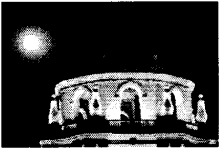


REDISTRICTING: SPLIT REPRESENTATION DEMANDS LEADERSHIP and ACTION



Friday, April 27, 2012

DOWNTOWN PASADENA NEIGHBORHOOD ASSOCIATION

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626-599-3762
DPNAlist@gmail.com

Mayor Bill Bogaard
Pasadena City Council
Jacque Robinson
Vice Mayor Margaret McAustin
Chris Holden
Gene Masuda
Victor Gordo
Steve Madison
Terry Tornek

Board of Directors:
elected 4/17/11
Lawrence Aldaya
Jonathan Edwards
Chris Fedukowski
Michael Koreff
Richard Kim
Diane Picard
Marsha Rood
Pat Roughan
Brigham Yen
Karen York

The “One Downtown District” that the Downtown Pasadena Neighborhood Association (DPNA) proposed (which the Task Force did not adequately consider and which the council declined to revisit) would ensure that the walkable, urban, mixed-use lifestyle enjoyed by Downtown residents would be represented by a councilmember who would have a daily experience of that lifestyle and therefore a visceral understanding of the different needs and desires of Downtown residents, and whose constituency would be solidly supportive of that lifestyle.

The DPNA continues to believe that a dedicated representative advocating on behalf of the specific interests, needs, and lifestyle of a walkable community—a community that is a direct result of the city’s 1994 General Plan—is necessary.

Although the council disagreed and indicated it believes that current representation is adequate, the DPNA does appreciate the verbal support for Downtown Pasadena as articulated by the council during the April 22nd Redistricting Hearing. In particular, Mayor Bogaard expressed the DPNA point of view precisely and forcefully, when he said that the city, in its 1994 General Plan, intentionally sought to create “**a dynamic and lively opportunity to choose an urban lifestyle that de-emphasizes the use of an automobile, and that emphasizes the use of Transit, and Bicycles, and Feet—walking in the city,**” and that the DPNA is the welcome manifestation of that vision becoming reality. Vice Mayor McAustin spoke of a “**residential population that has found a voice,**” and Chris Holden affirmed that despite where the lines are drawn, “**You are a neighborhood,**” and that the council “**will continue to grow the area as best we can, to provide the services, the parks, and the additional parking**” that is needed.

In response to our “One-Downtown” district proposal, however, Council and Task Force Members stated that Downtown Pasadena is best served by four representatives, that the 4-way split is an advantage. This letter is to suggest that historically our interests have not been at the forefront of the City’s priorities and need to be better considered and championed in the future.

You have told us that the Central District actually gains from having four Council Members. We would now like the Council to translate that into tangible benefits for the Central District.

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TANGIBLE ACTION NEEDED FOR DOWNTOWN PASADENA—A SAMPLE:

1. A Fair Share for the Central District of the Residential Impact Fees (RIF's) from the Central District for Parks

BACKGROUND - #1 Residential Impact Fees

Urban residents are dependent on well-designed and well-maintained public parks properly located within walking distance of their homes, because Downtown residents lack private green space that is typically associated with single-family homes. The residential population in the Central District has grown to nearly 20,000 (U. S. Census), and additional parks are needed to serve this population, as well as the many visitors to downtown Pasadena. The only major parks in the Central District are Central and Memorial Parks in the Old Pasadena area. The lack of parks is disadvantage to all residents, but is especially disadvantageous to young families who have greater need, and to seniors with less mobility and accessibility choices.

Chapter 4.17 of the Municipal Code established "Residential Impact Fees" in order to provide new parks to new, additional residents. Since 2007, Central District residents have therefore contributed millions of dollars to the City in Residential Impact Fees, which are charged to developers and then passed on in the final purchase price of residential units, and in rents and leases paid on a monthly basis. These fees amount to \$14,588 to \$27,003 per unit, depending upon number of bedrooms.

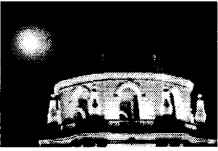
According the Residential Impact Fee Ordinance, the park and recreation facilities for which the fees are charged must be consistent with General Plan¹. As General Plan Guiding Principle #4 states: "Pasadena will be promoted as a healthy family community. Safe, well-designed, accessible, and human-scale residential and commercial areas will be provided where people of all ages can live, work, and play, including neighborhood parks, urban open spaces, and the equitable distribution of public and private recreation facilities." City Manager Michael Beck reinforced this when he recently stated: "City Council's priority is to deliver park space in this park-starved portion of the City is affirmed in the City Council's General Plan and Central District Specific Plan. The Goal of those plans is to make the Central District a livable and walkable area. Critical to that goal is the provision of neighborhood amenities, of which park space is of the uttermost importance in this area that has seen significant residential development and expects to experience more."²

These fees were instituted to address additional demand from new residents (hence the name "residential *impact*"); those new residents are *Downtown* residents—residents of the Central District and in the DPNA. The funds mostly COME from the Central District; therefore, they should mostly GO to the Central District.

¹ 4.17.020 - Authority—Conformance with general plan.

² Grant Application cover letter written by Michael J. Beck (Pasadena City Manager), in regards to park funds in the Playhouse District – Union & El Molino.

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If these funds had been applied as the spirit of the fee intended, the \$2 million in Residential Impact Fees from new development in the Central District [such as the DeLacey Friends Paper Condominiums, Prado, Orange Place Paseo, Westgate projects and others] would have been used to support the creation of parks within in the Central District. Instead, these funds were applied to the purchase of parkland in Annandale Canyon on the other side of the Arroyo, in a location not walkable from the Central District and even difficult to access by automobile, thereby benefiting very few citizens of the City of Pasadena. While the DPNA believes that the purchase of open space is a general benefit the City as a whole, we also believe that **the first priority for these particular funds should be the 'park-starved' Central District where a greater number of citizens can enjoy them.**

Because funds were no longer available from the Residential Impact Fees, "Park Now" proponents of the Playhouse District park proposed at Union & El Molino had to seek funding elsewhere. This serves as an example of how residents of Downtown Pasadena did not in the past benefit from having four city council members represent its interests, as the council failed to preserve those funds for new parkland within Central District boundaries. Sadly, the City of Pasadena did not win the competitive Prop 84 Grant from the State of California. All of the Downtown community's hard work on the proposed "Playhouse Park" is now left without apparent funding.³

RECOMMENDATIONS - #1 Residential Impact Fees

A. AMEND TITLE 4 - REVENUE AND FINANCE, CHAPTER 4.17 AS FOLLOWS:

- a. **4.17.040:** Add to the "Park and recreational facilities classifications" a category that would allow "small neighborhood parks" or "pocket parks" or "infill parks" of less than one (1) acre.
- b. **4.17.060:** Amend to require that at least 50% of the fees generated within the Central District be set aside for *acquisition and improvement thereof of new parkland in the Central District, which boundaries are described in the 2004 Central District Specific Plan.*

B. EARMARK FUTURE RESIDENTIAL IMPACT FEES FROM THE CENTRAL DISTRICT AS DEFINED BY THE CENTRAL DISTRICT SPECIFIC PLAN TO FUND PARKS IN THE CENTRAL DISTRICT.

- a. The Union Village project (in the pipeline) is likely to generate about \$1,300,000 in Residential Impact Fees. These fees are split 90%/10% (10% going to the Arroyo) – which still leaves a potential of over \$1.1 MM available from this project alone. The community-designed El Molino Park has a budget of \$4,284,637; fees from Union Village should be applied towards this park to the fullest extent.

³ There is a critical lack of park space within proximity of the proposed Playhouse Park site (the Grant application evaluated demographics and infrastructure within a ½ mile radius of the proposed site). Within the ½ mile radius, there is a resident population of 9,939 people; the Grant established a "maximum Project Site Eligibility Criteria" of 3 acres of usable park space per 1,000 residents. For the Playhouse District, the amount of usable park space within the defined ½-mile radius is zero ("0") acres.

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- b. Fees from later stages of the Westgate project, if still available, should be applied to a new pocket park in the Central District.
- c. Other pocket park sites include the Lake District, perhaps mid-block between Hudson & Oak Knoll or Green & Cordova, has real potential to create synergy between the local business district, local restaurants and the many residents.
- d. The public parking lot on Madison Ave, behind the future Urth Café, has a real potential to create a real synergy between café patrons, culinary students, theatre-goers, and other visitors. The creation of great Public Spaces—destinations for pedestrians—should be a top priority for the council.
- e. Implementation of the Central Park Master Plan shall also be made a priority.

2. ALLOW “TRAFFIC REDUCTION AND TRANSPORTATION IMPROVEMENT FEES” TO FUND PEDESTRIAN AND BICYCLE IMPROVEMENTS

BACKGROUND - #2 Traffic Reduction and Transportation Improvement Fees

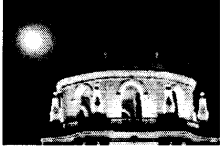
Guiding Principle #5 of the General Plan states; *“Pasadena will be a city where people can circulate without cars. Specific plans in targeted development areas will emphasize mixed uses, pedestrian activity and transit; public and private transit will be made more available; neighborhood centers and urban villages will be promoted to reduce the need for auto use.”* As an implementation ordinance, the intent of Municipal Code Chapter 4.19 “Traffic Reduction and Transportation Improvement Fee” is to mitigate the traffic impacts of new industrial, office, retail, and residential development, and to fund transportation improvements. As the ordinance is currently written, any fees generated must go to a list of seventeen (17) named “List of improvements”⁴ including buses, bus stops, vans, transit maintenance yards, automobile intersections, street extensions, ITS master plans, and safety/mobility enhancements. The list of types of eligible improvements does not include pedestrian and bicycle improvements as traffic mitigation and/or transportation improvements. It is currently *prohibited* to spend these funds on pedestrian or bicycle infrastructure, and that is a problem. Basically, this latter ordinance does not fully reflect or implement the City’s vision as a “walkable city” as described in the General Plan.

People walk to and from bus stops, to and from light rail, to and from their parked cars, to and from their residents – so everyone is a pedestrian, including those who ride in cars. The “foot” is the oldest form of transportation for human beings; if you provide the infrastructure to accommodate and favor the pedestrian, more people will get out of their cars and feel more comfortable in an urban area.

