

RESOLUTION NO. RES-2017-033

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA (1) ORDERING A SPECIAL ELECTION TO BE HELD ON TUESDAY, JUNE 6, 2017, AT WHICH TIME THOSE PORTIONS OF ORDINANCE NO. 4072 THAT ADD CHAPTER 6-90 TO THE SANTA ROSA MUNICIPAL CODE -- CONCERNING, AS TO CERTAIN RESIDENTIAL RENTAL UNITS IN THE CITY, RENT STABILIZATION, LIMITATIONS ON THE TERMINATION OF TENANCIES AND THE PAYMENT OF RELOCATION ASSISTANCE, AND OTHER TENANT PROTECTIONS -- SHALL BE SUBMITTED TO A VOTE OF THE REGISTERED VOTERS OF THE CITY OF SANTA ROSA; (2) APPROVING BALLOT LANGUAGE; (3) PERMITTING THE FILING OF BALLOT ARGUMENTS; (4) DIRECTING THE CITY ATTORNEY TO PROVIDE AN IMPARTIAL ANALYSIS

WHEREAS, on August 30, 2016, the City Council adopted Ordinance No. 4072, adding Chapter 6-90 to the Santa Rosa Municipal Code, concerning, as to certain residential rental units in the city, rent stabilization, limitations on the termination of tenancies and the payment of relocation assistance, and repealing in their entirety ordinance numbers 4067, 4069 and 4070; and

WHEREAS, on September 26, 2016, the City Clerk received a Referendum Petition against all aspects of the Ordinance except Section 2, which repealed in their entirety ordinance numbers 4067, 4069 and 4070; and

WHEREAS, after a prima facie review, the referendum was deemed filed on September 26, 2016; and

WHEREAS, pursuant to Elections Code section 9237, a referendum petition must be signed by at least 10 percent of the registered voters in the City based upon the County Election Official's last official report of registrations to the Secretary of State; and

WHEREAS, the City Clerk certified to the City Council that the petition had a sufficient number of signatures to qualify for placement on the ballot; and

WHEREAS, pursuant to Elections Code sections 9240 and 9114, the City Council accepted the Certificate of Sufficiency for the Referendum Petition prepared by the City Clerk for the Referendum Petition against Ordinance No. 4072 on January 10, 2017, and has chosen not to repeal that ordinance in its entirety; and

WHEREAS, the City Council desires to consolidate the referendum election regarding Ordinance No. 4072 with the other elections to be conducted by the Sonoma County Registrar of Voters on the established election date of June 6, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa hereby finds, determines, and resolves as follows:

1. A Special Municipal Election of the City of Santa Rosa is ordered and shall be held in the City of Santa Rosa, California, on Tuesday, the 6<sup>th</sup> day of June, 2017, for the purpose

of submitting to the qualified voters the City Ordinance No. 4072 (with the exception of Section 2, repealing in their entirety ordinance numbers 4067, 4069 and 4070) attached hereto as Exhibit “A” (“the Ordinance”). The Ordinance shall be in the form attached hereto as Exhibit “A” to this Resolution and is incorporated by this reference as if fully set forth herein. The full text of the Ordinance submitted to the voters shall be included in the Voter Information Guide printed by the Sonoma County Registrar of Voters.

2. The proposed Ordinance shall be submitted to the voters in the form of a measure printed on the ballot as follows:

| <b>City of Santa Rosa Rent Stabilization</b>  | Yes   | No    |
|---|-------|-------|
| Shall those provisions of the City of Santa Rosa Residential Rent Stabilization and Other Tenant Protections Ordinance that establish rent control for certain residential rental properties, prohibit landlords from evicting tenants of certain properties except for specified reasons, and provide other protections to tenants, be approved? | _____ | _____ |

3. Pursuant to California Elections Code section 10403, the Board of Supervisors of the County of Sonoma is hereby requested to consent and agree to the consolidation of the Special Municipal Election with the elections to be conducted on the established election day of Tuesday, June 6, 2017, for the purpose of submitting the Ordinance to voters for approval, and for election services to be provided by the County Elections Department in conducting the Special Municipal Election. The vote requirement for the Ordinance’s passage is a majority of votes cast.

4. The City Council recognizes that the consolidated election will be conducted in the manner prescribed by Elections Code section 10418. The County Elections Department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

5. The Board of Supervisors is requested to issue any necessary instructions to the County Elections Department to take any and all steps necessary for the holding of the consolidated election, and the City Clerk is authorized and directed to work with the County Elections Department as necessary and appropriate.

6. The City of Santa Rosa recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

7. The City Attorney’s impartial analysis and written arguments for and against the proposed measure shall be prepared in accordance with the Charter of the City of Santa Rosa and the California Elections Code.

8. The City Clerk shall certify to the passage of this resolution and cause this resolution to be published in the manner prescribed by law, and shall file a certified copy of this resolution with the Board of Supervisors and the County Elections Department.

9. Arguments for and against the proposition may be submitted to the qualified voters of the City in accordance with sections 9282 through 9287 of the California Elections Code. The deadline date for submitting ballot arguments for or against the proposition shall be set by the City Clerk. Proposed arguments shall not exceed 300 words and shall be submitted to the Office of the City Clerk. The deadline for submitting rebuttal arguments shall be set by the City Clerk. Proposed rebuttal arguments shall not exceed 250 words and shall be submitted to the office of the City Clerk. The provisions of Section 9285(a) of the California Elections Code shall apply to the submittal of rebuttal arguments.

10. The City Clerk is hereby directed to deliver certified copies of this Resolution to the Clerk of the Board of Supervisors of Sonoma County and the Registrar of Voters of Sonoma County promptly upon its adoption.

IN COUNCIL DULY PASSED this 7th day of March, 2017.

AYES: (6) Mayor Coursey, Vice Mayor Tibbetts, Council Members Combs, Olivares, Rogers, Schwedhelm

NOES: (0)

ABSENT: (1) Council Member Sawyer

ABSTAIN: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Interim City Attorney

Exhibit A - Ordinance