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**AGENDA
LEGISLATIVE POLICY COMMITTEE
July 24, 2013**

MEMBERS

Bill Bogaard, Mayor
Jacque Robinson, Vice Mayor, District 1
Steve Madison, District 6

STAFF

Julie A. Gutierrez, Assistant City Manager
Sandra Robles, Recording Secretary

MISSION STATEMENT

The City of Pasadena is dedicated to delivering exemplary municipal services, responsive to our entire community and consistent with our history, culture and unique character.

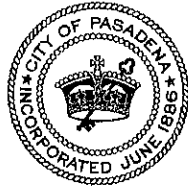
In compliance with the Americans with Disabilities Act of 1990, listening assistive devices are available from the City Clerk's Office with a 24-hour advance notice. Please call (626) 744-4124 to request use of a listening device.

*Language translation services are available for this meeting by calling (626) 744-4124 at least 24 hours in advance.
Habrá servicio de interpretación disponible para éstas juntas llamando al (626) 744-4124 por lo menos con 24 horas de anticipación.*

*Public meeting begins at 5:30 p.m.
Items on the agenda may not be called in order listed.*

*Agendas and supporting documents are available on the Internet at
<http://www.cityofpasadena.net/commissions>*

*Materials related to an item on this Agenda submitted to the Legislative Policy Committee **after** distribution of the agenda packet are available for public inspection in the City Clerk's Office at 100 N. Garfield Avenue, Room S-228, during normal business hours.*



OFFICE OF THE MAYOR

**CITY OF PASADENA
LEGISLATIVE POLICY COMMITTEE
MEETING**

**Wednesday, July 24, 2013 – 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 24, 2013, 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. MINUTES

February 27, 2013 – Regular Meeting*
March 27, 2013 – Regular Meeting*
May 22, 2013 – Regular Meeting*
June 26, 2013 – Cancellation of Regular Meeting*

4. NEW BUSINESS

- A. Citizens United v. FEC Supreme Court Ruling*
- B. City Council Field Representatives*
- C. Metrolink's Antelope Valley Line and Orange County Line "one-seat" Connection*

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 28, 2013 -5:30pm



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 18th day of July 2013, by 5:30 p.m.



DEBBIE CAMPOS
City Manager's Office

DISTRIBUTION:

Bill Bogaard, Mayor
Jacque Robinson, Vice Mayor
Steve Madison, Councilmember
Michael J. Beck, City Manager
Julie A. Gutierrez, Assistant City Manager
Steve Mermell, Assistant City Manager
Mark Jomsky, City Clerk
Michele Bagneris, City Attorney
William Boyer, Public Information Officer
Jana Stewart, Management Analyst III to Mayor/Council
Carolyn Chaney, Legislative Advocate
David Jones, Legislative Advocate
Sandra Robles, Recording Secretary
City Hall Information Kiosk
Pasadena Central Library
Neighborhood Connections

Barbara Boxer, U.S. Senator
Dianne Feinstein, U.S. Senator
Adam Schiff, U.S. Congressman
Judy Chu, U.S. Congresswoman
Carol Liu, State Senator
Chris Holden, State Assemblymember
La Opinion
Los Angeles Times
Pasadena Independent
Pasadena Journal
Pasadena NOW
Pasadena Star-News
Pasadena Weekly
Website: <http://www.ci.pasadena.ca.us>

APPROVAL OF MINUTES

February 27, 2013 – Regular Meeting*

March 27, 2013 – Regular Meeting*

May 22, 2013 – Regular Meeting*

June 26, 2013 – Regular Meeting Cancellation*

**CITY OF PASADENA
LEGISLATIVE POLICY COMMITTEE MINUTES
CITY HALL
100 NORTH GARFIELD AVENUE
FAIR OAKS CONFERENCE ROOM – S039
FEBRUARY 27, 2013
REGULAR MEETING**

OPENING The Chair called the regular meeting of the Legislative Policy Committee to order at 5:32 p.m.

ROLL CALL Mayor Bill Bogaard, Chair
Councilmember Jacque Robinson
Councilmember Steve Madison (Arrived 5:39 p.m.)

Staff: Julie Gutierrez, Assistant City Manager
Phillip Sanchez, Police Chief
Darryl Qualls, Deputy Police Chief
Jan Sanders, Director of Library & Information Services
Gurcharan Bawa, Assistant General Manager Water and Power
Javan Rad, Assistant City Attorney
Angela Kimmey, Legislative and Regulatory Affairs Manager
Sandra Robles, Recording Secretary

PUBLIC COMMENT No one appeared for public comment.

APPROVAL OF MINUTES It was moved by Councilmember Robinson, seconded by the Mayor, to approve the cancellation minutes of December 26, 2012 and January 23, 2013, as submitted. (Motion unanimously carried) (Absent: Councilmember Madison)

NEW BUSINESS **CONTRACT AWARD TO EMANUELS JONES AND ASSOCIATES FOR STATE LEGISLATIVE ADVOCACY**

Julie Gutierrez, Assistant City Manager, provided a brief review of the agenda report and responded to questions.

Following a brief discussion, it was moved by Councilmember Robinson, seconded by Mayor Bogaard, to approve the staff recommendation and forward the item to the City Council for consideration. (Motion unanimously carried) (Absent: Councilmember Madison)

S.150: ASSAULT WEAPONS BAN ACT OF 2013

Chris Giglio, Federal legislative advocate for the City, provided an update on the hearing concerning the S.150 Assault Weapons Ban Act of 2013, conducted at the Senate Judicial Committee and responded to questions.

Phillip Sanchez, Police Chief, provided an oral report of the Police Department's support of S.150, the reasons behind the Department's support of the Bill, and responded to questions.

Councilmember Madison
(5:39 p.m.)

David Jones, State legislative advocate for the City, responded to questions regarding similar Bills being reviewed at the state level.

Following discussion, it was moved by Councilmember Robinson, seconded by Councilmember Madison, to support S.150: Assault Weapons Ban Act of 2013 and forward the item to the City Council for consideration. (Motion unanimously carried)

INFORMATION ITEMS

H.R. 456: LA RESIDENTIAL HELICOPTER NOISE RELIEF ACT

The Mayor provided an overview of H.R. 456: L.A. Residential Helicopter Noise Release Act.

Police Chief Sanchez reported on the Police Department's support of H.R.456, including reasons for supporting the Bill, and responded to questions

Following discussion, the Committee, by consensus, asked staff to monitor Bill's progress and provide an update to the Committee at a future meeting.

On the order of the Chair, and by consensus of the Committee, the information was received and filed.

BRIEFING BY DAVID JONES ON STATE LEGISLATIVE MATTERS (ORAL)

A telephone conference call was conducted with David Jones and Kyra Ross, State legislative advocates, who reported on the status of legislative issues listed below, and responded to questions:

- Update on the number of Bills introduced prior to the legislature's deadline
- California Environmental Quality Act (CEQA) reform
- Strengthening, Economic Development, Redevelopment, and Enterprise Zones
- Prop 39
- Cap and Trade
- Transportation funding

The oral report provided by Mr. Jones and Ms. Ross recessed temporarily due to technical issues.

LETTER OF SUPPORT FOR SCA 7, LOCAL LIBRARY FUNDING

Jan Sanders, Director of Library & Information Services, summarized the agenda report, staff's recommendation, and responded to questions.

In response to Councilmember Madison's questions related to the coexistence of and potential conflict between SCA 7 and Proposition 218, David Jones responded that if the voters passed SCA 7, a constitutional amendment, it would supersede Proposition 218.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Robinson, to approve the staff recommendation for the Mayor to write a letter of support, which is consistent with the City's adopted 2013 State Legislative Platform (Motion unanimously carried).

