

**PASADENA RENTAL HOUSING BOARD MEETING MINUTES
AUGUST 23, 2023 – 6:00 P.M.
ROBINSON PARK RECREATION CENTER, MULTI-PURPOSE ROOM**

OPENING Chair Bell called the meeting of the Pasadena Rental Housing Board to order at 6:05 p.m.

ROLL CALL: Chair Ryan Bell
Vice Chair Brandon Lamar
Board Member Deborah Dunlop
Board Member Lourdes Gonzalez
Board Member Allison Henry
Board Member Emanuel Najera
Board Member Barbara Pitts
Board Member Dianne Romero Chavez
Board Member Arnold Siegel
Board Member Yaneli Soriano Santiago
Board Member Adela Torres
Alternate Board Member Peter Dreier (At-Large)
Alternate Board Member Aaron Markowitz (Tenant)

Staff: Chanée Franklin-Minor, bhyv Consulting-Via Zoom
Nazanin Salehi, Goldfarb Lipmann Attorney-Via Zoom
Karen Tiedemann, Goldfarb Lipmann Attorney-Via Zoom
Desiree Acosta, Recording Secretary

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA Michelle White, Pasadena resident, requested that future ad hoc committee meeting be open to the public, and spoke in opposition to the Pasadena Rental Housing Board (PRHB) request to integrate into the City as a Department. Budget to assist people with eviction, requesting workshops for landlords and tenants.

Board Member Romero Chavez arrived at 6:06 p.m.

The following individuals spoke on issues related to rent increases, enforcement of Measure H, and/or assistance and guidance in interpreting rent control provisions:

Thor Gilbert, Pasadena resident
Kathryn Ferguson, Pasadena resident
Hashim Kamal, Pasadena resident
Liberty McCoy, Pasadena resident
Benito Sanchez, Pasadena resident

Gary Maat-Hotep, residence not stated, spoke in opposition to the PRHB integrating with the City, and advocated that the Board remain separate from the City and City Council.

Leon Victor, a Pasadena resident, spoke on behalf of his building's tenant association, noting the urgency and need for the Board to implement its enforcement powers to ensure landlord compliance with the City's Charter and newly established rent stabilization laws.

Dennis Jebbia, Pasadena resident, stated his concerns with PRHB Resolution No. RHB-2023-03.

APPROVAL OF MINUTES

It was moved by Vice Chair Lamar, seconded by Member Siegel, to approve the minutes of July 26, 2023, regular meeting and August 9, 2023, cancelled meeting, as submitted:

AYES: Board Members Dunlop, Gonzalez, Henry, Najera, Pitts, Romero Chavez, Siegel, Soriano Santiago, Torres, Vice Chair Lamar, Chair Bell

NOES: None

ABSENT: None

ABSTAIN: None

OLD BUSINESS

UPDATE AND DISCUSSION REGARDING AD HOC FOUNDATIONS COMMITTEE PROGRESS ON INTEGRATION OF THE PASADENA RENTAL HOUSING BOARD INTO THE CITY

Recommendation: It is recommended that the Pasadena Rental Housing Board receive information on the progress of the discussions related to the Board's integration with the City as a department or division.

Chair Bell introduced the item, and Vice Chair Lamar provided a summary of the August 9th meeting with City staff, noting that the following items were discussed at the meeting: structure of the relationship between the PRHB and the City of Pasadena, options for the Board to utilize City services/established policies related to budgeting, contracting, and hiring, and provided information on the need to develop of a term sheet outlining the formal requests of the Board to the City.

Member Gonzalez, provided an update from the ad hoc committee's review of the item, provided a timeline on the drafting of the term sheet, with the committee to report back to the full Board on recommendations and details that can be considered when finalizing the term sheet, with the goal to submit the completed term sheet to the City for formal discussions and consideration. She noted that a further report to the Board will occur after the Chair and Vice Chair meet with City staff.

Michelle White, Pasadena resident, stated her concerns with the proposed action, and requested additional information on the term sheet and the proposed duration of any agreement with the City.

Chair Bell thanked the Vice Chair and Member Gonzalez for their presentations, and invited Board Members to reach out to Vice Chair Lamar with any thoughts, questions, and/or suggestions on how to proceed as the process and discussions with the City move forward.

On the order of the Chair, and consensus of the Board, the information was received and filed.

NEW BUSINESS

Vice Chair Lamar left the meeting at 7:20 p.m. Alternate Member Markowitz was recognized as a tenant voting member in the Vice Chair's absence.

