

RESOLUTION NUMBER R- 312896

DATE OF FINAL PASSAGE MAR 24 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DIRECTING THE MAYOR TO PRESENT A
TEMPORARY MORATORIUM ON RESIDENTIAL AND
COMMERCIAL EVICTIONS DURING THE LOCAL
EMERGENCY DUE TO THE NOVEL CORONAVIRUS,
COVID-19.

WHEREAS, a novel coronavirus, COVID-19, causes infectious disease and was first
detected in December 2019; and

WHEREAS, COVID-19 virus symptoms include fever, cough, and shortness of breath;
outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, the Centers for Disease Control and Prevention considers the virus to be a
very serious public health threat; and

WHEREAS, on February 19, 2020, the County Board of Supervisors ratified a
declaration of local health emergency related to the COVID-19 virus; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a State of
Emergency to exist in California as a result of the threat of the COVID-19 virus; and

WHEREAS, on March 12, 2020, Mayor Kevin Faulconer proclaimed the existence of a
local emergency in the City of San Diego as a result of the COVID-19 virus, which was ratified
by the Council of the City of San Diego on March 17, 2020; and

WHEREAS, on March 12, 2020, the County of San Diego issued an order from the
Public Health Officer requiring, among other things, all bars, adult entertainment establishments,
and other business establishments in the County that serve alcohol and do not serve food to
close, and requiring all restaurants to close on-site dining; and

WHEREAS, on March 16, 2020, the Mayor issued Executive Order No. 2020-1 prohibiting, among other things, public gatherings of 50 or more people in a single room, closing all bars, adult entertainment establishments, and nightclubs in the City, and prohibiting restaurants from serving food and beverage for consumption on premises; and

WHEREAS, the Council desires to consider a temporary moratorium on residential and commercial evictions to protect those individuals and businesses unable to pay rent due to economic impacts associated with the outbreak of the COVID-19 virus; NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego requests the Mayor of the City of San Diego and the San Diego City Attorney evaluate and present a proposal, which may include an emergency ordinance for Council's consideration, to implement a temporary moratorium on evictions due to non-payment of rent resulting from a loss of wages caused by the outbreak of the COVID-19 virus.

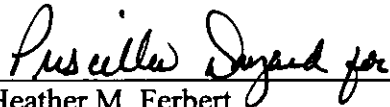
BE IT FURTHER RESOLVED, that any proposal should consider the following, subject to the City Attorney's legal review and to the extent permissible by law:

1. The moratorium should last no longer than the declaration of the local emergency;
2. The moratorium should apply to both residential and commercial leases;
3. The moratorium should require tenants to pay their landlords any owed rent once the local emergency is abated, and within six months from the date of the Mayor's proclamation of a local emergency on March 12, 2020;
4. The moratorium should be based on a tenant's nonpayment of rent arising out of a substantial decrease in household or business income and/or substantial out-of-pocket medical expenses caused by either the outbreak of the COVID-19 virus or any government response to the outbreak;

5. The moratorium should include a process for affected renters to notify their landlords on or before the day that rent is due of the substantial loss of income and demonstrate substantial loss of income through documentation or other objectively verifiable means, resulting from the outbreak of the COVID-19 virus or any government response to the outbreak;
6. The moratorium should include a process to measure substantial loss of income;
7. The City should advocate with the relevant organizations for temporary state and federal financial relief for unpaid landlords; and
8. The San Diego Housing Commission should seek access to flexible emergency funding made available by the state and federal governments to assist renters and landlords in making payments during the state of emergency.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Heather M. Ferbert
Deputy City Attorney

HMF:soc
03/18/2020
Or.Dept: Council President's Office
Doc. No.: 2353509

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 17 2020.

ELIZABETH S. MALAND
City Clerk

By


Deputy City Clerk

Approved:

3/23/2020
(date)


KEVIN L. FAULCONER, Mayor

Vetoed:

(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAR 17 2020, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 24 2020

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy
for Matthew Hilario

Office of the City Clerk, San Diego, California

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