Downtown residents enjoy a variety of housing and transportation options, and are looking for better amenities for walking and biking, and access to entertainment within walking distance, on well-designed, pedestrian friendly corridors. Alternative forms of transportation such as walking and biking allow for car independence.

⁴ Chapter 4.19.060

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Pasadena already has a foundation of a young, innovative workforce, light-rail, world-famous educational institutions, and a historic core that forms the basis of a truly self-contained neighborhood; however, auto-centric policies and planning which is a remnant of an obsolete unsustainable era is hijacking the City's vision as described in the General Plan.

RECOMMENDATION: - #2 Traffic Reduction and Transportation Improvement Fees

1. Amend Municipal Code 4.19.060 to add "pedestrian and bicycle improvements" to the list of allowed improvements to mitigate traffic and provide for transportation improvements. This will effectively increase the types of improvements that can best fulfill the spirit and intent of the General Plan Guiding Principle #5: "*Pasadena will be a city where people can circulate without cars.*"

The above two items, Park Fees and Traffic Fees, are two samples of tangible action that the council can deliver in the coming months. Given the council's stated support for Downtown Pasadena, and the advantages of being represented by four council members, we look forward to decisive action by the council.

In an increasingly-competitive regional and national economic climate, the entire City of Pasadena will greatly benefit from consistent, unified leadership representing its Downtown, which serves as the City's most visible and diverse driver of economic activity.

To that end, we also look forward to a greater and extended dialogue with the council, and will be requesting meetings with each council member to discuss the above and additional items that will make Downtown Pasadena—and therefore our entire city—a more vibrant, thriving, and pleasant place.

Respectfully submitted,

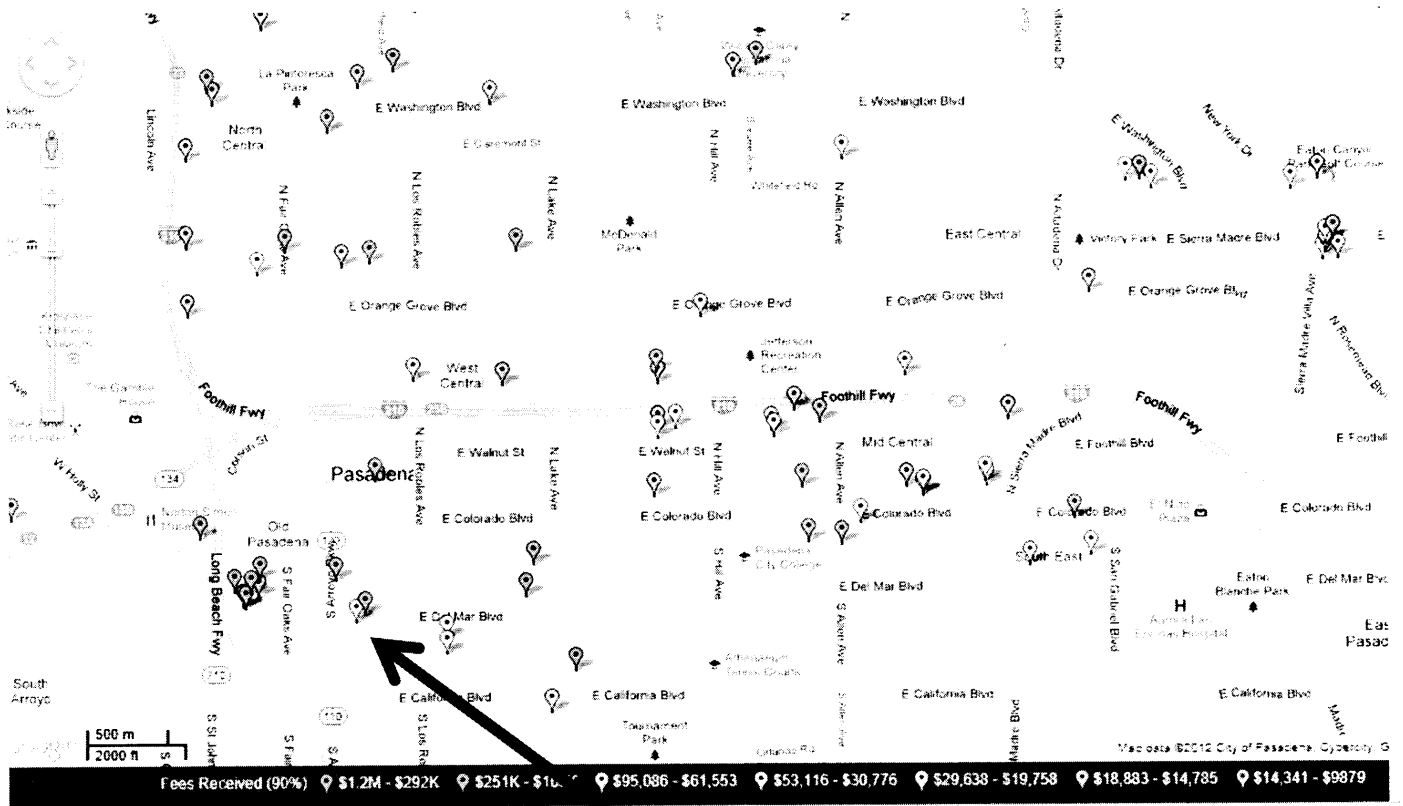
**DOWNTOWN PASADENA
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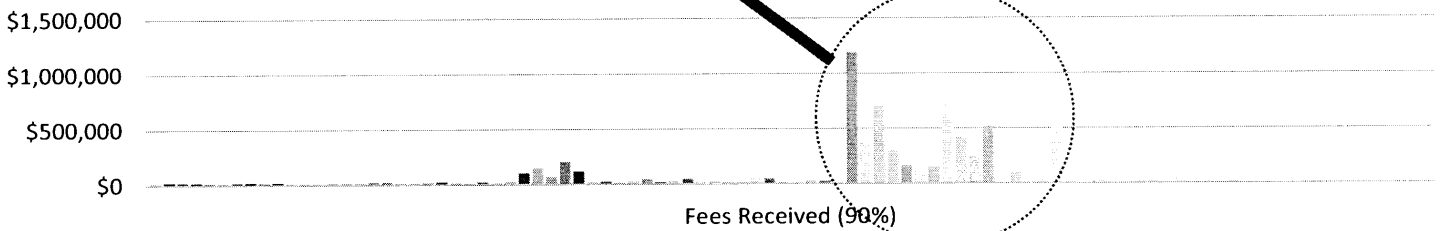
APPENDIX

REDISTRICTING: SPLIT REPRESENTATION DEMANDS LEADERSHIP and ACTION

MAP OF RESIDENTIAL IMPACT FEES COLLECTED



Residential Impact Fees



- | | | | | |
|----------------------------|------------------------|----------------------------|------------------------------|---------------------------|
| ■ 1004 Linda Glen Dr | ■ 1059 laguna rd | ■ 1255 summit ave | ■ 1382 glen ave | ■ 1530 Scenic Dr |
| ■ 1584 El Sereno Ave | ■ 160 Fern Dr | ■ 1614 pleasant way | ■ 1750 casita ave | ■ 1770 el sereno ave |
| ■ 1827 Kaweah Dr | ■ 183 Painter St | ■ 1841 Summit Ave | ■ 1841 summit ave | ■ 1875 kaweah dr |
| ■ 2008 n raymond ave | ■ 201 columbia st | ■ 2012 summit ave | ■ 234 W washington blvd | ■ 317 W hammond ave |
| ■ 50 S san rafael ave | ■ 580 madeline dr | ■ 620 wendover rd | ■ 735 cypress ave | ■ 807 sunset ave |
| ■ 875 chapman ave | ■ 951 S. Fair Oaks Ave | ■ 1450 N Garfield Ave. | ■ 859 N Fair Oaks Ave | ■ 1065 Lunada Ln |
| ■ 2720 Madera Dr | ■ 837 Cambridge Ct | ■ 1040 Rose Ave | ■ 1142 N Allen Ave | ■ 142 S Sant Gabriel Blvd |
| ■ 1601 HastingS HeightS Ln | ■ 2424 Oswego St | ■ 2616 E Orange Grove Blvd | ■ 2626 Morningside St | ■ 2755 Las Flores Dr |
| ■ 287 Vista Ave | ■ 3277 NeW York Dr | ■ 3315 Calvert Rd | ■ 3411 Avondale Rd | ■ 430 Linda Rosa Ave |
| ■ 53 N Oak Ave | ■ 55 S Virginia Dr | ■ 74 N San Marino Ave | ■ 827 Highbury Pl | ■ 91 N Roosevelt Ave |
| ■ 96 S Allen Ave | ■ 130-150 Valley St | ■ 135 W Del Mar Blvd | ■ 140-155 Orange Place Paseo | ■ 145 W Del Mar Blvd |
| ■ 153 S Hudson Ave | ■ 155 Cordova St | ■ 240 E Del Mar Blvd. | ■ 250 S Pasadena Ave | ■ 257 S Delacey Ave |
| ■ 257 S Hudson Ave | ■ 277 W Green St. | ■ 28 S Parkwood Ave | ■ 41 N Oak Ave | ■ 443 S Oakland Ave |
| ■ 76 N Roosevelt Ave | ■ 920 Granite Dr. | ■ 1412 Wesley Ave | ■ 1451 Bresee Ave | ■ 1579 Locust St. |
| ■ 1590 Locust St | ■ 1658 E Corson St | ■ 1737 Locust St. | ■ 1978 Santa Rosa Ave | ■ 242 Robinson Rd |

REDISTRICTING: SPLIT REPRESENTATION DEMANDS LEADERSHIP and ACTION

Pasadena, California, Code of Ordinances
Title 4 - REVENUE AND FINANCE*
Chapter 4.17 - RESIDENTIAL IMPACT FEE

Chapter 4.17 - RESIDENTIAL IMPACT FEE

Sections: Sections:

- 4.17.010 - Title.
- 4.17.020 - Authority—Conformance with general plan.
- 4.17.030 - Definitions.
- 4.17.035 - Fee calculation methodology.
- 4.17.040 - Park and recreational facilities classifications.
- 4.17.050 - Fee for parkland acquisition, capital improvements and maintenance.
- 4.17.060 - Schedule of improvements.
- 4.17.070 - New residential development impact fund created—Use, disbursement and return of fees.

