

DATE: June 12, 2023

TO: Rental Housing Committee

FROM: Andrea Kennedy, Analyst II
Anky van Deursen, Program Manager

SUBJECT: **Contract Renewal with Goldfarb & Lipman LLP for Fiscal Year 2023-24**

RECOMMENDATION

1. Authorize the Program Manager or designee to execute an agreement with Goldfarb & Lipman LLP for legal services related to the Community Stabilization and Fair Rent Act for Fiscal Year 2023-24 in an amount not to exceed \$175,000 and to represent the Rental Housing Committee and the City of Mountain View in litigation related to the Community Stabilization and Fair Rent Act for Fiscal Year 2023-24 in an amount up to \$50,000 for a total amount not to exceed \$225,000.
2. Authorize the Program Manager or designee to execute an agreement Goldfarb & Lipman LLP for legal services related to the Mobile Home Rent Stabilization Ordinance for Fiscal Year 2023-24 in an amount not to exceed \$30,000 and to represent the Rental Housing Committee and the City of Mountain View in litigation related to the Mobile Home Rent Stabilization Ordinance for Fiscal Year 2023-24 in an amount up to \$50,000 for a total amount not to exceed \$80,000.

BACKGROUND

Since Fiscal Year 2017-18, Goldfarb & Lipman LLP (Goldfarb & Lipman) has provided legal services for the Rental Housing Committee (RHC) to provide subject matter expertise to assist the RHC in implementing and administering the Community Stabilization and Fair Rent Act (CSFRA). On October 23, 2017, the RHC discussed and approved outside legal services by Goldfarb & Lipman. Following a Request for Proposals process, on November 26, 2018, the RHC approved a contract with Goldfarb & Lipman for Fiscal Year 2018-19 for outside legal services to provide support for the RHC. These services include, but are not limited to, attendance at RHC meetings, drafting of regulations and staff reports, tentative decisions in cases of appeal, and assistance with issues and questions that arise concerning the implementation of the CSFRA. The RHC has also retained Goldfarb & Lipman to represent the RHC in litigation. Since the start-up of the Mobile Home Rent

Stabilization Ordinance (MHRSO) in October 2021, Goldfarb & Lipman also provided these services for the MHRSO.

ANALYSIS

In order to continue the services of Goldfarb & Lipman in Fiscal Year 2023-24, an agreement with Goldfarb & Lipman needs to be executed. The RHC adopted policies and procedures for the execution of agreements stating that, for any contract in an amount over \$50,000, authorization is needed from the RHC for the Program Manager or designee to be able to execute such agreements.

The total amount for CSFRA services is not to exceed \$225,000 as follows:

- Legal services, up to \$175,000; and
- Litigation services, up to \$50,000.

The total amount for MHRSO services is not to exceed \$80,000 as follows:

- Legal services, up to \$30,000; and
- Litigation services, up to \$50,000.

FISCAL IMPACT

The RHC adopted a budget for Fiscal Year 2023-24, including for the CSFRA up to \$175,000 for legal services and up to \$50,000 for litigation services and for the MHRSO up to \$30,000 for legal services and up to \$50,000 for litigation services. It is currently foreseen that the budgeted amount will be sufficient for Fiscal Year 2023-24. Staff will return to the RHC if additional services beyond the budgeted amount in the recommendation are needed.

PUBLIC NOTICING—Agenda posting.

AK-AVD/6/CDD/RHC

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