



Additional Documents Distributed for the City Council Meetings of November 1, 2023

Item No.	Agenda Item Description	Distributor	Document
04.	APPROVAL OF PREPAID WARRANTS IN THE AMOUNT OF \$71,868.12; GENERAL CITY WARRANTS IN THE AMOUNT OF \$522,395.38; TRANSFERS IN THE AMOUNT OF \$120,000; PAYROLL IN THE AMOUNT OF \$834,194.27	John	Email to Council
04.	APPROVAL OF PREPAID WARRANTS IN THE AMOUNT OF \$71,868.12; GENERAL CITY WARRANTS IN THE AMOUNT OF \$522,395.38; TRANSFERS IN THE AMOUNT OF \$120,000; PAYROLL IN THE AMOUNT OF \$834,194.27	John	Email to Council
06.	CONSIDERATION OF APPROVAL OF NAMING BERKSHIRE PARK IN MEMORY OF DR. BEATRIZ SOLIS	Sally Kilby	Email to Council
09.	CONSIDERATION OF INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA AMENDING ARTICLE X ("JUST CAUSE FOR EVICTION") OF TITLE 17 ("HEALTH AND SANITATION") OF THE SOUTH PASADENA MUNICIPAL CODE	Michael Siegal	Email to Council
09.	CONSIDERATION OF INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA AMENDING ARTICLE X ("JUST CAUSE FOR EVICTION") OF TITLE 17 ("HEALTH AND SANITATION") OF THE SOUTH PASADENA MUNICIPAL CODE	Vicki Friesen	Email to Council

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11.	SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING CHAPTER 1, CHAPTER 1A AND SECTION 24.02 OF THE SOUTH PASADENA MUNICIPAL CODE TO UPDATE THE PROVISIONS RELATED TO VIOLATIONS OF THE CODE, INCLUDING SUBSTANDARD BUILDINGS,	Ted Gerber, Public Works Director	PowerPoint
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	RELATED TO VIOLATIONS OF THE CODE, INCLUDING SUBSTANDARD BUILDINGS, PENALTIES FOR CODE VIOLATIONS AND PROCE4DURES RELATED TO CODE VIOLATIONS		
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From: [John C.](#)
To: [City Council Public Comment](#)
Subject: Public Comment for Agenda Item 4 for South Pasadena City Council Meeting for November 1, 2023
Date: Saturday, October 28, 2023 4:45:44 PM

To South Pasadena Mayor Jon Primuth, Mayor Pro Tem Evelyn Zneimer, Councilmember Jack Donovan, Councilmember, Michael Cacciotti, and Councilmember Janet Braun

There is no reason in going backwards on the payment of the Enterprise lease of the 10 Tesla Model Y and 10 Tesla Model 3 police vehicles. If the South Pasadena City council can read this news article below.

Delays continue for production, delivery of police vehicles in Northern Colorado & across the U.S.
By Dillon Thomas October 17, 2023 CBS Colorado

A backlog of orders rooted in production delays from COVID-19 in 2020 continues to plague production and delivery of police vehicles across the United States. Stellantis, GM and Ford, the largest producers of police-rated vehicles, have all been battling delays and cancellations for nearly three years.

The delays first started in late 2020, when COVID-19 was causing delays in deliveries of critical parts and technologies like chips. That seemed to start a snowball effect when it came to production, one which the companies have struggled to bounce back from in the years to follow.

"The pandemic brought it all to a halt. People stopped manufacturing," said Jacob Rector, Senior Buyer for the City of Fort Collins.

Since the delays in production started Ford, GM and Stellantis have largely recovered in their production of vehicles for civilians, but the same cannot be said for police fleet vehicles.

"There is a lot more money to be made with the vehicles that have the upfits, sunroofs, heated steering wheels and different navigation screens," Rector told CBS News Colorado's Dillon Thomas. Thomas reached out to more than a dozen police agencies across Colorado, from Larimer County to El Paso County. All of the agencies reached, except for one, said they were still waiting on orders from years ago to be delivered. Some have even been told their orders will never be fulfilled.

"We've had several orders cancelled over the last couple years," said Chris Melvin, Fleet Sgt. for Larimer County Sheriff's Office.

The backlog of orders has become so significant that most police agencies across the United States are having difficulties obtaining the law enforcement vehicles they need.

"This is an issue that is impacting fleet orders across the entire nation right now," said Brandon Barnes, officer and spokesperson for Fort Collins Police Services, which serves the fourth largest city in Colorado.

"We are all vying for the same small piece of the pie," Melvin said.

Fort Collins Police is still waiting on dozens of vehicles to be delivered, only receiving a small portion of that which they ordered.

Before the pandemic Fort Collins Police Services typically received 30 new police vehicles a year. Meaning, since the delays began, the agency normally would have received around 70-to-75 new police vehicles.

"In the last two and a half years we have gotten about 15 new police vehicles in," Barnes said. "We have 55 Ford police interceptors that we are waiting to come in."

At the Larimer County Sheriff's Office the agency orders a wide range of vehicle makes and models.

Because they cover such rugged terrain and a wide range of landscapes, deputies drive different vehicle types depending on their assignment. Some drive Dodge Ram trucks, others drive Dodge Chargers or Chevy Tahoes.

"I've got 34 vehicles that rapidly need to be replaced," Melvin said.

Many may wonder if the agencies can combat the delays by simply fixing the current fleet to extend the lifetime of the vehicles. The answer, in short, is yes. But, that only serves as a patch to the problem, not a permanent fix.

"We have higher operating costs," Rector said. "You get seats that wear out, you have engines and transmissions (that need to be fixed), extra tire and brake costs."

However, that temporary solution is not going to be able to work much longer, as vehicles that are driven heavily throughout the week rapidly decline in performance.

"Parts are becoming more and more problematic. We have seen an uptick in that with the ongoing United Auto Workers strikes that are now effecting not only production of new vehicles, but parts as well," Melvin said. "Availability is down. Prices are up. Parts are down. It is the perfect storm."

Police vehicles age much more rapidly than most civilian vehicles.

Not only are they driven more aggressively with rapid acceleration, stops, swerving and more, but they also are regularly left on when an officer is on duty.

Many may not realize that, in order to keep lights and computers operating, police vehicles are left idling throughout an officer's entire shift.

"That idle time adds wear and tear to the vehicle. If you take a 100,000-mile vehicle, you are probably at 250,000 miles at engine idle time alone," Rector said.

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Police vehicles with at least 100,000 miles are estimated to be running more closely with a civilian vehicle that has more than 350,000 miles on it.

As police agencies wait for GM, Stellantis and Ford to catch up with orders, more and more vehicles are

operating at abnormally high mileage.

"Right now we are sitting at about 15-to-20% of our fleet is at over 100,000 miles," Rector said. "Cops are in cars longer than they should be."

Both LCSO and FCPS said they are stretching their vehicles longer than they typically would, while also making sure a vehicle that is dangerous does not end up on the streets. LCSO said they have ended up having to scrap vehicles in order to keep others running.

CBS News Colorado reached out to Ford, Stellantis and GM for interviews on this report. Ford never responded to requests for comment.

A spokesperson for GM issued a written statement which never addressed the causes or extent of the delays when it came to their production of police vehicles. However, the manufacturer took time to boast of their increased demand for production.

