

Sheree Kansas

From: Tamisha Woods on behalf of CityClerk
Sent: Tuesday, April 21, 2020 8:50 AM
To: Sheree Kansas; Kerry Bigelow; Tyshar Turner; Cristina Hernandez
Subject: FW: Attached Article
Attachments: Scan.pdf

See attached and below.

Tamisha Woods
Sr. Records Specialist

From: Mitchell Thompson [REDACTED]
Sent: Tuesday, April 21, 2020 8:48 AM
To: CityClerk <CityClerk@chulavistaca.gov>
Subject: Fwd: Attached Article

**Warning:
External
Email**

Chula Vista City Clerk:

I wish to submit this this email and the attached article entitled "Property: Who Should Get a Break on the Rent?" into public comment for the council meeting tonight. It shows how these well-intended local eviction ordinances, if not crafted properly, have the great potential for being abused. around the country.

Additionally, on an anecdotal basis, I was advised by a local property owner/landlord of two local Chula Vista businesses (tenants) --one a Jack in the Box and the other, a liquor store-- both of which are still doing a fairly thriving business, that have advised him that they have no intention of paying any portion of their rent during the Covid crisis. This has/will created undue financial hardship on that owner. Is that a consequence the City Council intended? Probably not.....Please promptly investigate the impact of your ordinance to determine if changes are warranted.

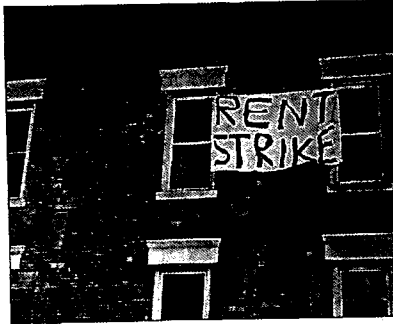
Thank you,

Mitch Thompson
Chula Vista Resident

Property: Who should get a break on the rent?

Amid record-breaking new unemployment claims, a movement to “cancel rent” is spreading across the country, said Renae Merie in *The Washington Post*. Many renters are negotiating deals with landlords—or refusing to pay altogether, joining strikes that have already “popped up in Chicago and San Diego.” More than a dozen states have prohibited evictions for some period, but landlords, who operate “within thin margins, have been sending out notices ranging from polite to threatening.” Some “back-of-the-envelope math” suggests the cost of a rent moratorium for 44 million renters would be \$66 billion per month, said Gianpaolo Baiocchi and H. Jacob Carlson in *The New York Times*. That’s a huge loss for landlords to absorb, but the alternative would be devastating. If renters emerge from eviction moratoriums with months of back rent to pay, “other dominoes would start to fall.” We’ll see a swift rise in foreclosures and evictions and “huge shocks to the housing market.” To prevent this, the U.S. should decree a suspension of rent payments for 90 days, with government-funded reimbursement to smaller landlords.

It’s not just residential tenants who need a break, said Richard Thaler and Jeff Severts in *The Wall Street Journal*. “The great majority of small businesses will have trouble making their payments” as well. The U.S. has promised aid, but “it seems unlikely that the machinery of government can move fast enough to



Brooklyn: Too ill to pay the rent.

process applications from millions of businesses.” Millions of commercial tenants will be looking to renegotiate their contracts. The best way to solve this is a standard one-page addendum for commercial leases stating that “rent payments are suspended from April through June,” with some percentage of deferred payments “spread equally over the first six months of 2021.” The alternative is a flood of lawsuits and evictions far bigger than the courts can handle.

Landlords are already “squeezed,” said Noah Buhayar in *Bloomberg.com*, and they’re trying to gauge which tenant demands are reasonable. One property owner in Berkeley, Calif., said “a tenant threatened to withhold rent because of a new ban on evictions,” even though the renter is retired and saw no change in income. Another said her tenant requested a 40 percent rent reduction despite making \$172,000 a year at a major tech firm. Nearly three-quarters of all apartment properties in the country are owned by “mom-and-pop investors” who manage two to four rental units, said Kriston Capps in *CityLab.com*. These owners are also liable for the mortgage, “utilities, insurance, taxes, and payroll for staff and contractors they employ.” Faced with eviction moratoriums and rent strikes, “they’ll lay off workers, miss their own obligations, and possibly wind up forfeiting their properties.” If you want to offer relief to renters, offer it to landlords too, so they don’t “carry the brunt of the pandemic’s blow to the economy.”

