REGULAR MEETING

SAND CITY COUNCIL

AND

SUCCESSOR AGENCY OF THE FORMER
REDEVELOPMENT AGENCY

AGENDA
SAND CITY COUNCIL CHAMBERS

TUESDAY, APRIL 7, 2020

5:30 P.M.
AGENDA
JOINT SAND CITY COUNCIL AND SUCCESSOR AGENCY
OF THE REDEVELOPMENT AGENCY

Regular Meeting - April 7, 2020
5:30 P.M.
As allowed per the State of California Governor’s Executive Order N-29-20, this meeting will be conducted by telephone. Members of the public may call in to;
Dial-in number: (425) 436-6361
Access code: 549824

How to Submit Public Comments:
Written: All comments received before 8:00 am the day of the meeting will be posted on the City’s website as “Correspondence” under the relevant agenda item and provided to the City Council members at the meeting. Please email your comments to aaron@sandcityca.org.

Read Aloud During the Meeting: Email your comments to aaron@sandcityca.org when the Mayor opens the public comment period for the relevant agenda item; please indicate the agenda item and title in your email subject line. If you want your comment read aloud, prominently write “Read Aloud at Meeting” at the top of the email and your comments will be read into the record (not to exceed three minutes at staff’s cadence).

1. ROLL CALL

2. ANNOUNCEMENTS BY MAYOR, CITY ATTORNEY, AND CITY STAFF

3. PUBLIC COMMENT

Members of the public may address the City Council/Successor Agency on matters not appearing on the City Council/Successor Agency Agenda at this time for up to three minutes. In order that the City Clerk may later identify the speaker in the minutes of the meeting, it is helpful if speakers state their names. Public comments regarding items on the scheduled agenda will be heard at the time the item is being considered by the City Council/Successor Agency.

If you need assistance, please advise the City Clerk in advance as to which item you would like to comment on and the City will assist you with arrangements.

4. CONSENT CALENDAR

A. Approval of March 17, 2020 Sand City Council Meeting Minutes

5. NEW BUSINESS

A. DISCUSSION Ratifying the Order of the Director of Emergency Services of the
City of Sand City imposing substantive limits on residential and commercial evictions, issued on March 23, 2020

B. Comments by Council Members on Meetings and Items of interest to Sand City

C. Upcoming Meetings/Events

6. CLOSED SESSION

A. City Council/Successor Agency Board to adjourn to Closed Session regarding:

1) Conference with labor negotiator pursuant to California Government Code Section 54957.6. Agency designated representatives: Donna Williamson/ Vibeke Norgaard, City Attorney
   Employee Organization: Sand City Police Officers Association (POA)

B. Re-adjourn to Open Session to report any action taken at the conclusion of Closed Session in accordance with Cal. Gov Code section 54957.1.

7. ADJOURNMENT

| Next Scheduled Council Meeting: |
| Tuesday, April 21, 2020 |
| 5:30 P.M. |
| Telephonic meeting: |
| Dial-in number: (425) 436-6361 |
| Access code: 549824 |

This is intended to be a draft agenda. The City reserves the right to add or delete to this agenda as required.

The current Sand City agenda is available in PDF format on our website at: www.sandcity.org/agenda

If you have a request for a disability-related modification or accommodation, including auxiliary aids or services, which will allow you to participate in a Sand City public meeting, please call the City Clerk at (831) 394-3054 extension 222, or give your written request to the City Clerk at One Pendergrass Way, Sand City, CA 93955 at least 12 hours prior to the scheduled meeting to allow the City Clerk time to arrange for the requested modification or accommodation.
AGENDA ITEM
4A
MINUTES
JOINT SAND CITY COUNCIL AND SUCCESSOR AGENCY
OF THE REDEVELOPMENT AGENCY

Regular Meeting – March 17, 2020
5:30 P.M.
CITY COUNCIL CHAMBERS
Sand City Hall, One Pendergrass Way, Sand City, CA 93955

Mayor Carbone opened the meeting at 5:31 PM.
The Pledge of Allegiance was led by Chief Ferrante.

Present:  Mayor Mary Ann Carbone
          Vice Mayor Blackwelder (excused absence)
          Council Member Hawthorne (excused absence)
          Council Member Sofer (via teleconference)
          Council Member Cruz

Staff:    Aaron Blair, City Manager
          Vibeke Norgaard, City Attorney
          Brian Ferrante, Police Chief

AGENDA ITEM 4 ANNOUNCEMENTS BY MAYOR, CITY ATTORNEY, AND CITY STAFF

Motion to Declare a State of Emergency Due to the Spread of a Severe Respiratory Illness Caused by a Coronavirus (COVID-19) was made by Council Member Cruz, seconded by Council Member Sofer. AYES: Council Members Carbone, Cruz, Sofer. NOES: None. ABSENT: Council Members Blackwelder, Hawthorne. ABSTAIN: None. Motion carried.

Motion to add Urgency Item 9A City Resolution of the City Council of Sand City Ratifying the Proclamation of Emergency by the City Manager Due to the Spread of a Severe Respiratory Illness Caused by a Coronavirus (COVID-19) to the agenda for immediate action was made by Council Member Sofer, seconded by Council Member Cruz. AYES: Council Members Carbone, Cruz, Sofer. NOES: None. ABSENT: Council Members Blackwelder, Hawthorne. ABSTAIN: None. Motion carried.

Aaron Blair, City Manager, gave an update on his efforts to stay informed and spread information on the growing pandemic via the City’s website and social media accounts. City Hall will remain closed to the public for the duration of the shelter in place order. All departments will continue to function.

Copies of Sand City agendas and background reports are available at the City Hall, City of Sand City
Chief Ferrante, spoke on the precautions taken by the police department, which are in alignment with recommendations by the Center for Disease Control.

