

OFFICE OF THE MAYOR

**CITY OF PASADENA  
LEGISLATIVE POLICY COMMITTEE  
MEETING**

**Wednesday, July 25, 2012 – 5:30 p.m.  
100 N. Garfield Ave. – Fair Oaks Conference Room S039**

**NOTICE IS HEREBY GIVEN** that a regular meeting of the Legislative Policy Committee will be held on Wednesday, July 25, 2012, at 5:30 p.m. at 100 N. Garfield Ave., Fair Oaks Conference Room S039.

The agenda for the meeting is as follows:

**1. CALL TO ORDER/ROLL CALL**

**2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA** – Please limit comments to 3 minutes each.

**3. APPROVAL OF MINUTES**

May 23, 2012 – Regular Meeting\*  
June 27, 2012 – Regular Meeting Cancellation\*

**4. NEW BUSINESS**

- A. Support with Amendments for SB 204 (Liu) Local Alternative Transportation Improvement Program\*
- B. Opposition to California SB 1468 (Calderon) Proposing Authorization for “Safe and Sane” Fireworks Sales and Use During New Year Activities\*
- C. Modifications to the Northwest Commission\*

**5. INFORMATION ITEMS**

- A. Briefing by David Jones on State Legislative Matters (Oral)
- B. Briefing by Carolyn Chaney on Federal Legislative Matters (Oral)

**6. ADJOURNMENT**

\* Attachment

**NEXT REGULAR MEETING**

August 22, 2012 –5:30pm



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**BILL BOGAARD**, Chair  
Legislative Policy Committee

I HEREBY CERTIFY that this notice, in its entirety, was posted on the City of Pasadena Council Chamber Building bulletin boards located outside of Room S249 and at the Information Kiosk, the City Clerk's Office and a copy was distributed to Central Library for posting this 20th day of July 2012, by 5:30 p.m.



**DEBBIE CAMPOS**  
City Manager's Office

**DISTRIBUTION:**

Bill Bogaard, Mayor  
Jacque Robinson, Councilmember  
Steve Madison, Councilmember  
Carolyn Chaney, Legislative Advocate  
David Jones, Legislative Advocate  
Michael J. Beck, City Manager  
Julie A. Gutierrez, Assistant City Manager  
Steve Mermell, Assistant City Manager  
Mark Jomsky, City Clerk  
Michele Bagneris, City Attorney  
Jana Stewart, Management Analyst III to Mayor/Council  
Sandra Robles, Recording Secretary  
City Hall Information Kiosk  
Website: <http://www.ci.pasadena.ca.us>

Barbara Boxer, U.S. Senator  
David Dreier, U.S. Congressman  
Dianne Feinstein, U.S. Senator  
Adam Schiff, U.S. Congressman  
Judy Chu, U.S. Congresswoman  
Anthony Portantino, State Assemblymember  
Carol Liu, State Senator  
Pasadena Star-News  
Los Angeles Times  
Pasadena Weekly  
Pasadena Journal  
La Opinion  
Pasadena Central Library

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## **APPROVAL OF MINUTES**

May 23, 2012 – Regular Meeting\*

June 27, 2012 – Regular Meeting Cancellation\*

**CITY OF PASADENA  
LEGISLATIVE POLICY COMMITTEE MINUTES  
CITY HALL  
100 NORTH GARFIELD AVENUE  
FAIR OAKS CONFERENCE ROOM – S039  
MAY 23, 2012  
REGULAR MEETING**

**OPENING** The Chair called the regular meeting of the Legislative Policy Committee to order at 5:35 p.m.

**ROLL CALL** Mayor Bill Bogaard, Chair  
Councilmember Jacque Robinson  
Councilmember Steve Madison (5:47 p.m.)

Staff: Julie Gutierrez, Assistant City Manager  
Javan Rad, Assistant City Attorney  
Darryl Qualls, Deputy Police Chief  
Sandra Robles, Recording Secretary

**PUBLIC COMMENT** No one appeared for public comment.

**APPROVAL OF MINUTES** It was moved by Councilmember Robinson, seconded by the Chair, to approve the minutes of March 28, 2012 and April 25, 2012 (Cancellation) as submitted. (Motion unanimously carried) (Absent: Councilmember Madison)

