

CITY OF PASADENA
City Council Minutes
February 3, 2020 – 5:30 P.M.
City Hall Council Chamber

SPECIAL JOINT MEETING

OPENING:

Mayor Tornek and President Cahalan called the Special Joint meeting of the City Council and Pasadena Unified School District (PUSD) Board of Education to order at 6:32 p.m. The Pledge of Allegiance was led by PUSD President Cahalan. (Absent: None)

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor John J. Kennedy
Councilmember Victor Gordo
Councilmember Tyron Hampton
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Margaret McAustin
Councilmember Andy Wilson

Staff:

City Manager Steve Mermell
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky

President Patrick Cahalan
Vice President Scott Phelps
Member Michelle Richardson Bailey
Member Roy Boulghourjian
Member Kimberly Kenne
Member Elizabeth Pomeroy
Member Larry Torres

Staff:

Dr. Brian McDonald, Superintendent of Schools
Leslie Barnes, Ed.D., Chief Business Officer

**PUBLIC COMMENT ON
MULTIPLE AGENDA ITEMS**

Rene Gonzalez, representing PADRES, stated that future discussions regarding Roosevelt Elementary School should be deferred until such time as the US Department of Education has completed its evaluation of the proposed PUSD school closures, and also advocated for the school not to be closed.

**PROPOSED ACTION OF THE CITY COUNCIL: PROPOSED
MUNICIPAL CODE AMENDMENTS TO UPDATE LOCAL
SMOKING REGULATIONS AND RESTRICT THE SALE AND
DISTRIBUTION OF FLAVORED AND MENTHOLATED
TOBACCO PRODUCTS AND TOBACCO LOOK-ALIKE
PRODUCTS**

Recommendation: It is recommended that the City Council:
(1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption);
(2) Direct the City Attorney to prepare amendments to update the local Pasadena Municipal Code ("PMC") to align with current state and federal definitions related to tobacco products, tobacco paraphernalia, tobacco use, and age identification requirements and tobacco sales; and prohibit the sale and distribution within the city of mentholated cigarettes and/or other flavored tobacco products, including flavored products for electronic smoking devices ("ESD"), including ESD liquids, flavored little cigars, and tobacco look-alike products.

PROPOSED ACTION OF THE PASADENA UNIFIED SCHOOL DISTRICT: ADOPT A RESOLUTION ENCOURAGING COMMUNITIES TO RESTRICT THE SALE OF FLAVORED TOBACCO PRODUCTS AND MENTHOL CIGARETTES

Recommendation: It is recommended that the Pasadena Unified School District, Board of Education adopt a resolution encouraging communities to restrict the sale of flavored tobacco products and menthol cigarettes.

Dr. Ying Ying Goh, Director of Public Health, presented a PowerPoint presentation on the item, and responded to questions.

Councilmember Wilson suggested increasing the severity of penalties related to retailers who repeatedly violate the prohibition of sale and distribution of mentholated and flavored tobacco products.

Vice Mayor Hampton also requested that the staff recommendation include the penalty of a misdemeanor for those retailers that violate the updated regulations and restrictions.

Statice Wilmore, Program Coordinator, responded to questions related to Federal legislation and tobacco products, tobacco lookalike products, and the retailer license revocation process.

Councilmember Gordo asked staff to investigate and determine the feasibility of the City prohibiting retailers from reapplying for a City business license when it has been revoked due to violations of the City's tobacco regulations.

Member Torres requested that PUSD staff work with the City's Health Department to develop health lessons, and provide accurate and timely information to PUSD students and parents.

The following individuals spoke in favor of the item:

Deidra Duncan, Chair of the Tobacco Prevention Coalition
Claudia Hathcock, Pasadena resident
Nancy Verdin, Pasadena resident
Elizabeth Alvarez, Intern with Day One
Kaleb Chakarian, with Boys and Girls Club of Pasadena
Stephanie Barcenas, representing Day One
Primo Castro, representing American Cancer Society
Cancer Action Network
Alisha Lopez, Pasadena resident
William Meurer, representing Go Green Solutions
Briana Duncan, Pasadena resident
Michael Olivares, representing American Lung Association
Christy Zamani, representing Day One
Jasmine De La Torre, Pasadena resident

Councilmember McAustin spoke in favor of the staff recommendation, advocated for a future City Council discussion on the possibility of prohibiting the sale of all tobacco products in the City, and asked staff to return with an evaluation on the City's ability to adopt an ordinance to that effect.

