



**CITY OF SOUTH PASADENA  
CITY COUNCIL - REGULAR MEETING**

**MINUTES**  
**WEDNESDAY, APRIL 6, 2022 AT 7:00 PM**

**CALL TO ORDER:**

The Regular Meeting of the South Pasadena City Council was called to order by Mayor Cacciotti on Wednesday, April 6, 2022, at 7:00 p.m. The City Council Chamber are located at 1424 Mission Street, South Pasadena, California.

**ROLL CALL**

**PRESENT**

Mayor Michael Cacciotti  
Mayor Pro Tem Jon Primuth  
Councilmember Jack Donovan  
Councilmember Diana Mahmud  
Councilmember Evelyn G. Zneimer

**ABSENT**

Christina Muñoz, Deputy City Clerk, announced a quorum.

**CITY** Arminé Chaparyan, City Manager; Andrew Jared, City Attorney; Christina  
**STAFF** Muñoz, Deputy City Clerk were present at Roll Call. Other staff members  
**PRESENT:** presented reports or responded to questions as indicated in the minutes.

**PLEDGE OF ALLEGIANCE**

The Flag Salute was led by Mayor Cacciotti.

**CLOSED SESSION ANNOUNCEMENTS**

**1. Closed Session Announcements**

**A. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION**

(Government Code Section 54956.9(d)(1))

1. City of South Pasadena v. California Department of Transportation (LASC Case No. 21STCP01779)
2. Alison Smith v. City of South Pasadena (LASC Case No. 19BBCV00118)

City Attorney Jared reported that Council met in Closed Session to receive a briefing on both items. He noted direction was provided to the City Attorney's Office but no action was taken in closed session.

**B. CONFERENCE WITH LEGAL COUNSEL: LIABILITY CLAIMS**

(Government Code Section 54956.9(d)(1))

Claimant: Sirin Ozen Hallberg

City Attorney Jared reported that Council met in Closed Session to receive a briefing on the item. He noted direction was provided to the City Attorney's Office but no action was taken in closed session.

**C. CONFERENCE WITH LEGAL COUNSEL: POTENTIAL OF LITIGATION**

(Government Code Section 54956.9(d)(2))

Number of Potential Cases: 2

City Attorney Jared reported that Council met in Closed Session to receive a briefing on both items. He noted direction was provided to the City Attorney's Office but no action was taken in closed session.

The City Council recessed closed session at 7:12 p.m.

**PUBLIC COMMENT**

**2. Public Comment – General – General (None-Agenda Items)**

Mayor Cacciotti announced public comments are intended to address matters not on the agenda for the meeting. Members of the public have the option of emailing, in-person, or participating via Zoom (audio) to address the City Council, as listed on the agenda.

In-Person Public Comment:

Walter Quinn expressed concern regarding recent actions of the South Pasadena Police Department.

Yvonne LaRose discussed protected classes, seniors and the disabled population in the City.

James Cheung expressed concern over a construction project at his neighbor's house at 1627 Via Del Rey.

Alan Ehrlich requested that the City Council oppose Senate Bill (SB) 1100.

Public Comment via Zoom:

John Cervantes expressed his support for the Autism Advocacy Month Proclamation.

Deputy City Clerk Muñoz announced written Public Comments were submitted online and available for viewing on the City's website.

**PRESENTATIONS**

**3. Proclamation Declaring April 7, 2022 as "Library Volunteer Recognition Day" in the City of South Pasadena**

Mayor Cacciotti presented a proclamation declaring April 7, 2022, as "Library Volunteer Recognition Day".

**4. Proclamation Declaring April 2022, as "Autism Advocacy Month" in the City of South Pasadena**

Mayor Cacciotti presented a proclamation declaring April 2022, as "Autism Advocacy Month".

**5. Certificates of Recognition to Region 214 Girls Western State Champions**

Mayor Cacciotti presented certificates of recognition to the following members of the Region 214 Girls Western State Champions:

Kylie Cameron, Sofia Chacon, Maelle Etienne, Kennedy Hunt, Sophia Inclan, Kaia Kooper, Lucia Mahler, Jayda Nakagawa, Ramona Nichols, Esme Osugi, Amelia Samuels, and Avery Windass.

**COMMUNICATIONS**

**6. Councilmembers Communications**

Councilmember Donovan provided an update on the re-opening of the Arroyo Seco Golf Course; an update on the lease for the batting cages; and an update on the negotiation of the Athens contract.

