

Unified Government of Athens-Clarke County, Georgia
Special Called Session
Tuesday, March 31, 2020
5:35 p.m.
Via WebEx

The Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia met this date in a special called session. Present: Mayor Girtz; Commissioners Davenport, Parker, Link, Wright, Denson, NeSmith, Edwards Herod, Thornton, and Hamby. No one was absent.

The purpose of the meeting was to enter into executive session for an attorney/client conference to discuss threatened or pending litigation.

A motion was made by Commissioner Denson, seconded by Commissioner Link, to revise the agenda to add consideration of a resolution with reference to rent and/or mortgage payments during the COVID-19 pandemic. The motion passed by unanimous vote.

A motion was made by Commissioner Parker, seconded by Commissioner Denson, to adopt the following resolution. The motion passed by unanimous vote.

ATHENS-CLARKE COUNTY COMMISSION

A RESOLUTION in support of ensuring that the people of Athens, Georgia do not experience instability with their housing and/or business ownership due to inability to pay rent and/or mortgage payments during the COVID-19 pandemic; calling on Governor Brian Kemp to impose an immediate moratorium on rent payments and urging the Governor to call on federal legislators and the Trump administration to impose an immediate moratorium on rent and mortgage payments; and calling on federal legislators and the Trump administration to impose an immediate moratorium on rent and mortgage payments; and for other purposes.

WHEREAS, novel coronavirus (COVID-19) first appeared in December 2019 and has spread throughout the world; and

WHEREAS, the first case in the United States was identified on January 21, 2020; the first death in the United States was identified on February 24, 2020; and the World Health Organization declared the outbreak a global pandemic on March 11, 2020; and

WHEREAS, the Governor of the State of Georgia declared a State Public Health Emergency on March 14, 2020; and

WHEREAS, on March 19, 2020, pursuant to their authority under the Athens-Clarke County Emergency Management Ordinance, the Athens-Clarke County Mayor and Commission adopted a Second Declaration of Local Emergency that closed non-essential businesses across Athens-Clarke County; and

WHEREAS, on March 23, 2020, Governor Brian Kemp issued a shelter-in-place order for medically fragile individuals and ordered the shutdown of bars and nightclubs across the state; and

WHEREAS, because of these orders and the impact on service and other industries, labor organizations representing hospitality workers estimate that 80 percent or more of hospitality workers will lose their jobs; along with thousands of arts, travel, nonprofit, retail, and service workers; and

WHEREAS, unemployment claims to the Georgia Department of Labor are expected to increase into the hundreds of thousands; and

WHEREAS, those workers who are eligible for unemployment insurance are drawing only a fraction of what they would otherwise earn and many workers are not eligible for any unemployment benefits at all; and

WHEREAS, the Federal Reserve has found that 40 percent of Americans do not have cash on hand to cover an unexpected expense of \$400;

WHEREAS, though the Supreme Court Justice of Georgia issued a judicial emergency order that stopped the time frame for all dispossessory cases statewide, enabling the Magistrate Court of Athens-Clarke County to temporarily halt evictions, renters are still obligated to pay landlords, and homeowners with mortgage-holders are still obligated to pay their lenders; and

WHEREAS, data from the Georgia Initiative for Community Housing suggests that nearly half of Athenians are housing cost-burdened (paying more than 30% of their income for housing); and

WHEREAS, retaining the obligation to pay would mean that those who defer payments will accumulate significant personal debt; and

WHEREAS, the Athens-Clarke County Commission believes that housing is a human right and that it is critically important that Athenians who currently have housing are not made homeless or destitute because of this public health crisis; and

WHEREAS, pursuant to Code Section 38-3-51 of the Official Code of Georgia, the State of Emergency declared by Governor Brian Kemp empowers the Governor to perform and exercise emergency functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, on March 12, 2020, one of the first responses to the economic impact of the COVID-19 crisis by the US federal government was to inject \$1.5 trillion in loans to banks to stabilize the economy; and