"Demand is very high for GM fleet vehicles including the Tahoe PPV (Police Package Vehicle), Tahoe SSV (Special Service Vehicle), Silverado PPV and Silverado SSV. In early 2024, we are introducing the Blazer EV PPV, Chevy's first all-electric Blazer police vehicle designed to be pursuit-rated," the statement read in-part.

A spokesperson for Stellantis issued a written statement acknowledging the delays, also noting that the company has ramped up production of some police vehicles.

"The Company has navigated logistical hurdles including production disruptions on key models, including parts and materials shortages throughout the past year, and we're seeing resolution in those areas. Overall, our law enforcement business remains strong, with Charger Pursuit and Durango Pursuit shipments up 123% and 166%, respectively, through the 3rd quarter of 2023," a spokesperson wrote.

LCSO and FCPS both said they were used to waiting several months for police vehicles to be delivered prior to the pandemic. However, now those companies are having to extend their expectations.

"Typically we were talking a couple months, not years," Rector said.

LCSO and FCPS said they are now prepared to wait up-to two years for their orders to arrive. And, once those orders arrive they still take several more weeks per vehicle to be wrapped with agency decals and outfitted with emergency lighting.

"I've had to put vehicles back in service that we retired just because of the need," Melvin said.

The price of the vehicles that are behind on delivery are also coming at a greater cost. The agencies that placed their orders years ago are not guaranteed to pay the price they had once expected. The manufacturers can, and have, increased the price of the delayed cars to adjust to inflation.

One agency reported paying anywhere from 20-to-30% more today for a vehicle than what they expected to when first ordering it.

Because the vehicles are owned and operated by government agencies, that bill is ultimately handed down to tax payers.

Rector said the delays are not just limited to police vehicles. He said ordering other fleet vehicles like specialized bucket trucks comes at an even greater delay, with some trucks projected to not arrive in the next three years.

Barnes and Melvin said the delays in fleet deliveries are disappointing and challenging, but they will not impact the public's access to help during times of emergency.

"The mechanics here in Fort Collins have done a great job at keeping our fleet in shape, that has allowed us to not have any interruption to service for the community," Barnes said.

From, John

From: [John C.](#)
To: [City Council Public Comment](#)
Subject: Public Comment for Agenda Item 4 for South Pasadena City Council Meeting for November 1, 2023
Date: Saturday, October 28, 2023 4:44:14 PM

To South Pasadena Mayor Jon Primuth, Mayor Pro Tem Evelyn Zneimer, Councilmember Jack Donovan, Councilmember, Michael Cacciotti, and Councilmember Janet Braun

Please Approve Agenda Item 4. Especially this city prepaid warrant below:

ENTERPRI - Enterprise FM Trust

317708	10/19/2023		
Inv	FBN4861089		
Line Item Date	Line Item Description		
10/12/2023	Tesla Vehicle Fleet Lease October 2023	41,488.32	
Inv FBN4861089 Total		41,488.32	
317708 Total:		41,488.32	
ENTERPRI - Enterprise FM Trust Total:		41,488.32	
Total:		41,488.32	

Also, the comment below was submitted for May 3, 2023, May 17, 2023, June 21, 2023, August 16, 2023, September 6, 2023, and October 4, 2023. This comment has been updated because the City of Long Beach has renew the Enterprise Leases contract again for the Long Beach Police Department on June 20, 2023. This comment is for the South Pasadena City Council to stop questioning the Enterprise Lease contract.

Please stop questing the use of the Enterprise Lease contract that South Pasadena Police Department is using because below the City of Long Beach used the Enterprise contract three times and below is how the Long Beach City Council voted. Not one city councilmember voted no. Agenda item information below:

May 12, 2015

HONORABLE MAYOR AND CITY COUNCIL
 City of Long Beach
 California

RECOMMENDATION: Adopt Specifications No. ITB FS15-005 and award a contract to Enterprise FM Trust, dba Enterprise Fleet Management, Inc., of St. Louis, MO, for leasing vehicles for various Police operations, in an annual amount not to exceed \$155,000, including tax and fees, for a period of four years; and, authorize the City Manager or designee to execute all documents necessary to enter into the contract, including any necessary amendments thereto. (Citywide)

DISCUSSION: City Council approval is requested to enter into a contract with Enterprise Fleet Management, Inc. (Enterprise), for the lease of up to 20 vehicles, as needed by the Police Department.

A motion was made by Councilman Andrews, seconded by Councilman Austin, to approve recommendation.

Votes

Councilwoman Gonzalez Yes

Vice Mayor Lowenthal Yes
 Councilwoman Price Yes
 Councilman Supernaw Yes
 Councilwoman Mungo Yes
 Councilman Andrews Yes
 Councilmember Uranga Yes
 Councilmember Richardson Yes

October 20, 2020

HONORABLE MAYOR AND CITY COUNCIL
 City of Long Beach
 California

RECOMMENDATION: Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, and any necessary amendments, with Enterprise FM Trust, dba Enterprise Fleet Management, Inc., of St. Louis, MO, to lease vehicles for various Police operations, on the same terms and conditions afforded to Sourcewell, formerly The National Joint Powers Alliance, in an annual amount of \$125,656, with a 10 percent contingency of \$12,565, for a total annual contract amount not to exceed \$138,221, until the Sourcewell contract expires on July 24, 2022, with the option to renew for as long as the Sourcewell contract is in effect, at the discretion of the City Manager. (Citywide)

DISCUSSION City Council approval is requested to enter into a contract with Enterprise Fleet Management, Inc. (Enterprise), for the lease of up to 20 vehicles, as needed by the Police Department for various operations. This lease agreement will allow the City to replace currently leased vehicles of various makes and models that are now at the end of their term under the previous contract.

A motion was made by Councilmember Uranga, seconded by Councilmember Richardson, to approve recommendation.

	Votes
Councilwoman Zendejas	Yes
Councilmember Pearce	Yes
Councilwoman Price	Yes
Councilman Supernaw	Yes
Councilwoman Mungo	Yes
Dee Andrews	Yes
Councilmember Uranga	Yes
Councilmember Austin	Absent
Councilmember Richardson	Yes

June 20, 2023

HONORABLE MAYOR AND CITY COUNCIL
 City of Long Beach
 California

RECOMMENDATION: Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, and any necessary documents, including any necessary subsequent amendments, with Enterprise FM Trust, dba Enterprise Fleet Management, Inc., of St. Louis, MO to lease vehicles for various Long Beach Police Department operations, on the same terms and conditions afforded to Sourcewell, in a annual amount \$170,000, and authorize a ten percent contingency if \$17,000, for a total annual contract amount not to exceed \$187,000, for a period of three years, with the option to renew for an additional one-year period, at the discretion of the City Manager. (Citywide)

DISCUSSION: City Council approval is requested to enter into a contract with Enterprise Fleet Management, Inc. (Enterprise), for the lease of as-needed unmarked vehicles, by the Long Beach Police Department (LBPD) for various operations. This lease agreement will allow the City of Long Beach (City)

to replace currently lease vehicles of various makes and models that are now at the end of their lease term under previous contract.

A motion was made by Councilwomen Kerr, seconded by Councilmember Uranga, to approve recommendation.

