite 1008, Los Angeles, CA 90033

TE. 213.784.9191Ext: 1009 | www.thewellnesscenterla.org

California Chapter 2

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American Academy of Pediatrics

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Press Release

Pediatricians in Support of South Pasadena Tobacco Sales Ban

LOS ANGELES, CA (October 16, 2021)

Pediatricians support tobacco bans and urge the city of South Pasadena to pass a new ordinance to prohibit the sale of all tobacco products and applaud both Manhattan Beach and Beverly Hills for already taking this step to protect the health of children.

The evidence is clear that tobacco products are detrimental to the health and wellbeing of children and adolescents. Tobacco smoke exposure harms children from conception onward, either causing or exacerbating the risks of preterm birth, congenital malformations, stillbirth, sudden infant death, childhood obesity, behavior problems, neurocognitive deficits, wheezing, more severe asthma, more severe bronchiolitis, pneumonia, middle ear infection, reduced lung functioning, and cancer (<https://pediatrics.aappublications.org/content/136/5/998>). According to a 2014 US Surgeon General's Report, "If we continue on our current trajectory, 5.6 million children alive today who are younger than 18 years of age will die prematurely as a result of smoking."

Accessibility to tobacco products harms adolescents. A 2012 Surgeon General's report found that nearly 90% of tobacco dependent adults initiated their tobacco use well before their 18th birthday. Moreover, nicotine has been documented to be detrimental to the developing brains of children and adolescents.

Tobacco harms children. Smoke free legislation and bans on flavored tobacco are steps towards protecting children and adolescents from the harmful effects of tobacco smoke exposure and consumption. But we need to do more. Bans on the sale of all tobacco products will further limit accessibility, consumption, and the risk for second and third hand smoke exposure.

The Southern California Chapter 2 of the American Academy of Pediatrics is an organization of 1,500 primary care pediatricians, pediatric medical subspecialists, and pediatric surgical specialists dedicated to the health, safety, and well-being of infants, children, adolescents, and young adults.

AAP Southern California Chapter 2 (AAP-CA2)

Chapter2@aapca2.org

(818)422-9877

www.aapca2.org

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P.O. BOX 942849
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FAX (916) 319-2141

DISTRICT OFFICE
600 NORTH ROSEMEAD BLVD, #117
PASADENA, CA 91107
(626) 351-1917
FAX (626) 351-6176

Assembly California Legislature

CHRIS R. HOLDEN
ASSEMBLY MEMBER, FORTY-FIRST DISTRICT

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July 12, 2021

Rosa Soto, Executive Director
The Wellness Center
1200 N. State Street
Los Angeles, Ca 90033

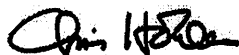
Dear Executive Director Soto,

As the Assemblymember representing the 41st Assembly District, I write in support of finding solutions for the youth and residents in the City of South Pasadena to have opportunities to live in a healthy breathing environment. I support the Breathe Free South Pasadena Coalition and their public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impacts on the adolescent brain and cause long-term addiction.

Smoking continues to be the leading preventable cause of death in the United States. The dangers of smoking is well documented by the Surgeon General who has concluded that smoking causes cancer, respiratory and heart diseases, and birth defects. My work in Sacramento has allowed the opportunity to pass legislation, Assembly Bill 1696 of 2016, which provided the necessary resources in assisting individuals to secede from addiction to nicotine products. Throughout California, cities have adopted data-driven approaches towards the sales of flavored tobacco products. I fully support movements, which promote healthy behavioral habits.

Thank you for your continued efforts to promoting a healthy breathing environment.

Sincerely,



Assemblymember Chris Holden
41st Assembly District

WEBSITE: Assembly.ca.gov/holden

EMAIL: Assemblymember.Holden@assembly.ca.gov

SATELLITE OFFICE: 415 WEST FOOTHILL BOULEVARD, SUITE 124 • CLAREMONT, CA 91711 • (909) 624-7876 • (909) 247-7894 • FAX (909) 626-2548



June 14, 2021

The Honorable Diana Mahmud
City of South Pasadena
1414 Mission Street
South Pasadena, CA 91030

RE: Prohibiting the sale of Flavored Tobacco

Dear Mayor Mahmud and Members of the Council:

The American Cancer Society Cancer Action Network (ACS CAN) is committed to protecting the health and well-being of the residents of South Pasadena through evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem. ACS CAN supports efforts to reduce youth tobacco use and eliminating the sale of flavored tobacco products is an important part of a comprehensive approach to preventing youth from ever beginning a deadly addiction to tobacco. **We support your efforts in eliminating the sale of *all* flavored tobacco products, including menthol cigarettes and Hookah, within the city of South Pasadena, and without exemptions.**

Smoking remains the leading preventable cause of death in the U.S. The 2014 U.S. Surgeon General's report found that more than 43 million Americans still smoke. It is estimated that tobacco use will cause 480,000 deaths this year in the U.S. Both opponents of smoking and purveyors of cigarettes have long recognized the significance of adolescence as the period during which smoking behaviors are typically developed. National data show that about 95 percent of adult tobacco users begin smoking before the age of 21, and most begin with a flavored product. In 2009, Congress prohibited the sale of cigarettes with flavors other than tobacco or menthol. Tobacco companies responded by expanding the types of non-cigarette tobacco products they offer, and now make most of those products available in a growing array of kid-friendly flavors. Little cigars, smokeless tobacco, hookah, and e-cigarettes are marketed in a wide variety of candy flavors with colorful packaging and deceptive names that appeal to youth.

Adolescents are still going through critical periods of brain growth and development and are especially vulnerable to the toxic effects of nicotine. A study published in the journal, *Pediatrics*, found that the earlier youth are exposed to nicotine, the less likely they will be able to quit smoking. Tobacco companies have a long history of marketing to under-resourced communities, and target youth with imagery and by marketing candy and fruit flavored tobacco. The anesthetizing effects of menthol masks the harshness of tobacco, making it more appealing to people who are beginning to smoke, and people who smoke menthol show greater dependence, and are less likely to quit than people who smoke non-menthol. Postponing youth experimentation and initiation can help reduce the number of youth who will ever begin smoking.

American Cancer Society Cancer Action Network
99 S. Lake Avenue, Suite 400 ■ Pasadena, CA 91101
626.243.5614 ■ FAX: 626.568.2888 ■ Primo.Castro@Cancer.org

Ending the sale of flavored tobacco products, including menthol, is not only a health issue; it is also a social justice issue. Targeted marketing to communities of color, low income communities and LGBTQ communities adds to the health disparities in populations already impacted by social inequities. In African American communities, the tobacco industry has aggressively marketed menthol flavored tobacco products to youth. Approximately 85% of African Americans who smoke use menthol cigarettes, and consequently, African American men have the highest death rates from lung cancer, when compared to other demographic groups. The anesthetizing effect of menthol masks the harshness of tobacco, making menthol cigarettes more appealing to beginning smokers, and menthol smokers demonstrate greater dependence, and are less likely to quit. Presently, more than 70 jurisdictions in places as diverse as Yolo County, Contra Costa County, and the cities of Beverly Hills and Alhambra have passed strong policies.

While cigarette smoking has declined in recent years, the use of menthol and other flavored products have continued to increase, especially among young people and people who are beginning to smoke. **We strongly encourage this council to move forward in drafting an ordinance, ending the citywide sale of all flavored tobacco products, without exemptions.** Taking this important public health step will help to prevent young people in South Pasadena from ever beginning this deadly addiction, as well as help to support those who are trying to quit.

Sincerely,

Primo J. Castro

Primo J. Castro
Director, Government Relations
American Cancer Society Cancer Action Network

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SENATOR.PORTANTINO@SENATE.CA.GOV

California State Senate

ANTHONY J. PORTANTINO
SENATOR
TWENTY-FIFTH SENATE DISTRICT



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July 12, 2021

South Pasadena City Council
1414 Mission St
South Pasadena, CA 91030

SUBJECT: *Breathe Free South Pasadena Coalition Support Letter*

Dear South Pasadena City Council:

I am writing to express my support of the Breathe Free South Pasadena Coalition in their efforts to protect the health and well-being of the youth residents in South Pasadena. This coalition consists of engaged parents and professionals that seek to prevent tobacco-related disease and death for youth. My office has met with the parent and student coalitions to listen to their advocacy on the damaging impacts of tobacco products on the adolescent brain.

The health of the youth is an utmost priority to our present and future. The science and research on the harms of flavored tobacco products to the youth are alarming. As State Senator, I am committed to efforts and policies that prioritize youth health, physical and mental wellbeing. I voted in favor of the legislature's policies in SB-793 to protect youth from tobacco products. While the State continues efforts to further protect and educate the youth on the damage of tobacco related products, the cooperation and implementation of local governments is essential.

Therefore, I strongly support the coalition's local efforts in raising awareness to this issue. I encourage the Council's support in further evaluating and implementing local measures to protect the youth and promote wellbeing. Should you have any questions, please feel free to contact my staff via phone at (818) 409-0400 or via email at David.Kim@sen.ca.gov.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Anthony J. Portantino".

Anthony J. Portantino
State Senator, District 25

Honorable Mayor and Members of the City Council,

My name is Juliana Fong and I currently serve as the Chair of the South Pasadena Youth Commission. In that position, I've had the opportunity to speak with Councilwoman Zneimer about the problem of teens in our City using tobacco products, including vaping. I share her concern about local businesses selling these products to minors because I've seen my classmates in high school vaping and smoking cigarettes. Even though businesses cannot legally sell tobacco products to persons under the age of 21, we all know that this law is not always enforced. This is why I strongly support the proposed ordinance, item number 17 of this evening's agenda, that would prohibit the sale of all tobacco products in the City of South Pasadena.