**INFORMATION ITEMS** **BRIEFING BY DAVID JONES ON STATE LEGISLATIVE MATTERS (ORAL)**

A telephone conference call was conducted with Hugh Bower, State Legislative advocate for the City, who reported on the status of the following:

- Councilmember Madison (5:47 p.m.)
- Governor's revised budget and pension reform proposals
  - Redevelopment reform
  - AB26: Illegal Immigrants, AB1600 Metro Gold Line Foothill Extension Construction, AB1900: Renewable Energy Resources, and AB1926: Service Contracts
  - SB64: State Parks, SB 375: Paternity, and SB1321: California Health Benefit Exchange

Following discussion, on the order of the Chair, and by consensus of the Committee, the information was received and filed

**NEW BUSINESS** **SUPPORT FOR SB 1366: PREVENT ILLEGAL GUNS ACT OF 2012**

Darryl Qualls, Deputy Police Chief, summarized staff's memo and responded to questions.

Following a brief discussion, it was moved by Councilmember Robinson, seconded by Councilmember Madison, to forward the item to the City Council for consideration, with the Committee's support. (Motion unanimously carried)

**INFORMATION ITEMS  
(CONTINUED)**

**BRIEFING BY CAROLYN CHANEY ON FEDERAL LEGISLATIVE  
MATTERS (ORAL)**

A telephone conference call was conducted with Chris Giglio, Federal Legislative advocate for the City, who reported on the status of the following:

- Budget activities in Congress
- Transportation Bills

Following discussion, on the order of the Chair, and by consensus of the Committee, the information was received and filed.

**ADJOURNMENT**

On the order of the Chair, the regular meeting of the Legislative Policy Committee was adjourned at 6:04 p.m.

ATTEST:

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BILL BOGAARD, Chair  
Legislative Policy Committee

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Sandra S. Robles  
Recording Secretary

**CITY OF PASADENA  
LEGISLATIVE POLICY COMMITTEE MINUTES  
CITY HALL  
100 NORTH GARFIELD AVENUE  
FAIR OAKS CONFERENCE ROOM – S039  
JUNE 27, 2012  
REGULAR MEETING**

The regular meeting of the Legislative Policy Committee, scheduled for Wednesday, June 27, 2012, at 5:30 p.m., was cancelled as ordered on June 22, 2012, and posted as required by law.

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BILL BOGAARD, Chair  
Legislative Policy Committee

ATTEST:

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Sandra S. Robles  
Recording Secretary

06/22/2012

## **NEW BUSINESS**

- A. Support with Amendments for SB 204(Liu) Local Alternative Transportation Improvement Program\*

**MEMORANDUM - CITY OF PASADENA  
DEPARTMENT OF TRANSPORTATION**

**DATE:** July 25, 2012

**TO:** Legislative Policy Committee

**FROM:** Department of Transportation

**SUBJECT:** SUPPORT WITH AMENDMENTS FOR SB 204 (LIU) – LOCAL ALTERNATIVE TRANSPORTATION IMPROVEMENT PROGRAM

**RECOMMENDATION:**

It is recommended that the Legislative Policy Committee forward to the City Council support for Senate Bill 204 only if amended as follows;

1. SB 204 establishes a timeline for the sale of excess properties based on a “trigger” event, such as the elimination of a surface freeway alternative from further consideration in the environmental review of the SR 710 North Gap Closure Project.
2. SB 204 includes a provision that the proceeds from the sale of excess properties will be available for local transportation priorities determined jointly with the cities in which any excess properties are located.

**BACKGROUND:**

Senate Bill 204 (SB 204) as introduced by Senator Liu and amended on June 7, 2012 would authorize the development of a Local Alternative Transportation Improvement Program (LATIP) to facilitate the sale of excess property owned by the California Department of Transportation (Caltrans) for the State Route (SR) 710 Study Area in Los Angeles County. Specifically, SB 204:

- 1) Authorizes the Los Angeles County Metropolitan Transportation Authority (Metro), in consultation with Caltrans, to develop and file an LATIP with the California Transportation Commission (CTC) to preserve funding to address transportation problems and opportunities in the SR 710 Study Area.
- 2) Grants the CTC final authority regarding the content and approval of the LATIP, provided that the program content and approval processes are consistent with the CTC's earlier processes related to LATIPs for SR 84 and SR 238.



