



ORDINANCE NO. _____-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO AMEND CHAPTER 19.71 (RESIDENTIAL TENANT PROTECTIONS PROGRAMS) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE RELATING TO RELOCATION ASSISTANCE FOR NO-FAULT JUST CAUSE EVICTIONS

WHEREAS, the City of Sunnyvale desires to amend Section 19.71.050 of the Sunnyvale Municipal Code Chapter 19.71 (Residential Tenant Protections Programs) relating to relocation assistance for no-fault just cause evictions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE FINDS AND DECLARES AS FOLLOWS:

SECTION 1. Section 19.71.050 AMENDED. Section 19.71.050 (Relocation assistance for no-fault just cause evictions) of Chapter 19.71 (RESIDENTIAL TENANT PROTECTIONS PROGRAMS) of Title 19 (ZONING) of the Sunnyvale Municipal Code is hereby amended to read as follows:

Chapter 19.71. RESIDENTIAL TENANT PROTECTIONS PROGRAMS

19.71.050. Relocation assistance for no-fault just cause evictions.

(a) [Text unchanged.]

(b) The amount of relocation assistance provided to tenants for a no-fault just cause eviction shall be equal to ~~two (2)~~ three (3) times the tenant's monthly rent that was in effect when the owner issued the notice of intent to terminate the tenancy.

(c) The owner shall provide ~~one-half~~ two-thirds of the relocation assistance owed to the tenant within fifteen (15) calendar days of service of the notice to terminate the tenancy. The remaining ~~one-third~~ one-third of the relocation assistance may be provided either (1) in the form of a waiver of rent equivalent to one month towards the final month of tenancy, so long as the tenant has not previously paid the final month's rent; or (2) a payment in cash or money order paid no later than the date the tenant vacates the residential real property. If the owner elects to waive the rent for the final month of tenancy, then the notice of relocation benefits provided pursuant to Section 19.71.040 shall state the amount of rent waived and that no rent is due for the final month of the tenancy.

SECTION 2. CEQA – EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that the adoption and implementation of this ordinance are exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project which has the potential for causing a significant effect on the environment.

SECTION 3. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

DAVID CARNAHAN
City Clerk

LARRY KLEIN
Mayor

Date of Attestation: _____

(SEAL)

APPROVED AS TO FORM:

REBECCA L. MOON
City Attorney