



Agenda Report

20-749

Agenda Date: 8/18/2020

REPORT TO COUNCIL

SUBJECT

Adoption of a Resolution extending the Moratorium on Evictions for the Non-payment of Rent and No-Fault Evictions for Tenants with Incomes Affected by the Novel Coronavirus (COVID-19) [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

BACKGROUND

Since March 16, 2020, City of Santa Clara residents have been sheltering in place in accordance with the public health declarations issued by the State of California and County of Santa Clara. As a result of the COVID-19 emergency, many residents throughout the community have experienced financial challenges and housing instability. While the shelter in place restrictions have been slowly lifted through the Governor's phased reopening of the local economy and the County of Santa Clara's new health order, the economic recovery will take time and the financial uncertainty for Santa Clara residents remains.

On March 24, 2020, the City Council adopted an Urgency Ordinance, setting in place a moratorium on evictions in the City of Santa Clara for the non-payment of rent and no-fault evictions for tenants affected by COVID-19. The Moratorium went into effect March 24, 2020 for a period of 45 days until May 8, 2020. The ordinance applies to all residential tenants renting in a building or portion of a building that is used as a home, residence or sleeping place in Santa Clara for periods in excess of seven days. On April 28, 2020, the City Council adopted the Emergency Evictions Protection Ordinance allowing the moratorium to be extended by resolution. On June 23, 2020, the City Council extended the ordinance through August 31, 2020.

If the Council would like to continue to provide eviction protection for residential tenants affected by the COVID-19 emergency beyond August 31, 2020, the City Council must adopt a resolution to extend the ordinance.

DISCUSSION

The adoption of the proposed resolution revises the eviction moratorium previously adopted by Council by extending the resolution to remain in effect through September 30, 2020. This date aligns with Executive Order N-71-20 issued by Governor Newsom on June 30, 2020. The Executive Order extends the authority of local jurisdictions to suspend the evictions of residential and commercial tenants for the non-payment of rent if the non-payment is a result of the COVID-19 pandemic through September 30, 2020.

The California Employment Development Department provided in its July 17, 2020 report that California's unemployment rate slightly improved to 14.9% from the prior month's report. Despite the state's unemployment rate of 14.9 percent being noticeably lower than the record high of 16.4 percent from April and May, it is still far higher than the 12.3 percent it was during the height of the

Great Recession (March, October, and November 2010).

The proposed Resolution would continue to provide stability to the residential tenants in the City of Santa Clara who are impacted by COVID-19. By providing tenants with this measure of security, residents across the City can focus on obtaining financial, food and health services. The extension also aligns with the City's ongoing commitment to mitigate homelessness and preserve housing. Because the public health emergency arising from COVID-19 is a fluid and on-going situation, staff will continue to monitor the COVID-19 related circumstances affecting the stability of renters in Santa Clara.

ENVIRONMENTAL REVIEW

The ordinance regulates eviction of tenants from existing rental units and its adoption is an administrative activity that does not result in a direct or indirect physical change to the environment. Therefore, this action is exempt from environmental review under CEQA per the CEQA Guidelines section 15378(b)(5).

FISCAL IMPACT

There is no fiscal impact with the moratorium.

COORDINATION

This report has been coordinated with the City Attorney's office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>>.

RECOMMENDATION

Adopt a Resolution extending the moratorium on residential evictions for the nonpayment of rent, as set forth in Chapter 8.65 of Title 8 of the Code of the City of Santa Clara to be in effect through September 30, 2020.

Reviewed by: Ruth Mizobe Shikada, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENT

1. Resolution