

RENTAL HOUSING COMMITTEE
RESOLUTION NO. RHC ...
SERIES 2023

A RESOLUTION OF THE RENTAL HOUSING COMMITTEE OF MOUNTAIN VIEW TO ADOPT AMENDMENTS TO THE CSFRA REGULATIONS CHAPTER 3 – CODE OF CONDUCT TO BRING THE RHC CODE OF CONDUCT INTO CONFORMANCE WITH THE AMENDED MOUNTAIN VIEW CITY COUNCIL CODE OF CONDUCT AND CLARIFY THE PROCESS FOR ESTABLISHING AGENDAS FOR ESTABLISHING AGENDA FOR RENTAL HOUSING COMMITTEE MEETINGS.

WHEREAS, Section 1709 of the CSFRA authorize the RHC to establish rules and regulations for administration and enforcement of the CSFRA, including the adoption of rules governing conduct of RHC members; and

WHEREAS, the Rental Housing Committee held a publicly noticed meeting on April 24, 2023 and discussed and considered amendments to the Rules of Conduct for the Rental Housing Committee

NOW, THEREFORE, BE IT RESOLVED that the Rental Housing Committee hereby adopts amendments to the CSFRA Regulations Chapter 3 – Code of Conduct as set forth in Exhibit A of this resolution.

Community Stabilization and Fair Rent Act
Petition Regulations

CHAPTER 3
RULES OF CONDUCT FOR
RENTAL HOUSING COMMITTEE MEETINGS

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A. Officers, Chair, and Vice Chair1. Election and Officers.

The Committee shall, in the first regular session of each year, elect from their members a Chair and Vice Chair. Following the initial appointment, the term of office shall be for one (1) year. The Chair and Vice Chair shall serve at the pleasure of the Committee during the term of office and may be removed from office by the Committee at any time for any reason. The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair. In case of the resignation or death of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair, until such time as the members shall elect a new Chair.

2. Powers and Duties of Chair. The Chair shall have the following powers and duties:

- a. Preside at all meetings of the Committee and at all hearings conducted by the Committee.
- b. Sign all written resolutions of the Committee and all minutes of all meetings or hearings of the Committee, which shall have been approved by the Committee.
- c. The Chair shall perform such other duties as may be required of the Chair either by State law or by resolution or order of the Committee consistent with State law and shall perform such other duties as may be necessary to perform the required duties of the Chair.
- d. Meet with staff as appropriate to set the agenda for Committee meetings.

3. Powers and Duties of Vice Chair. The Vice Chair shall have the following powers and duties:

- a. The Vice Chair shall have and perform all powers and duties of the Chair in the event of and during the absence or disability of the Chair.
- b. The Vice Chair shall preside as Chair at all meetings and hearings of the Committee in the event of and during the absence or disability of the Chair.
- c. The Vice Chair shall perform such other duties as may be required of the Vice Chair either by State law or by resolution or order of the Committee

consistent with State law and such other duties as may be necessary to perform the required duties of the Vice Chair.

4. Vacancy in Office.

If the Chair or Vice Chair should cease to be a member of the Committee, or if for any other reason the office of the Chair or Vice Chair should become vacant prior to the expiration of the term of office, the Committee shall elect a successor to the office of Chair or Vice Chair for the unexpired portion of the term.

5. Chair Pro Tempore.

In the event of vacancies in offices of the Chair and Vice Chair, or in the event of the absence of the Chair and Vice Chair, at the time of any meeting, the Committee may elect one of its members Chair Pro Tempore to preside over such meeting during such vacancies or absences. The Chair Pro Tempore shall have all the powers and duties of the Chair during such meeting.

B. Meetings

1. General.

Except as otherwise provided by this article, meetings of the Committee shall be open and public and shall comply with the requirements of the Brown Act. Except as provided by the Committee, the procedure to be followed by the Committee at its meetings shall be that set forth in Rosenberg's Rules of Order, provided, further, that the failure to follow Rosenberg's Rules of Order shall not invalidate any action taken. Furthermore, such failure or deviation or waiver does not convey any right or cause of action to third parties.

2. Regular Meetings.

The Committee shall establish a Regular Meeting schedule annually. Meetings shall be held at 7:00 p.m. in the Plaza Conference Room unless otherwise noted.

3. Special Meetings.

A Special Meeting may be called subject to the requirements of the Brown Act.

4. Adjournment – Adjourned Meetings.

The Committee may adjourn any Regular, Adjourned Regular, Special, or Adjourned Meeting to a time and place specified in the order of adjournment; a majority of members present, even though less than a quorum, may so adjourn. If all members are absent from a Regular or Adjourned Regular Meeting, the Committee may declare the meeting adjourned to a stated time and place, and shall cause a written notice of the adjournment to be given in the manner provided in Section 202 for Special Meetings unless the notice is waived as provided for Special Meetings. A copy of the order or notice of adjournment shall be posted conspicuously on or near the door of the place where the Regular, Adjourned Regular, Special, or Adjourned Special Meeting was held within twenty-four (24) hours after the time of adjournment.

