

RESOLUTION NO. 15 - ____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING THE BYLAWS OF THE RENTAL HOUSING MEDIATION BOARD (FORMER RENTAL HOUSING MEDIATION TASK FORCE)

WHEREAS, in 1975 there was a grassroots effort to provide a forum for landlords and tenants to resolve rental housing disputes out of court;

WHEREAS, the grassroots effort led to the City of Santa Barbara Community Relations Commission to establish the Rental Housing Mediation Task Force (Task Force) in February 1976;

WHEREAS, the Task Force was initially staffed by volunteer mediators, but in 1978-79 the City began using its Community Development Block Grant administrative funds to pay for Rental Housing Mediation Task Force (RHMTF) Program staff;

WHEREAS, jurisdictions receiving Rental Housing Mediation services for their residents contract with the City for these services;

WHEREAS, the RHMTF Program has received additional support from City Human Services funds and from other sources;

WHEREAS, due to a significant reduction in Community Development Block Grant administrative funds, since July 2012, the RHMTF program has received City general funds to support staff services to City of Santa Barbara residents;

WHEREAS, the RHMTF Program currently functions under the City Community Development Department, Administration, Housing and Human Services Division;

WHEREAS, the Rental Housing Mediation Task Force currently functions as one of the City Council-appointed volunteer boards with support from RHMTF Program staff; and

WHEREAS, as one effect of this Resolution amending the By Laws, the Task Force has proposed to change its name from the Rental Housing Mediation Task Force to the Rental Housing Mediation Board.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA, THAT:

Section I. Purpose

The purpose of the Rental Housing Mediation Board is to provide mediation services to landlords, tenants, roommates, and neighbors in an effort to resolve disputes relating to rental housing.

Section II. Membership

A. Number of Members

The Rental Housing Mediation Board (Board) will consist of fifteen (15) member-mediators (variously referred to as Members or Mediators) appointed by the City Council of the City of Santa Barbara.

B. Board Member Categories:

At the time of appointment, an appointee to the Board shall meet the definition of at least one of the three categories below:

Tenant: A Tenant Mediator must rent or lease his or her residence. A Tenant Mediator may not own residential property.

Homeowner: A Homeowner Mediator must own his or her residence. A Homeowner Mediator may not own any other residential property.

Landlord: A Landlord Mediator must own or manage residential properties for consideration or compensation, whether single or multiple units.

To the greatest extent possible, Board membership will be equally representative of the three (3) mediator categories. However, once appointed, a member is eligible to remain on the Board for his or her appointed term, even if the member has a change in his or her category. The majority of members must be residents of the City of Santa Barbara. Non-City resident members must reside in a jurisdiction which contracts with the Rental Housing Mediation Program for services.

C. Term of Membership

A term of office for a Mediator is four (4) years. The terms are staggered so that all terms do not expire in any one year. Members are appointed in accordance with the Guidelines for City of Santa Barbara Advisory Groups approved by resolution of the City Council.

D. Grounds for Removal

Members of the Board serve at the pleasure of the City Council of the City of Santa Barbara.

The occurrence of two (2) or more unexcused absences from meetings or mediation sessions within a period of one (1) calendar year may be reason for the Board to recommend that the City Council remove a mediator from the Board.

E. Recommendation for Removal

A recommendation to the Santa Barbara City Council for the removal of a Mediator from the Board must be made by a two-thirds ($\frac{2}{3}$) majority vote of the Board members present at the meeting.

Section III. Officers

Board officers shall consist of the following:

1. A Chair
2. A Vice Chair
3. A Secretary

A meeting of the Board shall be held between October and December of each year for the purpose of electing officers for a one year term. The term of office shall commence on January 1, following the election. Interim vacancies may be filled at any regular or special meeting of the Board. The removal of an Officer must be approved by a two-thirds ($\frac{2}{3}$) majority vote of the Board members present at the meeting.

Section IV. Duties of Officers

The Chair of the Board shall perform the following tasks:

1. Preside at all meetings.
2. Finalize meeting agendas in consultation with Rental Housing Mediation Program staff.
3. Handle all routine Board matters referred to the Chair by staff. However, the Chair shall not take any action that would otherwise require a vote of the Board.

The Chair may establish committees, and appoint Mediators to such committees with the approval of the Board.

