

RESOLUTION NO. 44-20 ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, AMENDING RESOLUTION NO. 41-20 RATIFYING THE
DIRECTOR OF EMERGENCY SERVICES' SECOND SUPPLEMENTAL
ORDER BY AMENDING THAT ORDER TO EXTEND THE GRACE PERIOD
TO PAY BACK RENT FOR RESIDENTIAL AND COMMERCIAL TENANTS
FINANCIALLY IMPACTED BY COVID-19**

WHEREAS, on May 5, 2020, the Richmond City Council ratified the Director of Emergency Services' Second Supplemental Order (Resolution No. 41-20) that adds protections for commercial properties for evictions and freezes residential rent increases through May 31, 2020 or as extended by the Director of Emergency Services if Contra Costa County's Urgency Ordinance No. 2020-14 is extended; and

WHEREAS, many of the City's residential and commercial tenants are experiencing or will experience substantial losses of income as a result of the local emergency and shelter-in-place orders, hindering their ability to pay rent and leaving them vulnerable to eviction.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED AND ORDERED, by the City Council of the City of Richmond that:

- 1) All the findings in Resolution 41-20 and the Second Supplemental Order attached hereto as "Exhibit A" are incorporated herein by reference;
- 2) This action is deemed not a project under the provisions of the California Environmental Quality Act, (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5): Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. If deemed a project, then this action is deemed exempt from CEQA pursuant to the following separate and independent basis: Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that this action has no potential to cause a significant effect on the environment; and Section 15269(c) because this action is to prevent or mitigate an emergency.
- 3) Section C entitled "Grace Period" of the Second Supplemental Order is deleted in its entirety, and is replaced with the following section:

C. Grace Period

If the tenant meets the requirements of Section A above and is unable to timely pay all rent due each month due to financial impacts related to COVID-19, the tenant must pay the remaining balance due within twelve months after the expiration date of this Order as set forth in Section L. Notwithstanding the foregoing, tenant shall attempt to pay the past due rent that the tenant is able to pay during this twelve-month period. Nothing in this section precludes the owner and tenant from agreeing to a longer rental repayment period. This section does not relieve a tenant of the obligation to pay rent, and does not restrict an owner's ability to recover rent due. The remedies available to the tenant are limited to those outlined in section F of this Order.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held May 19, 2020, by the following vote:

AYES: Councilmembers Choi, Martinez, Myrick, and Willis.
NOES: Vice Mayor Bates and Mayor Butt.
ABSTENTIONS: Councilmember Johnson.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

TOM BUTT
Mayor

Approved as to form:

RACHEL SOMMOVILLA
City Attorney (Interim)

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 44-20**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on May 19, 2020.



Pamela Christian, Clerk of the City of Richmond