	Votes
Councilwomen Zendejas	Yes
Vice Mayor Allen	Yes
Councilmember Duggan	Yes
Councilman Supernaw	Yes
Councilwomen Kerr	Yes
Councilwomen Saro	Yes
Councilmember Uranga	Yes
Councilman Austin	Yes
Councilmember Ricks-Oddie	Yes

The City of Long Beach has been very stringent on how much city money Long Beach Police Department can spend on vehicle replacements. So the South Pasadena City council would think that the Long Beach City council would question this decision in using Enterprise by Long Beach Police Department and may vote no on this agenda, but that did not happen as you can see above. Also, Long Beach Police Department must minimize replacements and maximize use of their current fleet. Example of this is what Long Beach Police Department was approved for over the last decade and a half. In 2011 Long Beach Police Department was approved to purchase 130 2011 Ford Crown Victoria Police Interceptors and in 2016 was approved for 64 Ford Police Interceptor Utility. Long Beach Police Department fleet is about 400 vehicles. For the South Pasadena City council to know this can be very expensive because a lot of City of Long Beach money goes into maintenance cost because most of the vehicles Long Beach Police Department uses are gassed powered vehicles.

From South Pasadena Resident,
John

From: [Sally Kilby](#)
To: [City Council Public Comment](#)
Subject: public comment 11/1/23 #6
Date: Wednesday, November 1, 2023 10:06:07 AM
Attachments: [Park naming.docx](#)

Attached is a public comment re item #6.
Sally Kilby

11/1/23 Council Meeting Item #6

I understand there is a consideration to name Berkshire Park after an individual, Beatriz Solis.

I support naming a city property after individuals who have made lasting and significant contributions to South Pasadena. I understand that this now-deceased resident was instrumental in the city's acquiring the park from Caltrans. This is commendable. I am not familiar with other contributions she had made.

The 10/31/23 Pasadena Star News has a good example of proper naming. A Duarte park is being renamed after a now-deceased former Duarte councilmember and four-time mayor who was first elected in 2001. In addition to her city duties, she was also a member of the National League of Cities' board of directors and president of the organization's Asian Pacific American Municipal Officials. She was also a board member of the Duarte Community Coordinating Council and president of the Duarte Women's Club.

A local example is the naming of the council chambers after former mayor Amedee O. "Dick" Richards. His contributions were monumental. Others who made significant contributions are Dorothy Cohen and Ted Shaw. There are others. Notably, in the Pasadena Star News 11/1/23, public editor Larry Wilson highlights the role South Pasadena and residents played in defeating the 710 freeway. He says the heavy lifting in the fight was done by the city "and by that city's amazing citizen volunteers such as the great Joanne Nuckols" All are South Pasadena giants.

Sally Kilby, resident
Retired City Clerk

From: [Michael Siegel](#)
To: [City Council Public Comment](#)
Subject: Comment on Item 9 - Ordinance to Protect Tenants
Date: Monday, October 30, 2023 9:58:06 AM

I support the adoption of an ordinance that protects tenants. As a South Pasadenan and property owner, of course I want our homes to be upkept, however this should never be used to get around tenant protections. With rents skyrocketing, landlords in SoPas are in a fortunate position to make a profit, provide updated accommodations and keep existing tenants.

I love our neighbors, all of them are what make South Pasadena what it is, but few remember that a majority of our neighbors are renters, and if we want to keep our friends in this town, we must protect their rights.

Support the ordinance that protects renters!

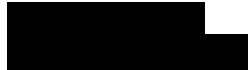
Mike Siegel
Avon Place

From: [Vicki F](#)
To: [City Council Public Comment](#)
Subject: Comment on Item 9 - Proposed Ordinance to End Renovictions
Date: Monday, October 30, 2023 10:27:21 AM

Hello,

My name is Vicki Friesen and I am a South Pasadena resident and renter. I am writing to express my support for the proposed Just Cause for Eviction ordinance. Since rent and other costs of living have been steadily increasing in Los Angeles County, South Pasadena renters like myself need protections in order to afford to continue living in this community.

Best,
Vicki Friesen



Mark Perez

From: William Kelly [REDACTED]
Sent: Monday, October 30, 2023 2:48 PM
To: City Council Public Comment
Subject: For Nov. 1, 2023 City Council Meeting: Comment on Item 9 - Proposed Ordinance to End Renovictions

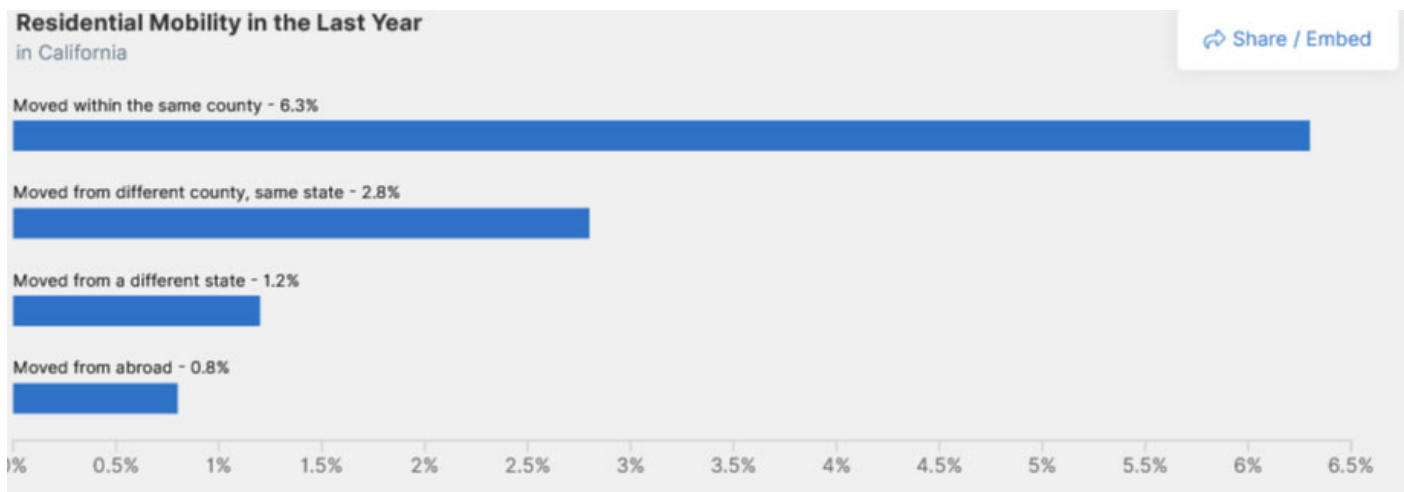
Greetings:

I urge you to adopt the proposed ordinance to end the practice of renovictions by landlords to circumvent the state's rent control law. As a homeowner, I can tell you that there is no need to vacate an apartment to change a toilet, sink, countertop, and flooring in a bathroom. The work can be done in two days and in a way that the tenant still has a functioning bathroom each night when the day's work is completed. Likewise with reflooring and painting. Few homeowners move out during such work. Even kitchen remodels, and heater, ac, and water heater replacements generally do not require displacement of occupants. And when the work is too extensive to live through, there's no need to evict a tenant to complete it. Tenants, rightfully at an owner's expense, can temporarily relocate to a motel or hotel until the work is completed. The ordinance before you recognizes all these things. It also recognizes that most landlords renovate units when tenants move out at their own choosing.