Mayor Pro Tem Primuth announced upcoming events: Eclectic Music Festival and Arts Crawl on April 30, the 626 Golden Streets event on May 1, and the South Pasadena Educational Foundation PartiGras event on May 14; discussed a recent SB 381 implementation meeting with community members and Preservation Foundation members; an upcoming Southern California Association of Governments Transportation Committee meeting; and noted the Finance Ad-Hoc Committee is nearing the end of its scope of work.

Councilmember Zneimer yielded her time to other Councilmembers.

Councilmember Mahmud commented regarding her request for an update to the tenant eviction information to be placed on the City's website; discussed a recent water conference in Central Valley; congratulated City Librarian Cathy Billings on her selection as a Woman of Distinction by Assemblymember Holden; and announced that she will not be seeking re-election in the upcoming general municipal election.

Mayor Cacciotti shared the following photos: cub scouts at Nature Parks; the Nature Center in the City of Glendale; a chili cook-off at the Masonic Lodge; the Festival of Balloons Committee; the Material Recovery Facility in the City of Irwindale; Southern California Edison's (SCE) work in the City; a demonstration of an electric lawn mower; flooding at Garfield Park; a newly installed bench in a park; a unhoused individual who was referred to services and housing; story time in the Library Park; and video highlighting the Finance Department.

**7. City Manager Communications**

City Manager Chaparyan noted that the annual budget process is underway; and discussed the launch of the Business Concierge Program.

**8. Reordering of, Additions, or Deletions to the Agenda**

Councilmember Zneimer requested that Item No. 18 be moved to the next item following Item No. 8 on the agenda.

By consensus, Item No. 18 was moved up as the next item on the agenda.

**PUBLIC HEARING**

**18. FIRST READING AND INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 18, ARTICLE VI OF THE SOUTH PASADENA MUNICIPAL CODE TO PROHIBIT THE SALE OF ALL TOBACCO PRODUCTS AND ELECTRONIC SMOKING DEVICES**

**ORDINANCE**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA AMENDING CHAPTER 18, ARTICLE VI OF THE SOUTH PASADENA CITY CODE TO PROHIBIT THE SALE OF ALL TOBACCO PRODUCTS AND ELECTRONIC SMOKING DEVICES

**COUNCIL ACTION AND MOTION**

Management Analyst Wehrle presented an overview of the item.

City Attorney Jared provided an overview of two proposed ordinance options.

Councilmember Mahmud asked if there was a way to limit the ordinance to large retail businesses.

City Attorney Jared noted that provision was looked at by the Public Safety Commission but would be difficult to differentiate the two.

Mayor Pro Tem Primuth inquired regarding rational basis test used to determine sales by large businesses vs. small businesses.

City Attorney Jared answered affirmatively.

Mayor Cacciotti inquired what is currently banned in the City in relation to tobacco; the percentage of tobacco sales at gas stations; and what type of tobacco products are most popular.

Management Analyst Wehrle provided an overview of current City ordinances limiting where tobacco products can be used; a number of gas stations shared that tobacco products are a significant part of their business; and noted that vaping products are most popular.

Mayor Cacciotti opened the public comment period.

Public Comment via Zoom:

The following requested the ordinance provide an exemption for hookah products:  
Thomas Lawton, Rima S. Khoury, George Johnson, and Naimh D.

The following commented in support of the proposed ordinance:  
Annie Tegen, Karinne Van Groningen, Craig Cadwallader, Erin Vogel, Chris Bostic, Sharon Sanders, and Ana-Alicia Carr.

The following commented in opposition of the proposed ordinance and discussed its impact to local businesses:  
Mohammed, Reda, Carlos, and Charise.

Yaneth Rodriguez commented regarding survey findings on the sale of tobacco products; effects on business profits; and in support of the ordinance.

Malone Ruth provided information on cigarette bans.

Hayley Hodges commented regarding the potential impacts on small businesses and retailers.

Laraine commented regarding excluding menthol products from the banned.

Jess Barrington Trims presented information on health effects associated with the use of tobacco products.

Olivia Barger commented in opposition to the proposed ordinances and requested voters decide through a referendum to repeal SB 793.

Jaime Rojas commented regarding tobacco education in schools; negative impacts of the ordinance on small businesses; asked that the ordinance be reconsidered.

Monty Messex commented regarding a letter submitted by the Los Angeles County Public Health Department with information on health impacts of smoking in the County; expressed support for the ordinance.

Vanessa Polk commented regarding the risks of smoking and second-hand smoke; and in support of the ordinance.

**In-Person Public Comment:**

Sam Ernest commented regarding the risks of smoking and added the enforcement of the ordinance is unnecessary.

