



City of Woodland

Meeting Agenda

City Council

City Hall
Council Chambers
300 First Street
Woodland, CA 95695

March 17, 2020
6:00 PM

SPECIAL CITY COUNCIL MEETING

PLEASE NOTE: The City is researching teleconferencing options for this meeting and ways in which the public will be able to call into the meeting.

City Council meetings may also be viewed on Woodland TV Channel 21 and also by going to the City of Woodland website at www.cityofwoodland.org/meetings.

The March 17, 2020 Woodland City Council will be conducted pursuant to the Governor's Executive Order N-25-20.

1. The meeting will be held at the listed physical location, and Council members may be participating via teleconference. Those locations are not listed on the agenda and are not accessible to the public.
2. The public is encouraged to watch the City Council live on Woodland TV Channel 21 and also by going to the City of Woodland web site at www.cityofwoodland.org/meetings.
3. If you are not attending the Council meeting and wish to make a comment during general public comment or on a specific agenda item, there are two ways to do that. You may leave a voice mail message at (530) 661-5900. All voice mail messages received by 5:30 p.m. shall be played during the City Council meeting and read into the record at the appropriate time. Any member of the public watching the live stream who wishes to make a public comment as it is being heard may submit an email, no more than 3 minutes when read aloud, to the City Clerk at CouncilMeetings@cityofwoodland.org. Please include the agenda item in the subject line. The City is continuing to research ways in which the public may participate by teleconference.

If you choose to attend the Council meeting in person, you will be required to maintain appropriate social distancing by maintaining a 6-foot distance between yourself and other individuals. Seating may be limited.

SPECIAL CITY COUNCIL MEETING

6:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. COMMUNICATIONS - PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this agenda. Speakers are requested to use the microphone in front of the Council and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered.

E. COMMUNICATIONS - COUNCIL/STAFF STATEMENTS AND REQUESTS

This is an opportunity for the Council Members and Staff to make comments and announcements, to express concerns, or to request Council's consideration of any items a Council Member would like to have discussed at a future Council meeting.

F. REPORTS OF THE CITY MANAGER

1. SUBJECT: Declaration of Local Emergency Regarding Novel Coronavirus (COVID-19) and Discussion of Continuity of City Operations

RECOMMENDATION FOR ACTION: Staff recommends that the City Council
1) Adopt Resolution No. 7397, Proclaiming a Local Emergency Regarding Novel Coronavirus (COVID-19) and Suspending the Disconnection of Utility Services for Non-payment during the Emergency and for 30 Days Thereafter; and 2) Discussion regarding Continuity of City Operations.

2. SUBJECT: Urgency Ordinance Enacting Temporary Moratorium on Evictions

RECOMMENDATION FOR ACTION: Staff recommends that the City Council adopt Urgency Ordinance No. _____, an Urgency Ordinance of the City Council of the City of Woodland Enacting a Temporary Moratorium on Evictions Due to Non-Payment of Rent for Residential Tenants Where the Failure to Pay Rent Results from Income Loss Resulting From the Novel Coronavirus (COVID-19) and Setting Forth the Facts Constituting Such Urgency.

G. ADJOURN

I declare under penalty of perjury that the foregoing Agenda for the Special City Council Meeting of the City of Woodland scheduled for Tuesday, March 17, 2020 was posted on Monday, March 16, 2020 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.



Ana B. Gonzalez
City Clerk

Upon request, agendas and documents in the agenda packet will be made available in appropriate alternative formats to persons with a disability, as required by law. Any such requests must be made in writing to the Office of the City Clerk of the City of Woodland. Requests will be valid for the calendar year in which the request is received, and must be renewed prior to January 1st.

Persons needing disability-related modifications or accommodations in order to participate in public meetings, including persons requiring auxiliary aids or services, may request such modifications or accommodations by calling the Office of the City Clerk (530-661-5806) at least 48 hours prior to the meeting.



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: Special City Council Meeting Agenda
DATE: March 17, 2020
ITEM #: F.1
SUBJECT: Declaration of Local Emergency Regarding Novel Coronavirus (COVID-19) and Discussion of Continuity of City Operations

Recommendation for Action: Staff recommends that the City Council 1) Adopt Resolution No. 7397, Proclaiming a Local Emergency Regarding Novel Coronavirus (COVID-19) and Suspending the Disconnection of Utility Services for Non-payment during the Emergency and for 30 Days Thereafter; and 2) Discussion regarding Continuity of City Operations.