Landlords may complain they can't afford to pay temporary relocation expenses for tenants and then let them return without increased rent, but this is generally the outlier. Indeed, renovation work often is financed and can be done in a way that has an inconsequential impact on the long-term economics of apartment rental. The reality is that landlords are able to renovate apartments in a week or two at most and it improves the value of their property. The only reason landlords have significant economic motivation to evict tenants to invest in property improvements

is to circumvent the state's rent control law. Throw out tenants, do a quick renovation, and re-rent the same units for double to triple the price.

While this immediately creates property appreciation at the expense of tenants and to the long-term detriment of the broader economy and social fabric, well maintained and improved properties eventually bring property appreciation because tenants turn over and all rent control programs then allow the units to be re-leased at market rate. The turnover rate in housing in California is 10 percent annually:



<https://data.census.gov/profile/California?g=040XX00US06>

Landlords no doubt will complain too that as a mom and pop landlords with a home, condo, or duplex, they can't afford to be regulated. However, the proposed ordinance exempts such cases, so there is little grounds for complaint.

There really are no valid arguments against the proposed ordinance. That's because it's been crafted to prevent exploitation and limit quick buck artists and is not aimed at earnest landlords.

So there is no reason for delay. Currently tenants in at least two apartment buildings in South Pasadena who received renoviction notices have been twisting in the wind of uncertainty under a temporary moratorium set to expire on Dec. 28. Please give them certainty they will not be displaced, especially in the middle of the holiday season. Many of them live on fixed income and all face rents and other expenses that have been rising faster than wages for years. It's time to end the loophole of renoviction in South Pasadena once and for all and move on to additional promised tenant protection measures to maintain existing affordable units and to encourage through city policies and practices more affordable housing. Indeed, the long-term prospects of the regional economy depend on this. Unless the region can provide such a fundamental thing as affordable housing near where people work, especially for young adults starting their careers and families, people will vote with their feet and seek it elsewhere. This is exactly why young people are leaving California.

So for those old moms and pops out there who complain about affordable housing and tenants rights, remember when you can't get services due to labor shortages and your housing values are falling because the market for homes costing \$1.2 million and up has evaporated, it will be the result of anti-affordable housing and NIMBY attitudes. Much of California will have turned into an old person's ghetto facing sinking fortunes. South Pasadena will be no exception.

Sincerely,

Bill Kelly



From: [Josh Albrektson](#)
To: [City Council Public Comment](#)
Subject: Item 9, 11/1 City Council Meeting
Date: Tuesday, October 31, 2023 6:26:28 AM

Any landlord who says they are having significant financial problems is lying.

I encourage the city council to ask the "Mom and pop" landlords complaining about tenant protections to ask a couple of questions:

How much did they pay for the property?
How much does Zillow say it is worth now?
How much are you collecting in rent?
What is your mortgage??

Almost all of these "Mom and Pop" landlords who are complaining have owned their property for decades and made a ton of money not only in property values but also in rent. They are some of the richest people in South Pasadena (if they live here)

The reason they want to evict tenants for "Substantial Remodeling" is solely about making more money. They want the ability to evict people who (would have to leave South Pasadena) to make their properties more profitable.

I strongly encourage you to pass this ordinance not just because it is the right thing to do for the 53% of people who rent in South Pasadena, but also because you really don't want to have SPTU and Care First mad at you with all the things you are about to go through with your Housing Element.

--

Josh Albrektson MD
Neuroradiologist by night
Crime fighter by day

Mark Perez

From: Matt Buck [REDACTED]
Sent: Tuesday, October 31, 2023 4:41 PM
To: City Council Public Comment
Cc: Jon Primuth; ezneimer; Michael Cacciotti; Jack Donovan; Janet Braun; Armine Chaparyan
Subject: CAA Letter: Just Cause Ordinance
Attachments: CAALetter_JustCauseAmendment_110123.pdf



California Apartment Association
4401 Atlantic Ave. Suite 200
Long Beach, CA 90807

October 31, 2023

Mayor Primuth & City Council
City of South Pasadena
VIA Email

Re: Just Cause Ordinance Amendment

Dear Mayor Primuth and Council Members:

The California Apartment Association (CAA) represents ethical, law-abiding housing providers and real estate industry experts who are involved with a range of rental properties from those that offer single-family residences to large apartment communities. Our members provide a majority of the obtainable housing throughout Los Angeles County.

On behalf of CAA, I urge the council to oppose amendments to the city's "just cause" ordinance. During the city's extended review on the issue, Governor Newsom signed state law SB 567, providing additional tenant protections related to substantial remodels under the California Tenant Protection Act of 2019.

Under this new law, there is greater clarity for renters who might see their tenancy ended so the unit can be substantially renovated, and housing providers who do not comply with this law now face clear penalties.

South Pasadena should follow other neighboring cities that have deferred to new state law SB 567 for tenant protections due to substantial remodel. Additional regulations are not needed and would only create confusion, bureaucracy, and a more unaffordable city.

Alhambra's City Council agreed with the governor and recently voted to end their temporary moratorium March 31, in order to align with SB 567 when it takes effect April 1.

The new State law still encourages owners to make necessary property upgrades whereas the city's proposed amendments would discourage upgrades. Over 70% of the city's housing stock was built prior to 1970. Adding more hardships to housing providers is affecting all residents and is leading to even more expensive and lesser-quality housing. Our members are not in the eviction business. They help house South Pasadena.

CAA appreciates the city taking the extra time and having the rental housing industry involved in this discussion. Please oppose the amendments to the "just cause" ordinance and align with the new state law. Thank you for your consideration.

Sincerely,

Matthew Buck - Vice President of Public Affairs



*CAA is your partner in the rental housing industry.
[Find out how we're working for you.](#)*



California Apartment Association
4401 Atlantic Ave. Suite 200
Long Beach, CA 90807

October 31, 2023

Mayor Primuth & City Council
City of South Pasadena
VIA Email

Re: Just Cause Ordinance Amendment

Dear Mayor Primuth and Council Members:

The California Apartment Association (CAA) represents ethical, law-abiding housing providers and real estate industry experts who are involved with a range of rental properties from those that offer single-family residences to large apartment communities. Our members provide a majority of the obtainable housing throughout Los Angeles County.

On behalf of CAA, I urge the council to oppose amendments to the city's "just cause" ordinance. During the city's extended review on the issue, Governor Newsom signed state law SB 567, providing additional tenant protections related to substantial remodels under the California Tenant Protection Act of 2019.

Under this new law, there is greater clarity for renters who might see their tenancy ended so the unit can be substantially renovated, and housing providers who do not comply with this law now face clear penalties.

South Pasadena should follow other neighboring cities that have deferred to new state law SB 567 for tenant protections due to substantial remodel. Additional regulations are not needed and would only create confusion, bureaucracy, and a more unaffordable city.

Alhambra's City Council agreed with the governor and recently voted to end their temporary moratorium March 31, in order to align with SB 567 when it takes effect April 1.

The new State law still encourages owners to make necessary property upgrades whereas the city's proposed amendments would discourage upgrades. Over 70% of the city's housing stock was built prior to 1970. Adding more hardships to housing providers is affecting all residents and is leading to even more expensive and lesser-quality housing. Our members are not in the eviction business. They help house South Pasadena.

CAA appreciates the city taking the extra time and having the rental housing industry involved in this discussion. Please oppose the amendments to the "just cause" ordinance and align with the new state law. Thank you for your consideration.

