



**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT**

7/24/2017

SUBJECT:

Repeal and Rescind Ordinance No. 814 Following Referendum Petition

RECOMMENDED ACTION:

Move to introduce and waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Repealing and Rescinding Ordinance No. 814 An Interim Ordinance of the City Council of the City of Pacifica Establishing a Temporary Moratorium on Certain Residential Rent Increases in the City of Pacifica and Requiring Just Cause for Tenant Evictions Within the City"

STAFF CONTACT:

Kathy O'Connell, City Clerk
o'connellk@ci.pacifica.ca.us

BACKGROUND/DISCUSSION:

On April 24, 2017, the City Council adopted Ordinance No. 814, entitled "An Interim Ordinance of the City Council of the City of Pacifica Establishing a Temporary Moratorium on Certain Residential Rent Increases in the City of Pacifica and Requiring Just Cause for Tenant Evictions Within the City" ("Ordinance No. 814"). Prior to Ordinance No. 814's effective date of May 24, 2017, the City Clerk received a Referendum Petition in opposition. The San Mateo County Registrar determined that the Referendum Petition contained the requisite number of signatures for the Petition to be valid.

At the June 26, 2017 City Council meeting, the City Council accepted the City Clerk's certificate of sufficiency. Pursuant to California Elections Code sections 1410 and 9241, the Council must either repeal the ordinance challenged by the referendum, or place the challenged ordinance on a ballot. At the June 26 meeting, Council directed staff to prepare an ordinance repealing and rescinding Ordinance No. 814.

The Ordinance is attached for introduction.

FISCAL IMPACT:

None.

ORIGINATED BY:

City Clerk

ATTACHMENT LIST:

ORDINANCE NO. (ID # 2305)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA REPEALING AND RESCINDING ORDINANCE NO. 814 AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA ESTABLISHING A TEMPORARY MORATORIUM ON CERTAIN RESIDENTIAL RENT INCREASES IN THE CITY OF PACIFICA AND REQUIRING JUST CAUSE FOR TENANT EVICTIONS WITHIN THE CITY

WHEREAS, on April 24, 2017, the City Council of the City of Pacifica adopted Ordinance No. 814, entitled “An Interim Ordinance of the City Council of the City of Pacifica Establishing a Temporary Moratorium on Certain Residential Rent Increases in the City of Pacifica and Requiring Just Cause for Tenant Evictions Within the City” (“Ordinance”); and

WHEREAS, on May 15, 2017, the City Clerk of the City of Pacifica received a Referendum Petition against the Ordinance; and

WHEREAS, the San Mateo County Registrar of Voters determined the Referendum Petition was sufficient on June 6, 2017; and

WHEREAS, the City Council accepted the City Clerk’s Certificate of Sufficiency on June 26, 2017; and

WHEREAS, California Elections Code sections 1410 and 9241 provide that upon certification of the sufficiency of a referendum petition, the Council must either repeal the ordinance challenged by the referendum, or place the challenged ordinance on the next regular municipal election or call a special election to consider it.

NOW, THEREFORE, the City Council of the City of Pacifica does ordain as follows:

Section 1. The Council of the City of Pacifica does hereby repeal all provisions of Ordinance No. 814 An Interim Ordinance of the City Council of the City of Pacifica Establishing a Temporary Moratorium on Certain Residential Rent Increases in the City of Pacifica and Requiring Just Cause for Tenant Evictions Within the City.

Section 2. Effective Date. This ordinance shall take effect thirty days following its adoption and shall be published and posted as required by law.

This ordinance was introduced on the 24th day of July 2017 and is scheduled for adoption at the regular City Council meeting to be held on August 14, 2017.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2017 BY THE FOLLOWING VOTE:

- AYES, Councilmembers:
- NOES, Councilmembers:
- ABSTAIN, Councilmembers:
- ABSENT, Councilmembers:

CITY OF PACIFICA

Mike O'Neill, Mayor

ATTEST:

Kathy O'Connell, City Clerk

APPROVED AS TO FORM:

Michelle Marchetta Kenyon, City Attorney

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(ID # 2305) at 7/24/2017 7:00 PM City Council Regular Meeting