

# MINUTES REGULAR CITY COUNCIL MEETING



March 23, 2020

City of Watsonville  
Council Chambers  
275 Main Street, Top Floor

**2:00 p.m.**

## 1. ROLL CALL

Mayor García, Mayor Pro Tempore Coffman-Gomez and Council Members Estrada, Gonzalez, Hernandez, Hurst, and Parker were present.

Staff members present were City Manager Huffaker, City Attorney Smith, City Clerk Vázquez Flores, Information Technology Director Boyes, Deputy City Managers Manning and Vides, Assistant Police Chief Sims, Assistant City Clerk Ortiz, and Interpreter Landaverry.

## 2. PLEDGE OF ALLEGIANCE

## 7. PUBLIC HEARINGS, ORDINANCES, & APPEALS

### 7.A. CONSIDERATION OF UNCODIFIED URGENCY ORDINANCE ENACTING A TEMPORARY MORATORIUM ON EVICTIONS DUE TO NONPAYMENT OF RESIDENTIAL AND COMMERCIAL RENT FOR TENANTS WHERE THE FAILURE TO PAY RENT RESULTS FROM INCOME LOSS RESULTING FROM THE NOVEL CORONAVIRUS (COVID-19) 5820

#### 1) Staff Report

The report was given by City Attorney Smith.

#### 2) City Council Clarifying & Technical Questions

City Attorney Smith, in answering Member Estrada, stated the ordinance could not be retroactive.

City Manager Huffaker and City Attorney Smith answered questions from Member Parker regarding potential financial aid for residents, potential for prohibiting late fees for rent, rent increase policies, inclusion of mobile homes in the proposed moratorium, and commercial rent protections.

In answering Member Estrada, City Attorney Smith stated the ordinance would not be retroactive and would not affect evictions currently in process. City Manager Huffaker stated residents were encouraged to seek housing despite social distancing requirements.

City Attorney Smith answered questions from Member Gonzalez regarding potential inclusion of mobile home parks in the proposed ordinance and prevention of retaliation from landowners.

City Attorney Smith and City Manager Huffaker answered questions from Mayor Pro Tempore Coffman-Gomez regarding potential for litigation arising from the proposed ordinance, resources available to the tenants and landowners, responsibility of utility costs and protections of landowners, housing assistance options from Santa Cruz

County Housing Authority, potential for landlords to apply for funding stemming from unpaid rent, aid from FEMA and National Guard, potential for appointment of an ad-hoc committee to work through COVID-19 real estate challenges, effect the proposed ordinance would have on commercial tenants, duration of the proposed moratorium, outreach plan if moratorium was approved, collaboration with Pájaro Valley Shelter, potential for a Federal stimulus package, and options for landlords to collect deferred rent payment.

In answering Member Hernandez, City Attorney Smith explained challenges of approving the moratorium and its applicability to those currently facing evictions.

### **3) Public Hearing**

Georgia Acosta asked the City to appoint an ad-hoc committee that worked on housing issues during COVID-19 and that Council prioritize residential housing when approving any moratorium.

Steve Trujillo asked that the proposed ordinance be modified to prevent rent increases for the remainder of the year (submitted article to Council).

Dori Rose Inda, director at Salud Para la Gente, asked the public to follow shelter in place orders and asked Council to approve the proposed moratorium.

Kathy Oliver spoke about the challenges that landlords would face as part of the proposed moratorium. She asked for more protections of landlords.

Nick Bulaich asked Council to postpone decision on the moratorium until stakeholders provided more input. He asked Council to begin the discussion anew due to the many technical difficulties resulting in poor execution of the last Council meeting.

Clark Codiga, via phone call, stated no outreach was done regarding the proposed ordinance and asked Council to postpone action until more input from stakeholders was received. He spoke about negative effects the ordinance would have on landlords. He asked Council to exclude commercial tenants in the ordinance and limit the term to 30 days.

Joe Hutchins, via email, asked Council to deny the moratorium due to the negative effects it would have on landlords.

Bill Hansen, via email, wrote about challenges the proposed ordinance would have on landlords and negative effects it would have on the economy.

