



## CITY COUNCIL AGENDA REPORT

DATE: November 2, 2018

AGENDA OF: December 4, 2018

DEPARTMENT: Planning and Community Development/City Attorney

SUBJECT: Ninety Day Notice of Termination of Residential Tenancy Ordinance  
(PL/CA)

---

RECOMMENDATION: Adopt an Interim Emergency Ordinance requiring landlords of residential rental units to provide a minimum of 90-days tenant notification of eviction.

---

BACKGROUND: On November 27, 2018, the City Council requested the City Attorney to prepare an emergency ordinance requiring a landlord provide tenants a minimum of 90-days' notice of eviction from a residential rental unit.

DISCUSSION: In response to extensive public comments received during recent City Council review of ordinance amendments requiring tenant relocation assistance for displaced tenants due to large rent increases, the City Council has requested that staff explore the possibility of requiring landlords provide tenants a minimum of 90-days' notice of eviction from a residential rental unit. Extensive public comments were received from both residential tenants and landlords citing the critical shortage of rental housing in Santa Cruz and the increasing cost and time it takes to find and secure alternative rental housing. The City Council felt the degree and severity for tenants to find and secure rental housing in the face of being evicted a significant public health and safety concern, particularly during the upcoming winter months, warrants consideration of an emergency ordinance requiring a landlord provide a minimum advance of 90-days' notice of eviction.

Per City Charter Section 612, any ordinance declared by the City Council to be necessary as an emergency measure for preserving the public peace, health, safety or property, and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if passed by at least five affirmative votes.

ENVIRONMENTAL REVIEW: The proposed ordinance amendment qualifies under the "general rule" or "common sense" CEQA Statutory exemption pursuant to CEQA Guidelines Section 15061(b)(3). This section provides that, where it can be seen with certainty that there is no possibility that a project may have a significant effect on the environment, the project is not subject to CEQA.

The proposed emergency ordinance, establishing a regulatory standard for the advanced notice a landlord must provide to a tenant of eviction from a residential rental unit, does not propose development or alterations to the built environment, and is therefore, exempt from CEQA.

FISCAL IMPACT: Minimal fiscal impacts are limited to negligible staff time expended answering questions and preparing materials to explain the ordinance revision, which is a part of core services offered by the Department.

Prepared by:

Scott Harriman  
Special Projects Planner

Submitted by:

Lee Butler  
Director of Planning and  
Community Development

Approved by:

Martín Bernal  
City Manager

ATTACHMENTS:

Draft Urgency Ordinance

Action Summary from the November 27, 2018 Council Hearing