



MEMORANDUM

CSFRA, Community Development Department

DATE: June 18, 2018

TO: Rental Housing Committee

FROM: Jannie L. Quinn, City Attorney
Anky van Deursen, Associate Planner

SUBJECT: *Legal Services Related to Redwood Villa, Inc., v. City of Mountain View and the Mountain View Rental Housing Committee*

RECOMMENDATION

Authorize the Program Manager or other designee to increase the funding for legal services by Goldfarb & Lipman to include litigation services related to the *Redwood Villa* case by \$50,000 for Fiscal Year 2017-18 in a total amount not to exceed \$250,000.

BACKGROUND AND ANALYSIS

On October 23, 2017, the Rental Housing Committee (RHC) approved the retention of Goldfarb & Lipman to provide subject matter legal expertise and services to the RHC, including attendance at Committee meetings, drafting of regulations and staff reports, and responding to legal questions related to the implementation of the CSFRA based on a scope of work provided by the law firm. On February 7, 2018, Redwood Villa, Inc., served a lawsuit on the RHC and the City challenging both the validity of the CSFRA and the application of the CSFRA to the rental units at Redwood Villa. Litigation services were not included within the scope of services provided by Goldfarb & Lipman at the beginning of this fiscal year.

The existing scope of services provided by Goldfarb & Lipman does not cover the litigation expenses in this case and the existing contract must be increased by \$50,000 for this fiscal year. The necessary funds can be paid out of the existing budget.

This matter is being presented to the RHC in accordance with the policy it adopted regarding authorization and payment of RHC expenses and execution of agreements. While the amount of the litigation expenses is within the authority of the Acting Program Manager, staff interprets the policy to apply to all contracts in a single fiscal year with one single service provider. Thus, the existing contract with Goldfarb &

Lipman related to the implementation of the CSFRA and legal services related to the subject litigation exceed the amount authorized in the adopted policy and require approval of the RHC in order to pay the outstanding litigation bills for the remainder of this fiscal year.

FISCAL IMPACT

The RHC adopted a budget for the CSFRA for Fiscal Year 2017-18, including up to \$200,000 for legal services as described above provided by Goldfarb & Lipman. However, litigation services are not included in the scope of these legal services. An additional amount of \$50,000 is needed for services to be provided by Goldfarb & Lipman for the *Redwood Villa* litigation for this fiscal year. The necessary funds can be paid out of the existing budget.

PUBLIC NOTICING – Agenda posting.

JLQ-AvD/AK/7/CDD/RHC
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