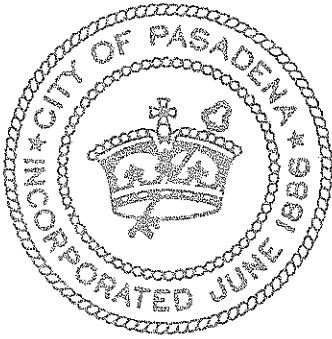
- 3) Directs the proceeds from the sale of excess properties, less reimbursements and costs as specified, in the SR 710 Study Area to be allocated by CTC to fund the approved LATIP, and exempts those proceeds from formulae that generally govern the distribution of capital improvement dollars for transportation.
- 4) Restricts the use of these proceeds to projects for state highway purposes or for projects in the LATIP that are also in the local voter-approved transportation sales tax measure. Defines "excess properties" to mean "those properties previously acquired but no longer required to construct a new project in the State Highway Route 710 Study Area."
- 5) Defines the "State Highway Route 710 Study Area" to mean "the portion of the County of Los Angeles identified through the scoping process for the State Highway Route 710 North Gap Closure Project environmental assessment."
- 6) Directs Caltrans to maintain a separate account of revenue derived from the sale of excess properties in the SR 710 Study Area.
- 7) Authorizes Metro, with the concurrence of the CTC, to advance a project in the LATIP using its own funds, prior to the availability of funds from the sale of excess property.

Since the late 1960's Caltrans has owned approximately 145 properties in Pasadena. Caltrans purchased these homes with the intent of demolishing them to allow for the construction of the 710 Freeway. The homes have been rented to various residential, commercial and educational tenants over this time. Because the properties are owned by the State of California, property taxes are not collected. SB 204 would require Caltrans to sell the properties thus allowing the properties to return to private ownership, which would return the properties the tax rolls.

The two amendments recommended in order to support SB 204 are necessary because without a specified "trigger" event that is tied to Caltrans no longer requiring the properties to continue the SR 710 North Gap Closure Project, the properties could potentially remain in Caltrans ownership for several decades until the SR 710 project is completed even if the properties are not required. The second amendment would allow the cities with excess properties to work with Caltrans and Metro to determine which transportation projects are funded with the revenues from the sales.

## **NEW BUSINESS**

B. Opposition to California SB 1468 (Calderon) Proposing Authorization for “Safe and Sane” Fireworks Sales and Use During New Year Activities\*



# Agenda Report

July 30, 2012

**TO:** Honorable Mayor and City Council

**THROUGH:** Legislative Policy Committee (07/25/2012)

**FROM:** Fire Department

**SUBJECT: OPPOSITION TO CALIFORNIA SB 1468 (CALDERON) PROPOSING AUTHORIZATION FOR "SAFE AND SANE" FIREWORKS SALES AND USE DURING NEW YEAR ACTIVITIES.**

## **RECOMMENDATION:**

It is recommended that the City Council Oppose the adoption of California Senate Bill 1468 (Calderon), and authorize the Mayor to send correspondence stating Pasadena's position.

## **BACKGROUND:**

All fireworks contain explosive materials known as pyrotechnic compositions. "Safe and Sane" is a designation assigned to certain fireworks that the State and Federal governments judge to contain sufficiently small enough quantities of pyrotechnic composition as to be supposedly safe for use by untrained and unsupervised consumers. Yet, every year, numerous injuries and fires occur over the period of time surrounding the Fourth of July. The City has prohibited the use of "Safe and Sane" fireworks, and all other fireworks, by residents since at least the 1970s.

