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The logo for Goldfarb Lipman Attorneys is a dark blue square with the text "goldfarb lipman attorneys" in white, lowercase, sans-serif font. The square is set against a light gray background that has a subtle drop shadow effect.

goldfarb
lipman
attorneys

PROPOSAL
FOR
CITY OF PASADENA RENTAL HOUSING BOARD
LEGAL SERVICES RELATED TO
THE PASADENA FAIR AND EQUITABLE HOUSING CHARTER AMENDMENT

Oakland
1300 Clay Street
11th Floor
Oakland, CA 94612

Los Angeles
550 South Hope Street
Suite 2685
Los Angeles, CA 90071

San Diego
2260 El Cajon Boulevard
No. 922
San Diego, CA 92104

Goldfarb & Lipman LLP is a certified woman-owned enterprise.

EXECUTIVE SUMMARY

Goldfarb & Lipman LLP is one of California's leading law firms practicing in the fields of affordable housing, land use, municipal law, and community economic development, with extensive experience in rent stabilization and tenant protection programs. We offer a full range of services in our areas of practice from drafting ordinances and regulations, advising public bodies, implementing policies and administering programs, and litigating on behalf of our clients, including at the trial and appellate levels. In addition, we maintain an extensive public law practice, and represent numerous cities, counties, housing authorities, and other public agencies on a range of issues, from the State Ellis Act, Costa-Hawkins Act, Brown Act, and Public Records Act to Constitutional issues including substantive and procedural due process, takings, and eminent domain. We have developed expertise in housing issues and community economic development issues, including drafting rent stabilization ordinances, inclusionary housing ordinances and density bonus ordinances, guiding projects through CEQA review, navigating the state and federal relocation laws, and crafting disposition and development agreements.

Goldfarb & Lipman is able to provide on-demand advice to staff, hearing officers and the Rental Housing Board regarding petitions related to the rent stabilization act, state laws such as the Ellis Act and the Costa-Hawkins Rental Housing Act, as well as constitutional concerns to ensure the Rental Housing Board does not preclude a landlord's right to earn a fair return. In addition, Goldfarb & Lipman can provide primary drafting services to create implementing regulations, forms, and documents related to the Pasadena Fair and Equitable Housing Charter Amendment (the "Charter Amendment") and consult with the Rental Housing Board and staff on an as-needed basis. Finally, Goldfarb & Lipman can craft and deliver interactive, introductory discussions for new members of the Rental Housing Board, orienting the Board-members and alternates to their duties under the Charter Amendment and as Board members, and advising them about state law and constitutional provisions that are relevant to the board members actions.

Goldfarb & Lipman has assisted the City of Mountain View in implementing its voter-approved Charter amendment creating a rent stabilization program by developing a full set of implementation regulations, advising the Rental Housing Committee during regular and special meetings, consulting with staff and hearing officers, and defending the Rental Housing Committee in litigation. We have also worked with the Cities of San Jose and Emeryville, and Marin and Los Angeles Counties to draft ordinances and guidelines regarding rent stabilization and tenant protections. In addition, we have assisted the Rent Board of the City of Oakland in drafting amendments to its rent stabilization ordinance and implementing regulations, drafting tenant protection ordinances and assisting its hearing officers with questions related to petitions under the city rent stabilization and tenant protections requirements. We have also advised our municipal clients on an ad hoc basis on takings and fair return standards derived from the state and federal constitutions to address landlord petitions for rental increases, and served as staff attorneys for the City during hearings and board meetings.

Drafting Rent Stabilization Regulations. In addition to our work for Mountain View, Goldfarb & Lipman has drafted a variety of ordinances and implementing regulations for localities with a range of approaches to rent stabilization and tenant protections. We have assisted communities implement

just-cause for eviction tenant protections (Emeryville), updated existing rental increase controls without just-cause protections (San José), and implemented ordinances and regulations with full-scale rental increase controls tied to an inflation index plus strict just-cause for eviction protections (Oakland and East Palo Alto).

Advice and Support for Reviews of Petitions and Appeals. In addition to general advice and drafting services, we have assisted the Mountain View Rental Housing Committee and the Oakland Rent Board, and their respective hearing officers, with questions related to both landlord and tenant petitions under city rent stabilization and tenant protections programs. In Oakland, we have consulted on an *ad hoc* basis to interpret the city ordinance and regulations for tenant petitions against allegedly unlawful rent increases and have applied takings and fair return doctrines derived from the state and federal constitutions to address landlord petitions for rental increases. We have served as staff attorneys for both cities during rent board hearings.