(CONTINUED)

BRIEFING BY DAVID JONES ON STATE LEGISLATIVE MATTERS (ORAL)

A telephone conference call was continued by David Jones, who reported on the status of items listed below and responded to questions:

- AB 416: State Air Resources Board, SB416: Surplus Residential Property
- SB389: South Coast Air Quality Management District
- Water bond discussions, tax measures SB389, and plastic bags legislation

Councilmember Madison requested that the City's State legislative advocates provide an updated list of surplus homes currently owned by Cal-Trans, and report back to the Committee.

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

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 items listed below and responded to questions:

- Sequester issues, fiscal cuts and programs possibly effected by the lack of a budget agreement
- Immigration Reform actions
- Fiscal year 2014 budget

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

APPROVAL OF MINUTES (CONTINUED)

It was moved by Councilmember Madison, seconded by the Mayor, to approve the minutes of October 24, 2012, as submitted. (Motion unanimously carried) (Abstain: Councilmember Robinson)

AQMD PROPOSED AMENDED RULE 1304.1 – ELECTRICAL GENERATING FACILITY ANNUAL FEE FOR USE OF OFFSET EXEMPTION

Councilmember Madison
(excused 6:14 p.m.)

Gurcharan Bawa, Assistant General Manager Water and Power, summarized the Air Quality Management District's (AQMD) proposed amended rule 1304.1, the repowering project timeline, staff's concerns with the proposed amended rule, efforts by staff to address concerns, and responded to questions.

Angela Kimmey, Legislative and Regulatory Affairs Manager, informed the Committee that she is working with Senator Wright to monitor all regulatory and legislative actions regarding this item.

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 6:29 p.m.

ATTEST:

BILL BOGAARD, Chair
Legislative Policy Committee

Sandra S. Robles
Recording Secretary

**CITY OF PASADENA
LEGISLATIVE POLICY COMMITTEE MINUTES
CITY HALL
100 NORTH GARFIELD AVENUE
FAIR OAKS CONFERENCE ROOM – S039
MARCH 27, 2013
REGULAR MEETING**

OPENING The Chair called the regular meeting of the Legislative Policy Committee to order at 5:37 p.m.

ROLL CALL Mayor Bill Bogaard, Chair
Councilmember Jacque Robinson
Councilmember Steve Madison

Staff: Julie Gutierrez, Assistant City Manager
Steve Mermell, Assistant City Manager
Calvin Wells, Fire Chief
Fred Dock, Director of Transportation
Javan Rad, Assistant City Attorney
Angela Kimmey, Legislative and Regulatory Affairs Manager
David Klug, Senior Project Manager
Sandra Robles, Recording Secretary

PUBLIC COMMENT Gerald Phillips introduced himself as the Field Representative for Assembly Member Chris Holden.

INFORMATION ITEMS DISCUSSION ON SB 135 (PADILLA): EARTHQUAKE EARLY WARNING SYSTEM

Margaret Vinci, representing the California Institute of Technology, provided a PowerPoint presentation on the proposed Earthquake Early Warning System (EEWA), summarized SB135 legislation, and responded to questions.

Councilmember Robinson
(Arrived at 5:44 p.m.)

Julie Gutierrez, Assistant City Manager, responded to Councilmember Robinson's inquiry on the fiscal impacts of the EEWA, stating that funding for the system has not been identified.

Following discussion, on the order of the Chair, and by consensus of the Committee, the Mayor agreed to write a letter on behalf of the Legislative Policy Committee providing its conceptual support subject to further information and continued monitoring of SB 135 (Padilla) Earthquake Early Warning System; with the item to return to the Committee at a future meeting when additional information is available in order to consider a recommendation to the full City Council; and directed staff to add the item to next year's Legislative Platform under personnel and public safety.

DISCUSSION ON THE LOCAL GOVERNMENT SUSTAINABLE ENERGY COALITION'S (LGSEC) WHITE PAPER SUPPORTING THE ALLOCATION OF PROP 39 FUNDS TO LOCAL GOVERNMENT

Julie Gutierrez, Assistant City Manager, introduced the item and provided information regarding the San Gabriel Valley Council of Governments' (SGVCOG) discussion related to this item.

Angela Kimmey, Legislative and Regulatory Affairs Manager, provided an overview of the white paper report, a recommendation that staff continue to monitor the item along with other energy efficiency bills, and responded to questions.

Following discussion, on the order of the Chair, and by consensus of the Committee, the Mayor agreed to write a letter to the SGVCOG on behalf of the Legislative Policy Committee expressing the Committee's reservation in supporting the white paper.

NEW BUSINESS

UPDATE ON POST REDEVELOPMENT ECONOMIC DEVELOPMENT LEGISLATION

David Klug, Senior Project Manager, summarized the agenda report, provided an overview of six Assembly and Senate Bills related to Redevelopment and Economic Development, including staff's recommendation, and responded to questions.

Steve Mermell, Assistant City Manager, expanded upon the fiscal components of the various bills identified in the agenda report, and responded to questions.

Councilmember Madison asked staff to provide a visual perspective and a summary of the of the redevelopment movement when the item is forwarded to the full City Council.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Robinson, to approve staff's recommendation, and forward the item to the City Council for consideration. (Motion unanimously carried)

INFORMATION ITEMS (CONTINUED)

BRIEFING BY CAROLYN CHANEY ON FEDERAL LEGISLATIVE MATTERS (ORAL)

A telephone conference call was conducted with Carly Chaney and Chris Giglio, Federal Legislative advocates for the City, who reported on the status of the items listed below and responded to questions:

- No action taken on municipal bonds
- Final FY2013 budget provided a slight increase to the following programs: highway/transit programs and Housing and Urban Development (HUD) programs
- The status of budget resolutions for FY2014
- The status of various bills related to gun control

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

BRIEFING BY DAVID JONES ON STATE LEGISLATIVE MATTERS (ORAL)

A telephone conference call was conducted with Kyra Ross, State Legislative advocate, who reported on the status of State legislative issues listed below, and responded to questions:

- Update on Enterprise Zone Bills
- Update on the Budget Subcommittee meetings

Councilmember Madison requested an update on AB 5, Homelessness at a future Committee meeting.

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 6:41 p.m.

ATTEST:

BILL BOGAARD, Chair
Legislative Policy Committee

Sandra S. Robles
Recording Secretary

**CITY OF PASADENA
LEGISLATIVE POLICY COMMITTEE MINUTES
CITY HALL
100 NORTH GARFIELD AVENUE
FAIR OAKS CONFERENCE ROOM – S039
MAY 22, 2013
REGULAR MEETING**

OPENING The Chair called the regular meeting of the Legislative Policy Committee to order at 5:38 p.m.

ROLL CALL Mayor Bill Bogaard, Chair
Vice Mayor Jacque Robinson
Councilmember Steve Madison

Staff: Julie Gutierrez, Assistant City Manager
Javan Rad, Assistant City Attorney
Andrew Green, Director of Finance
Sandra Robles, Recording Secretary

PUBLIC COMMENT Maddie Gavel Briggs and Patrick Briggs, Occupy Democracy Pasadena, requested that the Committee review the distributed documentation regarding Citizens United (2010 Supreme Court ruling) and agendize the item for discussion.

The Mayor confirmed that the documents will be reviewed and considered for agendizing at a future Committee meeting.

APPROVAL OF MINUTES It was moved by Vice Mayor Robinson, seconded by the Mayor Bogaard, to approve the special minutes of December 28, 2012 and the cancellation minutes of April 24, 2013, as submitted. (Motion unanimously carried) (Absent: Councilmember Madison)

INFORMATION ITEMS AB 162 (HOLDEN) WIRELESS TELECOMMUNICATIONS FACILITIES

The Mayor introduced the item and provided a summary of Assembly Bill 162 (Holden): Wireless Telecommunications Facilities.