When an order of adjournment of any meeting fails to state the hour at which the Adjourned Meeting is to be held, it shall be held at the hour specified for Regular Meetings in Section 201 of these rules and regulations.

5. Continuance.

A convened meeting, or any meeting ordered or noticed to be held, may, by order or notice of continuance, be continued or recontinued to any subsequent meeting of the Committee in the same manner and to the same extent set forth in Section 503 for the adjournment of meetings, provided, if a hearing is continued to a time less than twenty-four (24) hours after the time specified in the notice or order of hearing, a copy of the order notice of continuance shall be posted immediately following the meeting which orders or declares the continuance.

6. Closed Sessions.

Every meeting of the Committee shall be open and public; provided, however, that the Committee may hold Closed Session during a Regular or Special Meeting to consider items as provided under the Brown Act. The public must be afforded an opportunity to comment on Closed Session items prior to adjournment to Closed Session.

C. Meeting Agenda and Procedure

1. Agenda. The Committee shall provide for an agenda and may regulate or limit business to be considered by the Committee at any meeting.
 - a. Order of Agenda Items: At Committee meetings, the regular order of business shall be conducted in accordance with the agenda prepared for the meeting. The Chair, with the consensus of the Committee, may change the order of the items or matters listed on each meeting's agenda at any meeting. The Committee may, from time to time, adopt a revised agenda and order of business as is consistent with the Brown Act and as may be convenient or desirable for the conduct of Committee business.
 - b. Committee Member Request for Agendizing:
 - Generally, the Program Administrator shall determine, in consultation with the Chair, which items are placed on the agenda and the timing for scheduling such items.
 - If a Committee member makes a request for an item to be agendized, the Program Administration, in consultation with the Chair, determines whether the item may be agendized for the Committee's next meeting. If the Program Administrator, in consultation with the Chair, determines that the item requires greater lead time for staff to prepare, the request (rather than the item) shall be agendized for the Committee's next meeting to ask the Committee if the item shall be placed on a future agenda.
 - c. Public Input:
 - An individual speaker shall have three (3) minutes to address the Committee. A speaker who represents five (5) or more persons of the public may have ten (10) minutes to address the Committee, if the Chair determines that such extension will reduce the total number of speakers who planned to speak.

Public Input on Agendized Items: For any single agendized item, if there appear to be fifteen (15) or more speakers, and the Committee might not be able to conclude the scheduled agenda items for that meeting if speakers were allotted three (3) minutes each, the Chair may reduce speaking time to no less than two (2) minutes per

speaker unless there is an objection from the Committee, in which case majority vote shall decide the issue without debate.

Public Input on Nonagendized Items: For the Oral Communications from the Public on Nonagendized Items, if there appear to be fifteen (15) or more speakers and the Committee might not be able to conclude the scheduled agenda items for that meeting if speakers were allotted three (3) minutes each, the Chair may reduce speaking time to no less than two (2) minutes per speaker unless there is an objection from the Committee, in which case majority vote shall decide the issue without debate.

- The Chair may extend the speaker time limits as deemed necessary if there is no objection from the Committee. If there is an objection, a majority vote shall decide the issue.
- Speaker Cards: Members of the public who wish to address the Committee may complete a speaker card provided giving their name and city of residence. If the speaker wants further notification from the Committee, the speaker may include a mailing or e-mail address.

2. Quorum.

Three (3) members, being a majority of the total authorized membership of the Committee, shall constitute a quorum to transact business. A lesser number of members present at a meeting may constitute a quorum solely to adjourn the meeting or adjourn the meeting to a stated time.

3. Order of Business. The Committee shall conduct business in the following order, except as the order may be adjusted pursuant to Section 600:

- a. Call to Order.
- b. Roll Call.
- c. Minutes Approval.
- d. Consent Calendar.

Items that have been reviewed by the staff and considered to be noncontroversial – requiring only routine action by the Committee, shall be listed on the “Consent Calendar.” The presiding officer shall advise

the attendees that Consent Calendar matters will be adopted by one motion unless any Committee member, or any individual or organization interested in one or more Consent Calendar matters, has any question or wished to make a statement. In that event the remainder of the Consent Calendar may be approved, the presiding officer will open the items pulled from the Consent Calendar, unless the Committee requests they be considered elsewhere on the Agenda.

e. Oral Communications from the Public on Nonagendized Items.

Any person may address the Committee on any matter within the Committee's subject matter jurisdiction that is not scheduled elsewhere on the agenda. Under State law, the Committee may take no action on items raised under this item unless the item is then scheduled on a future agenda.

f. Appeal Hearings.

The Committee will consider matters in which it is required to make a decision concerning a petition for an individual rent adjustment.

g. Public Hearing.

As specifically required by law, or as previously agreed by the Committee, the Committee will hold a public hearing on the adoption or substantive amendment of any regulation or rule, or the adoption of a resolution necessary to implement any regulation or rule.

h. Unfinished Business.

i. New Business.

j. Committee/Staff Reports.

k. Closed Session Report.

l. Adjournment.

4. Voting.

No action shall be taken by the Committee except by affirmative vote of not less than three (3) members of the Committee, provided a majority of a lesser number present may adjourn or adjourn to a stated time.