More detailed discussions of these representation is provided in Section 4, below. In addition, we would be happy to provide more information regarding any of our experience if desired by the Rental Housing Board.

FIRM PROFILE

Goldfarb & Lipman LLP is comprised of 33 attorneys, which include 21 partners and 12 associates. We are a women-owned enterprise, certified by the Women's Business Enterprise National Council. Resumes for the firm's attorneys are attached.

As mentioned in the Executive Summary, we have extensive experience representing rent control jurisdictions. As further described below, our firm utilizes a team approach to ensure our ability to provide legal services to our clients in the most efficient, cost effective, and timely manner.

FIRM QUALIFICATIONS

Since the founding of Goldfarb & Lipman in 1971, our practice has focused on affordable housing and urban development, fair housing, land use, community economic development, real estate syndications, public finance, leasing, financing, environmental law, and related areas of corporate law and litigation. Our practice includes all areas of legal experience required by our clients related to the development of projects and trial and appellate litigation.

Goldfarb & Lipman focuses on providing superior legal representation to both public and private entities, a diverse combination of clients that includes private nonprofit and for-profit developers as well as cities, counties, and public housing authorities. A list of our public agency clients is attached as Exhibit A. Our broad client base provides our attorneys an unmatched ability to understand complex transactional and litigation matters from multiple perspectives. Goldfarb & Lipman has

provided invaluable service and advice to our clients in thousands of real estate transactions from small urban infill and rural developments to large, high-profile infill projects throughout California.

Based on our extensive knowledge and experience, our clients turn to us as trusted advisors to assist them to reach their goals. We are committed to providing our clients excellent legal services in the most timely and cost-effective manner.

The resumes of the primary attorneys, who would perform the work requested by the Rental Housing Board, are included in Exhibit B.

The projects below are a partial list of clients represented involving rent stabilization matters.

Client:

City of Oakland

Description of Work:

The City of Oakland requested comprehensive assistance revising and expanding its existing suite of rent stabilization and tenant protection measures in light of the housing affordability crisis. We worked with the City Attorney's office and Rent Board staff to revise the City's programs, analyzing the existing measures and then crafting a plan to address the City Council's and community's concerns. As an initial step, we prepared a series of legal memoranda to the City Attorney's office defining parameters for future legislation and the proper legislative procedures to enact reforms. To execute the plan, we drafted urgency ordinances in accordance with the City Charter to swiftly expand rent stabilization protections within the constraints of the state Ellis Act, Costa-Hawkins Rental Housing Act, and the state and federal constitutions regarding takings, due process, and equal protection. Likewise, we created staff reports and compiled findings to support the legislation based on existing City reports and original data analysis from various sources, including the U.S. Census Bureau and Bureau of Labor Statistics. Finally, we drafted a Council sponsored initiative to expand renter protections because Oakland's just cause for eviction renter protections were enacted by ballot initiative.

Client:

City of East Palo Alto, and
Redevelopment Agency of the City of East Palo Alto

Description of Work:

The City of East Palo Alto requested assistance revising its existing rent stabilization measures to comply with the Federal Department of Housing and Urban Development regulations and guidelines pertaining to subsidized housing units. Likewise, we represented the Redevelopment Agency of the City of East Palo Alto in litigation with the owner of a mobile home park within the City who contested the validity of the City's rent control ordinance as applied to the mobile home park. The case settled with an agreement that the City would acquire the park.

Throughout this matter, the firm collaborated with Kenneth Baar and filed a joint amicus brief on behalf of the Redevelopment Agency to the California Supreme Court regarding a takings claim by a mobile home park owner (*Cashman v. City of Cotati*).

Client:

County of Marin

Description of Work:

The County Board of Supervisors requested county staff provide information to the board's subcommittee on housing regarding potential rent stabilization and tenant protection policies. The subcommittee wished to identify policies that could help stabilize the renter population in the county without overburdening landlords and that adhered to both state and federal laws, especially the Costa-Hawkins Rental Housing Act and Fair Housing Act. County staff requested technical advice from Goldfarb & Lipman. After assisting staff and presenting to the subcommittee, we were asked to further assist the county, working with county counsel and staff to identify appropriate policy options, prepare staff reports, and draft ordinances and regulations, including a mandatory mediation program applicable to certain rent increases, as well tenant protection policies.