State Senator Charles Calderon has introduced Senate Bill 1468 to allow the sales of so-called "Safe and Sane" fireworks over a period surrounding New Year. According to Senator Calderon, "SB 1468 preserves local control and, at the same time, assists in raising the necessary funds to assist state and local fire and law enforcement agencies to have the critical financial resources to deal with the enforcement, education, fire operation, suppression and training activities surrounding both illegal fireworks and safe and sane fireworks use in their community. Local jurisdiction[s] could generate roughly an additional \$4.9 million in new fee revenue for the 4th of July each year and over another \$1 million for the New Year's period."

In addition, the Author claims that, "SB 1468 will allow nonprofit organizations throughout the state an additional opportunity to raise critical dollars to fund critical

programs in their community utilizing a 100% consignment fundraising tool." [Author's statement, SB 1468]

According to the National Fire Protection Association, in 2010 (the most recent year for which statistics are available):

"The Fireworks report outlines specific statistics regarding how the use of consumer fireworks relates to fire danger including:

- In 2010, fireworks caused an estimated 15,500 reported fires, including 1,100 structure fires, 300 vehicle fires, and 14,100 outside and other fires.
- These fires resulted in an estimated eight reported deaths, 60 civilian injuries and \$36 million in direct property damage.

The report demonstrates using consumer fireworks heightens the risk of injury and even death. The study showed:

- The risk of fireworks injury was highest for children ages 5-14 with more than twice the risk for the general population.
- Sparklers and novelties alone accounted for 38 percent of the 8,600 emergency room fireworks injuries in 2010."

Despite Senator Calderon's claims, the risks of fireworks use by consumers continue to outpace potential benefits. Any revenue gained by the community through charities that sell fireworks would likely be easily offset by one fire or one serious injury. This holds true equally for the Fourth of July or for New Year sales. Despite the ban on fireworks in Pasadena, the City is still subject to increased risks and costs due to the sales taking place in other cities in the area. Nothing in SB 1468 prevents or discourages individuals from buying fireworks in one jurisdiction and bringing them to Pasadena.

In addition to the general risk posed by fireworks over July 4<sup>th</sup>, sales of fireworks over New Year would have additional significant and alarming dangers for the City. In addition to the expected risk of fires and injuries, the presence of fireworks in the crowds at the Rose Parade and Rose Bowl are especially troubling. The increased crowd density in these locations greatly increases then potential for mass casualty incidents. Whereas home use of fireworks may endanger groups of ten to twenty people, or so, along the Rose Parade route or in the tailgating areas of the Rose Bowl, perhaps a hundred or slightly more people would be within a similar area.

The presence of fireworks in the crowds at the Rose Bowl and Rose Parade would also greatly impede the special security measures in place through the Threat Assessment and Response Team program. Bomb-detecting canines cannot discriminate between fireworks and larger explosives. Limited specialized resources could be wasted chasing potential bombs that turned out to be fireworks. Or, fireworks could be used to create a distracting incident to mask the movement of an actual device.

Passage of SB 1468 would not only increase the "normal" risk for consumer fireworks, but would greatly hinder and complicate the already challenging efforts to safeguard the Rose Parade and Rose Bowl.

**COUNCIL POLICY CONSIDERATION:**

Passage of Senate Bill 1468 would conflict with existing Council Policies to enhance public safety.

**FISCAL IMPACT:**

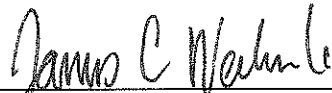
If Senate Bill 1468 is passed and the City Council reversed the existing ban on fireworks, the City could expect to generate some limited revenue. If we assume ten fireworks stands with gross sales of \$20,000 each, the City could generate up to \$14,000. Likely all, and probably significantly more, of that revenue would be offset by the cost of increased enforcement, emergency response and public education activities.

