



UWIA Land Use Committee Meeting Announcement

On March 12, 2020, Governor Newsom issued Executive Order No. N-29-20, which allows board members / committee members to attend publicly announced meetings telephonically. Please be advised that some, or all, committee members may attend this meeting telephonically.

Consistent with mandates of Executive Order N. N-29-20, a physical location from which members of the public may observe the meeting or offer public comment will not be made available. GM Properties will not be open to the public for this meeting; however public comment on the attached agenda can be provided via email at info@uwia.org.

Please submit public comments and questions at least one hour before the start of the meeting to ensure the Land Use Committee members receive them in time to view them at the meeting.

Uptown Whittier Improvement Association Land Use Committee

Tuesday, April 14, 2020, 8:30 a.m.

at GM Properties, 13305 Penn Street, Suite 200, Whittier, CA 90602

Current List of UWIA Land Use Committee Members:

Ben Greer, Stephen Ortiz, Frank Rinaldi (Committee Chair)

Land Use Committee Mission

To have The Uptown District function as the City of Whittier's vibrant urban center, providing a diversity of economic, residential, and cultural opportunities. Uptown should be a place to work, shop, live, and play, with convenient access by foot, bicycle, and transit, as well as by car. Physical and economic growth will support this role and respect the numerous resources of historical and cultural significance that contribute to Uptown's unique identity.

UPTOWN WHITTIER IMPROVEMENT ASSOCIATION

c/o GM Properties ■ 13305 Penn Street, Suite 200 ■ Whittier, CA 90602
P (562) 697-5000 ■ F (562) 693-2126
info@uwia.org ■ www.uwia.org



AGENDA Items

1. **Call to Order:** **Frank Rinaldi, Land Use Chair**

2. **Introductions of guests:** **Frank Rinaldi**

3. **Public Comment (REITERATION OF NEW BOARD POLICY WHEREBY PUBLIC COMMENTS ON ANY AGENDA ITEM ARE LIMITED TO TWO MINUTES)** **Frank Rinaldi**
The public is invited to address the Land Use Committee regarding any item of business. Speakers must limit their comments to two minutes. Pursuant to State law, the Committee cannot take action or express a consensus of approval or disapproval on any oral communications which do not appear on the printed agenda.
Announced policy and informed guests that exception will be made for important and complicated items

4. **Additional Land Use Committee members request** **Frank Rinaldi**
Called for new Committee members assistance and service

5. **Approval of the March 13, 2020, Land Use Committee Minutes** **Action Item**

6. **Discuss the impact of Whittier getting a new Director of Community Development**

7. **Discuss City of Whittier Ordinance 3115 (attached)**

8. **Other Committee items**

9. **Next Land Use Committee meeting date: May 12, 2020, at 8:30 a.m., at GM Properties, 13305 Penn Street, Suite 200, Whittier, CA 90602 (Land Use Committee meetings will be held the 2nd Tuesday of each month)**

10. **Adjournment:** _____

BROWN ACT:

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The Corporation posts all Board and Committee agendas at the Whittier Train Depot, at the meeting location designated for the Board or Committee meeting and on their website www.uwia.org. Action may not be taken on items not identified as such and posted on the agenda. Meeting facilities may be accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify Brent Haskell brent@gmpropertiesinc.com or Stephanie Shamp stephanie@gmpropertiesinc.com of GM Properties at (562) 697-5000.



**Uptown Whittier Improvement Association
Land Use Committee
GM Properties
13305 Penn Street, Suite 200, Whittier, CA 90602
Friday, March 13, 2020, 8:30 a.m. Meeting Minutes**

Present: Ben Greer and Stephen Ortiz

Absent: Frank Rinaldi (Committee Chair)

Guests: Virginia Ball

Consultant: Brent Haskell and Stephanie Shamp – GM Properties

MINUTES:

<i>Item</i>	<i>Discussion</i>	<i>Action Taken?</i>
1. Call to Order	Ben Greer called the meeting to order at 8:49 a.m.	1. No Action Taken
2. Introduction of Guests and Announcements		2. No Action Taken
3. Public Comment		3. No Action Taken
4. Additional Land Use Committee Members Request		4. Tabled
5. Approval of the February 18, 2020 Land Use Committee Minutes		5. Ben Greer motioned to approve the February 18, 2020 minutes. Stephen Ortiz 2nd. Motion passed.