Client:

City of Emeryville

Description of Work:

The City of Emeryville, at the urging of the City Council, requested comprehensive assistance creating a new ordinance governing landlord-tenant relations in the city. Emeryville identified elements of a just cause for eviction protection, relocation benefits, anti-harassment, and notification scheme policy, which we compiled into a concise, plain-language ordinance within the constraints of the state Ellis Act and Costa-Hawkins Rental Housing Act and the state and federal constitutions regarding takings, due process, and equal protection. In addition, we drafted staff reports and a simple set of regulations in accordance with the city's stated desire for a plain-language ordinance and regulations that would be easily understood by the general public, in order to provide tangible benefits appropriate for the city's rental housing stock. We continue to provide ongoing advice to the City on the implementation of the ordinance and regulations.

Client:

Westlake Kirkham Heights LLC (Private Developer)

Description of Work:

We counseled a private developer that explored redeveloping a multi-family housing development in San Francisco. Specifically, we assisted the developer navigate San Francisco's rent stabilization measures through demolition of existing housing units subject to

rent control, provide mandatory relocation assistance, and provide replacement units that are contractually subject to local rent stabilization measures. Although not a public client, this representation demonstrates our experience navigating rent stabilization measures from the landlord perspective, and aids our public practice by analyzing all sides of rent stabilization measures in addition to emphasizing the importance of crafting practical and user-friendly stabilization measures to improve compliance.

Client:

County of Los Angeles

Description of Work:

Decades after county rent stabilization and tenant protections policies expired, the County Board of Supervisors began exploring options to address housing affordability, including rent stabilization and tenant protection policies. The board of supervisors appointed a working group comprised of residents of each supervisorial district to explore and discuss potential policies and report back to the board with recommendations in six months. After the working group was appointed and began meeting, we were hired as a technical advisor to provide legal advice and describe the practices of other jurisdictions in California with various rent stabilization and tenant protection programs. We attended all of the subsequent meetings of the working group, presenting on various aspects of rent control policies and their implementation in California, as well as consulting with county counsel. Together with an outside facilitator and county staff, we drafted the formal recommendation document adopted by the working group and presented within the timeframe specified by the board of supervisors.

Since publication of the working group recommendations, we have assisted county staff and county counsel draft rent stabilization and tenant protection ordinances as requested by the supervisors. We have also worked on rent control policies applicable to mobilehomes in the county. This representation is ongoing.

Relevant Published Cases:

City of Berkeley v. City of Berkeley Rent Stabilization Bd. (1994) 27 Cal. App. 4th 951.

We represented the City of Berkeley Rent Stabilization Board in successfully defending regulations it adopted in furtherance of the rent ordinance to avoid unconstitutional confiscatory effects on landlords and ensure landlords fair and reasonable levels of rents producing a fair return on their investment. The regulations related to the base rents, inflation-related rent adjustments, the formula to derive annual general adjustments, and a "Vega" adjustment procedure to address unusually low base rents. The regulations were challenged by the City of Berkeley and the Berkeley Property Owners' Association. Rejecting the challenges, the Court of Appeal concluded that, "the Board acted properly. There was no prejudicial abuse of discretion, and the Board's actions were consistent with its statutory authority and mandates contained in the case law." (27 Cal. App. 4th at 957.)

NCR Properties v. City of Berkeley Rent Stabilization Bd. (2023)

We recently represented the City of Berkeley Rent Stabilization Board in an appellate case which upheld the Rent Stabilization Board's decision that portions of two properties that were rehabilitated and converted into separate residential units were not exempt from rent control under Costa-Hawkins.

In addition, we have filed amicus briefs to the California Supreme Court in the following cases:

- *San Remo Hotel v. City and County of San Francisco* (2002) 27 Cal. 4th 643
- *Santa Monica Beach v. Superior Court* (1999) 19 Cal. 4th 952

FAIR HOUSING

Goldfarb & Lipman is well versed in the latest developments in fair housing and anti-discrimination law, advising clients on rent-up and tenant selection issues, as well as defense of discrimination claims.

Federal and State accessibility laws are complex, drafted by different agencies with differing guidelines, and are often subject to conflicting local interpretation. Affordable housing projects with their multiple layers of financing and social service components more than other types of housing have to grapple with harmonizing these requirements. These laws and regulations are triggered by the type of building being constructed and/or the types of funding being used. Understanding these laws is important from both the development and enforcement perspective.

