

Proclamation of Local Emergency Due to COVID-19

By the Director of Emergency Services

March 19, 2020

BACKGROUND

- A. Under Section 1.15.030(C) of the South Lake Tahoe City Code, the Director of Emergency Services is empowered to issue a proclamation of local emergency if the City Council is not in session, to be ratified by the City Council within seven days thereafter.
- B. On March 4, 2020, the Governor of California proclaimed a state of emergency to exist in California as a result of the threat of COVID-19.
- C. On March 11, 2020, the World Health Organization declared COVID-19 to be a pandemic.
- D. On March 13, 2020, the President of the United States declared a national emergency in response to COVID-19.
- E. On March 17, 2020, the El Dorado County Board of Supervisors ratified a declaration of a local public health emergency under California Health & Safety Code section 101080 and a declaration of county-wide local emergency under California Government Code section 8630, both in response to COVID-19.
- F. The rapid spread of COVID-19, and the measures needed to mitigate it, threaten to impair City government operation and delivery of essential services should employees be exposed, and may necessitate that the City request mutual aid under the California Emergency Services Act.
- G. COVID-19 is causing a world-wide economic slowdown that will fiscally impact the City. The City anticipates substantial revenue loss from transient occupancy tax, sales tax, business license tax, recreation user fees, and other sources of revenue because of declining economic activity. The City also anticipates that its residents and local businesses may need economic assistance and services to mitigate the impacts from COVID-19 that exceed the capacity of City resources.
- H. Many residents of South Lake Tahoe are tenants who work in the tourism and service industries and have experienced sudden income loss, and further income impacts are anticipated. The loss of wages caused by the effects of COVID-19 may impact tenants' ability to pay rent when due, leaving tenants vulnerable to eviction.
- I. During this local emergency, and in the interest of protecting the public health and preventing the spread 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 becoming homeless. Preventing evictions on a temporary basis is needed until the spread of the virus can be minimized.

- J. While there are no confirmed cases of COVID-19 within South Lake Tahoe or El Dorado County, the conditions of the COVID-19 pandemic threaten a condition of disaster or extreme peril to the safety of persons and property within the City, which are conditions likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat.
- K. The City Council is not now in session and cannot immediately be called into session.

NOW THEREFORE, IT IS HEREBY PROCLAIMED THAT

1. I find that the conditions in Section 1.15.020 of the South Lake Tahoe City Code and Section 8558(c) of the California Government Code, relating to the proclamation of a local emergency are met, and that a local emergency now exists throughout the City of South Lake Tahoe.
2. During the existence of this local emergency, the powers, functions, and duties of the Director of Emergency Services shall be those prescribed by state law, ordinances, and resolutions of the City of South Lake Tahoe, as well as the City of South Lake Tahoe's Emergency Operations Plan.
3. The Director of Emergency Services is authorized to obtain any and all assistance from local, county, state, and federal agencies, including but not limited to aid and assistance pursuant to the California Disaster Assistance Act.
4. The Director of Emergency Services may authorize emergency purchases under Section 3.45.070 of the South Lake Tahoe City Code as needed to address this local emergency.
5. The Director of Emergency Services may modify personnel policies to facilitate City employees working remotely, or for employees whose duties cannot be performed remotely, taking paid and unpaid time off, as needed to address this local emergency and maintain essential City services.
6. Pursuant to the authority granted in the Governor's Executive Order N-28-20, a moratorium on residential evictions based on the nonpayment of rent arising out of a documented substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or documented substantial out-of-pocket medical expenses, documented to be caused by the COVID-19 pandemic or by any government response to COVID-19, is hereby enacted to be in effect through the period of local emergency declared in response to COVID-19, but ending no later than May 31, 2020. No landlord shall endeavor to evict a tenant for nonpayment of rent if the tenant demonstrates that the inability to pay rent is due to COVID-19 or government response to COVID-19, and where the tenant has notified the landlord before rent is due that the tenant is unable to pay rent, or a portion of rent, for these reasons. Nothing in this moratorium shall relieve the tenant of liability for unpaid rent, which the landlord may seek after the sooner of the expiration of

this local emergency or May 31, 2020, and which the tenant is required to pay within 60 days of such request.

7. The City of South Lake Tahoe urges its residents, visitors, and local businesses follow advisories from the federal, state, and county public health officials regarding social distancing of at least six feet, limiting group size to no more than 10 people, closing bars and wineries, closing dine-in service at restaurants, and advising people over 65 to stay home. The City further urges that non-essential travel should be avoided and urges potential visitors to postpone their travel to South Lake Tahoe,
8. The City of South Lake Tahoe is subject to immunity under Government Code section 8655 to the maximum extent provided by law for any actions taken in furtherance of addressing this local emergency.
9. This proclamation of local emergency shall continue for no more than seven days unless ratified by City Council.




Brad Kilger
Director of Emergency Services/
Interim City Manager

Date: 3/19/2020

Approved as to Form:



Heather Stroud
City Attorney


Attest:

Susan Blankenship, City Clerk
City of South Lake Tahoe