5. Manner and Recordation of Votes.

Voting by members of the Committee shall be by “ayes” and “noes,” and the result of each vote shall be entered in the record of the Committee proceedings. Upon the request of any Committee member, a roll call vote shall be taken on any matter upon which a vote is called, and each vote shall be recorded.

6. Reconsideration of Vote.

No reconsideration of any decision by the Committee shall be had except on motion by a Committee member to reconsider the vote made, acted on, and carried at the same meeting at which the original decision was made. A Committee member who voted on the prevailing side of the prior motion must make the motion.

7. Discussion through Chair Only; Limitation of Discussion; Disqualification of Members.

Discourse shall not be had directly among members of the Committee nor between persons in attendance and members of the Committee. Persons in attendance may address the Committee or members thereof only through the Chair.

Any member who is legally disqualified from participating in Committee action on any particular matter shall take no part in the discussion, debate, or vote on such matter, and as soon as such matter is reached on the agenda, such member shall disclose the member’s disqualification and the reason therefor, or, if disqualification is not known to the member at the time such matter is reached on the agenda, the member shall make such disclosure as soon as the disqualification is known to that member.

8. Motions, Debate Thereof, and Debate Limited to Members of Committee.

No debate of a motion shall be permitted prior to a second of the motion. As a member of the Committee, the Chair has all rights and privileges as other members and may make motions and participate in the debate of all items. When a motion is made and seconded, it shall be stated by the Chair before being debated, and such debate shall be limited to members of the Committee only. Members of the Committee may speak in debate of a motion only upon addressing the Chair and being recognized by the Chair. After the Chair has started to take the vote on the motion, there shall be no further debate except that members of the Committee may be allowed to explain their vote.

9. Communications – Filing, Report, and Inspection Thereof.

All written communications regarding the agenda of a meeting shall be filed with the Committee at such meeting and shall be so marked, and a copy shall be provided to each Committee member. Upon the request of any member of the Committee present at the meeting, any such communication shall be read aloud in its entirety. Such communications may be inspected at any time by any member of the Committee and will be made available to the public.

10. Minutes of the Meeting.

- a. Preparation. The Committee shall keep written minutes that shall become the official records of the Committee provided that a record shall be required to be made only of business actually passed upon by a vote of the Committee and shall not be required to record any remarks of Committee members or of any other person except at the special request of a Committee member. The Committee shall secure the necessary equipment for recording meetings and make recordings available in the current medium when determined to be practical by the Committee or as directed by the Committee.

As soon as possible after each Committee meeting, the Committee shall provide the Committee with a copy of the draft minutes in the agenda packet for approval at the next regularly scheduled Committee meeting. The draft minutes will also be posted on the City's website.

- b. Reading of Minutes. Unless the reading of the minutes of a Committee meeting is requested by a Committee member, the minutes may be approved without reading if each member of the Committee has previously been furnished a copy.

11. Documents and Objects Presented to Committee; Filing and Inspection Thereof.

All documents and all physical objects presented to the Committee at any meeting by any person shall be filed with the Committee at such meeting and shall be so marked by the Committee. Any such document or object filed with the Committee may be inspected at any time by any member of the Committee. At the discretion of the Chair, true copies or photographs of such documents and objects may be filed in lieu of the originals thereof.

12. Matters Not on Agenda.

State law prohibits the Committee from acting on or discussing any item not on the agenda, except under special circumstances. The Committee, or staff, may briefly respond to statements made or questions posed and may request staff to report back at a subsequent meeting.

13. Records.

All books, records, papers, tapes, and minutes of the Committee meetings shall be maintained in the Office of the City Clerk, Mountain View City Hall, 500 Castro Street, Mountain View, California.

D. State of Emergency

The Rental Housing Committee (RHC) finds that during a state of emergency (as defined below) or a local emergency (as defined below) that the protections of the Community Stabilization and Fair Rent Act (CSFRA), including protections from excessive rent increases and no-fault evictions, are even more necessary in order to protect against displacement and threats to the public health, safety, and welfare, and, therefore, during any state of emergency or local emergency, the RHC shall not adopt any regulations or take any action that would reduce or suspend protections of the CSFRA related to excessive rent increases and no-fault evictions. Nothing herein shall prevent the RHC from adopting regulations and taking actions during a state of emergency or a local emergency specifically addressing the impacts of such an emergency, provided such regulations or actions do not reduce the protections related to excessive rent increases and no-fault evictions provided by the CSFRA.

For purposes of this regulation, the following terms shall have the following meanings:

“State of Emergency” means any natural or man-made emergency resulting from an earthquake, flood, fire, riot, storm, disease, epidemic or pandemic, or government action in response to an epidemic or pandemic, or other natural or man-made disaster for which a State of Emergency has been declared by the Governor of California, covering area that includes the City of Mountain View.

“Local Emergency” means any natural or man-made emergency resulting from an earthquake, flood, fire, riot, storm, disease, epidemic or pandemic, or government action in response to an epidemic or pandemic, or other natural or man-made disaster for which a State of Emergency has been declared by an official, board, or other governing body vested with authority to make that declaration covering the City of Mountain View.