Thank you.

Juliana Fong



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
County Health Officer

MEGAN McCCLAIRE, M.S.P.H.
Chief Deputy Director

TONY KUO, M.D., M.S.H.S.
Director
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March 2, 2022

South Pasadena City Council
City Council Chambers
1414 Mission Street
South Pasadena, CA 91030

Honorable Mayor Cacciotti and Councilmembers:

The County of Los Angeles is committed to protecting the health and well-being of youth and the general public. Cigarette smoking is responsible for more than 480,000 deaths per year in the United States. In California, 40,000 adults die annually from smoking, and 440,600 California youth now aged 17 and younger are projected to eventually die from smoking. Nearly all tobacco use begins during youth and progresses during young adulthood. More than 3,200 children age 18 or younger smoke their first cigarette every day.

Nationally the total economic cost of smoking is more than \$300 billion a year. In 2009, the cost of smoking in California totaled \$18.1 billion. This adds up to \$487 per state resident and \$4,603 per smoker. In Los Angeles County, tobacco use is directly linked to the top five causes of death: coronary heart disease, stroke, lung cancer, pneumonia, and emphysema. Smoking costs Los Angeles County \$4.4 billion in health care expenses and lost productivity from illness and premature death annually.

Consumer products containing chemicals proven to cause a severe threat to human health have been banned in the U.S. and are no longer marketable. Examples include lead, chlorofluorocarbons, and polychlorinated biphenyls, some of which are found in tobacco.

The 2009 Family Smoking Prevention and Tobacco Control Act specifically permits states and localities to prohibit sales of tobacco products. For instance, in California over 100 jurisdictions prohibit the sale of flavored tobacco products. This includes the County of Los Angeles, Alhambra, Pasadena, Manhattan Beach and Beverly Hills. In 2019 the cities of Beverly Hills and Manhattan Beach took the additional step of prohibiting the sale of all tobacco products, becoming the first and second jurisdictions, respectively, in the nation to adopt such policies.

March 2, 2022

Page 2

We thank you for your leadership and commitment in supporting healthy neighborhoods where all community members thrive. We stand ready to share our experiences and lessons learned with your city, as you proceed with your policy and its implementation in the community.

If you have questions or need further information about the County's ordinance, please feel free to contact Tonya Gallow, Director of the Los Angeles County Tobacco Control and Prevention Program, at 213-351-7890 or via email tobacco1@ph.lacounty.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'Tony Kuo', written in a cursive style.

Tony Kuo, M.D., M.S.H.S.

Division of Chronic Disease and Injury Prevention
Los Angeles County Department of Public Health

TK:mm

American Academy of Pediatrics

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San Luis Obispo | Santa Barbara | Ventura

February 28, 2022

AAP-CA Chapter 2
P.O. Box 94127
Pasadena, CA 91109
Tel. (818) 422-9877
Fax: (888) 838-1987
www.aapca2.org

Re: Ordinance Amending Chapter 18, Article VI of the South Pasadena Municipal Code to Prohibit the Sale of all Tobacco Products and Electronic Smoking Devices

AAP-CA Chapter 2
Executive Committee 2020 - 2022

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Damodara Rajasekhar, MD, FAAP
drajasekhar.md@gmail.com

Vice President
Grant Christman, MD, FAAP
GCHRISTMAN@CHLA.USC.EDU

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AKuo@mednet.ucla.edu

AAP-CA Chapter 2
Executive Director
Tomás Torices, MD
chapter2@aap-ca.org
Direct Line: (818) 422-9877

Dear South Pasadena City Council,

The American Academy of Pediatrics California Chapter 2, which represents pediatricians in southern California including South Pasadena, is in **full support** of the ordinance amending Chapter 18, Article VI of the South Pasadena Municipal Code to prohibit the sale of all tobacco products and electronic smoking devices.

No amount of tobacco is safe tobacco. Tobacco use is the leading cause of preventable death and illness within the United States and claims more than 440,000 lives each year.¹ The majority of adult smokers initiate tobacco use before the age of 18. In fact, the connection between children and tobacco use is so strong that the Commissioner of the US Food and Drug Administration (FDA) declared smoking a “pediatric disease” in 1995.

E-cigarettes specifically are the most commonly used tobacco product among youth and per the 2016 US Surgeon General’s report are unsafe for children.² E-cigarette products are typically advertised to youth by using flavored, such as fruit or candy, products. Further, there is strong evidence that youth who use e-cigarettes are significantly more likely to later use traditional or combustible cigarettes – a product that goes on to kill its long-term users.² And more recently was the emergence of e-cigarette, or vaping, product use-associated lung injury in teenagers, a devastating and completely preventable disease.³ As long as e-cigarettes are still accessible, they pose a substantial threat to children’s health.

If we can limit the number of children and adolescents who use tobacco products, we can improve child health and over time, reduce adult tobacco use. Prohibiting the sale of combustible and electronic tobacco products is an essential step in protecting our children and broader society. Thank you for your dedication to children’s health and for your future support on this ordinance.

Sincerely,

Karinne Van Groningen, MD, MPH
Legislative and Policy Analyst
AAP-CA2

References:

1. https://downloads.aap.org/AAP/PDF/sotco_tobacco_product_control_issue_brief.pdf
2. <https://publications.aap.org/pediatrics/article/143/2/e20183652/37305/E-Cigarettes-and-Similar-Devices>
3. <https://publications.aap.org/pediatrics/article/146/1/e20194104/77017/Clinical-Features-of-E-cigarette-or-Vaping-Product>

Judith M. Harris, MA, MSW
Licensed Clinical Social Worker License #LQ6719
807 Fremont Avenue
South Pasadena, California 91030
818-986-7762
jmharrisicsw@sbcglobal.net

**Statement Re: Negative Effects Upon the City of South Pasadena
of Having Smoking and Vaping Materials for Sale / Readily Available to Youth and Adults**

My name is Judith M. Harris, LCSW. I have been part of the South Pasadena community for the past 30 years. I raised a child who matriculated through all levels of South Pasadena public schools and have been integrally involved with the both the school and city communities over years. I am a mental health professional with both a private psychotherapy practice servicing children, adolescents and adults, and a private organizational consulting practice focused upon employee and organizational mental health and wellness.

An area in which I have acquired much expertise, and which is key to personal, workplace and community wellness is that of combatting addiction and substance use of all kinds. I have routinely taken many trainings covering the span of addictive and substance use disorders over years and have worked with scores of clients who present with a range of these disorders. Since 2019 I have taken a concentration of substance use trainings sponsored by UCLA School of Public Health, University of San Francisco and the State of CA regarding smoking cessation. The use of combustible as well as vaping smoking materials is posing increased threats to the health and mental health of all populations in our state and country, but especially to youth. Vaping materials have been manufactured to target youth and are many times more toxic and dangerous to all who use them, but especially to youth since many times the amount of nicotine, a neurotoxin, and other toxic chemicals and metals particles, are delivered to the developing brain and body through vaping mechanisms. Youth, whose brains are in the process of developing are placed at high risk for developing mental health and other health issues as a result of vaping and smoking.

During the pandemic I notice many of my clients stagnating and sinking through delivery of my services over telehealth, so I devised a safe way of meeting with them in person in outdoor spaces. I have frequently met with clients in Garfield Park in secluded places including behind the Scout House. As I learned, this area has been a designated area in the park for local youth to use, drink and engage in sexual activities, apparently over the past 30 years. I have certainly found much evidence of all. Almost every time I have worked in the area, I have found evidence of youth having used smoking and vaping tobacco, marijuana, and other drug materials as well as their having used alcohol and marijuana edibles, and having engaged in sexual activities, leaving unsafe, unhealthy discarded materials all over the area. This using/vaping youth population has also engaged in defacing public property including leaving graffiti on walls, the air conditioning unit by the Scout House, and carved into picnic tables! I have had to phone the So Pas police and Parks and Rec divisions on numerous occasions about what I am finding in areas of the park where I meet with clients. Of course, in order that areas in which I meet are not full of blight, I have become the "clean up crew" and "guardian" of the areas! In addition, the homeless population has been growing and many homeless persons are now living in Garfield Park, engaging in the same types of activities and leaving similar refuse in secluded areas of the parks such as behind the Scout House. It would be of great benefit to all in our community were the sale of smoking and vaping materials to be banned in the City of South Pasadena.

Salient Points re: testimony of Judith M. Harris, LCSW:

1. 30 year professional and community member of South Pasadena.
2. Raised a child all through So Pas public schools/ Has been integrally involved in school and city communities for 30 years
3. As mental health professional has both private psychotherapy and organizational practices focused upon mental health and wellness at home, school and work encompassing all areas of addictive and substance use disorders
4. From 2019 has taken concentration of continuing education courses on "smoking cessation" of all materials sponsored by UCLA School of Public Health, U of SF and State of CA.
5. Has firsthand testimony from professional and personal experiences of the danger availability of smoking/vaping materials is causing all and especially So Pas youth and general population.