Julie Gutierrez, Assistant City Manager, summarized staff's agenda report and recommendation to continue to monitor the progress of AB 162, and responded to questions.

Javan Rad, Assistant City Attorney, responded to questions relating to the amendments of the Bill.

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

BRIEFING BY DAVID JONES ON STATE LEGISLATIVE MATTERS (ORAL)

A telephone conference call was conducted with David Jones and Kyra Ross, State Legislative advocates, who reported on the status of State legislative issues listed below, and responded to questions:

- Assembly Bill 162 (Holden) Wireless Telecommunications Facilities
- Governor's Proposed State Budget: including school funding priorities, Enterprise Zone elimination proposals, Affordable Care Act, and public safety grants
- SB 731 (Steinberg) Environment and SB311 (Padilla) Local Elections
- Los Angeles election results and analysis

Following discussion, the Vice Mayor asked staff to provide further information on proposed or pending legislation to promote higher voter turnout and requiring cities to conduct their elections simultaneously with the State's General Election.

On the order of the Chair, and by consensus of the Committee, the information was received and filed.

BRIEFING BY CAROLYN CHANEY ON FEDERAL LEGISLATIVE MATTERS (ORAL)

Councilmember Madison
(Arrived at 6:16 p.m.)

A telephone conference call was conducted with Carolyn Chaney and Chris Giglio, Federal Legislative advocates for the City, who reported on the status of the items listed below and responded to questions:

- Update on the Federal Communications Commission legislation relating to auction requirements
- Federal Emergency Management Agency legislation
- Market Place Fairness Act 2013
- The status of legislation related to immigration reform
- The status of budget resolutions for FY2014

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 6:41 p.m.

ATTEST:

BILL BOGAARD, Chair
Legislative Policy Committee

Sandra S. Robles
Recording Secretary

**CITY OF PASADENA
LEGISLATIVE POLICY COMMITTEE MINUTES
CITY HALL
100 NORTH GARFIELD AVENUE
FAIR OAKS CONFERENCE ROOM – S039
JUNE 26, 2013
REGULAR MEETING**

The regular meeting of the Legislative Policy Committee, scheduled for Wednesday, June 26, 2013, at 5:30 p.m., was cancelled as ordered on June 20, 2013, and posted as required by law.

BILL BOGAARD, Chair
Legislative Policy Committee

ATTEST:

Sandra S. Robles
Recording Secretary

06/26/2013

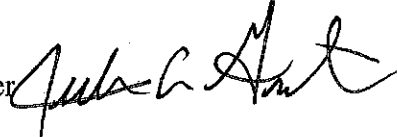
NEW BUSINESS

4A. Citizens United v. FEC Supreme Court ruling*



OFFICE OF THE CITY MANAGER

July 24, 2013

TO: Legislative Policy Committee
FROM: Julie A. Gutierrez, Assistant City Manager 
SUBJECT: Citizens United v. FEC Supreme Court ruling

At the May 22nd meeting of the Legislative Policy Committee, Maddie Gavel-Briggs, from Occupy Democracy Pasadena, spoke during Public Comment and requested that the Committee review the distributed documentation regarding Citizens United v. FEC Supreme Court ruling of 2010 and agendize the item for future discussion. The request was granted and has been placed on this month's agenda for discussion and any Committee direction.

Attached to this report are documents provided by Ms. Gavel-Briggs and they include:

- A. Sample city resolution
- B. The City of Los Angeles' Resolution
- C. *Overturning Citizens United v. FEC* overview
- D. Original letter given to the Legislative Policy Committee members on May 22nd
- E. *Citizens United Affects City Council Members* document submitted to Committee on May 22nd

Staff has done initial research on this item and identified a bill by Congressman Adam Schiff, H.R. RES. 31 that represents his reaction to the Supreme Court decision. This bill proposes to amend the Constitution of the United States relating to the authority of Congress and the States to regulate contributions and expenditures in political campaigns and to enact public financing systems for such campaigns. I have attached a copy of the bill as well as an article from Congressman Schiff on his constitutional amendment (Attachment F).

Sample Resolution for the city of Pasadena to support a Constitutional amendment reversing the Citizens United Ruling:

WHEREAS, the US Supreme Court's 2010 ruling in Citizens United v. Federal Election Commission has eliminated all spending limits for corporations, unions, political action committees and individuals in political campaigns; and

WHEREAS, the Citizens United ruling has allowed corporations, unions, political action committees and individuals to circumvent federal, state and city laws pertaining to campaign finance and to spend whatever amount of money they wish on federal, state, and local elections; and

WHEREAS, the citizens of our city deserve to have full local control of our own elections,

NOW, THEREFORE, BE IT RESOLVED that this city urges the Congress to propose and support, and the state legislature to ratify, a Constitutional amendment to reverse the Citizens United ruling and enable the people, through their elected representatives, to regulate campaign contributions and expenditures in all elections at the federal, state and local levels; and

BE IT FURTHER RESOLVED that this city council directs the city manager to forward copies of this resolution to our elected representatives in Congress and the state legislature.

MOTION

17A


WHEREAS, any official position of the City of Los Angeles with respect to Legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and


WHEREAS, the U.S. Supreme Court's 5-4 ruling in Citizens United v. the Federal Election Commission rolled back legal restrictions on corporate spending in the electoral process, allowing unlimited corporate spending to influence elections, candidate selection, and policy decisions, thereby threatening the voices of "We the People" and the very foundation of our democracy; and

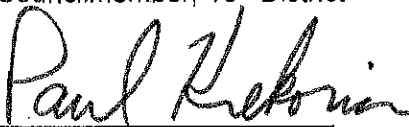
WHEREAS, U.S. Supreme Court Justice Hugo Black in a 1938 opinion stated, "I do not believe the word 'person' in the Fourteenth Amendment includes corporations"; and

WHEREAS, the Citizens decision supersedes state and Local efforts to regulate corporate activity in their elections;

NOW THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Motion, the City of Los Angeles hereby includes in its 2011-2012 Federal and State Legislative Programs SUPPORT for Legislative actions ensuring corporations are not entitled to the entirety of protections or "rights" of human beings, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, including a constitutional amendment based on the attached language.

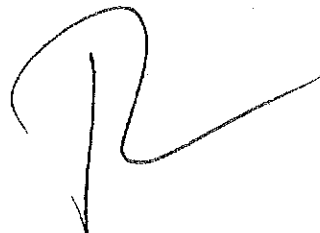
PRESENTED BY: 
ERIC GARCETTI
Councilmember, 13th District


BILL ROSENDAHL
Councilmember, 11th District

SECONDED BY: 
PAUL KREKORIAN
Councilmember, 2nd District



ORIGINAL



DEC - 6 2011

Proposed Constitutional Amendment

Section 1 [*A corporation is not a person and can be regulated*]

The rights protected by the Constitution of the United States are the rights of natural persons only.

Artificial entities, such as corporations, limited liability companies, and other entities, established by the laws of any State, the United States, or any foreign state shall have no rights under this Constitution and are subject to regulation by the People, through Federal, State, or local law.

The privileges of artificial entities shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.

Section 2 [*Money is not speech and can be regulated*]

Federal, State and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, for the purpose of influencing in any way the election of any candidate for public office or any ballot measure.

Federal, State and local government shall require that any permissible contributions and expenditures be publicly disclosed.

The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.

Section 3

Nothing contained in this amendment shall be construed to abridge the freedom of the press.