ADOPTION OF A RESOLUTION OF THE PASADENA RENTAL HOUSING BOARD ADOPTING INTERIM REGULATIONS REGARDING THE WITHHOLDING OF RENT FOR FAILURE TO ROLLBACK RENT

Recommendation: It is recommended that the Pasadena Rental Housing Board:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) (common sense exemption);
- (2) Adoption of a resolution of the Pasadena Rental Housing Board adopting interim regulations regarding the withholding of rent for failure to rollback rent.

Board Counsel Salehi summarized the item as part of a PowerPoint presentation. She noted that a worksheet will be created that will demonstrate to tenants how to calculate overpayments and deductions.

PRHB members had questions regarding potential landlord actions in response to these provisions, discussed how information will be disseminated so that members of the public will be aware of these provisions and tools, and expressed concerns with the lack of PRHB dedicated staff to help make this information more visible to the public.

The following individuals provided comments, asked questions related to regulations regarding the withholding of rent for failure to roll back rent in the City of Pasadena, and/or noting an error in the proposed resolution:

Brigitte Rooney, Pasadena resident
Gina Dance, residence not stated
Ashay Patel, Pasadena resident
Kate Hindman, residence not stated
Hashim Kamal, Pasadena resident
Claire Zeng, Pasadena resident
Simon Gibbons, Pasadena resident
Sarah Rodriguez, Pasadena resident
Leon Victor, residence not stated
Dennis Jebbia, Pasadena resident
Michelle White, Pasadena resident
Liberty McCoy, Pasadena resident

Following public comment, Board Counsel Tiedemann confirmed that an error existed on Page 1, Exhibit A.

Following discussion, it was moved by Member Siegel, seconded by Member Romero Chavez, to approve the staff recommendation, incorporating the amendment to the Resolution, Exhibit A, Section A - Purpose, 10th line, correcting the citation to: "...Charter Section 2803(e) 1803(c)."

AYES: Board Members Dunlop, Gonzalez, Henry, Najera, Pitts, Romero Chavez, Siegel, Soriano Santiago, Torres, Markowitz, Chair Bell

NOES: None

ABSENT: Vice Chair Lamar

ABSTAIN: None

RECEIVE A SURVEY OF NO-FAULT EVICTION RELOCATION ASSISTANCE POLICIES IN CALIFORNIA AND PROVIDE DIRECTION TO CONSULTANTS ON DRAFTING RELOCATION ASSISTANCE REGULATIONS

Recommendation: It is recommended that the Pasadena Rental Housing Board receive information on best practices in no-fault eviction relocation assistance policies in California and provide direction on the framework to assist the Pasadena Rental Housing Board in developing Pasadena's no-fault eviction relocation assistance policies and regulations.

Chair Bell introduced the item, Agnes Cho, representing bhyv Consulting, presented information on no-fault eviction relocation assistance policies, including an overview of policy goals and objectives of relocation assistance, determining eligibility of assistance, and calculating assistance amounts, and responded to questions.

Following Board discussion, the following individuals provided comments and inquiries related to no-fault eviction relocation assistance in the City of Pasadena:

Brigitte Rooney, Pasadena resident
Gina Dance, Residency not stated
Ashay Patel, Pasadena resident
Michelle White, Pasadena resident
Liberty McCoy, Pasadena resident
Jane Panangaden, Pasadena resident
Adam Bray-Ali, residence not stated
Bin Lee, Pasadena resident, on Zoom

Board Secretary Acosta reported on correspondence received by the Pasadena Rental Housing Board related to this item, which was distributed to the Board, posted online, and made part of public record.

Chair Bell noted that this item was presented for information only at this time, and will be referred to the Policy and Programs ad hoc Committee to finalize the draft policy and submit it to the Board for consideration.

Following discussion, on order of the Chair, and consensus of the Board, the information was received and filed.

ADOPTION OF A RESOLUTION OF THE PASADENA RENTAL HOUSING BOARD APPROVING THE INCLUSION OF A TERMINATION FEE IN THE CONTRACT WITH BHV CONSULTING IN THE EVENT THE BOARD TERMINATES THE CONTRACT FOR CONVENIENCE IN THE AMOUNT OF THE LESSER OF 50% OF THE REMAINING AMOUNT OWED ON THE CONTRACT OR TWO MONTHS OF THE MONTHLY FEE ON THE CONTRACT

Recommendation: It is recommended that the Pasadena Rental Housing Board:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) (common sense exemption);
- (2) Adopt a resolution of the Pasadena Rental Housing Board of the City of Pasadena, California approving the inclusion of a termination fee in the contract with bhv Consulting in the event the PRHB terminates the contract for convenience in the amount of the lesser of 50% of the remaining amount owed on the contract or two months of the monthly fee on the contract;
- (3) Authorize the Chair, acting on behalf of the Pasadena Rental Housing Board, to execute a contract with bhv Consulting with the termination fee; and
- (4) To the extent the proposed action is subject to the Competitive Selection process, grant the contract an exemption pursuant to Pasadena Municipal Code ("PMC"), Section 4.08.049(B), contracts for which the City's best interests are served in that these are specialized services, and there is a need to proceed immediately. Competitive price bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services.

