

RESOLUTION NO. 2020 _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, CONFIRMING THE APRIL 28, 2020 EIGHTH SUPPLEMENT TO PUBLIC ORDER (EXTENDING THE EVICTION MORATORIA PAYMENT PERIOD FOR UNPAID RENT TO 12 MONTHS) AND THE MAY 1, 2020 NINTH SUPPLEMENT TO PUBLIC ORDER (REVISED SAFER AT HOME ORDER) ISSUED BY THE CITY MANAGER, AS DIRECTOR OF EMERGENCY SERVICES, UNDER CITY OF CULVER CITY EMERGENCY AUTHORITY, DUE TO THE CORONAVIRUS RESPIRATORY DISEASE (COVID-19) PANDEMIC.

WHEREAS, since February 2020, the City of Culver City has been part of a coordinated response involving the federal Centers for Disease Control and Prevention, the California Department of Public Health, and the Los Angeles County Department of Public Health as a result of the rapidly evolving multinational outbreak of the coronavirus respiratory disease (COVID-19); and

WHEREAS, pursuant to the authority granted by Culver City Municipal Code (CCMC) Section 3.09.020, on March 14, 2020, the City Manager, as the Director of Emergency Services, issued a Proclamation of Local Emergency due to the outbreak and spread of Coronavirus (COVID-19), which was ratified by the City Council on March 18, 2020 by Resolution No. 2020-R015. Such action followed the Los Angeles County Department of Public Health's and the Chair of the Board of Supervisor's declarations of a local health emergency and the State of California's declaration of a State of Emergency on March 4, 2020, and the President's declaration of a National Emergency on March 13, 2020; and

WHEREAS, as of May 6, 2020, Johns Hopkins University reported 3,689,887 confirmed COVID-19 cases globally and 258,160 deaths; 1,206,323 cases nationally, with

1 71,152 deaths; and 58,685 cases in California, with 2,388 deaths. As of May 5, 2020, the Los
2 Angeles County Department of Public Health reported 27,815 cases in Los Angeles County
3 with 1,313 deaths, which includes 85 cases and one death in Culver City. As there is a rapid
4 increase in cases and ongoing significant risk of infection throughout the United States and
5 the State of California, the federal Centers for Disease Control and Prevention and the
6 California Department of Public Health are recommending that counties and cities throughout
7 the U.S. continue to actively address the COVID-19 pandemic and implement aggressive
8 measures to prevent the spread of COVID-19; and

10 *Eighth Supplement to Public Order*

11 WHEREAS, during this unprecedented time, various orders have been issued by
12 the State of California and the Los Angeles County Department of Public Health, as well as a
13 number of our neighboring communities, designed to protect both residential and commercial
14 tenants from eviction during the COVID-19 pandemic; and

16 WHEREAS, on March 16, 2020, under the authority of CCMC Section 3.09.020,
17 the City Manager issued a Public Order enacting City measures to protect members of the
18 public and City workers from undue risk of COVID-19, which included, among other things,
19 the imposition of a moratorium on residential tenant evictions (“Residential Tenant Eviction
20 Moratorium” or “RTEM”), prohibiting a landlord from evicting a residential tenant in the City of
21 Culver City during this local emergency period if the tenant documents an inability to pay rent
22 due to circumstances related to the COVID-19 pandemic; and

24 WHEREAS, On March 20, 2020, the City Manager issued a First Supplement to
25 Public Order (“March 20 Order”), which included, among other things, protections for
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1 commercial tenants against evictions based on an inability to pay rent due to COVID-19
2 related circumstances (“Commercial Tenant Eviction Moratorium” or “CTEM”); and

3 WHEREAS, On March 26, 2020, in response to growing evidence of the critical
4 need for residents to shelter in place, the City Council considered further expanding the
5 Residential Tenant Eviction Moratorium. Finding a compelling public interest in protecting the
6 public health and safety and the health and safety of tenants who are facing eviction, and in
7 ensuring that residents have a home in which to shelter in place during this critical health
8 crisis, the City Council directed the City Manager to expand the RTEM to prohibit all evictions
9 of residential tenants through May 31, 2020, subject to certain limited exceptions; and

10
11 WHEREAS, on March 27, 2020, the City Manager issued a Second Supplement
12 to Public Order extending the Residential Tenant Eviction Moratorium through May 31, 2020
13 and expanding its scope, consistent with the City Council’s direction; and