Chris Codiga, via phone call, stated no outreach was done regarding the proposed ordinance and asked Council to postpone action until more input from stakeholders was received. He spoke about negative effects the ordinance would have on landlords. He asked Council to exclude commercial tenants in the ordinance.

Michael Cox, via email, asked Council to deny staff recommendation and instead prohibit evictions for sixty (60) days, except for those caused by criminal actions. He asked Council to exclude commercial properties in the ordinance, ensure terms and conditions for residential rent relief are clearly specified, equitable, and just, and

avoid language that implies tenants can cause damage and chaos without fear of eviction.

John Sigismondi, via email, asked Council to exclude commercial tenants from the proposed moratorium.

Raid Farhat, via email, listed the reasons the proposed ordinance negatively affected landlords and the community.

Carol Kuzdenyi, via email, wrote in support of the proposed ordinance.

Haj Tut, asked Council to postpone decision on the moratorium until more research was done on effects the ordinance would have on the economy.

Rose Marie McNair, via email read by Deputy City Manager Vides, asked Council to postpone decision on the moratorium until more studies on the effects it would have on the community were conducted.

Brian Berman, via email, asked Council to exclude essential commercial renters from the ordinance.

Victor Gomez, via email, on behalf of Santa Cruz County Association of Realtors, asked Council to retain language pertaining to verifiable documentation, end the term of the ordinance on May 31, 2020, require tenants who accepted protection under this ordinance should have up to the equal amount of time that was offered for payment of rent deferral, consider forming a local assistance program for renters to help them cover their rents, and that the City to guarantee deferred payments in case the renter was unable to fulfill their deferred rents carried by landlords.

Mayra Bernabe, via email, on behalf of Communities Organized for Relational Power in Action (COPA), wrote in support of the proposed ordinance.

Bill Hansen, via phone call, spoke in opposition to the proposed ordinance amendment that would allow tenants to request rent deferral without written documentation.

- 4) **MOTION:** It was moved by Member Gonzalez, seconded by Member Hurst to approve the proposed ordinance as amended by City Attorney Smith with the following changes; amend the proposed ordinance to add language that protected tenants at all dwellings at which rent was being charged, included language that prohibits retaliation or other debt collection by landlords, and required tenants to negotiate a repayment schedule with landlords.

- 5) **City Council Deliberation on Motion**  
City Attorney Smith, City Manager Huffaker, and City Clerk Vazquez Flores, in answering Mayor Pro Tempore Coffman-Gomez, clarified staff recommendation and proposed changes being requested by Member Gonzalez.

Mayor GarcíaGarcía and City Attorney Smith answered questions from Member Parker regarding effects the proposed amendments would have on residents. Member Parker stated commercial renters should be excluded from the ordinance.

Mayor Pro Tempore Coffman-Gomez stated commercial renters should be excluded from the ordinance, and that the ordinance should allow landlords to recover lost rent, and require verifiable documentation from tenants in order to qualify for rent deferral.

Member Estrada spoke about the dangers of COVID-19 and spoke in support of the proposed ordinance.

**MOTION:** The above motion carried by the following vote:

AYES:	MEMBERS:	Estrada, Gonzalez, Hernandez, Hurst, GarcíaGarcía,
NOES:	MEMBERS:	Coffman-Gomez, Parker
ABSENT:	MEMBERS:	None

**8. EMERGENCY ITEMS ADDED TO AGENDA**

**9. REQUESTS & SCHEDULING FUTURE AGENDA ITEMS**

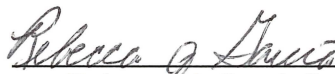
Mayor Pro Tempore Coffman-Gomez asked for creation of an ad-hoc committee to review needs during COVID-19.

Member Parker requested creation of an ad-hoc committee that reviews federal aid and administration to the community.

Mayor GarcíaGarcía asked staff to research efforts statewide to protect landlords and home owners.

**10. ADJOURNMENT**

The meeting adjourned at 4:40 p.m.