Staff Contact:

Ana B. Gonzalez, City Clerk (530) 661-5806, john.doe@cityofwoodland.org

Background:

The Centers for Disease Control and Prevention (CDC) continues to closely monitor an outbreak of a 2019 novel coronavirus (2019-nCoV) in Wuhan City, Hubei Province, China that began in December 2019. The CDC has established an Incident Management System to coordinate a domestic and international public health response.

A novel coronavirus is causing an outbreak of respiratory illness (COVID-19) in China. Illness with this virus has ranged from mild to severe. Signs and symptoms of infection include fever, cough, and difficulty breathing. Sore throat also has been reported in some patients. Some patients also have reported diarrhea without other symptoms. This new coronavirus has caused severe disease and death in patients who developed pneumonia. Risk factors for severe illness are not yet clear, although older adults and those with chronic medical conditions may be at higher risk for severe illness.

- On March 15, Governor Gavin Newsom announced pilot programs in Santa Clara and San Mateo counties that will begin mobile testing labs in next 24 to 48 hours. Pilot program could expand to other areas of state. The Governor also called for:
 - Those who are older than 65 and those with chronic conditions to isolate in their homes as they face the great risk from COVID-19.
 - Visitation of patients in hospitals, skilled nursing facilities, senior and assisted living homes be for “end of life” only.
 - Bars, night clubs and wineries to close.
 - Restaurants to cut occupancy in half.
 - Points of access will be expanded to deliver good to people who are isolated in their homes.
 - On March 15 Governor Gavin Newsom announced efforts to address the unsheltered homeless population:
 - Hotels and motels will be procured to remove the homeless from the streets.
 - 450 trailers will be sent to critical points to provide housing to the homeless.
 - Announced forthcoming guidance for schools that plan to remain open.

- The CDC also announced new guidance for mass events and recommends that for the next 8 weeks, organizers cancel or postpone in-person events that consist of 50 people.

It is worth reiterating that this declaration of emergency is proactive in nature. There is no reason for Woodland residents to panic. The City's emergency operations staff remain in close contact with their Yolo County counterparts, to coordinate efforts and engage in planning and forecasting. The City will continue these preparation and planning efforts, alongside our partner agencies to ensure that the City of Woodland staff have all the necessary tools and powers at their disposal to slow the spread of the Coronavirus outbreak.

Prepared By: Ana B. Gonzalez, City Clerk

Reviewed By: Ken Hiatt, Interim City Manager



Ken Hiatt
Interim City Manager

Attachments:

1. Reso_7397 Woodland COVID-19 Emergency Declaration-c1

RESOLUTION NO. 7397

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND PROCLAIMING A LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19) AND SUSPENDING THE DISCONNECTION OF UTILITY SERVICES FOR NON-PAYMENT DURING THE EMERGENCY AND FOR 30 DAYS THEREAFTER

WHEREAS, the federal Centers for Disease Control and Prevention (“CDC”) has confirmed thousands of cases of individuals who have severe respiratory illness caused by a novel coronavirus, called COVID-19, as well as deaths caused by this illness; and

WHEREAS, the World Health Organization declared COVID-19 a pandemic, and the CDC announced that community spread of COVID-19 is likely to occur in the United States; and

WHEREAS, on March 4, 2020, California Governor Newsom 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, the increase of reported cases and deaths associated with COVID-19 has also prompted the County of Yolo to proclaim a local and public health emergency, and the Board of Supervisors on March 10, 2020 adopted a resolution ratifying a proclamation of local emergency by its Emergency Services Director and declaration of local emergency by its Public Health Officer; and

WHEREAS, as of March 13, 2020, Yolo County had two confirmed cases of COVID-19 in Yolo County, but public health experts believe the number of actual cases is likely higher than the number reported and the numbers are anticipated to significantly increase over time and as testing becomes more widely available; and

WHEREAS, on March 13, 2020, the President of the United States declared the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, the imminent and proximate threat of introduction of COVID-19 in the City of Woodland threatens the safety and health of City residents; and

WHEREAS, California Government Code Section 8630 and Woodland Municipal Code Section 13.52.040 empowers the City Council to proclaim the existence of a local emergency to protect and preserve public welfare when the City is affected or likely to be affected by a public calamity; and

WHEREAS, a declaration of a local emergency will assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted from this emergency, and mitigate any other effects of this emergency on the citizens of the City; and

WHEREAS, Government Code section 8630 generally requires the City Council to review the need for continuing the local emergency at least every sixty (60) days, but as part of Governor Gavin Newsom's March 4, 2020 Declaration of a State of Emergency in California due to COVID-19, this provision has been waived for the duration of the statewide emergency, allowing the City to maintain its emergency in place until terminated by the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Woodland resolves as follows:

Section 1. Pursuant to California Government Code section 8630 and Woodland Municipal Code Section 13.52.040, the City Council hereby finds and proclaims and ratifies a local emergency caused by conditions or threatened conditions of COVID-19 in the City of Woodland, which constitutes an extreme peril of health and safety of persons within the territorial limits of the City.

Section 2. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

Section 3. The City Manager, acting as the Director of Emergency Services, is hereby authorized to furnish information, to promulgate orders and regulations necessary to provide for the protection of life and property pursuant to California Government Code section 8634, to enter into agreements and to take all actions necessary to obtain State emergency assistance to implement preventive measures to protect and preserve the residents of the City within the scope of the local emergency hereby declared.

Section 4. Pursuant to California Penal Code section 396, it is unlawful for any person or business of the City of Woodland to charge more than 10% higher than the price charged by that person or business 30 days after the proclamation of this local emergency. The statute also authorizes the City Council to extend the price controls for an additional 30-day period as needed to protect the lives, property or welfare of the citizens.

Section 5. The City Council recognizes that this is a time of great economic and financial stress for many residents of the City of Woodland as the normal operation of stores, restaurants, and other businesses is quickly changing. The City Council hereby suspends the operation of Woodland Municipal Code Section 13.04.130 concerning methods of collection for a delinquent utility bill. All applicable penalties and interest on amounts owed to the City for utility service will continue to accrue, but no collection methods for delinquent City utility bills, including the termination of water and sewer service, will occur for the duration of the local emergency and for 30 days following the City Council's termination of the emergency.

Section 6. Pursuant to Section 13.52.040(B(2)) of the Woodland Municipal Code, the City Council approves of the Director of Emergency Services' designation of the order of succession to that office, in particular to have the following persons, in the following order, serve as the Director of Emergency Services in the event the Director of Emergency Services is unable to attend meetings and otherwise perform his duties during an emergency: (1) The Chief of Police; (2) The Fire Chief; and (3) The Community Services Director.

Section 7. During the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions of this City of Woodland.

PASSED, APPROVED and ADOPTED by the City Council of the City of Woodland at a special meeting of the City Council held on the 17th day of March, 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Rich Lansburgh, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: Special City Council Meeting Agenda
DATE: March 17, 2020
ITEM #: F.2
SUBJECT: Urgency Ordinance Enacting Temporary Moratorium on Evictions

Recommendation for Action: Staff recommends that the City Council adopt Urgency Ordinance No. _____, an Urgency Ordinance of the City Council of the City of Woodland Enacting a Temporary Moratorium on Evictions Due to Non-Payment of Rent for Residential Tenants Where the Failure to Pay Rent Results from Income Loss Resulting From the Novel Coronavirus (COVID-19) and Setting Forth the Facts Constituting Such Urgency.

Staff Contact:

Ken Hiatt, Interim City Manager (530) 661-5802, ken.hiatt@cityofwoodland.org

Fiscal Impact:

There is no fiscal impact to the general fund.

Background:

The City Council will consider adding an Urgency Item to the March 16, 2020 Agenda to adopt an ordinance imposing a moratorium on evictions for failure to pay rent during the current state of emergency caused by the COVID-19 pandemic.

In order for this item to be added to the Agenda as an Urgency Item, it must be approved by a two-thirds vote of the City Council upon finding that the need to take action came to the City's attention after posting of the agenda and that the matter requires immediate action.

An urgency ordinance requires a four-fifths vote of the City Council and will take effect immediately if approved.

Discussion:

On March 10, 2020, the Yolo County Board of Supervisors ratified a local and public health emergency in response to the increased spread of COVID-19, the disease caused by the novel coronavirus. As of March 17, 2020, there are 4 confirmed cases of COVID-19 in Yolo County, and this number is expected to continue to grow as the virus spreads throughout the community. The City Council is expected to approve a declaration of emergency immediately preceding this action.

In response to the global pandemic, experts are urging all individuals – even those who are not displaying symptoms – to practice social distancing, which refers to avoiding close contact with other individuals in order to avoid catching the virus and to avoid passing it on to others. The Centers for Disease Control and Prevention recommends that people who are mildly ill with COVID-19 or other similar illnesses self-isolate to avoid interacting in public. The State of California has also issued a policy that large gatherings should be rescheduled or canceled, while smaller events can proceed only if the organizers can implement social distancing of six feet per person. Local and area schools have closed for several weeks in order to try to slow the spread of the virus.

While these measures are necessary to fight the global pandemic, they can have extreme economic impacts.

Fear of the widening public health crisis has impacted consumer behavior with fewer people going out to restaurants, shops, and bars; events being cancelled; and people reducing their traveling. As a result of this social distancing, people in our community may see their incomes reduced or may have to take time off work to care for their health or the health of family members. In the face of this uncertainty, people may need to make difficult financial decisions and may be unable to pay rent due to reduced income.

This urgency ordinance proposes a moratorium on evictions for failure to pay rent during this emergency period, if the tenant demonstrates that the tenant is unable to pay rent due to financial impacts related to COVID-19. Under the proposed ordinance, a landlord knows of a tenant's inability to pay rent for the covered reasons if the tenant, within 30 days after the date that rent is due, notifies the landlord in writing of lost income and inability to pay full rent due to financial impacts related to COVID-19, and provides documentation to support the claim. Notification "in writing" includes email or text communications to a landlord or the landlord's representative with whom the tenant has previously corresponded by email or text. Any medical or financial information provided to the landlord shall be held in confidence, and only used for evaluating the tenant's claim.

For purposes of this ordinance "financial impacts related to COVID-19" include, but are not limited to, tenant lost household income as a result of any of the following: (1) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) lay-off, loss of hours, or other income reduction resulting from business closure or other economic or employer impacts of COVID-19; (3) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (4) extraordinary out-of-pocket medical expenses; or (5) child care needs arising from school closures related to COVID-19.

The ordinance does not relieve the tenant from eventually paying the rent within six months after the expiration of the local emergency. The landlord may not charge a late fee on the rent. The ordinance is intended to be narrow, and no other legal remedies available to the landlord are affected by this ordinance.

If approved, the ordinance will go into effect immediately upon adoption and will remain in effect for sixty days, and authorizes the City Manager (Director of Emergency Services) to further extend the ordinance during the period of local emergency. In order to prevent inconsistencies in the law, the City Manager may also suspend the local ordinance if a similar federal or state law is adopted.

Other cities in California, including San Jose, Hayward, Oakland, Sacramento, Los Angeles, San Diego, and Santa Monica have approved, or are considering, similar urgency measures.

During a state of emergency, it is a crime for a landlord to take advantage of the situation by evicting a tenant and then raising the rent above the existing tenant's rent under Penal Code Section 396(f). This ordinance will provide additional protections to tenants. In addition to the City's general police power under article XI, section 7 of the California Constitution to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws, during a local emergency, Government Code, § 8634 (and Woodland Chapter 13.52) also authorize the city to promulgate orders and regulations necessary to provide for the protection of life and property. The coronavirus outbreak presents a health and financial crisis to all, and this situation is unprecedented and constantly evolving.

This urgency measure will provide protections to those who have had unforeseen financial impacts due to COVID-19. Displacement through eviction creates undue hardship for tenants through additional relocation costs, stress and anxiety, and the threat of homelessness due to the lack of alternative housing, and lack of

moving services and supplies as stores and businesses close. During the COVID-19 pandemic outbreak, affected tenants who have lost income due to the 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. 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.

This situation is unprecedented, and circumstances are changing hourly. At the time of writing this report, people are encouraged to stay home, large and small social events are cancelled, larger gatherings are prohibited, schools are closed, many bars and restaurants and gathering places have closed or limited their operations, libraries are closed, municipal operations are shifting to essential emergency operations only, and other workers are being asked to stay home. The situation is evolving so rapidly that it is hard to capture the full scale of the closures. However, many city residents will be unable to work at any job that requires physical presence. Businesses are expected to see a sharp drop in revenue, making it difficult to pay workers. Wages are expected to drop sharply, and this ordinance will allow individuals to follow the national, state and local directives to stay home without fear of losing their home during this emergency.

