

# Agenda



## County of Inyo Board of Supervisors

Board of Supervisors Room  
County Administrative Center  
224 North Edwards  
Independence, California

**NOTICE TO THE PUBLIC:** In order to minimize the spread of the COVID-19 virus, Governor Newsom has issued Executive Orders that temporarily suspend certain requirements of the Brown Act. Please be advised that the Board of Supervisors Chambers are closed to the public, the Board will be conducting its meetings exclusively online. Board Members and Staff will participate via videoconference, accessible to the public at <https://zoom.us/j/541151048>. Individuals will be asked to provide their name and an email address in order to access the videoconference. Anyone who does not want to provide their email address may use the following generic, non-functioning address to gain access: [donotreply@inyocounty.us](mailto:donotreply@inyocounty.us).

Public Comment may be provided two ways: emailing the comments prior to the meeting, or emailing comments for individual agenda items by the time the staff report for that item has ended. At that point, all emailed comments will be read into the record, and the Board of Supervisors will take that feedback into consideration as it deliberates. Please send comments for Board of Supervisors meetings and individual agenda items to [boardclerk@inyocounty.us](mailto:boardclerk@inyocounty.us).

**Public Notices:** (1) In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (760) 878-0373. (28 CFR 35.102-35.104 ADA Title II). Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Clerk of the Board 72 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format. (Government Code Section 54954.2). (2) If a writing, that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Supervisors, is distributed less than 72 hours prior to the meeting, the writing shall be available for public inspection at the Office of the Clerk of the Board of Supervisors, 224 N. Edwards, Independence, California and is available per Government Code § 54957.5(b)(1).

**Note:** Historically the Board does break for lunch; the timing of a lunch break is made at the discretion of the Chairperson and at the Board's convenience.

**March 31, 2020 - 10:00 AM**

**\*SPECIAL MEETING\***

1. **PLEDGE OF ALLEGIANCE**
2. **PUBLIC COMMENT**

**DEPARTMENTAL** (To be considered at the Board's convenience)

3. **County Administrator** - Request Board: A) amend the Fiscal Year (2019-2020) General Relief Budget (#010205) as follows: increase appropriation in Operating Transfers Out (Object Code 5801) by \$100,000 (4/5ths vote required); and B) amend the Fiscal Year (2019-2020) CAO-COVID19 Budget (#010208) as follows: increase estimated revenue in Operating Transfers In (Object Code 4998) by \$100,000 and increase appropriation in Office and Other Equipment (Object Code 5232) by \$20,000; increase appropriation in Professional Services (Object Code 5265) by \$40,000; and increase appropriation in General Operating (Object Code 5311) by \$40,000 (4/5ths vote required).
4. **Board of Supervisors** - Request Board approve Resolution No. 2020-13, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Requesting a Waiver of the National Registry Test Requirement for Inyo County Emergency Medical Technicians," and authorize the Chairperson to sign.
5. **County Counsel** - Request Board introduce, read title, waive further reading, and potentially enact a proposed urgency ordinance titled "An Urgency Ordinance of the Board of Supervisors, County of Inyo, State of California, adding Chapter 7.74 to the Inyo County Code, to Prohibit Evictions Arising from Income Loss or Substantial Medical Expenses Related to the Coronavirus Pandemic" (4/5th vote required).

6. ***PUBLIC COMMENT***



# County of Inyo



## County Administrator

### DEPARTMENTAL - ACTION REQUIRED

**MEETING:** March 31, 2020

**FROM:** Denelle Carrington

**SUBJECT:** Request approval of Budget Amendments related to the Inyo COVID19 Emergency

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**RECOMMENDED ACTION:**

Request Board: A) amend the Fiscal Year (2019-2020) General Relief Budget (#010205) as follows: increase appropriation in Operating Transfers Out (Object Code 5801) by \$100,000 (4/5ths vote required); and B) amend the Fiscal Year (2019-2020) CAO-COVID19 Budget (#010208) as follows: increase estimated revenue in Operating Transfers In (Object Code 4998) by \$100,000 and increase appropriation in Office and Other Equipment (Object Code 5232) by \$20,000; increase appropriation in Professional Services (Object Code 5265) by \$40,000; and increase appropriation in General Operating (Object Code 5311) by \$40,000 (4/5ths vote required).

**SUMMARY/JUSTIFICATION:**

These two budget amendments will allow the creation and Budget Authority for the new CAO-COVID19 Budget (010208), in order to clearly track any expenditures related to the Inyo COVID19 Emergency. Transferring the funds from the General Relief Budget (010205) will allow budget authority for any purchases that need to be made. The funds sitting in the General Relief Budget were from previous County emergencies that were recouped for General Fund Budgets and set aside for future emergency situations. This emergency is the perfect example of a good use of these funds. The expectation is that any purchases made towards any COVID19 expense will be reimbursed at a later date. Creating the CAO-COVID19 Budget simply allows the anticipation of these future expenses.

**BACKGROUND/HISTORY OF BOARD ACTIONS:**

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Your Board could choose not to approve the budget amendments, which would hamper the ability to properly track expenditures and seek reimbursement in the future for items related to the Inyo COVID19 Emergency.

**OTHER AGENCY INVOLVEMENT:**

Auditor's Office

**FINANCING:**

An operating transfer out from the General Relief Budget (010205) into the CAO-COVID19 Emergency Budget (010208) allows for easier tracking of all COVID19 related expenditures. There is sufficient fund balance in the General Relief Budget (010205) to transfer.