4.17.010 - Title.

This chapter shall be known as "the new residential impact fee ordinance."

(Ord. 6252 § 1 (part), 1988)

4.17.020 - Authority—Conformance with general plan.

This chapter is enacted pursuant to the authority found in the Government Code with respect to the dedication of land or payment of in-lieu fees for park and recreational purposes in residential subdivisions (Gov't Code Section 66477 et seq.). With respect to other residential development (single-family homes and multi-family residential units), this chapter is enacted pursuant to the police power of a charter city to provide for the health, safety and welfare of its residents. The park and recreation facilities for which the payment of the residential impact fees is required by this chapter are consistent with the cultural and recreational element of the comprehensive general plan.

(Ord. 6252 § 1 (part), 1988)

4.17.030 - Definitions.

A.

"New residential development" means any of the following:

1. New construction intended to be occupied, in whole or in part, as a residence, including but not limited to, subdivisions, single-family dwelling units, multi-family dwelling units, work/live units, and any other form of residence, regardless of the zoning designation for the property. This term shall exclude remodeling of any residence which does not create an entirely new living unit, regardless of whether the already existing residence existed as of the effective date of Ordinance No. 6252. This term shall only apply to the construction of new residences, including the addition of new residences to preexisting construction.
2. The conversion of a commercial or industrial structure to residences.

B.

"Bedroom," for purposes of this chapter only, is defined as a room appropriate for sleeping, of at least 90 square feet (excluding closet space), with a fixed closet, and at least one window or exterior entry; and excluding all kitchens, hallways, bathrooms, closets, attics/basements, storage areas, laundry areas, living rooms, and dining rooms.

C.

"Workforce housing," for purposes of this chapter only, is defined as residences offered to persons or families who live or work in the city of Pasadena, and earn between 121—180 percent of the average median income for Los Angeles County ("AMI"); and which are restricted by a covenant recorded with the county of Los Angeles, to remain as workforce housing for a minimum of fifteen years; as may be further clarified in regulations which may be adopted by the city.

D.

"Skilled nursing unit," for purposes of this chapter only, is defined as a residence within a life/care facility which is reserved and equipped to provide 24-hour medical care to residents who cannot take care of themselves because of physical, emotional, or mental conditions. This care must be supervised by a doctor and regulated by the state of California Health Department. A skilled nursing unit differs from an independent living unit within a life/care facility that it has medical staff available on-site 24 hours per day.

E.

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"Student housing," for purposes of this chapter only, are residences located on property owned by, and/or developed in conjunction with, accredited post-secondary educational institutions.

F.

"Residential care facility for the elderly" is defined as a facility reserved for and equipped to provide 24-hour care to residents who cannot take care of themselves because of physical, emotional, or mental conditions, wherein the care is provided pursuant to order of the resident's physician, with nursing staff available on-site, 24 hours per day, and is regulated by the state of California Department of Social Services. Excluded from this definition are any units within the facility which are independent living units.

(Ord. 7101 § 1, 2007; Ord. 7021 § 1, 2005; Ord. 6259 § 1, 1988; Ord. 6252 § 1 (part), 1988)

4.17.035 - Fee calculation methodology.

The method for calculating the residential impact fee shall be based on the number of bedrooms in the new residential development, and a separate set fee for new residential development without bedrooms, such as studios and lofts shall be established. The implementing fee schedule which shall operate to change the fee shall be adopted by resolution.

(Ord. 7021 § 2, 2005)

4.17.040 - Park and recreational facilities classifications.

A.

Neighborhood Parks. These facilities are approximately 1 to 6 acres in size, and are designed primarily to provide facilities for preschool and elementary age children. They may be combined with or be located adjacent to elementary schools. They primarily serve the immediately surrounding residential area.

B.

Community Parks. These facilities are approximately 5 to 25 acres in size and are designed primarily for recreational activities of all age groups. They serve and attract users from a wider community than the neighborhood parks. They may be combined with or be located adjacent to junior high or high school sites.

C.

City-wide Parks. These parks afford contact with the natural and/or historic environment and possess a unique character or function not found in neighborhood or community parks. They contain facilities which are used by residents throughout the city for activities which cannot be accommodated in other parks.

(Ord. 6252 § 1 (part), 1988)

4.17.050 - Fee for parkland acquisition, capital improvements and maintenance.

A.

Subdivisions.

1.

As a condition of approval for a tentative tract map or preliminary parcel map, the subdivider shall pay into the residential impact fund a fee established by resolution and as set forth in the fee schedule. Payment of fees required by this section shall be made prior to the approval of the final map by the city council. This section does not apply to commercial or industrial subdivisions or to condominium projects or stock cooperative projects which consist of the subdivision of airspace in an existing building when no new residences are added. Any new residence shall be assessed the fee.

B.

Building Permits. Any person seeking a building permit for a new residential development, which was not required to pay a fee pursuant to subsection A above, shall pay into the fund a fee as set forth in the fee schedule.

C.

The building and code enforcement administrator shall not issue any building permits for new residential development described in subsection B until the fee required by this chapter has been paid.

D.

Fee Schedule. The fees established by resolution may annually escalate the same percentage as the Consumer Price Index.

E.

Changes in Fees Schedule. The city council, by resolution, may, from time to time, at its discretion, revise, alter, amend and/or delete any of the fees set forth in this section. The fees shall be reviewed no less than once every 5 years. Such review shall be based upon a survey of residential land values in the city.

F.

Affordable Housing Incentive.

1.

Notwithstanding any other provision contained in this chapter, new residences which are rented or sold to persons and families of low or moderate income (as defined in Health and Safety Code Section 50093) pursuant to the city's inclusionary housing regulations, or which are skilled nursing units, or is a residential care facility for the elderly, or which are student housing residences, shall be assessed a fee of \$756 per unit. This fee may annually escalate at the same percentage as the consumer price index.

2.

If a new residential development project is subject to the city's inclusionary housing ordinance, and all of the inclusionary housing units are built on-site, the noninclusionary residences shall receive a 30 percent discount on the residential impact fee.

3.

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If a new residential development project offers 15 percent of its units as workforce housing for rent or sale within the price range of 121 to 150 percent of AMI, the workforce housing units shall receive a 50 percent rebate on the residential impact fee, after proving to the city's satisfaction that the workforce housing units are occupied by qualified individuals.

4.

If a new residential development project offers 15 percent of its units as workforce housing for rent or sale within the price range of 151 to 180 percent of AMI, the workforce housing units shall receive a 35 percent rebate on the residential impact fee, after proving to the city's satisfaction that the workforce housing units are occupied by qualified individuals.

G.

Dedication of Land. When the residential impact fee assessed to the residential development project equals or exceeds \$500,000.00, the developer may request to dedicate land, either on-site or off-site, and develop a park in lieu of payment of said fee. Such dedication of land shall be subject to acceptance of the dedication by the city council. The dedication of land and development of a park shall be in conformity with the conditions, provisions, standards, and formulas contained in this chapter.

1.

Procedure.

a.

A developer who request to dedicate land and develop a park shall submit a written proposal describing the property to be dedicated and the park development plans to the city manager. The proposal shall include an appraisal of the property to be dedicated.

b.

The city manager shall determine whether the proposal complies with existing park standards and requirements. If the city manager determines the proposal meets the standards and requirement, the city manager shall prepare a report to the city council regarding the proposed dedication.

c.

The city council may accept or decline the dedication and determine the amount of the residential impact fee to be waived. If the property being dedicated and the park development is accepted by the city council in lieu of the residential impact fee or any portion thereof, the city council shall, by resolution, waive the fee or any portion thereof upon the dedication of the property to the city. The resolution shall also indicate the time for completion of the park development.

d.

Real property dedicated to the city shall be conveyed in fee by grant deed, free and clear of encumbrances. Deeds in a form acceptable to the city shall be executed and delivered to the city at the time the first building permit is issued. The grantor shall provide all instruments required to convey the land and shall also provide a preliminary title report and title insurance in favor of the city in an amount equal to the value of the property being conveyed. The developer dedicating land in fee by grant deed shall develop and construct the park to current safety standards.

e.

Real property dedicated to the city by way of an easement for park purposes shall be conveyed free and clear of encumbrances that would impede the use of the property for park purposes. The conveyance of the easement shall be in a form acceptable to the city and shall be executed and delivered at the time the first building permit is issued. The developer dedicating land by way of an easement for park purposes shall construct and maintain a park on the dedicated land in accordance with current safety standards. The developer shall assume all liability for the dedicated land and shall maintain liability insurance in an amount acceptable to the city and wherein the city shall be named as an additional insured. Any such insurance documentation shall be in a form acceptable to the city.

(Ord. 7101 § 2, 2007; Ord. 7021 §§ 3, 4, 2005; Ord. 6966 §§ 1, 2, 2004; Ord. 6252 § 1 (part), 1988)

4.17.060 - Schedule of improvements.

The board shall, by resolution, adopt a schedule for disbursing the funds collected under this chapter to develop park or recreational facilities, or targeting certain improvements for acquisition, construction and installation. Interest on the funds collected may be used to maintain any park or any capital improvement located in any park. For purposes of this section, "park" includes those areas depicted on drawings on file in the office of the director of public works and transportation as follows:

A.

Central Park as depicted on Drawing No. 3580;

B.

Memorial Park as depicted on Drawing No. 3584;

C.

McDonald Park as depicted on Drawing No. 3583;

D.

Grant Park as depicted on Drawing No. 3585;

E.

Washington Park as depicted on Drawing No. 3582;

F.

Brenner Park as depicted on Drawing No. 3578;

G.