What the experts say

A better deal for small-business aid

The Treasury Department fixed a central problem with the \$349 billion small-business bailout last week, said Eric Levitz in *NYMag.com*. The aid package promised companies with fewer than 500 employees loans to cover “the equivalent of eight weeks of your prior average payroll,” plus an additional 25 percent. But the loans were supposed to go through the “notoriously lethargic bureaucracy” of the Small Business Administration. Now firms that need help can apply at any bank. Additionally, companies that have already had to lay off workers “can secure forgiveness by ‘quickly’ rehiring.” The government has pledged to “entirely forgive the portion of the loan spent on payroll, benefits, utilities, rent, mortgage payments, or other debts”—in other words, “more or less all of it.”

The pandemic coverage gap

A third of U.S. companies have “business interruption insurance,” but a policy change to most insurance contracts made after the 2003 SARS outbreak will make it difficult to get a payout, said Todd Frankel in *The Washington Post*. SARS, or severe acute respiratory syndrome, infected only 8,000 people worldwide but “led to millions of dollars in business-

interruption insurance claims.” As a result, insurers “added exclusions to standard commercial policies for losses caused by virus or bacteria.” Some policies have “civil authority” clauses for “when a government agency stops a business from operating,” but these generally require physical damage to be triggered. A restaurant in New Orleans filed a lawsuit last month “claiming the insurer should be required to pay because coronavirus had caused property damage by contaminating surfaces.”

Hedge-fund quarantine

For one financial firm, “work from home” means working while secluded with 23 other traders in an empty Four Seasons resort, said Liz McCormick in *Bloomberg.com*. Two days before Florida announced a statewide lockdown, Citadel Securities, a corporate cousin of the \$32 billion Citadel hedge fund founded by Ken Griffin, opened a “temporary trading floor” in Palm Beach, Fla., inside “part of a hotel property that’s closed to the public.” The traders, who were flown in from Chicago and New York, “will work and sleep there” and “remain on site” at all times. The firm “built the infrastructure necessary for the Florida facility in less than a week and began trading there when U.S. markets opened” last week.

Charity of the week

As Covid-19 began spreading rapidly across New York City, turning it into America’s virus epicenter, Citymeals (citymeals.org) stepped up its



response to provide meals for the elderly, the group most vulnerable to the public health threat. The organization usually serves 18,000 seniors who cannot shop or cook for themselves. To meet the unprecedented need, it has expanded its services to 40,000 homebound seniors and delivered 150,000 meals. Citymeals has doubled its warehouse staff and is preparing another 300,000 meals to distribute immediately, relying on hundreds of volunteers. With its regular Friendly Visiting program on hold because of social-distancing rules, Citymeals has added phone check-ins for seniors contending with the pressures of isolation in the midst of a frightening health crisis.

Each charity we feature has earned a four-star overall rating from Charity Navigator, which rates not-for-profit organizations on the strength of their finances, their governance practices, and the transparency of their operations. Four stars is the group’s highest rating.

Sheree Kansas

From: Tamisha Woods on behalf of CityClerk
Sent: Tuesday, April 21, 2020 9:03 AM
To: Sheree Kansas; Tyshar Turner; Kerry Bigelow
Subject: FW: Attached Letter
Attachments: Jack in the box letter.pdf

See attached and below.

Tamisha Woods
Sr. Records Specialist

From: Mark Scott [REDACTED]
Sent: Tuesday, April 21, 2020 8:55 AM
To: Mitchell Thompson [REDACTED] CityClerk <CityClerk@chulavistaca.gov>
Subject: RE: Attached Letter

Warning:
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Find the attached letter from Jack in the Box supporting Mitch's comments in an earlier e-mail. This too can be read into public comment. These are not things that are being invented. You can see the March 23, 2020 date that was sent to all property owner's were there is a Jack in the Box.

Thank you,

Mark W. Scott



Broker
CA Broker License 01197311
Tel: 619-470-6000 X 1

Encore Realty, Inc.
BRE # 01308692
5130 Bonita Road, Suite B
Bonita, CA 91902



From: Mitchell Thompson [REDACTED]
Sent: Tuesday, April 21, 2020 8:48 AM

To: cityclerk@chulavistaca.gov

Subject: Fwd: Attached Article

Chula Vista City Clerk:

I wish to submit this this email and the attached article entitled "Property: Who Should Get a Break on the Rent?" into public comment for the council meeting tonight. It shows how these well-intended local eviction ordinances, if not crafted properly, have the great potential for being abused. around the country.

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Thank you,

Mitch Thompson

Chula Vista Resident

March 23, 2020

Dear Valued Business Partner,

We hope that this letter finds you and yours safe and healthy in this difficult time. We continue to analyze the business implications of the Coronavirus pandemic and the measures taken by federal, state and local governments in response to the global health crisis. In our discussions with franchisees, and through news media, it has become acutely clear that the crisis and the government's efforts to control the spread of the virus will impose a significant economic burden on our franchisees.