AGENDA ITEM 5  PUBLIC COMMENT

5:46 P.M. Floor opened for Public Comment.

There were no comments from the Public in person, via writing, or through telecommunications.

5:48 P.M. Floor closed to Public Comment.

AGENDA ITEM 6  CONSENT CALENDAR

A. There was no discussion of March 3, 2020 City Council Meeting Minutes

B. There was no discussion of City Resolution Designating the Week of April 19 through April 25, 2020 as National Crime Victims’ Rights Week

C. There was no discussion of City Resolution Appointing Connie Horca as Acting City Clerk

D. There was no discussion of City Resolution Honoring Linda K. Scholink for 30 years of Service to the City of Sand City and Successor Agency to the Former Redevelopment Agency

E. There was no discussion of Appointment of Councilmember Kim Cruz to the Budget/ Personnel Committee to Temporarily Substitute for Councilmember Jerry Blackwelder

Motion to approve the Consent Calendar items was made by Council Member Cruz, seconded by Council Member Sofer. AYES: Council Members Carbone, Cruz, Sofer. NOES: None. ABSENT: Council Members Blackwelder, Hawthorne. ABSTAIN: None. Motion carried.

AGENDA ITEM 7  CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items pulled from the consent calendar.

AGENDA ITEM 8  PRESENTATIONS

A. Monterey One Water – Paul Sciuto, General Manager
The presentation by Monterey One Water was postponed to an undetermined date.

AGENDA ITEM 9 NEW BUSINESS

A. Urgency Item. The following item was added pursuant to the Brown Act, Gov. Code section 54954.2(b)(2).

RESOLUTION of the City Council of Sand City Ratifying the Proclamation of Emergency by the City Manager Due to the Spread of a Severe Respiratory Illness Caused by a Coronavirus (COVID-19)

Aaron Blair, City Manager and Disaster Council Chair Person, presented the staff report, proclamation, and resolution.

5:52 P.M. Floor opened for Public Comment

There were no comments from the public.

5:53 P.M. Floor closed to Public Comment

Motion to approve the Resolution of the City Council of Sand City Ratifying the Proclamation of Emergency by the City Manager Due to the Spread of a Severe Respiratory Illness Caused by a Coronavirus (COVID-19) was made by Council Member Cruz, seconded by Council Member Sofer. AYES: Council Members Carbone, Cruz, Sofer. NOES: None. ABSENT: Council Members Blackwelder, Hawthorne. ABSTAIN: None. Motion carried.

B. Consideration of Successor Agency RESOLUTION Authorizing the Executive Director to Execute a Second Amendment to Agreement Regarding Affordable Housing

City Attorney, Vibeke Norgaard, presented the staff report and resolution, explaining the history of the affordable units within the Independent Building.

6:04 P.M. Floor opened for Public Comment

There were no comments from the public.

6:05 P.M. Floor closed to Public Comment

City Council approved the elements of the Agreement and gave the City Attorney direction to investigate bringing the resolution to the Successor Agency Oversight Board.

C. Consideration of City RESOLUTION Updating Officers Assigned to the Investment of Sand City Monies in Local Agency Investment Fund
(LAIF)

Aaron Blair, City Manager, presented the staff report and resolution.

6:08 P.M. Floor opened for Public Comment

There were no comments from the public.

6:09 P.M. Floor closed to Public Comment

Motion to approve the City Resolution Updating Officers Assigned to the Investment of Sand City Monies in Local Agency Investment Fund (LAIF) was made by Council Member Carbone, seconded by Council Member Cruz. AYES: Council Members Carbone, Cruz, Sofer. NOES: None. ABSENT: Council Members Blackwelder, Hawthorne. ABSTAIN: None. Motion carried.

D. Discussion of Accepting a Donation to the City

Mr. Blair presented the staff report on the donation of seven, locally-produced sculptures.

6:16 P.M. Floor opened for Public Comment

There were no comments from the public.

6:17 P.M. Floor closed to Public Comment

The City Council directed the City Manager to execute an agreement for the donation of art and any related paperwork.

Motion to accept the donation to the City was made by Council Member Sofer, seconded by Council Member Cruz. AYES: Council Members Carbone, Cruz, Sofer. NOES: None. ABSENT: Council Members Blackwelder, Hawthorne. ABSTAIN: None. Motion carried.

E. Comments by Council Members on Meetings and Items of Interest to Sand City

Council Member Sofer reminded those present that all City events and City Council attended events have been cancelled.

The City Council directed the City Manager to look into the process for cancelling the West End Celebration scheduled for August.

F. Upcoming Meetings/Events
AGENDA ITEM 10 ADJOURNMENT

Motion to adjourn the meeting was made by Council Member Cruz, seconded by Council Member Sofer. There was consensus of the City Council to adjourn the meeting at 6:26 PM to the next regularly scheduled City Council meeting on Tuesday, April 7, 2020 at 5:30 p.m.

Connie Horca, Acting City Clerk
City of Sand City

Staff Report

TO: Honorable Mayor and City Council Members
FROM: Aaron Blair, City Manager; Vibeke Norgaard, City Attorney
DATE: April 2, 2020
MEETING: April 7, 2020 Special Council Meeting
SUBJECT: Adopt a Resolution Ratifying the Order of the Director of Emergency Services of the City of Sand City imposing substantive limits on residential and commercial evictions, issued on March 23, 2020

BACKGROUND TO HEALTH CRISIS
On March 6, 2020, the County Administrative Officer of Monterey County (“County CAO”) proclaimed a Local Emergency due to the threat of the novel coronavirus (“COVID-19”) in the County. On March 11, 2020, the World Health Organization (“WHO”) classified the spread of COVID-19 internationally as a global pandemic.

