

RESOLUTION NO. 20-41

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDALE,
CALIFORNIA, AMENDING AND EXTENDING A PRIOR RESOLUTION ISSUING A
PUBLIC ORDER; CONFIRMING PUBLIC ORDERS NO. 2020-05 AND NO. 2020-06;
AND CONFIRMING AND AMENDING PUBLIC ORDER NO. 2020-07, UNDER THE
CITY OF GLENDALE EMERGENCY AUTHORITY REGARDING COVID-19; AND FOR
OTHER RELATED AND LAWFUL PURPOSES**

Whereas, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by the Coronavirus Disease 2019 (COVID-19), a severe acute respiratory illness caused by a novel (new) coronavirus. Symptoms of the virus include fever, cough, and shortness of breath, and infected individuals have experienced a range of outcomes, from mild sickness to severe illness and death; and

Whereas, on March 4, 2020, the Governor of the State of California 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 broader spread of COVID-19; and

Whereas, on March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health declared a local and public health emergency in response to increased spread of coronavirus across the country; and

Whereas, on March 13, 2020, the President of the United States of America 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 Council of the City of Glendale, pursuant to Glendale Municipal Code Chapter 2.84, declared the existence of a local emergency and ordered the closure of and limitation of access to certain public establishments; and

Whereas, such conditions of peril continue to exist, and necessitate extending the expiration deadlines of prior resolutions and public orders and adopt additional protections for the preservation of public health and safety.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE that:

Section 1. The following public orders of the Director of Emergency Services are hereby ratified (as amended) and extended to May 15, except Public Order No. 2020-06, which is extend to May 31, 2020:

- A. Glendale Public Order No. 2020-05. (Rent Increases). To provide relief and protection to Glendale residents during this unprecedented emergency as intended by the Glendale City Council in its enactment of Resolution No. 20-33, a rent increase freeze is hereby issued, effective immediately, regardless of when the rent increase notice was served, whereby all rents for residential tenants will remain the same rate as of March 24, 2020, and during the

pendency of the local emergency. At the end of the emergency, landlords desiring to increase rent, shall, in accordance with State law, issue a new rent increase notice, clearly stating the new beginning date of the increased rent and the value of the increase. The rent freeze applies to all residential rentals in the City of Glendale, except apartments built after February 1, 1995, individual condominium units, and single family dwelling. It also applies to accessory dwelling units and hotel rooms being rented as extended stays.

B. Glendale Public Order No. 2020-06. (Evictions). The City of Glendale Director of Emergency Services' Public Order No. 2020-03 is hereby amended and expanded and shall be subject to compliance with the Executive Order No. N-37-20, (relating to residential evictions), dated March 27, 2020, and the California Judicial Council Emergency Rule 1, (relating to unlawful detainers), dated April 6, 2020, which provide:

1. As it relates to the Executive Order issued by the Governor of the State of California relating to evictions:
 - a. 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 the Executive Order is in effect, with a complaint that seeks to evict the tenant from a residence or dwelling unit for nonpayment of rent;
 - 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;
 - 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. As it relates to the Emergency Order issued by the California Judicial Council relating to evictions:
 - a. No complaint for unlawful detainer shall be filed unless in the court's discretion and on the record, the action is necessary to protect public health and safety;
 - b. This rule will remain in effect until 90 days after the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or until amended or repealed by the Judicial Council.
3. 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. This Public Order amends

the prior order and extends the time for both residential and commercial tenants to repay any back due rent to twelve months following the expiration of the local emergency. Tenants may use the protections afforded in this subsection as an affirmative defense in an unlawful detainer action. A landlord is further prohibited from charging or collecting late charges, fees, or interest on unpaid rent, or engaging in any harassing behavior in an attempt to collect deferred rent, when payment of rent is delayed during the period this Public Order is in effect.

C. Glendale Public Order No. 2020-07. (Face Coverings). Beginning Wednesday, April 16, 2020, at 12:01 p.m. the Glendale Public Order No.2020-07 is hereby confirmed and amended to read as follows:

1. All persons, including Essential Workers, as defined by Los Angeles County Department of "Safer at Home" Public Health Order as revised on April 10, 2020 or as may be subsequently revised, ("County Public Health Order"), shall wear face coverings such as scarves (dense fabric, without holes), bandannas, neck gaiters, or other fabric face coverings, when they leave their places of residence, places of employment or otherwise are out in public for essential activities such as taking a walk through their neighborhood, walking to or from an Essential Business and when utilizing public transportation; provided, however that drivers traveling alone in private vehicles or with members of their households do not need to wear face coverings, unless they must lower their windows for any purpose such as to interact with first responders, food service workers or others who are not members of their households. Children under the age of 2 (including infants) should not wear cloth face coverings. Those between the ages of 2 and 8 should use them but under adult supervision to ensure that the child can breathe safely and avoid choking or suffocation. Children with breathing problems should not wear a face covering.
2. To protect the health and safety of all, in response to the COVID-19 outbreak, all workers who work at businesses or perform services that are set forth below must wear face coverings over their noses and mouths while performing their work.

