



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: ORD 20-016 **Name:** Adopt urgency ordinance renewing and extending Ord 5325 related to prohibition on evictions
Type: Ordinance **Status:** Scheduled AM
File created: 8/11/2020 **In control:** Board of Supervisors
On agenda: 8/18/2020 **Final action:** 8/18/2020
Title: Consider adopting an urgency ordinance renewing and extending Ordinance No. 5325 (that adopted a temporary COVID-19 pandemic related prohibition on evictions) through September 30, 2020 (4/5ths vote required).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. 2nd covid 19 eviction ord ext Exhibits A-D, 3. 2nd covid 19 eviction ordinance ext, 4. 2nd covid 19 eviction ord ext v2 (Read into Additions- Corrections), 5. 2nd covid 19 eviction ord ext v3 (Read into Additions- Corrections), 6. Item No. 10 Completed Board Order- Ordinance No. 5338

Date	Ver.	Action By	Action	Result
8/18/2020	1	Board of Supervisors	adopted - county counsel	Pass

Consider adopting an urgency ordinance renewing and extending Ordinance No. 5325 (that adopted a temporary COVID-19 pandemic related prohibition on evictions) through September 30, 2020 (4/5ths vote required).

RECOMMENDATION:

It is recommended that the Board of Supervisors consider adopting an urgency ordinance renewing and extending Ordinance No. 5325 (that adopted a temporary COVID-19 pandemic related prohibition on evictions) through September 30, 2020 (4/5ths vote required).

SUMMARY/DISCUSSION:

In response to the Governor's Executive Order No. N-28-20 (copy attached as Exhibit A), on March 24, 2020, the Board adopted Ordinance No. 5325 which adopted a temporary COVID-19 pandemic related prohibition on evictions through May 31, 2020. A copy of that ordinance is enclosed as Exhibit B. Nothing in the ordinance relieved a tenant from the obligation to pay rent. The ordinance was extended through July 31, 2020, by adoption of Ordinance No. 5331, a copy of which is enclosed as Exhibit C. By Executive Order No. N-71-20, issued on June 30, 2020, the Governor extended through September 30, 2020, the ability of cities and counties to prohibit evictions related to the COVID-19 pandemic.

The conditions described in Ordinance No. 5325 and the Governor's Executive Orders remain applicable today, and the Board needs to consider whether to renew and extend the prohibition in Ordinance 5325. A draft ordinance is enclosed as Exhibit D. It is proposed that the prohibition in Ordinance No. 5325 be renewed retroactive to August 1, 2020, and extended to September 30, 2020, to be co-extant with the Governor's Executive Orders.

The local Superior Court emergency rules restricting the issuance of summonses for both unlawful detainers and foreclosures remain in effect; however, the Governor has indicated that permission from the Chief Justice of the California Supreme Court to implement those emergency orders will be expiring sometime in August.

Accordingly, the County may not be in a position to rely upon the Court's orders in lieu of adopting the proposed ordinance.

OTHER AGENCY INVOLVEMENT:

The Administrative Office has been consulted on this issue.

FINANCING:

Adoption of this ordinance would not require funding or impact the County's general fund.

CEQA:

This action is not a project pursuant to the California Environmental Quality Act.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This proposed program correlates to the Health & Human Services Strategic Initiatives adopted by the Board of Supervisors by working towards the goals of improving health and quality of life outcomes to individuals and families to address the immediate threat to the public peace, health and safety and prevent displacement of tenants resulting from the economic impact of the COVID-19 pandemic.

Mark a check to the related Board of Supervisors Strategic Initiatives

Check the related Board of Supervisors Strategic Initiatives:

☐ Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

☐ Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

☒ Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

☐ Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

☒ Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Dated: August , 2020

Prepared/Approved by:

Leslie J. Girard, County Counsel

Attachments:

Board Report

Ex. A - Executive Order N-28-20

Ex. B - Ordinance No. 5325

Ex. C - Ordinance No. 5331
Ex. D - Draft ordinance