UPTOWN WHITTIER IMPROVEMENT ASSOCIATION



6. Discuss the Impact of Whittier Getting a New Director of Community Development	<p>Josué Alvarado decided to run for his city council seat and is no longer with the City. Conal McNamara leaving at the end of the month. No new director announced. Ben Greer stated Conal is a fabulous and good man who is not afraid to hide behind the counter. Conal was always available.</p>	6. No Action Taken
7. Discuss any News / New Developments Impacting Uptown	<p>Ginny Ball stated the Christian Church plans on bringing in over 100 units. Brent Haskell stated on the other side of Hadley Street within uptown but not part of the district. Ginny continued on with layout discussion, living, sanctuary, 2nd floor parking. West of the church. Tear down 2 or 3 story units with a 2nd story and entry on Comstock Avenue. Parking a challenge. Ginny moved on to state the library will probably cancel the Whittier Reads. The books are being boxed up and moving to the Train Depot. Veterans and current new books coming in to the station. Build out to take 10 months to a year to complete. There is no problem as of yet from the conservancy. Create a new project and conservancy creates a new Board.</p>	7. No Action Taken
8. Other Committee Items		8. No Action Taken
9. Next Land Use Meeting	<p>The next regularly scheduled meeting will be moved to Tuesday, April 14, 2020, at 8:30 a.m.</p>	9. No Action Taken
9. Adjournment	<p>The meeting was adjourned at 9:03 a.m.</p>	9. No Action Taken

Minutes taken by Brent Haskell and Stephanie Shamp with GM Properties.

Revised March 24, 2020

ORDINANCE NO. 3115

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, RELATING TO A TEMPORARY MORATORIUM ON EVICTING TENANTS AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY UPON ADOPTION

WHEREAS, on March 4, 2020, the Governor declared a State of Emergency in California due to the threat of Coronavirus Disease 2019 (“COVID-19”). On March 16, 2020, the County of Los Angeles Department of Public Health issued a Health Officer Order regarding COVID-19. Due to directives from federal, state, and local health officials, residents have been advised to avoid public gatherings and stay at home to prevent the spread of this disease; and

WHEREAS, on March 16, 2020, the Governor issued Executive Order N-28-20. The order suspends any state law that would preempt or otherwise restrict the city’s exercise of its police power to impose substantive limitations on evictions based on nonpayment of rent resulting from the impacts of COVID-19.; and

WHEREAS, the city has been impacted by the health crisis of this global pandemic. Sporting events, concerts, plays, and conferences have been cancelled. School closures have occurred and may continue. Employees have been advised to work at home. As a result, restaurant and retail business have significantly declined and workers have been impacted by lost wages and layoffs. Parents have had to miss work to care for home-bound school-age children. As the virus spreads, workers may have to stay home for extended periods; and

WHEREAS, many tenants 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; and

WHEREAS, providing tenants with a short-term protection from eviction due to the inability to pay rent will help avoid increasing the homeless population and stabilize the rental housing market by reducing displacement; and

WHEREAS, during this state of emergency, and in the interests of protecting the public health and preventing transmission of the coronavirus, it is essential to avoid unnecessary displacement of tenants. Prohibiting evictions on a temporary basis is needed until the spread of the virus can be minimized and the emergency restrictions lifted; and

WHEREAS, nothing in this ordinance waives a tenant's obligations to pay back rent owed once this ordinance is no longer effective.

WHEREAS, the City Council has the authority to adopt this ordinance pursuant to its authority under California Constitution Art XI, section 7, and pursuant to the Governor's Order N-28-20.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. This Ordinance is exempt from the California Environmental Quality Act (CEQA), since there is no possibility that this Ordinance will have any significant effect on the environment pursuant to Section 15061 (b) (3) of the State CEQA Guidelines (Title 14 of the California Code of regulations).

