

ORDINANCE NO.

AN AMENDMENT TO ORDINANCE NO. 2.20, AN URGENCY ORDINANCE OF THE CITY OF MOUNTAIN VIEW TEMPORARILY SUSPENDING EVICTIONS FOR NONPAYMENT OF RENT BY RESIDENTIAL TENANTS IMPACTED BY THE COVID-19 EMERGENCY EXTENDING THE DURATION OF THE ORDINANCE TO JUNE 30, 2020

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Emergency Conditions Persist; Need to Extend Term.

(a) On March 27, 2020, the City Council adopted Ordinance No. 2.20, which temporarily suspended evictions for nonpayment of rent by residential tenants impacted by the COVID-19 emergency (Ordinance).

(b) The term of the Ordinance was through May 31, 2020, the same term as Governor Newsom's Executive Order N-28-20 which authorized local governments to halt evictions for renters affected by COVID-19 and Order N-37-20 which built upon the previous order to add tenant protections which prohibit landlords from evicting tenants for nonpayment of rent and prohibits enforcement of evictions by law enforcement or courts.

(c) On March 31, 2020 and April 29, 2020, the Health Officer of the County of Santa Clara issued subsequent orders directing all individuals living in the County to continue to shelter in their place of residence subject to certain exceptions.

(d) The public health emergency conditions affecting renters, as described in the findings of the Ordinance, continue to exist in the City, and in order to protect the public health, safety and welfare, it is necessary to continue the temporary suspension on evictions from residential units due to a resident's loss of substantial income arising out of the consequences of the COVID-19 pandemic.

(e) For the extended duration of the COVID-19 pandemic, displacement through eviction continues to create undue hardship for tenants through additional relocation costs, stress and anxiety, and the threat of homelessness due to the lack of alternative housing.

(f) For the extended duration of the COVID-19 pandemic, affected tenants who have lost income due to impacts on the economy or their employment continue to be at

risk of homelessness if they are evicted for nonpayment as they will have little or no income and thus be unable to secure other housing if evicted.

(g) For the extended duration of the COVID-19 pandemic, substantial losses in income or substantial out-of-pocket medical expenses due to the shelter-in-place restrictions continue to leave renters in the City with less money to spend on other necessities such as food, healthcare, transportation and education; thus extending the protections in the Ordinance is necessary to protect the health, safety and welfare of its residents, including, but not limited to, the need to keep residents in their homes during the time that they need to shelter in place.

(h) The term of the Ordinance may be extended by the City Council.

Section 2. Extension of Term.

The first paragraph of Section 2 of the Ordinance is amended to read as follows:

“Section 2. From the effective date of this urgency ordinance and continuing through June 30, 2020, unless extended by the City Council, a suspension of evictions for nonpayment of rent by residential tenants impacted by the COVID-19 pandemic is imposed as follows:”

Section 3. Ordinance No. 2.20 Remains in Effect.

Except as amended set forth herein, Ordinance No. 2.20 shall remain in full force and effect.

Section 4. Pursuant to Mountain View City Charter Section 514, and Government Code Sections 36934 and 36973, the provisions of this ordinance shall be effective immediately upon adoption.

Section 5. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 6. This ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Guidelines Sections 15060(c)(2) because the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment; and 15060(c)(3) because the activity is not a project as defined in Guidelines Section

15378 because it has no potential for resulting in physical change to the environment, directly or indirectly.

KC/5/ORD
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