In response to the COVID-19 health crisis, on March 17, 2020 the County of Monterey Director of Health issued a shelter in place order requiring all individuals living within Monterey County to shelter at their place of residence, except to engage in essential activities, essential government functions or to operate essential businesses. On March 19, 2020, the Governor of the State of California, Gavin Newsom (Governor), issued a statewide stay at home order (Executive Order N-33-20). The Governor’s order requires that residents stay at their places of residence except as needed to maintain continuity of operations for certain critical infrastructure sectors referenced in the order, and as needed to access necessities such as food and healthcare.

EVICTIONS ORDERS
The Governor has issued two orders addressing evictions during this health crisis: On March 16, 2020, he issued executive order N-28-20 which allows local governments to exercise their police power to limit residential or commercial evictions for non-payment of rent due to certain COVID-19 related circumstances. On March 27, 2020, the Governor issued Executive Order N-37-20 which extends response deadlines for certain residential tenants facing eviction and prohibits the enforcement of writs to evict certain residential tenants due to nonpayment of rent. Specifically, order N-37-20, attached as Exhibit B, prohibits eviction of residential tenants for nonpayment of rent when all of the following circumstances are present: (1) the tenant has paid all rent due prior to the date of the Governor’s order; (2) the tenant notifies the landlord in writing within seven days after the rent is due that the delay is due to certain reasons related
to COVID-19, and (3) the tenant retains documentation of such assertions and provides it to the landlord. Both orders are in effect through May 31, 2020.

In Sand City, on March 16, 2020, the City Manager proclaimed the existence of a local emergency to ensure the availability of mutual aid and effectuate the City’s response to COVID-19. The City Council ratified that emergency proclamation at its City Council meeting on March 17, 2020.

On March 23, 2020, the Sand City Director of Office of Emergency Services/City Manager issued an order imposing substantive limits on residential and commercial evictions within Sand City, attached to the resolution as Exhibit A ("Sand City Order"). The goal was to avoid unnecessary housing displacement, to protect the City’s affordable housing stock, and to prevent housed individuals from falling into homelessness. In addition, the loss of income as a result of impacts from COVID-19, including having to stay home from work and shut down business operations, will inhibit some City residents and City businesses from fulfilling their financial obligations, including payment of rent. On April 2, 2020 the Governor has stated that many small business have been "devastated" by the COVID-19 outbreak. The Sand City Order does not relieve residential and commercial tenants of the obligation to pay rent, it merely allows a period during which the landlord may not evict tenants for such nonpayment.

**ISSUES FOR COUNCIL CONSIDERATION**

The Council is being asked to consider whether to ratify the Sand City Order as is required by Sand City Municipal Code Chapter 2, section 2.12.080(A)(6)(a).

If ratified, the resolution would impose the eviction moratorium for both residential and commercial tenants through May 31, 2020, unless it is earlier terminated or extended. This coincides with the period of time the Governor’s Executive Orders N-28-20 and N-37-20 are in effect.

If the Council declines to ratify the Sand City Order, the order will no longer be valid. However, even without a local Sand City order, the Governor’s order N-37-20 pertaining only to residential tenants would still be in effect within Sand City.

**ENVIRONMENTAL ANALYSIS**

The actions proposed herein is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b)(3), the "General Rule" provision of CEQA which applies to projects which may have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed actions will not have a significant effect on the environment and, hence, is not subject to CEQA.
FISCAL IMPACT
Approval of the staff recommendations will have no direct fiscal impact on the City's General Fund.

STAFF RECOMMENDATION
Staff recommends that the City Council discuss the attached resolution ratifying the Sand City Order and take one of the following actions:
1. Adopt the resolution ratifying the order.
2. Decline to adopt the resolution, in which case the Sand City Order will no longer be in effect.
CITY OF SAND CITY
RESOLUTION SC-____, 2020

RESOLUTION OF THE CITY COUNCIL OF SAND CITY RATIFYING THE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF SAND CITY IMPOSING SUBSTANTIVE LIMITS ON RESIDENTIAL AND COMMERCIAL EVICTIONS

WHEREAS, the California Emergency Services Act (Cal. Gov. Code sections 8550, et. seq.) defines a local emergency as the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a city, caused by such conditions such as an epidemic, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of a city, and require the combined forces of other political subdivisions to combat; and

WHEREAS, Chapter 2, section 2.12.040 of the Sand City Municipal Code defines emergency as the actual or threatened existence of conditions of disaster or extreme peril to the safety of persons and property within this City, including an epidemic, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City; and

WHEREAS, on March 16, 2020 the City Manager of Sand City issued a Proclamation of Local Emergency due to the worldwide pandemic of the virus known as COVID-19, which proclamation was ratified by the City Council of Sand City at its regularly scheduled City Council meeting on March 17, 2020; and

WHEREAS, in response to the COVID-19 outbreak on March 16, 2020, the Governor of the State of California Gavin Newsom (“Governor”) issued an Executive Order (N-28-20) suspending any provision of state law prohibiting a local government from exercising its police power to impose substantive limitations on residential or commercial evictions until May 31, 2020; and

WHEREAS, the Sand City Municipal Code section 2.12.080(6)(a) authorizes the Director of Office of Emergency Services to make and issue rules and regulations on matters reasonably related to the protection of life and property provided such regulations are confirmed at the earliest practicable time by the City Council of Sand City; and

WHEREAS, on March 23, 2020, the Sand City Director of Office of Emergency Services issued an order imposing substantive limits on residential and commercial evictions within Sand City, attached to this resolution as Exhibit A; and

