



STAFF REPORT
12/11/2019

TO: Honorable Mayor and City Council Members

FROM: Carlos Campos, City Attorney
Best Best & Krieger LLP

SUBJECT: Ordinance No. 1152, Adoption of an Urgency Ordinance Entitled, "An Urgency Ordinance Adding Chapter 5.90 to Title 5 of the Coachella Municipal Code, to Temporarily Prohibit No-Fault Evictions through December 31, 2019, for Residential Real Property Built Prior To January 1, 2005."

STAFF RECOMMENDATION:

The proposed urgency ordinance would amend the Coachella Municipal Code in order to protect renters of residential property within the City from the immediate threat of being evicted on a no-fault basis. This ordinance is to provide extra protections to renters from no-fault evictions through December 31, 2019, in advance of AB 1482's effective date.

BACKGROUND:

The City of Coachella is currently experiencing a humanitarian crisis of homelessness and displacement of renters at unprecedented levels.

Because of the level of these problems throughout the state of California, the California legislature passed the Tenant Protection Act of 2019, Assembly Bill 1482 ("AB 1482"), effective January 1, 2020, which prohibits evictions without "just cause" and prevents owners of residential rental property from increasing rents each year more than 5 percent plus the percentage change in the cost of living or 10 percent, whichever is lower.

AB 1482 will provide renter protections to many households in the City of Coachella but in advance of the implementation of AB 1482, no-fault eviction notices and threats of eviction have surged within the City of Coachella. As such, because of this recent surge, the City of Coachella wishes to protect renters from no-fault evictions through December 31, 2019 in an effort to prevent further homelessness and displacement.

It is urgent that the City provide these protections immediately, or homelessness and displacement will surge as a result of landlords' accelerating rush to evict tenants before AB1482 takes effect.

STAFF ANALYSIS:

In reviewing the current status of the rental market within the City of Coachella, staff recommends that the Council adopt an urgency ordinance adding Chapter 5.90 to the Coachella Municipal Code in order to improve the City's ability to stabilize the residential rental market and increase protections for renters from no-fault evictions.

The proposed amendment should be adopted on any urgency basis, taking effect immediately, to mitigate the immediate threat to the public health, safety, and welfare posed by rapidly escalating evictions by landlords.

The proposed Ordinance is included as **Attachment 1**.

ENVIRONMENTAL:

The proposed Code amendment is not a "project" for purposes of the California Environmental Quality Act (CEQA), as that term is defined by CEQA guidelines (Guidelines) sections 15061(b)(3), and 15378(b)(5). The effect of the proposed amendment will be to maintain the status quo. No new development will result from the proposed action. No impact to the physical environment will result. The amendment is an administrative activity by the City of Coachella, in furtherance of its police power, and will not result in any direct or indirect physical change in the environment, per sections 15061(b)(3), and 15378(b)(5) of the Guidelines.

FISCAL IMPACT:

There are not expected to be any significant costs to the City associated with the adoption of this ordinance.

Attachments: Ordinance No. 1152