

# Agenda Report

May 12, 2014

**TO:** Honorable Mayor and City Council

**FROM:** Planning & Community Development Department

**SUBJECT: AUTHORIZATION TO ENTER INTO A CONTRACT WITH IMPACT SCIENCES, INC. FOR AN AMOUNT NOT TO EXCEED \$295,125 TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR THE PREPARATION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR ADDITIONAL DISPLACEMENT EVENTS WITHIN THE ROSE BOWL AREA OF THE ARROYO SECO PUBLIC LANDS**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that actions proposed herein are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule);
2. Authorize the City Manager to enter into a contract with Impact Sciences, Inc., for an amount not to exceed \$295,125 for the preparation of a Subsequent Environmental Impact Report for additional displacement events within the Rose Bowl area of the Arroyo Seco Public Lands; and
3. Grant the proposed contract with Impact Sciences, Inc. and exemption from the Competitive Selection process set forth in the Competitive Bidding and Purchasing Ordinance pursuant to P.M.C. section 4.08.049 (B), contracts for which the City's best interests are served.

## **BACKGROUND:**

On November 19, 2012, the City Council approved a Municipal Code Amendment and certified an Environmental Impact Report to allow up to 13 additional events per year exclusively for National Football League (NFL) events. This amendment increased the number of displacement events at the Rose Bowl from 12 to 25 per year (13 of which are NFL events), for a period of not more than five years. The use of the Rose Bowl would be temporary until a new NFL stadium is selected and built in the Los Angeles area, or until the completion of a five year lease term, whichever comes first. The Rose

Bowl would also continue to host other displacement events such as concerts and additional sporting events, with the total number of events not to exceed 25 annually (including the 13 NFL events).

Pursuant to the Arroyo Seco Public Lands Ordinance, Section 3.32.270(A) of the Pasadena Municipal Code, the Rose Bowl stadium may host up to 12 non-NFL events per year which displace recreation programs and accessibility to the Arroyo Seco facilities ("displacement events"). Additional non-NFL displacement events may be approved by the City Council upon making certain findings.

The Rose Bowl Operating Company has been pursuing an opportunity to host a music festival and would be partnering with a credible festival/concert promoter in order to accomplish this. As the proposed festival, in addition to the current events that occur at the Rose Bowl, would increase the number of allowable displacement events, the Rose Bowl Operating Company will be requesting that the City Council authorize the environmental study of amendments to the Municipal Code to address the limits imposed therein. Municipal Code Chapter 3.32 limits uses of the Brookside Golf Course inconsistent with ongoing historical use of the course during displacement events. The proposed music festival would include events within the Rose Bowl stadium and on the Brookside Golf Course. Therefore, a Municipal Code amendment is required to: 1) increase the number of displacement events; and 2) expand the allowed uses of the Brookside Golf Course. The proposed Code amendment to be studied would allow for an increase in the number of displacement events up to 21 per year which would allow for the existing 12 displacement events plus an additional 9 displacement events. The proposed additional 9 displacement events were previously analyzed as an alternative in the certified NFL EIR. The additional 9 displacement events will be non-NFL events. If and when the City enters into a contract with the NFL, then the 9 displacement events will cease. Please see Table 1 below which outlines the existing Municipal Code provisions and the proposed Municipal Code amendment for displacement events.

<b>Table 1 Existing and Proposed Displacement Events</b>	
Existing Municipal Code	Proposed Municipal Code Amendment
<p><u>12 Baseline Events</u></p> <ul style="list-style-type: none"> <li>• Limited to Rose Bowl Stadium</li> <li>• No attendance cap</li> <li>• No time limit</li> </ul> <p><u>13 NFL Events</u></p> <ul style="list-style-type: none"> <li>• Limited to Rose Bowl Stadium</li> <li>• Maximum 75,000 attendees</li> <li>• Limited to 5 years</li> </ul> <p><u>25 Total Events</u></p>	<p><u>12 Baseline Events</u></p> <ul style="list-style-type: none"> <li>• Open to Rose Bowl Stadium <i>and golf course areas</i></li> <li>• No attendance cap</li> <li>• No time limit</li> </ul> <p>PLUS</p> <p>A. <u>13 NFL Events (Existing Allowance)*</u></p> <ul style="list-style-type: none"> <li>• Limited to Rose Bowl Stadium</li> <li>• Maximum 75,000 attendees</li> <li>• Limited to 5 years</li> </ul> <p><u>25 Total Events</u></p> <p>OR</p> <p>B. <u>9 New Non-NFL Events (modification to NFL EIR Alternative No. 3)*</u></p> <ul style="list-style-type: none"> <li>• Open to Rose Bowl Stadium <i>and golf course areas</i></li> <li>• Maximum 75,000 attendees</li> <li>• <i>No time limit</i></li> <li>• No NFL Events</li> </ul> <p><u>21 Total Events</u></p> <p>* Under no circumstance will A and B occur within the same year</p>

