McMillan, Acquanette (Netta)

From:	cityclerk
Sent:	Monday, March 24, 2025 1:02 PM
То:	Iraheta, Alba; Jomsky, Mark; Robles, Sandra; Sabha, Tamer; McMillan, Acquanette
	(Netta); Soo, Christine; Ashikyan, Elizabeth; Padilla, Adrian
Subject:	FW: Public comment - Item #12 for March 24, 2025
Attachments:	Need clarity moving forward.pdf; PRHB-Resolution-RHB-2023-04.pdf; Public comment
	February 2025- RHB.pdf

From: Adam Bray-Ali
Sent: Monday, March 24, 2025 1:01:27 PM (UTC-08:00) Pacific Time (US & Canada)
To: cityclerk <cityclerk@cityofpasadena.net>
Subject: Public comment - Item #12 for March 24, 2025

[**A**] **CAUTION:** This email was delivered from the Internet. Do not click links or open attachments unless you **know** the content is safe. Report phish using the Phish Alert Button. For more information about the Phish Alert Button view article "KB0011474" on the DoIT portal.

Good afternoon, City Council,

Regarding item #12 on today's agenda, I anticipate discussions about potential financial challenges in the coming years. Many federal grants to Pasadena may be affected by budget reductions from the current administration in Washington.

I suggest you consider requesting a return of funds advanced to the Pasadena Rental Housing Board (RHB) in 2023 and 2024. These funds, partly from ARPA, likely exceed \$1,000,000 across 2023, 2024, and 2025, based on my review of the RHB and RSD finances.

Attached is a more detailed letter I sent to the RHB in February 2025 to ask when they will formally arrange to return these funds.

As per the Measure H laws approved in 2022, the city is required to cover start-up expenses (originally estimated at under \$400,000) until the rental registry and payment system are established. With the rent registry online since September 2024 and completed in late December 2024, the Rental Stabilization Department and Rental Housing Board have collected initial fees of \$214.71 per rental dwelling. Therefore, it is now appropriate for the city to request a return of these funds.

While this will increase direct costs for property owners, Measure H promised the Rental Housing Board full control over their finances, independent of the city manager or city council. The RHB's financial management has been a concern for many property owners, and it is time to assess what the Rental Housing Board has accomplished since its appointment in May 2023. In 2023, your council questioned the RHB's decisions to award no-bid contracts exceeding \$400,000 to their associates, and you entrusted the RHB to return those start-up funds to the city.

Thank you for your attention to this matter.

From: Sent: To: Subject: Ryan Bell <rjbell.prhb@gmail.com> Wednesday, July 19, 2023 11:38 AM Chanée Franklin Minor Need clarity moving forward

Hi =hanée,

I want to share with you some concerns I =ave and ask for some clarity about what to expect from you and bhyv =onsulting. I'm excited about working with you to stand up our =rogram and your experience in doing this work inspires me. However, at =his point I feel you holding back for some reason; not fully =ommitting. I need to know if you're in or =ot.

As we discussed on Monday, we are moving =orward with the expanded scope of work and expanded funding to pay for =our services. I hope you know that was never in question. The city =ouncil is required to loan us as much as we need to get started. We =ave the money. The board is not interested in pinching pennies. We are =ommitted to paying fairly for the work.

We =rgently need to move forward with responding to community emails. The =otion we passed on June 7 reads, in =art,

Authorize the Chair to execute an =greement, and to direct services on behalf of the Pasadena Rental =ousing Board, with bhyv Consulting to provide interim staffing and =onsultant services in support of the Pasadena Rental Housing Board, =ot-to-exceed the amount of \$74,999, and according to the standard City =f Pasadena contracting terms and conditions;

My understanding from =ity staff and legal counsel is that I can direct this \$75,000 and =t's my responsibility to make sure the work gets done. I =nderstand that we changed the scope of work and we're going to =hange it again, but we need the flexibility to change course and adapt = little, too. There is an urgent public need and the confidence of city =taff and several board members is shaken by this bumpy =tart.

We are 100% committed to expanding the =cope and the funding on the schedule we discussed on Monday with the =ity staff, but I checked with Karen Tiedemann and the motion we passed =n June 7 empowers me to move forward with your services right =way.

When I checked on the status of your =ontract with city staff today they told me that the business license =sn't yet paid for and several other forms haven't been =ubmitted yet. It's okay for the paperwork to take some time, =ut the work needs to happen now. In the meantime, while the paperwork =s getting finalized and while we work on the contract extension, I'= asking you to engage your Rent Mail team <u>this week</u> to =et started on the process of responding to =mails.