Defender's Parkway as depicted on Drawing No. 3574;

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- H. Singer Park as depicted on Drawing No. 3577;
- I. Victory Park as depicted on Drawing No. 3588;
- J. Jefferson Park as depicted on Drawing No. 3587;
- K. Eaton-Blanche Park as depicted on Drawing No. 3600;
- L. Eaton-Sunnyslope Park as depicted on Drawing No. 3591;
- M. Floyd O. Gwinn Park as depicted on Drawing No. 3590;
- N. San Rafael Park as depicted on Drawing No. 3573;
- O. Lower Arroyo Seco as depicted on Drawing No. 5697;
- P. Central Arroyo as depicted on Drawing No. 5698;
- Q. Hahamonga Watershed Park as depicted on Drawing No. 5699;
- R. Robinson Park as depicted on Drawing No. 3576-R;
- S. Villa Parke Center as depicted on Drawing No. 3579;
- T. Carmelita Park as depicted on Drawing No. 3581;
- U. La Pintoresca as depicted on Drawing No. 3783;
- V. Allendale Park as depicted on Drawing No. 3784;
- W. Any school ground park which is the subject of a cooperative agreement between the city and the Pasadena Unified School District regarding hours of operation and shared responsibility for maintenance and liability;
- X. Vina Vieja Park as depicted on Drawing No. 5700;
- Y. Hamilton Park as depicted on Drawing No. 3592;
- Z. Mediterranean Gardens as depicted on state of California R/W Map No. F1534-407 LA-7-31.6.
- AA. Annandale Canyon Park as depicted on Drawing No. 5938.

(Ord. 7086 §§ 2, 3, 2007; Ord. 6659 § 1, 1995; Ord. 6252 § 1 (part), 1986)

(Ord. No. 7168, § 2, 6-1-2009; Ord. No. 7191, § 3, 5-24-2010)

4.17.070 - New residential development impact fund created—Use, disbursement and return of fees.

- A. There is created a special fund of the city to be known as the "new residential impact fund," to account for fees paid pursuant to this chapter. The director of finance shall maintain records specifically identifying the origin of the funds used for any project or improvement funded, in whole or in part, by the residential impact fund. Such records shall enable the director to trace the fees from new residential developments to specific projects funded by each development. Any interest accruing on account of time deposit of the fund, or otherwise, shall be deposited to the credit of the fund.
- B. Upon receipt of a written application from the director of public works for disbursement of moneys from the fund on account of expenditures made or proposed for the benefit or use of parks or recreational facilities, the finance director shall immediately advise the city manager or his designee and provide them with copies of any accompanying documents or papers that might have been submitted in support of the application. Within 10 days after receipt of such notice, the city manager shall advise the finance director whether the disbursement made or proposed is consistent with the resolution adopted by the board governing disbursement of funds. If the city manager fails to so certify within 10 days, it shall be presumed that he has made a positive finding therein. Within 5 days thereafter, the finance director shall, if a positive finding has been made or presumed, approve payment as requested.
- C. Return of Fees.
 - 1. Fees paid into the residential impact fund which are not appropriated within 5 years of payment shall be returned to the payor, with all interest actually earned, if written request for return is filed with the director of finance during the fifth year after payment. The request for return shall be verified, and shall state the date of payment, the amount

REDISTRICTING: SPLIT REPRESENTATION DEMANDS LEADERSHIP and ACTION

- paid, and the location of new development for which the fee was paid, and that the party requesting return of the fee is the payor of the fee or the payor's assignee or successor.
2. In the case of subdivisions, such fees shall be committed within 5 years after payment of such fees or the issuance of building permits on ½ of the lots created by the subdivision, whichever occurs later. If the fees are not committed, they shall be distributed and paid without any deductions to the then record owners of the subdivision in the same proportion as the size of their lot bears to the total area of all lots within the subdivision.
 3. The right of a return of fees may be assigned in writing. No assignment shall be valid unless the assignment is acknowledged before a notary public in the same manner as is required for recording with the county recorder documents affecting title to land.
 - 4.

If a request for return is not made within 1 year of the date a request for return may first be filed, then the right to have fees returned shall terminate, and the fees and all interest earned shall revert to the impact fund.

REDISTRICTING: SPLIT REPRESENTATION DEMANDS
LEADERSHIP and ACTION

Pasadena, California, Code of Ordinances
Title 4 - REVENUE AND FINANCE*
Chapter 4.19 - TRAFFIC REDUCTION AND TRANSPORTATION IMPROVEMENT FEE*

Chapter 4.19 - TRAFFIC REDUCTION AND TRANSPORTATION IMPROVEMENT FEE*

Sections:

- 4.19.010 - Short title.
- 4.19.020 - Definitions.
- 4.19.030 - Fund created.
- 4.19.040 - Fees.
- 4.19.050 - Exceptions.
- 4.19.060 - List of improvements.
- 4.19.070 - Return of fees.
- 4.19.080 - Interest.
- 4.19.090 - Accounting for fees.

4.19.010 - Short title.

This chapter may be designated and cited as "the traffic reduction and transportation improvement fee ordinance."

(Ord. 7076 § 2 (part), 2006; Ord. 5517 § 1 (part), 1981)

4.19.020 - Definitions.

- A. "New industrial use" means any net new industrial construction, including but not limited to additions, expansions, or enlargements of industrial structures, and the conversion of a preexisting structure to an industrial use.
- B. "New office use" means any net new office/commercial construction, including but not limited to additions, expansions, or enlargements of office/commercial structures, and the conversion of a preexisting structure to an office/commercial use.
- C. "New retail use" means any net new retail construction, including but not limited to additions, expansions, or enlargements of retail structures, and the conversion of a preexisting structure to a retail use.
- D. "New residential use" means any new construction of residential units, including but not limited to the addition of new unit(s), and the conversion of a preexisting nonresidential structure to residential use.

(Ord. 7076 § 2 (part), 2006)

4.19.030 - Fund created.

There is created a special fund to be known as the "traffic reduction and transportation improvement fund" to account for fees paid pursuant to this chapter.

(Ord. 7076 § 2 (part), 2006; Ord. 5517 § 1 (part), 1981)

4.19.040 - Fees.

- A. Except as specifically excepted in this chapter, all new development shall pay into the traffic reduction and transportation improvement fund a fee in an amount as set forth below. The fee shall be paid prior to the issuance of any building permit for new development.
 - 1. New industrial use: \$3.10 per square foot.
 - 2. New office use: \$3.72 per square foot.
 - 3. New retail use: \$8.62 per square foot.
 - 4. New residential use: \$2,480 per new unit.
- B.

REDISTRICTING: SPLIT REPRESENTATION DEMANDS LEADERSHIP and ACTION

The building and code enforcement administrator shall not issue any building permit for new development until the fee required by this chapter has been paid.

C.

Fee Schedule Escalation. The traffic reduction and transportation improvement fee may annually escalate by the same percentage as the Consumer Price Index (CPI). Such escalation, if any, shall be presented annually prior to July 1st of the first year after the effective date of the ordinance enacting this chapter, and each year thereafter for approval by the council.

(Ord. 7076 § 2 (part), 2006; Ord. 6241 § 1, 1988; Ord. 5517 § 1 (part), 1981)

4.19.050 - Exceptions.

The following new developments are exempted from payment of the fee required by this chapter:

A.

The reconstruction of any building destroyed or damaged by fire, explosion, natural catastrophe or Act of God to the extent that the reconstruction does not add to the floor area of the structure prior to its being damaged or destroyed;

B.

Any development for which a building permit has lawfully been issued prior to the effective date of the ordinance codifying the traffic reduction and transportation improvement fee;

C.

Developments with plans complying with all of the following:

1.

The plans were deemed complete by the building official prior to the effective date of the ordinance codifying the traffic reduction and transportation improvement fee, or

2.

Project entitlements were issued prior to the effective date of the ordinance codifying the traffic reduction and transportation improvement fee;

D.

Parking structures, facilities and areas;

E.

Affordable Housing Incentives.

1.

The traffic reduction and transportation improvement fee is waived for all for-sale or rental affordable housing units built on-site. Affordable housing units built off-site shall receive a 50 percent discount on the traffic reduction and transportation improvement fee,

2.

For-sale or rental workforce housing units shall receive a 50 percent discount on the traffic reduction and transportation improvement fee when at least 15 percent of a development is within the price range of 121 to 150 percent of Average Median Income (AMI) for Los Angeles County,

3.

For-sale or rental workforce housing units shall receive a 35 percent discount on the traffic reduction and transportation improvement fee when at least 15 percent of a development is within the price range of 151 to 180 percent of Average Median Income (AMI) for Los Angeles County;

F.

All new industrial, office, or retail uses in the enterprise zone business development area ("EZBDA").

(Ord. 7098 § 2, 2007; Ord. 7076 § 2 (part), 2006; Ord. 5517 § 1 (part), 1981)

4.19.060 - List of improvements.

The council shall disburse the funds collected under this chapter to implement or construct the following transportation improvements:

A.

Net increase in annual ARTS operating costs;

B.

Additional ARTS buses;

C.

Miscellaneous bus stop improvements;

D.

Additional dial-a-ride vans;

E.

Transit maintenance facility/bus yard;

F.

Transit intelligent transportation system (ITS);

G.

Multimodal corridor safety/mobility enhancements;

H.

Intelligent transportation system (ITS) master plan;

REDISTRICTING: SPLIT REPRESENTATION DEMANDS LEADERSHIP and ACTION

- I. Arroyo Parkway and Del Mar Boulevard intersection improvements;
- J. Arroyo Parkway and California Boulevard intersection improvements;
- K. Del Mar Boulevard and Hill Avenue intersection improvements;
- L. Foothill Boulevard and Rosemead Boulevard intersection improvements;
- M. Foothill Boulevard and Sierra Madre Avenue intersection improvements;
- N. Lake Avenue and Maple Street intersection improvements;
- O. Lake Avenue and Walnut Street intersection improvements;
- P. Kinneloa Street Extension—Colorado Boulevard to Foothill Boulevard;
- Q. Walnut Street Extension—Sunnyslope Avenue to Kinneloa Street.

(Ord. 7076 § 2 (part), 2006)

4.19.070 - Return of fees.

- A. Fees paid into the traffic reduction and transportation improvement fund which are not appropriated within 5 years of payment shall be returned to the payer, with all interest actually earned, if written request for return is filed with the director of finance during the fifth year after payment. The request for return shall be verified, and shall state the date of the payment, the amount paid, and that the party requesting return of the fee is the payer of the fee or the payor's assignee or successor.
- B. In the case of subdivisions, such fees shall be committed within 5 years after payment of such fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later. If the fees are not committed, they shall be distributed and paid without any deductions to the then record owners of the subdivisions in the same proportion as the total number of lots in the subdivision.
- C. The right of a return of fees may be assigned in writing. No assignment shall be valid unless the assignment is acknowledged before a notary public in the same manner as is required for recording with the county recorder documents affecting title to land.
- D. If a request for return is not made within one year of the date of request for return may first be filed, then the right to have fees returned shall terminate, and the fees and all interest earned shall revert to the traffic reduction and transportation improvement fund.