An amendment to the Ordinance to allow a larger number of displacement events is a discretionary action that would trigger the requirement for compliance with CEQA. In order to properly determine the environmental impacts of increased displacement events, the City/RBOC must complete a subsequent Environmental Impact Report (EIR) to the NFL EIR. Consistent with CEQA requirements, a subsequent EIR for the proposed events will be prepared to analyze the proposed project's impacts, including potential noise and lighting impacts resulting from the events occurring on the Brookside Golf Course. The City Council must certify the subsequent EIR prior to approving an amendment to the Ordinance.

The proposed project does not include any physical changes to the Rose Bowl stadium or any of the surrounding features. It would not increase or decrease the seating available at the stadium, or associated parking. It does not include any ground disturbing or excavation activities, any interior or exterior renovation to the Rose Bowl, or any new permanent structures on the project site.

As proposed, the RBOC would pay for the cost of the subsequent EIR which includes the proposed contract with Impact Science, Inc. in the amount of \$295,125 as well as the cost of a traffic analysis in the amount of \$49,300, which will be contracted separately.

### CEQA Compliance

Impact Sciences, Inc. prepared the EIR for the NFL project and is therefore being recommended to prepare the subsequent EIR. The project manager from Impact Sciences, Inc. will be Susan Tebo who has over 30 years of experience preparing CEQA documents. The City Council is asked to find that the best interests of the city are served by a direct award of the contract to Impact Sciences, Inc. without a competitive selection process as Ms. Tebo was the project manager for the NFL EIR where portions of the previous work can be utilized for this project. Therefore, staff is requesting an exemption from the Competitive Selection process set forth in the Competitive Bidding and Purchasing Ordinance. Additionally, Ms. Tebo has managed a number of complex documents such as the Beverly Hilton Revitalization Plan EIR (redevelopment and reconfiguration of the Hilton property in Beverly Hills), the Mission Village EIR (development of over 1,200 acres in western unincorporated Los Angeles County), the San Marcos Landfill Expansion (San Diego County), and the Riverpark EIR (development of 695 acres in Santa Clarita).

The subsequent EIR will include a comprehensive analysis of all required issues and is anticipated to include revisions to chapters on Air Quality (including a Greenhouse Gas assessment), Land Use, Public Services, Recreation, Traffic and Parking, Noise, and Lighting. The Scope of Work includes technical studies for Noise and Lighting. The subsequent EIR will be released for public review and public meetings will be conducted to allow the public an opportunity to comment on the EIR and the issues that should be discussed within the EIR.

It is estimated that approximately six months will be required for completion of the EIR process. This includes a number of meetings to allow for public review and comment on the document. The estimated cost for completion of the subsequent EIR is \$295,125 which includes a 10 percent contingency. This estimate includes preparation of all technical studies anticipated to be necessary at this time. The traffic analysis for the project will be contracted separately.

**ENVIRONMENTAL REVIEW:**

The proposed action is authorization to enter into a contract with Impact Sciences, Inc. for the preparation of a subsequent Environmental Impact Report for additional displacement events within the Rose Bowl area, including Brookside Golf Course. This action will authorize the preparation of technical studies only and is therefore exempt from CEQA per Section 15061(b)(3) (General Rule).

**FISCAL IMPACT:**

The total cost of the Environmental Analysis will be \$344,425 consisting of the proposed contract with Impact Sciences, Inc. (\$295,125) and the Traffic Analysis (\$49,300). At its Board meeting of May 8, 2014 the RBOC Board will be asked to approve a budget amendment which will include, among other things, funding for this analysis. Staff will report orally on the outcome of that action and should the Board approve the amendment, which is expected, the RBOC will bring the proposed amendment forward to the City Council, through the Finance Committee.

Respectfully submitted,



VINCENT P. BERTONI, AICP  
Director of Planning & Community  
Development Department

Prepared by:



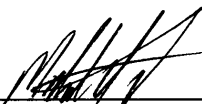
Betty Donavanik  
Senior Planner

Concurred by:



Kelvin Parker  
Principal Planner

Approved by:



MICHAEL J. BECK  
City Manager