WHEREAS, on March 27, 2020 the Governor issued Executive Order (N-37-20) extending certain deadlines for residential tenants and preventing the enforcement of writs against residential tenants facing eviction due to the nonpayment of rent because of certain COVID-19 related circumstances through May 31, 2010, attached to this resolution as Exhibit B; and

WHEREAS, this project is exempt from the California Environmental Quality Act (CEQA) Guidelines 15061(b)(3) because there is no possibility that the implementation of this resolution
Resolution SC ___, 2020

may have significant effects on the environment. This resolution will apply tenant protections to existing residential and commercial units for a limited period of time. This is solely an administrative process resulting in no physical changes to the environment. Furthermore, the project does not qualify for any of the exceptions to the categorical exemptions found at CEQA Guidelines Section 15300.2.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sand City as follows:

1. That the foregoing recitals and the Order of the Director of Emergency Services of the City of Sand City Imposing Substantive Limits on Residential and Commercial Evictions, attached hereto as Exhibit A ("Order"), as well as the findings contained therein, are hereby incorporated by reference as though fully set forth herein.

2. That the Order is hereby ratified and confirmed by the City Council.

3. That the Director of Emergency Services/City Manager or his designee is authorized to take whatever other action is authorized under the Sand City municipal code and state and federal law, subject to any required authorization from the City Council, consistent with this Resolution.

4. That the Order attached as Exhibit A shall remain in effect through May 31, 2020 unless extended by resolution of this City Council.

PASSED AND ADOPTED by the City Council of Sand City on this _____ day of April 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

______________________________
Mary Ann Carbone, Mayor

ATTEST:

______________________________
Connie Horca, City Clerk
ORDER OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF SAND CITY IMPOSING SUBSTANTIVE LIMITS ON RESIDENTIAL AND COMMERCIAL EVICTIONS

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS-CoV-2,” and the disease has been named “coronavirus disease 2019,” abbreviated COVID-19 (“COVID-19”); and

WHEREAS, on March 4, 2020, the Governor of the State of California (Governor) declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for a broader spread of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

WHEREAS, on March 16, 2020, the City Manager of Sand City issued a Proclamation of Local Emergency, pursuant to California Government Code §8630 and the Sand City Municipal Code Chapter 2.12, which enables him to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by the emergency; and

WHEREAS, on March 6, 2020, the County of Monterey’s County Administrative Officer issued a proclamation of local emergency as a precautionary measure to help the County mobilize and coordinate resources to be prepared to address the threat of COVID-19 and the County Board of Supervisors ratified the Proclamation of Local Emergency related to COVID-19; and

WHEREAS, in light of the COVID-19 pandemic and his state of emergency proclamation, on March 16, 2020, the Governor issued an executive order (Executive Order N-28-20) suspending any provision of state law prohibiting a local government from exercising its police power to impose substantive limitations on residential or commercial evictions; and

WHEREAS, a copy of the Governor’s Executive Order is attached hereto; and
WHEREAS, on March 17, 2020, the City Council of Sand City ratified the Proclamation of Local Emergency and authorized the Director of Emergency Services to take action to mitigate the effects of the local emergency; and

WHEREAS, during this state of emergency, and in the interest of protecting the public health and preventing continued transmission of COVID-19, it is essential to avoid unnecessary housing displacement, to protect the City’s affordable housing stock, and to prevent housed individuals from falling into homelessness; and

WHEREAS, loss of income as a result of impacts from COVID-19 may inhibit City residents and businesses from fulfilling their financial obligations, including payment of rent, thereby directly affecting their ability to stay housed during the spread of the COVID-19 pandemic; and

WHEREAS, consistent with the Monterey County Health Officer’s March 17, 2020 Order for residents of Monterey County to shelter in place, with limited exceptions to provide or to receive essential services or to engage in certain essential activities, on March 17, 2020, the City of Sand City closed all City facilities to general public access, except to provide essential services; and

WHEREAS, on March 19, 2020, the Governor issued a statewide stay at home order (Executive Order N-33-20); and

WHEREAS, commercial activity and businesses are essential to a vibrant and healthy community and this Order provides stability and fairness as businesses have been and will continue to be substantially impacted by orders to shelter in place and limitations on operations and hours; and

WHEREAS, without the immediate effectiveness of this Order there is an increased risk of residential tenants becoming homeless and a substantial impact to local businesses; and

WHEREAS, there is an urgent need for the City of Sand City to impose substantive limitations to protect the health, safety, and welfare of its citizens in light of the emergency declaration regarding the COVID-19 pandemic.

NOW, THEREFORE, I, Aaron Blair, the Director of the Office of Emergency Services for the City of Sand City, do hereby issue the following order to become effective immediately, subject to confirmation at the earliest practicable time by the City Council of Sand City as required by Sand City Municipal Code Chapter 2.12:

IT IS HEREBY ORDERED THAT:
1. The provisions of Executive Order N-28-20, including its recitals, are incorporated herein as if fully set forth.

2. The above recitals and the recitals in the Governor’s declaration are true and correct.

3. Pursuant to the general police power of the City to protect the health, safety, and welfare of its citizens, the authority of any landlord to commence evictions on any residential or commercial property within the corporate boundaries of the City of Sand City for the following reasons is hereby suspended through May 31, 2020, unless otherwise terminated or extended:

   a. The basis of the eviction is non-payment of rent, or a foreclosure, arising out of a substantial decrease in household or business income (including, but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and

   b. The decrease in household or business income or the out-of-pocket medical expenses described in subparagraph (a) was caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, and is documented.

4. Nothing in this Order shall relieve a tenant (residential or commercial) of the obligation to pay rent, nor restrict a landlord’s ability to recover rent due.