(a) Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, warehouse stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruit and vegetables, pet supply, water, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning or personal care products). This includes stores that sell groceries and sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;

(c) Organizations and Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals (including gang prevention and intervention, domestic violence, and homeless service agencies);

(e) Gas stations, auto-supply, mobile auto repair operations, auto repair shops (including, without limitation, auto repair shops adjacent to or otherwise in connection with a retail or used auto dealership), and bicycle repair shops and related facilities;

(f) Banks, credit unions, financial institutions and insurance companies;

(g) Hardware stores, nurseries; building supply stores;

(h) Plumbers, electricians, exterminators, custodial/janitorial workers, handyman services, funeral home workers and morticians, moving services, HVAC installers, carpenters, vegetation services, tree maintenance, landscapers, gardeners, property managers, private security personnel and other service providers who provide services to maintain the safety, sanitation, and essential operation to properties and other Essential Businesses as defined by the County Public Health Order;

(i) Businesses providing mailing and shipping services, including post office boxes;

(j) Educational institutions (including public and private K-12 schools, colleges, and universities) for purposes of facilitating distance learning, providing meals for pick-up, or performing essential functions, provided that social distancing is practiced;

(k) Laundromats, dry cleaners, laundry service providers;

(l) Restaurants and other food facilities that prepare and serve food, but only for delivery, drive thru or carry out. Indoor and outdoor table dining is not permitted. Cafeterias, commissaries, and restaurants located within hospitals, nursing homes, or other licensed health care facilities may provide dine-in service, as long as social distancing is practiced pursuant to Section 2(a)-(d) of the County Public Health Order.

(m) Businesses that supply office or computer products needed by people who work from home;

(n) Businesses that supply other Essential Businesses with the support or supplies necessary to operate;

(o) Non-manufacturing, transportation or distribution businesses that ship, truck, transport, or provide logistical support to deliver groceries, food, goods or services directly to residences, Essential Businesses, Healthcare Operations, and Essential Infrastructure;

(p) Airlines, taxis, ride sharing services and other private transportation providers providing transportation services necessary for activities of daily living and other purposes expressly authorized in this Order;

(r) Home-based care for seniors, adults, disabled persons, or children;

(s) Residential facilities and shelters for homeless residents, disabled persons, seniors, adults, children and animals;

(t) Professional services, such as legal, payroll or accounting services, when necessary to assist in compliance with legally mandated activities, and the permitting, inspection, construction, transfer and recording of ownership of housing, including residential and commercial real estate and anything incidental thereto;

(v) Childcare facilities providing services that enable employees exempted in the L.A. County Order to work as permitted under the conditions in the L.A. County Order.

(w) Hotels, motels, shared rental units and similar facilities.

(x) Construction Workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction).

3. At this time, the face coverings are not required to be medical-grade masks or N95 respirators, but may include fabric coverings, such as scarves and bandanas. All such workers required to wear these face coverings must frequently (at least once a day) wash any reusable face coverings, for the health and safety of themselves and others. Single-use face coverings must be properly discarded into trash receptacles. Public safety first responder personnel shall wear protective face coverings in accordance with guidance of the Centers for Disease Control and as mandated by City of Glendale departmental policies.
4. Employers of all workers who work at businesses or perform services described above must permit their employees to wash their hands at least every 30 minutes. All such employers must provide, at their expense, non-medical grade face coverings for their employees. All such employers must ensure that their employees have access to clean, sanitary restrooms, stocked with all necessary cleansing

products; or sanitizing agents required to observe hand sanitation protocols recommended by the Los Angeles County Department of Public Health, provided at the employer's expense. All such employers must implement social distancing measures for customers, visitors, and employees that provides a six-foot buffer, to the extent possible, between individuals. All customers and visitors of businesses and organizations described above must wear face coverings over their noses and mouths to provide additional protection for employees and customers. At this time, the face coverings need not be medical-grade masks or N95 respirators, but can be fabric coverings, such as scarves and bandana coverings. A business owner or operator described in Section 2 of this Public Order may refuse admission or service to any individual who fails to wear face coverings as required by this Order. Additionally, all retail businesses in Section 2 are encouraged to install plexiglass to separate cashiers and customers at all points of sale. These are recommendations and not requirements.

5. To protect against the coronavirus and COVID-19, peace officers may require lawfully detained individuals to put on a face covering. If an individual does not have a face covering, officers will provide one.

SECTION 2. Resolution No. 20-29 of the Glendale City Council Issuing a Public Order Under City of Glendale Authority Regarding COVID-19, adopted on March 16, 2020, and Resolution No. 20-33 of the Glendale City Council Confirming Public Order Nos 2020-01 through 2020-04, adopted on March 24, 2020, are hereby extended in their force and effect until May 15, 2020, and may further be extended as deemed necessary by the City Council or the Director of Emergency Services.

SECTION 3. Any violation of the above Public Orders may be referred to the Office of the City Attorney for prosecution under Glendale Municipal Code Chapter 1.20, which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months. Each individual officer should use his/her discretion in enforcing this order and always keep the intent of the order in mind. Violations may also be enforced by the provisions of Glendale Municipal Code Chapter 1.24, which shall provide, along with other enforcement mechanisms set forth therein, for fines of \$400 for the first citation, \$1,000 for the second citation, and \$2,000 for the third citation.

SECTION 4. This Resolution and the corresponding orders do not supersede any stricter limitation imposed by the County of Los Angeles or the State of California.

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SECTION 5. This order may be extended prior to May 15, 2020.

Adopted by the Council of the City of Glendale on this 14th day of April, 2020.

V. Agajanian

Mayor

ATTEST:

Aram Adjemian

City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF GLENDALE)

I, Aram Adjemian, Authorized Signatory on behalf of the City Clerk of the City of Glendale, hereby certify that the foregoing Resolution No. 20-41 was adopted by the Council of the City of Glendale, California, at its regular meeting held on the 14th day of April, 2020, and that the same was adopted by the following vote:

Ayes: Agajanian, Devine, Kassakhian, Najarian

Noes: Brotman

Absent:

Abstain:

Aram Adjemian

City Clerk

APPROVED AS TO FORM

Michael J. Garcia

NAME: _____

City Attorney

TITLE: _____

SIGNATURE: Michael J. Garcia

April 16, 2020

DATE: _____