Overturing *Citizens United v. FEC*

The Decision

The Supreme Court of the United States, in the 2010 case of *Citizens United v. Federal Election Commission*, demanded that local, state, and federal governments allow for unlimited union spending and other corporate spending in elections. Immediately, Americans from all political backgrounds expressed outrage at the Court's disastrous decision. Today, when Americans are asked if government is too corrupt from the influence of money in politics, the answer is consistently a resounding yes.

The Reaction

National polls by prominent polling and news organizations show that substantial majorities of Americans are currently rejecting the decision. One survey shows that 79% of Americans (87 percent of Democrats, 82 percent of Independents, and 68 percent of Republicans) agree that "Restoring Congressional authority to limit the amount corporations can spend on elections might require a Constitutional amendment because the Supreme Court's decision in the *Citizens' United* case said corporations have the same rights as individuals under the Constitution. Those surveyed "would support a Constitutional amendment that would overturn the *Citizens United* decision."*

The huge influx of money into elections is very troublesome, and many Americans are deeply concerned about possible corruption. Over 500 cities have passed resolutions urging an amendment to overturn *Citizens United*. Sixteen states have also passed resolutions. The states of Montana and Colorado each passed a statewide ballot initiative calling for an amendment by majorities of about 75%.

Ramifications of the decision

Anyone, including corporations, unions, political action committees, and individuals, is now allowed to contribute or spend any amount of money on any election in the country.

- At the national level, this means presidential, senatorial, and house elections.
- At the state level, all statewide offices, legislative offices, and ballot initiatives are open to unlimited campaign funds.
- At the local level, all county boards of supervisors, city councils, school boards, water boards, etc., are now open to independent expenditures of any amount, at any time.

In any election, all local controls on campaign contributions and expenditures will only apply to those working directly within a campaign. Organizations or individuals wishing to operate on their own may do so without restrictions on independent spending.

Examples

- The 2012 congressional election in California's 35th district was between two Democrats, Joe Baca and Gloria Negrete McLeod. New York's Mayor Michael Bloomberg spent \$3 million independently on media ads against Joe Baca because of Baca's voting record on gun control. Bloomberg outspent both candidates combined. McLeod won the election.
- A real estate developer in the City of Fullerton, CA, spent \$300,000, independently, to recall three members of the city council supposedly because of their handling of a city police department scandal. The developer had a long-standing dispute with all three council members, all Republicans. All three were recalled from office.

Hurting Small Business

- 66% of small business owners feel that the Supreme Court's ruling has been bad for small business, compared to only 9% who felt that it has been good for small business.
- Why do small businesses feel this way? It's easy to see why – most political contributions given to SuperPACs and independent groups come from a very, very small pool of well-connected donors seeking special treatment. Small businesses do not get the benefits.
- Though small business owners are now 'free' to make these unlimited political contributions, when it comes to political spending, small business owners on Main Street can't compete with big banks on Wall Street.

When local decision makers look at the facts on the ground, it's clear that Americans across the political spectrum are concerned about the impacts of the *Citizens United* on our democracy and our American way of life, and have a big opportunity to reach out – across the aisle or across town – to work with others to undo this ruling.

The people, through their elected representatives, should be in control of their own elections at all jurisdictions, whether federal, state or local government.

* Hart Research Associates Survey (12/2011 – 1/2012)

Dear Mayor Bogaard,

As you know, Citizens United is a 2010 Supreme Court ruling which has resulted in an unprecedented amount of money being spent on national and state elections. Of the \$7 billion spent on the 2012 elections, \$2.1 billion came from outside political committees, such as PACs and Super PACs.

As a result of Citizens United, outside money can also affect elections on the local level. Consider that in April 2012 the Super PAC "Committee for Oklahoma City Momentum" spent \$400,000 on four candidates running for the Oklahoma City Council; three of these four candidates won their campaigns.

In 2012 the Super PAC Durham Partnership for Progress, funded by developer Tyler Morris, spent \$54,000 promoting four candidates in the County Commissioners' elections. All four candidates were supporters of a controversial 167-acre, mixed-use project proposed by Morris' company, Southern Durham Development. Two were elected.

Please find enclosed the first installment of an information pack regarding Citizens United. We hope to be sending you additional information in the near future.

If you have any questions, please contact the Occupy Democracy Pasadena Leadership team at (626) 296-1607.

Sincerely,

The Occupy Democracy - Pasadena Leadership Team

How could Citizens United effect City Council members?

In April 2012 the Super PAC "Committee for Oklahoma City Momentum" spent \$400,000 on four candidates running for the Oklahoma City Council, three of these four candidates won their campaigns.

In 2012 the Super PAC Durham Partnership for Progress, funded by developer Tyler Morris, spent \$54,000 promoting four candidates in the County Commissioners' elections. All four candidates were supporters of a controversial 167-acre, mixed-use project proposed by Morris' company, Southern Durham Development. Two were elected.

The Citizens United ruling paved the way for corporations and unions to directly spend unlimited amounts of money in an attempt to influence an election. This is a bipartisan issue, as unlimited amounts of outside money could be used to support or defeat both Republican and Democrat public servants.

This new paradigm has been described as Wall Street vs Main Street.

Every person running for election, from council members to Senators, could be effected by the spending of tens of thousands and often hundreds of thousands of dollars. It's possible that some Super PACs may view spending money on local elections as more cost-effective than presidential or senatorial elections.

Furthermore, a poll conducted by the Brennan Center for Justice found that "one in four Americans are less likely to vote this year due to fears that candidates cater to the interests of Super PAC donors over the public interest."

What is Citizens United?

Citizens United v. Federal Election Commission was a 2010 case heard before the Supreme Court in which the Court held that the First Amendment prohibited the government from restricting independent political expenditures by unions and corporations.

The case was brought forward by the nonprofit group Citizens United who wanted to air Hillary: The Movie (which was critical of Hillary Clinton) and advertise the film during television broadcasts within 30 days of the 2008 Democratic primaries. The FEC maintained that airing this advertisement within 30 days of a primary was a violation of the 2002 Bipartisan Campaign Reform Act.

In a 5-4 decision, the Supreme Court held that portions of the Bipartisan Campaign Reform Act violated the First Amendment.

The Court then went one step further, and removed the ban on corporations and organizations using their treasury funds for direct advocacy. Although the ruling didn't remove the ban on corporations and unions donating directly to political campaigns, it did allow these entities to attempt to sway an election by airing ads endorsing or opposing a specific candidate. The ruling refers obsolete existing laws in 24 states which limited outside expenditures in state elections.

The Supreme Court's majority opinion argued that the government had no place in determining whether large expenditures distorted an audience's perceptions and that there was not sufficient evidence that the ruling would result in the risk of corruption or the appearance of corruption. A view that is not shared with 84% of American adults, according to a poll by Bannon Communications Research.


Senator Russ Feingold, a lead sponsor of the Bipartisan Campaign Reform Act, stated "This decision was a terrible mistake. Presented with a relatively narrow legal issue, the Supreme Court chose to roll back laws that have limited the role of corporate money in federal elections since Teddy Roosevelt was president."

What are Super PACs?

Prior to 2010 a provision of the Federal Election Campaign Act held that PACs could not accept corporate or union contributions or accept individual contributions in excess of \$5000. Although Citizens United did not touch on that provision directly, two months later the U.S. Court of Appeals for the District of Columbia Circuit heard *Speechnow.org v. Federal Election Commission*. This ruling held that in light of Citizens United there could no longer be restrictions on the sources and size of contributions to an "independent expenditure-only committee" in support of or opposition to a candidate.

