

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: March 23, 2009

FROM: CITY MANAGER

SUBJECT: AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 3.32.300(C) OF THE PASADENA MUNICIPAL CODE REQUIRING CLEAN AIR, NON-DIESEL BUSES FOR SHUTTLE SERVICES

TITLE OF PROPOSED ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 3.32.300(C) OF THE PASADENA MUNICIPAL CODE REQUIRING CLEAN AIR, NON-DIESEL BUSES FOR SHUTTLE SERVICES.

PURPOSE OF ORDINANCE:

The purpose of this Ordinance amending Pasadena Municipal Code Section 3.32.300(C), is to require that the Rose Bowl Operating Company use clean air, non-diesel buses for its contracted shuttle services for major, Rose Bowl displacement events, to the maximum extent permitted by law, and to encourage private event sponsors to use clean air, non-diesel buses for shuttle to major, Rose Bowl displacement events, when commercially feasible.

REASON WHY LEGISLATION IS NEEDED:

The City Council directed preparation of this Ordinance at its regular meeting of March 16, 2009. This Ordinance will require that that shuttle buses contracted directly by the Rose Bowl Operating Company meet the current regulatory definition of a "clean air bus, to the maximum extent permitted by law." In addition, the RBOC will require event sponsors to use clean air, non-diesel buses in services for which they contract directly, to the extent commercially feasible. Given the requirements of local and federal law to secure shuttle bus operators through an open and competitive process, establishing the clean air bus standard by ordinance will assist the Rose Bowl Operating Company in imposing that standard.

MEETING OF 03/23/2009

AGENDA ITEM NO. 8.A.1.

Events held at the Rose Bowl that are in excess of 20,000 spectators require the use of all available paved parking and some turf parking. As attendance increases so does the need for parking. Recognizing the traffic impacts on residential areas around the Rose Bowl Stadium, Pasadena Municipal Code, Section 3.32.300, requires the active promotion of alternative parking outside of the Arroyo Seco for major or displacement events with transportation to the Rose Bowl.

Consistent with the requirements for alternative parking outside of the Arroyo Seco and transportation to the Rose Bowl, there has been a shuttle system operated with the goal of off setting 8-10 percent of the spectator attendance parking in the Arroyo Seco to parking lots in Old Pasadena, specifically, at the surface parking lots of the Ralph M. Parsons Company. The shuttle system was designed to be of minimal charge, preferably free for the passengers.

Over the 25 years the shuttle system has been in operation, the diesel exhaust emitted by the buses and the noise have been of increased concern to the residents of the neighborhoods through which the buses traverse. In response to these concerns, the Rose Bowl Stadium established an administrative policy to use clean air buses along the shuttle route on displacement events at the Rose Bowl. This did not eliminate the bus trips, but it did provide buses that were quieter and did insure clean air exhaust, with minimal airborne pollutants. The Rose Bowl Operating Company believes that enacting this ordinance is the best way to insure the continued use of clean air shuttles.

ENVIRONMENTAL REVIEW:

The use of clean air buses is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3) (general rule), which sets forth the principle that CEQA does not apply to projects where there is no possibility that the activity may have a significant effect on the environment. Here, the purchase of clean air buses will not contribute to air quality contamination in the relevant air basin, and there are no other potential significant effects that may arise from the use of clean air buses. In addition, the purchase of clean air buses is proposed to protect natural air resources and the environment in general, and is also exempt pursuant to Sections 15307 (actions by regulatory agencies for protection of natural resources) and 15308 (actions by regulatory agencies for protection of environment).

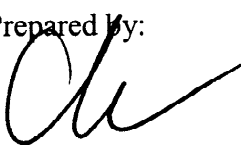
FISCAL IMPACT:

There may be additional costs incurred in securing clean air buses for Rose Bowl major or displacement events because of the underlying cost of the technology and relative scarcity of clean air, non-diesel buses.