**ATTACHMENTS:**

**APPROVALS:**

Denelle Carrington  
Darcy Ellis  
Denelle Carrington  
Amy Shepherd  
Clint Quilter

Created/Initiated - 3/26/2020  
Approved - 3/26/2020  
Approved - 3/26/2020  
Approved - 3/26/2020  
Final Approval - 3/26/2020



# County of Inyo



## Board of Supervisors

### DEPARTMENTAL - ACTION REQUIRED

**MEETING:** March 31, 2020

**FROM:** Board of Supervisors

**SUBJECT:** Resolution Requesting Waiver of National Registry Testing Requirement for Inyo County EMTs

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**RECOMMENDED ACTION:**

Request Board approve Resolution No. 2020-13, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Requesting a Waiver of the National Registry Test Requirement for Inyo County Emergency Medical Technicians," and authorize the Chairperson to sign.

**SUMMARY/JUSTIFICATION:**

The fire chiefs of the Bishop, Big Pine, Independence, Lone Pine, and Olancho-Cartago volunteer fire departments, along with Sheriff Sgt. Nathaniel Derr, have reached out to the members of the Inyo County Board of Supervisors with a request to urge the state and local emergency services authority to waive the National Registry testing requirement for Inyo County Emergency Medical Technicians (letters attached).

The aforementioned have expressed concern that public health measures taken in response to the COVID-19 pandemic - which the Board recently declared a local emergency - will have the unintended consequence of seriously hampering local first responders' ability to pass the National Registry test to become certified EMTs. The test is notoriously difficult, as evidenced by a high failure rate, and, since being adopted by the State, has already contributed to a significant decrease in local EMT certifications.

There are currently 23 first responders from throughout the County enrolled in an EMT class that is more than halfway complete. Due to the threat of COVID-19, the class has moved to an online platform and the next phases - clinical practice and testing - have been canceled. Given the inherent difficulty of the National Registry test, any delay in the testing process will only increase the likelihood of students' failure, through no fault of their own. Fire chiefs and the Sheriff are concerned that the undue burden placed on students of having to take the National Registry test several months after completion of the course material will not only increase the local failure rate, but unwind the progress that's been made in addressing Inyo County's ongoing, ever-present EMT shortage. Inyo County was nearing a turning point in resolving the shortage prior to the COVID-19 crisis, and now efforts must be taken to ensure the success of future medical responders.

At the request of the fire chiefs and Sgt. Derr, a resolution has been drafted for the Board's consideration, asking the California Emergency Medical Authority and Inland Counties Emergency Medical Agency to waive the National Registry testing requirement for Inyo County EMTs (also attached).

**BACKGROUND/HISTORY OF BOARD ACTIONS:**

(see above)

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

The Board can choose not to approve the resolution, however this is not recommended for the reasons cited by the Fire Chiefs.

**OTHER AGENCY INVOLVEMENT:**

Bishop, Big Pine, Independence, Lone Pine, and Olancha-Cartago volunteer fire departments; Inyo County Sheriff's Office

**FINANCING:**

There are no fiscal impacts to the County associated with adoption of this resolution.

**ATTACHMENTS:**

1. Resolution No. 2020-13
2. Letter - Bishop Fire
3. Letter - Big Pine Fire
4. Letter - Independence Fire
5. Letter - Lone Pine Fire
6. Letter - Olancha Fire
7. Letter - Sheriff's Sgt. Derr

**APPROVALS:**

Darcy Ellis  
Marshall Rudolph  
Clint Quilter

Created -

## **RESOLUTION NO. 2020-13**

### **A RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF INYO, STATE OF CALIFORNIA, REQUESTING A WAIVER OF THE NATIONAL REGISTRY TEST REQUIREMENT FOR INYO COUNTY'S EMERGENCY MEDICAL TECHNICIANS**

**WHEREAS**, on March 16, 2020, the County Health Officer declared a local health emergency based on an imminent and proximate threat of conditions of extreme peril to the safety of persons and property within Inyo County resulting from the COVID-19 coronavirus; and

**WHEREAS**, on March 17, 2020, the Board of Supervisors determined the existence of conditions of disaster or extreme peril to the safety of persons and property that are beyond the control of the services, personnel, equipment, and facilities of the County; and

**WHEREAS**, the Board of Supervisors proclaimed that a local emergency now exists throughout Inyo County, as defined in Government Code section 8558 and Section 2.56.020 of the Inyo County Code; and

**WHEREAS**, Inyo County has been experiencing an extreme shortage of Emergency Medical Technicians (EMTs) for several years; and

**WHEREAS**, a concerted effort by local volunteer fire departments and other agencies to recruit new EMTs has shown promise with the enrollment of more than 20 individuals in an EMT training course that began earlier this year; and

**WHEREAS**, every fire chief in Inyo County, and Inyo County Sheriff's Sgt. Nathaniel Derr, have communicated that the unprecedented COVID-19 emergency threatens to unwind the progress made to assist with the ongoing and ever-present EMT shortage in Inyo County; and

**WHEREAS**, 23 local first responders are attending the most recent EMT class, which is more than halfway complete and has moved to an online platform due to the COVID-19 threat; and

**WHEREAS**, the next steps toward EMT certification – clinical practice and testing – have been canceled in the midst of the COVID-19 emergency; and

**WHEREAS**, this cancellation puts the first responders at a distinct disadvantage and dramatically reduces their chances of passing the National Registry test, if they're expected to take the exam several months after completion of the class; and

**WHEREAS**, Inyo County has already experienced a significant decrease in local EMT certifications following the State's adoption of the National Registry test, the difficulty of which is evidenced in a high failure rate; and

**WHEREAS**, Inyo County’s fire chiefs and the Search and Rescue coordinator have determined that delaying the first responders’ ability to take the test by any amount will only add to the county’s failure rate and exacerbate a continuing EMT shortage; and

**WHEREAS**, Inyo County’s fire chiefs and Sgt. Derr report being close to a breaking point in the shortage prior to the COVID-19 pandemic, and stress the need to ensure the success of future medical responders; and

**WHEREAS**, they have determined a waiver of the National Registry testing requirement is an effective way of ensuring that success.