President Cahalan, spoke in support of the City's proposed resolution and amendments.

Following discussion, it was moved by Councilmember Kennedy, seconded by Vice Mayor Hampton, to approve the staff recommendation, amended to include language in the ordinance that labeled violations as misdemeanors, and increase the penalties for violations, as follows: first violation \$500, second violation \$1,000, and third violation \$2,000 fines. (Motion unanimously carried) (Absent: None)

Following discussion, it was moved by Member Phelps, seconded by Member Bailey, that the Board of Education of the Pasadena Unified School District adopt a resolution encouraging communities to restrict the sale of flavored tobacco products and menthol cigarettes. (Motion unanimously carried) (Absent: None)

UPDATE ON THE OFFICE OF THE YOUNG CHILD

Crystal O'Grady, Early Development Coordinator with Office of the Young Child, presented a PowerPoint presentation on the Office of the Young Child Master Plan, Early Development Instrument (EDI) results, grant funding, partnerships, data related to measures of success, and future plans; and responded to questions.

Councilmember Madison spoke in favor of Measure J funds to be used to fund the Office of the Young Child programs, which are measurable, bold and tax dollar accountable.

Councilmember Gordo asked staff to consider and provide information on new strategies to better coordinate with PUSD and the Health and Library Departments in order to better inform families of the available programs for early childhood education. He expressed concerns with the amount of grant funding provided by Los Angeles County's Department of Mental Health. He requested that a discussion and action be agendized at future meetings of the City Council and PUSD to request that LA County provide additional funding and/or services for young children who attend PUSD schools.

Elizabeth J. Blanco, Chief Academic Officer, provided information on PUSD's funding resources that are used to assist and support the Office of the Young Child programs; and responded to questions.

Member Kenne spoke on the need to inform the public that there is a percentage of young children that are not ready to enter kindergarten.

Vice Mayor Hampton requested that staff provide him with information on the programs provided by Options for Learning and Quality Start Los Angeles so that he can disseminate the information to his constituents.

President Cahalan, spoke on the need for additional marketing of the programs offered by the Office of the Young Child and requested that distribution lists for such information include the members of Board of Education and City Council.

Councilmember Wilson requested data on the current assessment of the Early Development Instrument program results related to the City; and strongly encouraged staff to consider using the Central Library as a "Growing Together Pasadena" site.

Councilmember Kennedy encouraged Ms. O'Grady to meet with Mr. Rene Gonzalez, his appointee on the Human Relations Commission, to invite him to participate and focus his student advocacy on programs and issues related to the Office of the Young Child.

Following discussion, on order of the President and Mayor, and by consensus, the information was received and filed.

UPDATE ON YOUTH MASTER PLAN

Christy Zamani, Executive Director with Day One, Tony Santilena, representing Youth Alley, and various PUSD/Pasadena City College students, presented a PowerPoint presentation on the Youth Master Plan, summarizing the progress report on the various Priority Areas and next steps; and responded to questions.

Vice Mayor Hampton requested that in the future, the Update of the Youth Master Plan be agendized at the beginning of the joint meeting to accommodate PUSD student's school schedule. He thanked PUSD for providing PUSD students with healthy and appetizing lunch meals. He also spoke on the need for the City's Health Department to work with PUSD to develop programs that provide safe space areas, as well as mental health support.

Councilmember Gordo requested information on what mental health services are provided to PUSD students; and spoke on the need to expose PUSD students to different experiences.

Member Pomeroy spoke on the need to utilize their Student Board Members as a special focus group to determine how PUSD can incorporate their insights into future planning.

Councilmember Madison stated that he believes that the City should not charge for local transit for student riders on City buses.