Sincerely,

Matthew Buck
Vice President of Public Affairs
California Apartment Association

From: [Michael Thurman](#)
To: [City Council Public Comment](#); [Evelyn Zneimer](#); [Jack Donovan](#); [Janet Braun](#); [Jon Primuth](#); [Michael Cacciotti - Personal](#)
Subject: Comments on Item 9 - November 1, 2023 Council Meeting
Date: Wednesday, November 1, 2023 7:23:32 AM
Attachments: [Michael Thurman comments.11.1.23.pdf](#)

Please consider my attached comments to the proposed changes to the City's "Just Cause for Eviction" ordinance.

Please let me know if you have any questions about these issues.

Thank you,

Mike Thurman

Via Email

November 1, 2023

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

City Council
City of South Pasadena
1424 Mission Street
South Pasadena, California 91030

Re: Item 9: Consideration of Introduction and First Reading of an Ordinance of the City Council of the City of South Pasadena, California Amending Article X (“Just Cause for Eviction”) of Title 17 (“Health and Sanitation”) of the South Pasadena Municipal Code

Dear Mayor, Mayor Pro Tem and Members of the Council:

I am writing to follow up on my letter to the Council dated June 13, 2023.

Having participated in the Staff’s process for following up on the City Council’s direction on this issue, I am extremely disappointed with the Staff’s Report dated November 1, 2023, and the revised proposed ordinance for the following reasons:

1. Despite the fact that the Council’s unanimous motion on May 17 directed Staff “to *study the issue of terminations of tenancy for substantial remodels,*” the Report contains no evidence of, nor any evaluation of whether, any violations of the existing ordinance have ever occurred or even been investigated by or on behalf of the City. Apart from a vague statement that “two [tenants] responded that they have received a termination notice but have not yet been evicted,” no data is included in the Report regarding the number of terminations of tenancy for substantial remodels. In discussions during the review process, Staff indicated that no investigation was conducted on this question.
2. Likewise, although Staff stated in its initial report in June that there was an “imminent threat of eviction” to South Pasadena tenants under the City’s existing “Just Cause” ordinance, no evidence was or has been presented supporting this claim throughout this process.
3. As such, the City Council is being asked to amend an ordinance that has never been enforced and for which no evidence has been identified that it has ever been violated.

4. Instead, at critical points, the Report makes plain that the proposed ordinance is based little more than tenant fears they would be unable to afford SP market-rate rents if the existing ordinance operates as it was written, and on concerns expressed by a **tiny number of tenants** (only 7 of the 23 tenants who met with Staff, according to the Report) who characterized their relationships with their landlords as “poor” or that their property owner “does not do a good job of maintaining the property” (only 8 of the 23 tenants).
5. Fundamental to Staff’s rationale for supporting the proposed changes to the ordinance is **the Report’s acknowledgement that many SP tenants pay below-market rents for their residences**. The Report reflects that this view is confirmed both by SP tenants and landlords alike.
6. The Report fails to challenge the position that **landlords will incur higher costs as a result of the proposed amendments**, doubling the amounts that must be paid in relocation rents, among moving and storage costs, **inevitably resulting in higher SP rents**.
7. The Report does not challenge that the ordinance will cause landlords to defer maintenance, reduce new investment and will reduce SP housing stock as a result of the additional costs imposed by the ordinance, **which will further drive up rents in the City**.
8. The Report reflects no apparent evaluation by City Attorney’s office or outside counsel regarding the legality and/or or constitutionality of the proposed ordinance.
9. The Report fails to consider, address or account for the increased costs that will be required to enforce the ordinance and to defend it from legal challenges based on its failure to comply with the requirements of AB 1482 and violations of state and federal due process.
10. The Report and the new ordinance fail to address whether tenants will have any obligation to pay rent during repairs, creating ambiguity that will contribute to additional SP landlord-tenant disputes.
11. The Report acknowledges, but the proposed ordinance fails to address, legitimate concerns raised by landlords about the costs that will be associated with repairs and/or rehabilitation required due to natural disasters and other emergencies that are beyond the control of landlords.
12. The Report fails to evaluate or assess typical costs that would be imposed on landlords in performing substantial repairs or rehabilitations in compliance with the ordinance. This failure demonstrates the lack of reasonable basis supporting the changes to the ordinance, rendering it unconstitutional.

13. The proposed ordinance directly conflicts with AB 1482 (including the recently-amended Civil Code section 1946.2), which expressly authorizes the termination of tenancies where landlords have the “intent to ...substantially remodel the residential real property.”
14. The ordinance fails to comply with the requirements of AB 1482 (including recently-amended Civil Code section 1946.2), including the requirement that any municipal ordinance requiring just cause for termination of residential real properties be consistent with the statute. See Civil Code § 1946.2(g)(1)(B). As proposed, the draft ordinance fails to include critical required sections of the statute, including section (e), setting forth various exemptions under the statute, as well as sections (f), (g), (h), (i), (j) and (k).
15. Last but not least, the Report acknowledges that ***the ordinance will have to be amended again in the near future*** in order to comply with the State’s recent amendments to AB 1482. If that’s true, what are we even doing here?

South Pasadena deserves better than a reactionary response to a purported problem that has not been shown to exist. Despite nearly four months of surveying our community, less than 1% of residents have weighed in on this issue. Will the other 99% of tenants be happy when they learn their rents are being increased based on a City mandate that considered the views of approximately 200 people?

Rather than supporting the proposed changes to the ordinance, the Report shows that the revisions would result in higher costs for responsible SP landlords who wish to maintain their properties, increased disputes between SP landlords and tenants, and additional enforcement and litigation expenses for our City.

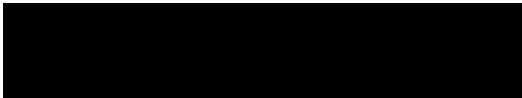
Please take this proposal off calendar and get back to the business of operating our City rather than imposing illegal restraints on private contracts.

Thank you for considering my views on this subject.

Very truly yours,



Mike Thurman



From: [Wendy Gutschow](#)
To: [City Council Public Comment](#)
Subject: Public Comment Agenda item 9
Date: Wednesday, November 1, 2023 10:54:40 AM

Dear South Pasadena City Council Members,

I am submitting public comment on Agenda Item #9 for the SPCC Meeting on November 1, 2023: CONSIDERATION OF INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA AMENDING ARTICLE X (“JUST CAUSE FOR EVICTION”) OF TITLE 17 (“HEALTH AND SANITATION”) OF THE SOUTH PASADENA MUNICIPAL CODE

I have been a South Pasadena resident for the majority of my life. I grew up in South Pasadena, attended the schools K-12 and most recently moved back about 10 years ago to raise my daughter who is now in 6th grade at the Middle School. I am a hardworking single parent who has chosen to settle in South Pasadena alongside my family in this community that has always been supportive and nurturing of children and families. I find myself within the 53% majority of residents of the city as a renter.

I have lived in the same apartment building on Laurel St. since moving back to town in 2014. As a person who is raising my child on a single income under 6 figures, I find myself in a precarious position should my landlord decide to do substantial remodel of our building. Myself along with fellow tenants in my building and those across the city could very well find ourselves in unstable housing situations similar to those you have heard about throughout this feedback process over the past months.

