



## Legislation Text

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File #: 23-317, Version: 1

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*Report Prepared by: Travis Lindsey, City Attorney*

**SUBJECT:** Adoption of an Urgency Ordinance Adding Chapter 9.75, “Displaced Tenant Protections,” to the City of Merced Municipal Code and Introduction of an Ordinance Adding Chapter 9.75, “Displaced Tenant Protections,” to the City of Merced Municipal Code

### REPORT IN BRIEF

Considers adopting an urgency ordinance adding Chapter 9.75 to the City of Merced Municipal Code and introducing a regular ordinance adding Chapter 9.75 to the City of Merced Municipal Code.

### RECOMMENDATION

**City Council** - Adopt a motion:

- A. Adopting **Ordinance No. 2547**, an Urgency Ordinance of the City Council of the City of Merced, California, Adding Chapter 9.75, “Displaced Tenant Protections,” to the Merced Municipal Code, and;
- B. Introducing **Ordinance No. 2548**, an Ordinance of the City Council of the City of Merced, California, adding Chapter 9.75, “Displaced Tenant Protections,” to the Merced Municipal Code.

### ALTERNATIVES

- 1. Approve the urgency and regular ordinances as recommended by staff; or
- 2. Approve the regular ordinance and deny the urgency ordinance; or
- 3. Deny both ordinances; or
- 3. Provide direction to staff regarding revisions to the urgency ordinance and/or the regular ordinance; or
- 4. Continue to a future meeting.

### AUTHORITY

Charter of the City of Merced, sections 200, 412, and 416; California Constitution Article XI, section 7; and Government Code section 36937.

### CITY COUNCIL PRIORITIES

Fiscal Year 2023/24 City Council Adopted Goals & Priorities, Natural Disaster/Flood Response, and Explore an Urgency Ordinance that addresses a temporary stay of rent hikes after a natural disaster and tenant rights of first refusal for housing.

### DISCUSSION

On February 21, 2023, the City Council adopted its annual Goals & Priorities, developed through a series of three Town Halls meets conducted in late January and early February 2023. Under the

newly added Natural Disaster/Flood Response section, City Council directed staff to return with the legal options for their consideration that would address the temporary stay of rent increases after a natural disaster and the implementation of tenants' rights to first refusal for housing.

The City Attorney gave a presentation to the Council at its regular meeting on March 6, 2023, regarding a potential urgency ordinance and/or a parallel regular ordinance to protect residents displaced from their rental housing due to storms and flooding in January 2023.

The Council directed staff to prepare an urgency ordinance and parallel regular ordinance that include the following primary elements: 1) a six-month stay on rent increases from the date displaced tenants return to their rental homes, 2) a requirement that displaced tenants be given a right of first refusal once their rental homes have been rehabilitated, and 3) no cause eviction protections for six months after displaced tenants return to their rental homes.

### **IMPACT ON CITY RESOURCES**

No appropriation needed at this time.

### **ATTACHMENTS**

1. Ordinance No. 2547
2. Ordinance No. 2548