Christina Munoz

From: Christina Ghaly <crghaly@gmail.com>
Sent: Tuesday, March 1, 2022 10:28 PM
To: City Council Public Comment
Subject: Agenda Item #17

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear South Pasadena City Council,

Tobacco is one of the leading root causes of death in our society. Even for those whose lives are not ended early, people who smoke suffer from increased rates of pulmonary and cardiovascular diseases, cancers, diabetes, pregnancy loss, eye/vision problems, osteoporosis, fertility problems, immune system dysfunction, and other conditions. Smoking has also been shown in studies to increase the risk of future drug use and addictions. The societal costs of smoking are immense and borne by the entire community in the form of higher insurance premiums, reduced occupational productivity, more widespread addictions, and greater environmental toxins and exposures.

The single most effective way to reduce smoking is to ban sales of all related products. South Pasadena, as a city that prides itself on its family-oriented lifestyle and environmentally-focused policies, should not enable smoking behaviors by supporting sales of tobacco products and electronic smoking devices.

Thank you for the council's leadership in seeking to ban such sales.

Christina Ghaly, MD
South Pasadena resident

Christina Munoz

From: Chris Bostic <bosticc@ash.org>
Sent: Wednesday, March 2, 2022 6:06 AM
To: City Council Public Comment
Subject: testimony for March 2, 2022 agenda item 17
Attachments: M_South Pasadena_testimony_Mar-2-22_FINAL.pdf

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you.

Chris Bostic, *Policy Director*

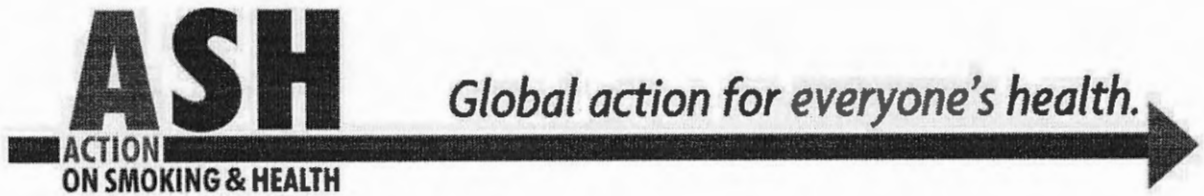
ASH > ACTION ON SMOKING & HEALTH

Dedicated to ZERO Tobacco Deaths.

1250 Connecticut Ave, NW, 7th floor

Washington, DC 20036

he/him/his



South Pasadena City Council hearing

March 2, 2022

Testimonial in support of agenda item 17: ORDINANCE AMENDING CHAPTER 18, ARTICLE VI OF THE SOUTH PASADENA MUNICIPAL CODE TO PROHIBIT THE SALE OF ALL TOBACCO PRODUCTS AND ELECTRONIC SMOKING DEVICES

First Reading

Thank you for this opportunity. My name is Chris Bostic. I am an attorney with Action on Smoking and Health – or ASH – the nation’s oldest anti-tobacco organization.

Let me start with a short quote.

“Tobacco is deeply harmful to human health, and there can be no doubt that the production and marketing of tobacco is irreconcilable with the human right to health.”

That comes from the Danish Institute for Human Rights, a respected organization with an international mandate to promote and protect human rights, and that previously had not been involved in tobacco control. They published this after conducting a human rights audit at the request of Philip Morris International, the world’s biggest multinational tobacco company. Their conclusion has been echoed by over 150 public health and human rights organizations around the world. Some are represented here in the room.

“The production and marketing of tobacco is irreconcilable with the human right to health.” That quote is important. It’s clear that you want to do the right thing here – to end deaths and disease from tobacco use. You need to know that in spite of being a pioneer in this respect, South Pasadena would be on very firm ground, both morally and legally. Federal and state law allows you to do this. Human rights law, and general moral decency, suggests that you should.

I’ve been a foot soldier in the tobacco wars for 20 years, working mostly at the global level, so I come at this with a very wide lens. In some ways the world has made a lot of progress since I started, but the sad truth is that deaths from tobacco use are still going up, not down. We’re looking at a billion deaths this century – that’s billion, with a “b.”

Tobacco killed over 8 million people last year, and the body count keeps rising. Nearly every advancement in the fight against tobacco, such as smokefree air, has started at the local level. This is not about a “nanny state,” because it is about the behavior of the tobacco industry, not smokers. And it is not prohibition, because you are aiming at the sale, not use or possession. If the definition of liberty is the right to do whatever you want so long as it doesn’t harm others, the actions of the tobacco industry in marketing its products do not meet that basic hurdle.

Respectfully,
Chris Bostic, M.S.F.S, J.D.
Program Director

701 4th Street, NW • Washington, D.C. 20001
p 202.659.4310 • f 202.289.7166
ash.org

Christina Munoz

From: laurie@southpasadena.net
Sent: Wednesday, March 2, 2022 9:10 AM
To: City Council Public Comment
Subject: Item # 17, Open Session, 3/2/2022 City Council Meeting

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mayor and Councilmembers,

On behalf of the South Pasadena Chamber of Commerce, this public comment is in regards to the proposed ordinance to ban the sale of tobacco products in South Pasadena. In particular, this comment is addressing the section of the ordinance regarding the exemption of cigar lounges from the ordinance, with certain conditions: 18.102 (b) (5) - (7). These specific conditions will preclude this long-term South Pasadena business from selling the business, relocating or closing for more than 60 days for any reason, (including any damage to the building due to unforeseen circumstances, such as earthquakes), or moving or expanding the square footage of the store. Many business owners, including the owner of Fair Oaks Cigars, hope to sell the business at some point, with the proceeds being used for other purposes. Losing this option to sell the business can significantly impact the long-term goals of the owner(s). We ask that you reconsider and relax these conditions to enable this business to continue to be a vital part of this community.

As you are well aware, our local businesses have suffered greatly during the past two years of the pandemic. Combined with the difficulty of finding employees, rising labor costs and costs of goods, to further burden local businesses with local regulations should be avoided as much as possible. Thank you for your consideration. We appreciate your support of South Pasadena businesses.

Warm Regards,
Laurie Wheeler, President/CEO
Board of Directors
South Pasadena Chamber of Commerce

Christina Munoz

From: Myron Dean Quon, Esq. <mquon@bu.edu>
Sent: Wednesday, March 2, 2022 10:49 AM
To: City Council Public Comment
Cc: Michael Cacciotti; Diana Mahmud; Evelyn Zneimer; Jon Primuth; Jack Donovan
Subject: Public Comment Regarding Item #17

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PLEASE READ THIS COMMENT BELOW FOR THE CITY COUNCIL, IF ALLOWED. THANKS IN ADVANCE



Honorable City Council Members,

I am Myron Dean Quon, a resident at 741 Garfield Ave. My family has lived here for almost 7 years. Our two boys attend Monterey Hills Elementary.

We strongly support the passage of the ordinance listed in Item #17.

In 2022, and with the ongoing pandemic, it is especially clear that South Pasadena has no legitimate reason to allow the sales of tobacco products (including vaping devices). The chemicals from smoke and vaping harm everyone, whether directly inhaled or as secondhand smoke, and our young residents remain at high risk of addiction due to any access.

I am very active with other parents in Monterey Hills, the Special Needs Committee for the South Pasadena Unified School District, as well as serving on the board for the local Y. Literally every single person that I speak to about this issue is strongly in support of this ordinance.

In addition, I have been an active member of the local coalition of South Pasadena residents and businesses in support of this ordinance. Although not everyone can attend tonight's meeting, I can freely share that all our members are in support of this ordinance.

Please support this ordinance unanimously. Your actions through passage of this ordinance will truly save lives. Thanks so much.

Sincerely,

Myron

--

Myron Dean Quon, Esq. | (he/him/他的)

Pacific Asian Counseling Services | Executive Director

Los Angeles | Long Beach | San Fernando Valley

(310) 337-1550 x 2018 | (213) 293-8889



Sender notified by Mailtrack —

Christina Munoz

From: oceanliquor_sopa@yahoo.com
Sent: Wednesday, March 2, 2022 11:22 AM
To: City Council Public Comment
Subject: Public comment - Item 17 - PROHIBIT THE SALE OF ALL TOBACCO PRODUCTS AND ELECTRONIC SMOKING DEVICES
Attachments: SouthPasadenaTobacRetailLoc.pdf; South Pasadena Police Report on tobacco sales.pdf