Chad Farah commented regarding the negative impacts on local retailers; and stated his business does not sell tobacco products to minors.

Ali Shirmohammadi commented regarding the proposed ordinance negative impact local businesses.

Primo Castro commented regarding targeted sales of flavored tobacco sales.

Dr. Tomas Torices commented regarding the vaping epidemic in the youth community; and in favor of the ordinance.

Sam Burgess commented in support of the proposed ordinance.

Alan Ehrlich commented regarding the unintended consequences of the proposed ordinance.

Christina Cardenas commented regarding the 2019 youth purchase survey conducted in South Pasadena.

Julia Ruedas commented in support of the ordinance.

**Written Comments:**

Deputy City Clerk Muñoz announced written Public Comments were submitted online and available for viewing on the City's website.

With no other requests to speak, the public hearing was closed.

Mayor Cacciotti recessed the meeting at 10:01 p.m.; and reconvened the meeting at 10:18 p.m.

Councilmember Donovan discussed the current regulations related to the use of tobacco products in the City; and the potential negative impacts the proposed ordinance could have to small businesses.

Councilmember Mahmud discussed the negative impacts of smoking; added she would be in support of an exemption for menthol and hookah products; and commented regarding the negative impacts the ordinance could have to small businesses.

Councilmember Zneimer discussed the negative impact of tobacco products; expressed support for a total ban in tobacco sales in the City; and commented that she hasn't seen real data from local retailers about their tobacco product sales.

Mayor Pro Tem Primuth discussed the negative economic impacts the ordinance would have on local businesses.

Mayor Cacciotti motioned the development of an ordinance that would prohibit electronic tobacco products, flavored products and vaping devices.

Councilmember Mahmud provided a friendly amendment to exclude the prohibition of menthol and hookah products.

Mayor Cacciotti accepted.

Mayor Pro Tem Primuth asked staff research the economic impacts of electronic tobacco products, flavored products and vaping devices on local businesses.

Discussion ensued amongst Councilmembers regarding the timeline to have this item return and modifications to the proposed ordinance.

City Manager Chaparyan noted that additional time will be needed for staff to research and draft a new ordinance.

There was a consensus for staff to return with a modified ordinance in June 2022.

A motion was made by Mayor Cacciotti, seconded by Councilmember Mahmud and approved by roll call vote to bring back a modified ordinance to prohibit electronic tobacco products, flavored products, and vaping devices with an exclusion for the prohibition of menthol and hookah products.

Motion carried, 5-0.

**CONSENT CALENDAR**

- 9. THIS ITEM WAS MOVED OUT-OF-ORDER FOR SEPARATE DISCUSSION.
- 10. REVIEW AND APPROVAL OF THE 2022 LEGISLATIVE PLATFORM

**Recommendation**

It is recommended that the City Council review and approve the 2022 Legislative Platform that will serve as the guiding policy document for the City when determining whether a position should be taken on proposed State and Federal legislation that may impact the City during the 2022 Legislative Session.

- 11. ADOPTION OF A RESOLUTION TO OPPOSE INITIATIVE TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT 21-0042A1

**RESOLUTION**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA OPPOSING CALIFORNIA STATEWIDE BALLOT INITIATIVE 21-0042A1

**Recommendation**

It is recommended that the City Council:

- 1. Adopt a resolution to oppose Initiative Taxpayer Protection and Government Accountability Act 21-00421A; and
- 2. Approve a letter to the League of California Cities (CalCities) in formal opposition to the Initiative.

- 12. APPROVAL OF REORGANIZATION OF THE PUBLIC WORKS DEPARTMENT

**Recommendation**

It is recommended that the City Council:

- 1. Approve the implementation of changes recommended by the Public Works organizational assessment to include elimination of one Deputy Director position; updated classification for the Deputy Public Works Director position, and addition of two Management Analyst positions; and
- 2. Approve a modified organizational chart for the Public Works Department.

- 13. THIS ITEM WAS MOVED OUT-OF-ORDER FOR SEPARATE DISCUSSION.

- 14. SECOND READING AND ADOPTION OF AN ORDINANCE ADDING CHAPTER 20F "SAFE STORAGE OF FIREARMS IN RESIDENCES" TO THE SOUTH PASADENA MUNICIPAL CODE

**ORDINANCE**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, ADDING CHAPTER 20F



**"SAFE STORAGE OF FIREARMS IN RESIDENCES" TO THE  
SOUTH PASADENA MUNICIPAL CODE**

**Recommendation**

It is recommended that the City Council read by title only, waiving further reading, and adopt an ordinance to add Chapter 20F "Safe Storage of Firearms in Residences" to the South Pasadena Municipal Code (SPMC).

