



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: May 20, 2024

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 4, CHAPTER 4.100 OF THE PASADENA MUNICIPAL CODE TO REFLECT THE MARCH 2024 CHARTER AMENDMENT PERTAINING TO ANNUAL LIGHT AND POWER FUND TRANSFER

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 4, CHAPTER 4.100 OF THE PASADENA MUNICIPAL CODE TO REFLECT THE MARCH 2024 CHARTER AMENDMENT PERTAINING TO ANNUAL LIGHT AND POWER FUND TRANSFER

PURPOSE OF ORDINANCE

As directed by the City Council on May 6, 2024, this ordinance amends language in the Municipal Code pertaining to the Light & Power Fund transfer. Such language needs revision because Section 1408 of the Charter, which also discusses the transfer, was amended by Pasadena voters in March 2024.

REASON WHY LEGISLATION IS NEEDED

The March 2024 Charter amendment removed the requirement to calculate "net income" for the annual Light & Power Fund transfer, as net income is no longer used in Generally Accepted Accounting Practices. The Municipal Code should be amended to also remove references to net income.

06/03/2024

MEETING OF ~~05/20/2024~~

AGENDA ITEM NO. ~~22~~ 15

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Finance Department will implement this ordinance.

FISCAL IMPACT

There is no direct fiscal impact as a result of this ordinance.

ENVIRONMENTAL DETERMINATION

On May 6, 2024, the Council found that this ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the "Common Sense" exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:



Javan N. Rad
Chief Assistant City Attorney

Concurred by:



MIGUEL MÁRQUEZ
City Manager

Introduced by _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 4, CHAPTER 4.100 OF THE PASADENA MUNICIPAL CODE TO REFLECT THE MARCH 2024 CHARTER AMENDMENT PERTAINING TO ANNUAL LIGHT AND POWER FUND TRANSFER

The People of the City of Pasadena ordain as follows:

SECTION 1. Pasadena Municipal Code Title 4, Chapter 4.100, Section 4.100.010, subdivision (B) is deleted in its entirety, and subdivision (C) is re-alphabetized as subdivision (B), as below:

~~“B. Actual net income” means the net income from power utility operations as shown on the accounting records of the power division.~~

B. “Annual gross electric retail income” means ...”

SECTION 2. Pasadena Municipal Code Title 4, Chapter 4.100, Section 4.100.020 is amended as follows:

“The maximum aggregate amount available for transfer pursuant to Section 1408 of the City Charter from the light and power fund to the general fund shall be calculated by multiplying the annual gross electric retail income by 12 percent ~~and comparing the amount so calculated to the actual year’s actual net income.~~ The city council shall transfer such amount by resolution transfer. Notwithstanding the foregoing, the city council may transfer an amount other than 12 percent by resolution if it determines that it would not be detrimental to the functioning and administration of the power utility during the budget year under consideration.”

SECTION 3. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 4. This ordinance shall take effect upon publication.

Signed and approved this _____ day of June, 2024.

Victor M. Gordo
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of June, 2024, by the following vote:

AYES:

NOES:

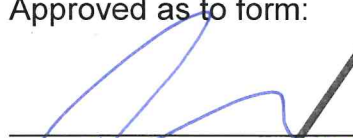
ABSENT:

ABSTAIN:

Date Published:

Mark Jomsky
City Clerk

Approved as to form:



Javan N. Rad
Chief Assistant City Attorney