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello City Council members,

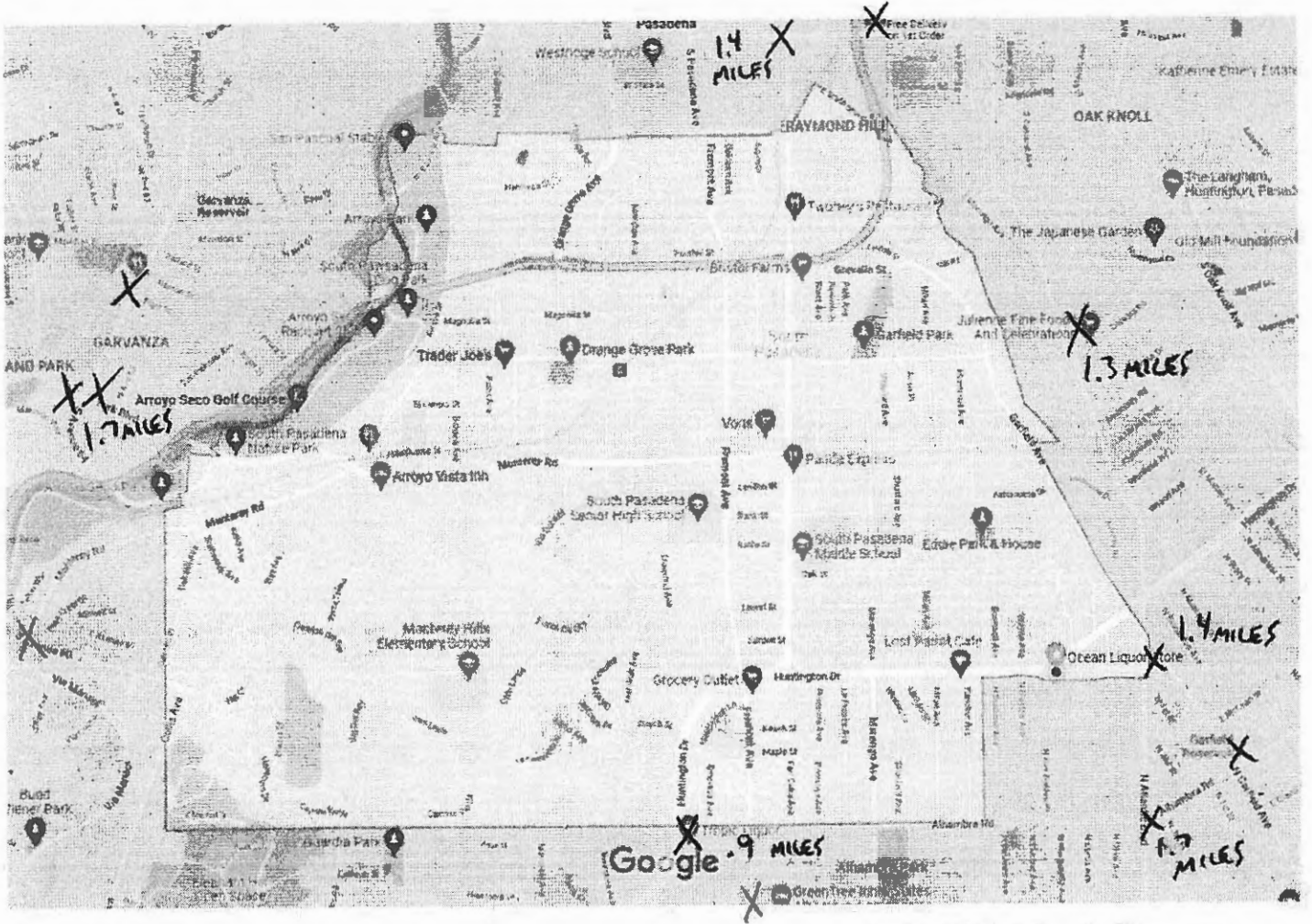
My name is Chad Farah and I have owned Ocean Liquor since 2008. I want to urge you to reconsider this ban. Attached in this email is a map showing you the tobacco retailers outside our city and how close they are to the very center of our town. This ban will do nothing to hinder anyone from smoking considering how close tobacco retailers are just outside our border. The loss of tobacco sales are going to hurt the small business owners. Our main concern is the loss of customers who purchase other items along with tobacco. In a liquor store business, those sales are roughly a third of our sales. That would cripple us. If this was a statewide ban then maybe it would help deter the sales of tobacco however our 3.4 square mile town will do nothing for the goal of deterring tobacco sales to anyone living in the city.

I understand the concerns of the council, residents and various organizations that will be speaking today. I myself have 2 kids under the age of 8. I'm assuming this ban has to do with the fear of sales to a minor and not the tobacco users over the age of 21. I contacted the South Pasadena Police department to request records and information on any sales made to a minor since January 1st, 2000. They found in 22 years that zero tobacco retailers have been involved in selling to minors. I've attached the email from South Pasadena Police in this public comment as proof. The American Lung Association has given South Pasadena an A grade. We are 1 of 10 cities in all of LA county to receive that grade. With all due respect you are trying to find a solution to a problem that we do not have. I have spoken to other small businesses in the city and they all have practices in place to deny any sales to a minor. We here at Ocean Liquor scan every ID from any customer who looks under 30. I personally train every employee on the consequences of selling to a minor. Along with criminal charges and communicate with them that they would lose their job immediately. I have a zero tolerance policy towards any sales to a minor regarding tobacco and alcohol. This how I've stayed in business for 14 years.

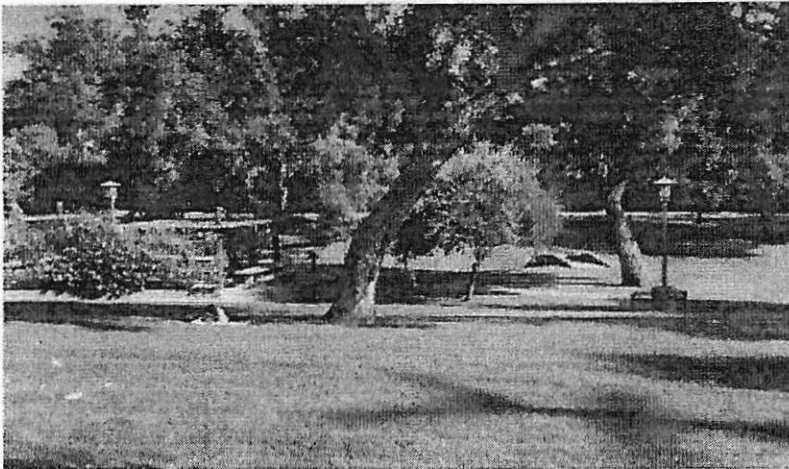
I'm asking you to reconsider this ban. Please consider the devastation we small business owners will face once we see a third of our total sales just go away in a day. Our stores rely on a one stop shop business model. Our margins are low so we need volume of sales to pay our bills. I have reached out to a lot of my customers and asked them to be honest with me. I asked them would they stop coming here if they couldn't purchase tobacco along with their other grocery items and every single one of them said they would be forced to patronize another convenience store outside the city. These tobacco sales in the city are not going to disappear, they are going to transfer to a neighboring city. South Pasadena will lose out on tax revenue for nothing. Small business owners will have their livelihoods devastated for nothing. Residents of legal age in this city will be inconvenienced for nothing. Thank you for your time.

Sincerely,
Chad Farah
Ocean Liquor

Google Maps South Pasadena



Map data ©2022 Google 1000 ft



South Pasadena

California 91030

Sunny · 63°F
3:07 PM

RE: Your Request for records

From: Joe Ramirez (jramirez@southpasadenaca.gov)
To: oceanliquor_sopa@yahoo.com
Date: Wednesday, February 23, 2022, 01:49 PM PST

Good afternoon Mr. Farah,

Regarding your request for **“Incidents of tobacco retailers cited for selling tobacco to minors from January 1, 2000 through February 18, 2022.”**

Result:

No records found.

A search of our Records Management System was conducted for the date range of 01/01/2000 through 02/23/2022 for violations of PC 308 (a) (1) (A) (i) Every person, firm, or corporation that knowingly or under circumstances in which it has knowledge, or should otherwise have grounds for knowledge, sells, gives, or in any way furnishes to another person who is under 21 years of age any tobacco, cigarette, or cigarette papers, or blunt wraps, or any other preparation of tobacco, or any other instrument or paraphernalia that is designed for the smoking or ingestion of tobacco, tobacco products, or any controlled substance, is subject to either a criminal action for a misdemeanor or to a civil action brought by a city attorney, a county counsel, or a district attorney, punishable by a fine of two hundred dollars (\$200) for the first offense, five hundred dollars (\$500) for the second offense, and one thousand dollars (\$1,000) for the third offense.

This concludes the South Pasadena Police Department’s response to your Public Records Act request.

Respectfully,



Joe Ramirez
Police Clerk 2043
South Pasadena Police Department
1422 Mission Street
South Pasadena, CA 91030

Phone: 626-403-7235 Fax: 626-403-7271

Email: Jramirez@SouthPasadenaCA.gov

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From: oceanliquor_sopa@yahoo.com <oceanliquor_sopa@yahoo.com>
Sent: Tuesday, February 22, 2022 1:04 PM
To: Joe Ramirez <jramirez@southpasadenaca.gov>
Subject: Re: Your Request for records

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Officer Joe Ramirez,

I understand about the info I wanted relating to minors caught smoking. If you please provide me with the retailers who sold tobacco to minors from Jan 01, 2000 and present day. Thank you

Incidents of tobacco retailers cited for selling tobacco to minors from January 1, 2000 through February 18, 2022.

On Friday, February 18, 2022, 10:23:40 AM PST, Joe Ramirez <jramirez@southpasadenaca.gov> wrote:

Good morning Mr. Farah,

I received your police report request (attached) yesterday afternoon. After looking over your request, it appears that you are actually making a Public Records Act request rather than asking for a report to which you were a party to. In order to better understand your request, I will need some clarification.

Your request seems to have two parts:

1. Tobacco retailers selling to minors.
2. Underage minors caught using tobacco products.

Regarding request #1 "Tobacco retailers selling to minors" – Please clarify the records that you requesting regarding "tobacco retailers selling to minors." and the date range for the request. For example "Incidents of tobacco retailers cited for selling tobacco to minors from January 1, 2022 through February 18, 2022."

Regarding request #2 "Underage minors caught using tobacco products" – to the extent that such documents exist, they are not public record and are exempt from disclosure pursuant to **Welfare & Institutions Code Section 827** (juvenile case files, and any portion thereof, and information relating to the content of any juvenile case file, may not be disseminated by receiving agencies to a person or agency, or than a person or agency authorized to receive such documents.)

