

Agenda Report

March 12, 2012

TO: Honorable Mayor and City Council

THROUGH: Finance Committee

FROM: Michael J. Beck, City Manager

SUBJECT: AUTHORIZATION TO ENTER INTO CONTRACTS WITH IMPACT SCIENCES TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES AND FEHR & PEERS FOR TRAFFIC ANALYSIS RELATED TO POTENTIAL TEMPORARY USE OF THE ROSE BOWL BY AN NFL FRANCHISE

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, without competitive bidding pursuant to City Charter Section 1002(f), contracts for professional or unique services, with Impact Sciences in an amount not to exceed \$139,000 for the preparation of the Environmental Impact Report (EIR) for the proposed temporary NFL relocation;
3. Authorize the City Manager to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(f), contracts for professional or unique services, with Fehr & Peers Transportation Consultants in an amount not to exceed \$195,000 for the preparation of a traffic impact study in support of the EIR;
4. It is further recommended that the City Council grant the proposed contracts 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; and,
5. Authorize an amendment to the Fiscal Year 2012 Operating Budget transferring \$200,000 from the adopted Rose Bowl Operating Company's operating budget to the non-departmental portion of the General Fund operating budget and increasing total General Fund appropriations by the same amount.

BACKGROUND:

The potential exists for the National Football League (NFL) to relocate an existing team franchise to the Los Angeles area in the near future. Should this occur, there is a likelihood that the team would need to play in an existing stadium for an interim time period, possibly as soon as fall 2013, while a new stadium is constructed. Currently there are two proposed stadium projects in the greater Los Angeles Area; one in the City of Industry and other in the City of Los Angeles. Should either of these proposals move forward, it is likely that the Rose Bowl would be considered as an interim location.

Any interim use of the Rose Bowl would be strictly temporary until a permanent stadium is completed. Such an interim period would not exceed five years and not exceed 13 games per season. There would be no new construction or changes to the Rose Bowl Stadium as a result of any temporary NFL use.

The use of the Rose Bowl Stadium as an interim venue for an NFL team would provide a significant economic impact for the Rose Bowl Operating Company, the City, and area merchants. However, impacts such as increased traffic and noise would also be felt, particularly to neighborhoods surrounding the Central Arroyo. All of which would need to be carefully considered before making any agreement to serve as an interim venue. As the local economy continues to stagnate from the national Great Recession, staff believes that temporarily hosting an NFL team will provide a significant economic stimulus.

In order to properly determine the environmental impacts of such potential use and therefore a necessary prerequisite to any meaningful discussions with the NFL, the City/RBOC must complete an Environmental Impact Report (EIR). Given the extended period of time necessary to properly complete such analysis, staff recommends initiating the EIR process at this time since further delay would prevent the possibility of the Rose Bowl to be considered as a temporary site should the NFL move to L.A. for the 2013 season. Once initiated, the EIR process can always be revised or stopped should the City decide to discontinue the work.

As proposed the RBOC would contribute an amount up to \$200,000 to be transferred by way of a budget amendment, to the General Fund in order to initiate the work. An equal amount would be included in the FY13 General Fund operating budget.

Arroyo Seco Lands Ordinance

The first discretionary action to be taken by City Council would be consideration of a temporary increase in the number of major or "displacement events" allowed under the Arroyo Seco Lands Ordinance (PMC Chapter 3.32). The number of events over 20,000 attendees (Displacement Events) is currently limited by ordinance to 12 and would need to be increased to 20-25 per year. The NFL season typically has ten home games per

season, and in the event the team hosts playoff games, it is possible for that number to increase by three home games or a total of 25 displacement events per year.

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. Consistent with CEQA requirements, an EIR will be prepared to analyze the proposed project and viable alternatives. The alternatives will consider different options to reduce environmental effects of the project. The City Council must certify the EIR prior to considering an amendment to the Ordinance.

Given the timeline, staff is unable to undertake a formal competitive selection process to identify qualified consultants to prepare the EIR and conduct the traffic analysis. Staff did identify potential firms through an informal process and selected the two most qualified and capable to perform the required services. Pasadena Municipal Code Section 4.08.049 (B) enables the City to dispense with the competitive selection process when deemed in the best interests of the City. Given the qualifications of Impact Sciences and Fehr & Peers coupled with the unique circumstances of this engagement, staff believes it is in the City's best interest to award contracts to these two firms.