I therefore applaud the process and updated ordinance under review this week as a solid step in protecting renters of South Pasadena against financial instability and displacement in the event of a substantial remodel.

During the feedback process with city employees. Renters including myself clearly communicated the need for this more protective ordinance. Removing “substantially remodel” as a “no-fault just cause” was imperative and you heard us.

The addition of “Tenant Protections During Temporary Untenantable Conditions Resulting from Necessary and Substantial Repairs” section address many more of tenant concerns shared during these feedback sessions, including items that will go a long way to mitigating pathways that landlords often have used to evict tenants under the “no-fault just cause” eviction.

I find that this proposed update to the ordinance addresses many of the significant concerns that tenants in our town have and will go a long way to protect tenants and enable us to remain in our housing long term should our landlords need to make substantial

remodels.

I do hope, that as suggested in the staff report, that a periodic review schedule is established within 6 months of the effective date.

Lastly, I ask that you would all vote in favor of accepting the updates to the ordinance as it stands. The renters in South Pasadena cannot continue to wait longer for these protections to be in place.

Thank you,

Wendy Gutschow



From: [Ed Elsner](#)
To: [City Council Public Comment](#)
Cc: [CCO](#)
Subject: Fwd: Public Comment, Item 9, Regular Meeting, November 1, 2023
Date: Wednesday, November 1, 2023 12:02:15 PM

Dear City Council:

I'm writing in support of the proposed ordinance removing "substantially remodel" as a no-fault, just cause reason for termination of tenancy and providing for tenant protections for "necessary and substantial repairs"

Here are some preliminary suggested edits to the proposed ordinance;

1. Section 17.111: The tenant protections should apply whenever a landlord is "substantially remodeling" a rental unit (as that currently defined in Civil Code section 1946.2(b)(2)(d)(ii), whether or not the repairs are necessary to comply with health and safety codes. In other words, the tenant protections should apply whether or not the repairs meet the more restrictive definition in the proposed ordinance of "Necessary and Substantial Repairs."

If the landlord is substantially modifying structural, electrical, plumbing, or mechanical system that requires a permit from a governmental agency, etc., the impacts on the tenant are the same. As written, the proposed ordinance protects tenants only for repairs that are "that are necessary to bring the residential real property and/or rental unit into compliance..." etc. Unless there has been a definitive determination that the rental unit is in violation (e.g., a code enforcement order), the tenant protections could and most likely would be ignored.

2. Section 17.111(a)(1): Change "result in" to "are reasonably expected to result in". As written, the tenant protections arguably do not kick in until the untenable conditions actually occur when the repairs are being performed.
3. Section 17.111(a)(5)(A): The dictionary definition of "advance" is "to supply or furnish *in expectation of repayment*." Not sure that "advance" is the best word choice.
4. Section 17.111(a)(5)(A)(i): The ordinance should use the standard federal per diem rate for lodging, instead of two times the daily rental rate. As written, the ordinance provides less protection for lower income tenants paying lower rents. Also, all lawful occupants of the rental unit should be included for meals and incidentals. Minors are typically not "listed" or named in the most

current lease agreement, and it is very common for landlords to approve new tenants and occupants without updating the rental agreement. The "listed on the most current lease agreement" restriction should be removed for this reason.

5. Section 17.111(a)(5)(B): As written, if the owner exercises the comparable housing option where the tenant is relocated to another building, the tenant could arguably be required to temporarily relocate anywhere. There should be an express geographic limitation so that the tenant will remain in a safe location in or in very close proximity to the South Pasadena community. This is especially important for families with children in South Pasadena schools. Also, why not permit the relocation of tenants to comparable housing that is not owned by the landlord? This would expand the available temporary relocation options.

Thank you for your consideration,

Ed Elsner



From: [nancy hurley](#)
To: [City Council Public Comment](#)
Subject: ban on evictions - please vote yes
Date: Wednesday, November 1, 2023 3:11:15 PM

Hello. Please make the ban on evictions permanent and give renters some security.

Thank you,
Nancy Hurley

From: [Alan Ehrlich](#)
To: [City Council Public Comment](#); [Jon Primuth](#); [Janet Braun](#); [Steve Lawrence](#)
Cc: [William J. Kelly](#); [Anne Bagasao](#)
Subject: Fw: Agenda Item 9, Renoviction Ordinance, Item 4 Warrants
Date: Wednesday, November 1, 2023 5:54:59 PM
Attachments: [Renoviction Ordinance Public Comment.pdf](#)
[Tesla Warrant Public Comment.pdf](#)

"Sunlight is said to be the best of disinfectants."
- Supreme Court Justice Louis Brandeis

-
"Openness in government is essential to the functioning of a democracy."
International Federation of Professional & Technical Engineers, Local 21 v. Superior Court
California Supreme Court, 42 Cal.4th 319 (2007)

Sent: Wednesday, November 01, 2023 at 5:18 PM
From: "Alan Ehrlich" [REDACTED]
To: "Finance Comm Public Comments" [REDACTED] "Jon Primuth" <jprimuth@southpasadenaca.gov>, "Janet Braun" [REDACTED] >
Cc: "Bill Kelly" <wjkelly7@gmail.com>, "Anne Bagasao" [REDACTED] >
Subject: Agenda Item 9, Renoviction Ordinance

"Sunlight is said to be the best of disinfectants."
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Proposed Just Cause for Eviction Ordinance

November 1, 2023

**Prepared By: Community Development
Department**

A.D. - 33

Overview

SOUTH PASADENA CITY HALL

- Background
- Existing Ordinance
- Community Outreach
- Input from Renters and Property Owners
- Proposed Ordinance
- Other Information
- Questions/Discussion

Background

- **April 19, 2023:** City Council directed staff to review how existing ordinance can be strengthened to address substantial remodel eviction concerns.
- **May 17, 2023:** City Council adopted a 45-day moratorium on no-fault just cause evictions to provide time for staff to develop a new ordinance.

Background (cont'd)

- **June 13, 2023:** Staff presented proposed ordinance to the City Council. City Council directed staff to further study the matter.
- **June 28, 2023:** City Council extended the moratorium on no-fault just cause evictions for up to 6 months (until December 28, 2023).

Existing Ordinance

- “Intent to substantially remodel” is a no-fault just cause for terminating a tenancy.
- Owner is required to obtain building permits and include copies and detailed description of work with notice of termination to the tenant.

Community Outreach

- Property owner survey (92 responses)
- Renter survey (184 responses)
- Individual staff meetings with renters (23) and property owners (13)
- Rental property owner focus group (8 participants)
- Renter focus group (9 participants)
- In-person and virtual community meeting (about 45 attendees)

Input from renters

- Many renters live in buildings with deferred maintenance.
- Renters should not be permanently relocated for substantial remodels.
- Renters fear they'll face substantial remodel evictions.
- Most renters would not be able to afford a new home in South Pasadena if forced to move, even with a significant permanent relocation fee.
- Proposed temporary relocation fee is insufficient.

Input from owners

- Most property owners wait for units to turn over to remodel.
- Some work can be done with tenant in place.
- Many property owners collect below market rents.
- Temporary relocation requirement would increase costs and prevent property owners from recouping costs by raising the rents to market rate.
- Property owners shouldn't be responsible for temporary relocation when repairs/rehab are due to emergencies outside their control.

