



**DATE:** September 28, 2021

**CATEGORY:** Consent

**DEPT.:** City Attorney's Office,  
Community Development

**TITLE:** **Mobile Home Rent Stabilization Ordinance (Second Reading), Urgency Ordinance Enacting Eviction Protections, and Funding Request for Future Actions**

### **RECOMMENDATION**

1. Adopt an Ordinance of the City of Mountain View Enacting Mobile Home Rent Stabilization, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading: 6-1; Matichak no)
2. Adopt an Urgency Ordinance of the City of Mountain View Protecting Mobile Home Residents from Eviction Until the Ordinance Enacting Mobile Home Rent Stabilization Becomes Effective, to be read in title only, further reading waived (Attachment 2 to the Council report). (Five votes required)
3. Authorize expenditures for legal services, in an amount not to exceed \$101,900, with Burke, Williams & Sorensen, LLP, to complete actions associated with the Ordinance Enacting Mobile Home Rent Stabilization.
4. Appropriate \$100,000 in the City Attorney's Office General Non-Operating Fund for legal and consulting costs to complete actions associated with the Ordinance Enacting Mobile Home Rent Stabilization. (Five votes required)

### **BACKGROUND**

On September 14, the City Council introduced a Mobile Home Rent Stabilization Ordinance that is modeled on the protections found in the Community Stabilization and Fair Rent Act with some modifications.

The Ordinance would apply to all mobile home parks in Mountain View and covers all mobile home space rent and mobile home renters as well. The base rent date, also referred to as the rent rollback date, is March 16, 2021, the date Council directed City staff to develop the Ordinance. A typographical error contained in Section 46.5.c. of the introduced Ordinance has been corrected to accurately refer to this date. The Ordinance

also limits rent increases upon the sale of a mobile home to the change in the Consumer Price Index rate.

Council also directed staff to bring back several actions to them as follows:

- Develop urgency eviction protections, which protect mobile home tenants from displacement until the Ordinance takes effect on October 28, 2021.
- Develop of a memorandum of understanding (MOU) between the City of Mountain View and mobile home park owners with stakeholder outreach, which may be used as the basis for an exemption from the Ordinance if at least 80% of mobile home residents in a park agree to sign it.
- Amend the Tenant Relocation Assistance Ordinance (TRAO) to include protections for mobile home residents.
- Include a right to return for mobile home residents whose homes are taken off and then returned to the housing market.

## ANALYSIS

This report presents the Ordinance Enacting Mobile Home Rent Stabilization for a second reading and adoption. If adopted, the Ordinance becomes effective 30 days thereafter on October 28, 2021.

The Urgency Ordinance Protecting Mobile Home Residents from Eviction Until the Ordinance Enacting Mobile Home Rent Stabilization Becomes Effective (Urgency Ordinance) is intended to protect mobile home tenants from eviction during the period from October 1, 2021 (when the Statewide COVID-19 eviction moratorium ends) to October 28, 2021 (when the Ordinance would take effect). The Urgency Ordinance provides eviction protections comparable to those under the Ordinance for the time period before the Ordinance becomes effective. The Urgency Ordinance requires five votes to pass and becomes effective immediately upon adoption.

The additional actions Council directed staff to complete in connection with the Ordinance (development of an MOU, TRAO amendments, and right of return protections) will require additional staff resources and the use of outside legal counsel and consultants. These items will be brought forward for Council's consideration in the coming months as they are developed.

**FISCAL IMPACT**

Council originally appropriated limited-period funding of \$125,000 for this issue, of which \$98,100 has been encumbered. The remaining balance of \$26,900 was rebudgeted to Fiscal Year 2021-22. Additional funding for outside legal and consultant services is necessary to complete the actions for the Ordinance directed by Council. Staff estimates these costs to be approximately \$100,000 for outside legal and consulting expenses. Legal services are estimated at an additional \$75,000, and consultant services are estimated at \$25,000. The authorization of \$101,900 for legal services is funded by the \$26,900 in rebudgeted funds and \$75,000 of the additional \$100,000 appropriation request. The proposed new appropriation would be funded from the General Non-Operating Fund.

**PUBLIC NOTICING**

Agenda posting and additional notice to mobile home park owners and tenant stakeholders.

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- Attachments: 1. Ordinance Enacting Mobile Home Rent Stabilization  
2. Urgency Ordinance Protecting Mobile Home Residents from Eviction Until the Ordinance Enacting Mobile Home Rent Stabilization Becomes Effective