



OFFICE OF THE CITY MANAGER

DATE: OCTOBER 27, 2008
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: SUMMARY OF CITY COUNCIL POSITIONS ON MEASURES ON
NOVEMBER 4, 2008 BALLOT

The following is a summary of the positions the City Council has taken on four measures which have been placed on the November 4, 2008 Ballot.

A. Opposition to Proposition 7 – Solar and Clean Energy Initiative

Proposition 7, the Solar and Clean Energy Initiative, proposes certain mandates on California's electric utilities which will negatively impact Pasadena Water and Power's (PWP) electric operations and pose significant financial implications/challenges for PWP and Pasadena ratepayers. State law (SB 1078 adopted in 2003) currently allows the governing board (i.e. City Council) of a Publicly Owned Utility (POU) to implement and enforce its own Renewal Portfolio Standards (RPS). On October 13, 2003, the City Council approved a 10% increase in PWP's RPS by 2010 and a 20% increase by 2017. The RPS will also be reviewed as part of the Integrated Resource Plan now underway and options for revising PWP's RPS will be included in the plan's recommendation.

Proposition 7 will eliminate the ability of the Pasadena community to decide the timing and cost impacts associated with the "greening" of its energy portfolio. This measure violates the City's legislative principle of preserving local control of the City's utility to the City Council by making POU's subject to the jurisdiction of the California Energy Commission (CEC) and the California Public Utilities Commission (CPUC).

On July 28, 2008, City Council approved opposition to Proposition 7.

B. Opposition to Proposition 5 – Nonviolent Offender Rehabilitation Act

Proposition 5, Nonviolent Offender Rehabilitation Act of 2008 would mandate criminal offenders who reasonably claim that their crimes are caused by substance addiction to probation programs instead of incarceration. However, it appears that there are exceptional loopholes that

will allow numerous felons to get out of jail on the guise of drug diversion programs no matter how extensive or violent their past criminal record. According to the Los Angeles District Attorney's Office, nearly 80% of the felony cases they review for prosecution would be subject to Proposition 5, potentially leaving numerous known felons on the streets. The Legislative Analyst's Office has also indicated that the cost of Proposition 5 could exceed \$1 billion a year.

On September 22, 2008, City Council approved opposition to Proposition 5.

C. Support of Proposition TT – Pasadena, Altadena, Sierra Madre School Improvement Bond

Proposition TT, the Pasadena, Altadena, Sierra Madre School Improvement Bond would allow the Pasadena Unified School District (District) to authorize up to \$350 million of General Obligation Bonds for the construction, reconstruction, rehabilitation or replacement of school facilities to ensure 1) all District students have equal access to high quality learning facilities and recreation areas, 2) all school campuses are safe, secure, fully compliant with state and local health code regulations, and fully accessible to individuals with disabilities, 3) all students, teachers, and administrators have access to the information technology and computer systems required to succeed and 4) water and energy savings are generated throughout the District.

Most PUSD schools are over 70 years old, and in 1997 the District had a total need of \$720 million in required facilities investments, when a similar proposition (Measure Y) which generated \$240 million was passed. However, a significant portion of the needed improvements were not funded, and in 2007 an independent assessment identified a remaining need for \$540-750 million in capital improvements throughout the District.

On September 22, 2008, City Council passed Resolution No. 8892 in support of Proposition TT.

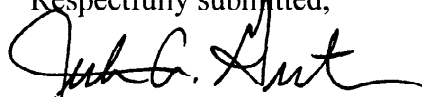
D. Support of California Voters First Initiative

The California Voters First Initiative proposes that the State of California establish an independent commission to ensure equitable representation of California's diversity and partisan balance and geography, for all future redistricting. This Commission would draw the boundary lines for the State Senate, Assembly and Board of Equalization districts.

Citizens expressed to City Council their believe that the current redistricting process creates a conflict of interest because state legislators are effectively choosing their own constituents and the boundaries of state districts as currently drawn by legislative incumbents often sacrifice the integrity of neighborhoods and cities. Consequently, important principles such as the protections of the federal Voting Rights Act of 1965 and respect for neighborhoods and cities are in jeopardy unless the redistricting process is conducted in an open manner with real opportunities for public dialogue and feedback.

On March 10, 2008, City Council passed Resolution No. 8836 in support of this Initiative.

Respectfully submitted,



for

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City Manager