(Ord. 7076 § 2 (part), 2006; Ord. 5517 § 1 (part), 1981)

4.19.080 - Interest.

All interest earned by the traffic reduction and transportation improvement fund shall be part of the fund. There shall be at all times reserved in the fund sufficient amounts of earned interest to enable the city to pay all potential obligations for the refund of interest earned on fees which may be eligible for refunds pursuant to Section 4.19.070 of this chapter. Any amounts of interest earned by the fund which exceed the necessary reserve amount may be appropriated and disbursed for any of the improvements identified in Section 4.19.060 of this chapter.

(Ord. 7076 § 2 (part), 2006; Ord. 6282 § 1, 1988; Ord. 5517 § 1 (part), 1981)

4.19.090 - Accounting for fees.

The director of finance shall maintain records specifically identifying the origin of the funds used for any project or improvement funded, in whole or in part, by the traffic reduction and transportation improvement fund. Such records shall enable the director to trace the fees from new development to specific projects funded by each development. Any interest accruing on account of time deposit of the fund, or otherwise, shall be deposited to the credit of the fund.

(Ord. 7076 § 2 (part), 2006; Ord. 5517 § 1 (part), 1981)

Attachments: 1992_06_23_FINAL_REPORT[1].pdf

From: Martin PCC Enriquez [mailto:crowncitycitizenmartin@aol.com]

Sent: Thursday, April 26, 2012 10:27 PM

To: cityclerk

Subject: attention: Bill Crowfoot FYI Fwd: REGRESSION from Bogaard-Thompson-Fajardo 65% rule of 1992."

-----Original Message-----

From: Martin PCC Enriquez <crowncitycitizenmartin@aol.com>

To: bbogaard <bbogaard@cityofpasadena.net>; gscooper <gscooper@pasadena.edu>; agarcia <agarcia@naleo.org>; sochoa <sochoa@maldef.org>

Cc: Joe.piasecki <Joe.piasecki@latimes.com>; wethomson <wethomson@pasadena.edu>

Sent: Thu, Apr 26, 2012 10:25 pm

Subject: REGRESSION from Bogaard-Thompson-Fajardo 65% rule of 1992."

Dear Honorable Mayor Bill Bogaard,

I participated in the Great Compromise of 1991-1992, although not perfect it was a major improvement over the 1980's and 1970's redistricting plans. As the Chair of that commission you presided over many meetings and forums. The greatest achievement was recognizing the vast socio-cultural and economic differences in the Northwest (generally East of Allen Avenue and North of Colorado Boulevard) and those of NOT impoverished. As such, you are well familiar with the plethora of communities that make Pasadena wonderful.

What I have seen and understood of the 2012 redistricting demonstrates a regression from the final report of 1992. Specifically, "Bogaard-Thompson-Fajardo 65% rule of 1992." The lines presented in April 2, 2012 have figures of UNDER 65%. Thus, they fail the CRITERIA of 1992. Thus, it follows that regression has taken place by REMOVING the TWENTY YEAR precedent of VRA protection. It further follows that the lines for redistricting for April 30, 2012 are vulnerable to legal challenge that a second year paralegal can file in federal court or state court.

As an officer of the court and a member of the civil sacerdotal brotherhood of lawyers you are held to a higher standard. Additionally, your intimate knowledge of the history of the

proceeding of the Great Compromise of 1991-1992 and your twenty year reign as Mayor gives you a decidedly greater understanding of the creation of the "**Bogaard-Thompson-Fajardo 65% rule of 1992.**"

If the "Bogaard-Thompson-Fajardo 65% rule of 1992" was modified in 2002 Redistricting that was in error. Please advised in the above LOCAL RULE was abrogated in 2002 or is it still in force?

Please see below, email of Tue, Jan 24, 2012 at 7:35 PM to Gail S. Cooper, general counsel to Pasadena Area Community College District [PACCD].

Citizens Redistricting Commission:

Please add to:

LOS ANGELES REGION IV; CITY OF PASADENA

- 1) I understand that the lines drawn have been certified and maps issued in December 31, 2011 by Los Angeles County's CC/RR.
- 2) Legal challenges by Republicans and others have been dismissed.
- 3) This is an effort to define my communities for local representation in Pasadena's City Council and for Pasadena Unified School District [PUSD] and the Pasadena Area Community College District [PACCD]
- 4) If this is of any utility, the CRC should consider this PUBLIC COMMENT for the next round scheduled for 2020.

Sincerely,

Martin A. C. Enriquez*Marquez
April 26, 2012

CC: Pasadena City Council
Pasadena Unified School District; Governing Board Members
Pasadena Area Community College District; Governing Board Members
Interested Parties of the CHL Community of Pasadena

----- Forwarded message -----

From: **Martin Enriquez** OMITTED

Date: Tue, Jan 24, 2012 at 7:35 PM

Subject: PCC Redistricting: City of Pasadena Criteria 1992 06 23 FINAL REPORT[1]

To: "Gail S. Cooper" <gscooper@pasadena.edu>

Cc: lswah@pasadena.edu, Astrid Garcia <agarcia@naleo.org>

Martin A. C. Enriquez*Marquez
PO Box 94270
Pasadena, California 91109-4270

Dear Ms. Gail S. Cooper,

Enclosed you will find the Final Report for the City of Pasadena Redistricting for 1992.

The criteria used for the City of Pasadena is superior to that used by the College (PACCD) in 1992, 2002 and most certainly 2012 Redistricting.

Here are some interesting highlights:

Attachment "C" on page 6
Redistricting Task Force Charge and Related Factors

FIRST PRIMARY CRITERIA

A. Under Gingles, determined on "totality of circumstance" which includes:

1) Raw population figures

a) 50+% Whites, Black

b) 65% Latinos (Fajardo)

3) Voting age population

a) 50+% Whites, Black

b) >50% Latino (Higher percentage needed to account for non-citizens)

B. 14th & 15th Amendments- "intent test" (Garza)

1) Must consider ethnicity of current district to avoid regression from current districts

2) Must avoid division of minority groups to achieve other objectives such as
preservation of
incumbencies.

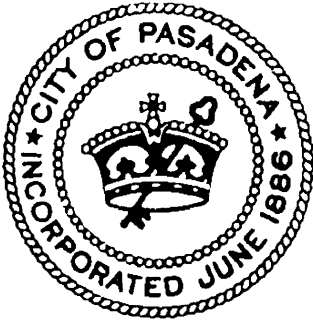
I hope you find the report as fascinating as I did. Please take particular note that under the First Primary Criteria, under Gingles the VAP for Latinos should be above 65% for Raw population figures. The College's redistricting plan only has 57% (raw) and CVAP minimal amount of 42%.

FOURTY-TWO (42%) CVAP is so below the 65% that a plaintiff could easily convince a magistrate that the perpetuation of a pattern exist in the last THREE redistricting cycles that limits the ability of Chicanos & Hispanos of Pasadena Unified and the City of Pasadena to elect some of their choice as a representative on the Board of Trustees of the Pasadena Area Community College District (PACCD).

Respectfully,

Martin A. C. Enriquez*Marquez

PS:
Trustee Thompson was a City of Pasadena Council member in 1992 and is fully aware of the above criteria.



Agenda Report

TO: City Council
FROM: Redistricting Task Force
SUBJECT: Redistricting Task Force Final Report

DATE: June 9, 1992

RECOMMENDATION

It is recommended that the City Council:

1. Receive the Redistricting Task Force recommendation to adopt the redistricting plan attached herewith as Attachment "A" entitled "Recommended Redistricting Plan, Approved May 28, 1992, by the Redistricting Task Force;"
2. Conduct, as the Council may deem appropriate, a public forum to receive public comment on the recommended plan and alternative plans which the Council may wish to consider; and,
3. Approve the redistricting plan as recommended by the Redistricting Task Force.

BACKGROUND

The Redistricting Task Force was formed by the City Council in the summer of 1991 holding its first meeting on July 25, 1991. A list of its members is included in this report as Attachment "B". Since that time the members of the Task Force have dedicated many hours to the process of developing the boundaries of new council districts in accordance with the redistricting criteria approved by the Council. The criteria which guided the Task Force are included with this report (see Attachment "C"). The process followed by the Task Force involved the following steps:

1. Informing and educating the Task Force members as to the legal requirements of redistricting and the characteristics

of the City of Pasadena and its population which had relevance to the issues involved in redistricting;

2. The selection of a professional consultant to aid the Task Force in the technical aspects of redistricting;

3. The development of study "exercises" which allowed the Task Force to apply its new-found knowledge to the exploration of specific issues (e.g. the maximization of Hispanic registered voters in a single district);

4. The development of several redistricting concepts narrowing the Task Force's deliberations to examples of possible redistricting plans which focused on primary issues as identified by the Task Force; and,

5. The formation of a final Task Force recommendation to the Council.

PUBLIC PARTICIPATION

Throughout this process the Task Force took steps to encourage the public to participate in its discussions. The Task Force was greatly aided by Manuel Valencia, of the consulting firm of Valencia, Maldonado and Echeveste, who designed and implemented an extensive public outreach program. This program is outlined in Attachment "D" Mr. Valencia, and his firm, contributed substantial amounts of pro bono time beyond that which was included in the small budget allotted for public outreach.

THE TASK FORCE RECOMMENDATION

At its final meeting of May 28, 1992, the Task Force reviewed the four "concept" plans previously submitted to the Council as an information item on April 21, 1992 and submitted herewith as Attachment "E". Each of the concepts addressed particular objectives and issues which had been raised by Task Force members. The proposals were the subject of much community discussion and debate at the three community meetings arranged for the purpose of discussing these concepts. The Task Force also reviewed the criteria, which were its guide throughout the entire process, and measured each concept against these. It was apparent early in the discussion that Concept B best met the criteria approved by the Council and the concerns and issues raised by the public. Although it was clearly not possible to resolve everyone's differences and concerns completely, the members ultimately concluded by a vote of 12 to 2 (one member absent) to present Concept B as the final Task Force recommendation. It is noted that the absent member had indicated support for the recommended plan earlier in the meeting.

