



STAFF REPORT
6/24/2020

TO: Honorable Mayor and City Council Members

FROM: Best Best & Krieger LLP, City Attorney

SUBJECT: Urgency Ordinance No. 1165 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Loan Payments Where the Failure to Pay Results from Income Loss Resulting from the Novel Coronavirus (COVID-19 that was Originally Enacted by City Council Urgency Ordinance No. 1160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:

Consideration of Urgency Ordinance No.1165 of the City of Coachella, California, 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 July 28, 2020.**

DISCUSSION/ANALYSIS:

On March 16, 2020, the Governor of the State of California adopted Executive Order No. N-28-20, that among other things, authorized cities to enact tenant protections.

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 between March 25th and May 31st 2020, 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.

On May 28, 2020 the City Manager acting as the Director of Emergency Services issued an Executive Order extending the temporary moratorium on evictions through June 30, 2020, which was ratified and further adopted by City Council Urgency Ordinance No. 1163 on June 10, 2020. Urgency Ordinance Nos. 1160 and 1163 allow the City Council to further extend the temporary moratorium on evictions beyond June 30, 2020.

In the meantime, the Governor issued Executive Order N-66-20, which, in part, extends the City’s ability enact tenant protections through July 28, 2020.

Staff requests that the City Council find 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.

The proposed Urgency Ordinance would extend the temporary moratorium on evictions **through July 28, 2020, consistent with the authority granted by the State.**

From now until the extension lapses on July 28, 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.1165
2. Provide additional direction.

FISCAL IMPACT:

None Anticipated.

ATTACHMENT:

1. Urgency Ordinance No. 1165 (Urgency Ordinance No. 1160, May 28, 2020 Executive Order, and Urgency Ordinance No. 1163 are attached.)