

# Ordinance Fact Sheet

TO:

CITY COUNCIL

DATE:

**APRIL 9, 2007** 

FROM:

**CITY ATTORNEY** 

SUBJECT: REPEAL OF

REPEAL OF THE URGENCY ORDINANCE TEMPORARILY

ADOPTING A BUILDING MORATORIUM IN THE B-7 ELECTRIC

**CIRCUIT AREA** 

## TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA REPEALING THE INTERIM URGENCY ORDINANCE TEMPORARILY PROHIBITING THE ISSUANCE OF BUILDING, MECHANICAL, AND ELECTRICAL PERMITS IN THE B-7 ELECTRIC CIRCUIT AREA OF THE CITY

### **PURPOSE OF ORDINANCE**

This ordinance repeals the moratorium approved by Council on August 7, 2006. That ordinance imposed a moratorium on new electrical service connections, or upgrades of existing service, and any associated Certificates of Occupancy or final building permit sign-offs which could have lead to the demand for new or increased electrical service from the B-7 electrical circuit.

#### REASON WHY LEGISLATION IS NEEDED

The urgency ordinance adopted on August 7, 2006, could have been in effect for up to 10 months and 15 days. Council directed staff to return as early as possible to repeal the ordinance if a solution to the electrical supply issue could be found in a shorter period. As set forth in the staff report submitted this same date, PWP has designed and installed a small substation and transferred a portion of B-7 loads to a new substation and a new circuit. This ordinance to repeal the urgency ordinance will accomplish Council's objective of lifting the moratorium at the earliest time possible.

MEETING OF 04/09/2007

AGENDA ITEM NO. 9.A.1.

## PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

PWP will implement the engineering solution developed to solve the electrical distribution issue. The Planning and Development Department may now process, and issue, all development permits sought in the B-7 circuit area.

#### FISCAL IMPACT

There will not be an immediate fiscal impact as a result of the cancellation of the temporary moratorium. PWP staff will report on the fiscal impact of the engineering solution developed to solve the electrical supply issue.

## **ENVIRONMENTAL DETERMINATION**

This ordinance is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15060(c)(2) because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to State CEQA Guidelines Section 15262, because the ordinance involves only feasibility or planning studies for possible future actions which the City has not approved, adopted or funded, and does not involve adoption of a plan that will have a legally binding effect on later activities.

Respectfully submitted,

Michele Beal Bagneris City Attorney

Prepared by:

Theresa E. Fuentes
Deputy City Attorney

Concurred by:

City Manager

Urgency ordinance cancellation fact sheet

introduced by: _	
	ORDINANCE NO.

AN ORDINANCE OF THE CITY OF PASADENA REPEALING ORDINANCE NO. 7059, THE INTERIM URGENCY ORDINANCE TEMPORARILY PROHIBITING THE ISSUANCE OF BUILDING, MECHANICAL, AND ELECTRICAL PERMITS IN THE B-7 ELECTRIC CIRCUIT AREA OF THE CITY

WHEREAS, on June 26, 2006, the City Council adopted an Interim Urgency Ordinance of the City of Pasadena Temporarily Prohibiting the Issuance of Building, Mechanical, and Electrical Permits in the B-7 Circuit Area of the City; and

WHEREAS, on August 7, 2006, the City adopted an Extension of the Interim Urgency
Ordinance of the City of Pasadena Temporarily Prohibiting the Issuance of Building, Mechanical, and
Electrical Permits in the B-7 Circuit Area of the City, which extended the moratorium for an additional
ten months and 15 days from August 7, 2006; and

WHEREAS, the need for the moratorium arose out of the Water and Power Department's conclusion that further addition of new electrical loads in the form of new construction, or renovations and upgrades to current structures, could jeopardize the integrity of the B-7 circuit and cause outages and unreliable electrical service in the area; and

WHEREAS, during the effective period of the moratorium, the Water and Power Department continued its analysis of the electrical distribution system, and in particular the B-7 circuit, and implemented a solution, as set forth in the staff report submitted herewith; and

WHEREAS, the City now desires to repeal the moratorium prior to its previously set cancellation date.

NOW THEREFORE, the People of the City of Pasadena ordain as follows:

**SECTION 1.** Ordinance No. 7059, the Interim Urgency Ordinance of the City of Pasadena Temporarily Prohibiting the Issuance of Building, Mechanical, and Electrical Permits in the B-7 Circuit Area of the City, is hereby repealed.

**SECTION 2.** The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full.

**SECTION 3.** This ordinance shall take effect upon publication.

Signed and approved this day of	, 2007.
	Bill Bogaard Mayor of the City of Pasadena
I HEREBY CERTIFY that the foregoing ordinance Pasadena at its meeting held thisday of	
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
Date Published:	
Approved as to form:	Jane L. Rodriguez, CMC City Clerk

Theresa E. Fuentes

Deputy City Attorney

TEF Ordinances/Resolutions: Urgency ordinance extension -- CANCELLATION