

Agenda Report

December 15, 2014

TO: Honorable Mayor and City Council

THROUGH: Public Safety Committee

FROM: Public Health Department

**SUBJECT: AMENDMENT TO TOBACCO USE PREVENTION ORDINANCE
TO PROHIBIT SMOKING AT ALL CITY-OWNED PUBLIC LIBRARIES**

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).
- 2) Direct the City Attorney to prepare and return within 60 days with an amendment to the Tobacco Use Prevention Ordinance, Pasadena Municipal Code ("PMC") Section 8.78.051 (Prohibition of Smoking in Public Parks) to include no-smoking on the grounds of all city-owned libraries.

BACKGROUND:

In February 2004, the City Council adopted tobacco control policies that amended the Tobacco Use Prevention Ordinance (Chapter 8.78 of the Pasadena Municipal Code) to include smokefree public parks, tobacco retail licensing, and conditional use permit policies that restricted tobacco-only retail stores from establishing and operating within 1,000 feet of sensitive-use locations. As part of this action all public parks, including parking lots, became smokefree.

In 2010, the Ordinance was modified further to prohibit smoking at the Brookside Golf Course in the area between the Clubhouse Patio and the Starters Shop, including the right and left side pathways leading from the Clubhouse Patio to the Starters Shop.

Recently, staff has received numerous complaints from local residents about being exposed to secondhand smoke while entering the main entrance to Lamanda Park Library. Currently, the Tobacco Use Prevention Ordinance requires smokers to remain at least 20 feet away from entrances/exits, however, given the layout of the building and

the grass area in front, this restriction is not sufficient to eliminate the impact on library users who are exposed to secondhand smoke in order to enter the main entrance of the library.

The grounds of three of the City's ten libraries (Allendale Branch, La Pintoresca Branch, and Villa Parke Community Center Library) are already 100% smokefree because they are located on designated parkland. Seven branches, including the Pasadena Central Library and Lamanda Park Library are not because they are not located on designated parkland. Amending the Tobacco Use Prevention Ordinance to ban smoking on the grounds of all public libraries will improve the environment for library patrons and offer greater protection from the exposure to secondhand smoke.

COUNCIL POLICY CONSIDERATION

The proposed action is consistent with the City Council's Strategic Plan Goal to Ensure Public Safety.

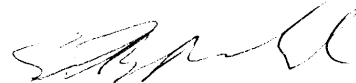
ENVIRONMENTAL ANALYSIS:

The action proposed herein has been reviewed for compliance with the California Environmental Quality Act ("CEQA") and is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Section 15061(b)(3) further states, "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The proposed action consists of amending the PMC to prohibit smoking at libraries. No physical changes to the environmental are proposed and no adverse environmental effects would result from the proposed code amendment.

FISCAL IMPACT:

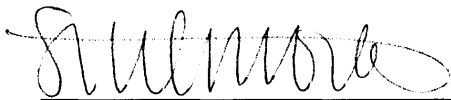
The proposed action is not expected to result in any significant fiscal impact. The cost of managing the City's Tobacco Control Program is part of the Public Health Department's annual budget appropriation.

Respectfully submitted,



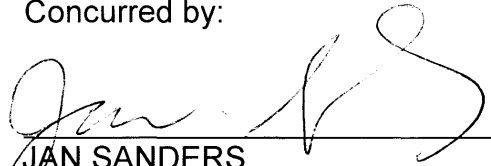
STEVE MERMELL
Assistant City Manager/Acting Director
Public Health Department

Prepared by:



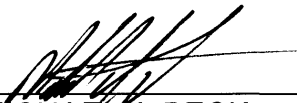
STATICE WILMORE
Tobacco Control Program Coordinator II

Concurred by:



JAN SANDERS
Director of Library & Information Services

Approved by:



MICHAEL J. BECK
City Manager