I also need to be able to reach you. =he phone number I have for you is saying the number is disconnected. =rior to that it was saying your number was not accepting incoming =alls. Many of my emails to you go unanswered. I understand that =ou're not available at all hours—neither am I—but=I do need to be able to contact you and at least leave a message, or =ext you. I work very hard to be respectful of people's time and =oundaries. Just let me know what works for =ou.

I need you or someone on your team to be =t all the rent board meetings. Even if you don't have a =peaking role, at least to listen and hear where the board is moving. =therwise I'm going to have to catch you up on every board =eeting.

It's also not a good look. If you and your team are not =ble to do these tasks then I need to know so that I can find others to =o it.

Right now we are in an urgent situation =here folks are losing some confidence in your commitment to the project =nd the public is looking to us for answers. Please let me know if what ='m asked for above works for you. As I see it there are three =aths forward:

- 1. You're fully engaged, we expand the =cope, get started immediately, and work hard to make up for lost =ime.
- 2. We narrow the scope of your work to maybe just Rent Mail =nd the Staffing/Budget/Fee program. We would contract with other people =0 assist with other parts of the work and are prepared to do =0.
- 3. You tell me you don't want to do =his.

Thank you, I really do =ppreciate what you bring to the table. I just need to clarify some of =hese expectations so I and board can move forward with confidence. =lease let me know by the end of the day =oday.

Thank =ou, Ryan

RYAN J BELL

he = him | his Chair, Pasadena Rental =ousing Board rjbell.prhb@gmail.com 323.313.4=35

The contents of this email do not constitute legal advice. =ny actions taken based on this email should be done in =onsultation with legal =ounsel.

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PASADENA RENTAL HOUSING BOARD RESOLUTION NO. RHB-2023-04

A RESOLUTION OF THE PASADENA RENTAL HOUSING BOARD APPROVING A CONTRACT AMENDMENT WITH BHYV CONSULTING TO INCREASE THE NOT TO EXCEED AMOUNT OF THE CONTRACT FROM \$74,999 TO \$425,000 AND TO CLARIFY THE SCOPE OF SERVICES

WHEREAS, the Pasadena Rental Housing Board on June 7, 2023 approved a contract with bhyv Consulting in an amount not to exceed \$74,999 for services related to the implementation of the Pasadena Fair and Equitable Charter Amendment ("Charter Amendment"); and

WHEREAS, there is an immediate need for housing counseling services to provide information and guidance to landlords and tenants regarding the Charter Amendment and to begin work on the Rental Registry required by Section 1812 of the Charter Amendment in order to comply with the requirements of the Charter Amendment to have a Rental Registry by the anniversary date of the effective date of the Charter Amendment; and

WHEREAS, until the Rental Housing Board is able to hire staff to provide the housing counseling services, bhyv Consulting is qualified and willing to provide such services and is qualified to provide services necessary to create a Rental Registry; and

NOW, THEREFORE IT BE RESOLVED that the Pasadena Rental Housing Board authorizes the Chair of the Rental Housing Board, subject to approval by the City Council, to enter into a contract with bhyv Consulting in an amount not to exceed \$425,000 with a scope of services consistent with Exhibit A attached, that includes, but is not limited to, housing counseling services to address the public information requests related to the Charter Amendment and establish a Rental Registry.

BE IT FURTHER RESOLVED, that the Pasadena Rental Housing Board requests that the City of Pasadena City Council approve the contract with bhyv Consulting so that the Pasadena Rental Housing Board can address the immediate need to provide public services to Pasadena landlords and tenants related to the Charter Amendment and comply with the Charter Amendment to establish a Rental Registry in a timely manner. The foregoing Resolution was adopted at a regular meeting of the Pasadena Rental Housing Board of the City of Pasadena, duly held on the 26th day of July 2023, by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:

MARK JOMSKY CITY CLERK

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RYAN J. BELL CHAIR, RENTAL HOUSING BOARD

Exhibit A- bhyv Scope of Services (adopted by Board on July 26, 2023)



Exhibit A to Resolution RHB-2023-04

City of Pasadena, CA & bhyv Consulting

Rent Stabilization Start-up and Implementation Project

Proposed Scope of Work

The purpose of this agreement is to establish a mutual understanding between the **City of Pasadena Rental Housing Board (Client)** and **bhyv Consulting (Consultant)** for program design and implementation, policy development and strategic change management services to support the launch of the new rent stabilization program and plan. The following scope of services is based upon a timeline of July 26, 2023, to July 26, 2024, with an option to renew following the conclusion of the initial project period.

