

# CORRESPONDENCE

June 20, 2011  
1444 East Mountain Street  
Pasadena, California

Honorable Mayor Bill Bogaard  
100 North Garfield Avenue – Room S.228  
Pasadena, California 91109-7215

Recommendations for City Council Meeting – June 20, 2011 - Item 17 - Fiscal Budget 2012

I recommend that the City Council make every effort to find funding for the Police and Fire Department personnel to avoid reducing their effectiveness in saving lives and property.

1. During fiscal year 2011. Pasadena spend millions of dollars on consultants fees when qualified city employees can perform these functions. Discontinue this practice of retaining consultants unless absolutely necessary and the benefits are in excess of the costs.

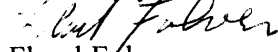
2 ..The \$65 million dollar Water and Power bonds includes spending \$58 million dollars on the 10 year bio-gas contract which should be canceled and use these funds to provide additional funding for Police and Fire Department personnel. Please read attachment “High court blocks states' climate change lawsuit” on this issue.

3. Buying carbon credits when there is no legal mandate requiring buying carbon credits is a waste of funds when you are laying off Police and Fire Department personnel. There are other services that are not needed like having Health Department Inspectors impose fines based on proposed tobacco related regulations. Pasadena should not be buying properties or spending large sums of funds on art projects at this time.

4.. In July 2011, there will be a listing of the various debt instruments for fiscal year 2011 along with their interest rates. Pasadena should consider paying off some of these bonds since there is a low rate of return on current City investments and the Debt Management Policy permits this practice. With Greece paying 26% interest on two year bonds, there is the possibility that selling debt instruments in the future will cost much higher rates of interest.

I appreciate your willingness to seek as much public input as possible and your many hours of hard work to find solutions to these very difficult budget issues.

Sincerely yours


  
Floyd Folven

cc: Council Members: Jacque Robertson, Vice Mayor Margaret McAustin, Chis Holden. Gene

Masuda, Victor M. Gordo, Esq., Steve Madison, and Terry Tornek

Attachment: “High court blocks states' climate change lawsuit” Mark Sherman 6-20-11

# High court blocks states' climate change lawsuit

 Associated Press

By MARK SHERMAN, Associated Press  
25 mins ago

WASHINGTON – The Supreme Court blocked a federal lawsuit Monday by states and conservation groups trying to force cuts in greenhouse gas emissions from power plants.

The court said that the authority to seek reductions in emissions rests with the Environmental Protection Agency, not the courts. The ruling was 8-0.

EPA says it will decide by next year whether to order utilities to cut emissions of carbon dioxide, a greenhouse gas. The lawsuit targeted the five largest emitters of carbon dioxide in the United States, four private companies and the federal Tennessee Valley Authority.

The Obama administration sided with the power companies in this case.

Justice Ruth Bader Ginsburg, writing for the court, said the Clean Air Act gives the EPA authority to regulate carbon-dioxide emissions from power plants.

The landmark environmental law leaves no room for what Ginsburg described as a parallel track, "control of greenhouse gas emissions by federal judges."

On the other hand, Ginsburg said, that the states and conservation groups can go to federal court under the Clean Air Act if they object to EPA's eventual decision.

The decision reversed a ruling by the 2nd U.S. Circuit Court of Appeals in New York.

Justice Sonia Sotomayor did not take part because she sat on the appeals court panel that heard the case.

The states' lawsuit is the second climate change dispute at the court in four years. In 2007, the court declared that carbon dioxide and other greenhouse gases are air pollutants under the Clean Air Act. By a 5-4 vote, the justices said the EPA has the authority to regulate those emissions from new cars and trucks under that landmark law. The same reasoning applies to power plants.

EPA's consideration of regulating those emissions stems from the earlier court ruling.

The private defendants in the suit are American Electric Power Co. of Ohio, Cinergy Co., now part of Duke Energy Corp. of North Carolina; Southern Co. Inc. of Georgia, and Xcel Energy Inc. of Minnesota.

Eight states initially banded together to sue. They were California, Connecticut, Iowa, New Jersey, New York, Rhode Island, Vermont and Wisconsin. New Jersey and Wisconsin withdrew this year after Republicans replaced Democrats in their governor's offices.

The high court did not rule on some potential state-law claims. Ginsburg said those are best addressed by lower courts.

The case is American Electric Power Co. v. Connecticut, 10-174.