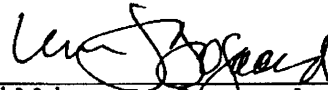
The Task Force membership consisted of a diverse group of Council appointees who came to the task at hand with widely varying perspectives and opinions. The broad support for the final recommendation testifies to the validity of a process which stressed education, participation and a full exploration of many different approaches to the development of solutions. The task was a complicated one involving legal parameters and important community issues not present or fully considered in the 1981 redistricting process. The Task Force is confident that the recommended plan will serve the community well in the future.

Task Force members will be present to give comments or answer questions at this Council meeting or future meetings at the discretion of the Council. In addition, the Task Force's able consultant, David Ely, Pachtech Data and Research, Inc., will be available to assist the Council in its deliberations.

RECOGNITION

The Task Force would particularly bring the Council's attention to those who aided in its work. The Messiah Lutheran Church, Steve Hansen, Pastor, contributed meeting space free of charge for most the Task Force meetings and Mr. Carl Berglund of Messiah Lutheran Church contributed with the location set up and maintenance. Manuel Valencia and his assistant, Kristin Callahan, contributed, pro bono, much time and materials to the effort. Bill Williams, City Communication Supervisor, contributed many uncompensated overtime hours in setting up and taking down public address and recording equipment. In addition, Maria Stewart, City Clerk, and her assistants Jane Rodriguez and Josie Garcia must receive special commendation for their significant contributions. The Task Force also recognizes, with great appreciation, the dedicated professional contributions of Victor Kaleta, City Attorney, who guided it through the legal complexities of redistricting and Don Nollar, Director of Planning Building and Neighborhood Services, who provided overall guidance for the redistricting process.

Respectfully Submitted,



William J. Bogaard, Chairman

ATTACHMENT "B"

REDISTRICTING TASK FORCE

ROSTER OF MEMBERS

CHAIR: (appt. by mayor)	William J. Bogaard
Dist. 1	Christina Cook Ann Marie Hickambottom
Dist. 2	Marvin Greer Edward Maya
Dist. 3	Elias Galvan Dr. James King Jr.
Dist. 4	Edward J. Matys Rosemary Schroeder
Dist. 5	Joe Morales Christopher Sutton
Dist. 6	Fred Register Paul Secord
Dist. 7	Susan Arcaris Edward Garlock

**REDISTRICTING TASK FORCE CHARGE
AND RELATED FACTORS**

First Primary Criteria - The redistricting shall not have the effect of diluting minority voting strength. Minority voting strength shall be based on voter registration by minority group which is an accepted approximation of voter age population of citizens because exact data is unavailable from the Census Bureau at this time.

- A) **Voting Rights Act** - "effects" test. Covers any minority group:
- 1) which is geographically compact
 - 2) which is politically cohesive
 - 3) whose choices are negated by majority voters

Under **Gingles**, determined on "totality of circumstances" which includes:

- 1) Raw population figures
 - a) 50+% - Whites, Blacks
 - b) 65% - Latinos (Fajardo)
 - 2) Voting age population of citizens, 50+% - all groups
 - 3) Voting age population
 - a) 50+% Whites, Blacks
 - b) >50+% - Latinos (higher percentage needed to account for non-citizens)
 - 4) Registered voter population, 50+% - all groups
 - 5) Voter turnout of group
 - 6) Political cohesiveness of group
- B) **14th & 15th Amendments** - "intent test". (Garza)
- 1) Must consider ethnicity of current districts to avoid regression from current districts..
 - 2) Must avoid division of minority groups to achieve other objectives such as preservation of incumbencies.

Second Primary Criteria - Only seven district alternatives shall be considered for the initial redistricting alternatives.

First Secondary Criteria - Districts should be nearly as equal in population as practical and should be based on the Federal 1990 Census. A standard of +/- 2% should be used unless it is feasible to use a standard of +/- 1%. Nevertheless, larger deviations of up to +/- 10% may be considered if necessary to achieve the first Primary Criteria; provided, however that the Task Force must seek and obtain the approval of the City Council prior to exceeding the +/- 2% standard.

- A) "One person, one vote" Reynolds v. Sims
- B) Deviations permitted to avoid minority vote dilution.
Prima facie valid, +/- 10%
Maximum permitted, +/- 16.4%

Second Secondary Criteria - The Task Force should strive to include all elements of Pasadena to assure the alternatives suggested are based on a broad range of views.

First Tertiary Criteria - To the extent possible, without violating the First Primary Criteria, the districts should be cohesive and compact and should consider communities of interest such as neighborhood groups.

Second Tertiary Criteria - Make division along Census block lines, not splitting any blocks.

AMPLIFICATION OF REDISTRICTING TASK FORCE CHARGE

This document provides an outline of the relevant factors that should be considered in implementing the Redistricting Task Force's charge as approved by the City Council. The six criteria of the charge are organized into three groups of two, Primary, Secondary and Tertiary, and the more important criterion within each group is listed first. The balance of this document is organized by listing the criteria in the sequence they appear in the charge with an outline of the relevant factors to be considered relative to each criterion listed thereunder.

OUTLINE OF FACTORS

First Primary Criteria

The redistricting shall not have the effect of diluting minority voting strength. Minority voting strength shall be based on voter registration by minority group which is an accepted approximation of voter age population of citizens because exact data is unavailable from the Census Bureau at this time.

Laws:

- A) Voting Rights Act - "effects test" (Gingles)
Considering the "totality of circumstances" must address for any minority group:
- 1) which is geographically compact
 - 2) which is politically cohesive
 - 3) whose choices are negated by majority voters

The factors to consider relative to the "totality of circumstances" are:

- 1) Raw population figures from 1990 census
 - a) 50+% - Whites, Blacks
 - b) 65% - Latinos (per Fajardo)
- 2) Voting age population of citizens - data not available as to citizenship from 1990 census (some use registered voters as guide).
 - a) 50+% - all groups
- 3) Voting age population from 1990 census.
 - a) 50+% - Whites, Blacks
 - b) >50+% - Latinos (higher number needed to account non-citizens)
- 4) Registered voter figures based on surname and other sorting by Pactech.
 - a) 50+% - all groups
- 5) Voter turnout of group
- 6) Political cohesiveness of group measured by voting patterns of group and political leadership in group

- B) 14th & 15th Amendments - "intent test" (Garza)
- 1) Must consider ethnicity of current districts to avoid

regression from current districts.

- 2) Must avoid division of minority groups to achieve other objectives such as preservation of incumbencies.

Terms:

- A) "Packing" - concept of cramming minority groups into fewest possible districts so as to lower number of districts they can control.
- B) "Cracking" - concept of spreading minority groups among as many districts as possible so as to reduce their ability to control any district.

Second Primary Criteria

Only seven district alternatives shall be considered for the initial redistricting alternatives.

Law:

Charter restriction change would require that Charter amendment be approved by voters which is uncertain as to outcome.

First Secondary Criteria

Districts should be nearly as equal in population as practical and should be based on the Federal 1990 Census. A standard of +/- 2% should be used unless it is feasible to use a standard of +/- 1%. Nevertheless, larger deviations of up to +/- 10% may be considered if necessary to achieve the first Primary Criteria; provided, however that the Task Force must seek and obtain the approval of the City Council prior to exceeding the +/- 2% standard.

Law:

One person, one vote standard established pursuant to equal protection requirement of 14th Amendment by United States Supreme Court in Reynolds v. Sims.

General:

Considering census block sizes standard of +/- 1% to 2% easily achievable.

Deviations:

Deviations from general standard (malapportioned districts) permitted to avoid minority vote dilution, the first Primary Criteria.

Prima facia valid, +/- 10%

Maximum permitted, 16.4%

Factors:

- A) May consider population growth patterns.
- B) May consider undercount if sufficiently reliable data can be developed.

Second Secondary Criteria

The Task Force should strive to include all elements of Pasadena to assure the alternatives suggested are based on a broad range of views.

Issues:

- 1) Political - Appropriate to assure all groups within City to express how they should be represented. Unfortunately, end product will be a compromise which may not satisfy each group.
- 2) Legal - Greater input into and satisfaction with adopted plan reduces likelihood of legal challenges.

First Tertiary Criteria

To the extent possible, without violating the first Primary Criteria, the districts should be cohesive and compact and should consider communities of interest such as neighborhood groups.

Law:

Section 35101 of Elections Code.
Case law indicates not as important as avoiding minority vote dilution and "one person, one vote."

Factors:

- A) Neighborhood associations should not be split.
- B) Natural geographic features should be considered. Arroyo Seco may be only such relevant feature in Pasadena.
- C) Manmade geographic features should be considered. Major streets and freeways are examples.

Second Tertiary Criteria

Make division along Census block lines, not splitting any blocks.

Issue:

Practical consideration in that dividing census blocks would require assumptions as to homogeneity or non-homogeneity of census blocks to determine population and ethnicity of population would add factors subject to legal challenge.