The Secretary assists Rental Housing Mediation Program staff in taking the minutes of the Board. The Secretary shall assist the Chair as requested.

In the absence or unavailability of the Chair, the Vice Chair shall perform the functions of the Chair. In the absence or unavailability of the Chair and the Vice Chair, the Secretary shall perform the functions of the Chair. If all three officers are absent or unavailable, the Board member with the longest tenure of membership shall perform the functions of the Chair. If the longest tenure of membership on the Board is shared by more than one member, the member whose last name occurs earliest alphabetically shall perform the functions of the Chair.

Section V. Meetings of the Rental Housing Mediation Board

A. Meeting Schedule

Regular meetings shall be held on the second Thursday of the month at 5:30 p.m. (according to a schedule presented by the Board and Staff) in the David Gebhard Public Meeting Room located at 630 Garden Street, Santa Barbara, California 93101, unless otherwise noticed. All meetings of the Board shall comply with the Guidelines for the City of Santa Barbara Advisory Groups ("Guidelines") and the Ralph M. Brown Act.

B. Content of Agendas

At regular meetings, the Board Mediators may consider all matters pertaining to the mediation process and all matters related to the program goals and objectives, as stated in Section 1 of these By Laws. Rental Housing Mediation Program staff shall prepare the Board agenda as necessary to achieve the program goals and objectives. The Board may, by majority vote at a regular or special meeting of the Board, direct staff to place an item within the jurisdiction of the Board on a future agenda. In addition, any two Board members may request that an item be placed on a Board agenda by submitting a written request to the Secretary of the Board. The written request must, at a minimum, contain all of the following:

1. A substantive outline or summary of the information that will be presented to the Board; and
2. A concise statement of the specific action the Board will be asked to take on the item; and
3. A statement of the reasons why the requesting parties believe it is appropriate and within the jurisdiction of the Board to consider this subject matter and to take the requested action.

In order to improve mediation techniques and performance of Board Mediators, a prime order of business at each regular meeting shall be a discussion of recent mediations. Each Mediator involved with the mediation may report on the mediation and respond to questions by the Board.

C. Quorum and Voting

A quorum shall consist of a simple majority of all appointed Board Members (one-half plus one). A quorum must be established and maintained throughout the meeting in order to transact business. Unless otherwise provided for in these Bylaws, any action requiring a vote of the Board requires a simple majority (one-half plus one) of the Members present at the meeting to pass.

SECTION VI. Powers and Duties of the Rental Housing Mediation Board

- A. Mediate Landlord/Tenant residential housing disputes.
- B. Develop and implement methods and techniques to improve mediation skills of all Mediators.
- C. Promote the services of the Board.
- D. Review and discuss the Caseload of the Board.
- E. Provide advice and recommendations to Rental Housing Mediation Program staff regarding the overall operation of the Board and program goals and objectives as determined by the City Council of the City of Santa Barbara.
- F. Review and provide advice and recommendations to the Rental Housing Mediation Program staff on the gathering and publicizing of statistics. Review the Rental Housing Mediation Program statistical reports quarterly.
- G. Provide training for all Board Mediators in open session while being as sensitive as possible to the confidentiality of the mediation participants.
- H. Make recommendations to the City Council on how the City may best alleviate landlord/tenant tensions.

SECTION VII. Amendments to By-Laws

The Board may recommend amendments to these By Laws to the City Council. Recommendations for amendments to these By Laws shall be made in the following manner:

- A. A proposed amendment may be placed on an agenda of the Board for consideration. After hearing a presentation regarding the proposed amendment and discussion of the proposed amendment, the Board shall vote whether to consider the proposed amendment for recommendation to the City Council.

B. If the Board votes to consider the amendment, the item shall be placed on the agenda of the next meeting of the Board which is at least 30 days after the meeting at which the Board voted in favor of consideration of the amendment.

C. At the next meeting of the Board which is at least 30 days after the meeting at which the Board voted in favor of considering a recommendation, the Board shall vote whether to forward a recommendation to the City Council regarding the proposed amendment.

D. Each recommendation to the City Council for a proposed amendment to these By Laws shall be approved by a majority of the Board. Each recommendation for a proposed amendment to these By Laws must be submitted to the Santa Barbara City Council for final approval.