

MINUTES REGULAR CITY COUNCIL MEETING



January 21, 2020

City of Watsonville
Council Chambers
275 Main Street, Top Floor

4:30 p.m.

1. ROLL CALL

Mayor García, Mayor Pro Tempore Coffman-Gomez (arrived at 4:38 p.m.) and Council Members Estrada, Gonzalez, Hernandez (arrived at 4:48 p.m.), Hurst, and Parker were present.

2. INFORMATION ITEMS—Written Report(s) Only

2.A. REPORT OF DISBURSEMENTS

2.B. MISCELLANEOUS DOCUMENTS REPORT

3. PRESENTATIONS & ORAL COMMUNICATIONS

3.A. PRESENTATION OF \$22,175 CHECK BY THE WATSONVILLE POLICE DEPARTMENT TO KATZ CANCER RESOURCE CENTER FROM THE PINK PATCH PROJECT 5069

3.B. PRESENTATION OF \$9,134 CHECK TO SECOND HARVEST FOOD BANK IN SUPPORT OF THE ANNUAL HUNGER HEROES CAMPAIGN, THANKS TO THE FUNDRAISING EFFORTS OF THE EMPLOYEES OF THE CITY OF WATSONVILLE 5069

4. INTRODUCTION OF NEW EMPLOYEES

Elizabeth Griffo, Children's Librarian
Jillian Wilson, Adult Services Librarian
Marisa Fernandez-Ortiz, Executive Assistant to CM & CC
Raunel Zavala, Administrative Analyst
Christian Di Renzo, Public Works & Utilities Assistant Director
Robert Schneider, Sr. Civil Engineer

Police Officers:

Eric Perez
Jonathan Zamora Fernandez
Michaela Barnett
Juan Carlos Castillo
Evan Umstead

5. CONSENT AGENDA

Mayor Garcia announced Item 5.F would be corrected by appointing Mayor Pro Tempore Coffman-Gomez to Pájaro Valley Health Trust and appointing Mayor García as alternate to same.

At Member Gonzalez' request, Principal Engineer Fontes gave a brief explanation about Project No. CT-19-02.

In answering Member Coffman-Gomez, City Manager Huffaker stated Council would receive an update on the Central Coast Broadband Consortium and their work.

Public Input on any Consent Agenda Item (None)

MOTION: It was moved by Mayor Pro Tempore Coffman-Gomez, seconded by Member Gonzalez and carried by the following vote to approve the Consent Agenda.

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

4.A MOTION APPROVING MINUTES OF DECEMBER 10, 2019, MEETING

4834 **4.B. MOTION ACCEPTING JULY 2019 THROUGH SEPTEMBER 2019 INVESTMENT REPORT**

5787 **4.C. RESOLUTION NO. 1-20 (CM):
RESOLUTION AWARDED \$1,451,912.50 BID TO GRANITE ROCK COMPANY FOR THE MONTEREY BAY SANCTUARY SCENIC TRAIL SEGMENT 18 - OHLONE PARKWAY TO WATSONVILLE SLOUGH TRAIL TRAILHEAD, PROJECT NO. CT-19-02; &
AUTHORIZING A BUDGET APPROPRIATION TO THE SPECIAL GRANTS FUND FROM THE FOLLOWING THREE GRANTS: \$600,000 FROM THE ACTIVE TRANSPORTATION PROGRAM (ATP) GRANT, \$600,000 FROM THE STATE TRANSPORTATION BLOCK GRANT (STBG), & \$200,000 FROM THE SANTA CRUZ COUNTY LAND TRUST DONATION**

5387 **4.D. RESOLUTION NO. 2-20 (CM):
RESOLUTION ACCEPTING AGREEMENT FOR APPORTIONMENT OF RETIREMENT OBLIGATIONS WITH THE PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA (PARSAC) & AUTHORIZING THE CITY MANAGER TO EXECUTE SAME**

5781 **4.E. RESOLUTION NO. 3-20 (CM)
RESOLUTION ACCEPTING THREE-YEAR \$450,000 GRANT FROM THE CALIFORNIA PUBLIC UTILITY COMMISSION UNDER RESOLUTION T-17669 TO THE CENTRAL COAST BROADBAND CONSORTIUM & APPROVING THAT CITY OF WATSONVILLE SERVE AS THE FISCAL AGENT**

4878 **4.F. RESOLUTION NO. 4-20 (CM):
RESOLUTION APPOINTING MEMBERS TO COMMITTEES FOR CALENDAR YEAR 2020**

6. ITEMS REMOVED FROM CONSENT AGENDA (None)

The City Council recessed the meeting to Closed Session at 5:04 p.m.

5:30 p.m.

**7. CLOSED SESSION
(City Council Conference Room, 275 Main Street, 4th Floor)**

(a) Public Comments regarding the Closed Session agenda were accepted by the City Council at that time.

(b) Closed Session Announcement

The City Council recessed the regular Council Meeting to discuss those items listed on the Closed Session Statement attached to the Agenda.

7.A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Government Code Section 54956.9)

1. Pending litigation pursuant to subdivision (d)(1):

Name of case: Monterey Bay Aviation, Inc., dba United Flight Services v City of Watsonville, et al - Santa Cruz County Superior Court (Case No. 19CV03692)

7.B. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

(Government Code Section 54956.9)

1. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:
(1 case)

6:33 p.m.

8. 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, Public Works & Utilities Director Palmisano, Police Chief Honda, Administrative Services Director Czerwin, Airport Director Williams, Community Development Director Merriam, Library Director Heitzig, Information Technology Director Boyes, Deputy City Manager Vides, Assistant Public Works & Utilities Directors Rodriguez and Di Renzo, Assistant Police Chief Sims, Assistant Fire Chief Avila, Police Captains Magdayo, Rodriguez and Zamora, Principal Engineer Fontes, Sr. Civil Engineer Schneider, Water Operations Supervisor Kayser, Assistant City Clerk Ortiz, Adult Services Librarian Wilson, Children's Librarian Griffo, Administrative Analyst Zavala, Executive Assistant Fernandez, and Interpreter Esqueda.

