



STAFF REPORT
6/10/2020

TO: Honorable Mayor and City Council Members

FROM: Best Best & Krieger LLP, City Attorney

SUBJECT: Urgency Ordinance No. 1163 Ratifying the Executive Order dated May 28, 2020 and Extending the Temporary Moratorium on Evictions due to Non-Payment of Rent or Loan Payments Where the Failure to Pay Results from Income Loss Resulting from the Novel Coronavirus (COVID-19 that was Originally Enacted by City Council Urgency Ordinance No. 1160

STAFF RECOMMENDATION:

Approval of Urgency Ordinance No.1163 of the City of Coachella, California, ratifying the Emergency Order issued on May 28, 2020 and Extending a Temporary Moratorium on Evictions Due to Non-Payment of Rent or Loan Payments Where the Failure to Pay Results from Income Loss Resulting from the Novel Coronavirus (Covid-19) **through June 30, 2020.**

DISCUSSION/ANALYSIS:

On March 25, 2020, the City Council adopted Urgency Ordinance No. 1160 (“Urgency Ordinance”), which placed a moratorium on evictions for failure to pay rent during the time period between March 25th and May 31st of this year, if the tenant can demonstrate that the tenant is unable to pay rent due to financial impacts related to COVID-19. The Urgency Ordinance includes notification and verification obligations of the tenant to the landlord and defines “financial impacts related to COVID-19. If the tenant qualifies for relief, the tenant must still pay unpaid rent within six months after the expiration of the local emergency.

Section 4. *Temporary Effect* of the Urgency Ordinance states, “[t]his Ordinance remains in effect through May 31, 2020, unless extended by the City Council or the City’s Director of Emergency Services.”

On May 28, 2020, the City Manager acting as the Director of Emergency Services found that the COVID-19 pandemic and all of its impacts on public health, the economy, and the community at large continue to be felt by the citizens of Coachella, supporting the need to extend (1) the temporary moratorium on evictions for non-payment of rent by residential tenants impacted by the COVID-19 crisis; (2) the temporary moratorium on evictions for non-payment of rent by commercial tenants impacted by the COVID-19 crisis; and (3) the temporary suspension on ejection of occupant after residential foreclosure, all of which are described in more detail in Urgency Ordinance No. 1160.

By Executive Order dated May 28, 2020, the Director of Emergency Services extended the Urgency Ordinance's effectiveness **through June 30, 2020**. The proposed Urgency Ordinance would memorialize the City Council's formal ratification of this extension.

Section 2 of the Executive Order provides this "this extension may be modified, superseded, or rescinded by the City Council or the City Manager as Director of Emergency Services."

On May 29, 2020, the Governor issued an Executive Order extending the authorization for local governments to halt evictions through July 28, 2020.

From now until the extension lapses on June 30, 2020, the City Council and Director of Emergency Services will continue to monitor the situation and may rescinded, modify, or further extend the temporary moratorium on evictions as necessary.

ALTERNATIVES:

1. Do not adopt Urgency Ordinance No. 1163.
2. Provide additional direction.

FISCAL IMPACT:

None Anticipated.

ATTACHMENTS:

- Urgency Ordinance No. 1163
 1. Urgency Ordinance No. 1160
 2. Executive Order, dated May 28, 2020