Our work often focuses on harmonizing the legal requirements found in Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Federal Fair Housing Act, and the implementing UFAS and ADAAG design guidelines. We also frequently address the legality of various preference programs under the Federal Fair Housing Act, the State Fair Housing and Employment Act and the Unruh Act, and various regulations related to affordable housing funding sources, such as the Treasury Regulations applicable to the Low Income Housing Tax Credit program. From the development perspective these laws affect single family, multifamily and townhome design and construction – both new construction and rehabilitation. From the programmatic perspective, they affect marketing, tenant selection, waitlists, and granting reasonable accommodations and modifications. From the enforcement perspective, we provide advice on the oversight necessary to review project designs, monitor ongoing compliance, and address tenant complaints.

The attorneys at Goldfarb & Lipman authored *Between the Lines: a Question and Answer Guide on Legal Issues in Supportive Housing*, a guide for supportive housing providers dealing with legal and practical challenges of addressing fair housing laws in supportive housing. The guide has been published in two versions—a National Edition that addresses federal fair housing and discrimination law issues, and a California Edition that addresses additional fair housing and discrimination issues under California law.

We advise numerous clients on fair housing issues, including drafting and day to day administration of reasonable accommodations policies, tenant selection policies and other lease up documents. Our firm also provides advice to clients on resolving fair housing and discrimination claims.

Goldfarb & Lipman also works with our public agency clients on fair housing issues, including providing guidance on group home and licensed care facility siting issues, reasonable accommodation policies as they relate to zoning ordinances and tenant preference policies for publicly administered assistance programs.

LAND USE

Our extensive experience in the areas of entitlements and land use, together with our broad public and private client base, provides our attorneys an unmatched ability to understand complex planning issues arising out of our public agency clients' regulatory decisions. We provide ongoing advice to our clients regarding the housing, planning, and zoning requirements of the Planning and Zoning Law, and have successfully defended challenges to a variety of local land-use approvals, such as challenges to housing elements, fair housing claims related to planning and zoning actions, constitutional claims based on conditions of approval, and fee disputes.

We provide a full range of services in land use law, ranging from environmental review to entitlement support to drafting of zoning, subdivision, and other land use ordinances. Our practice is particularly focused on land use issues related to housing and community economic development. We have prepared numerous accessory dwelling unit, inclusionary housing, and density bonus ordinances for public agency clients, reviewed housing elements and defended them in court, and drafted documents to implement adopted programs, including development agreements, deed restrictions for homebuyers, and covenants for affordable rental housing. We also have experience drafting rent stabilization and tenant protection ordinances, implementing regulations and providing advice to mediators, hearing officers, and rent boards tasked with adjudicating rent stabilization issues.

Many of our attorneys have degrees in city planning or related fields or have experience working in local planning agencies. We have made numerous presentations to and written papers for organizations such as the American Planning Association, League of California Cities, and Housing California on a broad range of land use issues, including streamlining environmental review, climate change, housing elements, and density bonus law. We are active in those organizations, and attorneys in the firm have assisted in drafting land use legislation.

Density Bonuses

Goldfarb & Lipman has drafted density bonus ordinances consistent with frequent revisions to State law with the intent of preserving local discretion to the extent possible. We work to make density bonus ordinances consistent with local inclusionary ordinances and have drafted combined inclusionary and density bonus ordinances. We have also represented clients regarding density bonus issues involving specific development projects.

Processing Housing Development Applications

We have been at the forefront of recent developments in housing law, including 2017 amendments to the Housing Accountability Act and the streamlining requirements included in SB 35. We have conducted numerous public agency trainings focused on helping clients identify their obligations under the Planning and Zoning Laws and in developing strategies to preserve local control in the face of State efforts to limit local governments' discretion. In addition, we have assisted clients in developing fact sheets, checklists, and application material related to evaluating projects that could qualify for processing under SB 35.

CEQA Compliance

We provide careful, in-depth consulting with clients regarding the environmental review requirements under the California Environmental Quality Act (CEQA). We frequently advise on the use of exemptions and existing environmental documents to streamline environmental review. In addition, we review Environmental Impact Reports, negative declarations, and other environmental documents for adequacy, including emerging issues of greenhouse gases, toxic air pollutants, climate change and adaptation, and water supply, and we draft findings to support the public agency's decision. We remain at the forefront of recent Supreme Court and appellate court decisions, in addition to climate change and other environmental legislation such as SB 375 and, SB 32, and we understand their effects on the CEQA review and development streamlining processes.