5. This Order applies to non-payment eviction notices, no-fault eviction notices, and unlawful detainer actions based on such notices, served or filed on or after the date on which the local emergency was proclaimed.

6. This Order shall be liberally construed to provide the broadest possible protection for the citizens of the City.
7. The City Manager (Director of Office of Emergency Services) is authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and the purposes of this Order.

8. If any provision of this Order or the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

9. This Order shall become effective immediately.

ADOPTED this 23rd day of March 2020.

Aaron Blair, City Manager/Director of Office of Emergency Services

ATTEST:

Linda Scholink, City Clerk

APPROVED AS TO FORM:

Vibeke Norgaard, City Attorney
7. The City Manager (Director of Office of Emergency Services) is authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and the purposes of this Order.

8. If any provision of this Order or the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

9. This Order shall become effective immediately.

ADOPTED this 2020 day of March 2020.

[Signature]

Aaron Blair, City Manager/Director of Office of Emergency Services

ATTEST:

[Signature]

Linda Scholink, City Clerk

APPROVED AS TO FORM:

[Signature] 5/28/20

Vibeke Norgaard, City Attorney
WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection and otherwise mitigate the effects of COVID-19 are needed; and

WHEREAS the economic impacts of COVID-19 have been significant, and could threaten to undermine Californians’ housing security and the stability of California businesses; and

WHEREAS many Californians are experiencing substantial losses of income as a result of business closures, the loss of hours or wages, or layoffs related to COVID-19, hindering their ability to keep up with their rents, mortgages, and utility bills; and

WHEREAS Californians who are most vulnerable to COVID-19, those 65 years and older, and those with underlying health issues, are advised to self-quarantine, self-isolate, or otherwise remain in their homes to reduce the transmission of COVID-19; and

WHEREAS because homelessness can exacerbate vulnerability to COVID-19, California must take measures to preserve and increase housing security for Californians to protect public health; and

WHEREAS local jurisdictions, based on their particular needs, may therefore determine that additional measures to promote housing security and stability are necessary to protect public health or to mitigate the economic impacts of COVID-19; and

WHEREAS local jurisdictions may also determine, based on their particular needs, that promoting stability amongst commercial tenancies is also conducive to public health, such as by allowing commercial establishments to decide whether and how to remain open based on public health concerns rather than economic pressures, or to mitigate the economic impacts of COVID-19; and

WHEREAS in addition to these public health benefits, state and local policies to promote social distancing, self-quarantine, and self-isolation require that people be able to access basic utilities—including water, gas, electricity, and telecommunications—at their homes, so that Californians can work from home, receive public health information, and otherwise adhere to policies of social distancing, self-quarantine, and self-isolation, if needed; and
WHEREAS many utility providers, public and private, covering electricity, gas, water, and sewer, have voluntarily announced moratoriums on service disconnections and late fees for non-payment in response to COVID-19; and

WHEREAS many telecommunications companies, including internet and cell phone providers, have voluntarily announced moratoriums on service disconnections and late fees for non-payment in response to COVID-19;

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) The time limitation set forth in Penal Code section 396, subdivision (f), concerning protections against residential eviction, is hereby waived. Those protections shall be in effect through May 31, 2020,

2) Any provision of state law that would preempt or otherwise restrict a local government’s exercise of its police power to impose substantive limitations on residential or commercial evictions as described in subparagraphs (i) and (ii) below—including, but not limited to, any such provision of Civil Code sections 1940 et seq. or 1954.25 et seq.—is hereby suspended to the extent that it would preempt or otherwise restrict such exercise. This paragraph 2 shall only apply to the imposition of limitations on evictions when:

   (i) The basis for the eviction is nonpayment of rent, or a foreclosure, arising out of a substantial decrease in household or business income (including, but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and

   (ii) The decrease in household or business income or the out-of-pocket medical expenses described in subparagraph (i) was caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, and is documented.

The statutory cause of action for judicial foreclosure, Code of Civil Procedure section 725a et seq.; the statutory cause of action for unlawful detainer, Code of Civil Procedure section 1161 et seq., and any other statutory cause of action that could be used to evict or otherwise eject a residential or commercial tenant or occupant of residential real property after foreclosure is suspended only as applied to any tenancy, or residential real property and any
occupation thereof, to which a local government has imposed a limitation on eviction pursuant to this paragraph 2, and only to the extent of the limitation imposed by the local government.

Nothing in this Order shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due.

The protections in this paragraph 2 shall be in effect through May 31, 2020, unless extended.

3) All public housing authorities are requested to extend deadlines for housing assistance recipients or applicants to deliver records or documents related to their eligibility for programs, to the extent that those deadlines are within the discretion of the housing authority.

4) The Department of Business Oversight, in consultation with the Business, Consumer Services, and Housing Agency, shall engage with financial institutions to identify tools to be used to afford Californians relief from the threat of residential foreclosure and displacement, and to otherwise promote housing security and stability during this state of emergency, in furtherance of the objectives of this Order.

5) Financial institutions holding home or commercial mortgages, including banks, credit unions, government-sponsored enterprises, and institutional investors, are requested to implement an immediate moratorium on foreclosures and related evictions when the foreclosure or foreclosure-related eviction arises out of a substantial decrease in household or business income, or substantial out-of-pocket medical expenses, which were caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19.

6) The California Public Utilities Commission is requested to monitor measures undertaken by public and private utility providers to implement customer service protections for critical utilities, including but not limited to electric, gas, water, Internet, landline telephone, and cell phone service, in response to COVID-19, and on a weekly basis publicly report these measures.

Nothing in this Order shall be construed to invalidate any limitation on eviction enacted by a local jurisdiction between March 4, 2020 and this date.

Nothing in this Order shall in any way restrict state or local authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential real property.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.
I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of March 2020.

