

City Council Questions PART II
November 12, 2019 Council Meeting

ITEM 7.1 POTENTIAL 2020 COMMUNITY STABILIZATION AND FAIR RENT ACT AMENDMENTS

1. The staff report says the subcommittee recommended that “if no adequate qualifying applications from Mountain View residents have been received, Council may appoint a non-Mountain View resident for a vacant position (Section 1709(b)).” How many positions could this apply to? Was any limit discussed?

A limit to the number of RHC seats that this would apply to was not discussed.

2. What is the definition of “adequate qualifying applications?” Could it be interpreted in any way one wants?

“Adequate qualifying application” is not specifically defined. The intent of the language is to provide eligible individuals the opportunity to apply to join the RHC to implement the CSFRA according to the intent of the program while providing Council some discretion. The Council could provide direction for more specific parameters to be included in the amendments.

3. Have there been problems finding housing provider reps?

Excluding some temporary vacancies due to resignations, the RHC has been fully seated with an alternate since the program was implemented.

4. What did the RHC recommend on this one?

The RHC did discuss this issue but did not come to a consensus on a recommendation. The Subcommittee requested the RHC to review the Subcommittee proposals, including non-Mountain View residents serving on the RHC. The RHC did not make a formal recommendation on any subcommittee proposal unless there was unanimous RHC support for the recommendation. Therefore, on some Subcommittee proposals, including this issue, there was no recommendation since they did not come to unanimous support.

5. Who came up with the recommended ballot language?

The recommended ballot language was drafted by the City’s legal consultant, Goldfarb and Lipman, and reviewed by staff and the City Attorney.

6. This part of the ballot language seems unclear or inaccurate: clarify the Rental Housing Committee (RHC) independently implements the Community Stabilization and Fair Rent Act and other duties delegated by the City Council. My understanding is that the measure doesn’t clarify the existing Council/RHC relationship, it changes the existing Council/RHC relationship so that to give the Council more power over the RHC. Is that right?

The “independent” but “integral” concepts in the existing CSFRA have created ambiguities/challenges because they can be interpreted as opposing concepts. The intent of the proposed ballot language is to reduce or to eliminate the ambiguities based on Council/Subcommittee direction to clarify that the RHC has independence to implement the CSFRA, with the ability for the Council to remove RHC members (currently, Council can appoint RHC members but the CSFRA is silent on removing members), to have limited oversight over the RHC in terms of budget and legal actions, and the ability to assign work items to the RHC (for example, implementing a mobile home rent stabilization program).