Other points to consider

- A corporation can live forever and exist in several cities and countries at once. A person can be in one place at a time and cannot live forever. [SEP]
- The Citizens United ruling states that money equals speech. The result of this is that people who have money can speak, and people who don't, can't. A huge corporation with billions of dollars of revenue can have more speech than a neighborhood corner store. [SEP]
- The word corporation does not occur in the Constitution. And for the first seventy-five years after the Revolution, corporations were only permitted to exist if they served the public good.
 - The Boston Tea Party was not just an act of rebellion against King George, but also a protest against the huge corporation East India Company. Many of the Constitution's framers carried with them a distrust of corporations. [SEP]
 - Early American corporations were extremely restricted. For instance they had to be chartered by a vote of the state legislature, they could only exist for a set number of years, and they couldn't own property that wasn't essential to fulfilling their chartered

purpose. Corporations were also prohibited from making political contributions, direct or indirect. 

On local and state levels there has been bipartisan support for a constitutional amendment to overturn Citizens United. 11 states and by one account over 500 cities and councils have passed resolutions calling on Congress to overturn Citizens United. In California roughly 40 city councils have passed resolutions regarding Citizens United or corporate personhood, and range from the Redlands City Council to San Diego City Council.

Further Reading

http://www.campaignlegalcenter.org/index.php?option=com_content&view=article&id=1187:a-guide-to-the-current-rules-for-federal-elections&catid

<http://www.supremecourt.gov/opinions/09pdf/08-205.pdf>

http://www.nytimes.com/2010/01/22/us/politics/22donate.html?_r=0

[http://asbcouncil.org/sites/default/files/files/Business Case for Business for Democracy.pdf](http://asbcouncil.org/sites/default/files/files/Business_Case_for_Business_for_Democracy.pdf)

<http://www.brennancenter.org/press-release/poll-super-pacs-leave-americans-less-likely-vote>

<http://www.united4thepeople.org/local.html>

<http://www.demos.org/publication/10-ways-citizens-united-endangers-democracy>

113TH CONGRESS
1ST SESSION

H. J. RES. 31

Proposing an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate contributions and expenditures in political campaigns and to enact public financing systems for such campaigns.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2013

Mr. SCHIFF (for himself, Mr. CAPUANO, Mr. CICILLINE, Mr. FARR, Mr. GARAMENDI, Mr. HIMES, Ms. LEE of California, Mr. MICHAUD, Mr. MORAN, Ms. NORTON, Mr. WELCH, Mr. VAN HOLLEN, Mr. RUPPERSBERGER, Ms. MCCOLLUM, and Mr. RANGEL) introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate contributions and expenditures in political campaigns and to enact public financing systems for such campaigns.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled*
3 *(two-thirds of each House concurring therein),* That the fol-
4 lowing article is proposed as an amendment to the Con-
5 stitution of the United States, which shall be valid to all
6 intents and purposes as part of the Constitution when

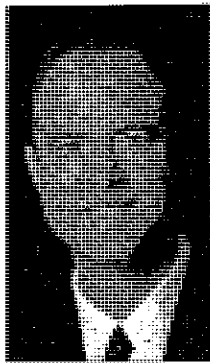
1 ratified by the legislatures of three-fourths of the several
2 States within seven years after the date of its submission
3 for ratification:

4 "ARTICLE —

5 "Nothing in this Constitution shall be construed to
6 forbid Congress or the States from imposing reasonable
7 content-neutral limitations on private campaign contribu-
8 tions or independent election expenditures, or from enact-
9 ing systems of public campaign financing, including those
10 designed to restrict the influence of private wealth by off-
11 setting campaign spending or independent expenditures
12 with increased public funding."

○

**From
Congressman
Adam B. Schiff...**



WASHINGTON UPDATE

Rep. Schiff Reintroduces Constitutional Amendment Permitting Regulation of Campaign Spending

Washington, DC — Rep. Adam Schiff ... reintroduced a constitutional amendment to overturn the Supreme Court's ill-considered opinion in *Citizens United*, and other Supreme Court precedent, which have made it impossible to regulate the billions in campaign spending unleashed over the last two decades. The amendment also overturns the Supreme Court decision *Arizona Free Enterprise Club's Freedom Club PAC v. Bennett*, which struck down an Arizona law that allowed public financing of a candidate if their opponent exceeded certain spending limits.

"With the growth of Super PACs this past cycle, it's clear that now more than ever we need real campaign finance reform," said Rep. Schiff. "As a result of the Supreme Court's artificial distinction between contributions to a candidate and direct expenditures that have the same effect, Super PACs and anonymous donors are the norm rather than the exception. My amendment is simple — it would allow Congress to set reasonable limits, and allow states to set up public financing for candidates, if they choose to do so.

"I have always been loathe to amend the constitution, but the tragic line of decisions by the Supreme Court has severely threatened the

very health of our democracy. Something must be done, and we must overturn *Citizens United*."

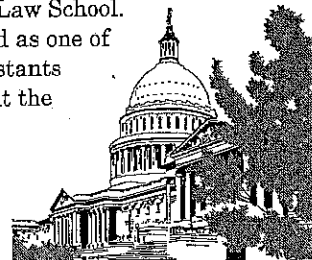
Schiff drafted the legislation last year with Harvard Law Professor Laurence H. Tribe, and pushed to hold hearings on his amendment and others. He was joined today by Michael Capuano, David Cicilline, Sam Farr, John Garamendi, Jim Himes, Barbara Lee, Betty McCollum, Michael Michaud, Jerry Moran, Eleanor Holmes Norton, Charles Rangel, C.A. Dutch Ruppersberger, Chris Van Hollen, and Peter Welch.

The amendment provides simply: "Nothing in this Constitution shall be construed to forbid Congress or the States from imposing reasonable content-neutral limitations on private campaign contributions or independent election expenditures, or from enacting systems of public campaign financing, including those designed to restrict the influence of private wealth by offsetting campaign spending or independent expenditures with increased public funding."

Schiff is no stranger to campaign finance reform. Elected in 2000, after the most expensive race for the House in history at the time, he became a cosponsor of the bipartisan McCain-Feingold bipartisan campaign finance reform law on his first day in Congress. *Citizens United* helped overturn critical parts of that and other campaign finance laws.

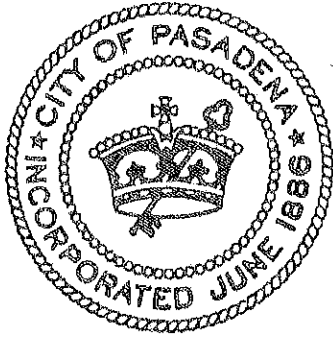
Laurence H. Tribe is the Carl M. Loeb University Professor and Professor of Constitutional Law at Harvard Law School.

Rep. Schiff served as one of his research assistants while a student at the law school in the mid-1980s.



NEW BUSINESS

4B. City Council Field Representatives*



Agenda Report

August 5, 2013

TO: Honorable Mayor and City Council
THROUGH: Legislative Policy Committee (July 24, 2013)
FROM: Department of Human Resources
SUBJECT: CITY COUNCIL FIELD REPRESENTATIVES

RECOMMENDATION:

It is recommended that the City Council amend the non-represented salary resolution to include the position of Field Representative and establish terms and conditions of employment via an employment contract. It is recommended that we make the transition from outsourcing to employment as soon as administratively possible.

BACKGROUND:

The City contracts with Oasis Outsourcing for Field Representatives who work in the City Council districts as liaisons between Councilmembers, the community, and the City. Staff was requested to review the current Field Representative arrangement and explore the issues and an implementation process to transition to an employment based arrangement. Staff has met with the Field Representatives to obtain input, discuss issues, and share the potential structure of the employment agreement.

The City's agreement with Oasis Outsourcing provides that the City pay for the costs of the employment of Field Representatives along with an administrative fee. Those costs include salary, a benefit allowance, Medicare, social security, unemployment insurance and worker's compensation insurance. Attachment 2 provides an overview of the City's costs under the current structure.