**NOW THEREFOR BE IT RESOLVED**, the Inyo County Board of Supervisors finds that any delay in the testing for the current class of EMT students is detrimental to their success and the effort to solve Inyo County’s EMT shortage; and

**BE IT FURTHER RESOLVED** that the Inyo County Board of Supervisors formally asks the California Emergency Medical Authority and Inland Counties Emergency Medical Agency to waive the National Registry testing requirement for Inyo County EMTs.

**PASSED AND ADOPTED THIS 31<sup>st</sup> day of March, 2020**, by the Inyo County Board of Supervisors, County of Inyo, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Matt Kingsley, Chairperson  
Inyo County Board of Supervisors

ATTEST:

CLINT QUILTER  
Clerk of the Board

By: \_\_\_\_\_  
Darcy Ellis, Assistant





# Bishop Fire Department

209 W. Line Street- Bishop, CA 93514

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Mr. Jeff Griffiths  
Board of Supervisors  
Inyo County  
PO Drawer N  
Independence, CA 93526

Mr. Griffiths,

The unprecedented COVID 19 emergency threatens to unwind our progress made to assist with the on-going and ever present emergency medical technician (EMT) shortage in Inyo County. The participation in our most recent EMT class has exciting and progressive with 23 local first responders attending from though-out the county. Currently, the class is more than half way finished and has moved to an on-line platform. All clinical practice and testing has been cancelled until the details of safety through the COVID crisis can be determined.

My concern is that these students will have undue burden of taking the National Registry test several months after the completion of the class. Since the states adoption of the National Registry test, our county has suffered from a significant decrease in local EMT certifications. The difficulty of this particular test has proven though experience that failure rates are high. Delaying the ability to take the test by any amount will only increase our failure rates and exacerbate our continued EMT shortage. We were close to a breaking point before this crisis, and need to ensure the success of our future medical responders.

I urge you to reach out to the state and local emergency services authority to waive the National Registry testing requirement for Inyo County EMT's. I've added the contact information for both the local and state emergency medical authorities. Thank you for your efforts in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Lynch". The signature is fluid and cursive, with a large loop at the beginning and a smaller loop at the end.

Bishop Fire Chief

Tom Lynch



# Bishop Fire Department

209 W. Line Street- Bishop, CA 93514

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EMS Administrator  
Inland Counties Emergency Medical Agency  
1425 S "D" Street  
San Bernardino, CA 92415-0060  
Tom.lynch@cao.sbcounty.gov

Dr. Dave Duncan  
EMSA Director  
California Emergency Medical Authority  
10901 Gold Center Drive, Suite 400  
Ranch Cordova, CA 95670  
director@ems.ca.gov



## Big Pine Fire Protection District

181 North Main Street  
P.O. Box 382  
Big Pine, CA 93513

Damon Carrington P.O. Box 382  
Big Pine CA 93513  
760-937-4712  
Bpfire301@suddenlink.net  
03/25/20

Mark Tillemans  
Board of Supervisors  
Inyo County  
PO Drawer N  
Independence, CA 93526

Mark Tillemans,

The unprecedented COVID 19 emergency threatens to unwind our progress made to assist with the on-going and ever-present emergency medical technician (EMT) shortage in Inyo County. The participation in our most recent EMT class has exciting and progressive with 23 local first responders attending from throughout the county. Currently, the class is more than halfway finished and has moved to an on-line platform. All clinical practice and testing have been cancelled until the details of safety through the COVID crisis can be determined.

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I urge you to reach out to the state and local emergency services authority to waive the National Registry testing requirement for Inyo County EMT's. I've added the contact information for both the local and state emergency medical authorities. Thank you for your efforts in this matter.

Secondary to COVID-19 all college campuses have been closed and classes have moved to online platforms. Impacts specifically to clinicals has been more significant, with clinicals being postponed or suspended to decrease risks to the 1<sup>st</sup> responders and to patients. But most important the National Registry and their testing platform has currently been suspended indefinitely at this point. More information here <https://home.pearsonvue.com/coronavirus-update>.

This means that while EMT students will still be able to finish their didactic portion of the class, and we can work thru skills while working within the gathering and social distancing guidelines, it is unclear at this time when or if students will be able complete their clinicals and national test. While the program director of the EMT program works diligently to try and sort thru options at this dynamic time, this leaves a lot of uncertainty and the potential for even fewer EMTs in a time when first responders are in their highest demand.

Sincerely

A handwritten signature in black ink that reads "Damon Carrington". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Damon Carrington

Tom Lynch  
EMS Administrator  
Inland Counties Emergency Medical Agency  
1425 S "D" Street  
San Bernardino, CA 92415-0060  
Tom.lynch@cao.sbcounty.gov

Dr. Dave Duncan  
EMSA Director  
California Emergency Medical Authority  
10901 Gold Center Drive, Suite 400  
Ranch Cordova, CA 95670  
director@ems.ca.gov



## Independence Volunteer Fire Department

P.O. Drawer B  
Independence, California 93526

Chief Joe Cappello  
200 E. Market St.  
Independence, CA 93526  
760-920-1108  
ivfdjoe@gmail.com  
March 24, 2020

Supervisor Mark Tillemans  
Board of Supervisors  
Inyo County  
PO Drawer N  
Independence, CA 93526

Supervisor Tillemans,

The unprecedented COVID 19 emergency threatens to unwind our progress made to assist with the on-going and ever-present emergency medical technician (EMT) shortage in Inyo County. The participation in our most recent EMT class has exciting and progressive with 23 local first responders attending from throughout the county. Currently, the class is more than halfway finished and has moved to an on-line platform. All clinical practice and testing have been cancelled until the details of safety through the COVID crisis can be determined.

