



**CITY OF SOUTH PASADENA  
CITY COUNCIL**

**AGENDA**

**SPECIAL MEETING  
WEDNESDAY, JUNE 28, 2023, AT 5:00 P.M.**

**AMEDEE O. "DICK" RICHARDS JR. COUNCIL CHAMBERS  
1424 MISSION STREET, SOUTH PASADENA, CA 91030**

**South Pasadena City Council Statement of Civility**

*As your elected governing board, we will treat each other, members of the public, and City employees with patience, civility, and courtesy as a model of the same behavior we wish to reflect in South Pasadena for the conduct of all City business and community participation. The decisions made tonight will be for the benefit of the South Pasadena community and not for personal gain.*

**NOTICE ON PUBLIC PARTICIPATION & ACCESSIBILITY**

The South Pasadena City Council Meeting will be conducted in-person from the Amedee O. "Dick" Richards, Jr. Council Chambers, located at 1424 Mission Street, South Pasadena, CA 91030.

Public participation may be made as follows:

- In Person – Council Chambers, 1424 Mission Street, South Pasadena, CA 91030
- Live Broadcast via the City website – [http://www.spectrumstream.com/streaming/south\\_pasadena/live.cfm](http://www.spectrumstream.com/streaming/south_pasadena/live.cfm)
- Via Zoom – **Webinar ID: 825 9999 2830**
- Written Public Comment – written comment must be submitted by 12:00 p.m. the day of the meeting by emailing to [ccpubliccomment@southpasadenaca.gov](mailto:ccpubliccomment@southpasadenaca.gov).
- Via Phone – +1-669-900-6833 and entering the Zoom Meeting ID listed above.

Meeting may be viewed at:

1. Go to the Zoom website, <https://zoom.us/join> and enter the Zoom Meeting information; or
2. Click on the following unique Zoom meeting link:  
<https://us06web.zoom.us/j/82599992830> or
3. By calling: +1-669-900-6833 and entering the Zoom Meeting ID listed above; and viewing the meeting via [http://www.spectrumstream.com/streaming/south\\_pasadena/live.cfm](http://www.spectrumstream.com/streaming/south_pasadena/live.cfm)

**CALL TO ORDER:** Mayor Jon Primuth

**ROLL CALL:**

Mayor	Jon Primuth
Mayor Pro Tem	Evelyn G. Zneimer
Councilmember	Jack Donovan
Councilmember	Michael A. Cacciotti
Councilmember	Janet Braun

**PLEDGE OF ALLEGIANCE:** Councilmember Jack Donovan

**PUBLIC COMMENT GUIDELINES**

The City Council welcomes public input. Members of the public may comment on a non-agenda subject under the jurisdiction of the City Council or on an agenda item. Members of the public will have three minutes to address the City Council, however, the Mayor and City Council may adjust the time allotted, as needed.

Public Comments received in writing will not be read aloud at the meeting, but will be part of the meeting record. Written public comments will be uploaded to the City website for public viewing under Additional Documents. When submitting a public comment, please make sure to include the following:

- 1) Name (optional), and
- 2) Agenda item you are submitting public comment on.
- 3) Submit by no later than 12:00 p.m., on the day of the City Council meeting. Correspondence received after this time will be distributed the following business day.

PLEASE NOTE: The Mayor may exercise the Chair's discretion, subject to the approval of the majority of the City Council, to adjust public comment time limit to less than three minutes, as needed.

Pursuant to State law, the City Council may not discuss or take action on issues not on the meeting agenda, except that members of the City Council or staff may briefly respond to statements made or questions posed by persons exercising public testimony rights (Government Code Section 54954.2). Staff may be asked to follow up on such items.

**PUBLIC COMMENT**1. **PUBLIC COMMENT**

Public Comment will be limited to three minutes per speaker for the agendized items only.