Services, Deliverables & Fees

Programmatic Infrastructure and Design Project

Service #1: Program development, budget drafting, and staffing models

Deliverables

- D1: Program plan and staffing model (organizational design)
- D2: Program budget with projections and fee analysis
- D3: Job descriptions for key start-up roles (based on staffing model and budget)

Fees

• Total Fees: \$50,000

Service #2: Community/stakeholder engagement

Deliverables

- D1: Stakeholder (internal and external) engagement plan and mapping
- D2: Stakeholder meeting materials and workshop design
- D3: Board stakeholder training and support
- D4: Rent regulation and registration external stakeholder meetings
 - Landlord stakeholder meeting
 - Tenant stakeholder meeting

Fees

• Total Fees: \$25,000



bhyv

Service #3: Board governance, adjudicative regulations, internal standard operating procedures, and policy manual (SOPs) for the adjudicative hearings and housing counseling services

Deliverables

- D3: Standard operating policies and procedures for the new program (document)
- D4: Adjudicative regulations and policies (documents)
- D5: Substantive Policy Priorities (documents)

Fees

• Total Fees: \$50,000

Service #4: Public information campaign and outreach

Deliverables

- D1: Support website content design
- D2: Create public information content and materials
- D3: Implement and support the RentMail email hotline
- D4: Provide limited housing counseling via RentMail (260 hours)

Fees

• Total Fees: \$25,000

Service #5: Administrative/Project Management

Deliverables - Ongoing

- General project management
- Subject matter expertise (for all services)
- Contract negotiations (with project contractors)
- Client and contractor meeting management

Fees

• Total Fees: \$25,000

TOTAL EST. PROJECT COST: \$175,000



Implementation Plan

Timeline	Milestones
July-August 2023	 RentMail system created Limited housing counseling services are provided via RentMail system Outreach reporting templates & materials developed Technical assistance provided for the development of board regulations. Board training manual developed Stakeholder (internal and external) engagement plan and mapping
September-October 2023	 Board training provided Ongoing limited housing counseling provided Stakeholder meeting materials and workshop design Facilitate One (1) Property Owner Workshop (Mid-September) Facilitate One (1) Tenant's Rights Workshop (Mid-September) Technical assistance provided for the development of board regulation Program plan and staffing model (organizational design) Program budget with projections and fee analysis
November 2023-January 2024	 Ongoing limited housing counseling provided Standard operating policies and procedures for the new program Programmatic SOP Hearings Unit SOP Housing Counseling SOP Job descriptions for key start-up roles (based on staffing model and budget) Technical assistance was provided for the development of adjudicative



regulations and policies

Project Logistics & Staffing

Working Arrangements

The Consultant will meet weekly via phone/ Zoom/in person with the designated Client contact for the rent stabilization project. Consultant will attend all necessary meetings to complete and report on the deliverables of the project including (but not limited to) full board meetings, committee meetings, and staff meetings. The primary mode of communication will be through email, along with the occasional use of other online software such as Slack, Asana, and Zoom. The Client will provide the Consultant with an organizational email if needed.

Consultant Status

In performing the obligations set forth in this Agreement, the Consultant shall have the status of an independent contractor and Consultant shall not be considered an employee of the Client for any purpose. All persons working for or under the direction of the Consultant are its agents and employees and are not agents or employees of the Client.

Billing

Client shall pay the consultant a monthly retainer of \$14,583.33 per month for a maximum of \$175,000 over the twelve-month contract period. Consultant shall submit monthly invoices by the 5th of each month beginning August 5, 2023.

Meet the Hive!

Chanée Franklin Minor (Principal/CEO) Project Lead

Chanée Franklin-Minor is a seasoned attorney and housing policy professional who has worked for almost twenty years on rent control, anti-displacement, and civil rights issues. Chanée has served as a senior advisor under Governor Jerry Brown and former Congressman Ronald Dellums and is the "go-to" expert on housing stabilization implementation and design. She served as a senior staff attorney and division manager at the Berkeley Rent Stabilization Program, where she helped elevate it to what is now largely considered the best housing stabilization program in the nation. Recently, Chanée served as Program Manager at the City of Oakland Rent Adjustment Program where within 9 months, she transitioned a failing program into one of the best in California. Chanée is a problem-solver, negotiator, and steward of public trust. She is a California native and graduate of UCLA, Cornell Law School, The American



University of Paris, and the University of Oxford, New College, where she received a certificate in International Human Rights Law.