Respectfully submitted,



CALVIN E. WELLS  
Fire Chief

Prepared by:



James C. Weckerle  
Hazardous Materials Specialist

Concurred by:



PHILLIP L. SANCHEZ  
Police Chief

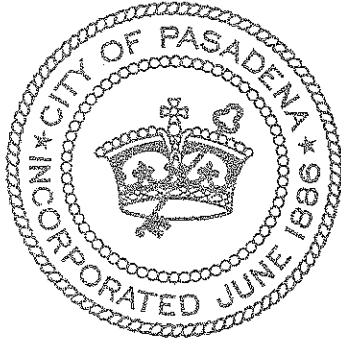
Approved by:



MICHAEL J. BECK  
City Manager

## **NEW BUSINESS**

C. Modifications to the Northwest Commission\*



# Agenda Report

July 30, 2012

**TO:** City Council  
**THROUGH:** Legislative Policy Committee (July 25, 2012)  
**FROM:** City Manager's Office of Northwest Programs  
**SUBJECT:** Modifications to the Northwest Commission

## **RECOMMENDATION:**

It is recommended that the City Council direct the City Attorney's Office to prepare and return within 30 days with an amendment to Chapter 2.95 of the Pasadena Municipal Code making modifications to the Northwest Commission which:

1. Increase the membership of the Commission from 11 members to 15 members, who shall be appointed as follows:
  - a. Councilmembers from districts 1, 3, and 5 shall each nominate 3 members for a total of 9 members;
  - b. Each of the remaining councilmembers from districts 2, 4, 6 & 7 shall nominate 1 member and the Mayor shall nominate 2, for a total of 6 members.
2. Add to the Commission's purpose and function responsibility for working with City staff to foster business retention, expansion, and relocation to generate new development and employment opportunities in northwest Pasadena.

## **RECOMMENDATION OF ADVISORY BODIES:**

At a special meeting on June 8, 2012 the Northwest Commission voted to approve the recommendation.

## **BACKGROUND:**

Since its formation by the City Council in 1990, the Northwest Commission has played an important role in identifying and addressing the needs of northwest Pasadena. Similarly, prior the dissolution of redevelopment in California as a result of the implementation of Assembly Bill 1 X 26, the Lincoln Avenue Project Area Committee (PAC) and Fair Oaks PAC worked to improve northwest Pasadena through redevelopment/economic development efforts as well as addressing community issues and concerns.

This past winter, when staff brought forward a review of City advisory boards, commissions and committees, it was suggested that in light of the loss of the redevelopment and the PACs, that it may make sense to restructure and reexamine the role the Northwest Commission. The Legislative Policy Committee and subsequently the City Council supported this effort.

Since that time, the issue has been the subject of discussion at a total of nine Northwest Commission and community meetings including a strategic planning retreat involving the Northwest Commission and attended by former members of the Fair Oaks PAC and Lincoln PAC who participated fully in the discussion and shared their ideas and concepts.

What emerged from this process is the recommendation set forth above which would increase representation on the Commission from northwest Council districts and acknowledge that the Commission has a role to play in regard to furthering economic development in northwest Pasadena.

Regarding the make-up of the Commission, during the various discussions community members generally expressed two differing viewpoints; there were those who believe the Northwest Commission should be made-up exclusively of those who live or work in northwest Pasadena, while others believe that having representation from other Council Districts provided value to the Commission. The recommendation to expand the Commission to include three more members from Council Districts 1, 3 & 5 as well as one additional Mayoral appointment is a compromise between these two positions.

As it relates to Economic Development, the Northwest Commission has traditionally received reports from and engaged in discussions with City staff regarding economic development activities and members of the Commission have served in various capacities in this regard, such as participation on the Heritage Square Developer Selection Committee. With the elimination of the PACs, it is recommended that the purpose and function of the Commission be modified to reflect an ongoing role in economic development activities.

It's worth noting that other sentiments were expressed during the community meetings including the suggestion that non-City entities be formed to address



issues and concerns of northwest residents. Other comments focused on the perceived role and particular qualifications of Northwest Commissioners.

**COUNCIL POLICY CONSIDERATION:**

The mission of the Northwest Commission furthers the City Council's strategic plan goal to support and promote the quality of life and local economy.

**FISCAL IMPACT:**

There is no fiscal impact associated with this recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lola Osborne', with a long horizontal line extending to the right.

Lola Osborne  
Northwest Programs Manager

Reviewed by:

A handwritten signature in black ink, appearing to read 'Steve Mermell'.

Steve Mermell  
Assistant City Manager

Approved by:

A handwritten signature in black ink, appearing to read 'Michael J. Beck'.

Michael J. Beck  
City Manager