Rebecca J. GarcíaGarcía, Mayor

ATTEST:



Beatriz Vázquez Flores, City Clerk

# MINUTES SPECIAL CITY COUNCIL MEETING



March 20, 2020

City of Watsonville  
Council Chambers  
275 Main Street, Top Floor

**10:07 a.m.**

**1. ROLL CALL**

Mayor García, Mayor Pro Tempore Coffman-Gomez and Council Members Estrada, Gonzalez, Hernandez, Hurst, and Parker were present.

Staff members present were City Manager Huffaker, City Attorney Smith, City Clerk Vázquez Flores, Deputy City Managers Manning and Vides, Assistant Police Chief Sims, City Clerk Ortiz, and Interpreter Landaverry.

**2. PLEDGE OF ALLEGIANCE**

**3. PRESENTATIONS & ORAL COMMUNICATIONS**

**3.A. ORAL COMMUNICATIONS FROM THE PUBLIC**

Steve Trujillo spoke about his efforts to clean the community and asked the City to further its community cleaning efforts. 5076

**3.B. ORAL COMMUNICATIONS FROM THE COUNCIL**

Mayor Pro Tempore Coffman-Gomez asked the public to comply with COVID-19 shelter in place directive and stay safe during the pandemic. 5074

Member Estrada asked the community to stay united and safe during the COVID-19 pandemic.

Member Gonzalez spoke about challenges in implementing policies during the COVID-19 pandemic and asked the community to stay safe.

Member Hernandez asked the public to shelter in place to prevent the spread of COVID-19.

Member Hurst spoke about challenges residents faced due to the COVID-19 pandemic and asked the public to practice social distancing.

Member Parker thanked those in the community supporting others most vulnerable to COVID-19. She asked the public to practice social distancing and shelter in place.

Mayor García spoke about her attendance at a Pájaro Valley Unified School District (PVUSD) meeting to award waste reduction certificates.

Maria Elena de la Garza, executive director at Community Action Board (CAB), spoke about services being offered by CAB despite COVID-19 pandemic.

Deputy City Manager Vides read an email from Daniel Dodge Jr., PVUSD board president, asking the Council to appoint an ad hoc committee to work on lobbying efforts for action from the State and Federal Government regarding COVID-19 aid.

5074

Dr. Nancy A. Bilicich, via phone call, spoke about her attendance at the Zone 7, Flood Control and Water Conservation District meeting and assured the public that work on River Levee improvements was underway despite COVID-19 pandemic.

Deputy City Manager Vides read an email from Jennifer Schacher asking the Council to appoint an ad hoc committee to work on lobbying efforts for action from the Federal Government regarding COVID-19 aid.

#### **4. REPORTS TO COUNCIL—No Action Required**

##### **4.A COVID-19 ESSENTIAL SERVICES UPDATE**

5820

##### **1) Staff Report**

The report was given by City Manager Huffaker.

##### **2) City Council Clarifying & Technical Questions**

In answering Member Hernandez, City Manager Huffaker stated business owners should contact the County Health Services Agency with questions regarding shelter in place orders. He spoke about efforts by the City to educate the community on shelter in place orders.

City Manager Huffaker, in answering Member Estrada, spoke about City efforts to educate the public about preventing spread of COVID-19.

##### **3) Public Input**

Dori Rose Inda, chief executive officer at Salud para la Gente, spoke about efforts to minimize spread of COVID-19 and asked that the public follow shelter in place orders as well as practicing social distancing. She spoke about services offered at Salud para la Gente.

Steve Trujillo stated South Korea was a prime example for containing COVID-19 and asked the City to look to them for guidance. He spoke about conflicting recommendations and allowance of certain businesses to operate while others were closed. He asked Council to contact legislators to request COVID-19 testing supplies.

Angel asked the City to create videos explaining social distancing and shelter in place orders. He suggested stores protect the most vulnerable members of the community by offering special hours. He asked for more enforcement of price gouging.

Diana Fernandez, via email, stated Second Harvest Food Bank and Pájaro Valley Unified School District needed to improve the food distribution program to better promote social distancing.