[Signature]

CAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State
EXECUTIVE ORDER N-37-20

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

WHEREAS in a short period of time, COVID-19 has rapidly spread throughout California, necessitating stringent public health emergency orders as well as guidance from federal, state, and local public health officials; and

WHEREAS on March 16, 2020, I issued Executive Order N-28-20, suspending state law limitations on local jurisdictions that impose restrictions on evictions; and

WHEREAS on March 19, 2020, I issued Executive Order N-33-20, ordering all residents to immediately heed the Order of the State Public Health Officer for all residents, unless exempted, to stay home or at their place of residence; and

WHEREAS many Californians are experiencing or will experience substantial losses of income as a result of business closures, the loss of hours or wages, or layoffs related to COVID-19, hindering their ability to keep up with their rent, and leaving them vulnerable to eviction; and

WHEREAS minimizing evictions during this period is critical to reducing the spread of COVID-19 in vulnerable populations by allowing all residents to stay home or at their place of residence in compliance with Executive Order N-33-20; and

WHEREAS Chief Justice Tani Cantil-Sakauye issued advisory guidance on March 20, 2020 for superior courts to suspend most civil trials and hearings for at least 60 days, and on March 23, 2020, suspended all jury trials for a period of 60 days, and extended by 60 days the time period for the holding of a civil trial; and

WHEREAS on March 25, 2020 the Department of Business Oversight secured support from national banks, state banks and credit unions for temporary delays in mortgage payments and foreclosure sales and evictions for homeowners who have economic impacts from COVID-19 with the objective of maximizing consistency and minimizing hurdles potentially faced by borrowers.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) The deadline specified in Code of Civil Procedure section 1167 shall be extended for a period of 60 days for any tenant who is served, while
this Order is in effect, with a complaint that seeks to evict the tenant from a residence or dwelling unit for nonpayment of rent and who satisfies all of the following requirements:

a. Prior to the date of this Order, the tenant paid rent due to the landlord pursuant to an agreement.

b. The tenant notifies the landlord in writing before the rent is due, or within a reasonable period of time afterwards not to exceed 7 days, that the tenant needs to delay all or some payment of rent because of an inability to pay the full amount due to reasons related to COVID-19, including but not limited to the following:

(i) The tenant was unavailable to work because the tenant was sick with a suspected or confirmed case of COVID-19 or caring for a household or family member who was sick with a suspected or confirmed case of COVID-19;
(ii) The tenant experienced a lay-off, loss of hours, or other income reduction resulting from COVID-19, the state of emergency, or related government response; or
(iii) The tenant needed to miss work to care for a child whose school was closed in response to COVID-19.

c. The tenant retains verifiable documentation, such as termination notices, payroll checks, pay stubs, bank statements, medical bills, or signed letters or statements from an employer or supervisor explaining the tenant’s changed financial circumstances, to support the tenant’s assertion of an inability to pay. This documentation may be provided to the landlord no later than the time upon payment of back-due rent.

2) No writ may be enforced while this Order is in effect to evict a tenant from a residence or dwelling unit for nonpayment of rent who satisfies the requirements of subparagraphs (a)-(c) of paragraph 1.

3) The protections in paragraphs 1 and 2 shall be in effect through May 31, 2020.

Nothing in this Order shall prevent a tenant who is able to pay all or some of the rent due from paying that rent in a timely manner or relieve a tenant of liability for unpaid rent.

Nothing in this Order shall in any way restrict state or local governmental authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential property.

IT IS FURTHER ORDERED that this Order supersedes Executive Order N-28-20 to the extent that there is any conflict with that Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.
I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State
AGENDA ITEM
5C
From: Monterey Peninsula Chamber of Commerce
<communications@montereychamber.com>
Sent: Wednesday, April 1, 2020 2:31 PM
To: connie@sandcityca.org
Subject: Member2Member - April 1, 2020

WE APPRECIATE YOU!
A Big Thank You To Our Front Line Workers!
- Health Care Professionals
- Pharmacies
- Small Business Owners
- Restaurants
- Grocery Store Owners/Staff
- Banks
- Gas Stations
- Firefighters, Policemen And All Emergency Services
- Researchers
- Scientists
- Postal Carriers, All Sectors
- Farmers
- Selfless Volunteers
Dear Member,

We know that this pandemic has impacted you in major ways, and I want to assure you that your Chamber continues to be here for you.

You will see below a simple illustration that explains the financial assistance that is available to you as of today. Our team is constantly updating the flow of information received, so please, when possible, share it with another business owner in your circle so that our community is stronger and more connected.

"These are times that try men's souls" (Thomas Paine)

Kindest regards,

Frank Geisler, CEO

__________________________

Business Roundtable – 3/31/2020 – 10:00am
MISSION: success in two stages of the Coronavirus threat:
1.) response to the immediate threat
2.) economic recovery when the threat diminishes.

Summary

Response to immediate threat

1. Update: City of Monterey. In addition to the April 7 meeting about rent relief measures, the Council will review the honest impact outlook on its budget during the April 21 session. Projections will be based on June-September period. Hotels are to forward their TOT & CCFD payments to the City as agreed. City will waive late penalties if above monies are not received by the 1st of the month. No decision made about beach closures yet.

2. Update: Hospitality & Tourism. The messaging will be that this is not the time to visit... for now. Virtual tours and images are produced. Leisure travel is not totally absent and there are good signs about future conferences. The Conference Center mentions about good activity for 1-3 years coming. Visitor Center is closed indefinitely. Current efforts are centered around a)Marketing b)Operations c)Funding.