Although our goal when working with clients on CEQA issues is to provide the strongest defensible record in the hopes of avoiding the cost and time delays associated with CEQA litigation, we also defend our clients when CEQA challenges are brought, including issues related to the appropriate level of CEQA review as well as the sufficiency of the environmental analysis. Recent trial court cases include several CEQA lawsuits challenging discretionary approvals issued by CRA/LA, a Designated Local Authority and the successor agency to the Community Redevelopment Agency of the City of Los Angeles, for projects throughout Los Angeles. For example, in a project involving construction of a hotel in Hollywood, we successfully defended approvals issued pursuant a local redevelopment plan as well as the agency's separate consideration of a Mitigated Negative Declaration. We are currently defending similar approvals and consideration of an Environmental Impact Report for another infill, mixed-use project in Hollywood which includes market-rate and workforce housing. We continue to represent CRA/LA in CEQA challenges to projects with special environmental review requirements imposed by local ordinance. In these cases, we have successfully defended CRA/LA's actions in either refusing to act as "lead agency" for environmental review purposes or affirmatively acting as a "responsible agency" for CEQA purposes. Other published cases include *Cedar Fair L.P. v. City of Santa Clara*, where we successfully defended the term sheet between the San Francisco 49ers and the City of Santa Clara from a CEQA challenge; and *Housing Authority of the City of Sacramento V. Greenfair Homeowners Association*, where we litigated CEQA issues involved in eminent domain.

NEPA Compliance

Many of the firm's clients rely upon federal funding for completion of development projects. The firm's attorneys are familiar with and provide advice to clients on compliance with the National Environmental Policy Act ("NEPA") as part of obtaining the necessary funding. In that capacity we

have advised clients on the necessary level of NEPA review (whether categorical exclusion, FONSI (Finding of No Significant Impact), or EIS (Environmental Impact Statement)); the preparation of the NEPA documents and completion of required NEPA studies; and the timing of obtaining NEPA review to insure timely funding of the development project.

Goldfarb & Lipman has also assisted clients undertake various activities that precede or accompany the filing of eminent domain actions, including reviewing appraisals and reviewing, commenting on and preparing, purchase agreements, resolutions of necessity, staff reports, legal notices, CEQA/NEPA compliance, and relocation plans. We also have extensive experience in the litigation of issues affecting condemnation, valuation of property, and the right to take, including CEQA challenges, conflict of interest laws, the Meyers-Milias-Brown Act and similar laws, federal bankruptcy proceedings, challenges to statutory or constitutional authority to condemn, and unique issues relating to the type of property to be condemned. With our vast litigation experience, Goldfarb & Lipman provides our clients with an accurate assessment so they have a realistic understanding of the time, cost and issues involved in the litigation.

GENERAL MUNICIPAL LAW ADVISORY PRACTICE

Taxes, Assessments & Fees

At the intersection of Goldfarb & Lipman's real estate and municipal law practice areas are matters related to taxes, assessments and fees. We offer clients expertise on the California system of property tax allocation. We are skilled at negotiating and litigating disputes between cities, counties and other taxing entities concerning the method of allocating property tax revenues. In addition, our clients rely on our counsel related to Proposition 26, Proposition 218, Proposition 13, the Mitigation Fee Act, and other limitations on local general taxes, property taxes, special taxes, assessments, fees and charges.

Public Administration

Goldfarb & Lipman's extensive representation of cities, counties, commissions, authorities and special districts affords us unique insight into the issues encountered by our public agency clients. We provide experienced counsel to our public clients on the statutory requirements affecting public agencies, including the Brown Act, Public Records Act, noticing, public bidding, prevailing wages, and compliance with the Fair Political Practices Act, and on issues relating to contracting and due process. We have handled litigation under the Ralph M. Brown Act, the Political Reform Act, Government Code section 1090, prevailing wage law, and the Public Records Act. Goldfarb & Lipman attorneys regularly provide advice to clients and training to clients' elected officials on agenda noticing requirements, proper matters for closed sessions and related issues under the Brown Act. We have extensive experience with the Public Records Act, including review of client documents in response to public record act requests and defense of clients in litigation challenging compliance with the Public Records Act.