**ACTION/DISCUSSION**

2. **ADOPTION OF AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA EXTENDING ORDINANCE NO. 2374 ESTABLISHING AN INTERIM MORATORIUM ON NO-FAULT JUST CAUSE TERMINATIONS OF RESIDENTIAL TENANCIES IN THE CITY OF SOUTH PASADENA AND DECLARING THE URGENCY THEREOF TO TAKE EFFECT IMMEDIATELY UPON ADOPTION**

**ORDINANCE**

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA EXTENDING ORDINANCE NO. 2374 ESTABLISHING AN INTERIM MORATORIUM ON NO-FAULT JUST CAUSE TERMINATIONS OF RESIDENTIAL TENANCIES IN THE CITY OF SOUTH PASADENA AND DECLARING THE URGENCY THEREOF TO TAKE EFFECT IMMEDIATELY UPON ADOPTION

**Recommendation**

It is recommended that the City Council waive full reading of the Urgency Ordinance extending Ordinance No. 2374 establishing an interim moratorium on no-fault just cause terminations of residential tenancies and adopt the Urgency Ordinance.

**ADJOURNMENT**

**FOR YOUR INFORMATION**

**FUTURE CITY COUNCIL MEETINGS**

July 19, 2023	Regular City Council Meeting	7:00 P.M.
August 16, 2023	Regular City Council Meeting	7:00 P.M.
September 6, 2023	Regular City Council Meeting	7:00 P.M.

**PUBLIC ACCESS TO AGENDA DOCUMENTS AND BROADCASTING OF MEETINGS**

City Council meeting agenda packets, any agenda related documents, and additional documents are available online for public viewing on the City’s website:

[www.southpasadenaca.gov/CityCouncilMeetings2023](http://www.southpasadenaca.gov/CityCouncilMeetings2023)


Regular meetings are live streamed via the internet at:

[http://www.spectrumstream.com/streaming/south\\_pasadena/live.cfm](http://www.spectrumstream.com/streaming/south_pasadena/live.cfm)

**AGENDA NOTIFICATION SUBSCRIPTION**

If you wish to receive an agenda email notification please contact the City Clerk’s Division via email at [CityClerk@southpasadenaca.gov](mailto:CityClerk@southpasadenaca.gov) or call (626) 403-7230.

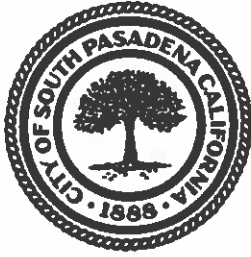
**ACCOMMODATIONS**

 The City of South Pasadena wishes to make all of its public meetings accessible to the public. If special assistance is needed to participate in this meeting, please contact the City Clerk’s Division at (626) 403-7230 or [cityclerk@southpasadenaca.gov](mailto:cityclerk@southpasadenaca.gov). Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Notification at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

**CERTIFICATION OF POSTING**

*I declare under penalty of perjury that I posted this notice of agenda for the meeting to be held on **June 28, 2023**, on the bulletin board in the courtyard of City Hall located at 1414 Mission Street, South Pasadena, CA 91030, and on the City website as required by law, on the date listed below.*

06/22/2023	/S/
Date	Mark Perez, Deputy City Clerk



# City Council Agenda Report

ITEM NO. 02.

**DATE:** June 28, 2023

**FROM:** Arminé Chaparyan, City Manager *AC*

**PREPARED BY:** Angelica Frausto-Lupo, Community Development Director  
Leah Demarest, Senior Planner for Housing Programs

**SUBJECT:** **Adoption of an Urgency Ordinance of the City Council of the City of South Pasadena, California Extending Ordinance No. 2374 Establishing an Interim Moratorium on No-Fault Just Cause Terminations of Residential Tenancies in the City of South Pasadena and Declaring the Urgency Thereof to Take Effect Immediately Upon Adoption**

---

## Recommendation

It is recommended that the City Council waive full reading of the Urgency Ordinance extending Ordinance No. 2374 establishing an interim moratorium on no-fault just cause terminations of residential tenancies and adopt the Urgency Ordinance.