Manuel Gonzalez, via email, stated youth were not following COVID-19 shelter in place orders and asked the City to intervene.

Jennifer Ortiz, via email, asked Council to ensure that those still working despite COVID-19 be compensated for their bravery.

Emily Gutierrez, via email, asked Council to address challenges small businesses and homeless were facing.

**5. CONSENT AGENDA**

**Public Input on any Consent Agenda Item (None)**

**MOTION:** It was moved by Member Hurst, seconded by Member Gonzalez and carried by the following vote to approve the Consent Agenda.

AYES: MEMBERS: Coffman-Gomez, Estrada, Gonzalez, Hernandez, Hurst,  
Parker, García  
NOES: MEMBERS: None  
ABSENT: MEMBERS: None

- 5.A RESOLUTION NO. 38-20 (CM):**  
**MOTION DIRECTING CITY ATTORNEY TO PREPARE RESOLUTION APPROVING** 4888  
**PAYMENT FOR REPAIR OF THE D8-CATERPILLAR BULLDOZER SERVING THE CITY**  
**OF WATSONVILLE LANDFILL IN THE AMOUNT OF \$111,371.65**
- 5.B. RESOLUTION NO. 35-20 (CM):**  
**RESOLUTION AUTHORIZING PURCHASE OF THREE 2020 PETERBILT MODEL 520**  
**ROLL-OFF COLLECTION VEHICLES TO BE USED BY THE SOLID WASTE DIVISION**  
**FROM RUSH TRUCK CENTERS OF CALIFORNIA, INC., THROUGH THE PURCHASING** 4888  
**AUTHORITY OF THE CITY OF LOS ANGELES, IN AN AMOUNT NOT TO EXCEED**  
**\$806,746.80 (\$537,831.20 WILL BE FUNDED BY SOLID WASTE ENTERPRISE FUND**  
**FOR FY2018/2019 & \$268,915.60 WILL BE FUNDED BY THE SOLID WASTE**  
**ENTERPRISE FUND FOR FY2019/2020)**
- 5.C. RESOLUTION NO. 36-20 (CM):**  
**RESOLUTION AUTHORIZING PURCHASE OF ONE (1) 2021 TYMCO MODEL 600**  
**STREET SWEEPER UNIT TO BE USED BY SOLID WASTE DIVISION FROM GCS** 5082  
**ENVIRONMENTAL EQUIPMENT SERVICES, INC., THROUGH THE PURCHASING** 5647  
**AUTHORITY OF THE CITY OF SELMA, IN AN AMOUNT NOT TO EXCEED \$282,397.05**  
**(FUNDED BY THE SOLID WASTE ENTERPRISE FUND FOR FY2019/2020)**
- 5.D. RESOLUTION NO. 37-20 (CM):**  
**RESOLUTION ACCEPTING \$30,000 GRANT FROM MONTEREY PENINSULA**  
**FOUNDATION FOR THE WATSONVILLE ENVIRONMENTAL SCIENCE WORKSHOP &** 5783  
**APPROPRIATING SUCH FUNDS TO THE SPECIAL GRANTS FUND**
- 6. ITEMS REMOVED FROM CONSENT AGENDA (None)**
- 7. PUBLIC HEARINGS, ORDINANCES, & APPEALS**
- 7.A. CONSIDERATION OF UNCODIFIED URGENCY ORDINANCE ENACTING A**  
**TEMPORARY MORATORIUM ON EVICTIONS DUE TO NONPAYMENT OF**  
**RESIDENTIAL AND COMMERCIAL RENT FOR TENANTS WHERE THE FAILURE TO** 5820  
**PAY RENT RESULTS FROM INCOME LOSS RESULTING FROM THE NOVEL**  
**CORONAVIRUS (COVID-19)**

**1) Staff Report**

The report was given by City Attorney Smith.

**2) City Council Clarifying & Technical Questions**

City Attorney Smith answered questions from Member Parker regarding required notification of landlord by tenant about nonpayment of rent due to loss of income arising from COVID-19.

In answering Member Estrada, City Attorney Smith explained who the ordinance protected and how residents would be notified.

