

**City of Culver City, California
City Council Agenda Item Report**

Meeting Date: 11/10/08		Item Number: <u>A-5</u>	
AGENDA ITEM: Consideration of Member Absence and Direction to Staff Related to Appointments to the Landlord Tenant Mediation Board.			
Contact Person/Dept.: Lillian Ikeda, CDD Housing		Phone Number: (310) 253-5797	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Advertisements seeking applicants ran on September 11, 18, 25 and October 9, 16, 2008 in the Culver City News and Culver City Observer. A notice was posted on the City's website. Master E-mail Notification List on 11/05/08. Ricky Windom on 08/27/08, 1001/08 and 10/16/08. Landlord Tenant Mediation Board members on 09/08/08, 10/09/08 and 10/14/08.			
Department Approval: Sol Blumenfeld (11/03/08)		City Attorney Approval: Carol Schwab (by H. Baker) (11/05/08)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (11/03/08)		City Manager Approval: Jerry B. Fulwood (11/05/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council consider the continuance of service of Ricky Windom, Tenant Representative and give direction to staff relating to the appointments to the vacant positions on the Landlord Tenant Mediation Board. <u>BACKGROUND:</u> The Landlord Tenant Mediation Board ("Board") was established by the City Council in 1981 to offer voluntary mediation services to the tenant-landlord community. Those services were expanded on May 20, 1987 by Chapter 15.09 of the Culver City Municipal Code to provide mandatory "good faith" mediation to rental disputes surrounding rent increases in Culver City. The purpose and objectives of the Board are: 1) to build and strengthen communications between tenants and landlords; 2) to reduce tensions in the rental housing market by providing a means for tenants and landlords to resolve disputes related to rent increases; and 3) to educate the rental community about tenant and landlord relationships and the rights and responsibilities of both tenants and landlords.			

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Since its creations in 1981, the Board has scheduled five hundred and seventy-four (574) mediation sessions.

The Board consists of nine members who each serve three-year terms. There are three categories of memberships which include: three Landlord Representatives, three Tenant Representatives, and three Member-at-Large Representatives. There are also three alternate positions, one in each of the above-referenced categories.

Tenant Representatives must be a resident of Culver City and have no financial interest in residential income-producing property, either in Culver City or elsewhere. Member-at-Large Representatives must be residents of the City and are neither tenants nor have any ownership interest in rental property in Culver City. Landlord Representatives must own, manage, or have a residential income property interest within the City, and preferably be residents of Culver City.

DISCUSSION:

Tenant Member Absence/Tenant Alternate

The rules and regulations in the "Organization and Implementation Guidelines" for the Board states "the name of any member who within any one-year period has more than one absence of a regularly scheduled meeting, excused or unexcused, shall be referred to the City Council for consideration of removal."

Mr. Windom has served on the Board since July 1, 2003, when he was appointed as a Tenant Representative.

The Board meets quarterly during the months of January, April, July and October on the last Wednesday of the month. Mr. Windom was absent from the October 2007 and July 2008 meetings.

Mr. Windom has provided a letter regarding his absences and has expressed his desire to remain on the Board. Since Mr. Windom's appointment to the Board, he has received thirty (30) hours of professional mediation training at a cost to the City of \$625. Additionally, Mr. Windom has mediated seven (7) cases since his appointment in July 2003.

In the past, Mr. Windom has come before City Council on October 24, 2005 for absences from the Board in January and July 2005, and again on February 25, 2008 for absences in July and October 2007. In both cases, the City Council chose to have Mr. Windom remain on the Board.

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Should the City Council determine to remove Mr. Windom from his seat, according to the "Organization and Implementation Guidelines", the alternate Tenant member would be appointed by the Council as the Tenant Representative, to serve Mr. Windom's remaining term, until June 30, 2009.

Additionally, on August 16, 2008 Judy Monia passed away. Ms. Monia served as Tenant Alternate since her appointment October 23, 2006.

If the City Council determines to remove Mr. Windom from his seat, this position would also be vacant, which would leave two (2) Tenant Representatives on the Board for mediations.

Landlord Alternate

At the quarterly meeting held on July 30, 2008, Tom Camarella, the alternate Landlord member turned in his resignation (letter attached) from the Board. Mr. Camarella was appointed Landlord Alternate July 1, 2003. Three (3) Landlord Representatives remain on the Board for mediations.

Applications

Should the City Council determine to remove Ricky Windom from his seat, this would create a vacant Tenant Representative position as well as a vacant Tenant Alternate position as the City Clerk's office did not receive any Tenant applications

In addition, the City Clerk's office did not receive any applications for the vacant Landlord Alternate position.

Advertisements were placed in the Culver City News and Culver City Observer on September 11, 18, 25, October 9 and 16, 2008. A notice was also posted on the City's website. Staff will continue to place advertisements in the Culver City News and Culver City Observer. We will also outreach to our property owners and our participating tenants in Culver City. In addition, we will outreach to the Senior Center and advertise to the other Commissions and Boards, in the event that they know of anyone who would like to apply for the Landlord Tenant Mediation Board.

FISCAL ANALYSIS:

For new appointments only, the City incurs the costs of 30 hours of professional mediation training (\$625) and AB 1234 Ethics training. These costs would be absorbed in fiscal year 2008-09 Housing Set Aside appropriations.

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ATTACHMENTS:

1. Letter from Ricky Windom
2. Resignation from Tom Camarella

MOTION:

That the City Council:

- 1) Allow Ricky Windom to continue to serve as Tenant Representative to the Landlord Tenant Mediation Board; or
- 2) Remove Ricky Windom as Tenant Representative from the Landlord Tenant Mediation Board.
- 3) Give Direction to Staff Related to Appointments to the Landlord Tenant Mediation Board.