We are reaching out to our real estate partners to start a dialog about how to navigate the current situation together for our collective future benefit. We are exploring ways in which we can provide some relief to the franchisees who are struggling. Our hope is that our real estate partners will in turn work with us on financial arrangements in our leases that will allow us to bridge this challenging period so that we may maintain our valuable relationships for many years to come. If we all share some temporary pain, we believe will be in a strong position to move forward quickly and profitably when the crisis passes.

While there has been much speculation about legal rights related to leases and the burdens of the response to the pandemic, it is our intention to handle this crisis through mutual cooperation and discussions. You and we both reserve all rights existing under our lease(s), as we intend these discussions to promote the financial welfare of the franchisees, our shareholders and our real estate partners.

We look forward to speaking together in the coming days and weeks to see what arrangements may work to provide as much assistance as possible to the franchisees, and we remain grateful for the valuable relationship we have with you. You can expect a call from a representative of Jack in the Box within the next few weeks. In the meantime, if you have any questions, please contact the appropriate real estate manager listed below.

- If the property is located in TX, IN, TN, NC, SC, MO, KS, CO, or OK, please contact Shauna Chitjian at 562-631-1122;
- If the property is located in No CA, OR, WA, UT, or NV, please contact Brian Aikema at 858-571-5734;
- If the property is located in So Cal, AZ, NM, ID, or HI, Israel Zepeda at 858-571-2197

We send our best wishes for the health and safety of you and yours and the continued success of your business.

Best regards,

Leonard A. Comma
Chief Executive Officer
Jack in the Box Inc.

WC/dh

858.571.2121 • JACKINTHEBOX.COM



9330 BALBOA AVENUE, SAN DIEGO, CA 92123

Sheree Kansas

From: CityClerk
Sent: Tuesday, April 21, 2020 10:35 AM
To: Sheree Kansas; Kerry Bigelow; Tyshar Turner
Subject: FW: City of Chula Vista: City Clerk Contact Us - Web Notification

From: Webmaster <Webmaster@chulavistaca.gov>
Sent: Tuesday, April 21, 2020 10:33 AM
To: CityClerk <CityClerk@chulavistaca.gov>
Subject: City of Chula Vista: City Clerk Contact Us - Web Notification

A new entry to a form/survey has been submitted.

Form Name: City Clerk
Date & Time: 04/21/2020 10:33 AM
Response #: 375
Submitter ID: 76269
IP address: 76.167.177.48
Time to complete: 1 min. , 6 sec.

Survey Details

Page 1

Please feel free to contact us with any comments or questions by filling out the form below.

First Name kathleen
Last Name lippitt
Email Address [REDACTED]
Comments

Date: 04.02.2020

Subject: The risk of COVID-19 to those who smoke and/or vape – PLEASE READ ALOUD AND INTO THE PUBLIC RECORD

Dear Mayor Salas and fellow City Councilmembers,

I hope you are all doing well and staying healthy. Our particular well wishes and prayers go out to Councilmember Mike Diaz and his family for his speedy recovery.

In light of the current COVID-19 epidemic, as never before in recent history are we reminded of the value of sound public health policies grounded in science-based evidence.

As a public health practitioner, researcher and educator I would like to emphasize that those with weakened immune systems and lungs weakened or damaged by smoking and vaping marijuana will now be put at increased risk should they succumb to the COVID-19.

COVID19 can be transmitted person to person via coughing and sneezing. But, apparently, also from just exhaling as when 45 of 60 choir members became ill (two of whom died) following their two-hour choir practice

(<https://komonews.com/news/coronavirus/covid-19-infiltrated-mt-vernon-choir-killing-2-members-and-infecting-others>).

(Please see attached document for further information)

Other than sneezing or coughing, what could be a more efficient way to pass a virus around than exhaling MJ smoke, vapors from electronic smoking devices or super-heated bong (used for conserving dabs from THC oil/wax—a method often overlooked) or sharing a joint.

In deference to this crisis, the city could reassure their residents that the health of city residents is the highest priority. With great respect we request that the city place a moratorium on proceeding with the decision to permit commercial marijuana businesses in recognition of the seriousness of this epidemic.

Respectfully,

Kathleen Lippitt, MPH
Public Health Practitioner

cell: [REDACTED]

email: [REDACTED]

Attachment: COVID-19: POT LUNG ISSUES, SUPPRESSION OF IMMUNE SYSTEM AND PROBLEMS

Thank you,
City of Chula Vista

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

Sheree Kansas

Subject: FW: Attachment for Public Comment
Attachments: Am Lung Marijuana and Lung Health .pdf

From: Barbara Gordon <[REDACTED]>
Sent: Tuesday, April 21, 2020 11:44 AM
To: CityClerk <CityClerk@chulavistaca.gov>
Subject: Attachment for Public Comment

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Email

Please read in Public Comment. I sent my e-comment but wanted to add this attachment to my comments.