Respectfully,

Joe Ramirez

Police Clerk 2043

South Pasadena Police Department

1422 Mission Street

South Pasadena, CA 91030

Phone: 626-403-7235 Fax: 626-403-7271

Email: Jramirez@SouthPasadenaCA.gov



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Christina Munoz

From: Andrew Berk <andrewberkpersonal@gmail.com>
Sent: Wednesday, March 2, 2022 11:23 AM
To: City Council Public Comment
Cc: Andrew Berk
Subject: Tobacco Ban public comment

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is Andrew Berk, Chairman of the Board of Directors of the South Pasadena Chamber of Commerce, and I'd like to provide comment on the tobacco item on the council agenda.

The proposal as it's proposed will severely and irreparably harm the 2 independent well beloved beer, wine and liquor stores and all of our independent gas stations:

- Tobacco retailers (liquor stores, gas stations, convenience stores, etc.) are abundant in adjacent cities, and in a city such as ours that's only 3.4 square miles, there are options in walking distance at each border. We will lose critical folks who will go buy all the other items they would have bought at our community retailers.
- People will not stop in 2 locations for tobacco and other purchases (they'll go where they can get both), which means not only loss of revenue from the tobacco, but all the other purchases, too. The city will also of course lose out on additional sales tax revenue.
- A Beverly Hills liquor store we have verified with, reports a drop of over 50% in revenue due to loss of customers to neighboring cities
- Small business is vital to South Pas - these businesses are well established, long term and amenity well liked businesses
- There are already laws and codes in place to prohibit sales of these products to anyone under the age of 21 - the city should enforce these existing laws first, instead of piling on additional laws.
- The city should in the minimum delay this item and further review it and get community input. If the intent is to minimize flavored vaping to minors, then we feel strongly that the direction of such proposal should be much further clarified, defined, and limited to that scope.

Andrew Berk
Chairman of the Board of Directors South Pasadena Chamber of Commerce

Eat - Shop - Enjoy South Pasadena!

Sent from my iPhone

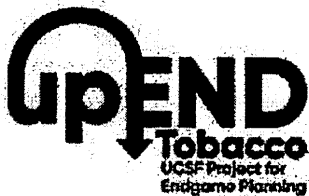
Christina Munoz

From: Malone, Ruth <Ruth.Malone@ucsf.edu>
Sent: Wednesday, March 2, 2022 11:25 AM
To: City Council Public Comment
Subject: Comment for City Council Agenda Item #17
Attachments: SouthPasCityCouncilCommentFINALSUBMITTEDMarch2.pdf

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
Attached is a comment for inclusion in the packet for this evening's City Council meeting, Agenda Item #17.
Thank you.

Ruth E. Malone, RN, PhD
Professor Emerita (Recalled)
Department of Social and Behavioral Sciences
School of Nursing
University of California, San Francisco
Editor-in-Chief, *Tobacco Control*
490 Illinois St, Floor 12, Box 0612
San Francisco, CA 94143
Fedex: Same street address, Zip 94158
ruth.malone@ucsf.edu
415-476-3273
<http://nursing.ucsf.edu/faculty/ruth-malone>
<http://tobaccocontrol.bmj.com>



Comments: Ordinance Ending Tobacco Sales in South Pasadena

*Information Prepared by Malone Tobacco Policy Research Group, upEND Tobacco Project
University of California, San Francisco*

Ruth E. Malone, RN, PhD, Professor Emerita, University of California, San Francisco

South Pasadena has taken a landmark step in proposing to become the third California city to pass an ordinance ending sales of tobacco products. As a researcher who has studied what is being called the “tobacco endgame” for more than a decade, I have been asked to provide some additional information for your consideration, and I am available to respond to questions.

The tobacco epidemic: An industrially created catastrophe

- *The tobacco epidemic is a phenomenon of the 20th century.* While tobacco has been used for centuries, it was only after the invention of the cigarette rolling machine in the late 1800s that the cigarette became the single most deadly consumer product in history, causing millions of premature, preventable deaths.¹
- The tobacco industry knew for decades that its products were deadly, but concealed the evidence from the public.²
- Globally, public health leaders have begun discussing how to end the tobacco epidemic.³
- The 50th anniversary edition of the U.S. Surgeon General’s Report on the Health Consequences of Smoking suggests policies to do this, proposing “greater restrictions on sales, particularly at the local level, including bans on entire categories of products.”⁴
- *California is a world leader, with the second-lowest smoking prevalence of any US state after Utah.*⁵
- If present progress continues, retailers will soon need to develop new business models that do not rely on tobacco sales.

Facts about smoking

- Smoking is the leading preventable cause of disease and death in the US, responsible for about 1 in every 5 deaths, more deaths each year than human immunodeficiency virus (HIV), illegal drug use, alcohol use, motor vehicle injuries, well-known microbial agents, such as flu and pneumonia (excluding the corona virus, which killed nearly 350,000 in the US in 2020),⁶ and toxic agents, combined.⁷
- In California, 40,000 adults die annually from smoking, and 440,600 California youth now aged 0-17 are projected to eventually die from smoking.⁸
- In 2009, the cost of smoking in California totaled \$18.1 billion: \$9.8 billion in healthcare costs, \$1.4 billion in lost productivity from illness, and \$6.8 billion in lost productivity from premature mortality. This adds up to \$487 per state resident and \$4,603 per smoker.⁹

- Smoking is concentrated among marginalized communities, including those living below the poverty level, sexual and gender minorities, and persons with mental health disorders, contributing to disparities in smoking-related disease and death.¹⁰⁻¹⁵

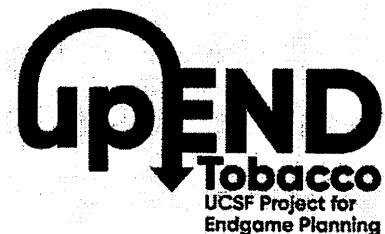
The retail environment influences smoking

- *The ubiquity of tobacco outlets undermines a strong public health message that tobacco products are addictive and deadly,*¹⁶ and helps normalize smoking, suggesting that tobacco use is common and acceptable.¹⁷
- Tobacco outlet density increases the likelihood of smoking among both minors¹⁷⁻²⁹ and adults,³⁰⁻³² and living near tobacco outlets is associated with unsuccessful quit attempts.³³⁻³⁶
- Tobacco use disparities have also been linked to the greater concentration of tobacco outlets in economically and socially deprived neighborhoods compared with wealthier neighborhoods.³⁷⁻⁴⁵
- Emerging evidence suggests that tobacco retailer reduction is associated with a decline in cigarette pack purchases.⁴⁶

Policy considerations

- The most fundamental purpose of consumer protection law is to protect people from hazardous products. The 1985 United Nations consumer protection guidelines state that “Governments should adopt or encourage the adoption of appropriate measures . . . to ensure that products are safe for either intended or normally foreseeable use.”⁴⁷ Any other product that caused the well-documented levels of death and disease that the manufactured, highly engineered modern cigarette does would have been recalled from the market decades ago.
- Sales of other legally sold consumer products that were found to be dangerous to the public have been phased out, including leaded gasoline, leaded paint and asbestos.
- The 2009 Family Smoking Prevention and Tobacco Control Act specifically permits states and localities to prohibit sales of tobacco products.⁴⁸ It does not allow the FDA to do so.
- Nationwide, support for a ban on tobacco sales within a ten-year time frame was 55% among nonsmokers and 33% among smokers in 2011.⁴⁹ In 2019, 52.8% of California adults agreed or strongly agreed that the sale of cigarettes should be gradually banned, while 37.3% agreed or strongly agreed that their sale should be immediately banned.⁴⁹

Contact: Professor Ruth E. Malone, RN, PhD
 Department of Social and Behavioral Sciences
 University of California, San Francisco
Ruth.malone@ucsf.edu
 415-476-3273



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Christina Munoz

From: Grace Dzubak <grace@dzubak.net>
Sent: Wednesday, March 2, 2022 11:59 AM
To: City Council Public Comment
Subject: Prohibit the sale of all tobacco products and electronic smoking devices

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Grace and I own a small business in the City of Beverly Hills. I am also not a smoker. We were the first city to ban the sale of tobacco. I wanted to share my views and experience of our tobacco ban.

Tobacco sales used to be approximately 20% of my sales. I've lost that stream of revenue and haven't been able to replace it. Although I can't quantify, I believe I have lost out on potential sales. Customers, new and old, used to come in regularly to purchase tobacco and then pick up other items with the tobacco. I've confirmed with former tobacco customers that they now drive a few blocks over to Los Angeles and to buy their cigarettes. I imagine they are picking up their snacks and beverages as well. New protentional customers will often times take a few steps into the store, inquire if we have tobacco and then immediately leave the store. I'm not given the opportunity to present my store, its merchandise and customer service, in hopes of a return customer.

My other complaint of the ban is that it is inequitable. We allow the hotels to distribute cigarettes to our tourists, but not the small business owners.

As you may or may not know, Beverly Hills is a non-smoking city. Smokers are allowed to smoke as long as they are walking. Smokers may not sit or stand in place. But the issue I have is there is no enforcement of this. If the message or intent is to create a smoke-free city and enforce this measure, I would be willing to support the city in its tobacco ban. But if the city is not willing enforce its own policy, I don't understand why small business owners should be punished for this.

Thank for taking the time express in thoughts on this matter.

Respectfully,
Grace

**Emailed Public Comment
City Council Meeting
March 2, 2022
Item #18**

From: [Dorothy Bourgeois](#)
To: [City Council Public Comment](#)
Subject: BLM mural agenda item 18
Date: Monday, February 28, 2022 11:31:16 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
My name is Dorothy Bourgeois de Apodaca and I am making a public comment to voice my support for the SPHS Anti-Bias Club's Black Lives Matter mural at Orange Grove Park.