Councilmember Kennedy asked staff to provide information on the number of participants in the City's Summer Rose Program within the last six years; and determine through the budget process, a method where Summer Rose Program participants can be placed for work in non-profit organizations in the City.

Following discussion, on order of the President and Mayor, and by consensus, the information was received and filed.

UPDATE ON COLLABORATE PASADENA

Donald E. Grant Jr., Executive Director and Geoff Albert, Community Engagement Specialist, representing Collaborate Pasadena, distributed information and presented a PowerPoint presentation on their organization, partnerships and participants, domains of impacts, parent engagement, student success, and opportunities; and responded to questions.

Councilmember Kennedy recommended that Mr. Grant contact Ms. Linda Machida, a local grant consultant, who previously worked with Collaborate Pasadena, and Mr. Byron Reed, Senior Vice President with CIT Bank, who could possibly assist with Collaborate Pasadena's grant funding endeavors.

Vice President Phelps expressed concerns with the presentations made at these joint meetings that lack input or participation by PUSD staff and that he believes is missing information.

Wayne from Encino, residence not stated, spoke on matters related to the Brown Act.

Following discussion, on order of the President and Mayor, and by consensus, the information was received and filed.

DISCUSSION OF POTENTIAL FUTURE USES FOR CLOSED SCHOOL SITES

Dr. Brian McDonald, Superintendent of Schools, provided introductory comments, and Leslie Barnes, Ed.D. Chief Business Officer, presented a PowerPoint on PUSD's status of several PUSD properties, potential process to sell or dispose of these properties, update on PUSD's land swap, and responded to questions.

President Cahalan, President of the PUSD Board, invited City staff or a member of the City Council to work with the PUSD's proposed 7-11 Committee, to improve communication between PUSD and the City Council; and responded to questions.

Councilmember Kennedy asked that the 7-11 Committee seriously consider and prioritize any future use of surplus properties for affordable housing. He also asked for information on the guiding laws and regulations governing the selling of surplus property in PUSD; and for staff to provide information on the schedule of meetings. Councilmember Kennedy stated the following for the record, "As one Councilmember, to recommend that strong consideration in our distributed policy, related to affordable housing, that if there is a possibility, and I suspect there is, even if it needs to be re-zoned, that we would look at that as a possibility for affordable housing."

Councilmember McAustin suggested that PUSD meet with state legislatures and inform them of these potential affordable housing opportunities utilizing surplus property, provide information on the proposed sites, and request assistance with facilitating and navigating the District through the process.

Councilmember Gordo expressed concerns with the timeline for the proposed process to dispose of these properties; and also noted his concern for selling off property that once gone, could not be regained. He pointed out the potential issues with PUSD moving forward in repurposing public school properties for other uses such as affordable housing without receiving sufficient input from the community and/or the City. He spoke on the need for a discussion on this issue, as well as a public education campaign in the community, so that the School District is informed by the public in terms of the appropriateness of proceeding with the disposal or repurposing of these properties.

Vice Mayor Hampton was excused and left the meeting at 10:43 p.m.

Councilmember Madison also expressed concern with selling and irrevocably losing neighborhood school sites.

Member Bailey spoke in favor of developing housing for PUSD staff and expressed concerns with selling school property.

Councilmember Wilson suggested that staff consider utilizing the proposed disposed properties as park areas with soccer fields, which would be a good community benefit.

The following individuals provided comments related to various proposed schools sites, affordable housing, retaining PUSD staff, advocated for Roosevelt school site not to be closed, workforce housing, and/or the need for an analysis of historic resources:

Jill Shook, Pasadena resident
Janneth Gonzalez, PADRES
Nina Chomsky, Linda Vista-Annandale Association

Following discussion, on order of the President and Mayor, and by consensus, the information was received and filed.

Mayor Tornek stated the following for the record, "I would like the minutes to reflect that when we have our next joint meeting, that the kids are first on the agenda and that the PUSD school staff make more presentations."

ADJOURNMENT

On the order of the President and Mayor, the special joint meeting of the City Council and Pasadena Board of Education adjourned at 11:29 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk