

ATTACHMENT “2”

MAY 28, 2020 EXECUTIVE ORDER

**ORDER OF THE CITY MANAGER
OF THE CITY OF COACHELLA
IN HIS CAPACITY AS
DIRECTOR OF EMERGENCY SERVICES**

DATE OF ORDER: MAY 28, 2020

AN ORDER 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PAYMENTS WHERE THE FAILURE TO PAY RESULTS FROM INCOME LOSS RESULTING FROM THE NOVEL CORONAVIRUS (COVID-19) THAT WAS ORIGINALLY ENACTED BY CITY COUNCIL URGENCY ORDINANCE NO. 1160.

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS - CoV-2” and the disease it causes has been named “coronavirus disease 2019,” abbreviated COVID-19 (“COVID-19”); and

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, on March 8, 2020, the Riverside County Health Officer declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

WHEREAS, on March 16, 2020 the Governor of the State of California issued an Executive Order temporarily reducing limits on local governments’ ability to impose their own “substantive limitations on residential or commercial evictions” through May 31, 2020; and

WHEREAS, on March 19, 2020, the City Manager, as the City’s Director of Emergency Services, proclaimed the existence of a local emergency to ensure the availability of mutual aid and an effective the City’s response to COVID-19; and

WHEREAS, on March 25, 2020 the City Council of the City proclaimed a local emergency regarding COVID-19 and ratified the proclamation of local emergency by the City Manager acting as the City’s Director of Emergency Services; and

WHEREAS, on March 19, 2020, the Governor of the State of California, also issued Executive Order N-33-20, an Order of the State Public Health Officer ordering all individuals living in California to stay home or at their place of residence except as needed to maintain continuity of operations of outlined federal critical infrastructure sectors; and

WHEREAS, the federal Centers for Disease Control and Prevention, the California Department of Health, and the Riverside County Department of Public Health have all issued recommendations including but not limited to social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, as a result of the public health emergency and the precautions recommended by health authorities, many residential and commercial tenants, as well as homeowners, in Coachella have experienced or expect soon to experience sudden and unexpected income loss; and

WHEREAS, the Governor of the State of California has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

WHEREAS, local schools are closed to prevent further spread of COVID-19. These school closures will cause children to have to remain at home, leading to many parents adjusting their work schedules to take time off work, whether paid or unpaid. Hourly wage earners are unlikely to be paid for time off. The inability to work due to school closures will economically strain those families who cannot afford to take off time from work to stay at home; and

WHEREAS, eviction of commercial tenants or homeowners would inevitably result in group activities, including but not limited to: packing, loading, transporting, and unloading equipment, materials, and other personal property; inspections; and repairs; and

WHEREAS, the situation is unprecedented and evolving rapidly. Further economic impacts are anticipated, leaving tenants and homeowners vulnerable to eviction; and

WHEREAS, Urgency Ordinance No. 1160 is only intended to be temporary in nature, to promote stability and fairness within the residential rental and non-residential real estate markets in the City during the COVID-19 pandemic outbreak, and to prevent avoidable group activities, homelessness and widespread business disruption, thereby serving the public peace, health, safety, and public welfare and to enable tenants and homeowners in the City whose income and ability to work is affected due to COVID-19 to remain in place in their homes and places of business. Urgency Ordinance No. 1160 is attached hereto and incorporated herewith as **Attachment “1”**; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the City Council has found it necessary to exercise authority

to adopt Urgency Ordinance No. 1160 related to the protection of life and property, to ensure that people shelter in place to prevent the spread of COVID-19. During the COVID-19 pandemic outbreak, affected tenants and homeowners who have lost income due to impact on the economy or their employment may be at risk of homelessness if they are evicted for non-payment as they will have little or no income and thus be unable to secure other housing if evicted; and

WHEREAS, people experiencing homelessness are especially vulnerable to the spread of COVID-19 due to an inability to practice social distancing and a lack of access to health care. The Governor has ordered the State to take extraordinary measures to secure shelter for homeless populations during this emergency to limit exposure to and spreading of COVID-19. Widespread evictions of tenants vulnerable to eviction due to financial hardship occurring due to COVID-19 would exacerbate the challenge of sheltering the homeless during this emergency, and increase the risk of spread of COVID-19; and

WHEREAS, businesses and other tenants of non-residential properties will be similarly harmed by having to engage in group activities that will increase their risk of exposure to COVID-19, with significant consequences for the public health, safety, and welfare; and

WHEREAS, promoting stability amongst commercial tenancies is also conducive to public health, allowing businesses to follow the advice and directives of public health officials to close, and allowing employees to avoid public contact, during times of a public health crisis without fear of imminent eviction; and

WHEREAS, the City desires to prohibit evictions due to non-payment of rent for tenants of all types of properties or due to non-payment of loan payments by homeowners where the failure to pay results from income loss resulting from COVID-19; and

WHEREAS, Urgency Ordinance No. 1160 Section 4. *Temporary Effect* provides that the Ordinance remains in effect through May 31, 2020, unless extended by the City Council or the City's Director of Emergency Services; and

WHEREAS, 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. The Recitals above continue to describe the current situation and the support 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;

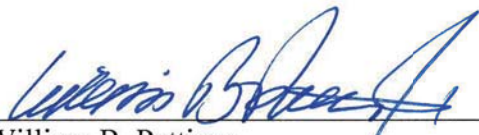
WHEREAS, the City Manager acting in his capacity as Director of Emergency Services finds that Urgency Ordinance No. 1160 and all of its protections shall be extended through June 30, 2020, unless modified, superseded, or rescinded by the City Council or by himself as City's Director of Emergency Services.

NOW, THEREFORE, THE CITY MANAGER ACTING IN HIS CAPACITY AS DIRECTOR OF EMERGENCY SERVICES DOES HEREBY ORDER AS FOLLOWS:

SECTION 1. Incorporation of Recitals and Attachment. The Recitals and Attachment "1" (Urgency Ordinance No. 1160) of this Order are true and correct and are incorporated herein and made a part of this Order. Urgency Ordinance No. 1160 shall remain in full force and effect, the only modification being the Temporary Moratorium Extension described in Section 2 of this Order, below.

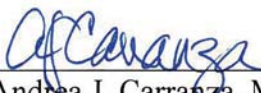
SECTION 2. Extension of Temporary Moratorium on Evictions Due to Non-Payment of Rent or Loan Payments Where the Failure to Pay Results from Income Loss Resulting From the Novel Coronavirus (COVID-19) that was Originally enacted by City Council Urgency Ordinance No. 1160. Pursuant to the authority granted under Urgency Ordinance No. 1160 Section 4. *Temporary Effect*, the City Manager acting in his capacity as Director of Emergency Services hereby extends the temporary moratorium on evictions described herein to **June 30, 2020**. This extension may be modified, superseded, or rescinded by the City Council or the City Manager as Director of Emergency Services.

IT IS HEREBY ORDERED.



William B. Pattison
City Manager/Director of Emergency Services

ATTEST:



Andrea J. Carranza, MMC
Deputy City Clerk

APPROVED AS TO FORM:



Carlos Campos
City Attorney