- 15. AUTHORIZE THE PURCHASE OF MOBILE DATA COMPUTERS WITH CODE 3 TECHNOLOGIES FOR A NOT-TO-EXCEED AMOUNT OF \$63,920.20 FROM THE URBAN AREA SECURITY INITIATIVE GRANT**

**Recommendation**

It is recommended that the City Council:

1. Authorize the purchase of Mobile Data Computers (MDCs) with CODE 3 Technologies Inc., in the amount of \$63,920.20; and
  2. Authorize the City Manager or designee to execute all necessary documents.
- 16. ADOPTION OF A RESOLUTION INITIATING THE PROCEEDINGS AND ORDERING OF THE PREPARATION OF THE ENGINEER'S REPORT FOR FISCAL YEAR 2022-23 LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT**

**RESOLUTION**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, INITIATING PROCEEDINGS FOR THE FISCAL YEAR 2022-23 LEVY AND COLLECTION OF ASSESSMENTS FOR CERTAIN LIGHTING AND LANDSCAPE MAINTENANCE IN AN EXISTING DISTRICT AND ORDERING THE PREPARATION OF A REPORT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA

**Recommendation**

It is recommended that the City Council:

1. Adopt the resolution initiating the proceedings for the Fiscal Year (FY) 2022-23 Lighting and Landscaping Maintenance District (LLMD); and
  2. Authorize the preparation of the Engineer's Report for the annual levy and collection of assessments
- 17. THIS ITEM WAS MOVED OUT-OF-ORDER FOR SEPARATE DISCUSSION.**

Deputy City Clerk Munoz noted Item No. 9 will be pulled for public comment.

Councilmember Mahmud noted Item No. 12 has an additional document.

Mayor Pro Tem Primuth pulled Item No. 13 for separate discussion.

Mayor Cacciotti pulled Item No. 17 for separate discussion.

A motion was made by Councilmember Zneimer, seconded by Councilmember Donovan and approved by roll call vote to approve Consent Calendar Items 10-12 and 14-16, as presented and modified.

Motion carried, 5-0.

**CONSENT CALENDAR - AGENDA ITEM(S) PULLED FOR SEPARATE DISCUSSION**

9. **APPROVAL OF PREPAID WARRANTS IN THE AMOUNT OF \$376,931.24; GENERAL CITY WARRANTS IN THE AMOUNT OF \$460,681.05; SUPPLEMENTAL AUTOMATED CLEARING HOUSE PAYMENTS IN THE AMOUNT OF \$61,161.44; VOIDS IN THE AMOUNT OF (\$46,609.16); TRANSFERS IN THE AMOUNT OF \$586,005.65; PAYROLL IN THE AMOUNT OF \$707,690.13**

**Recommendation**

It is recommended that the City Council approve the Warrants as presented.

**COUNCIL ACTION AND MOTION**

Mayor Cacciotti opened public comment.

In-Person Public Comment:

Alan Ehrlich commented regarding the City Attorney invoice approval process.

With no other requests to speak, the public comment period was closed.

Mayor Pro Tem Primuth confirmed he reviewed the City Attorney's invoice and confirmed nothing was out of the ordinary; and recommended all Councilmembers review the invoice prior to the City Council meetings.

Councilmember Zneimer noted this month's invoice is larger because it includes the previous month's invoice.

Councilmember Mahmud and Mayor Cacciotti confirmed they review invoices prior the City Council meetings.

A motion was made by Mayor Pro Tem Primuth, seconded by Councilmember Mahmud and approved by roll call vote to approve the Item No. 9, as presented.

Motion carried, 5-0.

**13. SECOND READING AND ADOPTION OF AN ORDINANCE DESIGNATING A CITY COUNCIL ELECTION DISTRICT MAP AS REQUIRED BY THE ELECTIONS CODE**

**ORDINANCE**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, ADOPTING A CITY COUNCIL ELECTION DISTRICT MAP UNDER ELECTIONS CODE SECTIONS 21600-21609

**Recommendation**

It is recommended that the City Council read by title only for second reading, waving further reading, and adopt an ordinance designating a City Council Election District Map under Elections Code Sections 21600-21609.

**COUNCIL ACTION AND MOTION**

Mayor Pro Tem Primuth commented regarding his concerns with the proposed district map and added he would be voting against the recommendation.