Conclusion:

Staff recommends that the City Council adopt Urgency Ordinance No. _____, an Urgency Ordinance of the City Council of the City of Woodland Enacting a Temporary Moratorium on Evictions Due to Non-Payment of Rent for Residential Tenants Where the Failure to Pay Rent Results from Income Loss Resulting From the Novel Coronavirus (COVID-19) and Setting Forth the Facts Constituting Such Urgency.

Prepared By: Kara Ueda, City Attorney

Reviewed By: Ken Hiatt, Interim City Manager



Ken Hiatt
Interim City Manager

Attachments:

1. Urgency Ord_1658 Woodland COVID-19 Emergency Declaration-c1
2. Ord_1658 Urgency Ordinance Enacting Temporary Moratorium on Evictions

ORDINANCE NO. 1658

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND ENACTING A TEMPORARY MORATORIUM ON EVICTIONS DUE TO NON-PAYMENT OF RENT FOR RESIDENTIAL TENANTS WHERE THE FAILURE TO PAY RENT RESULTS FROM INCOME LOSS RESULTING FROM THE NOVEL CORONAVIRUS (COVID-19) AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY

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 on March 10, 2020, the Yolo County Board of Supervisors ratified a local and public health emergency, and on March 13, 2020, the President of the United States declared a state of national emergency; and

WHEREAS, on March 16, 2020, the City Council proclaimed the existence of a local emergency; and

WHEREAS, the Centers for Disease Control and Prevention, the California Department of Health, and the Yolo 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 of the date of this Ordinance and in order to prevent further exposure, many businesses have imposed work from home policies; meetings, events and social gatherings are being cancelled as people remain at home; customers are not patronizing restaurants and stores or hiring help or travelling. With more businesses moving towards working from home, less of the workforce will be patronizing restaurants, hotels and other retail establishments that employ hourly workers, which is expected to lead to hourly cutbacks and potentially employee terminations; and

WHEREAS, as a result of the public health emergency and the precautions recommended by health authorities, many tenants in Woodland 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 an inability 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, most, if not all, local schools are closed to prevent further spread of COVID-19, which 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, which will economically strain those families who cannot afford to take off time from work to stay at home; and

WHEREAS, further economic impacts are anticipated, leaving tenants vulnerable to eviction; and

WHEREAS, this Ordinance is temporary in nature and only intended to promote stability and fairness within the residential rental market in the City during the COVID-19 pandemic outbreak, and to prevent avoidable homelessness thereby serving the public peace, health, safety, and public welfare and to enable tenants in the City whose income and ability to work is affected due to COVID-19 to remain in their homes; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise authority to adopt this Ordinance related to the protection of life and property, to ensure renters can remain in their homes and prevent proliferation of homelessness and further spread of COVID-19. Displacement through eviction creates undue hardship for tenants through additional relocation costs, stress and anxiety, and the threat of homelessness due to the lack of alternative housing, and lack of moving services and supplies as stores and businesses close. During the COVID-19 pandemic outbreak, affected tenants 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, the City Council desires to prohibit evictions due to non-payment of rent for residential tenants where the failure to pay rent results from income loss resulting from the novel coronavirus (COVID-19); and

WHEREAS, this Ordinance is adopted pursuant to the City's police powers and powers afforded to the City in time of national, state, county and local emergency during an unprecedented health pandemic, such powers being afforded by the State Constitution, State law and Chapter 13.52 of the Woodland Municipal Code to protect the peace, health, and safety of the public; and

WHEREAS, the City Council of the City of Woodland finds that this Ordinance is necessary for the preservation of the public peace, health, and safety of residents living within the City and finds such urgency to approve this ordinance immediately based on the facts described herein, and detailed in the staff report. Under Government Code Section 8634, this ordinance is necessary to provide for the protection of life and property.

NOW, THEREFORE, the City Council of the City of Woodland does hereby ordain as follows:

Section 1. Temporary Moratorium on Evictions for Non-Payment of Rent by Residential Tenants Impacted by the COVID-19 Crisis.

A. Notwithstanding anything to the contrary in the City of Woodland's Municipal Code, during the period of local emergency declared in response to COVID-19, no landlord shall endeavor to evict a tenant for nonpayment of rent if the tenant demonstrates that the tenant is unable to pay rent due to financial impacts related to COVID-19.