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I urge you to reach out to the state and local emergency services authority to waive the National Registry testing requirement for Inyo County EMT's. I've added the contact information for both the local and state emergency medical authorities. Thank you for your efforts in this matter.

Sincerely,

Chief Joe Cappello

# Independence Volunteer Fire Department

P.O. Drawer B  
Independence, California 93526

Tom Lynch  
EMS Administrator  
Inland Counties Emergency Medical Agency  
1425 S "D" Street  
San Bernardino, CA 92415-0060  
Tom.lynch@cao.sbcounty.gov

Dr. Dave Duncan  
EMSA Director  
California Emergency Medical Authority  
10901 Gold Center Drive, Suite 400  
Ranch Cordova, CA 95670  
director@ems.ca.gov



## LONE PINE FIRE DEPARTMENT

130 N Jackson ST Lone Pine, CA 93545  
(760) 876-4626 (760) 876-4000 FAX  
[lpfd2400@gmail.com](mailto:lpfd2400@gmail.com)

CARL BURSELL, FIRE CHIEF  
130 N JACKSON ST  
LONE PINE CA, 93545  
(760) 920-3494  
carl\_bursell2000@yahoo.com  
03/25/2020

Matt Kingsley  
Board of Supervisors  
Inyo County  
PO Drawer N  
Independence, CA 93526

Matt Kingsley,

The unprecedented COVID 19 emergency threatens to unwind our progress made to assist with the on-going and ever present emergency medical technician (EMT) shortage in Inyo County. The participation in our most recent EMT class has exciting and progressive with 23 local first responders attending from though-out the county. Currently, the class is more than half way finished and has moved to an on-line platform. All clinical practice and testing has been cancelled until the details of safety through the COVID crisis can be determined.

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I urge you to reach out to the state and local emergency services authority to waive the National Registry testing requirement for Inyo County EMT's. I've added the contact information for both the local and state emergency medical authorities. Thank you for your efforts in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carl Bursell". The signature is fluid and cursive, with a long horizontal stroke at the end.

CARL BURSELL, FIRE CHIEF



## LONE PINE FIRE DEPARTMENT

130 N Jackson ST Lone Pine, CA 93545

(760) 876-4626 (760) 876-4000 FAX

[lpfd2400@gmail.com](mailto:lpfd2400@gmail.com)

Tom Lynch  
EMS Administrator  
Inland Counties Emergency Medical Agency  
1425 S "D" Street  
San Bernardino, CA 92415-0060  
Tom.lynch@cao.sbcounty.gov

Dr. Dave Duncan  
EMSA Director  
California Emergency Medical Authority  
10901 Gold Center Drive, Suite 400  
Ranch Cordova, CA 95670  
director@emsa.ca.gov



Charles Abbott, Fire Chief  
Olancha Cartago Fire Department  
689 Shop St.  
Olancha, Ca 93549  
(760) 764-2370  
c.abbott@cgroxane.com  
03/25/2020

Matt Kingsley  
Board of Supervisors  
Inyo County  
PO Drawer N  
Independence, CA 93526

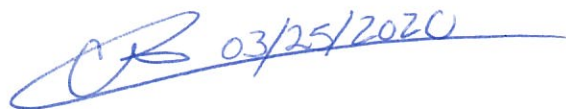
Supervisor Matt Kingsley,

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Sincerely,



Charles Abbott, Fire Chief  
Olancha Cartago Fire Department

Supervisor Matt Kingsley

03/25/2020

Page 2

Tom Lynch

EMS Administrator

Inland Counties Emergency Medical Agency

1425 S "D" Street

San Bernardino, CA 92415-0060

Tom.lynch@cao.sbcounty.gov

Dr. Dave Duncan

EMSA Director

California Emergency Medical Authority

10901 Gold Center Drive, Suite 400

Ranch Cordova, CA 95670

director@emsa.ca.gov

OFFICE OF THE  
**SHERIFF**  
INYO COUNTY, CA



**JEFF R. HOLLOWELL**  
**SHERIFF**

**ERIC PRITCHARD**  
**UNDERSHERIFF**

*"A Professional Service Agency"*

Jeff Griffiths  
Board of Supervisors  
Inyo County  
PO Drawer N  
Independence, CA 93526

Jeff Griffiths,

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I urge you to reach out to the state and local emergency services authority to waive the National Registry testing requirement for Inyo County EMT's. I've added the contact information for both the local and state emergency medical authorities. Thank you for your efforts in this matter.

Sincerely,  
Sergeant Nathaniel Derr  
760-937-5150  
nderr@inyocounty.us

OFFICE OF THE  
**SHERIFF**  
INYO COUNTY, CA



**JEFF R. HOLLOWELL**  
**SHERIFF**

**ERIC PRITCHARD**  
**UNDERSHERIFF**

***"A Professional Service Agency"***

Tom Lynch  
EMS Administrator  
Inland Counties Emergency Medical Agency  
1425 S "D" Street  
San Bernardino, CA 92415-0060  
Tom.lynch@cao.sbcounty.gov

Dr. Dave Duncan  
EMSA Director  
California Emergency Medical Authority  
10901 Gold Center Drive, Suite 400  
Ranch Cordova, CA 95670  
director@emsa.ca.gov



# County of Inyo

## County Counsel

### DEPARTMENTAL - ACTION REQUIRED

**MEETING:** March 31, 2020

**FROM:** Marshall Rudolph, Grace Chuchla

**SUBJECT:**

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**RECOMMENDED ACTION:**

Request Board introduce, read title, waive further reading, and potentially enact a proposed urgency ordinance titled "An Urgency Ordinance of the Board of Supervisors, County of Inyo, State of California, adding Chapter 7.74 to the Inyo County Code, to Prohibit Evictions Arising from Income Loss or Substantial Medical Expenses Related to the Coronavirus Pandemic" (*4/5th vote required*).

**SUMMARY/JUSTIFICATION:**

The COVID-19 pandemic has caused unprecedented disruptions around the globe, within the United States, and within Inyo County. In order to "flatten the curve" and prevent a surge of COVID-19 infections that would quickly overwhelm the American healthcare system, federal, state, and local governments have ordered almost 20% of Americans—including all residents of Inyo County—to stay at home, to close nonessential businesses, and to practice social distancing. These orders, while necessary to preserve public health, have caused an unprecedented and rapid contraction of the American economy.

In recognition of the economic impact of the COVID-19 pandemic, on March 16, 2020, Governor Gavin Newsom issued Executive Order N-28-20, which authorizes local jurisdictions to temporarily suspend the evictions of tenants for the non-payment of rent if the non-payment is a result of the COVID-19 pandemic. Multiple counties and cities around California, including the City of Bishop and Mono County, have exercised their authority under this Executive Order and have passed ordinances or resolutions prohibiting evictions through May 31, 2020 if the tenant can demonstrate that his or her inability to pay rent is caused by a coronavirus-related loss of income or coronavirus-related medical expenses. Additionally, on March 27, 2020, Governor Newsom issued Executive Order N-37-20, which effectively prohibited residential evictions through the end of May 2020. Notably, Order N-37-20 did not limit the power of local governments to pass ordinances that provide more protections for tenants.

County Counsel has prepared an urgency ordinance similar to those enacted by other local governments throughout the state. This ordinance would apply to both residential and commercial tenants, would sunset on May 31, 2020, and would require the tenant to demonstrate that the inability to pay rent is related to the coronavirus. This ordinance does not limit the landlord's ability to collect any rent that may accrue from the effective date of the ordinance through May 31, 2020 at a later date. This ordinance is consistent with both Executive Orders issued by Governor Newsom, but provides additional protections to certain tenants who may not fall under Order N-37-20, such as commercial tenants.

County Counsel requests that your Board enact this ordinance as an urgency ordinance so that it can take immediate effect. Most stay at home orders and business closures occurred during March 2020, which means that most tenants will first find themselves struggling to pay rent on April 1. Therefore, it is imperative that this

ordinance take effect on or before April 1 to provide meaningful protections for residents in the unincorporated areas of Inyo County. A mass displacement of tenants would constitute a crisis even without the COVID-19 pandemic, but the existence of a pandemic makes the prospect of the mass displacement of tenants particularly dangerous. County residents cannot comply with orders to stay home and limit their movements if they do not have a home. Additionally, given the limited and expensive rental market in Inyo County, it is unlikely that an evicted tenant could find an alternative, less expensive residence.

**BACKGROUND/HISTORY OF BOARD ACTIONS:**

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Your Board could choose not to adopt the ordinance. In that case, Executive Order N-37-20 would still exist to provide some protection to residential tenants.

**OTHER AGENCY INVOLVEMENT:**

**FINANCING:**

**ATTACHMENTS:**

1. 3.16.20-Executive-Order
2. Executive Order N-37-20
3. COVID 19 Eviction Ordinance

**APPROVALS:**

Grace Chuchla  
Darcy Ellis  
Grace Chuchla  
Marshall Rudolph

Created/Initiated - 3/27/2020  
Approved - 3/27/2020  
Approved - 3/27/2020  
Final Approval - 3/27/2020

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

EXECUTIVE ORDER N-28-20

**WHEREAS** on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

**WHEREAS** despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection and otherwise mitigate the effects of COVID-19 are needed; and

**WHEREAS** the economic impacts of COVID-19 have been significant, and could threaten to undermine Californians' housing security and the stability of California businesses; and

**WHEREAS** many Californians are experiencing substantial losses of income as a result of business closures, the loss of hours or wages, or layoffs related to COVID-19, hindering their ability to keep up with their rents, mortgages, and utility bills; and

**WHEREAS** Californians who are most vulnerable to COVID-19, those 65 years and older, and those with underlying health issues, are advised to self-quarantine, self-isolate, or otherwise remain in their homes to reduce the transmission of COVID-19; and

**WHEREAS** because homelessness can exacerbate vulnerability to COVID-19, California must take measures to preserve and increase housing security for Californians to protect public health; and

**WHEREAS** local jurisdictions, based on their particular needs, may therefore determine that additional measures to promote housing security and stability are necessary to protect public health or to mitigate the economic impacts of COVID-19; and

**WHEREAS** local jurisdictions may also determine, based on their particular needs, that promoting stability amongst commercial tenancies is also conducive to public health, such as by allowing commercial establishments to decide whether and how to remain open based on public health concerns rather than economic pressures, or to mitigate the economic impacts of COVID-19; and

**WHEREAS** in addition to these public health benefits, state and local policies to promote social distancing, self-quarantine, and self-isolation require that people be able to access basic utilities—including water, gas, electricity, and telecommunications—at their homes, so that Californians can work from home, receive public health information, and otherwise adhere to policies of social distancing, self-quarantine, and self-isolation, if needed; and

**WHEREAS** many utility providers, public and private, covering electricity, gas, water, and sewer, have voluntarily announced moratoriums on service disconnections and late fees for non-payment in response to COVID-19; and

**WHEREAS** many telecommunication companies, including internet and cell phone providers, have voluntarily announced moratoriums on service disconnections and late fees for non-payment in response to COVID-19;