Goldfarb & Lipman attorneys prepare contracts covering all areas of municipal law, including personnel contracts, contracts for outside services and intergovernmental agreements, such as agreements between jurisdictions regarding joint powers authorities, land use and revenue sharing.

Goldfarb & Lipman has extensive experience drafting and reviewing all types of ordinances and resolutions, including zoning and subdivision ordinances and fee ordinances. Our attorneys regularly prepare resolutions and accompanying staff reports for public agency clients, ranging from resolutions adopting general plans and specific plans, to budget resolutions and resolutions approving routine matters.

LITIGATION

Goldfarb & Lipman's litigation practice focuses on serving clients in a variety of subject areas, including issues common to housing and municipal law practice areas. We have extensive trial and appellate experience in contracts, torts, regulatory compliance, labor and employment, redevelopment dissolution, tax (including property tax allocation and distribution litigation), personal injury, insurance, eminent domain litigation, inverse condemnation actions, civil rights and discrimination actions, and real estate and land use litigation.

Our litigation work has resulted in significant published opinions in the areas of land use, redevelopment, redevelopment dissolution, eminent domain, and nonprofit housing ownership. Goldfarb & Lipman has substantial experience representing public entities on land use and zoning issues, including Housing Accountability Act claims, and against claims for breach of contract, torts (including personal injury, civil rights, hazardous waste and negligence claims), and statutory causes of action. Our work includes representing public agencies in federal, state and local courts, and administrative venues.

Goldfarb & Lipman provides our clients with an honest assessment so they have a realistic understanding of the potential cost, in both money and time, of resolving disputes through litigation. Our broad range of experience enables us to assist our clients in all issues preceding or accompanying litigation, including through the mediation process.

Housing Litigation and Related Representation

The firm represents both public and private (typically non-profit) entities in litigation and administrative proceedings relating to housing and fair housing matters, including complaints of discrimination under the federal Fair Housing Act and the California Fair Employment and Housing Act, and denial of benefits under various programs funded by HUD. We also provide advice and counsel to nonprofit housing developers and public housing authorities regarding administrative hearing procedures and Section 8 termination and/or compliance issues. We have assisted public entities with their enforcement of various agreements related to affordable housing programs, such as work-out agreements in a housing development under default, resale restrictions and owner-occupancy requirements.

The firm's representation of housing-related entities crosses over into other areas such as land use and employment, as described below.

Declaratory Relief/Writ of Mandate Actions

Goldfarb & Lipman represents public agencies in mandamus actions on a variety of subjects. We have defended public agencies in actions seeking judicial review of land-use regulatory decisions and housing authorities in actions seeking judicial review of administrative decisions regarding eligibility for housing assistance. We are currently defending Housing Accountability Act claims against public entities, and are litigating numerous writ actions on behalf of public agencies related to the dissolution of redevelopment agencies. Goldfarb & Lipman also has experience assisting public agency clients in assembly and preparation of Public Records Act responses and administrative records, in cases for which such records are necessary.

Appellate Work

Goldfarb & Lipman attorneys represent our clients in both state and federal appellate courts, including the California Courts of Appeal, the California Supreme Court, and the federal Ninth Circuit Court of Appeals. Dolores Bastian Dalton, one of our litigators, has been certified by the State Bar of California as a specialist in Appellate Law. We have handled ordinary appeals and petitions for extraordinary writs, both as counsel for petitioners or appellants, and as counsel for respondents. On several occasions, we have assumed responsibility for a case on appeal, without having represented the client in the lower courts. We also have authored numerous amicus briefs on behalf of the League of California Cities and the California Redevelopment Association.

WORK PLAN

We have found that a team approach allows us to provide our clients with the highest level of expertise and service possible in a timely and cost effective manner. Using not only the specific Team described below, but also drawing on the strengths of the other attorneys in our firm, Goldfarb & Lipman is able to offer the Rental Housing Board a depth of expertise in rent stabilization and tenant protections that few firms can match as well as general municipal law experience necessary to provide the Rental Housing Board with the legal services it needs. Karen Tiedemann will be the primary attorney providing services to the City with Thomas Webber and Nazanin Salehi providing additional assistance. Each Team member's individual resume is attached under Exhibit B. Brief resumes of all Goldfarb & Lipman attorneys are attached under Exhibit C.

