

ATTACHMENT D

March 24, 2016 RBOC Board Meeting re Music and Arts Festival

Summary of Questions, and Select Brief Answers

QUESTIONS:

1. **Steve Selak – Lida**

- a. Are there any performance guarantees?
- b. Are there any incentives that if we do well they do well?
- c. Is the traffic scheduled to exit on Lida?
- d. Is there any way we can get in writing what Nic Adler said about what kind of performers and how they want the festival to be, going to high schools?
- e. The Rose Bowl notice, how many of the documents went out?

2. **Nina Chomsky – Linda Vista/Annandale Association**

- a. The question answered in the EIR was misunderstood about the security perimeter. The question is all the people that are going to come to the central Arroyo who haven't purchased a ticket, who don't have a wrist band, who aren't on a bus, who aren't driving, who are walking and they are not going to the festival, where are they going? They are going to the central Arroyo to walk down and hang out. They are entering a porous area with trails and entry ways that are not public streets.
- b. Does anyone know where all of the porous entry points are where people will come in and hang out, sell drugs, do nefarious things, listen to the music and do whatever they are going to do?
- c. What is the security perimeter plan for that?
- d. Had a request but didn't get in the EIR, why can't the festival end at 9:00 pm on Sunday so residents can get sleep to go to work in the morning.

3. **Marian Quinn – Linda Vista**

- a. There was a question that was raised; you have noise mitigation process going on; however you're saying that it is going to be 85 decibels at the perimeter of the Rose Bowl. It is not known whether this is going to be an average of 85 decibels over 24 hours and you're also asking for a variance on the noise, so which is it? And what will the noise actually be? It is really hard to believe it is going to be.
- b. The other thing is you proposed 4 alternatives but I am curious to why it wasn't an alternative such as a 2 day festival, with maximum 60 thousand people and 2 stages?

4. **Jeff Paule**
 - a. Is it possible to view the license agreement? I am particularly interested in the 3 year opt-out clause.

5. **Carolyn Bush – Lida St (rideshare street for Uber & Lift)**
 - a. Who is going to be protecting my home when I am not home? Anyone can come down my street and with Uber and Lift drivers coming to my door and ring my door bell, is there going to be someone there to make sure they are not going into my house?

6. **Gordon Pashgian – Chula Vista**
 - a. After 3 years you say we can pull out of this agreement, what objective criteria will be used to exercise this pull out? Will it be how many kids have over dosed? Huntington hospital is over run with emergency cases.

7. **Ms. Bush**
 - a. This is for the EIR; how do you determine what significant impact is, what is the definition?

(Some members of the public, including Mary Bucci Bush and Bill Russell, made statements concerning their opinion on the event (negative), but no response was necessary.)

ANSWERS:

1a,b: Performance guarantees or incentives that may exist in the agreement:

The staff report sets forth the minimum revenue. Minimum rent ranges from a low of \$90 million to a high of \$107 million, depending on CPI, over the course of 20 years. Actual rent may be higher as the RBOC will share in 10% of adjusted gross revenues (12.5% during extension periods).

1c: The exit on Lida: The exit on Lida is studied but it is not an operational plan to be used as an exit at this time. However, in case of an emergency or if Pasadena Police deem it necessary, we are able to use it. The exit streets on the west side are Salvia Canyon and Seco Street that lead up to Linda Vista, heading south. On the north, the only potential exist would be Prospect Terrace to Lida and at this time that option is not planned to be used as an exit street.

1d: Genre of music and the demographics for Arroyo Seco Music and Arts festival as compared to Coachella: Summary of response provided by Nic Adler of AEG/Goldenvoice:

Coachella is in the desert, and is not comparable to this festival. Here, the promoter envisions artist like Bruce Springsteen, Paul McCartney. World music we think is very important, and we have heard an interest in gospel music as well. This festival will be multi genre, multi-generational. The promoter feels like we have found something that is not happening and that's why we feel like no other festival is doing what we intend to do here, namely aiming to be a family oriented festival.

The promoter also envisions including art relevant to Pasadena, including perhaps temporary homes built in the Arts and Crafts or Craftsman style with art displays inside. Another idea is to include a temporary bookstore with areas for reading, and maybe even stages for readings by authors or performers.

1e: How many notices were mailed out: Through the Planning Department here were 1,000 notices mailed out in addition to e-mail blasts and notices being published in the newspaper as well. This does not include any additional noticing by email that the RBOC may have done.

2a-c: Security perimeter issue regarding people coming into the Arroyo with no plan to go into the festival but stay outside and listen: The plan that the RBOC depicted is a plan it opines will succeed. The plan may be modified every year so as to take into account on-the-ground events and operations, as well as to implement improvements identified each year. If one has a festival pass, the only entry is through the dedicated route(s). RBOC staff is happy to meet with the neighbors that have concerns and listen to their recommendations and opinions regarding an adequate solution. Police Chief Sanchez stated that the Penal Code provides adequate authority to eject, arrest or otherwise detain individuals that are behaving suspiciously or whatever the circumstances may be. Officers will have to establish reasonable suspicion or cause, and the residents come in to play when they call as an interested party. Further, Pasadena Municipal Code Chapter 3.22 (Interference With Special Events) may be utilized to restrict the entry of non-ticketed patrons into the event or any secure zone.

