



# City of Mountain View

## Minutes

### Rental Housing Committee

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Monday, May 23, 2022

7:00 PM

Video Conference with  
No Physical Meeting Location

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#### 1. ANNOUNCEMENT (OPEN SESSION)

The meeting was called to order at 7:01 P.M.

#### 2. CLOSED SESSION

The closed session was called to order at 7:08 P.M.

SPEAKING FROM THE FLOOR WITH COMMENTS:

Unidentified Mountain View Resident

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Redwood Villa, Inc. v. City of Mountain View and Mountain View Rental Housing Committee, Santa Clara County Superior Court Case Number 18CV322991.

Name of Case: Enlightened Investments, Incl, vs. City of Mountain View Rental Housing Committee, City of Mountain View, Santa Clara Superior Court Case Number 21CV390118).

#### 3. CALL TO ORDER

The meeting was called to order at 7:17 P.M.

#### 4. ROLL CALL

**Present** 6 - Committee Member Julian Pardo de Zela, Vice Chair Emily Ramos, Committee Member Guadalupe Rosas, Chair Nicole Haines-Livesay, Committee Member Susyn Almond, and Alternate Matthew Grunewald

#### 5. CONSENT CALENDAR

SPEAKING FROM THE FLOOR WITH COMMENTS:

No public comments received.

MOTION - M/S - Ramos/Almond - To approve the Consent Calendar.

**Yes:** 3 - Vice Chair Ramos, Chair Haines-Livesay, Committee Member Almond, and Alternate Grunewald

**Absent:** 1 - Committee Member Rosas

**Abstain:** 1 - Committee Member Pardo de Zela

- 5.1 Approve the Minutes for April 25, 2022 RHC Meeting
- 5.2 Resolution Making Findings Authorizing Continued Remote Teleconference Meetings of the Rental Housing Committee Pursuant to Brown Act Provisions, as amended by Assembly Bill No. 361

Committee Member Rosas joined the meeting at 7:24 P.M.

## **6. ORAL COMMUNICATIONS FROM THE PUBLIC**

Jeff Zell urged the RHC to decide matters related to implementing the CSFRA fairly and balanced.

Eadie Keating pointed out that the CSFRA was a voter approved measure that limits the ability of the committee members.

Skye Morland asked the RHC why they are not deciding on the concessions issue in this meeting and when there will be answers to questions brought up in the stakeholder meetings.

## **7. APPEAL HEARINGS - None**

## **8. PUBLIC HEARINGS - None**

## **9. NEW BUSINESS**

- 9.1 Clarifying Base Rent and Concessions in CSFRA Regulations

Program Manager van Deursen presented a report and responded to questions.

**SPEAKING FROM THE FLOOR WITH COMMENTS:**

Unidentified Mountain View Resident

Curtis Conroy

Regan Avery

Edie Keating

Kevin Ma

Theresa McFarland

Scott A.

Heather Heartt

Byron

Vivian

Tim Larson

Lily Moreno

Jeff Zell

Justin Halada

Skye Morland

Joshua Howard

Whitney Prout

Alex Brown

In order to provide guidance to staff to draft regulations to clarify the calculation of Base Rent when rent concessions are provided during the initial term of the tenancy, the RHC conducted a straw poll:

Option 1: carries 5 - 1 in favor of providing clarification in the form of a regulation to address the issue of rent concessions provided in the initial term of the tenancy when calculating "Base Rent".

Option 2: carries 4 - 1 - 1 in favor of having any proposed regulations address the issue of retroactive application.

Option 3: carries 6 - 0 in favor of excluding any Rent that a Tenant fails to pay or withholds in violation of the Rental Agreement during the initial term of the tenancy.

Option 4: carries 3 - 3 all rent concessions and discounts should be factored into Base Rent rather than conducting a deeper analysis of the different types of possible concessions. This option resulted in a tie vote when counting the alternate's votes. Eliminating the alternate's vote on the poll resulted in 3 yes votes and 2 no votes.

## 9.2

### Monthly Status Reports April 2022

MOTION: M/S - Rosas/Pardo de Zela - To move agenda item 9.2, Monthly Status Reports April 2022, to the next Rental Housing Committee Meeting.

**Yes:** 4 - Committee Member Pardo de Zela, Committee Member Rosas, Chair Haines-Livesay, and Committee Member Almond

**No:** 1 - Vice Chair Ramos

**9.3** Eviction Prevention Program Update

Senior Management Analyst Black presented a report and responded to questions.

**SPEAKING FROM THE FLOOR WITH COMMENTS:**

No public comments received.

The RHC received an informational update on the Eviction Prevention Program.

**9.4** CSFRA Fiscal Year 2022-23 Recommended Budget

Program Manager van Deursen presented a report and responded to questions.

**SPEAKING FROM THE FLOOR WITH COMMENTS:**

Jeff Zell

The RHC reviewed and provided feedback on the Fiscal Year 2022-23 recommended budget for the administration of the Community Stabilization and Fair Rent Act. The Fiscal Year 2022-23 budget is scheduled for adoption at a meeting of the Rental Housing Committee (RHC) on June 20, 2022. The recommended annual Rental Housing Fee is calculated based on the recommended budget and will be established by the RHC.

**9.5** Annual General Adjustment of Rent 2022

Program Manager van Deursen presented a report and responded to questions.

**SPEAKING FROM THE FLOOR WITH COMMENTS:**

Theresa McFarland

Jeff Zell

MOTION: M/S - Ramos/Almond - To adopt a resolution of the Rental Housing Committee announcing an Annual General Adjustment of rent under the Community Stabilization and Fair Rent Act and Mobile Home Rent Stabilization Ordinance for 2022-23 of 5 percent.

**Yes:** 5 - Committee Member Pardo de Zela, Vice Chair Ramos, Committee Member Rosas, Chair Haines-Livesay, and Committee Member Almond

**10. COMMITTEE/STAFF ANNOUNCEMENTS, UPDATES, REQUESTS, AND COMMITTEE****10.1** Upcoming Monthly Workshops, Clinics and Office Hours

Analyst Kennedy presented on the monthly workshops, clinics and office hours.

**11. CLOSED SESSION REPORT**

Karen Tiedemann, Special Counsel, reported out from closed session that the RHC received a report on pending litigation and no action was taken

**12. ADJOURNMENT - At 11:09 p.m., Chair Haines-Livesay adjourned the meeting to the next RHC meeting to be held on Monday, June 20, 2022 at 7:00 p.m. via video conference.**