Ecatrina (Cat) Burton, MPP (Senior Consultant) General Operations, Staffing, Budget, and Finance

Ecaterina Burton is a versatile policy advocate and a seasoned budget analyst who has worked for almost fifteen years on anti-displacement, anti-poverty, and racial equity issues. Recently, Ecaterina has served as Senior Budget & Management Analyst for the City of San Francisco and the City of Oakland where she specialized in incorporating racial equity into the day-to-day operations and budget development. Ecatrina is a policy innovator, revolutionary calculator, and coalition builder. She is the proud eldest biracial child of immigrant Marine Corps soldiers and a graduate of Harvard College and UC Berkeley's Goldman School of Public Policy.

Claudette Campos (Chief Operating Officer)

Project Operations, Client Relations, Vendor Management

Claudette is a world citizen who cares firstly for others above personal status and gain. She is masterful at creating effective solutions by critically analyzing situations and thinking in non-linear ways to create effective and efficient solutions. She excels at protocol streamlining, multicultural conflict resolution, and intergenerational customer service. Claudette received her BA in biochemistry and genetics from North Carolina State University and is proficient in five languages including Portuguese, Spanish, French, Japanese, and English.

Additional Consultants and Collaborators

Matthew Seigel, Former Staff Attorney City of Berkeley Rent Board (Of Counsel) Subject Matter Expertise: Rent Stabilizations, Eviction Protection, and Board Governance

Cometria Cooper, Esq. (Senior Consultant)

Subject Matter Expertise: Rent Stabilizations, Eviction Protection, and Community Engagement

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Leah Simon-Wiseberg, Legal Director, ACCE (Collaborator) Subject Matter Expertise: Local, State; and Federal Landlord-Tenant Law



Project Scope Agreement

Both client and consultant agree to the above-outlined scope of work and have submitted all edits to the scope. Upon mutual agreement, the Client will provide the Consultant with a formalized agreement.

Chanee Franklin Minor, bhyv Consulting (Consultant) Date

City of Pasadena, CA, Rental Housing Board (Client)

Date



City of Pasadena, CA & bhyv Consulting

Rent Registration Start-up, Implementation, and Design Project

Services, Deliverables & Fees

Rental Registration Project

Service #1: Design and launch rent registry and eviction databases

Deliverables

- D1: Initial research of established rent registry programs
 - Policy research and analysis of findings (document)
 - Survey and report of best practices (document)
- D2: Execute vendor contract for database build, implementation, and
- D3: Provide technical support for the rent registry database design
- D4: Conduct (1) landlord stakeholder meeting and (1) tenant stakeholder meeting concerning rent registration database design
- D5: Provide technical support for the development of rent registration regulations

Fees

• Total Fees: \$250,000

Service #2: Administrative/Project Management

Deliverables - Ongoing

- General project management
- Subject matter expertise (for all services)
- Contract negotiations (with project contractors)
- Client and contractor meeting management

Fees

• Total Fees: \$0

TOTAL EST. PROJECT COST: \$250,000



Implementation Plan

Timeline	Milestone
September-October 2023	 Stakeholder (internal and external) engagement plan and mapping Begin initial landscape scan of rental Registration best practices Project manage the procurement process for vendor contract for database build-out
November 2023-December 2024	 Policy research and analysis of findings (document) Survey and report of best practices (document) Provide project management/technical assistance for database design and implementation Support initial implementation and launch of rental registration portal
January - February 2024	 Provide project management/technical assistance for database design and implementation Provide training and support for internal and external stakeholders Provide technical assistance for outreach and public information campaign Provide technical assistance for the development of rent registration regulations Draft internal rent registration forms for in-person filing Support initial implementation and launch of rental registration portal
March - April 2024	 Provide project management/technical assistance for

 (∞)

	bhyv
	 database design and implementation Provide technical assistance for outreach and public information campaign Provide technical assistance for the development of rent registration regulations Draft internal rent registration forms for in-person filing Support initial implementation and launch of rental registration portal
May - June 2024	 Provide technical assistance for outreach and public information campaign Provide training and support for internal and external stakeholders Support initial implementation and launch of rental registration portal

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Both client and consultant agree to the above-outlined scope of work and have submitted all edits to the scope. Upon mutual agreement, the Client will provide the Consultant with a formalized agreement.

Chanee Franklin Minor, bhyv Consulting (Consultant) Date

City of Pasadena, CA, Rental Housing Board (Client)

Date



Public comment - PRHB meeting 2-20-2025 General comment

Adam Bray-Ali <adam@propertybyadam.com> To: RentalBoard <rentalboard@cityofpasadena.net>, cityclerk@cityofpasadena.net Mon, Feb 17, 2025 at 1:16 PM

Good afternoon Pasadena Rental Housing Board.