Respectfully submitted,



Michele Beal Bagneris
City Attorney

Prepared by:

 3/16/09

Nicholas George Rodriguez
Assistant City Attorney

Concurrence:


Michael J. Beck
City Manager

Introduced by: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION
3.32.300(C) OF THE PASADENA MUNICIPAL CODE REGARDING CLEAN AIR
NON-DIESEL BUSES FOR SHUTTLE SERVICES

The People of the City of Pasadena ordain as follows:

SECTION 1. Section 3.32.300(C) is amended to read as follows:

A priority system for the use of the Rose Bowl and ancillary parking facilities shall be developed which shall include the following:

A. A paid parking program for all major events which includes unreserved parking at a fixed fee throughout the Rose Bowl/Brookside Park area regardless of proximity to the event and preferred reserved parking at a higher fee;

B. The possibility of paid parking for non-major events of less than 20,000 attendance;

C. The active promotion of alternative parking outside the Arroyo Seco for all major events with transportation to the Rose Bowl; and the Rose Bowl Operating Company shall use clean air, non diesel buses for its contracted shuttle services, to the maximum extent permitted by law, and shall encourage private event sponsors to use clean air, non-diesel buses for shuttle to major, Rose Bowl displacement events, when commercially feasible. For the purpose of this section, clean air, non-diesel bus shall mean vehicles which rely on natural gas, electric fuel cells, or other non-diesel technology, and which have an exhaust which is not classified as a toxic air containment;

D. Priority order of use as follows:

1. Conventional Rose Bowl parking facilities, also known as areas A, F, G, J, K and
2. Brookside parking lot, also known as area I.
3. Turfed areas, including Brookside ball fields, playing fields, area H, and golf course.

E. Limitations on the use of turfed areas for parking shall be determined in accordance with the provisions of Section 3.32.280(D) of this chapter and by city board policy. In no case shall Brookside Golf Course, playing fields and Brookside Park be used for parking where such use may cause substantial or permanent damage to the turf.

F. A no parking policy shall be established in the residential and other areas surrounding the Rose Bowl/Brookside Park area during major events at the Rose Bowl. Temporary no parking restrictions shall be in force and signs shall be posted in the affected areas according to Section 10.40.100 of this code. This no parking restriction shall be enforced by towing and impounding the vehicles of violators at the violators' expense according to Section 10.40.030 of this code.

G. The parking area and all rights thereto in the areas adjacent to the Rose Bowl are reserved for the benefit of the city. The city may allow use thereof at rates and on terms approved by the city manager. (Ord. 6403 § 2 (part), 1990)

SECTION 2. This ordinance shall take effect upon its publication.

Signed and approved this _____ day of _____ 2009.

Bill Bogaard
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 the day of _____, 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PUBLISHED:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:

 3/16/09

Nicholas George Rodriguez
Assistant City Attorney

Introduced by: _____

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The People of the City of Pasadena ordain as follows:

SECTION 1. Section 3.32.300(C) is amended to read as follows:

“C. The active promotion of alternative parking outside the Arroyo Seco for all major events with transportation to the Rose Bowl, and the Rose Bowl Operating Company shall use clean air, non diesel buses for its contracted shuttle services, to the maximum extent permitted by law, and shall encourage private event sponsors to use clean air, non-diesel buses for shuttle to major, Rose Bowl displacement events, when commercially feasible. For the purpose of this section, clean air, non-diesel bus shall mean vehicles which rely on natural gas, electric fuel cells, or other non-diesel technology, and which have an exhaust which is not classified as a toxic air contaminant.”

SECTION 2. This ordinance shall take effect upon its publication.

Signed and approved this _____ day of _____ 2009.

Bill Bogaard
Mayor of the City of Pasadena

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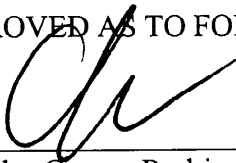
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ABSTAIN:

PUBLISHED:

Mark Jomsky, CMC
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APPROVED AS TO FORM:

 3/16/09

Nicholas George Rodriguez
Assistant City Attorney