2d: The festival timing ending at 9:00 pm on Sunday: While an early closing time is something the promoter can consider, the promoter and the RBOC must

understand whether an earlier cut-off time would work for the success of the event, and that information will be gathered over time.

As described in Section 5.4, "Alternatives Considered and Rejected," of the Draft EIR, several alternatives to the proposed Project were evaluated, including a "Modified Operating Hours" alternative. As described therein, the intent of the alternatives analysis is to reduce the significant impacts of a project. While the reduced operating hours suggested by the commenter would end the Festival at an earlier hour, it would not reduce any of the significant and unavoidable impacts.

3a: Decibels and sound: Attachment A to the RBOC staff report includes details regarding how sound will be monitored and enforced. The following is a summary of the technical response as provided by Dave Revel:

Tech MD is based in Burbank and Mr. Revel lives on the hillside and is familiar with the area. Tech MD was hired roughly a year and a half ago towards the end of the One Direction concerts. The first thing the company did was to monitor sound in the neighborhood, and on subsequent events worked with the promoters to try to minimize impact with speaker systems and decibels. Noise measurements are based on 15 minute averages and guidelines have generally been that 15 minute averages should be below 75 dba of decibels to the A-weighted scale of measurement. The RBOC has been successful at maintaining those levels for recent events, with the exception of pyrotechnics which tend to spike levels and are not quite music.

In addition, the EIR analyzed the 85 decibel (dB) threshold on an hourly average.

The City's Noise Ordinance recognizes the unique and temporary nature of events held at the Rose Bowl that are managed by the RBOC, and authorizes the general manager of the Rose Bowl to permit events licensed by the Rose Bowl Operating Company (RBOC) to generate noise levels up to the limits specified in the noise element, which is defined as 85 dBA, at the property line of the noise-generating source.

3b: Alternatives: A potential Two-Day Festival Alternative is discussed in Chapter 5, "Alternatives," in Section 5.4, "Alternatives Considered and Rejected," on page 5-6 of the Draft EIR. As noted therein, this alternative was rejected from further consideration because it did not meet Project Objective 1, which recognizes that

the long-term physical viability of the Rose Bowl Stadium depends heavily on securing its financial future for the regular upkeep, maintenance and improvements to the Stadium and facilities. Furthermore, shortening the length of the Festival would diminish the pool of headline artists performing, which would not meet Project Objectives 3 and 4, both of which depend on the Festival event attracting world class artists and bands and being a destination festival that attracts patrons from all over the world. Two-day festivals are typically considered regional festivals that do not attract world-class entertainment, and therefore, limit the attendance numbers. Thus, a two-day festival is considered logistically and financially infeasible and would not meet the Project's objectives. Please refer to Attachment 1 of the Final EIR for more information. Additionally, as described on pages 5-6, although a two-day Festival would result in an overall decrease in air quality, noise, recreation and traffic impacts given the reduced duration of the Festival event, significant and unavoidable impacts would still result.

- 4: **License agreement not available to public:** The agreement itself is not finalized and therefore not yet public. The staff report and its Attachment A set forth all the material terms of the license agreement. The license agreement will not be considered final until it is executed by all parties, as terms and details are still being negotiated and finalized.
- 5: **Protecting homes (police and fire):** The general issue raised is whether the festival would pull resources from public safety generally in the city. The following is a summary of the responses of the Police Chief and the Fire Chief:

Chief Sanchez: For any major event at the Rose Bowl, the Pasadena Police staffs according to the event needs, independent of resources who are used to respond or provide service throughout the city. The promoter is charged for such safety services. If the event were to exceed the capacity of Pasadena's police department, the City would reach out to other organizations. Historically the LA County Sheriff's Office, California Highway Patrol, CSC private security, and similar organizations would be called in to provide additional services.

Chief Washington: The Pasadena Fire Department operates substantially similarly. Fire works very closely with the event to make sure that we understand how it is going to operate, and understand how many people will attend the event so we can

deploy the resources that are necessary to make sure that we can do the best we can to handle all incidents. Fire also works very closely with the Police Department and again we work to make changes as necessary.

- 6: **Criteria for exercising 3 year pullout:** In the staff report on page 4 are the summarized terms of the license agreement and the 3 year pull out opportunity is without cause, so it can be exercised for any reason whatsoever.

- 7: **Thresholds of significance:** A threshold of significance is a criterion applied by the Lead Agency (in this case the City of Pasadena) that is used to identify significant adverse environmental impacts. A threshold is defined by a Lead Agency based on scientific and factual data relative to the Lead Agency jurisdiction, views of the public in affected areas, the policy/regulatory environment of affected jurisdictions, and other factors. Each environmental topic evaluated in the EIR (i.e., air quality, cultural resources, recreation, etc.) includes individual thresholds that are used in the evaluation in order to determine significant impacts. A "significant effect" is defined by Section 15382 of the CEQA Guidelines as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment...[but] may be considered in determining whether the physical change is significant."