During the recent budget discussions, members of the City Council requested information about other public agencies employing field representatives (or something similar) and requested a review of issues to be considered should the City Council wish to transition the Field Representatives to City employment.

Attachment 1 is a survey of public agencies. The survey identifies agencies that responded to the request for information by indicating if they have a Field Representative or similar position, and if so, they identified a brief description. Several agencies did not respond to our request for information.

Discussion:

Staff has reviewed three alternatives in considering its recommendation.

1. Continue outsourcing the employment arrangement with a vendor such as Oasis Outsourcing.
2. Employee Field Representatives as independent contractors. In order to establish an independent contractor relationship, we reviewed the IRS guidelines and determined that the relationship between the City and the Field Representative does not meet the requirements for being an independent contractor. A key consideration in reviewing this option is that under an independent contractor relationship, participation of Field Representatives in our medical, dental and retirement system would be precluded. Staff believe that the independent contractor scenario is not feasible based on the manner in which we interface with the Field Representatives.
3. Establish an employment relationship with Field Representatives. Employment provides the opportunity to control costs and improve benefits to the Field Representatives by establishing access to medical, dental and vision care coverage along with retirement benefits. Staff believes this is the most fiscally prudent course of action and aligns with the objective to continue to have Field Representatives serve Councilmembers in their respective districts to benefit the community.

The City Council expressed concern regarding the autonomous nature of the current Field Representatives. In meeting with the Field Representatives, this issue was discussed. The general consensus is that many (if not most) of the community already regard the Field Representatives as City employees. The Field Representatives have offices in City Hall, are contacted by the public through City e-mail, and are often identified as City representatives when interacting with the community. To address the issue of autonomy, staff suggests that if employed by the City, the Field Representatives be hired through the City Clerk's Office and have the City Clerk serve as the official supervisor of the employees. Functionally, however, each Field Representative would be assigned to a Councilmember and the Councilmember would direct all performance expectations, assignments, and evaluation of performance.

To establish the Field Representatives as employees, staff recommends that they be hired under at-will employment contracts which would identify all terms and conditions of employment. As at-will employees, the City may hire and terminate employment at its sole discretion. Here are some policy items to be considered with respect to at-will employment:

A. Recruitment & Selection Process

Currently, Councilmembers utilize any process they so choose to recruit and select their designated Field Representative. That can continue or the City can provide recruitment and selection assistance through Human Resources. Either way, one change that would need to occur would be the requirement that applicants complete a City job application. All City employees undergo a background process which includes employment/education verification, Department of Justice fingerprint screening, reference checking, Department of Motor Vehicle clearance, and a post offer pre-employment physical. Existing Field Representatives are recommended to be hired without a new background process. A determination would need to be made on the background process to be used prospectively for newly hired individuals for this position. A draft job description is attached for review and consideration. (Attachment 3)

B. Compensation & Benefits

Field Representatives would be provided a salary, a benefit allowance, enrollment in CalPERS retirement, and Medicare. Staff recommends that Field Representatives not be eligible for any other benefit or pay type (i.e. bilingual pay, tuition reimbursement, etc.) and that Field Representatives not be tied to any other City classification. As employees, Field Representative would be eligible to enroll in medical, dental, vision, and deferred compensation plans, as well as the Section 125 medical and dependent reimbursement program. Modifications to compensation and benefits would be addressed through amendments to the at-will employment agreement. Attachment 2 provides an overview of anticipated employment costs.

C. Hours of Work

Field Representatives currently are identified as working thirty (30) or more hours per week. However, they regularly work irregular hours including evenings and weekends and it is recommended that the hours of work performed be based on the expectations of the supervising Councilmember. Currently, Field Representatives are designated as exempt under the Fair Labor Standards Act (FLSA). Staff recommends that as City employees they would continue to be exempt pursuant to the administrative exemption under the FLSA. Compensation for the position would be on a salary basis which would take the annual salary and pay it in twenty-six bi-weekly payments regardless of the actual hours of work performed. Field Representatives would not be compensated additional pay for holidays, nor would they accrue vacation, sick leave, compensatory time off or any other form of leave.

D. Other Employment Issues

As City employees, Field Representatives would be covered by worker's compensation and would be eligible for any statutorily protected leave including the California Family Rights Act and Family Medical Leave Act. Field Representatives would be expected to participate in mandatory training including ethics training, preventing sexual harassment and any other program required of all city employees. The position would likely need to comply with the Fair Political Practices Commission and may need to be included in the City's adopted conflict of interest code. As employees, Field Representatives would need to follow the policy regarding the political activities of public employees which does not permit employees to engage in political activity while also acting in their capacity as an employee.

E. At-will Employment Contract

Attached is a draft at-will employment contract (Attachment 4). Pursuant to the City Charter, all employees work for the City Manager, City Attorney, or City Clerk. Staff recommends that each Field Representative be hired under an at-will employment contract between the City Clerk and the employee. The City Clerk would provide general oversight to the Field Representatives and each Field Representative would be selected by a Councilmember and the Councilmember would provide direct supervision of the Field Representative. It is recommended that amendments to Field Representative employment agreements be handled through closed session labor negotiations with approval of contract changes to be done in a regular City Council meeting with majority approval of the agreements being necessary to make changes.

COUNCIL POLICY CONSIDERATION:

These amendments to employment agreements support the City Council's strategic goal to maintain fiscal responsibility and stability.

FISCAL IMPACT:

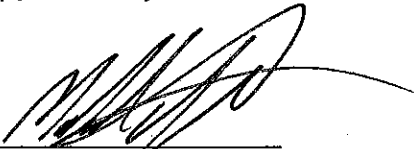
The current cost of the Field Representative is approximately \$630,695 per fiscal year. Staff recommends the compensation and benefit allowance be nominally increased to a flat monthly amount. The proposed cost to hire Field Representatives as City employees would be approximately \$634,811. There are sufficient funds to absorb the nominal increased cost in the City Council budget.

Respectfully submitted,



Kristi Recchia
Director of Human Resources

Approved by:



MICHAEL J. BECK
City Manager

ATTACHMENTS:

1. Field Representative Survey
2. Field Representative Costs
3. Job Description
4. At-Will Employment Contract

Field Representative Survey

Agency	YES	NO	No Response	Title	Employee or Contract?
Aliso Viejo		x			
Anaheim	x			Senior Policy Aide City Council Aide I City Council Aide II	at-will, Part-time, no property rights/benefits, employed for the term of the Mayor or Councilmember that hires the Aide
Arcadia		x			
Brea	x			Executive Assistant	Full time Employee. One Executive Assistant works for the City Manager AND all 5 Council members
Buena Park		x			
Burbank		x			
Costa Mesa			x		
Culver City			x		
Cypress		x			The CM's Executive Asst will schedule meetings or mail documents for the 5 Council members on occasion, but the Executive Asst to the CM position is currently vacant and frozen for budgetary savings
Dana Point		x			
Downey			x		
Fountain Valley		x			Eliminated this position during budget cuts a few years back. CM's Executive Secretary now provides administrative assistance to CM and 5 Council members
Fullerton			x		
Garden Grove	x				1 FT regular EE - Principal Office Assistant to assist whole Council
Glendale		x			
Glendora		x			CM's Executive Secretary assists all Council members as well
Huntington Beach			x		
Inglewood	x			Asst. to City Council	At-will, no benefits
Irvine	x			P/T Council Exec Assistant IV	At-will, non-benefited employee, in CM's Office, assigned to Mayor or a Council member, PARS
La Palma			x		
Laguna Beach			x		
Lake Forest			x		
Long Beach	x			Chief of Staff - Council	At-Will employee