B. A landlord who knows that a tenant cannot pay some or all of the rent temporarily for the reasons set forth above shall not serve a notice pursuant to Code of Civil Procedure section 1161(2), file or prosecute an unlawful detainer action based on a 3-day pay or quit notice, or otherwise seek to evict for nonpayment of rent. A landlord knows of a tenant's inability to pay rent within the meaning of this Ordinance if the tenant, within 30 days after the date that rent is due, notifies the landlord in writing of lost income and inability to pay full rent due to financial impacts related to COVID-19, and provides documentation to support the claim. For purposes of this ordinance, "in writing" includes email or text communications to a landlord or the landlord's representative with whom the tenant has previously corresponded by email or text. Any medical or financial information provided to the landlord shall be held in confidence, and only used for evaluating the tenant's claim.

C. For purposes of this Ordinance "financial impacts related to COVID-19" include, but are not limited to, tenant lost household income as a result of any of the following: (1) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) lay-off, loss of hours, or other income reduction resulting from business closure or other economic or employer impacts of COVID-19; (3) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (4) extraordinary out-of-pocket medical expenses; or (5) child care needs arising from school closures related to COVID-19.

D. This Ordinance applies to non-payment eviction notices and unlawful detainer actions based on such notices, served or filed on or after the date on which a local emergency was proclaimed.

E. Violation of this Ordinance shall be punishable as set forth in Section 1.08.070 of the Woodland Municipal Code. In addition, this Ordinance grants a defense in the event that an unlawful detainer action is commenced in violation of this Ordinance.

F. Nothing in this Ordinance shall relieve the tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency, and the tenant must pay within six months of the expiration of the local emergency. A landlord may not charge or collect a late fee for rent that is delayed for the reasons stated in this Ordinance; nor may a landlord seek rent that is delayed for the reasons stated in this Ordinance through the eviction process.

G. No other legal remedies available to landlord are affected by this Ordinance.

H. This Ordinance shall remain in effect for sixty days, unless extended, and the Director of Emergency Services may extend the Ordinance during the term of the local emergency. Notwithstanding and in order to prevent inconsistencies, the Director of Emergency Services may suspend the effectiveness of this Ordinance in the event that the President of the United States, Congress, Governor of the State of California or California State Legislature adopts an order or legislation that similarly prohibits evictions for failure to pay rent by individuals impacted by the COVID-19 crisis.

Section 2. Severability

If any section, subsection, sentence, clause, phrase or word of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining provisions of this Ordinance.

Section 3. Environmental Review.

The City Council finds that adoption and implementation of this Ordinance is not a “project” for purposes of the California Environmental Quality Act (CEQA), as that term is defined by CEQA Guidelines (Guidelines) sections 15061(b)(3), and 15378(b)(5). The effect of the Ordinance will be to maintain the status quo. No new development will result from the proposed action. No impact to the physical environment will result. The City Council also alternatively finds that the adoption and implementation of this Ordinance is exempt from the provisions of CEQA as an administrative activity by the City of Woodland, in furtherance of its police power, that will not result in any direct or indirect physical change in the environment, per sections 15061(b)(3), and 15378(b)(5) of the CEQA Guidelines, as well as CEQA Guidelines section 15064(e) (economic regulations).

Section 4. Urgency Declaration; Effective Date

The City Council finds and declares that the adoption and implementation of this Ordinance is necessary for the immediate preservation and protection of the public peace, health and safety as detailed above as the City and public would suffer potentially irreversible displacement of tenants resulting from evictions for failure to pay rent during the COVID-19 crisis. During this local emergency, and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary housing displacement, to protect the City’s

affordable housing stock, and to prevent housed individuals from falling into homelessness. Loss of income as a result of COVID-19 may inhibit City residents and businesses from fulfilling their financial obligations, including payment of rent. Under Government Code Section 8634 and Woodland Chapter 13.52, this Ordinance is necessary to provide for the protection of life and property for the reasons set out herein. The Council therefore finds and determines that the immediate preservation of the public peace, health and safety, and protection of life and property, require that this Ordinance be enacted as an urgency ordinance pursuant to Government Code section 36937 and take effect immediately upon adoption by four-fifths of the City Council.

Section 5. Certification

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published or posted in the manner required by law.