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

**IT IS HEREBY ORDERED THAT:**

- 1) The time limitation set forth in Penal Code section 396, subdivision (f), concerning protections against residential eviction, is hereby waived. Those protections shall be in effect through May 31, 2020.
- 2) Any provision of state law that would preempt or otherwise restrict a local government's exercise of its police power to impose substantive limitations on residential or commercial evictions as described in subparagraphs (i) and (ii) below—including, but not limited to, any such provision of Civil Code sections 1940 et seq. or 1954.25 et seq.—is hereby suspended to the extent that it would preempt or otherwise restrict such exercise. This paragraph 2 shall only apply to the imposition of limitations on evictions when:
  - (i) The basis for the eviction is nonpayment of rent, or a foreclosure, arising out of a substantial decrease in household or business income (including, but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and
  - (ii) The decrease in household or business income or the out-of-pocket medical expenses described in subparagraph (i) was caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, and is documented.

The statutory cause of action for judicial foreclosure, Code of Civil Procedure section 725a et seq.; the statutory cause of action for unlawful detainer, Code of Civil Procedure section 1161 et seq., and any other statutory cause of action that could be used to evict or otherwise eject a residential or commercial tenant or occupant of residential real property after foreclosure is suspended only as applied to any tenancy, or residential real property and any



occupation thereof, to which a local government has imposed a limitation on eviction pursuant to this paragraph 2, and only to the extent of the limitation imposed by the local government.

Nothing in this Order shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due.

The protections in this paragraph 2 shall be in effect through May 31, 2020, unless extended.

- 3) All public housing authorities are requested to extend deadlines for housing assistance recipients or applicants to deliver records or documents related to their eligibility for programs, to the extent that those deadlines are within the discretion of the housing authority.
- 4) The Department of Business Oversight, in consultation with the Business, Consumer Services, and Housing Agency, shall engage with financial institutions to identify tools to be used to afford Californians relief from the threat of residential foreclosure and displacement, and to otherwise promote housing security and stability during this state of emergency, in furtherance of the objectives of this Order.
- 5) Financial institutions holding home or commercial mortgages, including banks, credit unions, government-sponsored enterprises, and institutional investors, are requested to implement an immediate moratorium on foreclosures and related evictions when the foreclosure or foreclosure-related eviction arises out of a substantial decrease in household or business income, or substantial out-of-pocket medical expenses, which were caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19.
- 6) The California Public Utilities Commission is requested to monitor measures undertaken by public and private utility providers to implement customer service protections for critical utilities, including but not limited to electric, gas, water, internet, landline telephone, and cell phone service, in response to COVID-19, and on a weekly basis publicly report these measures.

Nothing in this Order shall be construed to invalidate any limitation on eviction enacted by a local jurisdiction between March 4, 2020 and this date.

Nothing in this Order shall in any way restrict state or local authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential real property.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**I FURTHER DIRECT** that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of March 2020.



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GAVIN NEWSOM  
Governor of California

**ATTEST:**

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ALEX PADILLA  
Secretary of State

## **EXECUTIVE ORDER N-37-20**

**WHEREAS** on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

**WHEREAS** in a short period of time, COVID-19 has rapidly spread throughout California, necessitating stringent public health emergency orders as well as guidance from federal, state, and local public health officials; and

**WHEREAS** on March 16, 2020, I issued Executive Order N-28-20, suspending state law limitations on local jurisdictions that impose restrictions on evictions; and

**WHEREAS** on March 19, 2020, I issued Executive Order N-33-20, ordering all residents to immediately heed the Order of the State Public Health Officer for all residents, unless exempted, to stay home or at their place of residence; and

**WHEREAS** many Californians are experiencing or will experience substantial losses of income as a result of business closures, the loss of hours or wages, or layoffs related to COVID-19, hindering their ability to keep up with their rent, and leaving them vulnerable to eviction; and

**WHEREAS** minimizing evictions during this period is critical to reducing the spread of COVID-19 in vulnerable populations by allowing all residents to stay home or at their place of residence in compliance with Executive Order N-33-20; and

**WHEREAS** Chief Justice Tani Cantil-Sakauye issued advisory guidance on March 20, 2020 for superior courts to suspend most civil trials and hearings for at least 60 days, and on March 23, 2020, suspended all jury trials for a period of 60 days, and extended by 60 days the time period for the holding of a civil trial; and

**WHEREAS** on March 25, 2020 the Department of Business Oversight secured support from national banks, state banks and credit unions for temporary delays in mortgage payments and foreclosure sales and evictions for homeowners who have economic impacts from COVID-19 with the objective of maximizing consistency and minimizing hurdles potentially faced by borrowers.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following Order to become effective immediately:

### **IT IS HEREBY ORDERED THAT:**

- 1) 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

this Order is in effect, with a complaint that seeks to evict the tenant from a residence or dwelling unit for nonpayment of rent and who satisfies all of the following requirements:

- a. Prior to the date of this Order, the tenant paid rent due to the landlord pursuant to an agreement.
  - 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, including but not limited to the following:
    - (i) The tenant was unavailable to work because the tenant was sick with a suspected or confirmed case of COVID-19 or caring for a household or family member who was sick with a suspected or confirmed case of COVID-19;
    - (ii) The tenant experienced a lay-off, loss of hours, or other income reduction resulting from COVID-19, the state of emergency, or related government response; or
    - (iii) The tenant needed to miss work to care for a child whose school was closed in response 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) No writ may be enforced while this Order is in effect to evict a tenant from a residence or dwelling unit for nonpayment of rent who satisfies the requirements of subparagraphs (a)-(c) of paragraph 1.
  - 3) The protections in paragraphs 1 and 2 shall be in effect through May 31, 2020.

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.