## Executive Summary

On May 17, 2023, the City Council adopted Interim Urgency Ordinance No. 2734 ("Ordinance No. 2734") to establish a 45-day moratorium on terminations of tenancy for no-fault just cause, as defined in South Pasadena Municipal Code section 17.106(b)(2), to provide time to City staff to study the issue of terminations of tenancy for substantial remodels. An Ad-Hoc Committee, consisting of Mayor Primuth and Council Member Donovan, was also formed to work with staff on the matter. Ordinance No. 2734 is scheduled to expire on July 1, 2023. Staff recommends that City Council adopt an urgency ordinance that extends the interim moratorium to provide staff more time to further research and analyze the matter.

## Analysis

At the City Council Meeting on June 13, 2023, staff presented a draft ordinance amending South Pasadena Municipal Code section 17.106 ("Just Cause provisions") to address the specific issue of substantial remodel evictions that was brought to City Council in April 2023. The City Council directed staff to further study the matter and specifically requested that staff explore the creation of a mediation program, consider the addition of a sunset clause in a revised ordinance, and analyze the economic impact of a revised ordinance. Staff will continue to host community engagement meetings and listening sessions in the process. Accordingly, an extension of Ordinance No. 2734 is necessary for staff to

Extension of Moratorium on No-Fault Just Cause Evictions  
June 28, 2023  
Page 2 of 2

undertake this research as the initial 45-day term of Ordinance No. 2734 expires on July 1, 2023.

Pursuant to the provisions of Government Code Section 65858, Ordinance No. 2734 may be extended by the City Council beyond the initial 45 day term for an additional period of 10 months and 15 days. The proposed extension will allow staff to continue its research and return with a proposed ordinance on this matter. As stated at the June 13th City Council meeting, Staff anticipates returning to the City Council well before the end of the extension period. As a prerequisite to the extension, the City Council adopted and issued the required written report describing the measures taken to alleviate the condition which led to the adoption of Urgency Ordinance No. 2734 on June 21, 2023.

**Alternatives**

If Council chooses not to extend the moratorium, the City's Just Cause for Eviction Ordinance will remain unchanged effective July 1, 2023.

**Fiscal Impact**

Staff time will be spent studying the issue, as directed by the City Council with its adoption of this ordinance.

**Key Performance Indicators and Strategic Plan**

This item aligns with Strategic Plan priority 5, Plan for Affordable Housing to Comply with State Mandates and Respond to Community Needs.

**Commission Review and Recommendation**

This item was not reviewed by a commission or board.

Attachment

- A) Draft Urgency Ordinance

**ATTACHMENT 1**  
Draft Urgency Ordinance

**THIS PAGE  
INTENTIONALLY  
LEFT BLANK**

**ORDINANCE NO. \_\_\_\_\_**

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA EXTENDING ORDINANCE NO. 2374 ESTABLISHING AN INTERIM MORATORIUM ON NO-FAULT JUST CAUSE TERMINATIONS OF RESIDENTIAL TENANCIES IN THE CITY OF SOUTH PASADENA AND DECLARING THE URGENCY THEREOF TO TAKE EFFECT IMMEDIATELY UPON ADOPTION**

WHEREAS, effective January 1, 2020, Assembly Bill 1482 (2019-2020, the “Tenant Protection Act of 2019”) established state-wide just cause eviction protections intended to “help families afford to keep a roof over their heads, and... provide California with important new tools to combat our state’s broader housing and affordability crisis[;]” and

WHEREAS, the eviction protections of AB 1482 require an owner of residential property to have “just cause” in order to terminate a tenancy of a tenant that has lived in the unit for 12 months or more and distinguishes between “at-fault” and “no-fault” just cause terminations of tenancy; and

WHEREAS, the eviction protections of AB 1482 allow for a “no fault just cause” eviction of a tenant where the property owner intends to demolish or remodel the unit requiring the tenant to vacate for a minimum of 30 days; and

WHEREAS, the eviction protections of AB 1482 require an owner of residential property to pay relocation assistance to a tenant that has their lease terminated for “no fault just cause[;]” and