SECTION 2. Moratorium on evictions due to nonpayment of rent during the COVID-19 emergency.

A. This Section 1 remains in effect until the expiration of the Governor's Executive Order N-28-20 (May 31, 2020), unless extended by the Governor, at which point this Ordinance shall continue for said extension period.

B. This ordinance applies to all residential and commercial tenants within the City of Whittier.

C. No landlord shall endeavor to evict a tenant for nonpayment of rent if the tenant, in accordance with this Section 1, demonstrates that the inability to pay rent is due to the Coronavirus Disease 2019 (COVID-19), the state of emergency regarding COVID-19, or following government-recommended COVID-19 precautions.

D. As used in this Section 1, "covered reason for delayed payment" means a tenant's loss of income due to any of the following: (a) tenant was sick with COVID-19 or caring for a household or family member who is sick with COVID-19; (b) tenant experienced a lay-off, loss of hours, substantial decrease in business income caused by a reduction in the opening hours or consumer demand, or other income reduction resulting from COVID-19 or the state of emergency; (c) tenant's compliance with a recommendation from a government agency to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (d) tenant's need to miss work to care for a home-bound school-age child; and (e) tenant's extraordinary medical cost resulting from COVID-19 related medical expenses.

E. To take advantage of the protections afforded under this ordinance, a tenant must do all the following:

- a. Notify the landlord in writing on or before the day rent is due that the tenant has a covered reason for delayed payment;
- b. Provide the landlord with verifiable documentation to support the assertion of a covered reason for delayed payment within thirty (30) days of the day the rent is due;
- c. Pay the full amount of rent otherwise due, less the amount of the change in funds available due to a covered reason for delayed payment; and
- d. For purposes of this Ordinance, "in writing" includes email or text communications to a landlord or the landlord's representative with whom the tenant has previously corresponded by email or text.

F. If a tenant complies with the requirements of this ordinance, a landlord shall not serve a notice pursuant to California Code of Civil Procedure sections 1161 or 1162, file or prosecute an unlawful detainer action based on a based on a notice to pay rent or quit, or otherwise endeavor to evict the tenant for nonpayment of rent, and this Ordinance shall be an affirmative defense to any such eviction action.

G. Nothing in this ordinance relieves the tenant of liability for the unpaid rent after expiration of this ordinance.

SECTION 3. 120-Day Repayment Period. Tenants who were afforded eviction protection under Section 1 of this ordinance shall have up to 120 days after the expiration of the Governor's Executive Order N-28-20, including any extensions, to pay their landlord all unpaid rent. During that 120-day period, the protections against eviction found in Section 1 of this ordinance apply for such tenants, and provided the tenant pays all rent due by this deadline, shall not be liable for payment of any late fees or penalties for the delay in payment.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Whittier hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 5. Emergency Declaration/Effective Date. The city council declares this ordinance to be an emergency measure, to take effect immediately upon adoption pursuant to California Government Code section 36934.

The facts constituting the emergency are as follows: The directives from health officials to contain the spread of COVID-19 has resulted in loss of business, furloughs, loss of wages, and lack of work for employees. To protect the public health, safety, and welfare, the city must act to prevent eviction of tenants who are unable to pay rent due to wage losses caused by the effects of COVID-19. An emergency measure is necessary to protect tenants from eviction for a temporary period.

SECTION 6. If the Governor issues an executive order which prohibits residential and commercial evictions throughout the state relating due to COVID-19 related impacts, then that order shall control, and this ordinance shall no longer be in effect. Otherwise, this ordinance shall remain in full effect, and landlords shall meet the requirements of both this Ordinance and the Governor's order.

SECTION 7. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective immediately upon adoption.

APPROVED AND ADOPTED this 24TH day of March 2020.

JOSEPH A. VINATIERI, Mayor

ATTEST:

RIGOBERTO GARCIA
City Clerk