REDISTRICTING TASK FORCE

SUMMARY OF PUBLIC OUTREACH EFFORTS

I. Community Outreach

Mailing to 300 community leaders to attend leadership breakfast.*

Conducted community leadership breakfast. Attended by approximately 80 persons.*

Scheduled 14 engagements for Task Force members to speak to community organizations. Three of these meetings were canceled.*

Conducted one workshop with technical consultant. (Organizations and individuals were invited to have individual workshops to become familiar with computer-aided redistricting techniques and to try out their own redistricting concepts).*

Issued periodic "Community Alerts" bulletins to 52 organizations and individuals.*

II. News Media Outreach

Provided notice of all Task Force meetings and Community Meetings to newspapers, radio and television by telephone and mail.*

Provided media briefing to Star News and Los Angeles Times.*

Prepared and distributed public service announcements to 32 radio stations.*

Prepared and distributed media "kits" for all media.*

Provided regular contact and coordination with all media.*

III. Direct Mail

300 invitations to leadership breakfast.*

500 postcards to residents regarding community meetings (general plan mailing list). (underwritten by 1st Interstate Bank).*

1500 flyers to residents regarding concept maps (underwritten by Kaiser Permanente).*

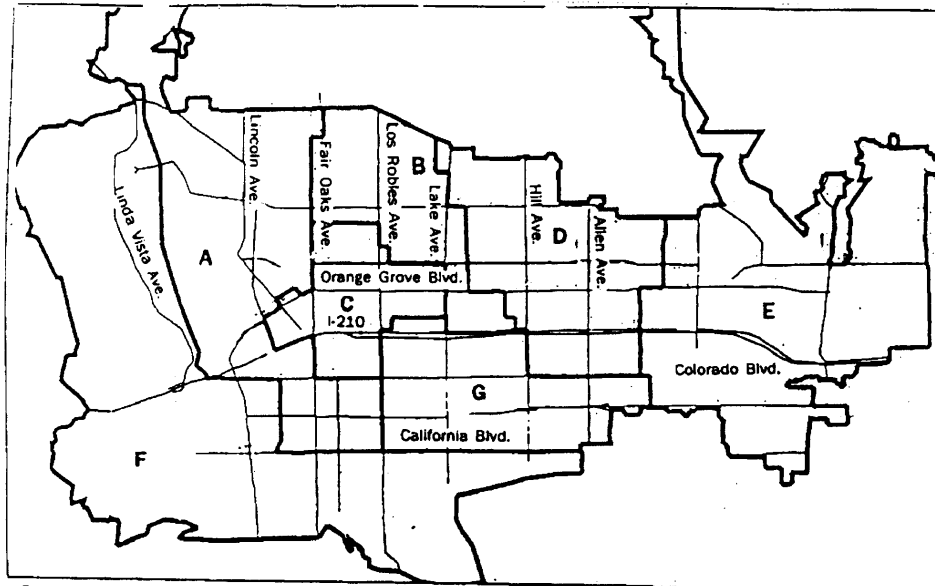
* Organized or prepared by Valencia, Maldonado and Echeveste

IV. Meetings

Conducted 19 regular Task Force meetings at which public comment was received at the opening and closing of each meeting.

Conducted two public forums: Feb. 27, Jackie Robinson Recreation Center; and Mar. 12, Pasadena Conference Center - at which public comment was received on issues to be considered in the development of redistricting plans.

Conducted three public forums: April 16, Jackie Robinson Center; May 14, Pasadena Conference Center; and May 16, Messiah Lutheran Church - to receive public comments on alternative redistricting concepts.



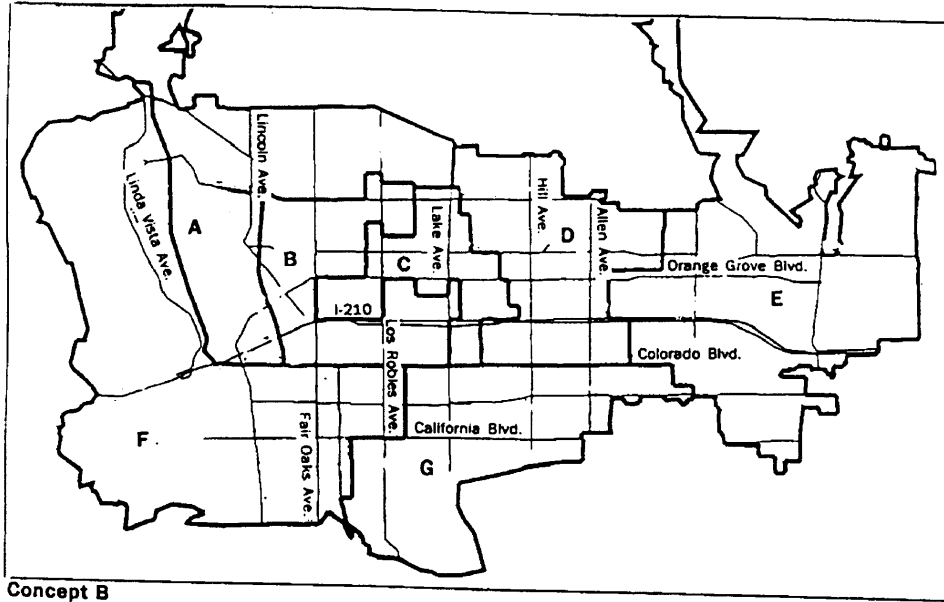
Concept A

Population							Concept A						
District	Total	Pct of Ideal	Black	Latino	Asian	Non Latino White	District	Total	Pct of Ideal	Black	Latino	Asian	Non Latino White
A	18715	99.55%	44.43%	24.98%	5.71%	26.73%	A	14014	74.88%	41.74%	20.86%	6.58%	32.32%
B	18716	99.56%	33.51%	40.59%	5.47%	22.94%	B	13386	71.52%	32.79%	36.61%	5.70%	27.13%
C	18746	99.72%	25.91%	62.31%	3.40%	10.61%	C	12682	67.65%	25.82%	58.82%	3.86%	13.78%
D	18806	100.04%	9.68%	22.50%	9.40%	58.65%	D	14616	77.72%	8.72%	20.22%	9.52%	61.73%
E	18815	100.09%	5.59%	17.04%	11.00%	66.52%	E	15239	80.99%	5.22%	15.24%	10.31%	69.26%
F	18896	100.52%	3.81%	8.80%	8.47%	78.97%	F	15912	84.21%	3.51%	8.06%	8.03%	80.43%
G	18897	100.52%	10.12%	15.13%	13.29%	61.24%	G	16759	88.69%	9.07%	13.60%	13.07%	64.00%

Voting Age Population						
District	Total	Pct of Pop	Black	Latino	Asian	Non Latino White
A	14014	74.88%	41.74%	20.86%	6.58%	32.32%
B	13386	71.52%	32.79%	36.61%	5.70%	27.13%
C	12682	67.65%	25.82%	58.82%	3.86%	13.78%
D	14616	77.72%	8.72%	20.22%	9.52%	61.73%
E	15239	80.99%	5.22%	15.24%	10.31%	69.26%
F	15912	84.21%	3.51%	8.06%	8.03%	80.43%
G	16759	88.69%	9.07%	13.60%	13.07%	64.00%

Registration							Armenian
District	Total	Pct of VAP	Black	Latino	Asian	Non Ethnic	Armenian
A	9293	66.31%	54.84%	7.10%	3.56%	34.76%	.19%
B	7109	53.11%	46.65%	12.91%	1.84%	38.99%	.38%
C	4197	33.09%	54.73%	14.22%	1.55%	29.83%	.12%
D	9036	61.82%	9.96%	10.28%	2.99%	73.32%	3.74%
E	10645	69.85%	5.44%	8.57%	3.84%	78.34%	3.92%
F	13035	81.92%	3.07%	4.99%	4.06%	87.03%	.88%
G	9344	55.76%	10.27%	7.18%	3.71%	78.21%	.82%

Municipal Voters							Armenian
District	Total	Pct of Reg	Black	Latino	Asian	Non Ethnic	Armenian
A	1910	20.55%	55.34%	5.08%	3.93%	35.76%	.16%
B	1443	20.30%	44.63%	11.99%	2.08%	41.72%	.49%
C	672	16.04%	50.24%	3.66%	1.04%	35.97%	.15%
D	1850	20.47%	9.68%	7.89%	2.27%	77.84%	2.59%
E	2539	23.85%	4.57%	4.82%	2.56%	85.23%	2.95%
F	4724	36.26%	2.29%	3.26%	3.09%	70.48%	.93%
G	1716	18.36%	9.44%	4.25%	2.27%	83.28%	.93%



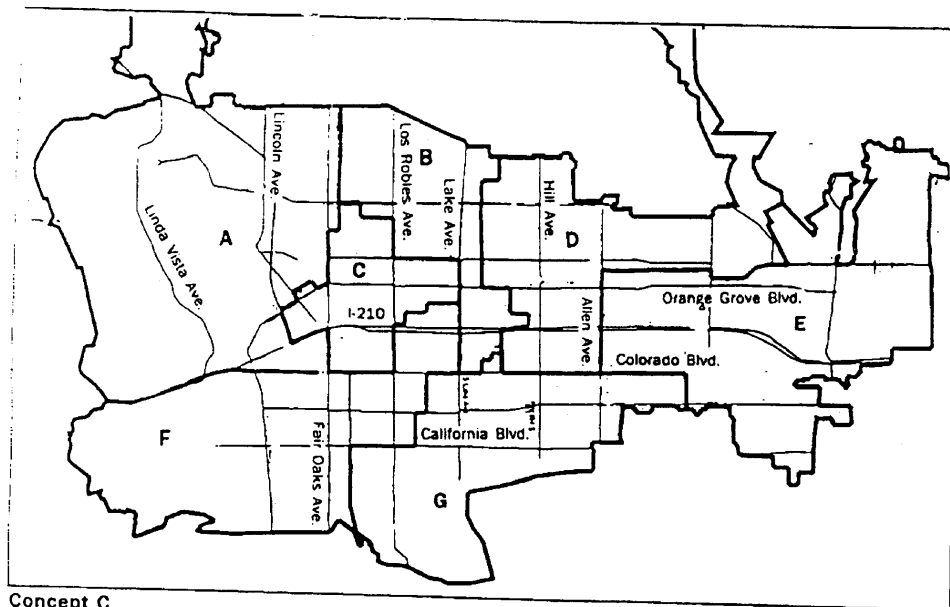
Concept B

Population							Concept B						
District	Total	Pct of Ideal	Black	Latino	Asian	Non Latino White							
A	18820	100.11%	45.60%	31.64%	4.36%	20.55%							
B	16784	99.92%	39.13%	39.82%	5.46%	18.21%							
C	18440	98.09%	20.05%	58.11%	5.88%	17.83%							
D	18957	100.84%	11.54%	21.26%	9.58%	57.82%							
E	18781	99.90%	5.22%	17.70%	11.02%	66.17%							
F	18916	100.62%	5.53%	10.34%	7.53%	76.60%							
G	18893	100.50%	5.86%	12.97%	12.90%	68.13%							

Voting Age Population						
District	Total	Pct of Pop	Black	Latino	Asian	Non Latino White
A	13623	72.39%	44.98%	27.30%	5.08%	24.47%
B	13121	69.85%	37.74%	35.61%	5.75%	23.20%
C	12954	70.25%	19.72%	54.01%	6.55%	21.47%
D	14866	78.42%	10.47%	19.24%	9.80%	60.67%
E	15044	80.21%	4.73%	15.87%	10.30%	69.11%
F	14421	86.81%	5.05%	9.37%	7.22%	78.27%
G	16559	87.65%	5.59%	11.76%	12.79%	69.71%