WHEREAS, AB 1482 permits cities to adopt their own ordinances regulating evictions if the ordinance is more protective than AB 1482 in limiting the reasons for the reasons for termination of a residential tenancy, provides for higher relocation assistance amounts, or provides additional tenant protections not prohibited by any other provision of law and makes a finding that the ordinance is more protective than AB 1482; and

WHEREAS, on November 4, 2020, the City Council adopted Ordinance No. 2349 establishing an interim moratorium on evictions of residential units due to substantial remodeling or demolition unless building permits were secured from the City and the tenant was given notice why the work could not be reasonably accomplished while they remained in place, which it found was more restrictive than AB 1482; and

WHEREAS, on December 16, 2020, the City adopted Ordinance No. 2350 extending the interim moratorium established by Ordinance No. 2349; and



WHEREAS, on January 20, 2021, the City adopted Ordinance No. 2351, which repealed Ordinance No. 2350 and added Article X to Chapter 17 of the South Pasadena Municipal Code titled “Just Cause for Eviction,” which it found was more restrictive than AB 1482; and

WHEREAS, South Pasadena Municipal Code section 17.106 prohibits owners of residential property from terminating a tenancy without just cause; and

WHEREAS, tenants of multifamily rental properties in South Pasadena have recently reported that they have received notices of termination of tenancy from their landlord for alleged purposes of “substantial remodeling” to their residential units, thereby taking advantage of an unintended loophole for property owners, to issue no-fault eviction notices with unwarranted claims that substantial remodeling will actually be undertaken; and

WHEREAS, on May 17, 2023, the City adopted Ordinance No. 2374 establishing an interim moratorium on no-fault just cause evictions of residential tenancies. That interim ordinance has a term of forty-five (45) days and is scheduled to expire on July 1, 2023; and

WHEREAS, at the June 13, 2023 City Council meeting, City Staff brought forward an ordinance with several amendments to the City’s existing ordinance to remove “substantial removal” as a “no-fault just cause” reason for terminating a tenancy as well as additional tenant protections for any necessary and substantial repairs made by the owners of rental units. At that meeting, the City Council provided City Staff with input and suggestions for further study in addition to receiving testimony from a number of community members and stakeholders regarding the draft ordinance; and

WHEREAS, no action was taken on the proposed ordinance and City Staff was provided direction with regard to areas of further study; and

WHEREAS, the City Council may consider an extension of interim Ordinance No. 2374 for up to ten (10) months and fifteen (15) days pursuant to the legal requirements provided in Government Code Section 65858. Such extension requires a four-fifths vote of the City Council; and

WHEREAS, City Staff requires additional time to conduct additional research to evaluate a permanent, non-urgency ordinance to address substantial remodel evictions; and

WHEREAS, without an extension to the temporary moratorium on evictions, tenants will suffer harm which is not adequately addressed by the one month of relocation benefits required under AB 1482 and the South Pasadena Municipal Code; and

WHEREAS, the City Council finds that an extension to the temporary moratorium on evictions is necessary and essential to prevent the irreparable injury tenants would suffer due to the unintended loophole in AB 1482 and Ordinance 2351 that allows tenants to be evicted for unsubstantiated or unnecessary “substantial remodels” of their units; and

WHEREAS, the City Council finds that extension of the temporary moratorium on evictions is necessary and essential to further the important interests of the State in passing of AB 1482, which law the City supports and to prevent further concerns to the public safety, health, and welfare; and

WHEREAS, extension of interim Ordinance No. 2374 will facilitate the City's further study of the regulations appropriate for the City of South Pasadena related to the no-fault termination of tenancy provisions that would be more protective than Civil Code Section 1946.2 and the current provisions of South Pasadena Municipal Code Section 17.106; and

WHEREAS, the recitals herein constitute the City Council's statements of the reasons constituting necessity and urgency for the extension of interim Ordinance No. 2374; and