PASSED, APPROVED and ADOPTED by the City Council of the City of Woodland at a special meeting of the City Council held on the 17th day of March, 2020, by the following vote:

AYES:	Barajas, Fernandez, Lansburgh, Rodriguez and Stallard
NOES:	None
ABSENT:	None
ABSTAIN:	None

Rich Lansburgh, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

ORDINANCE NO. 1658

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND ENACTING A TEMPORARY MORATORIUM ON EVICTIONS DUE TO NON-PAYMENT OF RENT FOR RESIDENTIAL TENANTS WHERE THE FAILURE TO PAY RENT RESULTS FROM INCOME LOSS RESULTING FROM THE NOVEL CORONAVIRUS (COVID-19) AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY

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 on March 10, 2020, the Yolo County Board of Supervisors ratified a local and public health emergency, and on March 13, 2020, the President of the United States declared a state of national emergency; and

WHEREAS, on March 16, 2020, the City Council proclaimed the existence of a local emergency; and

WHEREAS, the Centers for Disease Control and Prevention, the California Department of Health, and the Yolo 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 of the date of this Ordinance and in order to prevent further exposure, many businesses have imposed work from home policies; meetings, events and social gatherings are being cancelled as people remain at home; customers are not patronizing restaurants and stores or hiring help or travelling. With more businesses moving towards working from home, less of the workforce will be patronizing restaurants, hotels and other retail establishments that employ hourly workers, which is expected to lead to hourly cutbacks and potentially employee terminations; and

WHEREAS, as a result of the public health emergency and the precautions recommended by health authorities, many tenants in Woodland 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 an inability 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, most, if not all, local schools are closed to prevent further spread of COVID-19, which 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, which will economically strain those families who cannot afford to take off time from work to stay at home; and

WHEREAS, further economic impacts are anticipated, leaving tenants vulnerable to eviction; and

WHEREAS, this Ordinance is temporary in nature and only intended to promote stability and fairness within the residential rental market in the City during the COVID-19 pandemic outbreak, and to prevent avoidable homelessness thereby serving the public peace, health, safety, and public welfare and to enable tenants in the City whose income and ability to work is affected due to COVID-19 to remain in their homes; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise authority to adopt this Ordinance related to the protection of life and property, to ensure renters can remain in their homes and prevent proliferation of homelessness and further spread of COVID-19. Displacement through eviction creates undue hardship for tenants through additional relocation costs, stress and anxiety, and the threat of homelessness due to the lack of alternative housing, and lack of moving services and supplies as stores and businesses close. During the COVID-19 pandemic outbreak, affected tenants 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, the City Council desires to prohibit evictions due to non-payment of rent for residential tenants where the failure to pay rent results from income loss resulting from the novel coronavirus (COVID-19); and

WHEREAS, this Ordinance is adopted pursuant to the City's police powers and powers afforded to the City in time of national, state, county and local emergency during an unprecedented health pandemic, such powers being afforded by the State Constitution, State law and Chapter 13.52 of the Woodland Municipal Code to protect the peace, health, and safety of the public; and

WHEREAS, the City Council of the City of Woodland finds that this Ordinance is necessary for the preservation of the public peace, health, and safety of residents living within the City and finds such urgency to approve this ordinance immediately based on the facts described herein, and detailed in the staff report. Under Government Code Section 8634, this ordinance is necessary to provide for the protection of life and property.

NOW, THEREFORE, the City Council of the City of Woodland does hereby ordain as follows:

Section 1. Temporary Moratorium on Evictions for Non-Payment of Rent by Residential Tenants Impacted by the COVID-19 Crisis.

A. Notwithstanding anything to the contrary in the City of Woodland's Municipal Code, during the period of local emergency declared in response to COVID-19, no landlord shall endeavor to evict a tenant for nonpayment of rent if the tenant demonstrates that the tenant is unable to pay rent due to financial impacts related to COVID-19.

B. A landlord who knows that a tenant cannot pay some or all of the rent temporarily for the reasons set forth above shall not serve a notice pursuant to Code of Civil Procedure section 1161(2), file or prosecute an unlawful detainer action based on a 3-day pay or quit notice, or otherwise seek to evict for nonpayment of rent. A landlord knows of a tenant's inability to pay rent within the meaning of this Ordinance if the tenant, within 30 days after the date that rent is due, notifies the landlord in writing of lost income and inability to pay full rent due to financial impacts related to COVID-19, and provides documentation to support the claim. For purposes of this ordinance, "in writing" includes email or text communications to a landlord or the landlord's representative with whom the tenant has previously corresponded by email or text. Any medical or financial information provided to the landlord shall be held in confidence, and only used for evaluating the tenant's claim.