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15 WHEREAS, on April 7, 2020, as economic impacts continued, affecting both
16 residential and commercial tenants and their ability to fulfill their financial obligations,
17 including the payment of rent, the City Manager issued a Fifth Supplement to Public Order
18 extending the Commercial Tenant Eviction Moratorium through May 31, 2020; and

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20 WHEREAS, included in both the Residential Tenant Eviction Moratorium and the
21 Commercial Tenant Eviction Moratorium (collectively, “Eviction Moratoria”), is a provision that
22 requires a tenant who has an inability to pay rent during the local emergency period, and who
23 qualifies for protection under the respective Eviction Moratoria, to pay any rent that remains
24 unpaid (“Back Rent”) within six months of the expiration of the local emergency period; and

25
26 WHEREAS, on April 27, 2020, finding there to be a public interest in ensuring
27 tenants have a sufficient recovery period once the Eviction Moratoria have expired, preserving

1 and increasing housing security and stability, and preventing residents from falling into
2 homelessness due to this health crisis, the City Council directed the City Manager to extend
3 the period for the payment of Back Rent to 12 months; and

4 WHEREAS, on April 28, 2020, the City Manager issued an Eighth Supplement to
5 Public Order consistent with City Council's April 27th direction; and

6 *Ninth Supplement to Public Order*
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8 WHEREAS, the March 20 Order also incorporated by reference, any and all
9 orders set forth in Public Order Under City of Los Angeles Emergency Authority, Subject:
10 SAFER AT HOME, issued by Los Angeles Mayor Eric Garcetti on March 19, 2020; and

11 WHEREAS, since the March 19 *SAFER AT HOME* Order, Los Angeles Mayor
12 Garcetti issued revised *SAFER AT HOME* Orders on April 1 and April 10, 2020. In step with
13 the City of Los Angeles, on April 7, 2020 and April 11, 2020, respectively, the City Manager
14 issued a Fifth Supplement to Public Order (incorporating the April 1 *SAFER AT HOME* Order)
15 and a Seventh Supplement to Public Order (incorporating the April 10 *SAFER AT HOME*
16 Order); and
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18 WHEREAS, on April 27, 2020, the City of Los Angeles issued another revised
19 *SAFER AT HOME* Order, effective through May 15, 2020, which primarily addresses
20 clarifications regarding funeral attendance and real estate showings; and
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22 WHEREAS, on May 1, 2020, the City Manager issued a Ninth Supplement to
23 Public Order, enacting any and all orders set forth in Mayor Garcetti's April 27 *SAFER AT*
24 *HOME* Order.
25

26 NOW, THEREFORE, the City Council of the City of Culver City, California,
27 DOES HEREBY RESOLVE as follows:
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1 1. Pursuant to CCMC Section 3.09.020.B.1.h(2), the City Council hereby
2 confirms the Eighth Supplement to Public Order issued by the Director of Emergency Services
3 on April 28, 2020, attached hereto as Exhibit A and incorporated herein as though fully set
4 forth.

5 2. Pursuant to CCMC Section 3.09.020.B.1.h(2), the City Council hereby
6 confirms the Ninth Supplement to Public Order issued by the Director of Emergency Services
7 on May 1, 2020, attached hereto as Exhibit B and incorporated herein as though fully set forth.

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9 3. The City Council finds that this Resolution is not subject to the California
10 Environmental Quality Act ("CEQA") pursuant to CEQA guidelines, California Code of
11 Regulations, Title 14, Chapter 3, §15060(c)(2) [the activity will not result in a direct or
12 reasonably foreseeable indirect physical change in the environment] and §15060(c)(3) [the
13 activity is not a project as defined in §15378] because it has no potential for resulting in
14 physical change to the environment, directly or indirectly.

15 4. This Resolution shall take effective immediately upon its adoption.

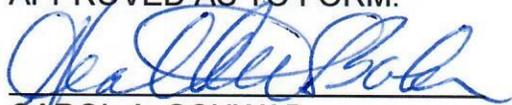
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17 APPROVED and ADOPTED this _____ day of _____ 2020.

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19 _____
20 GÖRAN ERIKSSON, MAYOR
City of Culver City, California

21 ATTEST:

APPROVED AS TO FORM:

22 _____
23 JEREMY GREEN
City Clerk

24 
25 CAROL A. SCHWAB
26 City Attorney
27 *for*

28 A20-00178