Agency	YES	NO	No Response	Title	Employee or Contract?
Los Alamitos			x		
Los Angeles	x			Council Aide	At-will of Council member, regular FT City employee, full benefits. 20 to 30 Council Aides per Council member.
Mission Viejo		x			
Newport Beach		x			
Orange		x			
Placentia			x		
Pomona	x			Administrative Assistant III	FT, regular employee, full benefits. 1 Assistant for the entire Council to share.
Rancho Santa Margarita			x		
Riverside	x			Council Assistant	At Will employee, fully benefited
San Clemente			x		
Santa Ana	x			Executive Assistant	1 FT, fully benefited Executive Assistant per 2 Council members. The CM's Executive Assistant also assists the Mayor
Santa Monica		x			
Seal Beach			x		
Stanton			x		
Torrance		x			
Tustin			x		
Westminster			x		
Yorba Linda			x		

Current Field Representative Costs under contract with Oasis Outsourcing

Employer Costs								
Positions (8)	Current Monthly Salary	Current Benefit Allowance	Medicare ER 1.45%	Social Security 6.2%	Unemployment 6.2%	Worker's Comp 1.8%	Admin Fee to Oasis 6.5%	Total Comp
	\$ 4,461.42	\$ 1,120.11	\$ 64.69	\$ 276.61	\$ 276.61	\$ 80.31	\$ 289.99	\$ 6,569.73
ANNUAL COST	\$ 428,296.32	\$ 107,530.56	\$ 6,210.30	\$ 26,554.37	\$ 26,554.37	\$ 7,709.33	\$ 27,839.26	\$ 630,694.51

Estimated Field Representative Costs under City Employment

Employer Costs							
Positions (8)	Proposed Monthly Salary	Proposed Monthly Benefit Allowance	Medicare ER 1.45%	PERS ER - FY 14 = 17.337%	Gen. Liability (Budgeted at .76%)	WC Costs (2.4% of budgeted salary)	Total Comp (monthly)
	\$ 4,500.00	\$ 1,125.00	\$ 65.25	\$ 780.17	\$ 34.20	\$ 108.00	\$ 6,612.62
ANNUAL COST	\$ 432,000.00	\$ 108,000.00	\$ 6,264.00	\$ 74,895.84	\$ 3,283.20	\$ 10,368.00	\$ 634,811.04



CITY OF PASADENA

Field Representative

Class Code: _____

Established date: _____

Revision date: _____

GENERAL PURPOSE

Under the administrative direction of the City Clerk, the Field Representative serves as a representative of a designated City Council Member and as liaison between the City Council Member and constituents within the designated district; and performs related responsibilities as necessary.

DISTINGUISHING CHARACTERISTICS

The Field Representative is an at-will position hired under an employment agreement by the City Clerk and assigned to provide service directly to one of seven City Council Members or the Mayor; represents the Mayor/Council Member and serves as the Mayor/Council Member's liaison to the represented district. The Field Representative maintains productive communication with other City Council offices and City departments.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to this class.

1. Serves as the liaison between the Mayor/City Council Member and community within the district; documents complaints/concerns and provides advice and assistance to individuals and groups; may refer issues to the City staff for further review or follow-up.
2. Schedules and/or attends a variety of community, business and neighborhood meetings as the Mayor/Council Member's representative; makes presentations and provides input on current issues to keep the public informed of programs, accomplishments, or points of view; solicits and receives input from individuals and ensures that the Mayor/Council Member is apprised of community thoughts, opinions and recommendations; keeps abreast of city and community issues, projects, programs and services to enhance public awareness and community input.
3. Reviews incoming mail and responds where appropriate; maintains a variety of files for ready access; prepares correspondence, reports, flyers, fact sheets, publications and information bulletins using a computer.
4. Researches issues in conjunction with City staff or other available resources; develops ideas, strategies and recommendations to address issues.
5. Schedules appointments and public presentations for the Mayor/Council Member; may brief Mayor/Council Member on current issues and provide supplemental information for review; ensures that logistical arrangements are satisfactory.

MINIMUM QUALIFICATIONS

Education, Training and Experience:

Any combination of education and/or experience which provides the knowledge, skills and abilities for acceptable job performance such as: two years' experience with neighborhood, community and business organizations in the Pasadena community. A Bachelor's degree is preferred.

Licenses; Certificates; Special Requirements:

A valid California Class C driver's license.

Knowledge of:

1. The Pasadena community; the City of Pasadena governmental structure, services and programs; current issues and concerns of the Pasadena community.

Ability to:

1. Effectively communicate, listen, understand, and be sensitive to community issues and concerns;
2. Maintain effective public relations with officials, employees, and the public;
3. Work effectively with multiple projects in a fast-paced and political environment;
4. Identify, address and resolve problems and conflict amongst individuals and groups who have diverse and varying opinions and concerns; and
5. Prepare a variety of correspondence, records and charts using a computer.

PHYSICAL AND MENTAL DEMANDS

The physical and mental demands described here are representative of those that must be met by employees to successfully perform the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Physical Demands

While performing the duties of this job, the employee is regularly required to sit, walk and stand; talk or hear; specific vision abilities required for this job include close vision, distance vision, use of both eyes, depth perception, color vision and the ability to adjust focus.

Mental Demands

While performing the duties of this class, an employee uses written and oral communication skills; reads and interprets data, information and documents; analyzes and solves problems; and interacts with others encountered in the course of work.

WORK ENVIRONMENT

This is an at-will position and the incumbent serves at the pleasure of the City Clerk. The incumbent may be required to work a varied work schedule which includes evenings and weekends.

FLSA Designation:	Exempt
EEO Category:	Professionals
Bargaining Unit:	At-Will Unrepresented
Probationary Period:	N/A

**AT-WILL EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF PASADENA
AND
NAME**

THIS AGREEMENT is between the City of Pasadena ("City") and NAME ("Employee").

Recitals

City desires to employ Employee as an at-will employee in the position of Field Representative. Employee desires to be the Field Representative for District # and acknowledges that such employment is at-will.

The City Clerk, pursuant to the authority granted by the City of Pasadena Charter and City Council, agrees to hire employee, as an at-will employee, subject to the terms and conditions identified below.

AGREEMENT

Section 1: TERM

The term of this Agreement shall be DATE, until terminated by either party. Employee is an at-will employee and may be terminated, with or without cause, and with or without notice, at any time by the City Clerk. Employee may resign at any time. This Agreement shall be reviewed during Employee's annual evaluation process.

Section 2: DUTIES

A. City engages Employee as the Field Representative to perform the functions and duties specified in the job description for the position (Attachment "A") as the same may be modified by the City Clerk or Councilmember NAME, from time to time, and to perform such other legally permissible and proper duties and functions as the City Clerk or Councilmember NAME shall, from time to time, assign. Employee will receive direction and performance expectations by COUNCILMEMBER NAME.

B. Employee agrees that to the best of his/her ability and experience that he/she will at all times conscientiously perform the duties and obligations required, either express or implied, by the terms of this Agreement, the ordinances, resolutions and adopted policies of the City of Pasadena and the laws and regulations of the State of California and the United States.

C. As a public employee, Employee is required to work pursuant to the established work schedule as determined by Councilmember Name, and devote whatever time is necessary to fulfill the employment responsibilities and duties as identified in this Agreement.

D. During the term of this Agreement, Employee is required to have and maintain a valid California Driver's license.

E. Employee acknowledges that in connection with the performance of his/her duties,

he/she may obtain information from City employees and third parties that is of a confidential nature. Employee agrees that he/she will not disclose such confidential information other than to officers and employees of the City who have been authorized to have access to such information. Employee further agrees that if he/she has a question as to the confidentiality of information obtained in the course of his/her employment, she will contact the City Clerk or City Councilmember for advice prior to disclosure.

