

Agenda Report

November 14, 2022

TO: Honorable Mayor and City Council

THROUGH: Finance Committee

FROM: Department of Housing

SUBJECT: APPROPRIATE \$150,000 TO THE HOUSING DEPARTMENT'S FISCAL YEAR 2023 OPERATING BUDGET AND AMEND CONTRACT NO. 31272 WITH SOUTHERN CALIFORNIA HOUSING RIGHTS CENTER FOR TENANT-LANDLORD COUNSELING SERVICES

RECOMMENDATION:

It is recommended that the City Council take the following actions:

- 1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061 (b) (3), the "common sense" provision that CEQA only applies to projects that may have an effect on the environment;
- 2) Amend the Housing Department's Fiscal Year (FY) 2023 Operating Budget by appropriating \$150,000 from the unappropriated fund balance of the Other Housing Fund (238);
- 3) Authorize the City Manager to amend Contract No. 31272 with Southern California Housing Rights Center to increase the total contract value by \$150,000 through June 30, 2024 for a not-to-exceed amount of \$322,000 for continued tenant/landlord related services; and
- 4) To the extent the amendments could be considered a separate procurement 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. This transaction is exempt from competitive bidding per PMC Section 4.08.030 and City Charter Section 1002(F) based on contracts for professional or unique services.

BACKGROUND:

Southern California Housing Rights Center (SCHRC) is a non-profit organization established in 1968 to support and promote fair housing. The City contracts with the agency to provide a range of tenant/landlord related services to the Pasadena community including mediation of disputes, handling cases under the City's Tenant Protection Ordinance ("TPO"), and general counseling on tenant and landlord rights under state and federal law. Based in Los Angeles, SCHRC also operates from two leased offices in Pasadena to better serve the local community: the Jackie Robinson Community Center and at 1015 N. Lake with staff supported by the agency's Los Angeles office.

In City Council's adoption of Ordinance No. 7352 on November 4, 2019, in connection with State law AB 1482 – the Tenant Protection Act of 2019, staff was directed to assess the capacity of the SCHRC to adequately assist the community, and to determine if there is an opportunity to provide additional resources to support the work of SCHRC. On December 16, 2019, City Council approved an allocation of \$150,000 in City general funds over a two-year period for SCHRC to continue providing tenant protection services and landlord tenant services under Contract No. 31272.

Since the sunset of the City's eviction moratorium on June 30, 2022, the volume of requests for assistance from Pasadena tenants received by SCHRC and the Housing department has increased markedly. Recent data released by the Liberty Hill Foundation shows Los Angeles County eviction filings have surpassed pre-pandemic levels. It is the assessment of staff that SCHRC capacity needs to expand in order to meet the increased demands of tenants seeking assistance.

Accordingly, a two-year budget was requested from SCHRC to expand services under the original scope of the tenant/landlord services which includes, but not limited to, mediation of disputes, general counseling on tenant and landlord disputes, and handling cases under the City's TPO. Housing staff reviewed the SCHRC budget and determined that additional City funding in the amount of \$150,000 is a reasonable amount to increase tenant/landlord services for a city the size of Pasadena over a two-year period. The proposed funding would come from the \$150,000 in American Rescue Plan Act (ARPA) funds that Council earmarked on August 16, 2021, to expand eviction prevention legal services.

Approval of the proposed contract and budget amendments will enable SCHRC to increase capacity, expand its level of tenant/landlord services, provide paralegal services to Pasadena tenants, and legal representation to renters enrolled in the tenant-based rental assistance eviction prevention (TBRA-EP) program. The expanded services will help tenants to maintain their housing.

The key terms of the proposed amended contract with SCHRC consist of the following:

1. A contract amount not to exceed \$322,000 for a contract term extending to June 30, 2024.
2. SCHRC will provide tenant/landlord related services to the Pasadena community including, paralegal services, mediation of disputes, handling cases under the City's Tenant Protection Ordinance, general counseling on tenant and landlord rights, and legal representation for participants in the tenant-based rental assistance program. These services will be provided through a combination of referrals, walk-in counseling and outreach to the community (e.g., workshops).
3. SCHRC will operate from two locations in Pasadena: a) its current office within the Jackie Robinson Center, staffed with one (1) full-time position; and b) a second office in the City-owned commercial building at 1015 N. Lake Avenue, staffed with one (1) full-time position, one (1) part-time paralegal, and a legal representative attorney for participants in the City-funded TBRA-EP emergency rental assistance program.
4. SCHRC will seek funding from other sources to continue providing the expanded level of services once the City funds have been expended.

ENVIRONMENTAL ANALYSIS:

The action proposed herein is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b)(3), the "common sense" provision of CEQA which applies to projects which may have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The approval of the subject contract with SCHRC to expand the provision of tenant/landlord services is excluded from the definition of "project" pursuant to State CEQA Guidelines Section 15378(b)(4). Furthermore, the action proposed herein will not have a significant effect on the environment and, hence, is not subject to CEQA.

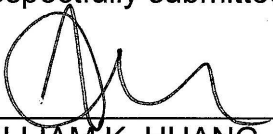
COUNCIL POLICY CONSIDERATION:

This proposed action supports the City Council Strategic Planning Three-Year Goals in the areas of promoting the quality of life and the local economy. The proposed action is also in accordance with the approved General Plan Housing Element, Five-Year Consolidated Plan, and Five-Year Public Housing Authority Plan.

FISCAL IMPACT:

Approval of the recommended actions will increase the Department of Housing's FY 2023 Operating Budget by the amount of \$150,000 for the proposed contract extension with SCHRC. Funding for this action will come from the Other Housing Fund's (238) unappropriated fund balance to the Other Housing Fund's account 23816047-811400-51017.

Respectfully submitted,



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