Now that your Rental Registry is fully completed, when will you be sending the \$500,000 back to the City of Pasadena?

In the summer of 2023, your board was advanced \$500,000 from the city of Pasadena using funds from a program called American Rescue Plan Act, ARPA. This was announced by the city council and rental housing board as an advance that would need to be paid back to the city. On May 8th, the Council voted to approve the funds and on page 2 of the staff analysis presented to the council, there is a statement:

Advancement of Funds for the Pasadena Rental Housing Board May 8, 2023 Page 2 of 2

Measure, establishing the Charter amendment, provided an estimate of \$310,000 for startup costs and \$5,453,460 in annual costs. If additional funds are required to be advanced, City staff will return to the City Council for authorization.

Additionally, it is anticipated that these funds are an advance, and a loan repayment agreement will be approved, once the Board is operational.

COUNCIL POLICY CONSIDERATION:

The City Council's strategic planning goal of maintaining fiscal responsibility and

Throughout the past 18 months, there have been occasional comments by members of the Rental Housing Board that these funds would be forgiven or somehow not repaid to the city. That is in direct contradiction to the Charter Amendment that required that all funds for your Board and the various jobs/departments you have formed will be paid via a rental registration program and not be billed to any party except rental property owners in Pasadena.

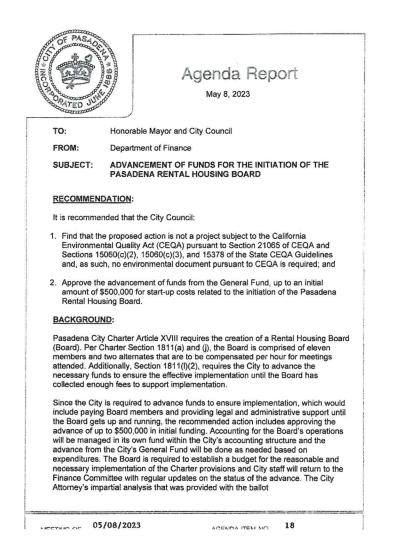
Thank you, Adam Bray-Ali

more details from budget at this link: https://www.cityofpasadena.net/finance/wp-content/uploads/sites/27/FY2024-Budget-in-Brief.pdf

CITY OF PASADENA BUDGET IN BRIEF

In FY 2022 and 2023, the City Council committed approximately \$32 million of these funds to, among other things: (1) offset revenue losses, (2) fund critical capital improvement projects, (3) provide funds for the acquisition of affordable housing, (4) expand housing services, and (5) bolster the City's public health services regarding COVID-19 response and health equity. The following is an outline of the recommended spending plan for the remaining funds:

- Pasadena voters approved Measure H in November 2022, a charter amendment that established the Rental Housing Board (Board) and rent control for eligible properties. The City Council appropriated \$500,000 of ARPA funds in May 2023 as start-up funding for the Board with the expectation that, like the City of Mountain View, we will be able to recoup expenses quickly. However, the City is prepared to provide additional start-up funding as necessary using ARPA dollars.
- \$12.0 million for the acquisition of property to, among other things that are yet to



Letter from Director of Finance to the City Council dated May 8, 2023:

Advancement of Funds for the Pasadena Rental Housing Board May 8, 2023 Page 2 of 2

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Additionally, it is anticipated that these funds are an advance, and a loan repayment agreement will be approved, once the Board is operational.

COUNCIL POLICY CONSIDERATION:

The City Council's strategic planning goal of maintaining fiscal responsibility and stability will be advanced by meeting the Charter requirements for the Board, while also establishing a repayment plan when feasible.

ENVIRONMENTAL ANALYSIS:

The action proposed herein is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3) and 15378. The authorization to advance funds is an organizational and administrative action that would not cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment. Therefore, the proposed action is not a "project" subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines. Since the action is not a project subject to CEQA, no environmental document is required.

FISCAL IMPACT:

The recommended advance of up to \$500,000, will provide funds for the start-up of the Board. Pursuant to Article XVIII, the City is required to advance funds for the implementation of the Board.

Respectfully submitted,

MATTHEW E. HAWKESWORTH Director of Finance

Approved by:

MIGUEL MARQUEZ City Manager

Adam Bray-Ali 213-399-1940 adam@propertybyadam.com Coldwell Banker Residential Brokerage DRE#01859026