Section 3: **COMPENSATION**

As compensation for the services to be rendered by Employee, City agrees to pay Employee a starting salary of fifty-four thousand dollars (\$54,000) per year payable in twenty-six (26) biweekly installments at the same time as other employees of the City are paid and subject to customary withholdings. This position is designated as exempt by the Fair Labor Standards Act (FLSA) and not subject to overtime provisions. Increases, if any, in Employee's salary during the term of this Agreement, shall be at the sole discretion of the City Clerk based upon the Councilmember Name's evaluation of Employee's job performance and recommended increase subject to City Council approval.

Section 4: **BENEFITS**

A. Employee will be provided a benefit allowance of one thousand one hundred twenty-five dollars (\$1,125) per month which can be used to offset medical insurance, dental insurance, and vision care premiums. Should the allowance exceed the cost of the premiums, the remaining balance will be contributed to a deferred compensation account or received as cash at the Employee's discretion.

B. **Retirement**

Employee will be enrolled in the CalPERS retirement system as a Miscellaneous employee and shall pay either the member contribution as a classic or ½ the total normal cost as a new member as applicable to his/her enrollment in the CalPERS system.

C. **Other Benefits and Leaves of Absence**

Employee is not eligible for any other benefit, type of compensation, holiday pay, or accrual of leaves (vacation and/or sick) in conjunction with employment, unless specifically altered by an amendment to this Agreement.

Section 5: **TERMINATION**

A. Employee is an at-will employee and serves at the will and pleasure of the City Clerk and may be terminated at any time with or without cause upon recommendation of Councilmember NAME.

Section 6: **RESIGNATION / RETIREMENT**

Employee may resign at any time, provided Employee provides thirty (30) calendar days advance written notice of the effective date of his/her resignation. Employee may retire, provided he/she is eligible for retirement, at any time, provided Employee provides thirty (30) calendar days advance written notice of the effective date of his/her retirement.

Section 7: **GENERAL PROVISIONS**

A. **Notice**

Any notices required by this Agreement shall be in writing and either delivered in person or by first class, certified, return receipt requested US Mail with postage prepaid. Such notice shall be addressed as follows:

TO CITY:

City Clerk
City of Pasadena
100 N. Garfield Avenue
Pasadena CA 91109

TO EMPLOYEE:

NAME
Address
City, CA ZIP

B. **Entire Agreement**

The text of this Agreement shall constitute the entire and exclusive agreement between the parties. All prior oral or written communications, understanding or agreements between the parties, not set forth herein, shall be superseded in total by this Agreement. No Amendment or modification to this Agreement may be made except by a written agreement signed by the Employee and the City Clerk and approved as to form by the City Attorney.

C. **Assignment**

This Agreement is not assignable by either the City or Employee.

D. **Severability**

In the event that any provision of this Agreement is finally held or determined to be illegal or void by a court having jurisdiction over the parties, the remainder of this Agreement shall remain in full force and effect unless the parts found to be void are wholly inseparable from the remaining portions of this Agreement.

E. Effect of Waiver

The failure of either party to insist on strict compliance with any of the terms, covenants, or conditions in this Agreement by the other party shall not be deemed a waiver of that term, covenant or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other time or times.

F. Jurisdiction

Any action to interpret or enforce the terms of this Agreement shall be held exclusively in a state court in Los Angeles County, California. Employee expressly waives any right to remove any such action from Los Angeles County.

G. Effective Date

This Agreement shall not become effective until it has been signed by Employee, and approved by the City Clerk.

IN WITNESS WHEREOF, the City of Pasadena has caused this Agreement to be signed and executed in its behalf by its City Clerk, and executed by Employee.

CITY OF PASADENA, a charter city and Municipal corporation

By: _____
Mark Jomsky, City Clerk

Dated:

Approved as to form:

By: _____
Lesley Cheung, Deputy City Attorney

In signing this Agreement, Employee understands and agrees that his/her employment status is that of an at-will employee and that his/her rights to employment with the City are governed by the terms and conditions of this Agreement rather than the ordinances, resolutions, and policies of the City of Pasadena which might otherwise apply to employees of the City. Employee further acknowledges that he/she was given the opportunity to consult with an attorney prior to signing this Agreement.

Signed:

Employee Name

Dated: _____

ATTACHMENT A- Job Description

NEW BUSINESS

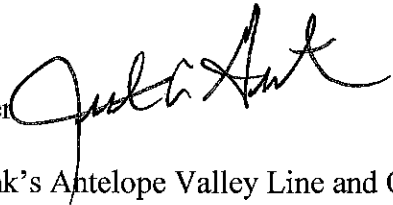
- 4C. Metrolink's Antelope Valley Line and Orange County Line
"one-seat" Connection*



OFFICE OF THE CITY MANAGER

July 24, 2013

TO: Legislative Policy Committee

FROM: Julie A. Gutierrez, Assistant City Manager 

SUBJECT: Support for Connection between Metrolink's Antelope Valley Line and Orange County Line

Attached is a copy of a letter which the City Manager received from the Burbank-Glendale-Pasadena Airport Authority. It is being presented to the Legislative Policy Committee to decide if Pasadena should join the Authority in supporting the Connection between Metrolink's Antelope Valley Line and Orange County Line to provide a "one-seat" connection between these two Southern California regional centers.



June 3, 2013

Mr. Patrick Morris
Chairman, Board of Directors
Southern California Regional Rail Authority
One Gateway Plaza, 12th Floor
Los Angeles, CA 90012

Dear Chairman Morris:

On behalf of the Burbank-Glendale-Pasadena Airport Authority (Authority), owner and operator of the Bob Hope Airport ("Airport"), I am writing to encourage the Southern California Regional Rail Authority ("SCRRA") to improve the connection between Metrolink's Antelope Valley Line and Orange County Line to provide a "one-seat" connection between these two Southern California regional centers, including enhanced weekend operations and service. This request is being made within the context of a broader action-oriented partnership that the Authority is developing with SCRRA for the purpose of enhancing the use of public transit facilities by Airport passengers. For example, Airport management recently met with Mr. Michael DePallo and members of his staff to identify joint initiatives to improve passenger rail service in the Antelope Valley Line corridor. This partnership is particularly important and timely as the I-5 corridor freeway construction program intensifies in future months and years. Improving Metrolink service along the Antelope Valley Line should be an essential element of an urgently needed I-5 construction mitigation plan and program.

As you may be aware, the Authority is in the process of developing a comprehensive ground access plan and program benefiting both aviation and rail passengers. The Authority believes that it is important to provide a convenient "train-to-plane" connection to the regional transportation system. The cornerstone of this approach is the Authority's ongoing construction of a \$112 million Regional Intermodal Transportation Center ("RITC"). The RITC is located across the street from the existing Bob Hope Airport Train Station (Station), operating within the LOSSAN corridor (serving both Metrolink and Amtrak) and is scheduled to open in summer 2014. We believe the RITC will serve as a catalyst to provide further connectivity between the Station and the Airport, including enhanced pedestrian access and safety, along with improved parking.

Mr. Patrick Morris

June 3, 2013

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In conclusion, we join with the City of Burbank, the City of Santa Clarita and other interested parties in support for improving the connection between the Antelope Valley Line and Orange County Line to provide a "one-seat" connection between these two Southern California regional centers, including enhanced weekend operations and service.

Thank you very much for your consideration.

Sincerely,



Susan Georgino, Vice President
Burbank-Glendale-Pasadena Airport Authority

cc: Metro Board Members
Michael Antonovich, Metro Board Chair
Metrolink Board
City Managers of the Cities of Burbank,
Glendale and Pasadena
Mayor, City of Santa Clarita
Mike Kodama, OLDA/Eco Rapid Transit
Paul Dyson, President, Rail Passengers Association of
California (RailPAC)