Mayor Cacciotti opened public comment.

In-Person Public Comment:

Alan Ehrlich commented regarding previous public hearings related to this item.

With no other requests to speak, the public hearing was closed.

Mayor Cacciotti expressed his appreciation for the discussions that had occurred during the public meetings between the City Council, staff, and the public.

A motion was made by Councilmember Donovan, seconded by Councilmember Zneimer and approved by roll call vote to approve Item No. 13, as presented.

Motion carried, 4-1, with Mayor Pro Tem Primuth voting no.

**17. APPROVE A MEMORANDUM OF AGREEMENT WITH THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS FOR THE 626 GOLDEN STREETS MISSION-TO-MISSION 2022 EVENT**

**Recommendation**

It is recommended that the City Council to approve a Memorandum of Agreement between with the San Gabriel Valley Council of Governments (SGVCOG) and the Cities of Alhambra, San Gabriel, and South Pasadena for the 626 Golden Streets Mission-to-Mission 2022 Event.

**COUNCIL ACTION AND MOTION**

Mayor Cacciotti discussed the upcoming 626 Golden Streets Mission-to-Mission 2022 event.

A motion was made by Councilmember Mahmud, seconded by Councilmember Zneimer and approved by roll call vote to approve the Item No. 17, as presented.

Motion carried, 5-0.

<b>ACTION/DISCUSSION</b>
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**19. DIRECTION ON CITYWIDE COMMISSIONS****Recommendation**

It is recommended that the City Council:

1. Dissolve the Animal Commission;
2. Consolidate the Youth, Senior Citizen and Park and Recreation Commissions' scopes of work to create a seven-member Community Services Commission, and reserve at least one seat each for members of youth and senior citizen populations;
3. Direct the City Manager and staff to implement an annual Animal Events Advisory Committee to focus on "Doggy Days" and "Be Kind to Animals Day" and other programming;
4. Change frequency of meetings for the Public Arts Commission to quarterly, or on an as-needed basis;
5. Change frequency of meetings for the Public Safety Commission to quarterly, or on an as-needed basis;
6. Dissolve the Finance Ad Hoc Committee;
7. Dissolve the Economic Development Ad Hoc Committee; and
8. Consider adding an engineering staff position to further support the Mobility and Transportation Infrastructure Commission in the Public Works Department.

**COUNCIL ACTION AND MOTION**

Deputy City Manager Megerdichian provided an overview of the item and noted a change to recommendation number five (No. 5), to maintain the current frequency of meetings for the Public Safety Commission.

Councilmember Mahmud inquired an Animal Events Advisory Committee is subject to the Ralph M. Brown Act.

City Attorney Jared confirmed the committee would be subject to the Ralph M. Brown Act if the committee members are appointing by the City Council.

Councilmember Zneimer inquired about the frequency of Public Safety Commission meetings.

Deputy City Manager Megerdichian stated based upon the public comments received and the slate of upcoming items for the Commission, staff decided it would be beneficial to keep the current frequency of meetings for the Commission.

Mayor Cacciotti opened public comment.

In-Person Public Comment:

Alan Ehrlich commented in support of no change to the frequency of Public Safety Commission meetings.

Deputy City Clerk Muñoz announced written Public Comments were submitted online and available for viewing on the City's website.

With no other comments, the public comment period was closed.

Discussion ensued amongst the City Councilmembers regarding the creation of the Animal Advisory Group and supported the idea of the City Manager coordinating the creation of that group; and supported the idea to not change the frequency of Public Safety Commission meetings.

A motion was made by Councilmember Zneimer, seconded by Mayor Pro Tem Primuth to approve staff's recommendations except for recommendation number five (No. 5); and support the City Manager host an Animal Advisory Group on issues as they arise.

Motion passed 4-1, with Councilmember Donovan abstaining.

## ADJOURNMENT

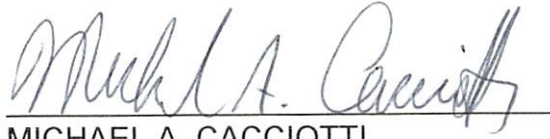
There being no further matters, Mayor Cacciotti adjourned the meeting of the City Council at 11:35 P.M., to the next Regular City Council meeting scheduled on Wednesday, April 20, 2022.

Respectfully submitted:



Yolanda Chavez, CMC  
Interim City Clerk Records Specialist

**APPROVED:**



MICHAEL A. CACCIOTTI  
MAYOR

**ATTEST:**



Yolanda Chavez, CMC  
Interim City Clerk Records Specialist