



# City of Mountain View

CITY HALL  
500 CASTRO STREET

## Minutes

### Rental Housing Committee

*Committee Members Grunewald, Means, Ramos and Pardo de Zela (alternate), Vice Chair Ortiz, and Chair Honey*

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Monday, March 26, 2018

6:00 PM

Plaza Conference Room and Council Chambers

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**1. CLOSED SESSION (to be held in the Plaza Conference Room)**

**2. CLOSED SESSION**

**2.1 CONFERENCE WITH LEGAL COUNSEL –ANTICIPATED LITIGATION**

Closed Session recessed at 6:25 p.m.

**3. REGULAR SESSION (to be held in Council Chambers)**

The meeting was called to order at 6:36 p.m.

**4. CALL TO ORDER**

**5. ROLL CALL**

**Present:** 5 - Vice Chair Ortiz, Chairperson Honey, Committee Member Grunewald, Committee Member Ramos, and Committee Member Means

**Absent:** 1 - Pardo de Zela (alternate)

**6. MINUTES APPROVAL**

**6.1** Approve the minutes for February 26, 2018 RHC Meeting

**MOTION; M/S - Ramos/ Means - To approve the minutes for February 26, 2018**

**Yes:** 5 - Vice Chair Ortiz, Chairperson Honey, Committee Member Grunewald, Committee Member Ramos, and Committee Member Means

**7. ORAL COMMUNICATIONS FROM THE PUBLIC**

No comments were received from the public.

**8. PUBLIC HEARING**

**9. UNFINISHED BUSINESS**

**10. NEW BUSINESS**

**10.1** Professional Services for the Implementation of the CSFRA for Upcoming Fiscal Year

**Provide direction to staff regarding procurement of professional services for the upcoming fiscal year.**

City Attorney Quinn presented an oral report and responded to questions.

**SPEAKING FROM THE FLOOR WITH COMMENTS:**

Curtis Conroy  
Fred Kiani  
Elizabeth Lindsay  
Patty Kong  
Emily Hislop

**MOTION: M/S - Honey/Means - To start an RFP process for professional services for the implementation of the CSFRA for the upcoming fiscal year.**

**Yes:** 3 - Chairperson Honey, Committee Member Grunewald, and Committee Member Means

**No:** 2 - Vice Chair Ortiz, and Committee Member Ramos

**10.2** Authorization to Execute an Agreement with Goldfarb & Lipman for Legal Services for FY 2017-18

Associate Planner Van Deursen presented an oral report and responded to questions.

**SPEAKING FROM THE FLOOR WITH COMMENTS:**

Curtis Conroy  
Fred Kiani  
Jeff Gilman  
Edie Keating  
Alex Nunez  
Trey Bornmann

**MOTION: M/S - Ortiz/ Honey - To authorize the Acting Program Manager to execute an agreement with Goldfarb & Lipman LLP for legal services related to the Community Stabilization and Fair Rent Act for Fiscal Year 2017-18 in an amount not to exceed \$200,000**

**Yes:** 5 - Vice Chair Ortiz, Chairperson Honey, Committee Member Grunewald, Committee Member Ramos, and Committee Member Means

**10.3** CSFRA Annual Rental Housing Fee collection overview

Finance and Administrative Services Director Kong presented an oral report and responded to questions.

**SPEAKING FROM THE FLOOR WITH COMMENTS:**

Edie Keating

The RHC heard a presentation on the status of the Annual Rental Housing Fee collection.

#### 10.4 CPI Indices and the CSFRA

Karen tiedemann, Special Counsel, Goldfarb and Lipman, presented an oral report and responded to questions.

#### SPEAKING FROM THE FLOOR WITH COMMENTS:

Curtis Conroy  
Joe Maydak  
Elizabeth Lindsay  
Alex Nunez  
Edie Keating

**MOTION: M/S Means/Honey - To adopt a resolution identifying that the Consumer Price Index - All Urban Consumers, San Francisco-Oakland-Hayward region (currently designated as Series ID: CUURS49BSA0 by the U.S. Department of Labor, Bureau of Labor Statistics) shall be the designated successor index applicable for determining future Annual General Adjustments in accordance with CSFRA section 1707(a); and**

**that Regulation Chapter 6, section 6(C)(4) shall be deleted in its entirety and replaced with the following text:**

**Consumer Price Index. Consumer Price Index is the Consumer Price Index - All Urban Consumers for "Rent of primary residence" in San Francisco-Oakland-Hayward region (currently designated as Series ID: CUURS49BSEHA by the U.S. Department of Labor, Bureau of Labor Statistics).**

**a. Base Year Consumer Price Index. The Consumer Price Index for the Base Year shall be the annual average of the Consumer Price Index for 2015 (371.075, unless revised by the Bureau of Labor Statistics).**

**b. Petition Year Consumer Price Index. The Consumer Price Index for the Petition Year shall be the Consumer Price Index that was most recently published as of the date a Petition for Upward Adjustment of Rent is submitted.**

**Yes:** 3 - Chairperson Honey, Committee Member Grunewald, and Committee Member Means

**No:** 2 - Vice Chair Ortiz, and Committee Member Ramos

The Committee recessed at 8:19 p.m. and reconvened at 8:31 p.m.

#### 10.5 Annual General Adjustments Pre-February 2016 and Post 2017

Justin Bigelow, Special Counsel, Goldfarb and Lipman, presented an oral report and responded to questions.

**SPEAKING FROM THE FLOOR WITH COMMENTS:**

Emily Hislop  
Joe Maydak  
Elizabeth Lindsay  
Jeff Gilman  
Fred Kiani  
Nan McGarry  
Trey Bornmann  
Job Lopez  
Alex Nunez

**MOTION: M/S - Honey/Grunewald - To bring back appropriate language to implement a bankable rent increase based on CPI for a 318 day period and to explore options to address certain situations where an increase may not be applicable.**

**Yes:** 3 - Chairperson Honey, Committee Member Grunewald, and Committee Member Means

**No:** 2 - Vice Chair Ortiz, and Committee Member Ramos

**10.6 CSFRA Monthly Status Report February 2018**

Administrative Analyst Black presented an oral report and responded to questions.

**SPEAKING FROM THE FLOOR WITH COMMENTS:**

The RHC heard a presentation regarding the CSFRA monthly status report for February 2018.

**11. COMMISSION/STAFF ANNOUNCEMENTS, UPDATES, REQUESTS, AND COMMITTEE REPORTS**

Member Ramos confirmed with RHC members the Committees attendance to the Mountain View Downtown Spring Parade

**12. CLOSED SESSION REPORT**

Karen Tiedemann, Special Counsel, Goldfarb and Lipman, announced that the RHC discussed a letter they received regarding potential litigation from Fenwick and West demanding the RHC reconsider its February 26, 2018 resolution regarding the applicability of the CSFRA to Mobile Homes and Mobile Home spaces.

The RCH voted to decline to reconsider the motion.

YES: 3 - Chairperson Honey, Committee Member Grunewald, and Committee Member Means

No: 1 - Committee Member Ramos

Abstain: 1 - Vice Chair Ortiz

**13. ADJOURNMENT - At 10:40 p.m., Chair Honey adjourned the meeting to the next RHC meeting to be held on Monday, April 23, 2018 at 7:00 p.m. in the Council Chambers, 500 Castro Street.**