C. For purposes of this Ordinance "financial impacts related to COVID-19" include, but are not limited to, tenant lost household income as a result of any of the following: (1) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) lay-off, loss of hours, or other income reduction resulting from business closure or other economic or employer impacts of COVID-19; (3) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (4) extraordinary out-of-pocket medical expenses; or (5) child care needs arising from school closures related to COVID-19.

D. This Ordinance applies to non-payment eviction notices and unlawful detainer actions based on such notices, served or filed on or after the date on which a local emergency was proclaimed.

E. Violation of this Ordinance shall be punishable as set forth in Section 1.08.070 of the Woodland Municipal Code. In addition, this Ordinance grants a defense in the event that an unlawful detainer action is commenced in violation of this Ordinance.

F. Nothing in this Ordinance shall relieve the tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency, and the tenant must pay within six months of the expiration of the local emergency. A landlord may not charge or collect a late fee for rent that is delayed for the reasons stated in this Ordinance; nor may a landlord seek rent that is delayed for the reasons stated in this Ordinance through the eviction process.

G. No other legal remedies available to landlord are affected by this Ordinance.

H. This Ordinance shall remain in effect for sixty days, unless extended, and the Director of Emergency Services may extend the Ordinance during the term of the local emergency. Notwithstanding and in order to prevent inconsistencies, the Director of Emergency Services may suspend the effectiveness of this Ordinance in the event that the President of the United States, Congress, Governor of the State of California or California State Legislature adopts an order or legislation that similarly prohibits evictions for failure to pay rent by individuals impacted by the COVID-19 crisis.

Section 2. Severability

If any section, subsection, sentence, clause, phrase or word of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining provisions of this Ordinance.

Section 3. Environmental Review.

The City Council finds that adoption and implementation of this Ordinance is not a “project” for purposes of the California Environmental Quality Act (CEQA), as that term is defined by CEQA Guidelines (Guidelines) sections 15061(b)(3), and 15378(b)(5). The effect of the Ordinance will be to maintain the status quo. No new development will result from the proposed action. No impact to the physical environment will result. The City Council also alternatively finds that the adoption and implementation of this Ordinance is exempt from the provisions of CEQA as an administrative activity by the City of Woodland, in furtherance of its police power, that will not result in any direct or indirect physical change in the environment, per sections 15061(b)(3), and 15378(b)(5) of the CEQA Guidelines, as well as CEQA Guidelines section 15064(e) (economic regulations).

Section 4. Urgency Declaration; Effective Date

The City Council finds and declares that the adoption and implementation of this Ordinance is necessary for the immediate preservation and protection of the public peace, health and safety as detailed above as the City and public would suffer potentially irreversible displacement of tenants resulting from evictions for failure to pay rent during the COVID-19 crisis. During this local emergency, and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary housing displacement, to protect the City’s

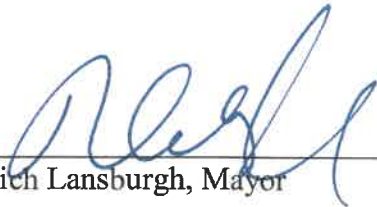
affordable housing stock, and to prevent housed individuals from falling into homelessness. Loss of income as a result of COVID-19 may inhibit City residents and businesses from fulfilling their financial obligations, including payment of rent. Under Government Code Section 8634 and Woodland Chapter 13.52, this Ordinance is necessary to provide for the protection of life and property for the reasons set out herein. The Council therefore finds and determines that the immediate preservation of the public peace, health and safety, and protection of life and property, require that this Ordinance be enacted as an urgency ordinance pursuant to Government Code section 36937 and take effect immediately upon adoption by four-fifths of the City Council.

Section 5. Certification

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published or posted in the manner required by law.

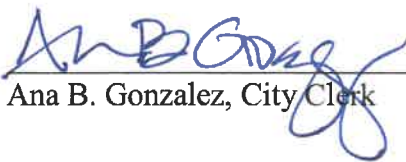
PASSED, APPROVED and ADOPTED by the City Council of the City of Woodland at a special meeting of the City Council held on the 17th day of March, 2020, by the following vote:

AYES:	Barajas, Fernandez, Lansburgh, Rodriguez and Stallard
NOES:	None
ABSENT:	None
ABSTAIN:	None



Rich Lansburgh, Mayor

ATTEST:



Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM:



Kara K. Ueda, City Attorney