
From: Robert Norse
Sent: Sunday, December 9, 2018 3:23 PM
To: ckrohn@cityofsantacruz.com; sbrown@cityofsantacruz.com
Subject: Rent Freeze/Just Eviction Protection

Chris, Sandy:

HUFF has several questions for you regarding the emergency renter crisis with the upcoming expiration of the February rent freeze/just eviction protection law on December 11th. Some of us are calling December 12th Eviction Day.

When and where will you be holding your public meeting to orient and advise the community about the lengthy City Council meeting of 12-11?

What time do you estimate items ##27 [2nd Reading and Final Adoption of Ordinance No. 2018-20 Amending Chapter 21.03 of the Municipal Code Pertaining to Relocation Assistance for Displaced Tenants \(PL\)](#) and 28 [Homelessness Update \(CM\)](#) will come up? Can you e-mail the Mayor requesting a time certain for these items and advise us of that time?

Is item #27 the opportunity for the public to demand (and the Council to act on) the November 27th resolution that would provide an opportunity to enact as an Emergency Action the Relocation Assistance ordinance? I would assume so, but wanted some confirmation.

Have either of you sent an e-mail to Mayor Terrazas asking that the Rent Freeze/Just Eviction Protection ordinance be extended for the next few months, as was demanded by many voices on November 27th? I understand Sandy says she contacted City Manager Bernal about the issue requesting the Freeze/Eviction issue be put on the November 27th agenda, but, of course, it's Terrazas not Bernal who sets the agenda.

Finally will the two of you either (a) move for an emergency action on this item on the pre-7 PM agenda perhaps under item ##27, or (b) make an emergency motion on the agenda to put an item on the new Council's agenda either for the evening session (after the installing of the members) or at an emergency or special session slated for the next day or the next week?

You may remember that City Attorney Condotti on November 27th claimed that an emergency resolution around the issue at the session would have "violated the Brown Act's requirement of adequate notice."

Not so according to the First Amendment Coalition's reading of the Brown Act (or that of myself and Scott Graham). At <https://firstamendmentcoalition.org/2009/06/aa-emergency-agenda-items-and-proper-notice-requirements/>, they write

"A legislative body may discuss a nonagenda item at a regular meeting if, by majority vote, the body determines that the matter in questions constitutes an emergency. The Brown Act provides for emergency meetings to be held by a legislative body with little or no notice to the public, depending upon the situation. When a majority of the legislative body determines that an emergency situation exists, it may call an emergency meeting. (Gov't Code § 54956.5)."

If this reading is accurate, letting City Attorney Condotti scare the two of you away from proposing an emergency ordinance (whether it was rejected or not by the outgoing pro-landlord majority) will hopefully not be duplicated again Tuesday. Will you two commit to actually formally propose such an ordinance, as you failed to do at both the November 27th and December 4th meetings.

Tenants are likely to be under danger of eviction with the lack of enforcement under the proposed Relocation Settlement ordinance. Even the existing freeze had a problematic enforcement record, I understand. But raising the issue as loudly and persistently as possible both informs the community and emboldens tenants.

You two are also invited to a joint meeting of HUFF/Santa Cruz Tenants Association meeting 11 AM Wednesday at the Sub Rosa Cafe (703 Pacific) to discuss Tenant Protection Direct Action and a homeless-renters coalition for the next month.

Robert