

City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JUNE 16, 2020**

FROM: COUNCILMEMBER RONALDO FIERRO **WARDS: ALL**

SUBJECT: AMENDMENT TO RESOLUTION NO. 23579 CONFIRMING THE EXTENSION OF THE TEMPORARY MORATORIUM ON EVICTIONS FOR RESIDENTIAL AND COMMERCIAL TENANTS UNTIL JUNE 30, 2020.

ISSUE: Amendment to Resolution No. 23579 confirming and clarifying the extension of the temporary moratorium on evictions for residential and commercial tenants until June 30, 2020.

RECOMMENDATION:

That the City Council adopt the attached Resolution amending Resolution No. 23579 confirming the temporary moratorium on residential and commercial tenant evictions until June 30, 2020 with a time frame to pay the back rent through December 31, 2020.

BACKGROUND:

The City, pursuant to the police powers delegated to it by the Constitution of the State of California, has the authority to enact laws which promote the public health, safety and general welfare of its residents.

On March 31, 2020, the Riverside City Council proactively responded to these economic factors by enacting an eviction moratorium on tenant evictions due to nonpayment of rent for 60 days with the option for extension. The moratorium protects small businesses with little to no revenue from losing their store fronts and keeps Riverside residents who are suffering from pay cuts, layoffs and other economic distress factors in their homes while they shelter in place.

On May 26, 2020, the Riverside City Council voted 6-1 to extend the temporary eviction moratorium until June 30th, with the pre-condition that California Governor Gavin Newsom extends protections for local governments as delineated in executive orders N-28-20 and N-37-20 that were set to expire on May 31, 2020.

On May 29, 2020, California Governor Gavin Newsom issued Executive Order N-66-20 extending protectionss set forth in N-28-20, ordering: *“any provision in state law that would preempt or otherwise restrict a local government’s exercise of its police power to impose limitations on residential or commercial evictions... is hereby suspended to the extend that it would preempt or otherwise restrict such exercise.”*

DISCUSSION:

Legislative proposals currently being deliberated by the State Legislature have the real possibility of providing statewide eviction protections and comprehensive rental assistance. Until then, it is incumbent upon our local government to provide stop-gap protections for both residential and commercial renters.

This amendment serves to clarify and confirm that the local temporary eviction moratorium is in place until June 30, 2020, and that the payback period has been extended until December 31, 2020. Resolution 23579, which extended the eviction moratorium, referenced the extension of Executive Order N-37-20 as a condition for the extension, stating:

“This Resolution shall go into effect on June 1, 2020, but only if Governor Newsom extends Executive Order N-37-20. If the Governor extends Executive Order N-37-20, then this Resolution will expire on June 30, 2020. If the Governor does not extend Executive Order N-37-20, this Resolution and Resolution No. 23558 shall expire on June 1, 2020, and be of no further force and effect.”

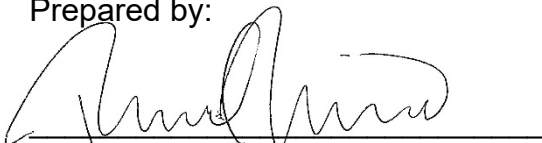
However, instead of extending Executive Order N-37-20, Governor Newsom extended Executive Order N-28-20, a prior order that N-37-20 built upon. Because of this, clarification is needed and the resolution passed on May 26, 2020, by the City Council must be amended for the eviction moratorium to remain in effect.

This action does not further extend the eviction moratorium or the payback period, but rather clarifies and confirms the intent of the original action.

FISCAL IMPACT:

There is no expected fiscal impact of this item.

Prepared by:



RONALDO FIERRO
City Councilmember, Ward 3

Approved as to form: Gary G. Geuss, City Attorney

Attachment:

1. Resolution