WHEREAS, based upon the findings listed in the recitals herein, the City Council finds that it is necessary to extend interim Ordinance No. 2374 for the immediate preservation of the public health, safety and welfare. The City Council finds and determines that the immediate preservation of the public health, safety and welfare requires that this ordinance be enacted as an interim urgency ordinance pursuant to Government Code Section 65858 and take effect immediately upon adoption. As described above, without this temporary moratorium, landlords would be able to issue no-fault eviction notices with unwarranted claims that substantial remodeling will be undertaken. Therefore, this interim Urgency Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare and its urgency is hereby declared; and

WHEREAS, adoption of this interim Urgency Ordinance is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to the following, each a separate and independent basis: CEQA Guideline section 15183 ("Action Consistent with the General Plan and Zoning"); section 15378 ("No Project") and 15061(b)(3) ("No Significant Environmental Impact").

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1.** In accordance with Government Code Section 65858 and pursuant to the findings stated herein, the City Council hereby: 1) declares that the findings and determinations set forth above are true and correct and are incorporated herein by reference; 2) finds that there exists a current and immediate threat to the public safety, health, and welfare; 3) finds that this interim Urgency Ordinance is necessary for the immediate preservation of the public health, safety, and welfare, as set forth herein; and 4) declares and imposes a temporary moratorium on evictions for the immediate preservation of the public safety, health, and welfare.

**Section 2.** Compliance with Government Code Section 65858(d). On June 21, 2023, the City Council adopted and issued a report that identified the measures the City has taken to alleviate the condition which led to the adoption of the interim Ordinance No. 2374.

**Section 3.** Extension of Interim Ordinance No. 2374. This interim Urgency Ordinance shall extend Ordinance No. 2374 and all its provisions enacted by the City of South Pasadena for a period of ten (10) months and fifteen (15) days.

**Section 4.** City Staff shall continue the studies commenced pursuant to interim Ordinance No. 2374 that they deem necessary and appropriate to make a recommendation to this City Council. Pursuant to Government Code Section 65858(d), City staff shall prepare and submit for City Council adoption, if necessary, at least ten (10) days prior to the expiration of this interim Urgency Ordinance, or any extension hereof, a written report describing the measures taken to alleviate the conditions which led to the adoption of this interim Urgency Ordinance.

**Section 5.** CEQA. The City Council hereby finds and determines that this interim Urgency Ordinance is not subject to the requirements of the California Environmental Quality Act (“CEQA”), pursuant to the following, each a separate and independent basis: CEQA Guideline section 15183 (“Action Consistent with the General Plan and Zoning”); section 15378 (“No Project”) and 15061(b)(3) (“No Significant Environmental Impact”).

**Section 6.** Severability. If any section, subsection, sentence, clause, or phrase of this interim Urgency Ordinance is for any reason held by a court of competent jurisdiction to be invalid, or otherwise not in force or effect, such decision shall not affect the validity, force, or effect, of the remaining portions of this interim Urgency Ordinance. The City Council declares that it would have adopted this interim Urgency Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or otherwise not in force or effect.

**Section 7.** Effective Date. This interim Ordinance is adopted as an urgency ordinance for the immediate preservation of the public peace, health and safety pursuant to Government Code Section 65858, and therefore shall be passed immediately upon its introduction and shall become effective immediately upon its adoption by a minimum 4/5 vote of the City Council and shall continue in effect for a period of no longer than ten (10) months and fifteen (15) days. After notice pursuant to Section 65090 of the California Government Code and public hearing, the City Council may further extend the effectiveness of this interim Urgency Ordinance as provided in Government Code Section 65858.

**Section 8.** Certification. The City Clerk shall certify to the passage and adoption of this interim Urgency Ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED, and ADOPTED ON this 28th day of June, 2023.

---

Jon Primuth, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mark Perez, Deputy City Clerk  
(seal)

\_\_\_\_\_  
Roxanne Diaz, City Attorney

Date: \_\_\_\_\_

I HEREBY CERTIFY that Urgency Ordinance No. \_\_\_\_ was duly adopted by the City Council of the City of South Pasadena, California, at a Special Meeting held on the 28th day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Mark Perez, Deputy City Clerk