Chair Bell introduced the item, and Board Counsel, Karen Tiedemann, Goldfarb Lipman, provided an oral overview of the item. She noted that the contract with bhv consulting utilizes City's professional services contract template, which includes a standard clause related to termination for convenience, which was the genesis for the requested contract provision.

The Board questioned whether similar types of fees were widely utilized, whether a similar provision could be added for the benefit of the Board if bhyv terminated the contract for convenience, and affirmatively clarified with Board Counsel that the Board could terminate for cause without incurring the fee. It was also noted by Board Counsel that if the termination for convenience clause was eliminated, then the only reason the Board could end the contract early would be for cause.

Member Henry noted that the contract with bhyv was sole sourced without a formal Request for Proposal process, cited the high dollar value of the approved contract, with both aspects benefiting bhyv, and therefore did not support authorizing the inclusion of the fee in the contract.

The following individuals provided comments related to the item, regarding a termination fee in the contract with bhyv consulting:

Adam Bray-Ali, residence not stated

Board Secretary Acosta reported on correspondence received by the Pasadena Rental Housing Board related to this item, which was distributed to the Board, posted online, and made part of public record.

Following discussion, it was moved by Member Markowitz, seconded by Member Pitts, to approve the staff recommendation:

AYES: Board Members Dunlop, Najera, Pitts, Torres, Markowitz, Chair Bell

NOES: Board Members Henry, Siegel

ABSENT: Vice Chair Lamar

ABSTAIN: Board Members Gonzalez, Romero Chavez, Soriano Santiago

INFORMATION ITEM AD HOC COMMITTEE REPORTS:

A. FOUNDATION

B. STAFFING

C. COMMUNITY OUTREACH

D. POLICY AND PROGRAM DEVELOPMENT

Chair Bell noted that the Foundation ad hoc committee reported out on Item No. 2 above (Integration of the PRHB with the City), and stated that the Staffing ad hoc committee does not have an update at this time.

Member Henry reported that the Community Outreach ad hoc committee has completed work on the Fact Sheet, which is now publicly available and is being actively distributed to members of the public including to City offices (including District Liaisons), community organizations, neighborhood associations, service organizations, PUSD email distribution, and via social

media sites. She noted that the Committee had questions about creating a PRHB social media account and/or whether to potentially pay for social media advertising. She noted that the Committee is discussing the planning for upcoming tenant and landlord workshops that will provide education on the new Charter provisions, and how to respond to incoming email inquiries. It was noted that the Fact Sheet flyer will be printed and distributed as widely as possible, and that Board Members can provide suggestions on further ways to distribute this information.

Chair Bell noted that Item Nos. 3 and 5 were reviewed and submitted by the Policy and Program Development ad hoc committee. Member Markowitz provided an update on the Policy and Program Development ad hoc committee, and reported on the work with the City in updating some of the permitting requirements, specifically for substantial renovations. In addition, the committee is working on Board meeting rules, drafting of noticing forms that are called for in the Charter, and an interest rate schedule for security deposits, that will be submitted to the full Board at an upcoming meeting.

Dennis Jebbia, Pasadena resident, noted that the Fact Sheet may contradict an adopted Board resolution, and create confusion.

On the order of the Chair, and consensus of the Board, the information was received and filed.

FUTURE AGENDA ITEMS

Chair Bell provided an overview of the upcoming meeting scheduled for the PRHB through the end of the current 2023 calendar year, and into the first six months of calendar year 2024. Member Najera suggested exploring alternate meeting locations.

The Board requested a training on the concepts related to Fair Return provisions for rental housing, as well as information and update on the Budget, staffing models, and fees.

Following discussion, by order of the Chair, and consensus of the Board, the information was received and filed.

PUBLIC COMMENT cont.

Gary Maat-Hotep, Residence not stated, has concerns with the PRHB being part of the City

Maritza Sanpedrao, Pasadena resident, is concerned with her landlord requesting her to sign a new contract and requested advice from the PRHB

On the order of the Chair, the meeting of the Pasadena Rental Housing Board was adjourned at 10:18 p.m.



RYAN BELL, Chair
Pasadena Rental Housing Board

ATTEST:



Desiree Acosta
Recording Secretary