



The City of San Diego

Staff Report

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TO: City Council

FROM: Council President's Office

SUBJECT: Comprehensive Actions to Address Economic and Social Impacts from the Coronavirus

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Council District(s): Citywide

OVERVIEW:

The novel coronavirus, also known as COVID-19, is a pandemic that is already creating ripple effects for our local economy in the City of San Diego. On February 19, 2020, the County Board of Supervisors ratified the Declaration of Local Health Emergency. On March 4, 2020, Governor Newsom proclaimed a State of Emergency. On March 11, 2020, the World Health Organization declared the COVID-19 outbreak to be a pandemic and the presence of the COVID-19 virus presents conditions of extreme peril to the safety of persons within the City of San Diego, and continues to directly affect the safety of persons within the City. Thus, on March 12, 2020, Mayor Faulconer declared a state of emergency for the City of San Diego.

On March 16, 2020, Governor Gavin Newsom issued Executive Order N-28-20 in order to halt evictions and foreclosures statewide. This order is targeted towards protecting businesses and residents from the coronavirus' economic impact. The [order](#) gives local governments the authority to halt evictions for renters and homeowners. The order also protects Californians from utility shutoffs. The protections will remain in effect through May 31.

In line with the Governor's actions and as a response to the dire economic losses associated with COVID-19, I call on my Council colleagues to adopt a comprehensive package of actions to help mitigate its impacts on the local economy and the most at-risk residents. This comprehensive package includes a moratorium on rental evictions, mortgage foreclosures, late fees and utility shut offs as well as requests to create a relief fund to help small businesses with their rent.

I applaud the Governor's executive order to halt evictions in the State of California during this state of emergency. In conjunction with this, I request that the San Diego Superior

Court halt all pending eviction cases and new eviction filings and that the San Diego County Sheriff's Department cease enforcing eviction orders during the state of emergency.

I call upon our school districts and non-profit organizations, such as Feeding San Diego and the San Diego Food Bank, to consider the need to provide students and their families free and/or reduced lunches at specified locations such as community recreation centers. While San Diego Unified School District (SDUSD) provides a free daily drive thru/walk-up distribution program for families with children at various school sites around the city, we must also provide grocery delivery services for the elderly, disabled, and other at-risk populations. Furthermore, residents who may seek food should not be required to provide documentation or identification to receive those benefits. In a time of emergency, we should encourage our residents to access these services without fear or exploitation.

I call upon San Diegans to denounce all forms of discrimination to protect workers, patients, and communities, especially those in the Asian American and Pacific Islander (AAPI) communities. I urge the Mayor and the Chief Operating Officer to work with all levels of government and community leaders to dispel misinformation and denounce discrimination targeted at these communities to help prevent hysteria, discrimination, and assaults against the AAPI community. I also urge residents to report any bigoted attacks and misinformation on the spread of COVID-19.

I call upon our Congressional delegation and the Federal Administration to direct the Department of Homeland Security (DHS) to suspend immigration enforcement operations, including interior checkpoints in sensitive locations including hospitals, clinics, and other healthcare facilities. We should ensure that all residents and their families, regardless of their immigration status, are able to receive testing, treatment, and the requisite public resources available to respond to this pandemic.

As the response to this public health emergency escalates, increasingly, many residents will feel direct economic impacts as well. The City of San Diego must avoid the creation of greater public health emergency that would result from subjecting thousands more families to homelessness, and we must protect our residents from the fear of potential eviction resulting from economic dislocation.

Now is the time for unity and protection for all people, regardless of immigration status. We join together to reject xenophobia and racism, which only worsen the effects of the pandemic and put people at harm. Together, we should treat all communities with dignity and respect.

Therefore, I am putting forward a package of actions to ensure our residents have the ability to recover from this crisis without fearing the eviction or foreclosure from their homes due to lost income.

PROPOSED ACTIONS:

City Council may adopt one or more of the following items to direct the creation of a package of actions to address the economic impacts of the declared emergency related to the outbreak of COVID-19:

- 1) Request the Mayor and City Attorney, with assistance from the San Diego Housing Commission (SDHC) evaluate and present proposals to the City Council to implement a temporary moratorium on residential evictions due to non-payment of rent resulting from a loss of wages caused by the outbreak of COVID-19, which may include presentation of an emergency ordinance to City Council.