Stop stalling! Approve the mural!

Sent from my iPhone

From: [Amber Jaeger](#)
To: [City Council Public Comment](#)
Subject: BLM Mural, item #18
Date: Monday, February 28, 2022 3:48:25 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello City Council,

My name is Amber Jaeger. I have been a resident of South Pasadena since 2008 and I am voicing my full support for the SPHS Anti-Bias Club's Black Lives Matter mural at Orange Grove Park. As the Public Art Council has already endorsed the painting of this mural; I urge you to not wait any longer than the 1 and half years it has already taken to get to this point and approve it now regardless of the status of the new public art policy development.

My husband and I are raising our youngest 3 youngest children here and I welcome the opportunity for engagement this mural would offer. I imagine the discussions we would have about how our city recognizes, supports and welcomes the people who have been and continue to be integral in the thriving of this town. I look forward to being able to tell them when they choose to be active in the civics of South Pasadena that their city will support their endeavors because there have been other young people who came before them who WERE supported.

Thank you for your service and the time you are dedicating to this.

Best,

Amber Jaeger

From: [Lissa Reynolds](#)
To: [City Council Public Comment](#)
Subject: Comment for BLM mural
Date: Tuesday, March 1, 2022 7:28:29 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We urge the council to communicate with the artist Zach Brown for South Pasadena BLM mural and get the BLM approved!

We look forward to see this mural in our community!

Lissa Layng Reynolds & James Reynolds

Sent from my iPhone

From: [Charles Timmerman](#)
To: [City Council Public Comment](#)
Subject: Comment for South Pasadena City Council March 2, 2022 meeting
Date: Monday, February 28, 2022 1:56:18 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is my comment for Agenda Item 18 regarding the BLM mural:

In this city known for valuing education, it's time for the kids to do the educating. The students in the South Pasadena High School Anti-Bias Club have taught me how systemic racism can manifest in broad daylight, with the city's seemingly rational and endless delays to the Black Lives Matter mural. The city council needs to immediately and fully approve the mural and learn from this teachable moment. Maybe these students could also teach the city leaders about professionalism and competency, things that have been repeatedly lacking in recent years.

Sincerely,
Charles Timmerman
South Pasadena resident

From: [Sharon Mizota](#)
To: [City Council Public Comment](#)
Subject: Comment on City Council Meeting Agenda Item #18: BLM Mural
Date: Monday, February 28, 2022 9:18:40 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Councilmembers,

My name is Sharon Mizota, a resident and parent in South Pasadena, and I am making a public comment to voice my support for the SPHS Anti-Bias Club's Black Lives Matter mural at Orange Grove Park. It recently came to my attention that the council is now requiring that a city-wide art policy be in place before the mural can be approved, although approval was recommended to the council by the Public Art Commission in September 2021 without that stipulation. This situation is bad optics for the city, as it looks like the council is putting additional hurdles in front of a project that expresses the importance and richness of Black culture. Especially given the history of South Pasadena as a "sundown" town, this further delay looks like a reluctance to embrace and celebrate our Black neighbors as an integral part of our community. I urge the council to approve the mural without further delay and for the mural to be created in parallel to a city-wide art policy. It is important for our city to stand in solidarity with the Black Lives Matter movement, and this mural would be a public and celebratory way of doing that.

Thank you for your consideration,

--

Sharon Mizota (she/her)
sharon@sharonmizota.com
www.sharonmizota.com

From: [Alisa Diez](#)
To: [City Council Public Comment](#)
Subject: For 3/2/2022 City Council meeting. Public comment on proposed mural
Date: Tuesday, March 1, 2022 1:36:39 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am sharing a public comment today in support of the proposed mural in Orange Grove Park by the SPHS anti-bias Club. As a life-long arts advocate and a proud citizen of South Pasadena for over 27 years, I would like to encourage City Council to approve plans for this mural in support of confirming our commitment to be an anti-racist city, to promote education, dialog and public art for all to partake of. I strongly encourage the Council to approve the mural while simultaneously working on the new language for public art policy. We as a community deserve this beautiful, educational mural in our city. Thank you.

Alisa Diez

From: [Tamara Binns](#) on behalf of [CCO](#)
To: [City Council Public Comment](#)
Subject: FW: STRONGLY ENCOURAGE SUPPORTING BLM MURAL
Date: Tuesday, March 1, 2022 12:41:48 PM

-----Original Message-----

From: Vance Sanders <packofsanders@sbcglobal.net>
Sent: Tuesday, March 1, 2022 12:41 PM
To: CCO <cco@southpasadenaca.gov>
Subject: STRONGLY ENCOURAGE SUPPORTING BLM MURAL

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey South Pasadena City Council,
I strongly encourage you to support the BLM Mural, Agenda Item 18, at the City Council Meeting tomorrow night. I have pervious plans so I can't join the Zoom.
This mural is vital to our community, as it brings together all to support this very important statement about how South Pasadena VALUES ALL LIVES.
Reading the history of the project, it seems the City Council has been constructing artificial roadblocks to stop completion of the project.
The latest roadblock is the development of "City Wide Art Policy", that, I guess, doesn't exist, YET this has not stopped NUMEROUS MURALS from already being installed in South Pasadena.
Let's get this done so we can be proud of South Pasadena's faith in all of us, not matter the ethnic background. AND this is being spearheaded by High School Students. I'm so impressed. We can not damper the spirit of the burgeoning activists.
We have to show these young people that celebrating ALL OF US is a hallmark of South Pasadena.

Thanks for your time
I trust you to do the right thing
Vance Sanders
South Pasadena resident for 40 years

From: [Josh Albrektson](#)
To: [City Council Public Comment](#)
Subject: Item 18 Public Comment
Date: Tuesday, March 1, 2022 2:47:54 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The City should enter into a contract with the artist to produce the BLM Mural.

What the city is doing to these kids is unconscionable. This is called death by committee. You guys are leading them on and then finding some problem to make it referred to another committee or delay the decision.

It clearly states in the report that the city can enter into a contract with the artist to create the mural and it should do that.

It suggests creating a public art policy because it claims there is a hypothetical chance that sometime in the future a artist could ask to put art on a public building. This artist doesn't exist today and the mural should be approved today. Whatever theoretical costs should also be paid for by the city.

By delaying the mural AGAIN and asking staff to create a Public Art Policy this is just another example of the city trying to be sure the mural never happens.

This mural should be approved today and if the city wants to create a Public Art Policy it can do it at the same time.

South Pasadena was a sundown town that banned non-white people from living here. Just last month it apologized for its actions.

And yet today it is trying to kill a black lives matter mural. It turns out that Sundown resolution was really just meaningless words.

--

Josh Albrektson MD
Neuroradiologist by night
Crime fighter by day

From: [Jenny Gillett](#)
To: [City Council Public Comment](#)
Subject: Public Comment - BLM Mural
Date: Sunday, February 27, 2022 11:43:35 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Jennifer Gillett, and I am making a public comment to voice my support for the SPHS Anti-Bias Club's Black Lives Matter mural. The purpose of the mural is to promote love, diversity and inclusivity. Not to mention it looks beautiful and as such improves our public space. We need more positive messages by and for the Black Community. Please take this perfect opportunity to do just that, rather than blocking such a peaceful and positive community action.

Thank you for strengthening our neighborhoods and community,

Jennifer Gillett

jennygillett.com

<https://nhmlac.org/rise-la-oral-stories-project>

From: [ARC South Pasadena](#)
To: [City Council Public Comment](#)
Subject: public comment for 3/2/2022 city council meeting for Agenda item 18
Date: Monday, February 28, 2022 3:14:49 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Honorable Members of the City Council,
I am writing to give my full support of the BLM mural that the Anti-Bias Club has been organizing for the past year and a half, agenda item 18.
I applaud you on passing the Sundown Town Resolution last month and this mural will make good on the rhetorical efforts you have started to rectify our city's shameful past. This mural will be a shining light forward for our city's residents, showing our city's commitment to making South Pasadena a place where everyone feels welcome and safe.
Please do not delay any longer, or create unnecessary roadblocks. The Public Arts Commission has provided their expertise and approved the mural. Take the Commission's recommendations and approve the BLM mural of the Anti-Bias club today.
Thank you,
Elana Mann

--
Anti-Racism Committee of South Pasadena
arcsouthpasadena.org



From: [Phung Huynh](#)
To: [City Council Public Comment](#)
Subject: Public comment for Agenda Item #18 for 3/2 City Council Meeting
Date: Monday, February 28, 2022 9:35:11 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening Mayor, Mayor pro tem, and City Council Members. My name is Phung Huynh, and I live in District 3 and serve as Chair of the Public Art Commission of South Pasadena. I would like to make a public comment for Agenda Item #18. I urge you to vote to have the Black Lives Matter mural approved and for the mural's production to begin. The Anti-Bias Club of South Pasadena High School and the artist, Zach Brown have been tirelessly researching, presenting, and working on this project for close to two years. They have also been unnecessarily directed and redirected between the Public Art Commission, Parks & Recreation Commission, School Board, City Council, and various community groups. We have learned that we are now waiting for the City to adopt a public art policy before the BLM mural can move forward. I have never heard of a city that has stopped production of art or any city operation on the basis of developing or revising policy. All of the public art that has been created in South Pasadena such as the utility boxes, artwork for the K-rails on Mission, and the mural at Orange Grove Park that would neighbor the future BLM mural did not require the passage of a public art policy. The only thing necessary was a contract, a legal agreement and fair document that outlines the responsibilities and liabilities of all parties with the common goal to produce meaningful public art. I have seen public art policies such as the Percent for Public Art in Los Angeles and many other cities, or the Cultural Equity Policy in Los Angeles County Department of Arts and Culture. These public art policies function more like a vision or mission statement but do not hinder or stop the production of public art. The contract for the BLM mural has been drafted. The last step is for you to approve and allow this long-awaited project to move forward. I hope you will be remembered as the City Council that voted in favor of the most impactful public art we will have as opposed to the City Council that blocked the production of a Black Lives Matter mural. Thank you.