WHEREAS, to date no rent relief program is in place and mortgage forbearance guidance for single-family homeowner mortgages has been issued by Freddie Mac, but that guidance remains subject to individual banks to decide if and how to implement; and

WHEREAS, banks are therefore able to withstand nonpayment of debt during this emergency and work out extensions and other ways for debt to be refinanced when the health emergency is over; and

WHEREAS, by halting mortgage payments during this time, the urgent need for landlords to collect rent will be paused; NOW, THEREFORE,

BE IT RESOLVED BY THE ATHENS-CLARKE COUNTY COMMISSION THAT:

Section 1. The Mayor and Commission of Athens-Clarke County call on all landlords renting or leasing commercial or residential property that lies within Athens-Clarke County to enact the following for the duration of the crisis:

- A. Freeze rents on all residents & pledge to not issue any rent increases.
- B. Halt evictions on renters, absent extraordinary circumstances.
- C. Waive late fees for residents who pay rent after the rent due date because they have been affected by the COVID-19 pandemic and related government actions.
- D. Offer flexible payment plans for residents who cannot pay rent by the due date.
- E. Direct renters to available resources to assist with food, health, and financial assistance.
- F. Communicate with residents proactively that you are available to assist them and want to work with them to ensure they remain housed.
- G. When necessary and possible, offer discounted rental rates or waive rent.

Section 2. The Mayor and Commission of Athens-Clarke County call on all mortgage and lien holders of residential, commercial, and personal property within Athens-Clarke County to enact the following throughout the duration of the crisis:

- A. Halt foreclosures and repossessions of property absent extraordinary circumstances.
- B. Waive late fees for property owners who make payment after the due date because they have been affected by the COVID-19 pandemic and related government actions.
- C. Offer flexible payment plans for property owners who cannot pay by the due date.
- D. Offer to freeze interest accrual when necessary
- E. Communicate with property owners proactively that you are available to assist them and want to work with them to ensure they remain housed.

Section 3. The Mayor and Commission of Athens-Clarke County call on Governor Kemp:

- A. To use emergency powers to impose an immediate moratorium on residential and commercial rent payments, such that no Athenian should be required to pay rent during this health emergency or accumulate debt for unpaid rent; and
- B. To call on federal legislators and President Trump's administration to impose an immediate moratorium on residential and commercial mortgage payments, such that no owner of Athens property should be required to pay mortgage payments during this health emergency or accumulate additional debt for unpaid mortgage payments.

Section 4. The Mayor and Commission of Athens-Clarke County call on members of the United States Congress, specifically Representatives Jody Hice, Doug Collins, and Financial Services Committee Chair Maxine Waters, and Senators David Perdue and Kelly Loeffler, to impose an immediate

moratorium on residential and commercial mortgage payments and rents, such that no owner of property in the nation should be required to pay mortgage during this health emergency or accumulate additional debt for unpaid mortgage payments, and no renter in the nation should be required to pay rent during this health emergency or accumulate debt for unpaid rent.

Section 5. The Mayor & Commission of Athens-Clarke County calls on President Trump to issue an executive order to impose an immediate moratorium on residential and commercial mortgage payments and rents, such that no owner of property in the nation should be required to pay mortgage during this health emergency or accumulate additional debt for unpaid mortgage payments, and no renter in the nation should be required to pay rent during this health emergency or accumulate debt for unpaid rent.

Section 6. The Mayor & Commission of Athens-Clarke County requests that the Clerk of Commission send copies of this resolution, upon adoption, to Governor Brian Kemp, United States Representatives Jody Hice, Doug Collins, and Maxine Waters, United States Senators David Perdue and Kelly Loeffler, and President Donald Trump.

A motion was made by Commissioner NeSmith, seconded by Commissioner Wright, upon completion of a work session to enter into executive session for an attorney/client conference to discuss threatened or pending litigation. The motion passed by unanimous vote.

The meeting adjourned at 6:01 p.m.

Clerk of Commission