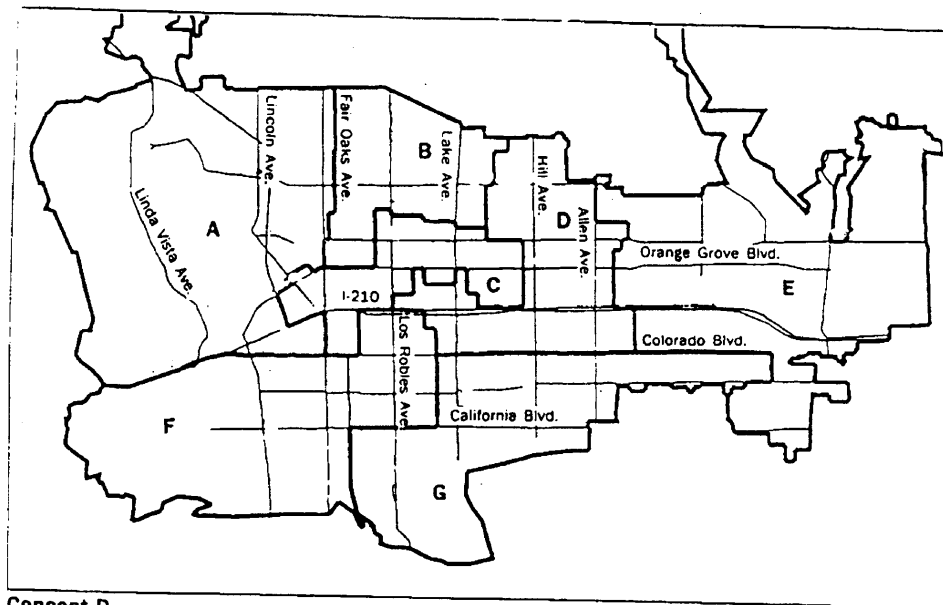
Registration							
District	Total	Pct of VAP	Black	Latino	Asian	Non Ethnic	Armenian
A	8907	65.38%	58.48%	8.80%	3.32%	29.73%	.20%
B	6960	53.04%	56.36%	8.62%	1.91%	33.59%	.11%
C	4587	35.41%	36.63%	16.63%	2.55%	44.17%	.61%
D	8953	60.22%	11.65%	10.03%	2.88%	72.13%	3.64%
E	10637	70.61%	5.01%	8.85%	3.98%	78.31%	3.96%
F	12082	73.58%	4.47%	5.84%	3.57%	85.53%	.65%
G	10533	63.61%	5.89%	6.13%	4.03%	82.95%	1.12%

Municipal Voters							
District	Total	Pct of Reg	Black	Latino	Asian	Non Ethnic	Armenian
A	2068	23.22%	57.35%	6.96%	3.34%	32.69%	.10%
B	1242	17.84%	48.71%	5.88%	1.85%	43.80%	.08%
C	913	19.90%	34.17%	13.80%	2.63%	49.73%	.88%
D	1697	18.95%	10.49%	7.66%	1.89%	77.73%	2.59%
E	2591	24.36%	4.25%	4.90%	2.78%	85.14%	3.05%
F	3923	32.47%	2.78%	3.90%	2.80%	89.88%	.74%
G	2423	23.00%	4.29%	3.18%	3.05%	88.20%	1.28%



Concept C

Population							Concept C						
District	Total	Pct of Ideal	Black	Latino	Asian	Non Latino White							
A	18836	100.20%	45.08%	22.98%	5.56%	28.45%							
B	18711	99.53%	31.63%	39.67%	6.29%	24.51%							
C	18727	99.62%	26.20%	63.03%	3.31%	9.76%							
D	18911	100.60%	10.28%	20.86%	9.59%	59.57%							
E	18788	99.94%	5.51%	19.23%	10.86%	64.46%							
F	18824	100.13%	7.77%	11.84%	8.22%	72.32%							
G	18794	99.97%	6.35%	13.69%	12.94%	66.85%							
Voting Age Population													
District	Total	Pct of Pop	Black	Latino	Asian	Non Latino White							
A	13755	73.03%	43.30%	19.03%	6.29%	33.17%							
B	13419	71.72%	30.63%	36.11%	6.68%	28.45%							
C	12577	67.16%	26.11%	59.73%	3.76%	12.76%							
D	14877	78.67%	9.42%	18.78%	9.72%	62.41%							
E	15084	80.29%	5.10%	17.11%	10.21%	67.50%							
F	16534	87.83%	7.11%	10.55%	7.77%	74.57%							
G	16362	87.06%	5.89%	12.47%	12.83%	68.43%							
Registration													
District	Total	Pct of VAP	Black	Latino	Asian	Non Ethnic	Armenian						
A	10090	73.36%	51.39%	5.83%	3.94%	38.81%	.49%						
B	7310	54.47%	43.13%	13.38%	1.89%	41.96%	.36%						
C	4098	32.58%	56.61%	13.98%	1.46%	28.26%	.10%						
D	9105	61.20%	10.24%	9.43%	3.04%	73.43%	4.14%						
E	10347	68.60%	5.42%	9.13%	3.93%	77.95%	3.66%						
F	11347	68.63%	6.67%	6.57%	3.34%	83.13%	.41%						
G	10362	63.33%	6.18%	6.26%	4.08%	82.46%	1.12%						
Municipal Voters													
District	Total	Pct of Reg	Black	Latino	Asian	Non Ethnic	Armenian						
A	2586	25.63%	41.26%	4.10%	3.63%	50.77%	.43%						
B	1645	22.50%	41.09%	11.25%	1.88%	46.14%	.43%						
C	622	15.18%	51.77%	10.29%	1.13%	37.78%	.16%						
D	1748	19.70%	8.35%	7.30%	2.40%	78.72%	3.43%						
E	2439	23.57%	4.55%	5.04%	2.58%	85.32%	2.62%						
F	3400	29.96%	5.06%	4.24%	2.65%	87.62%	.56%						
G	2417	23.33%	4.55%	3.27%	3.19%	87.71%	1.32%						



Concept D

Concept D							
Population							
District	Total	Pct of Ideal	Black	Latino	Asian	Non Latino White	
A	18836	100.20%	45.08%	22.98%	5.56%	28.45%	
B	18720	99.58%	56.27%	43.83%	4.46%	18.16%	
C	18709	99.52%	20.48%	59.16%	5.18%	16.93%	
D	18798	99.99%	13.47%	23.48%	9.36%	53.89%	
E	18824	100.13%	5.13%	16.00%	10.71%	68.30%	
F	18835	100.19%	6.85%	11.10%	8.47%	73.68%	
G	18869	100.37%	5.56%	14.81%	13.02%	66.43%	
Voting Age Population							
District	Total	Pct of Pop	Black	Latino	Asian	Non Latino White	
A	13755	73.03%	43.30%	19.03%	6.29%	33.17%	
B	12935	69.10%	35.87%	40.06%	4.83%	21.61%	
C	12975	69.35%	20.26%	55.42%	5.61%	20.68%	
D	15009	79.86%	12.27%	21.07%	9.63%	57.11%	
E	15010	79.74%	4.66%	14.36%	9.99%	71.04%	
F	14612	88.20%	6.23%	10.00%	8.04%	75.70%	
G	16312	86.45%	5.27%	13.21%	12.90%	68.41%	
Registration							
District	Total	Pct of VAP	Black	Latino	Asian	Non Ethnic	Armenian
A	10091	73.26%	51.38%	5.83%	3.94%	38.82%	.49%
B	6794	52.52%	53.31%	12.17%	1.47%	33.37%	.38%
C	4626	35.65%	38.48%	16.39%	2.44%	42.65%	.50%
D	8498	56.55%	14.07%	9.88%	2.95%	70.44%	3.04%
E	10992	73.23%	4.89%	8.43%	3.78%	78.87%	4.15%
F	11312	68.10%	5.74%	6.36%	3.37%	84.22%	.41%
G	10356	63.49%	5.60%	6.59%	4.09%	82.45%	1.34%
Municipal Voters							
District	Total	Pct of Reg	Black	Latino	Asian	Non Ethnic	Armenian
A	2587	25.64%	41.24%	4.10%	3.63%	50.79%	.43%
B	1502	22.11%	45.47%	13.05%	1.66%	42.01%	.47%
C	827	17.88%	37.00%	11.32%	2.42%	49.46%	.97%
D	1568	18.47%	13.84%	7.65%	1.91%	75.26%	1.72%
E	2726	24.80%	4.40%	4.22%	2.53%	85.95%	3.04%
F	3208	28.36%	3.62%	4.30%	2.77%	88.84%	.62%
G	2439	23.55%	3.90%	3.81%	3.16%	87.58%	1.56%

From: Brian Wallace <bpwallace@yahoo.com>
Sent: Monday, April 30, 2012 9:06 AM
To: cityclerk
Subject: Redistricting vote

Hello,

I would like to submit the following comment for official consideration/record at tonight's Council meeting regarding Redistricting. Please let me know if there is anything else I should do, as I am unable to attend the meeting.

Thank you,
Brian Wallace

I fully support the Downtown Pasadena Neighborhood Association's efforts to raise awareness of the inequities evidenced by the Central District's historic and presumed under-representation with regards to Council Districts, and, hopefully, to see to their resolution in the Redistricting process by advocating for a single Council district to represent the core of our City.

Brian Wallace
419 S. Madison Ave.

Jomsky, Mark

From: Shoghig Yepremian <yepremianconsulting@msn.com>
Sent: Monday, April 30, 2012 1:44 PM
To: Jomsky, Mark
Cc: Shahe; David Gevorkyan; Danny Donabedian
Subject: Redistricting hearing tonight

Dear Mark:

Please accept this correspondence as part of your record for the City Council hearing tonight regarding the City Council Redistricting Ordinance introduction. Due to scheduling conflict, our members will not be able to be present tonight.

The Armenian National Committee of America (ANCA) Pasadena Chapter **continues** its support of the April 2, 2012 proposed City Council redistricting map and the proposed ordinance as drafted.

Please contact me if you have any questions.

Sincerely,

Shoghig Yepremian
Chair
ANCA Pasadena Chapter

Shoghig Yepremian
President
Yepremian Consulting, Inc.
Tel: 626.351.8251
Fax: 626.351.8258