

**TO: HONORABLE CITY COUNCIL**

**ATTN: POLICY AND SERVICES COMMITTEE**

**FROM: CITY MANAGER DEPARTMENT: COMMUNITY SERVICES**

**DATE: NOVEMBER 14, 2007 CMR: 414:07**

**SUBJECT: HUMAN RELATIONS COMMISSION RECOMMENDS TO THE CITY COUNCIL TO REMOVE THE PALO ALTO MEDIATION PROGRAM FROM THE HUMAN SERVICES RESOURCE ALLOCATION PROCESS ALONG WITH ITS CURRENT FUNDING AND BE FUNDED THROUGH A CONTRACT WITH THE CITY OF PALO ALTO**

**RECOMMENDATION**

Staff is forwarding the City of Palo Alto's Human Relations Commission (HRC) request that the City Council direct the Policy and Services Committee to review and recommend that Council approve the removal of the Palo Alto Mediation from the Human Services Resource Allocation Process along with its current funding and be funded instead through a contract with the City of Palo Alto.

**BACKGROUND**

During its March 20, April 12 and September 15 meetings, the HRC commissioners heard testimony from the Palo Alto Mediation Program (PAMP) mediators and staff from the Project Sentinel Program that administers the Palo Alto Mediation Program requesting that they not be part of the Human Services Resource Allocation Process (HSRAP). PAMP provides mediation services in a broad range of community disputes, including landlord-tenant and neighbor-to-neighbor, and has successfully done so for more than twenty-five years. The mediators and staff stated that they provide an essential service to the City, and that without their program, there would be a heavier burden on City staff and City departments such as Police and Code Enforcement to respond to Palo Alto citizens involved in these type of disputes.

PAMP is designated to operate and implement a City ordinance: the Mandatory Response to Request for Discussion of Disputes between Landlords and Tenants Ordinance 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 time 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. Because of the special expertise of the mediators and the Project Sentinel staff, there has been a very high rate of documented satisfaction with the program from both landlords and tenants. PAMP has effectively taken responsibility for this ordinance with minimal use of City staff resources. Without PAMP, City staff would have to enforce this ordinance. In addition to the savings to the City from PAMP's role in providing these mediation services, the PAMP volunteers and Project Sentinel staff have special expertise in resolving these issues, that would not be expected from City staff. In light of these contributions to essential City functions, Project Sentinel contends that PAMP should be considered a City contractor and not have to compete for City HSRAP funding.

**BOARD/COMMISSION REVIEW AND RECOMMENDATION**

At the March 20 and April 12th and September 15 HRC meetings the Commissioners discussed and made a recommendation to the City Council requesting that the City Council direct the Policy and Services Committee to review and recommend that City Council approve the removal of the Palo Alto Mediation from the Human Services Resource Allocation Process along with its current funding and be funded instead through a contract with the City of Palo Alto.

**RESOURCE IMPACT**

The impact to City staff will be implementing a Request for Proposals for mediation 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

PREPARED BY: \_\_\_\_\_

**KATHY ESPINOZA-HOWARD**  
Division Manager, Cubberley Center & Human Services

DEPARTMENT HEAD: \_\_\_\_\_

**RICHARD JAMES**  
Director of Community Services

CITY MANAGER APPROVAL: \_\_\_\_\_

**EMILY HARRISON**  
Assistant City Manager