Our approach to legal consulting is to make our legal team an integral part of our clients' broader administrative teams and to offer both legal and strategic advice as needed to help achieve client goals. Goldfarb & Lipman will be available to begin working on the Rental Housing Board's matters immediately.

We are committed to meeting project deadlines and have done so in various settings under extreme time constraints. Because of our extensive experience and knowledge, we have the ability to serve

our clients promptly, even when the exigencies of a transaction or publication deadline mean the available time for preparing staff reports, regulations, or administrative decisions is short. In such cases (and also when otherwise appropriate to help reduce client costs) we assign additional junior staff, including associates and paralegals, to the project to ensure that our clients have a dedicated team working on their behalf to meet all requirements and ensure timely work product.

As part of our services to clients, we regularly conduct in-depth trainings and seminars and provide our clients with regular updates on changes in the law and new legislation. As part of our services to the Mountain View we have provided hearing officer training and worked with staff to provide updates and training to its Rental Housing Committee on changes in the law. We would be available to provide similar services to the Pasadena Rental Housing Board.

Goldfarb & Lipman provides client services utilizing up-to-date computer and communications infrastructures. Attorneys have the ability to access the firm's computer software, electronic files, and electronic mail remotely and on-site 24 hours a day. To enhance service delivery, the firm maintains a voicemail system that is available from any location at all times, and attorneys carry smartphones and are provided with internet hot spots when necessary.

At the direction of the Rental Housing Board we would either attend meetings in person or remotely, assuming remote attendance is possible.

PROPOSAL COSTS

Goldfarb & Lipman proposes costs for services based on hourly rates as charged by individual attorneys, with additional expenses to be reimbursed on an as-incurred basis. The current rates for the attorneys assigned to the Rental Housing Board are listed below. Given that the Rental Housing Board is only recently formed and is charged with implementing a newly passed Charter Amendment, it is difficult to estimate fees. We would propose that we bill on a hourly basis with a not to exceed amount of \$50,000 for the initial services. If we approach the \$50,000 amount we will consult with the Rental Housing Board on a budget amendment or a revision of the scope of services.

Litigation services are not included in the Request for Proposals Scope of Services and can be provided on an as-needed basis.

In addition to the fees provided above, Goldfarb & Lipman may request reimbursement for the following expenses: printing, external copying costs (for legal documents and file materials, but not library materials), long-distance telephone calls, transcription and reporter's fees, and reasonable travel. Any reimbursed expense would be approved by the Rental Housing Board, in writing and in advance, in the services plan and anticipated budget.

Rental Housing Board Team Billing Rates

Karen Tiedemann	\$ 340
Thomas Webber	\$ 340
Nazanin Salehi	\$ 270

EXHIBIT A

PUBLIC AGENCY CLIENTS

City of Arcata	City of Montebello
City of Arvin	City of Monterey
City of Avenal	City of Mountain View
City of Barstow	City of Moreno Valley
City of Berkeley	City of Morgan Hill
City of Brea	City of Newark
City of Brentwood	City of Oakland
City of Brisbane	City of Orange
City of Campbell	City of Pacifica
City of Clayton	City of Palo Alto
City of Clovis	City of Pittsburg
City of Concord	City of Rancho Cucamonga
City of Cupertino	City of Reno
City of Del Rey Oaks	City of Richmond
City of East Palo Alto	City of Rosemead
City of El Cerrito	City of Sacramento
City of Elk Grove	City of Salinas
City of Eureka	City of San Bruno
City of Fremont	City of San Carlos
City of Fresno	City of San Diego
City of Hayward	City of San Diego
City of Hollister	City of San Rafael
City of Irvine	City of Santa Clara
City of La Mirada	City of Seaside
City of Livermore	City of Shafter
City of Long Beach	City of Solana Beach
City of Los Angeles	City of South Lake Tahoe
City of Marina	City of South San Francisco
City of Martinez	City of Stockton
City of Menlo Park	City of Sunnyvale
City of Millbrae	City of Tracy
City of Modesto	City of Tustin
City of Monrovia	City of Union City
	Town of Fairfax
	Town of Tiburon
County of Alameda	County of Nevada
County of Butte	County of Sacramento
County of Contra Costa	County of San Mateo
County of Fresno	County of Santa Clara
County of Humboldt	County of Santa Cruz
County of Los Angeles	County of Sonoma
County of Marin	County of Yolo
County of Mendocino	

