

**McMillan, Acquanette (Netta)**

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**From:** Carol Ebbinghouse  
**Sent:** Sunday, February 5, 2023 3:24 PM  
**To:** PublicComment-AutoResponse  
**Subject:** Agenda Report No. 6, on Monday's City Council Consent Calendar re PTBID

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To: The Honorable Mayor Gordo and members of the City Council

From: Carol Ebbinghouse, Pasadena resident and home sharer

Re: Agenda Report No. 6, on Monday's City Council Consent Calendar re PTBID

Date: February 4, 2023

The proposed resolution of intent to renew the term of the Pasadena TBID would, I believe, **illegally sweep short-term rental (STR) properties into the Pasadena Tourist Business Improvement District (PTBID).**

On pages 21-22 (of 24) of Attachment A, the [PTBID Management District Plan dated November 16, 2022](#), provides the text of the California Streets and Highways Code section 36632(c):

**State of California<sup>i</sup>**

**STREETS AND HIGHWAYS CODE**

**Section 36632**

...

(c) **Properties zoned solely for residential use**, or that are zoned for agricultural use, are **conclusively presumed not to benefit** from the improvements and service funded through these assessments, and **shall not be subject to any assessment** pursuant to this part. (Amended by Stats. 2003, Ch. 763, Sec. 13. Effective January 1, 2004.)

Pasadena passed Pasadena Ordinance 7317<sup>ii</sup> in 2018:

SECTION 2. **Pasadena Municipal Code**, Title 17, Article 5, Chapter 17.50, **Section 17.50.296** (Short-Term Rentals) is added as follows: "17.50.296- **Short-Term Rentals**  
A. **Applicability.** The following standards apply to short-term housing rentals whereby a dwelling unit is shared, in whole or in part, for transient occupancy as a way of generating rental income.

Pasadena Ordinance 7317 defines home-sharing:

2/6/2023  
Item 6

**Home-Sharing.** An accessory use of a primary residence for the purposes of providing temporary lodging, for compensation, for periods of 30 consecutive days or less

Since primary residences are in residential zones I respectfully request that the resolution renewing the Pasadena Tourism Business Improvement District (PTBID) exclude any references to short-term rentals or any Pasadena residents that are sharing their homes.

Respectfully,

Carol Ebbinghouse

i You can locate a certified authentic copy of the current California Streets and Highways Code section 36632(c) on the California Legislature's website at: [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=36632&lawCode=SHC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=36632&lawCode=SHC) or [www.leginfo.legislature.ca.gov](http://www.leginfo.legislature.ca.gov) [Click on the PDF link above the text of the code section for certification of authenticity.]

ii A copy is available at: [image8384.pdf \(cityofpasadena.net\)](#)

## Jomsky, Mark

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**To:** Official Records - City Clerk  
**Subject:** FW: TBID Renewal - Contact Request from Website

**From:** Michael Ross  
**Sent:** Monday, February 6, 2023 2:28 PM  
**To:** Jens Weiden; Jomsky, Mark; Hawkesworth, Matthew; Márquez, Miguel  
**Cc:** Cheung, Lesley  
**Subject:** TBID Renewal - Contact Request from Website

All:

Attached is the response from our consultant that has many years of experience creating TBID's throughout the state. As you can see from her response there is not an issue with the renewal of the Pasadena TBID. Can someone make sure the City Council is made aware of the findings?

Thank you. Mike

**Michael W. Ross | CEO**

Pasadena Civic Auditorium | Convention Center | Convention & Visitors Bureau

**From:** Gina Reed  
**Sent:** Monday, February 6, 2023 1:21 PM  
**To:** Kristin McGrath  
**Cc:** Michael Ross  
**Subject:** RE: City Attorney - Contact Request from Website

Hello,

As you know, the Property and Business Improvement District Law of 1994 (94 law) allows for the creation of both property-based and business-based districts.

Section 36632, subsection c, is referring to property-based districts (such as the Playhouse District), where the assessment is levied on real property. The '94 law excludes residential properties from being included in property-based districts.

Because the Pasadena TBID levies an assessment on businesses, this section does not pertain to TBIDs that levy an assessment on businesses.

As an FYI, about 23 other TBIDs in California include STRs in their district.

Let me know if you have any further questions on this matter.

Also, are there any special instructions for the meeting tonight? Should I just listen live?

Thanks,  
Gina



Gina Reed  
Senior Project Manager  
Civitas

**From:** City Web <[cityweb@cityofpasadena.net](mailto:cityweb@cityofpasadena.net)>  
**Date:** February 5, 2023 at 3:36:46 PM PST  
**To:** "Moya, Jessica"  
**Cc:** [Carol Ebbinghouse](#)  
**Subject:** City Attorney - Contact Request from Website  
**Reply-To:** [Carol Ebbinghouse](#)

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**Recipient** City Attorney

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**Single Line Text** Issue with Renewal of Pasadena's TBID; copy of letter to Mayor and Council

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A copy of Ordinance 7317 is available at: [image8384.pdf](#) (cityofpasadena.net)

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**Do you want us to contact you regarding your comment?** Yes - I would like to provide my contact information

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**NAME** Carol Ebbinghouse

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**Referrer** <https://www.cityofpasadena.net/city-attorney/contact/>

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