From: [Cassandra Kaldor](#)
To: [City Council Public Comment](#)
Subject: Public Comment in Support of Approving the BLM Mural
Date: Monday, February 28, 2022 4:40:38 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am a resident of South Pasadena and I'm writing to voice my support of the BLM mural project created by the SPHS's Anti-Bias Club.

I'm embarrassed on behalf of the City Council for its cynical flip flop from conditionally approving the mural back in 2020 to now trying to crush the project under the weight of bureaucracy. I'm disappointed that this is how the elected officials of this town choose to engage with a motivated and competent group of young people who have creatively strategized a way to use art to move our community forward. I'm frustrated that the hoops disappear for art initiatives proposed by the Council's peers and friends, but are plentiful for a group that it sees as powerless.

The City Council's current actions follow a tired narrative of powerful adults letting down the generations who come after them. That is not a story I want from my local government and I look forward to changing that during the next election cycle. In the meantime, I strongly urge the Council to change course and get this mural approved with a contract that meets the terms of the Anti-Bias Club.

Cassandra Kaldor

From: [karen tamis](#)
To: [City Council Public Comment](#)
Subject: public comment
Date: Monday, February 28, 2022 10:49:29 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Karen Tamis and I am making a public comment to voice my strong support for the SPHS Anti-Bias Club's Black Lives Matter mural at Orange Grove Park, which was conditionally approved by the City Council back in 2020. The BLM mural should be given the green light immediately, regardless of the status of new public art policy development. As a Commissioner on the Parks & Recreation Commission, we approved the location of the mural months ago and I urge the City Council to act on its stated commitment to racial justice and get this mural started. The City must be responsive to the students leading this movement and should not be using bureaucracy or other obstacles as delay tactics. It is a positive, beautiful artwork that promotes the values of love, diversity, beauty, inclusivity, and intersectionality within the Black community, unites South Pasadena and establishes a hopeful vision for the future. It also creates much-needed representation of Black people in this community, and more broadly for BIPOC residents, who have been and to an extent continue to be excluded and marginalized. This mural will hopefully inspire more public art featuring underrepresented communities, illuminating the struggles and contributions of those previously relegated to the shadows.

I support the mural for all of these additional reasons:

- To educate the community on Black history and inspire further research through the QR code-linked website. The famous figures represented in this mural have been carefully researched and are being highlighted for their incredible contributions to the Black community. From singer Nina Simone to astronaut Mae C. Jemison to abolitionist Sojourner Truth to activist Marsha P. Johnson to philanthropist Bidley Mason, the mural brings together Black people who have made significant impact on our nation and the world, weaving together a beautiful story of resilience, progress, and liberation.
- To bring to light South Pasadena's racist past as a sundown town through the inclusion of sun rays and as we continue towards a more inclusive and equitable future.
- Acknowledging and learning from our discriminatory history is the first step in creating an anti-racist future.
- To bring community members into the BLM movement with the interactive space in the mural, literally inviting people to stand in the artwork.

- To capture and preserve the spirit of the BLM protests of Summer 2020, especially through the inclusion of local activists London Lang and Fahren James who were instrumental in sparking important conversations, reflections, and action in South Pasadena.
- To inspire future generations of students to take a stand on issues they are passionate about because of the nature of this student-run mural. Young people have the power to effectuate change.

The mural has already received support from SPARC, the Public Art Commission, the Parks and Recreation Committee, the South Pasadena Anti-Racism Committee, and Care First South Pasadena. This project is absolutely a net positive for the city - let's come together to make this happen.

Thank you,
Karen Tamis

From: [Maryann Nielsen](#)
To: [City Council Public Comment](#)
Subject: Support of BLM mural
Date: Monday, February 28, 2022 6:15:34 PM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As teachers at South Pasadena High School, we proudly express our support for the proposed Black Lives Matter mural at Orange Grove Park. Furthermore, we are humbled that our students are spearheading this initiative—their bold, clear-eyed leadership is an inspiring model of civic engagement.

The mural is a powerful counterpoint to South Pasadena's (and the nation's) fraught racial past. This February, the city council denounced South Pasadena's past reliance on racial housing covenants that restricted home ownership solely to white people. Our students hope to contrast this discriminatory legacy by honoring Black culture, resilience, and accomplishments. Furthermore, South Pasadena has a well-documented history as a sundown town, a municipality in which people of color were forced to leave after dark. This mural acknowledges our discriminatory past and provides an inspirational visual—one of welcome.

The mural highlights countless positive Black role models, including an abolitionist, member of Congress, novelist, and astronaut along with prominent individuals who fought for social justice, such as anti-lynching crusader Ida B. Wells. Local BLM organizers London Lang (SPHS Class of 2017) and Fahren James also appear in the artwork, as they have worked tirelessly to help South Pasadenans understand the reality of our city's history as well as the need for racial social justice. It is fitting to honor these Black people for their efforts and impact on history, just as the city has done with other prominent individuals.

Sadly, our town's history has not proven that all lives matter. Let's follow the leadership of our students, and acknowledge that Black lives matter. This is an important step towards inclusion and equality.

Mark Afram and Maryann Nielsen

Ms. Maryann Nielsen

she/her/hers

Social Studies Department Chair

South Pasadena High School

Go Tigers!

Christina Munoz

From: Caitlin Lainoff <clainoff@gmail.com>
Sent: Monday, February 28, 2022 12:01 PM
To: City Council Public Comment
Subject: Public Comment

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi there, my name is Caitlin Lainoff and I am making a public comment to voice my support for the SPS Anti-Bias Club's Black Lives Matter mural at Orange Grove Park.

The BLM Mural should NOT wait for the development of a new public art policy and should be approved under existing policy that allowed for the creation of all the public art we currently have in South Pasadena.

City Council's continued delay of the project is standing in direct opposition of it's recent approval of a resolution condemning the City's history as a Sundown Town and past practices of institutionalized racism that excluded Black, Latinx, and Asian American people from living and being in the City. The resolution directs staff to remedy these past practices by reviewing policy and budget decisions to promote diversity, equity, and inclusion. This mural is the first test of such practices.

The BLM mural creates much-needed representation of Black people in this community, and more broadly for BIPOC residents, who have been and to an extent continue to be excluded and marginalized.

The City Council's continued delay on the project does not paint a positive light on council members, and instead points to lip service instead of true anti racist practices.

Please direct the City Manager to negotiate a contract with artist Zach Brown. South Pasadena needs this Black Lives Matter mural to remind our community to continue working towards an anti-racist future and celebrate our Black residents. When the next generation of South Pasadenans look back upon this project, will you be able to tell them that you were on the right side of history? I surely hope so.

Sincerely, Caitlin Lainoff

Christina Munoz

From: Alisa Diez <dieztrio@pacbell.net>
Sent: Tuesday, March 1, 2022 1:38 PM
To: City Council Public Comment
Subject: For 3/2/2022 City Council meeting. Public comment on proposed mural

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am sharing a public comment today in support of the proposed mural in Orange Grove Park by the SPHS anti-bias Club. As a life-long arts advocate and a proud citizen of South Pasadena for over 27 years, I would like to encourage City Council to approve plans for this mural in support of confirming our commitment to be an anti-racist city, to promote education, dialog and public art for all to partake of. I strongly encourage the Council to approve the mural while simultaneously working on the new language for public art policy. We as a community deserve this beautiful, educational mural in our city. Thank you.

Alisa Diez

Christina Munoz

From: Lindsey Angelats <lindsey.angelats@gmail.com>
Sent: Tuesday, March 1, 2022 7:02 PM
To: City Council Public Comment
Subject: Mural

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Council Members:

Our children- commonly seen as South Pasadena's most precious asset- are watching. They are watching as we add unnecessary protocols and speed bumps to a simply public arts project that advances our city's commitment to human rights, and publicly shares our values. This is imperative given South Pasadena's history as a sundown town, and in light of the well documented oppression and continued disparities in health, housing, and economic opportunity felt by our Black communities.

Please advance this mural, which is already approved, funded, and well- supported, in this fiscal year.

Sincerely
Lindsey Angelats
1240 Indiana Ave
South Pasadena

Christina Munoz

From: Vicki F <vmfriesen1998@gmail.com>
Sent: Tuesday, March 1, 2022 7:14 PM
To: City Council Public Comment
Subject: SPHS Anti-Bias Club's BLM Mural

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello City Council members,

My name is Victoria Friesen, and I live in South Pasadena. I am making a public comment to voice my support for the SPHS Anti-Bias Club's Black Lives Matter mural at Orange Grove Park.