- 2) Request the SDHC evaluate and present proposals to the City Council or Housing Authority of the City of San Diego (Housing Authority) to implement a temporary moratorium on evictions and mortgage foreclosures for property owned by the Housing Authority or by the SDHC due to non-payment of rent or mortgages resulting from a loss of wages caused by the outbreak of COVID-19.
- 3) Adopt a resolution requesting the San Diego Superior Court to temporarily suspend all pending residential eviction cases and reject new filings of residential eviction cases during the pendency of state of emergency related to the outbreak of COVID-19.
- 4) Adopt a resolution requesting the San Diego County Sheriff suspend service of unlawful detainer actions and enforcement of evictions within the City of San Diego due to non-payment of rent resulting from a loss of wages caused by the outbreak of COVID-19.
- 5) Adopt a resolution calling upon Congressional delegation and Federal Administration to direct the Department of Homeland Security (DHS) to suspend immigration enforcement operations, including interior checkpoints in sensitive locations including hospitals, clinics, and other healthcare facilities.
- 6) Request the Mayor work with San Diego Gas & Electric and any other utility provider to evaluate potential relief from late fees and utility shut-offs due to non-payment resulting from a loss of wages caused by the outbreak of COVID-19. Furthermore, SDG&E should consider using their Tier 1 rates during the daytime since most residents are working from home and the additional higher rate energy tiers that residents are subject to during the day may have a significant economic impact.
- 7) Request the Mayor and Economic Development Department evaluate temporary relief funding for workers within the City of San Diego who were laid off or furloughed as a result of the outbreak of COVID-19 to help those workers pay rent and/or utility bills.
- 8) Request the Mayor and City Attorney evaluate and present proposals to the City Council to implement a temporary moratorium on evictions for small businesses under commercial leases, who cannot pay rent due to loss of revenue as a result COVID-19, which may include presentation of an emergency ordinance to City Council.
- 9) Request the Mayor and the City's Economic Development Department evaluate and report back to City Council on a strategy with potential options to work with banks and lenders to halt mortgage payments or foreclosures for individuals and landlords who have suffered severe loss of wages and income due to the outbreak of COVID-19.
- 10) Request the Mayor and the City's Government Affairs staff temporarily prioritize requests for emergency funding and support from the state and federal governments as the overriding number one Citywide priority.
- 11) Request the Mayor enforce the Earned Sick Leave and Minimum Wage Ordinance.
- 12) Request the Mayor evaluate and report back to City Council on delaying collection and enforcement of the City's Business Tax Certificate fees.

- 13) Suspend enforcement of the Vehicle Habitation Ordinance, San Diego Municipal Code section 86.0137(f) (and the 72-hour Parking Ordinance, San Diego Municipal Code Section 86.0118) for the duration of the declared local emergency for the City of San Diego related to the continued threat of spread of the COVID-19 virus.
- 14) Request the Mayor, working with the hotel association, labor partners and homeless service providers, to open hotel rooms that includes provider services to unsheltered individuals and families.

DISCUSSION OF ITEM:

It is expected that widespread loss of income will likely cause increased numbers of residents to fall behind on bills and risk being evicted and having their water, gas, electricity, and other basic utility services shut-off. The impacts of evictions and utility shut-offs are severe under any circumstance, but would be even more severe in the midst of a coronavirus-related public health emergency. I therefore provide the following direction on Utility shut off and eviction moratoriums.

Utility Shut Off Moratorium

To address COVID-19 exposure, we need to ensure San Diego residents are able to properly sanitize, a key prevention measure that the Center for Disease Control is promoting. As such, I applaud the Water Department for placing a moratorium on residential water shutoffs during this state of emergency. In going further, the City Treasurer, who collects water payments, and local utilities should implement deferred payment plans for utility service and eliminate late fees.

In addition, I applaud the local utility companies such as SDG&E, Cox, and Charter for pledging to halt utility shut-offs during this crisis and waiving any late payments associated with COVID-19. These utilities are critically important for ensuring health and safety of our residents as well as channels to provide accessible, accurate, and timely public health information. To remain consistent with the Federal Communications Commission's "Keep America Connected" pledge that these telecommunications companies have signed, I plan to call upon my Council colleagues to pass a moratorium on any public utility shutoffs and urge private utilities to do the same.

Eviction Moratorium

The proposed San Diego eviction moratorium will prevent landlords from evicting residents within the City San Diego based on loss of income associated with COVID-19. Specifically, the City of San Diego's eviction moratorium would protect San Diego tenants within the City limits who are unable to pay rent due to economic impacts associated with the outbreak of COVID-19. I request that the following direction be considered:

1. The temporary moratorium must not extend beyond the duration of the City's declaration of emergency related to the COVID-19 outbreak, but may be extended for a longer period by agreement of the Council.
2. Any temporary moratorium should include a process for affected renters to notify their landlords on or before the day that rent is due of the substantial loss of income and demonstrate substantial loss of income, through documentation or other objectively verifiable means, resulting from the COVID-19 pandemic or subsequent actions taken by the County Public Health Officer, or other City, State or Federal Authority.

3. The proposed moratorium should also include a process to measure substantial loss of income.
4. The City shall advocate with the relevant organizations for temporary state and federal financial relief for burdened, unpaid landlords from the burden of such costs as property taxes, utility charges, and foreclosure.
5. The San Diego Housing Commission should seek access to flexible emergency funding that the State and Federal Government make available in order to assist renters and landlords in making their payments.

The spread of the virus is a growing global crisis, which the World Health Organization confirmed as a pandemic, and we understand the situation is fluid. We need to do everything we can to ensure our residents are protected from this crisis.

Fiscal Considerations: To be determined.

Charter Section 225 Disclosure of Business Interests:
N/A; there is no contract associated with this action.

City Strategic Plan Goal(s)/Objective(s):

Goal 1: Provide high quality public service;

Goal 2: Work in partnership with all of our communities to achieve safe and livable neighborhoods;

Goal 3: Create and sustain a resilient and economically prosperous City with opportunity in every community

Environmental Impact: This series of actions are not a project pursuant to CEQA Guidelines Section 15378(b)(5) (organizational or administrative activities). Further, these are exempt pursuant to CEQA Guidelines Section 15359 (Emergency). These actions are necessary to address a sudden and unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services related to the Covid-19 pandemic.

Equal Opportunity Contracting Information (if applicable): N/A

Previous Council and/or Committee Actions: None.

Key Stakeholders and Community Outreach Efforts: There will be an opportunity for the public to weigh in on this package of actions.

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