In answering Member Gonzalez, City Attorney Smith stated the proposed ordinance did not prohibit rent increases, but the Council could amend the ordinance to do so.

In answering Member Hernandez, City Attorney Smith explained the changes Council could make to the proposed ordinance.

City Attorney Smith and City Manager Huffaker answered questions from Mayor García regarding options tenants had in repaying deferred rent and potential aid from State and Federal Government.

City Manager Huffaker answered questions from Member Coffman-Gomez regarding available resources for residents and City efforts to minimize impacts from City utility fees. City Manager Huffaker added that there was language in the ordinance requiring tenants to show proof of hardship.

City Attorney Smith answered questions from Mayor García regarding necessary documentation to show need for rent payment deferral.

**3) Public Hearing**

Steve Trujillo asked that the proposed ordinance be modified to prevent rent increases for the remainder of the year.

Angel asked Council to search for ways to help tenants pay deferred rent. He also asked that the City work to inform all residents about the evictions moratorium.

Dori Rose Inda, Salud Para la Gente, asked the public to follow shelter in place orders and asked Council to retain language in the ordinance that allows tenants to demonstrate the need for rent deferral.

Clark Codiga, via phone call, stated no outreach was created regarding the proposed ordinance and asked Council to postpone action until more input from stakeholders was received. He spoke about negative effects the ordinance would have on landlords.

Henry Martin, director at Watsonville Law Center, asked Council to remove requirement of proof of need for rent deferral, specify that mobile homes are included in the ordinance, and to include landlord retaliation prevention language in the ordinance.



Jenni Veitch-Olson, via email, thanked the City for efforts to protect and inform the public regarding COVID-19. She asked Council to support the proposed ordinance and protect all tenants.

Juggy Tut, via phone call, asked Council to postpone decision on the item until the effects on landlords were studied.

Marion Madrid, via email, thanked the City for their efforts to protect the public.

Neva Hansen, via email, wrote in opposition to the proposed ordinance due to negative effects it would have on landowners.

Bill Hansen, via email, wrote in opposition to the proposed ordinance due to negative effects it would have on landowners and the economy. He recommended housing assistance instead of deferred rent.

Glen Kramer, via phone call, stated the public did not receive adequate notice on the moratorium and asked Council to deny its approval until more input was received from landowners.

Kathy Oliver, Oliver Properties, via phone call, spoke in opposition to the proposed moratorium due to effects it would have on landowners.

Chris Codiga, via phone call, stated the public did not receive adequate notice on the moratorium and asked Council to deny its approval until more input was received from landowners.

Dave Molinari, via phone call, spoke in support of the proposed moratorium and spoke about challenges businesses faced in light of COVID-19.

Kelly Davis, via phone call, asked Council to deny the moratorium due to effects it would have on landowners.

- 4) **MOTION:** It was moved by Member Gonzalez, seconded by Mayor García to amend the proposed ordinance to remove requirement for verifiable documentation for need for rent deferral, limit the payment deferral period to sixty (60) days, and prohibit rent increases during that period for all dwellings within City limits.

5) **City Council Deliberation on Motion**

Member Parker stated Council could not adequately hear or participate in the discussion. She asked for postponement of the item until Council could participate and receive information adequately.

Member Hurst asked for postponement of the item until Council could participate and receive information adequately.

**MOTION:** The above motion failed by the following vote:

AYES:	MEMBERS:	Gonzalez, Hernandez, García,
NOES:	MEMBERS:	Coffman-Gomez, Estrada, Hurst, Parker
ABSENT:	MEMBERS:	None


5820

**MOTION:** It was moved by Mayor García, seconded by Member Parker and carried by the following vote to adjourn the meeting to March 23, 2020, at 2:00 p.m.:

AYES:	MEMBERS:	Coffman-Gomez, Estrada, Gonzalez, Hernandez, Hurst, Parker, García
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	None

**15. ADJOURNMENT**

The meeting adjourned at 1:13 p.m.

  
Rebecca J. García, Mayor

ATTEST:

  
Beatriz Vázquez Flores, City Clerk