The purpose of this mural is to educate the community on Black history and inspire further research through the QR code-linked website. The famous figures represented in this mural have been carefully researched and are being highlighted for their incredible contributions to the Black community. From singer Nina Simone to astronaut Mae C. Jemison to abolitionist Sojourner Truth to activist Marsha P. Johnson to philanthropist Bidy Mason, the mural brings together Black people who have made significant impact on our nation and the world, weaving together a beautiful story of resilience, progress, and liberation.

There is a double standard between our BLM mural and past public art on City property. In SPARC's outlet box project in 2018, the City contracted directly with artists and maintenance was a shared responsibility. 30 days were given to remove graffiti in a sample contract. However, in a drafted contract sent to us by the City Attorney, the two parties involved were the City and the School District, even though SPUSD does not enter into licensing agreements and contracting directly with our artist, Zach Brown, is the most effective method. Furthermore, our contract put the responsibility of maintenance entirely ours/Zach's, and if we didn't remove graffiti within 3 days, that was grounds for the City to terminate the contract and remove the BLM mural. The contract also included a clause saying the City could remove or relocate the mural "for any reason, or no reason at all, at the sole discretion of the City."

Please direct the City Manager to negotiate a contract with artist Zach Brown. South Pasadena needs this Black Lives Matter mural to remind our community to continue working towards an anti-racist future and celebrate our Black residents. When the next generation of South Pasadenans look back upon this project, will you be able to tell them that you were on the right side of history? I surely hope so.

Best,
Victoria Friesen
91030

Christina Munoz

From: Rich Elbaum <relbaum7@gmail.com>
Sent: Tuesday, March 1, 2022 9:06 PM
To: City Council Public Comment
Subject: Public comment for Agenda Item #18; March 2, 2022 South Pasadena City Council Meeting

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Richard Elbaum, and I have been a resident of South Pasadena for 16 years.

For many years, the City of South Pasadena has used a consistent, fair, and equitable process for reviewing proposed public arts projects, involving the Public Arts Commission and the City Council. The proposed mural for Orange Grove Park has successfully gone through this process over the past several years, including several presentations before both the Commission and the Council.

Despite this extensive public input and approval, for some reason the City Council has chosen this mural -- a tribute to the strength of the Black community -- as the one that calls into question the city's longstanding process for public art.

Since all of the previous public arts projects and murals throughout South Pasadena seemed to work fine using the current process, I urge each City Councilmember to publicly explain to the community why they believe this mural should be handled differently.

Countless other cities around the country have similar murals celebrating Black heroes and describing their experience. All of the people depicted on the mural appear on many public murals around the country. The only exceptions are two local residents, Fahren James and London Lang, who are rightly included in the mural because of their significant courage in organizing the local South Pasadena community to speak out against systemic racism in all forms.

Just last month, the City Council approved a resolution acknowledging the city's racist past and committing to do better on diversity, equity and inclusion. If you truly stand for equity, why would you treat this mural differently than all the previous ones?

Christina Munoz

From: Suzanne Edmands <sedmands@usc.edu>
Sent: Tuesday, March 1, 2022 9:39 PM
To: City Council Public Comment
Subject: Comment for South Pasadena City Council March 2, 2022 meeting

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Comment r.e. Agenda Item #18 (BLM mural)

It is long past time for the City to fully approve the BLM mural. This project should be treated like previous art installations in South Pasadena, rather than being delayed by new roadblocks such as the sudden need for a new public arts policy.

Sincerely,

Suzanne Edmands
South Pasadena Resident

–

Suzanne Edmands
Professor, Marine & Environmental Biology
Department of Biological Sciences
3616 Trousdale Parkway, AHF 130
University of Southern California
Los Angeles, CA 90089
(213)740-5548
<http://dornsife.usc.edu/labs/edmands/>

Christina Munoz

From: Allie Schreiner <alliebowne@gmail.com>
Sent: Wednesday, March 2, 2022 6:52 AM
To: City Council Public Comment
Subject: Public comment for agenda item #18

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, My name is Allie Schreiner. I have been a resident in South Pasadena for 13 years, I am a business owner in the community and have two children attending South Pasadena schools. I am making a public comment to voice my support for the SPS Anti-Bias Club's Black Lives Matter mural at Orange Grove Park.

I really love this city. It is a wonderful place to raise a family and I feel very privileged to call it home. It also has a sordid history in regards to racism and inclusivity. It has not always been a wonderful place to raise a family if you were a person of color, particularly someone identifying as Black. This mural has been one and a 1/2 years in the making, spearheaded by passionate high school students who want to promote the values of love, diversity, beauty, inclusivity and intersectionality within the Black community. This mural will stand out as a public piece of art in support of the Black Community and has been carefully created to not only highlight powerful voices in Black history who have broken barriers and have promoted resiliency, progress, and liberation, but to identify some of our towns history in aligning with Jim Crow/segregation, and show progress in promoting an anti-racist future. I have been awed by the passion and tenacious spirit of the Anti-Bias Committee in pursuing the creation and implementation of this mural. Do Not delay it any longer. Stop putting roadblocks in their path and to the right, just thing of supporting the mural, prior to the adoption of a new city-wide art policy. These students deserve to see their hard work, dedication and organizing come to fruition and our town will be enhanced by the creation of this mural at Orange Grove Park that highlights underrepresented community members.

It is hard not to conclude that the many roadblocks to this project are not intentional and designed to "push this project down the road til the students have graduated, moved on and are no longer advocating for it." That would be a huge loss for our city! Please make the right and anti-racist decision to create this mural in our city and enter into a contract with Zack Brown so we can push on in our work to be an anti-racist city and celebrate our black residents!

Thank you,

Allie Bowne Schreiner

Sent from my iPhone

Christina Munoz

From: Allie Schreiner <alliebowne@gmail.com>
Sent: Wednesday, March 2, 2022 6:52 AM
To: City Council Public Comment
Subject: Public comment for agenda item #18

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Thank you,

Allie Bowne Schreiner

Sent from my iPhone

Christina Munoz

From: William Kelly <wjKelly7@gmail.com>
Sent: Wednesday, March 2, 2022 9:56 AM
To: City Council Public Comment
Subject: General Public Comment for 3-2-22 Council Meeting

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Council Members:

Without further delay, please approve the plan by local high school students to paint a mural commemorating Black Lives Matter and Black history at Orange Grove Park. It has been almost two years since the mural was proposed and there has been sufficient time for City Hall and the community to consider the project.

Adult leaders need to show our youth that they stand up for free speech and that they appreciate and will provide a place for constructive expression in the form of a public mural.

As I understand it the mural will depict history, which must be acknowledged and cannot be hidden. Moreover, authorizing the project is consistent with the spirit of the Sundown Town Resolution that you just passed earlier this year.

With that resolution in place, there is no real need to delay the proposed mural to create a separate public art policy. The fact is that the community's policy is to encourage art, witnessed by what seems like a score of paintings on utility housings in plain public view, as well as city support for art nights, etc..

Creating a policy will not enlighten your deliberative process. The matter is plain. Either the city must follow through on it's Sundown Town Resolution, which calls for promoting diversity and reflecting a wide variety of cultural backgrounds through city programs, or seek to obfuscate history and deny the past.

Please show our youth that our community is bigger than that and can acknowledge uncomfortable truths. Back rhetoric with action by agendizing approval of the mural at your next meeting.

Thanks,

Bill Kelly

626-893-9311 (phone)

wjkelly7@gmail.com

Christina Munoz

From: Christina Munoz
Sent: Wednesday, March 2, 2022 10:56 AM
To: City Council Public Comment
Subject: FW: STRONGLY ENCOURAGE SUPPORTING BLM MURAL

-----Original Message-----

From: Vance Sanders <packofsanders@sbcglobal.net>
Sent: Tuesday, March 1, 2022 12:41 PM
To: CCO <cco@southpasadenaca.gov>
Subject: STRONGLY ENCOURAGE SUPPORTING BLM MURAL

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey South Pasadena City Council,
I strongly encourage you to support the BLM Mural, Agenda Item 18, at the City Council Meeting tomorrow night. I have previous plans so I can't join the Zoom.
This mural is vital to our community, as it brings together all to support this very important statement about how South Pasadena VALUES ALL LIVES.
Reading the history of the project, it seems the City Council has been constructing artificial roadblocks to stop completion of the project.
The latest roadblock is the development of "City Wide Art Policy", that, I guess, doesn't exist, YET this has not stopped NUMEROUS MURALS from already being installed in South Pasadena.
Let's get this done so we can be proud of South Pasadena's faith in all of us, not matter the ethnic background. AND this is being spearheaded by High School Students. I'm so impressed. We can not damper the spirit of the burgeoning activists.
We have to show these young people that celebrating ALL OF US is a hallmark of South Pasadena.

Thanks for your time
I trust you to do the right thing
Vance Sanders
South Pasadena resident for 40 years

Christina Munoz

From: Jim Dowd <jimdowdcalifornia@gmail.com>
Sent: Wednesday, March 2, 2022 11:19 AM
To: City Council Public Comment
Subject: Agenda Item #18 for 3/2/22 meeting

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Cacciotti and City Council Members,

As a resident of South Pasadena and parent of two children in SPUSD, I appreciate you adding the SPHS Anti-Bias Club project to the agenda this evening. The mural would be a beautiful addition to the park and represent a positive step forward for South Pasadena, at the very site of the de facto segregated Plunge swimming pool. Most importantly, this project was conceived and will be implemented by the youth of our city, who will hopefully represent us in our city government in the future. I ask that you follow the September 2021 recommendation of the Public Arts Commission and approve this project.

Sincerely,
Jim Dowd