



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 23-1334

Meeting Date: 8/1/2023

TITLE:

REQUEST FOR CITY COUNCIL DIRECTION REGARDING THE RESEARCH FOR AND POTENTIAL DEVELOPMENT OF AN EVICTION ORDINANCE

DEPARTMENT: CITY ATTORNEY'S OFFICE

PRESENTED BY: KIMBERLY HALL BARLOW, CITY ATTORNEY

CONTACT INFORMATION: KIMBERLY HALL BARLOW, CITY ATTORNEY, (714) 446-1400

RECOMMENDATION:

Consider whether to direct staff to prepare a report on a possible ordinance requiring just cause for termination of residential tenancies.

BACKGROUND:

A request was made to the City Manager and City Attorney to agendize an item for City Council consideration on whether to direct staff to explore options for potential consideration of an ordinance requiring just cause for termination of residential tenancies. Staff believes doing a full analysis and recommendation in connection with this item will take more than four hours, requiring City Council approval before the work is undertaken.

ANALYSIS:

In 2019, the State Legislature adopted the Tenant Protection Act of 2019, which was effective on January 1, 2020. This legislation provided protection for certain residential tenants requiring just cause for termination of tenancy under specified circumstances. The legislation also allowed local ordinances adopted after September 1, 2019 to supersede the California Civil Code provisions if the local ordinance is more protective than state law.

A number of California cities have adopted such local ordinances. Two examples are attached to this report, from the City of Long Beach (Attachment 1) and the City of Buena Park (Attachment 2). There are other ordinances that staff would want to review and evaluate to determine whether such an ordinance would be appropriate in Costa Mesa, and if so, what provisions in such an ordinance would best fit Costa Mesa's unique issues.

Staff has evaluated this matter, and believes that doing a comprehensive evaluation and report to the City Council for its consideration will take more than four hours of staff time. Hence, pursuant to City Council policy, staff is requesting City Council authorization to proceed.

ALTERNATIVES:

The City Council could determine not to direct staff to do the evaluation necessary to return to City Council on this item.

FISCAL REVIEW:

There is no direct fiscal impact to this item, as staff believes the necessary evaluation can be performed within the existing budget.

LEGAL REVIEW:

The City Attorney prepared this report.

CITY COUNCIL GOALS AND PRIORITIES:

Diversify, Stabilize and Increase Housing to Reflect Community Needs

CONCLUSION:

Staff Recommends that the City Council consider this item and direct staff accordingly.