

**Jomsky, Mark**

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**From:** Michael Cornwell <cornwellm@sbcglobal.net>  
**Sent:** Monday, April 21, 2014 4:23 PM  
**To:** Jomsky, Mark  
**Cc:** Suzuki, Takako  
**Subject:** City Council Special Meeting-BEYONCE, JAY Z SHOW

**To: Pasadena City Council-Special Meeting of April 22-4 PM**

**Having reviewed the detailed Staff Report..... based on the positive FISCAL IMPACT on the Pasadena Business Community, and other positive control steps outlined in the Report....I recommend APPROVAL of the subject event.**

**Thank you,**

**Michael Cornwell  
One South Orange Grove Blvd Unit #2 91105**

**Jomsky, Mark**

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**From:** Timothy Lusher <timothy.lusher@gmail.com>  
**Sent:** Monday, April 21, 2014 9:41 PM  
**To:** Jomsky, Mark  
**Subject:** Re: City Council Special Meeting-BEYONCE, JAY Z SHOW

Hi Mark,

It was just a comment, but please feel free to record and post on the webpage. I am in full support of the JayZ/Beyonce Concert being held at the Rose Bowl.

Timothy Lusher  
1 S. Orange Grove Blvd #12  
Pasadena, CA 91105  
626.765.9224

On Apr 21, 2014, at 7:24 PM, Jomsky, Mark <[mjomsky@cityofpasadena.net](mailto:mjomsky@cityofpasadena.net)> wrote:

Mr. Lusher,

Was that just a comment or should I include your email in the record and post on the webpage? Please let me know.

Mark

Sent from my iPhone

On Apr 21, 2014, at 7:15 PM, "Timothy Lusher" <[timothy.lusher@gmail.com](mailto:timothy.lusher@gmail.com)> wrote:

I do as well. Thanks Mike.

Sent from my iPhone

On Apr 21, 2014, at 4:22 PM, Michael Cornwell <[cornwellm@sbcglobal.net](mailto:cornwellm@sbcglobal.net)> wrote:

**To: Pasadena City Council-Special Meeting of April 22-4 PM**

**Having reviewed the detailed Staff Report..... based on the positive FISCAL IMPACT on the Pasadena Business Community, and other positive control steps outlined in the Report....I recommend APPROVAL of the subject event.**

**Thank you,**

**Michael Cornwell  
One South Orange Grove Blvd Unit #2 91105**

**LINDA VISTA-ANNANDALE ASSOCIATION  
P.O. Box 94364  
Pasadena, CA 91109**

April 22, 2014

Mayor Bill Bogaard and Council Members  
City of Pasadena  
c/o Mark Jomsky, City Clerk

Subject: City Council Special Meeting – April 22, 2014  
Agenda Item 2  
License Agreement with Live Nation For the Presentation of a  
Concert to be Held on August 2, 2014.

Dear Mayor Bogaard and Council Members:

The Linda Vista Annandale Association (LVAA) on behalf of itself and the Coalition for Preservation of the Arroyo, continues to object to the City's misplaced reliance on a Class 23 categorical exemption for the expansion of Displacement Events at the Rose Bowl in 2014 from 12 events up to 18 events, including the subject proposed Displacement Event number 18.

Categorical exemptions streamline approval of projects that will not have a significant effect on the environment. (Pub. Resources Code, § 21084 (a).) A Class 23 categorical exemption is allowed when a proposed use "would not present a change in the operation of the facility."

The proposed addition of six Displacement Events in 2014, including the proposed Displacement Event number 18, would be "a change" in operation of the Rose Bowl Stadium. In its amendment of the Arroyo Seco Public Lands Ordinance in 2012, the City certified an EIR that found that Displacement Events for the NFL (above the current 12) would have significant environmental impacts relative to air quality, noise, recreation, and traffic.

Your staff's proposed findings that 6 additional Displacement Events would have no significant environmental impacts are insupportable. The City certified the EIR for the NFL/Rose Bowl lease conceding just such effects! The administrative record for that EIR and project approval process are incorporated by reference, as are the pleadings in *Coalition for Preservation of the Arroyo, et al., v. City of Pasadena*. A categorical exemption following this Council's approval of the NFL project with acknowledged significant impacts and a statement of overriding considerations makes no sense. And it is disallowed by CEQA.

Page 1 of 2

**04/22/2014  
Item 2**

CITY CLERK

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Further, a categorical exemption is only allowed for projects that do not require any mitigation. As held in *Salmon Protection and Watershed Network v. County of Marin* (2004) 125 Cal.App.4th 1098: "Only those projects having no significant effect on the environment are categorically exempt from CEQA review. (Citation.) '[A]n activity that may have a significant effect on the environment cannot be categorically exempt.' (*Mountain Lion Foundation v. Fish & Game Commission* [1997] 16 Cal.4th 105, at p. 124.) If a project may have a significant effect on the environment, CEQA review must occur ..." (Id., p. 1107.)

The Agenda Report references the importance of "planning and preparation" to "minimize the impact of this event [Displacement Event number 18] to the surrounding neighborhoods", noting for example that "traffic issues will be a major concern." (Agenda Report, p. 4.) Further, "Staff will work closely with the Public Works, Police and the Human Services and Recreation Department staff of the City of Pasadena, as well as Kids Space Museum and Rose Bowl Aquatics Center to minimize the impact that the displacement event will have on other activities in the Central Arroyo Seco. In the event of potential scheduling conflicts, the RBOC will work with those involved to minimize the impact." (*Ibid.*)

When a project will add to cumulative significant environmental impacts, categorical exemption is unlawful. (CEQA Guidelines, §§ 15300.2 (a), (b), (c), (f).)

CEQA requires the proposed expansion of Displacement Events at the Rose Bowl Stadium from 12 to 18 in 2014 to be subject to environmental review to inform the City Council's decisionmaking and to allow full public participation.

Thank you.

Sincerely,



Nina Chomsky, President  
Linda Vista-Annandale Association

cc: Susan Brandt-Hawley, Brandt-Hawley Law Group;  
Coalition For Preservation of the Arroyo