

Agenda Report

TO: CITY COUNCIL NOVEMBER 4, 2002
THROUGH: ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE
FROM: CITY MANAGER
SUBJECT: FILMING NOTIFICATION

RECOMMENDATION:

It is recommended that the filming notification area remain 300 linear feet with discretion for administratively expanding the area in case of unique circumstances.

BACKGROUND:

Complaints were received regarding the lack of notification of affected neighbors on two film shoots in August, 2002. The early morning filming by NBC in August with a marching band at Washington Middle School resulted in complaints. Additional complaints were received regarding special effect explosions in Hahamongna Watershed Park for the filming of the television series, "Alias."

Council also raised questions on the City's filming procedures for loud sound sources at film locations and how and when a film company is banned from the City for filming violations.

Staff will address the notification and noise issues in this report. A separate report will be reviewed by the Finance Committee and presented to Council at a public hearing with recommendations on increasing filming violation fines.

Washington Middle School

For the NBC "American Dreams" shoot at Washington Middle School, staff did not increase the size of the residential notification area because the film company did not disclose the use of a marching band. The company admitted that they left this information off their film permit application checklist. The marching band was a non-permitted activity. Failures of disclosure, as well as misinforming the police officer about their permitted activities, are considered violations subject to fines. The company paid a penalty of \$1,382 dollars. Increasing this amount is the subject of a separate Council report.

Amplified sound is not allowed in Pasadena after 10 p.m. per the Noise Ordinance. The film company needed a suspension of the Noise Ordinance by the City Council to conduct this activity. Staff would have recommended signatures from a high percentage of residents, a substantial deposit and a six month company ban for violations as part of any recommended conditions for Council.

Hahamonga Watershed Park

The proper notification procedures were not followed in the August "Alias" shoot in Hahamonga. At the time, staff believed that the filming and stunt activity was occurring outside Pasadena in L.A County. The filming activity occurred close to the border along an erratic borderline. After this incident, staff reviewed several maps which contradicted each other but staff did determine the filming occurred on L.A. County owned property, but within the borderlines of the City of Pasadena. If future filming is permitted at this location, a larger notification range will be required.

NOTIFICATION AREA

The current filming guidelines allow staff to increase the notification and signature area beyond 300 linear feet. Depending on the potential impact of a shoot, staff has required notification and signatures from a radius of residents going well beyond the 300 linear feet. The type of filming, along with the location and number of filming trucks, are key factors expanding notification.

Of the 350 shoots conducted this year, the City has received complaints from less than 1% of the impacted neighbors. The existing guidelines are effective in addressing neighborhood impact. Most of those complaints received were related to truck parking. Staff will continue with the practice of increasing notification and signature where appropriate including those circumstances where the film company:

1. will park equipment or trucks that will cover a larger area than 300 feet,
2. will use large lighting cranes directing light over a large area at night time.
3. will use sound creating devices (i.e. amplified sound for a music video, musical performances, etc.)
4. a film company is filming primarily in a backyard or alley, especially at night

NOISE CREATING DEVICES/FIRE SAFETY

On average, fewer than 5 permits per year include explosives or simulated gun fire. Those that do must adhere to the following procedures:

1. A fire permit is required which includes a complete description of the materials to be used and the number of explosions proposed.

2. The Film Office discusses the film company's request with the Fire Department. Both the Film Office staff and Fire Department officials were trained in the field by the State of California Fire Marshall on the types of explosives typically used and their sound level. The Film Office staff is also aware of the type of firearms used on set and the sound levels. The Pasadena Film Office limits outdoor firearms to ¼ loads which are much quieter than normal gunfire. The Film Office and Fire can add a variety of mitigating conditions.
3. A decibel rating is requested from the film company on any explosive materials or sound amplifying equipment. For sound amplification units, the wattage and equipment brands are requested, and a noise monitor may be assigned from the Health Department. The Film Office may also request demonstrations of the materials prior to its use in Pasadena at a location outside the City.
4. For music video productions, staff requests a copy of the music to be used in advance of the shoot. In-ear monitors are required for outdoor activity or a small boom box with minimal amplification may be allowed.

BANS

Council requested that staff clarify when a company is banned from filming in the City. If a film company violates film permit conditions and were fined, they will be banned from the City if they have violations on their next permit. After a violation of their second permit, the Film Liaison will inform the film company executives that a ban has been placed for a specified period of time (usually a minimum of six months).

On September 9, 2002, staff informed the "American Dreams" location staff that if another violation occurred it would result in a ban for a time period to be determined by the City. The location staff indicated that they understood this guideline and would closely adhere to all City requirements.

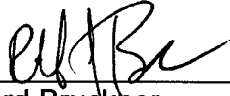
FISCAL IMPACT:

There is no fiscal impact from staff's recommendation.

Respectfully submitted:


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