Proposed Ordinance

- “Intent to substantially remodel” would no longer be a no-fault just cause for terminating a tenancy.
- The following would still be no-fault just causes:
 - Intent to demolish
 - Compliance with an ordinance or government/court order that necessitates vacating the property or unit (e.g., a red tag)

Proposed Ordinance (cont'd)

- Proposed new section: Tenant protections for necessary and substantial repairs.
- “Necessary and Substantial Repairs” would not be a valid basis for a no-fault just cause termination of a tenancy.

Proposed Ordinance (cont'd)

- “Necessary and Substantial Repairs” would include:
 - substantial repairs that are necessary to bring the property and/or unit into compliance with certain laws;
 - replacement or substantial modification of any system that requires a permit; and
 - the abatement of hazardous materials.

Proposed Ordinance (cont'd)

- Owner would have to provide temporary relocation assistance if tenant must vacate.
- Owner would have to mitigate temporary untenable conditions if the tenant stays in the unit.
- Tenant would have the option to voluntarily terminate tenancy depending on the circumstances.

Proposed Ordinance (cont'd)

- Proposed new section: Tenant buyout agreements.
- Owner would have to provide a disclosure and meet specific requirements for a buyout agreement.
- Tenant would have right to rescind buyout agreement up to 5 days after executed buyout agreement and proof of service is provided by the owner.

Other Information

Sunset clause:

- Staff recommends regular review process.

Mediation program:

- Existing mediation programs serve South Pasadena residents.
- Prioritize legal services over mediation.

Questions/Discussion

A.D. - 47

Award of a Construction Contract Street Improvements Project

November 1, 2023

Prepared By: South Pasadena Public Works

A.D. - 48

Bid Process

- Notice Inviting Bids posted September 22, 2023
- Newspaper Publication on September 29, 2023
- Solicitation was also advertised on the Dodge Construction Network, Bid America, and Kern County Builders Exchange

Bid Process

- Forty-one (41) firms were notified of the proposal opportunity through PlanetBids, in addition to the notification that occurred from other project bid sites
- Eleven (11) prospective bidders expressed interest in participating
- Eight (8) prospective bidders submitted proposals during the bid period

Bids

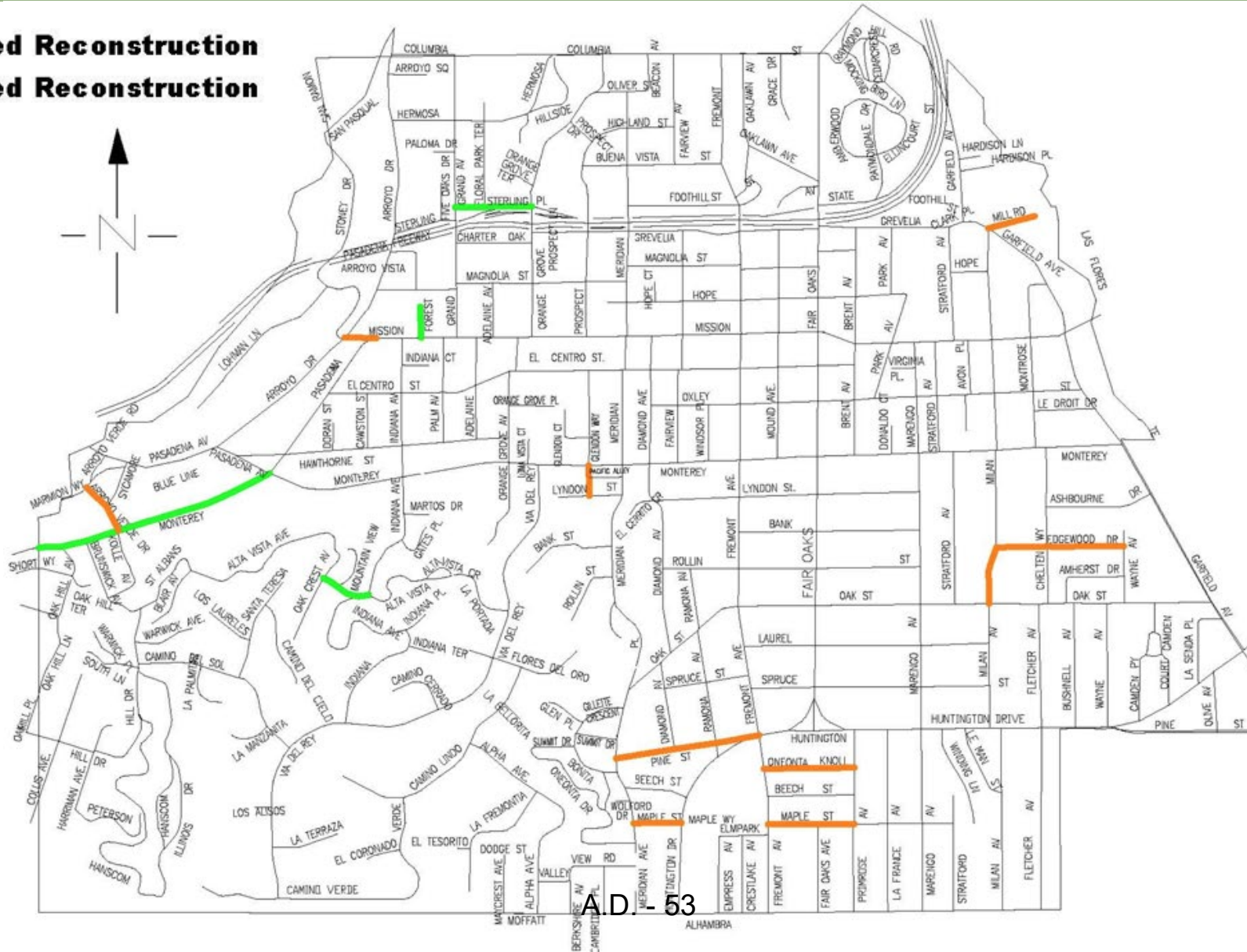
Bidder	Bid Amount
Hardy & Harper, Inc.	\$1,155,000.00
Toro Enterprises, Inc.	\$1,184,578.15
Gentry Brothers, Inc.	\$1,190,189.70
Sequel Contractors, Inc.	\$1,286,421.95
Sully-Miller Contracting Company	\$1,293,756.25
All American Asphalt	\$1,310,086.00
LCR Earthwork & Engineering, Corp.	\$1,419,143.15
Onyx Paving Company, Inc.	\$1,441,000.00

Streets

- Alta Vista Avenue
- Oak Crest Avenue to Indiana Avenue
- Monterey Road
- 250' west of Oak Hill Road to Pasadena Avenue
- Forest Avenue
- Mission Street to end of roadway
- Sterling Place
- Grand Avenue to cul-de-sac

Street Improvement Construction

-  2023 Scheduled Reconstruction
-  2024 Scheduled Reconstruction



Surface treatment projects not yet shown

Next Steps

- Pre-construction meeting and preparation
- Contract professional support services
- Complete next bid package
- Complete condition survey and identify priority areas based on collective factors
- Develop Safe Streets and Roads for All (SS4A) “Action Plan” to access Bipartisan Infrastructure Law U.S. Department of Transportation Funding
- Develop cost estimates and coordinate with Finance on long-term budget planning
- Discuss plan area street improvement plan with City Council