Nothing in this Order shall in any way restrict state or local governmental authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential property.

**IT IS FURTHER ORDERED** that this Order supersedes Executive Order N-28-20 to the extent that there is any conflict with that Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**I FURTHER DIRECT** that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

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GAVIN NEWSOM  
Governor of California

**ATTEST:**

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ALEX PADILLA  
Secretary of State

ORDINANCE NO. 2020-\_\_\_\_\_

**AN URGENCY ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF INYO, STATE OF CALIFORNIA, ADDING CHAPTER 7.74 TO THE INYO COUNTY CODE TO PROHIBIT EVICTIONS ARISING FROM INCOME LOSS OR SUBSTANTIAL MEDICAL EXPENSES RELATED TO THE CORONAVIRUS PANDEMIC**

WHEREAS, states of emergency have recently been proclaimed at the local, state, and federal government levels related to the COVID-19 pandemic; and

WHEREAS, due to the COVID-19 pandemic, various school districts within Inyo County have suspended in-person classes through at least April 1, 2020; and

WHEREAS, on March 16, 2020, the Inyo County Public Health Officer declared a local health emergency due to the COVID-19 pandemic. The Board of Supervisors ratified that declaration on March 17, 2020; and

WHEREAS, on March 17, 2020, pursuant to Government Code section 8630, the Inyo County Board of Supervisors proclaimed a local emergency due to the COVID-19 pandemic; and

WHEREAS, on March 16, 2020, Governor Gavin Newsom issued Executive Order N-28-20, which authorizes local jurisdictions to suspend the evictions of tenants for the non-payment of rent if the non-payment is a result of the COVID-19 pandemic; and

WHEREAS, on March 19, 2020, Governor Gavin Newsom issued Executive Order No. N-33-20, also known as the “Stay at Home Order,” that directs all Californians to stay at home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors; and

WHEREAS, on March 20, 2020, Inyo County issued a press release strongly discouraging recreational travel to the County due to the COVID-19 pandemic; and

WHEREAS, on March 27, 2020, Governor Gavin Newsom issued Executive Order No. N-37-20, which extended the deadline for any residential tenant to respond to an unlawful detainer lawsuit by 60 days, effectively prohibiting residential evictions until May 26, 2020; and

WHEREAS, in announcing Executive Order No. N-37-20, Governor Newsom made clear that the order was not intended to prohibit or nullify any eviction moratorium ordinances passed by local jurisdictions pursuant to Executive Order N-28-20 that provided additional or enhanced protections to tenants; and

WHEREAS, the COVID-19 pandemic and associated public health and executive orders are expected to result in the closure of many local businesses until these orders are lifted and to cause hardships on local businesses for the foreseeable future. These hardships will be particularly acute in Inyo County given that a large part of Inyo County's economy is based on recreational travel and tourism; and

WHEREAS, the COVID-19 pandemic and associated public health orders are expected to result in a severe loss of income to a widespread portion of the local population that depend on wages or business income to pay rent and result in substantial medical expenses for certain County residents; and

WHEREAS, Inyo County is also experiencing a housing affordability crisis, which is driving homelessness and displacement of residents, even before the COVID-19 pandemic; and

WHEREAS, data collected by the California Department of Housing and Community Development's 2018 Community Development Block Grant Notice of Funding Availability ("NOFA") found that approximately 41% of renters in the unincorporated areas of Inyo County are overpaying for their housing—meaning that they are paying more than 30% of their income for housing. This same NOFA also found that the rental vacancy rate for Inyo County is a mere 3.9%; and

WHEREAS, without local protection, eviction notices for failure to pay rent are likely to surge as residents and businesses are unable to earn income due to the COVID-19 pandemic, or are forced to pay substantial medical expenses associated with the COVID-19 pandemic; and

WHEREAS, the Board of Supervisors has determined that it is appropriate to temporarily prohibit evictions, through May 31, 2020, for any tenant or occupant of residential or commercial property who can demonstrate that they are being evicted for the failure to pay rent and that such failure is a direct impact of the COVID-19 pandemic; and

WHEREAS, the Board has determined that urgent action must be taken to protect the health, safety, and welfare of tenants in the unincorporated area of Inyo County; and

WHEREAS, in adopting this urgency ordinance, the County is taking action pursuant to Executive Order N-28-20 consistent with its authority under Government Code Sections 8630.

NOW THEREFORE the Board of Supervisors of Inyo County hereby ordains as follows:

SECTION ONE. INYO COUNTY CODE AMENDED.

The Inyo County Code is hereby amended to include a new chapter, numbered as Chapter 7.74, and entitled “Temporary Prohibition on Certain Evictions Due to the COVID-19 Pandemic.” The contents and subsections of Chapter 7.74 are attached hereto as Exhibit A.

SECTION TWO. SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

SECTION THREE. CEQA COMPLIANCE.

This ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, because it has no potential for resulting in physical change to the environment, directly or indirectly.)

SECTION FOUR. DECLARATION OF URGENCY.

Government Code section 25123(d) provides that County ordinances may take immediate effect if they are necessary for the preservation of the public peace, health, or safety.

The Board of Supervisors of the County of Inyo hereby finds that the problems that this Ordinance seeks to remedy constitute an immediate threat to public peace, health, and safety. The COVID-19 pandemic has caused unprecedented disruptions around the globe, within the United States, and within Inyo County. In order to “flatten the curve” and prevent a surge of COVID-19 infections that would quickly overwhelm the American healthcare system, federal, state, and local governments have ordered almost 20% of Americans—including all residents of Inyo County—to stay at home, to close nonessential businesses, and to practice social distancing. These orders, while necessary to preserve public health, have caused an unprecedented and rapid contraction of the American economy.

