



# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Claudia Cappio  
Assistant City Administrator

**SUBJECT:** Council Direction to Staff to Prepare a Report Regarding Ballot Measure

**DATE:** May 26, 2016

City Administrator Approval

Date:

5/26/16

## RECOMMENDATION

**Staff Recommends That The City Council Directs Staff to Prepare a Report by June 21<sup>st</sup> Analyzing the Circulating Ballot Measure Concerning Renter Protections under the Provisions of Elections Code Section 9212 and Specifically Including Consistency with the City's Charter and Other Ordinances.**

## EXECUTIVE SUMMARY

Section 9212 of the California Elections Code provides that a city's legislative body may request staff to prepare an analysis of a circulating ballot initiative. In addition to the elements of analysis specified in Section 9212 (full text below), the legislative body may direct that "any other matters" be addressed in the report. The Section provides that the report is presented either (a) when the legislative body directs it be provided or (b) within 30 days after the petition is certified.

## BACKGROUND / LEGISLATIVE HISTORY

An initiative titled "Proposed Amendments to Oakland's Residential Rent Adjustments and Evictions Ordinance, Oakland Municipal Code Chapter 8.22" (the Initiative) was authorized for circulation following the City Attorney's preparation of a title and summary. Consistent with the provisions of Elections Code Section 9212, the Community and Economic Development (CED) Committee requested that the City Council direct staff to prepare and present an analysis of the Initiative for the June 21, 2016 City Council meeting.

## ANALYSIS AND POLICY ALTERNATIVES

The CED Committee recommended that the City Council provide the direction to staff to prepare and present an analysis of the Initiative for the June 21<sup>st</sup> City Council meeting. The analysis should include information relevant to the provisions of the California Elections Code Section 9212, the City Charter, and Other Ordinances.

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The provisions of California Elections Code Section 9212 are:

- (a) During the circulation of the petition, or before taking either action described in subdivisions (a) and (b) of Section 9214, or Section 9215, the legislative body may refer the proposed initiative measure to any city agency or agencies for a report on any or all of the following:
  - (1) Its fiscal impact.
  - (2) Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.
  - (3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.
  - (4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.
  - (5) Its impact on the community's ability to attract and retain business and employment.
  - (6) Its impact on the uses of vacant parcels of land.
  - (7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
  - (8) Any other matters the legislative body requests to be in the report.
  
- (b) The report shall be presented to the legislative body within the time prescribed by the legislative body, but no later than 30 days after the elections official certifies to the legislative body the sufficiency of the petition.

**FISCAL IMPACT**

There is no fiscal impact associated with this report.

**PUBLIC OUTREACH/INTEREST**

There is no additional public outreach required besides the posting of this report on the City website.

**COORDINATION**

This report was prepared in coordination with the Office of the City Attorney.

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**SUSTAINABLE OPPORTUNITIES**

***Economic:*** There are no economic elements associated with this report.

***Environmental:*** There are no environmental elements associated with this report.

***Social Equity:*** There are no social equity elements associated with this report.

**ACTION REQUESTED OF THE CITY COUNCIL**

The City Council Directs Staff to Prepare a Report by June 21<sup>st</sup> Analyzing the Circulating Ballot Measure Concerning Renter Protections under the Provisions of Elections Code Section 9212 and Specifically Including Consistency with the City's Charter and Other Ordinances.

For questions regarding this report, please contact Claudia Cappio at 510-238-3301.

Respectfully submitted,



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Claudia Cappio  
Assistant City Administrator

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