SOUTH PASADENA CITY HALL

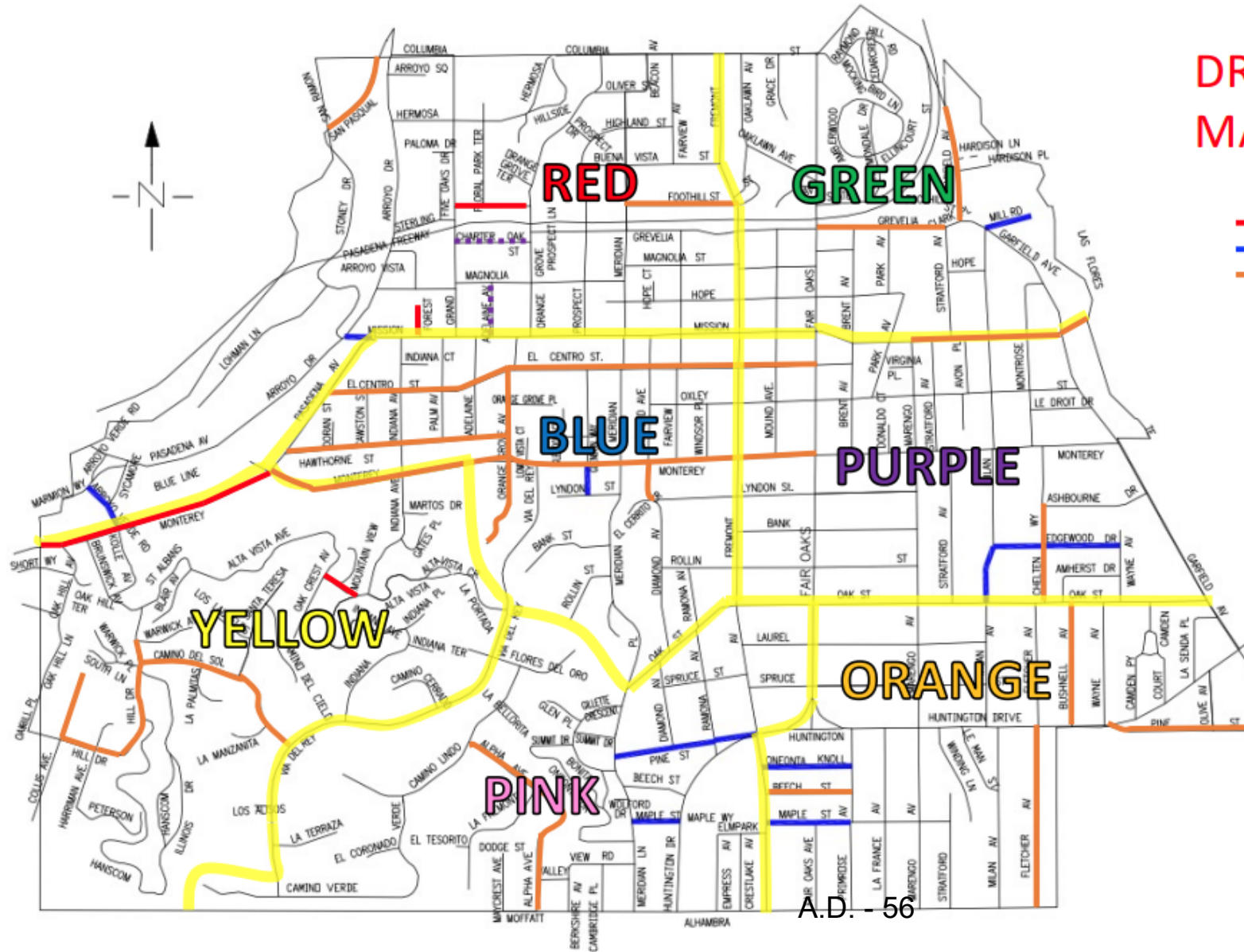
Questions?

A.D. - 55

Proposed Areas

DRAFT STREET MAINTENANCE ZONES

- Bid Package 1
- Bid Package 2
- Recently completed projects



Zone	Total Area (SF)
ORANGE	1,233,028
PURPLE	1,141,320
GREEN	1,028,309
RED	1,172,313
BLUE	1,189,003
YELLOW	1,091,176
PINK	1,138,885
NA	3,828,956
Total	11,822,990

From: [Janet Gagnon](#)
To: [Jon Primuth](#); [Janet Braun](#); [Michael Cacciotti](#); [Jack Donovan](#); [Evelyn Zneimer](#)
Cc: [Leah Demarest](#); [City Council Public Comment](#); [Daniel Yukelson](#); [David Kaishcyan](#); [Martin Makaryan](#)
Subject: Agenda Item 12 - Substantial Remodels
Date: Wednesday, November 1, 2023 11:59:37 AM
Attachments: [image001.png](#)

Dear Mayor Primuth and Members of the South Pasadena City Council,

The Apartment Association of Greater Los Angeles (AAGLA) represents more than 10,000 rental housing providers throughout Los Angeles, Ventura and San Bernardino counties, including South Pasadena. The majority of our members are mom-and-pop owners with 20 or fewer units many of whom are retirees or new immigrants.

We see by the revised draft that the City Council has provided a remedy for corporate owners by including a voluntary buy-out agreement option. However, such a remedy is not available for small mom-and-pop owners without the substantial financial resources to utilize it. Small, independent owners are the backbone of the rental housing industry providing naturally occurring affordable housing and, as such, need to be recognized as small businesses without the same level of financial resources as corporations. Therefore, we urge the City Council to exempt owners with 20 or fewer units from this new ordinance similar to Claremont's new ordinance that exempts owners with nine or fewer units.

If small owners cannot be excluded entirely from the ordinance, then we request that owners with 20 or fewer units only be required to pay temporary relocation fees equal to the rent they are receiving from the renter for their unit on a daily basis without any multiplier or any additional costs. Mom-and-pop owners do not have the funds to provide private "rental assistance" to renters, especially middle and high-income renters. Small owners need to be able to make major repairs without suffering overly burdensome relocation fees or they will have no other choice but to sell their property "as is" when such repairs are needed.

We also request that the City consider creating its own rental assistance fund for low-, very low-, and extremely low-income renters as well as owners struggling to maintain their properties. Claremont has already established such a program using ARPA funding (see below link).

<https://www.ci.claremont.ca.us/home/showpublisheddocument/19816/638192371607270000>

Similarly, Los Angeles City has recently created a rental assistance fund for owners with twelve or fewer units (see below link).

<https://housing.lacity.org/>

If the City Council fails to recognize the substantial differences in financial resources between mom-and-pop owners and corporations, it will only greatly accelerate long-time mom-and-pops owners going out of business and their properties being removed from the market as naturally occurring affordable housing. Helping mom-and-pops to stay in business helps keep renters in affordable rental units.

Thank you for your consideration.

Best regards,

Janet



Janet M. Gagnon, Esq.
Vice President, Government Affairs & External Relations
Apartment Association of Greater Los Angeles

[REDACTED]

[REDACTED] do
no harm if he takes no part, and forms no opinion. Bad men need
nothing more to compass their ends, than that good men should look
on and do nothing. He is not a good man who, without a protest,
allows wrong to be committed in his name, and with the means which
he helps to supply, because he will not trouble himself to use his
mind on the subject.” *John Stuart Mill - 1867*