County of Napa
County of Orange

HOUSING AUTHORITY CLIENTS

Alameda County Housing Authority	Oakland Housing Authority
Berkeley Housing Authority	Richmond Housing Authority
City of Alameda Housing Authority	San Bernardino County Housing Authority
Contra Costa County Housing Authority	San Buenaventura Housing Authority
Eureka Housing Authority	San Francisco Housing Authority
Fresno Housing Authority	Santa Clara City Housing Authority
Kern County Housing Authority	Santa Cruz County Housing Authority
Livermore Housing Authority	Wasco Housing Authority
Marin Housing Authority	

EXHIBIT B

PRIMARY ATTORNEY BIOGRAPHIES

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510 836-6336

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goldfarbclipman.com

Ms. Tiedemann is a partner in the firm with an emphasis of practice in community economic development, real estate transactions, affordable housing, nonprofit organization, and environmental law.

Ms. Tiedemann has negotiated and drafted disposition and development agreements for complex developments involving multiple uses, including transactions that involved the acquisition of numerous properties and the relocation of business and residential tenants. She also advises clients on compliance with environmental laws including shepherding developments through CEQA. Ms. Tiedemann has extensive experience in financial analysis for projects utilizing multiple funding sources. Ms. Tiedemann is a frequent speaker on relocation and fair housing issues. Additionally, as general or special counsel to several public agencies, Ms. Tiedemann provides advice on compliance with the Brown Act, the Fair Political Practices Act and Public Records Act, as well as general law questions.

Ms. Tiedemann represented the Redevelopment Agency of the City of Oakland in connection with the rehabilitation of the Oakland Fox Theater, a federally recognized historic building located in the Uptown area of Oakland, with the use of a combination of New Markets Tax Credits and Historic Tax Credits. She represented the City of Santa Clara in the development and operation of Levi's Stadium and the State of California in the negotiation of sublease documents for the Los Angeles Coliseum and lease documents for the Lucas Museum of Narrative Art.

Ms. Tiedemann also advises public agencies and nonprofit housing developers on affordable housing matters. She represents numerous agencies and nonprofit corporations on the development, financing and management of low and moderate income projects and programs. Her affordable housing work includes advising clients on compliance with fair housing laws.

Ms. Tiedemann also serves as general counsel for the Mountain View Rental Housing Committee and has assisted the Committee on implementation of the voter approved charter amendment adopting rent stabilization. Ms.

Professional Experience

Tiedemann also represents numerous other public agencies in drafting and implementing tenant protection ordinances and rent stabilization programs. Ms. Tiedemann, prior to becoming an attorney worked for the Berkely Rent Stabilization Board.

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Goldfarb & Lipman LLP, Oakland, California, 1988-present.

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J.D., Boalt Hall School of Law, University of California at Berkeley, with Order of the Coif honors. Associate Editor, *Ecology Law Quarterly*.

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He represents numerous public agencies and nonprofit organizations on the development, financing and management of affordable housing and mixed use projects and programs which utilize state assistance, including MHP and MHSA financing, and federal assistance, including, tax credits and CDBG, NSP and HOME financing.

Mr. Webber also represents public agencies and nonprofit developers on mixed-use and commercial projects. He has negotiated and drafted disposition and development agreements, loan documents, and ground leases for complex mixed-use developments, including finance documents for new markets tax credit transactions. Mr. Webber's work in this area involves structuring complex development transactions involving public and private partnerships, advising clients on public and private financing structures and all aspects of development issues, including CEQA related and real property security issues.

Mr. Webber represented the Community Redevelopment Agency of the City of Los Angeles on various aspects in the development of Staples Center, the Marriott Convention Center Hotel, and the new Broad Museum. He represented the City of Santa Clara in the development of Levi's stadium, the home of the San Francisco 49ers, providing advice on financing, construction and operation issues related to the stadium.

Mr. Webber also works with a wide variety of nonprofit entities, including school districts, affordable housing developers, and other charitable organizations providing legal guidance regarding nonprofit operations and administration, tax issues, as well as matters related to property and real estate, and other corporate and organizational matters.

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Goldfarb & Lipman LLP, Los Angeles, California, 1992-present.

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Ms. Salehi also provides advice to public agencies on rent stabilization matters and tenant protection programs and serves as assistant general counsel to the Mountain View Rental Housing Committee.

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