3. Update: Health Care: Currently counting 40 COVID-19 cases in Monterey County, 8 of which are at CHOMP. Resources at the hospital are good. Watching closely for
possible shortages. Emergency Department is screening hundreds per day (some are not necessary...). County tests 80 per day. www.CHOMP.org has also a e-Visit available. Revenue of the organization has been severely impacted as many centers have shut down. MoGO is open on Del Monte Avenue and will be open in Marina on 4/6/2020. Support front line staff by sending email or good vibes, nothing else as nothing can be accepted. Stay Home! Wash your hands!

4. Update: Financial The passage of the CARES Act creates a lot of questions. Particularly regarding PPP (Payroll Protection Program) and the forgiveness aspect of the loan. There is a need to create a single sheet describing the details and access to this program. Monterey County Business Council (4/3/2020) and this Chamber (4/7/2020) are both proposing webinars to help businesses and give practical advice in this field.

5. Foundation: Community Foundation has now $1.6 million in its COVID-19 fund. Disbursed about $750,000 to non-profits. The creation of a small business relief fund was considered in partnership with this Chamber. Discussed at 3/31/2020 Board meeting and decision to explore concept is made. Issues are to realize real capacity. Not a conflict with CARES Act.

6. Human Resources: Quick overview of the eligibility and legal questions surrounding payroll reduction and lay-offs. A more complete summary is available online at www.montereychamber.com

7. Next teleconference will be held Tuesday 4/7/2020 at 10:00am

Reference Links
- www.montereychamber.com
- www.monterey.org
- www.co.monterey.ca.us
- www.treasury.gov
- www.cfmc.org
- www.tpohr.com
- www.seemonterey.com
- www.mcha.net
- www.montereycountypoa.org
- www.oldmonterey.org
- www.chomp.org
- www.unitedwaymcca.org
- www.montereycountybank.com
- www.canneryrow.com
- www.pacificvalleybank.com
- www.pinnacle.bank
- www.raynetech.com
# Small Business Loans

**Available Through the CARES Act**

<table>
<thead>
<tr>
<th>EIDLs</th>
<th>Loans</th>
<th>PPP</th>
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<tbody>
<tr>
<td>Economic Injury Disaster Loans</td>
<td>$10B Available</td>
<td>Paycheck Protection Program</td>
</tr>
</tbody>
</table>

**ABOUT**

- EIDLs are administered and approved by the U.S. Small Business Administration (SBA).
- In the PPP, loans are backed by the SBA through local lenders.

**ELIGIBILITY**

- Small businesses (<500 employees)
- Sole proprietors
- Independent contractors
- 501(c)6 organizations & more!
- Small businesses and non-profits (<500 employees)
- Sole proprietors
- Self-employed & freelance workers

**FINANCING**

- Maximum Granted: $2M
- Interest: 3.75% (2.75% for non-profits)
- Duration: Up to 30 years
- Deferment options available
- Maximum Granted: Lesser between 2.5X Payroll or $10M
- Interest: 4%
- Duration: Up to 10 years
- Defer for 6–12 mo.

**KEEP IN MIND**

- EIDLs offer a bridge loan program of $10,000 to cover immediate costs & is forgivable if certain criteria are met.
- No personal or collateral guarantee is required.
- Forgiveness granted if funds are used on operating expenses within 8 weeks of receiving.

**APPLY**

- HOW: Apply at [www.sba.gov/disaster](http://www.sba.gov/disaster)
- WHEN: Available now!
- HOW: Apply with an SBA-approved lending institution.
- WHEN: Available Soon! See local lender for details.
please donate!
N95 MASK DRIVE
April 1-10

CITY OF MONTEREY FIRST RESPONDERS NEED YOUR HELP!
PLEASE DONATE NEW N95 MASKS, SEALED IN UNOPENED PACKAGING

drop off location:
MONTEREY PENINSULA CHAMBER OF COMMERCE
353 CAMINO EL ESTERO, M-F 9AM-4PM
FOR MORE INFORMATION, PLEASE CALL 831-646-3760
AND VISIT MONTEREY.ORG/CORONAVIRUS
GRAB & GO
STUDENT MEALS

AVAILABLE AT THE FOLLOWING SITES:

Crumption Elementary   Olsen Elementary
Del Rey Woods Elementary    Ord Terrace Elementary
Dr. Martin Luther King Jr.: School of the Arts   Los Arboles Middle
Highland Elementary   Monterey High
La Mesa Elementary   Seaside High
Marina Vista Arts Academy   Marina Child Develop. Ctr.
Monte Vista Elementary

MEALS AVAILABLE
MONDAY-FRIDAY
STARTING: 3/30/20
10:00 A.M.
TO
12 NOON

UPDATE:
STUDENTS NO LONGER NEED TO BE PRESENT AT PICK-UP*
*STUDENT MUST BE PRESENT

34
Monterey Peninsula Unified School District & Food Bank for Monterey County

FOOD FOR FAMILIES IN NEED

FRIDAY APRIL 3RD | 1-3PM*

TWO SITES:
LOS ARBOLES MIDDLE SCHOOL
294 HILLCREST AVE, MARINA

SEASIDE HIGH SCHOOL
2200 NOCHE BUENA ST, SEASIDE

*WHILE SUPPLIES LAST
WE ENCOURAGE RECIPIENTS TO STAY IN THEIR VEHICLES AND DRIVE THRU TO ACCESS FOOD.
Until further notice, all stores will close up to two hours early to give our team members more time to restock shelves, sanitize and rest in preparation for the next day.

All stores will also service customers who are 60 & older one hour before opening to the general public.