CEQA Compliance

Impact Sciences was selected to prepare a proposal for environmental consulting services based on the firm's experience in preparing EIRs for large and complex projects throughout Southern California. The project manager from Impact Sciences will be Susan Tebo who has over 30 years of experience preparing CEQA documents. Ms. Tebo has managed a number of complex documents such as the Riverpark EIR (development of 695 acres in Santa Clarita), San Marcos Landfill Expansion (San Diego County), the Mission Village EIR (development of over 1,200 acres in western unincorporated Los Angeles County) and the Beverly Hilton Revitalization Plan EIR (redevelopment and reconfiguration of the Hilton property in Beverly Hills).

The EIR will include a comprehensive analysis of all required issues and is anticipated to include chapters on Air Quality (including a Greenhouse Gas assessment) Land Use, Noise, Recreation, and Traffic and Transportation. It is anticipated that technical studies will be required for Air Quality, Noise and Traffic. The Initial Study will be released for public review and scoping meetings will be conducted to allow the public an opportunity to comment on the Initial Study and the issues that should be discussed within the EIR. Specific outreach will be made to stakeholders of the Rose Bowl, including: stadium tenants (Tournament of Roses, UCLA, Rose Bowl Flea Market), neighborhood organizations, recreation user groups, Kid Space, the Rose Bowl Aquatic Center, American Golf, as well as city business and civic organizations, and RBOC business partners IMG and Legends.

It is estimated that approximately eight 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 EIR is \$139,000 which includes a 10 percent contingency. This estimate includes preparation of all technical studies anticipated to be necessary at this time (excluding the Traffic Study).

Traffic Impact Study

Fehr and Peers was selected to prepare a proposal for transportation consulting services based on the firm's experience in preparing traffic analyses for large and complex entertainment and sports venues throughout California, for the firm's experience in developing the City's transportation forecasting model and for their overall experience nationally with sustainability and livability in transportation solutions. The traffic analysis is anticipated to include a geographically large study area with detailed analysis of up to 60 intersections and 30 street segments. The limits of the traffic impact analysis will be established following the public review of the Initial Study.

The estimated cost for completion of the traffic impact study is \$195,000 which includes \$15,000 for data collection and a \$15,000 contingency. The estimate includes preparation of the technical analyses, the traffic impact study report, meetings and assistance with the Response to Comments portion of the EIR related to traffic. It is estimated that the traffic impact study will be completed within two months of the completion of the public review of the Initial Study.

ENVIRONMENTAL REVIEW:

The proposed action is authorization to enter into contracts with Impact Sciences and Fehr & Peers for the preparation of an Environmental Impact Report and Traffic Impact Study for the temporary relocation of an NFL franchise at the Rose Bowl Stadium. This action will authorize the preparation of a technical study only and is therefore exempt from CEQA per Section 15061(b)(3) (General Rule).

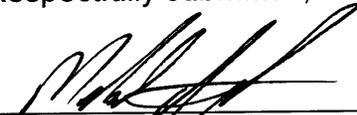
FISCAL IMPACT:

Should temporary use of the Rose Bowl by an NFL team occur, it is expected to generate tens of millions of dollars in direct and indirect economic impact to the RBOC, City, and local merchants. The total cost to complete the EIR is estimated to cost approximately \$400,000. The City Council is being asked to authorize consultant services contracts with Impact Sciences and Fehr and Peers for amounts not to exceed \$139,000 and \$195,000 respectively. Additional costs will include outside legal and other special services. The cost will be shared between RBOC and City.

| <u>Sources</u> | <u>FY2012</u> | <u>FY2013</u> |
|------------------------|------------------|------------------|
| Rose Bowl | \$200,000 | |
| City Attorney's Office | | \$50,000 |
| City Manager's Office | | \$150,000 |
| Total | \$200,000 | \$200,000 |

| <u>Uses</u> | |
|--------------------|------------------|
| EIR Consultant | \$139,000 |
| Traffic Consultant | \$195,000 |
| Outside Legal | \$50,000 |
| Contingency | \$16,000 |
| Total | \$400,000 |

Respectfully submitted,



MICHAEL J. BECK
City Manager

**Disclosure Pursuant to the
City of Pasadena Taxpayer Protection Amendment
Pasadena City Charter, Article XVII**

Contractor/Organization hereby discloses its trustees, directors, partners, officers, and those with more than 10% equity, participation, or revenue interest in Contractor/Organization, as follows:

(If printing, please print legibly. Use additional sheets as necessary.)

