

DATE: June 20, 2022

TO: Rental Housing Committee

FROM: Andrea Kennedy, Analyst II
Anky van Deursen, Program Manager

SUBJECT: Contract with Goldfarb & Lipman LLP for Fiscal Year 2022-23

RECOMMENDATION

To authorize the Program Manager, or designee, to execute an agreement with Goldfarb & Lipman LLP for legal services related to the Community Stabilization and Fair Rent Act for Fiscal Year 2022-23 in an amount not to exceed \$175,000 and to represent the Rental Housing Committee and the City of Mountain View in pending litigation related to the Community Stabilization and Fair Rent Act for Fiscal Year 2022-23 in an amount not to exceed \$100,000.

BACKGROUND

Since Fiscal Year 2017-18, Goldfarb & Lipman LLP (Goldfarb & Lipman) has provided legal services for the Rental Housing Committee (RHC) to provide subject matter expertise to assist the RHC in implementing and administering the Community Stabilization and Fair Rent Act (CSFRA). On October 23, 2017, the RHC discussed and approved outside legal services by Goldfarb & Lipman. Following a Request for Proposals process on November 26, 2018, the RHC approved a contract with Goldfarb & Lipman for Fiscal Year 2018-19 for outside legal services to provide support for the RHC. These services include, but are not limited to, attendance at RHC meetings, drafting of regulations and staff reports, tentative decisions in cases of appeal, and assistance with issues and questions that arise concerning the implementation of the CSFRA. The RHC has also retained Goldfarb & Lipman to represent the RHC in litigation in two lawsuits (*Redwood Villa, Inc. v. City of Mountain View, Mountain View Rental Housing Committee*, Santa Clara Superior Court Case No. 18CV322991, and *Enlightened Investments, Inc. v. City of Mountain View Rental Housing Committee, City of Mountain View*, Santa Clara Superior Court Case No. 21CV390118).

ANALYSIS

Goldfarb & Lipman has been providing legal services to the City and the RHC related to the CSFRA since Fiscal Year 2017-18. In accordance with the adopted policies and procedures for the execution of agreements, staff seeks authorization from the RHC for the Program Manager, or designee, to execute an agreement with Goldfarb & Lipman for Fiscal Year 2022-23 in an amount

not to exceed \$175,000 for legal services and an amount not to exceed \$100,000 for litigation services because the total amount of the contract exceeds \$50,000.

FISCAL IMPACT

The RHC adopted a budget for the CSFRA for Fiscal Year 2022-23, including up to \$175,000 for legal services and up to \$100,000 for litigation. It is currently foreseen that the budgeted amount will be sufficient for Fiscal Year 2022-23. Staff will return to the RHC if additional services beyond the budgeted amount in the recommendation are needed.

PUBLIC NOTICING—Agenda posting.

AK-AvD/JS/8/CDD/RHC

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