This contraction has a direct impact on Inyo County residents, many of whom find themselves suddenly facing a substantial loss of income and/or substantial out-of-pocket medical expenses, unable to pay rent, and on the brink of being evicted. While a mass displacement of tenants would constitute a crisis even without the COVID-19 pandemic, the existence of a pandemic makes the prospect of the mass displacement of tenants particularly dangerous. County residents cannot comply with orders to stay home and limit their movements if they do



not have a home. Additionally, given the limited and expensive rental market in Inyo County, it is unlikely that an evicted tenant could find an alternative, less expensive residence.

Given that most “stay at home” orders and business closures happened in March 2020, it is reasonably foreseeable that tenants will begin to struggle to pay rent for the month of April 2020. Thus, it is necessary to immediately enact this ordinance to ensure that the COVID-19-related eviction moratorium is in place on or before April 1, 2020.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
MATT KINGSLEY, Chairperson  
Inyo County Board of Supervisors

ATTEST: Clint Quilter  
Clerk of the Board

By: \_\_\_\_\_  
Darcy Ellis, Assistant  
Assistant Clerk of the Board

# EXHIBIT A

**Inyo County Code Chapter 7.74**  
**Temporary Prohibition on Certain Evictions Due to the COVID-19 Pandemic**

**7.74.010 Findings and Purpose.**

This chapter prohibits evictions through May 31, 2020, for any tenant of commercial or residential property who can demonstrate that they have received a notice of eviction for failure to pay rent and that such failure to pay rent is related to a substantial loss of income or substantial out-of-pocket medical expenses resulting from the COVID-19 pandemic or any local, state, or federal government response to the pandemic.

**7.74.020 Definitions.**

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section.

- (A) “Commercial real property” means any real property that is used for business or income-producing purposes.
- (B) “Owner” means any person, acting as principal or through an agent, providing residential or commercial real property for rent, and includes a predecessor in interest to the owner.
- (C) “Residential real property” means any dwelling or unit that is intended or used for human habitation.
- (D) “Tenancy” means the lawful occupation of residential or commercial real property and includes a lease or sublease.

**7.74.030 Prohibition on evictions stemming from the COVID-19 pandemic.**

- (A) Through May 31, 2020, the owner of residential or commercial real property in the unincorporated areas of Inyo County shall not attempt to terminate a residential or commercial tenancy for failure to pay rent.
- (B) In order for this section to apply, a tenant of residential or commercial property must
  - (1) Demonstrate through documentation or other objectively verifiable means:
    - i. Substantial loss of income from (a) job loss; (b) layoffs; (c) a reduction in the number of compensable hours of work; (d) a store, restaurant, office, or business closure; (e) a substantial decrease in business income caused by a reduction in opening hours or consumer demand; (f) the need to miss work to care for a home-bound school-age child or a family member infected with coronavirus; or (g) other similarly-caused loss of income that resulted from the pandemic; or
    - ii. Substantial out-of-pocket medical expenses related to the pandemic.
  - (2) Notify 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 for the reasons stated in subsection (B)(1)(i) or (B)(1)(ii).

- (3) Retain verifiable documentation of an inability to pay the full amount due for the reasons stated in subsection (B)(1)(i) or (B)(1)(ii) and present such documentation to the landlord no later than the date that any back-due rent must be paid.
- (C) This prohibition shall also apply to an owner's action that constitutes constructive eviction under California law. An owner's failure to comply with this ordinance shall render any notice of termination of tenancy void. This section may be asserted as an affirmative defense in an unlawful detainer action.
- (D) Terminations of tenancy that are required to comply with an order issued by a government agency or court requiring that the real property be vacated are exempted from this prohibition.
- (E) Financial institutions holding home or commercial mortgages, including banks, credit unions, government-sponsored enterprises, and institutional investors, are requested to implements an immediate moratorium on foreclosures and related evictions when the foreclosure or foreclosure-related eviction arises out of a substantial decrease in household or business income, or substantial out-of-pocket medical expenses, which were caused by the COVID-19 pandemic, or by any local, state, or federal government response to the COVID-19 pandemic.
- (F) Nothing in this ordinance shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rental payments after May 31, 2020. A tenant must pay any rent that was unpaid or delayed for reasons stated in this Chapter as soon as possible, but in no event later than 120 days after May 31, 2020. For 120 days after May 31, 2020, a landlord may not charge or collect penalties or late fees for rent that is delayed for the reasons stated in this Chapter.
- (G) This ordinance shall be liberally construed to provide the broadest possible protection for tenants in the unincorporated areas of the County.

#### **7.74.040 Enforcement.**

- (A) The remedies provided by this section are cumulative and in addition to any other remedies available at law or in equity.
- (B) Each day during which a landlord violates this Chapter shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by the Inyo County Code and state or federal law. Additionally, any violation shall be subject to injunctive relief, disgorgement to the county of any and all monies unlawfully obtained, costs of abatement, costs of restoration, costs of investigation, restitution, and any other relief or remedy available at law or in equity. The county, including the Office of the District Attorney and the Office of the County Counsel, may pursue any and all remedies and actions available and applicable under state and local laws, including but not limited

to, intervening in any civil matters in which this Chapter could provide an affirmative defense that has not been asserted by the Defendant.

- (C) The County Administrative Officer, the County Counsel, and all other County officers and department heads are authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this ordinance.

**7.74.050 Interpretation.**

It is the intent of the Inyo County Board of Supervisors that this Chapter be more protective than but still consistent with the state-wide eviction moratorium imposed by Governor Gavin Newsom in Executive Order No. N-37-20; provided, however, that if any provision of this Chapter cannot be applied in a manner consistent with Executive Order No. N-37-20, the Executive Order shall govern.