The Monterey Whole Foods Market is open for customers 60 and older starting at 8 am. We’re open to the general public:

9am - 8pm

Easter Sunday hours:
8am - 9am (Seniors)
9am - 6pm (General)

Please visit wfm.com to get the latest information on store hours and service.
COVID-19 Special Hours

GROCERY SHOPPING

ANDRONICO'S MONTEREY/PACIFIC GROVE
Tuesdays and Thursdays
7:00 AM to 9:00 AM

TRADER JOE'S MONTEREY & PG
8:00 AM to 9:00 AM every day

WHOLE FOODS MONTEREY
Daily from 8:00 to 9:00 AM for residents 60 years of age and over.
Checking ID's at the doors.

COSTCO SANDBAY
8:00 to 9:00 AM
Tuesday, Wednesday, Thursday for members ages 60 and older, and immune-compromised

TARGET SAND CITY
Wednesdays
8:00 AM to 9:00 AM

SAFEWAY DEL REY OAKS
Tuesdays and Thursdays
from store opening to 9:00 AM

LUCKY'S PACIFIC GROVE

GROVE MARKET PACIFIC GROVE
Think Bigger

New Ways of Connecting

A month ago, I was writing a letter to you about our community science programs, fully anticipating that we would continue our spring push of field trips for thousands of local students. That now feels like years ago, and while field trips are on hold and the way we work has...
changed, what we are working towards has not changed -- a community of engaged curious minds connecting through science and history!

We are excited as we work hard to find new ways to connect with our community through these changing times. I hope you'll get a chance to tune into Museum To You where we are creating content for the whole family -- from Museum Mondays to Science Saturdays. We'll have programs for all different ages and interests.

Stay tuned to our newsletters and social media to keep track of our daily content. Most importantly, stay safe and be well.

Jeanette Kihs
Executive Director

MUSEUM TO YOU
A Digital Museum Experience

This Week's Programs:

Thursday, April 2 ~ 1:00 pm launch
A Closer Look
Take an in-depth look at our "Guess What Wednesday" item.

Thursday, April 2 ~ 7:00-7:40 pm (live digital event)
Sciencing In Place: Why Start Birding Now?
Kevin Condon of the Bird School Project will join us to talk about how we can and should start birding while we shelter in place.

Friday, April 3 ~ 12:00 noon launch
Bug out with Bree! **Monarch Life Cycle**
Bug out with Bree, Community Science Specialist, every Friday to learn about all things bugs. She will be touring her local neighborhood discovering the different bugs that live there. From butterflies to bees, pill bugs to spiders, learn about these different species right in your own backyard.

**Monday, April 6 ~ 1:00-1:30 pm** (live digital event)

**Museum Mondays: Rocks and Minerals**
Explore rocks and minerals through museum exhibits. Lesson designed for Pre-K to 3rd grade.

**Tuesday, April 7 ~ 11:00 am launch**

**Exploring the Coast with Hannah: Sand Crab Dissection**
Explore the anatomy of sand crabs and learn about the acanthocephalan parasite that they host.

All links and videos will be posted on MUSEUM TO YOU. Click below.

[CLICK HERE IF QUESTIONS]

This week we are launching our new Member program, "Let's Get Started," where we ask an expert in their field about how they got started, what inspired their pursuits, and how we can get started too!
MEMBER EVENT

Let's Get Started:
Dr. David Cade,
Whale Researcher

Saturday, April 4
12:00 - 12:40 pm
Live digital event

Tune in to the premiere of Let's Get Started this Saturday at noon with Dr. David Cade. We'll learn about his journey which took him from tying knots in the woods as a boy scout, to teaching high school math, to tagging blue whales, to his midnight evacuation from the Antarctic peninsula two weeks ago!

Email brooker@pgmuseum.org to receive login information, and we will see you this Saturday!"

RSVP

DIGITAL JUNIOR NATURALIST

Harbor Seals

Saturday, April 18
10:00 am - 12:00 noon

Join us as we learn about our local harbor seals -- their young, what a rookery is, and more.
Learn about the Monterey Bay National Marine Sanctuary and the important role it plays for harbor seals during pupping season.

To RSVP and receive the link to the live event, contact the Museum's Community Science and Outreach Coordinator Jaclyn Schneider at schneider@pgmuseum.org or join the club.

RSVP

JOIN JUNIOR NATURALISTS

MUSEUM TO YOU

DIGITAL SCIENCE SATURDAY (DSS)

Day of the Dinosaur

Saturday, April 25

10:00 am - Activities & videos launch
3:00 pm - Live Q&A

Prepare for time-travel during this prehistoric Science Saturday, when we'll set our sights on the age of the dinosaurs. Presented in partnership with the Carmel Valley Gem and Mineral Society, this event will feature fossils, footprints, and more as we learn what made the dinosaurs so successful, and also what led to their extinction.

Our newest Science Saturday session will launch:
Saturday, April 28 - 10:00 am

www.pgmuseum.org/museum-to-you

There you'll be able to find family friendly videos and interactive sessions that were designed to recreate the feel of a Science Saturday at the Museum. We know nothing is like the real thing, but we hope you enjoy them.
Be sure to tune in live at 3:00 pm to ask our Museum educators questions about these fascinating creatures!

**MUSEUM TO YOU**

**We Want To Hear From You!**

Are you missing your Museum fix? We certainly miss seeing our community walking through our exhibits, collecting data along the coast, and attending events.

As we all go through Museum withdrawals, our team is developing digital programming for our community -- but we need your help.

During this time, what would you most like to see from the Museum? We'd love to know what topics you're most interested in, the best way to connect you to content, and anything else you'd like to share.
In light of the Monterey County *Shelter-in-Place* order for COVID-19, Museum is closed until further notice.

We will communicate when a re-open date is established. Or check our website for updates.

---

Pacific Grove Museum of Natural History | 165 FOREST AVE, Pacific Grove, CA 93950

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