

Late Backup

Motion Sheet re: Agenda Item No. 94 (Tenant Relocation Assistance/Notification)

Council Meeting: August 18, 2016

Provide copy of motion to City Clerk and indicate that you have done so.

Summary of Amendments:

- Under staff's recommendation, 5 units triggered the requirements of the ordinance. However, Planning Commission voted to increase the threshold to 12 units. ***Move to reduce the threshold back to 5 units, per the original staff recommendation.***
- Currently the ordinance only requires the notification pack to be in English and Spanish. ***Move to authorize NHCD to require other languages as well, depending on the makeup of particular tenant communities.***
- The Planning Commission recommended adding a "bad actor" clause to the eligibility requirements for tenants seeking to obtain relocation assistance. ***Move to strike the "bad actor" clause.***
- The proposed ordinance currently requires that tenant relocation fees collected from developers be spent in 5 years from the date of the application. ***Move to increase that time from 5 to 10 years.***
- Planning Commission recommended requiring a "culpable mental state" in order to prove a violation of the ordinance. ***Move to strike the requirement to prove a culpable mental state.***

Text of Amendments:

Motion consists of the following specific changes to the ordinance in backup:

- At page 2, change the definition of "Mobile Home Park" in Section 25-1-705(5) to say "five or more structures" rather than "12 or more structures."

- At page 4, in Section 25-1-712(A)(1), change the phrase “twelve or more occupied residential units” to “five or more occupied residential units.”
- At page 5, in Section 25-1-712(C)(2), change the phrase “in both English and Spanish:” to read: “in English, Spanish, and such other language as may be required director”
- At page 8, strike Paragraph (2)(b) in Section 25-1-714(B), and renumber the remaining paragraphs accordingly.
- At page 9, in Paragraph (4) of Section 25-1-714(B), change the period of time in which the relocation fees must be spent from 5 to 10 years.
- At page 10, in Section 25-1-717(B), strike the phrase “and requires proof of a culpable mental state.”