Dear Mayor and City Council members.

As we struggle with this infectious respiratory disease, it is important as a mother and grandmother to understand how to keep my children and grandchildren healthier. Recognizing the role that good lung health plays in the fight against COVID, it is important to consider the information in this recently released factsheet from..

American Lung Association entitled Marijuana and Lung Health cautioning against smoking marijuana because of the risks it poses to the lungs. The CDC also warns the public against smoking or vaping especially at this time considering the Covid-19 pandemic.

Marijuana is typically smoked differently than tobacco and those smokers tend to inhale more deeply and hold their breath longer than cigarette smokers. Studies have shown that smoking marijuana causes chronic bronchitis and injure to the cell linings of the large airways.

The coronavirus that causes COVID-19 attacks the lungs and could be an especially serious threat to those smoking marijuana. Not only are the lungs and respiratory system affected by marijuana smoke but the immune system and the body's ability to fight off diseases like the Covid-19.

I would respectfully ask City Council to postpone handling the application of marijuana store and other businesses, since this is not a good time to increase access to a drug that exacerbates poor lung health.

Thanks,
Barbara Gordon



Marijuana and Lung Health

The American Lung Association is concerned about the health impacts of marijuana use, especially on lung health. We caution the public against smoking marijuana because of the risks it poses to the lungs.

Marijuana

The health effects of marijuana are determined in large part by how it's consumed. Marijuana is most commonly smoked using pipes, bongs, paper-wrapped joints, blunts and other devices including those that heat or vaporize marijuana. Marijuana can also be consumed through dozens of different products including e-cigarettes, candy, brownies and other baked goods, capsules, beverages and many more.

While this statement focuses on marijuana and lung health, it's important to note that there are other health concerns outside the lungs attributed to marijuana use that are not addressed here, including neurological and cognitive effects.^{1,2} Additionally, there are significant public health concerns associated with pediatric poisonings caused by accidental ingestion of edible marijuana products.³

Marijuana Smoke

Smoke is harmful to lung health. Whether from burning wood, tobacco or marijuana, toxins and carcinogens are released from the combustion of materials. Smoke from marijuana combustion has been shown to contain many of the same toxins, irritants and carcinogens as tobacco smoke.⁴⁻⁷

Beyond just what's in the smoke alone, marijuana is typically smoked differently than tobacco. Marijuana smokers tend to inhale more deeply and hold their breath longer than cigarette smokers, which leads to a greater exposure per breath to tar.⁸

Secondhand marijuana smoke contains many of the same toxins and carcinogens found in directly-inhaled marijuana smoke, in similar amounts if not more.⁵ There is concern that it causes harmful health effects, especially among vulnerable children in the home.

Lung Health and Marijuana Smoke

Smoking marijuana clearly damages the human lung. Research shows that smoking marijuana causes chronic bronchitis and marijuana smoke has been shown to injure the cell linings of the large airways, which could explain why smoking marijuana leads to symptoms such as chronic cough, phlegm production, wheeze and acute bronchitis.^{4,9}

Smoking marijuana has also been linked to cases of air pockets in between both lungs and between the lungs and the chest wall, as well as large air bubbles in the lungs among young to middle-aged adults, mostly heavy smokers of marijuana.

Smoking marijuana can harm more than just the lungs and respiratory system—it can also affect the immune system and the body's ability to fight disease, especially for those whose immune systems are already weakened from immunosuppressive drugs or diseases, such as HIV infection.^{4,9}

Smoking marijuana hurts the lungs' first line of defense against infection by killing cells that help remove dust and germs as well as causing more mucus to be formed. In addition, it also suppresses the immune system. These effects could lead to an increased risk of lower respiratory tract infections among marijuana smokers; frequent marijuana-only smokers have more healthcare visits for respiratory conditions compared to nonsmokers.¹⁰

Studies have shown that smoking marijuana may increase the risk of opportunistic infections among those who are HIV positive, although it does not seem to affect the development of AIDS or lower white cell counts.^{4,9}

Another potential threat to those with weakened immune systems is Aspergillus, a mold that can cause lung disorders. It can grow on marijuana, which if then smoked exposes the lungs to this fungus.⁴ However, it rarely causes problems in people with healthy immune systems.

Bottom Line

- Smoking marijuana clearly damages the human lung, and regular use leads to chronic bronchitis and can cause an immune-compromised person to be more susceptible to lung infections.
- No one should be exposed to secondhand marijuana smoke.
- Due to the risks it poses to lung health, the American Lung Association strongly cautions the public against smoking marijuana as well as tobacco products.