1. Contractor/Organization Name:
Impact Sciences, Inc.

2. Type of Entity:
 non-government nonprofit 501(c)(3), (4), or (6)

3. Name(s) of trustees, directors, partners, officers of Contractor/Organization:

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|--------------------|
| Eric Sakowicz |
| Thomas Worthington |
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4. Names of those with more than a 10% equity, participation or revenue interest in Contractor/Organization:

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|--------------------|
| Eric Sakowicz |
| Thomas Worthington |
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Prepared by: Maisha Conte
Title: Controller
Phone: 307-472-1397
Date: 3/7/12

**Disclosure Pursuant to the
City of Pasadena Taxpayer Protection Amendment
Pasadena City Charter, Article XVII**

Contractor/Organization hereby discloses its trustees, directors, partners, officers, and those with more than 10% equity, participation, or revenue interest in Contractor/Organization, as follows:

(If printing, please print legibly. Use additional sheets as necessary.)

1. Contractor/Organization Name: Fehr & Peers

2. Type of Entity: Sub Chapter S Corporation

non-government nonprofit 501(c)(3), (4), or (6)

3. Name(s) of trustees, directors, partners, officers of Contractor/Organization:

Please see the attached list

4. Names of those with more than a 10% equity, participation or revenue interest in Contractor/Organization:

- ✓ Matthew Henry
- ✓ Alan Telford
- 9 ~~Gerard Walters~~
- ✓ Steven J. Brown

*OK effective
3/12/12*

Prepared by: Steven J. Brown

Title: Principal

Phone: (310) 458-9916

Date: March 12, 2012

| Owner/Principals | Business Address | Business Telephone |
|--|--|--------------------|
| ✓ Henry, Matthew President, CEO | Fehr & Peers, Inc. 100 Pringle Avenue, Ste. 800 Walnut Creek, CA 94596 | (925) 930-7100 |
| ✓ Telford, Alan Vice President | Fehr & Peers, Inc. 2990 Lava Ridge Court, #200 Roseville, CA 95661 | (916) 773-1900 |
| ✓ Walters, Gerard V.P., Secretary-Treasurer, CTO | Fehr & Peers, Inc. 100 Pringle Avenue, Ste. 600 Walnut Creek, CA 94596 | (925) 930-7100 |
| ✓ Brown, Steven V.P. Assistant Secretary-Treasurer | Fehr & Peers, Inc. 15707 Rockfield Boulevard, Ste. 155 Irvine, CA 92618 | (949) 859-3200 |
| Donnelly, Marion Chief Financial Officer | Fehr & Peers, Inc. 100 Pringle Avenue, Ste. 600 Walnut Creek, CA 94596 | (925) 930-7100 |
| Milam, Ron Principal | Fehr & Peers, Inc. 2990 Lava Ridge Court, #200 Roseville, CA 95661 | (916) 773-1900 |
| Bierstedt, Jane Principal | Fehr & Peers, Inc. 100 Pringle Avenue, Ste. 800 Walnut Creek, CA 94596 | (925) 930-7100 |
| Choa, Fred Principal | Fehr & Peers, Inc. 2990 Lava Ridge Court, #200 Roseville, CA 95661 | (916) 773-1900 |
| Ridgway, Matt Principal | Fehr & Peers, Inc. 332 Pine Street, 4th Floor San Francisco, CA 94104 | (415) 348-0300 |
| Grayuski, Dan Principal | Fehr & Peers, Inc. 50 W. Liberty Street, Suite 301 Reno, NV 89501 | (775) 826-3200 |
| Nepstach, Jon Principal | Fehr & Peers, Inc. 2160 South 1300 East, Suite 220 Salt Lake City, UT 84105 | (801) 463-7600 |
| Rashid, Sohrab Principal | Fehr & Peers, Inc. 160 West Santa Clara Street, Suite 675 San Jose, CA 95113 | (408) 278-1700 |

Rev. Dec 2008

2/2/12

| Owner/Principals | Business Address | Business Telephone |
|---|---|---------------------------|
| Rob Rees Principal | Fehr & Peers, Inc. 100 Pringle Avenue, Ste. 600 Walnut Creek, CA 94596 | (925) 930-7100 |
| Gard, John Principal | Fehr & Peers, Inc. 2990 Lava Ridge Court, #200 Roseville, CA 95661 | (916) 773-1900 |
| Grandy, Robert Principal | Fehr & Peers, Inc. 660 J Street, Suite 380. Sacramento, CA 95814 | (916) 329-7332 |
| ✓ Carr, Katie* Principal | Fehr & Peers 2990 Lava Ridge Court, #200 Roseville, CA 95661 | (916) 773-1900 |
| Brown, Barbara* Principal | Fehr & Peers, Inc. 100 Pringle Avenue, Ste. 600 Walnut Creek, CA 94596 | (925) 930-7100 |

*Ownership takes effect January 2009

Gaul, Tam
Principal

Klop, Jeremy
Principal

Morgan, Jolie
Principal

Samdahl, Don
Principal

Mitchell, Chris
Principal

Rev. December 8, 2008

2/2/12

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