TO: HONORABLE CITY COUNCIL

ATTN: POLICY AND SERVICES COMMITTEE

FROM: CITY MANAGER DEPARTMENT: COMMUNITY SERVICES

DATE: JULY 9, 2007 CMR: 296:07

SUBJECT: REFERRAL TO POLICY AND SERVICES COMMITTEE HUMAN RELATIONS COMMISSION RECOMMENDATION TO THE CITY COUNCIL TO DESIGNATE THE PALO ALTO MEDIATION PROGRAM AS A CITY CONTRACTOR FOR MANDATORY RESPONSE MEDIATION SERVICES

RECOMMENDATION
The Human Relations Commission (HRC) requests that the City Council refer to the Policy and Services Committee its recommendations to designate the Palo Alto Mediation Program as a City contractor who implements the City’s Mandatory Response to Request for Discussion of Disputes between Landlords and Tenants Ordinance.

BACKGROUND
During its March 20 and April 12 meetings, the HRC heard testimony from the Palo Alto Mediation Program mediators and staff from the Project Sentinel Program that administers the Palo Alto Mediation Program requesting that they should not be apart of the Human Services Resource Allocation Process (HSRAP). They stated that they are designated to operate and implement a City ordinance, the Mandatory Response to Request for Discussion of Disputes between Landlords and Tenants Ordinance. Therefore, they should be considered a City contractor and not have to compete for City HSRAP funding. They stated that they are providing a direct service for the City of Palo Alto and if they were not in place, City staff would have to implement the ordinance.

The Mandatory Response to Request for Discussion of Disputes between Landlords and Tenants Ordinance was approved on October 15, 2001 by the City Council. The adopted ordinance provides for a mandatory discussion of disputes between landlords and tenants which provides for a neutral forum for discussing issues, including but not limited to rent increases. Either a tenant or a landlord may initiate a meeting with the Palo Alto Mediation Program. The Palo Alto Mediation Program schedules the meeting and both parties are required to appear and listen to a mediator read an opening statement as to the purpose of the meeting. Then either party may leave the meeting. In almost 98 percent of the cases, the two parties stay for the mediation session. The ordinance also requires landlords to provide written notification to tenants about
their rights and responsibilities and eliminates the exemption of condominiums from this ordinance. The ordinance applies to landlords having more than one single-family home rental.

**BOARD/COMMISSION REVIEW AND RECOMMENDATION**

At its March 20 and April 12 meetings, the HRC discussed and made a recommendation to the City Council requesting that the City Council refer to the Policy and Services Committee its recommendation that City Council approve the designation of the Palo Alto Mediation Program as a City contractor who implements the City’s Mandatory Response to Request for Discussion of Disputes between Landlords and Tenants Ordinance.

**RESOURCE IMPACT**

The impact to City Staff will be implementing a Request for Proposals for the administration services and drafting a final contract for the agency awarded the mandatory mediation services contract to administer the Palo Alto Mediation Program. Staff would also modify the HSRAP and Human Services budget by transferring $66,805 from the HSRAP fund into the Human Services budget for contract services.

**ATTACHMENTS**

Attachment A: The Mandatory Response to Request for Discussion of Disputes between Landlords and Tenants Ordinance

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PREPARED BY: KATHY ESPINOZA-HOWARD
Division Manager, Cubberley Center & Human Services

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DEPARTMENT HEAD: RICHARD JAMES
Director of Community Services

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CITY MANAGER APPROVAL: EMILY HARRISON
Assistant City Manager