



**DATE:** September 11, 2018

**CATEGORY:** Consent

**DEPT.:** Community Development/CSFRA

**TITLE:** **CSFRA Rental Housing Committee Vacancy and Recruitment Process**

### **RECOMMENDATION**

Approve the recruitment and selection process for the appointment of Rental Housing Committee members of the Community Stabilization and Fair Rent Act, to cover both: (a) the current vacancy created by the resignation of Tom Means for the remainder of his term as well as a subsequent appointment for a four-year term; and (b) to create an eligibility list for appointments for a termed-out member and alternate member that will occur at the end of April 2019.

### **BACKGROUND**

On November 8, 2016, the residents of the City of Mountain View voted to adopt Measure V, also known as the Community Stabilization and Fair Rent Act (CSFRA). Section 1700 of the CSFRA states the purpose of the Act is: “[t]o promote neighborhood and community stability, healthy housing, and affordability for renters by controlling excessive rent increases and arbitrary evictions to the greatest extent allowable under California law, while ensuring Landlords a fair and reasonable return on their investment and guaranteeing fair protections for renters, homeowners, and businesses.” The CSFRA became effective on December 23, 2016.

Section 1709(a) of the CSFRA tasks the City Council with appointing five members and one alternate member to the Rental Housing Committee (RHC). The RHC is responsible for the implementation, administration, and enforcement of the CSFRA. On April 18, 2017, the City Council appointed five RHC members and one alternate RHC member, after two application and interview processes. Because these were the initial appointments for the RHC, the appointments consisted of two members with two-year terms, an alternate with a two-year term (terms ending April 2019), and three members with four-year terms (terms ending April 2021). The following appointments were made:

1. Matthew Grunewald\* (4 years)
2. Vanessa Honey\* (4 years)
3. Emily Ramos (4 years)
4. Tom Means (2 years)
4. Evan Ortiz (2 years)
5. Julian Pardo de Zela (alternate) (2 years)

\* Owns or manages a rental property or is a real estate agent or developer.

### **ANALYSIS**

On August 27, 2018, Tom Means informed the RHC that he is resigning from the RHC effective immediately. He tendered his resignation to the City Council on August 28, 2018. Mr. Means' resignation creates an immediate vacancy on the RHC. The CSFRA does not automatically "elevate" the alternate if a vacancy occurs. Mr. Means and two other members were appointed for an initial term of two years as specified in the CSFRA. All of these terms end in April 2019. Staff recommends the City Council start the recruitment process for this immediate vacancy for the remainder of the term. In view of the fact that two additional appointments will be required in April 2019, the City Council could utilize a single recruitment process to establish a list of eligible candidates for appointments to the RHC end of April 2019, when the initial terms end. This approach would streamline the appointment process and reduce the amount of staff resources and interview sessions by the City Council to appoint the new members to the RHC. The City Council could also consider whether to appoint the same individual to the remaining term as well as the next four-year term.

Section 1709(d) of the CSFRA sets for the primary powers and duties of the RHC:

- Setting rents at fair and equitable levels to achieve the purposes of the CSFRA;
- Establishing rules and regulations for administration and enforcement;
- Determining the Annual General Adjustment of rents;
- Appointing Hearing Officers to conduct hearings on Petitions for Rent Adjustments;

- Adjudicating petitions for individual rent adjustments;
- Holding public appeal hearings;
- Establishing a budget for the reasonable and necessary implementation of the CSFRA;
- Establishing a Rental Housing Fee;
- Administering withdrawal process for removal of rental housing units from market;
- Publicizing the rights and responsibilities of landlords and tenants;
- Establishing a schedule of penalties for noncompliance; and
- Pursuing civil remedies/intervening in litigation, subject to approval of City Council.

#### Recruitment and Selection Process

To recruit and select RHC members, staff recommends utilizing the following process, as previously used by the City Council:

1. Publish request for applications for the RHC.
2. Determine eligibility of applicants.
  - Are applicants residents of the City of Mountain View?
  - Who owns/manages rental property or is a real estate agent or developer?
3. City Council interviews eligible candidates.
  - At City Council's option, establish additional assessments such as second interviews or supplemental questions may be incorporated.
4. City Council selects and appoints the RHC member for the existing vacancy (and, if so desired, to the subsequent four-year term).

5. City Council may also consider creating an eligibility list for appointments for one member and alternate member whose terms expire at the end of April 2019.

Staff proposes the following recruitment timeline:

<b><u>RHC Member Recruitment and Appointment</u></b>	<b><u>Start Date</u></b>	<b><u>End Date</u></b>
1. Publish request for applications	September 24, 2018	October 22, 2018
2. Determine eligibility applicants	October 22, 2018	October 29, 2018
3. CC interviews candidates	TBD	N/A
4. CC assesses if further interviews/questions are necessary	TBD	N/A
5. CC selects and appoints member for vacancy and creates eligibility list for appointment of new members in April 2019	TBD	N/A
6. New RHC member attends first RHC meeting	December 2018	N/A

**FISCAL IMPACT**

There is no fiscal impact to the appointment of the Committee members, other than staff time and minimal advertising costs.

**ALTERNATIVES**

1. Do not conduct a recruitment process at this time. Instead, appoint the current alternate member of the RHC to serve as the fifth member of the RHC until new RHC appointments are made in April 2019, following a recruitment process that would begin in early 2019. Under this scenario, the RHC would not have an alternate until April.
2. Conduct separate recruitment processes for the remaining term of the position that is currently vacant and for appointment to the RHC for the four-year term beginning in May 2019.
3. Provide other direction.

**PUBLIC NOTICING**

The meeting agenda and Council Report have been posted on the City's web page and announced on Channel 26 and cable television and copies were provided to applicants.

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- Attachments: 1. Application Form  
2. Questionnaire for Interviews