9. PLEDGE OF ALLEGIANCE

10. PRESENTATIONS & ORAL COMMUNICATIONS

- 10.A. MAYOR'S PROCLAMATION CONGRATULATING DR. JEFF SOLINAS & PLAZITA MEDICAL CLINIC ON THEIR 35 YEAR ANNIVERSARY OF PROVIDING MEDICAL SERVICES TO THE COMMUNITY**

5069

- 10.B. MAYOR'S PROCLAMATION CONGRATULATING PAZ PADILLA FOR HER 19 YEARS OF SERVICE TO THE IMMIGRANT COMMUNITY THROUGH HER WORK WITH THE CATHOLIC CHARITIES DIOCESE OF MONTEREY**

5069

- 10.C. MAYOR'S PROCLAMATION RECOGNIZING THE FISH HOUSE BAR & GRILL FOR CONTINUOUSLY PROVIDING EXCELLENT FOOD, EXCEPTIONAL SERVICE & A WELCOMING ATMOSPHERE FOR THE COMMUNITY**

5069

5069

10.D. MAYOR'S CERTIFICATES OF RECOGNITION TO 27 LOCAL BUSINESSES FOR OBTAINING GREEN BUSINESS CERTIFICATION OR RE-CERTIFICATION FOR FY 18-19

10.E. ORAL COMMUNICATIONS FROM THE COUNCIL

Member Parker highlighted several organizations and businesses in her district.

5076

Member Hurst commended Former Mayor Estrada for his work as mayor. He spoke about the importance of renewing Measure G.

Member Hernandez spoke about several events he attended over the previous weeks and invited the public to visit Project Slice Pizza. He asked the public to support Measure Y.

Member Gonzalez commended all the local businesses who obtained Green Business Certification. He spoke about his service on the Santa Cruz County Regional Transportation Commission (SCCRTC) and invited the public to a future meeting to discuss the Transit Corridor Alternative Analysis.

Member Estrada thanked staff for organizing a training on diversity. He commended all the local businesses who obtained Green Business Certification. He invited the public to visit Project Slice Pizza.

Mayor Pro Tempore Coffman-Gomez spoke about the importance of attending the upcoming SCCRTC meeting to discuss the Transit Corridor Alternative Analysis. She invited the public to attend Pájaro Valley Arts' *Takeaways* exhibit.

Mayor Garcia spoke about the Hidden Food Distribution program that is a partnership between Second Harvest Food Bank and the Center for Farmworkers Families. She asked the public to contribute funding to the Center for Farmworker Families.

10.F. REPORT OUT OF CLOSED SESSION

City Attorney Smith reported that Council received reports on all items listed on the Closed Session Agenda and authorized filing a responsive pleading in Monterey Bay Aviation dba United Flight Services v City of Watsonville.

10.G. ORAL COMMUNICATIONS FROM THE PUBLIC

5074

Steve Trujillo, District 7, asked the public to contact U. S. Senator Mitch McConnell and persuade him to have a just trial in the impeachment hearing for President Donald Trump. He commended Former Mayor Estrada for his work in the community. He highlighted local restaurants.

Gina Cole, Bike Santa Cruz County, encouraged the public to attend the upcoming SCCRTC meeting to voice their opinion on the Transit Corridor Alternative Analysis. She invited the public to upcoming community events.

Nancy Faulstich, Regeneración, Pájaro Valley Climate Action, stated they were semifinalists in the application process for a grant from American Climate Leadership Awards. She spoke about the dangers of global warming and asked Council to continue creating policy for protecting the environment.

Rachael Ellis, Community Action Board, spoke about confusion regarding Assembly Bill 1482 and its lack of protection of Section 8 housing program tenants from unfair evictions. She asked Council to pursue policy to protect those under Section 8.

5074

Jessica Vázquez stated her lessor had increased rent despite being in the Section 8 housing program. She asked Council to pursue legislation to protect them from unfair evictions and rent increases.

Karen Silva, Miles Lane resident, stated her concerns with lack of protections for Section 8 housing program participants from unfair evictions and rent increases. She asked Council to pursue policy to protect those under Section 8.

Dr. Nancy A. Bilicich spoke about her attendance at the Legislative Conference where flood protection through the river levee was discussed.

Kit Wheeler spoke about poor street conditions on Beach Road, Lee Road, and Freedom Boulevard.

11. REPORTS TO COUNCIL

11.A. REPORT ON THE JOINT POWERS AUTHORITY FOR THE PAJARO RIVER LEVEE PROJECT

4887

1) Oral Presentation

The report was given by Santa Cruz County Senior Civil Engineer and Flood Control Division Manager Mark Strudley.

2) City Council Clarifying & Technical Questions

Mr. Strudley answered questions from Member Coffman-Gomez regarding costs, funding, and timeline associated with the Pájaro River Levee Improvement Project. Member Coffman-Gomez asked staff to ensure that FEMA and other State agencies were aware of the project and that they reduce flood insurance premiums for those in the flood zone.

In answering Member Parker, Mr. Strudley stated the proposed project would add 100 years of flood protection and encouraged the Council to continue their efforts toward completion of the project.

Member Gonzalez thanked Dr. Nancy A. Bilicich for her service on the Zone 7, Flood Control and Water Conservation District and for her flood prevention efforts.

In answering Mayor Garcia, Mr. Strudley stated an assessment could be imposed on flood zoned residences if approved by the voters.

In answering Member Parker, Mr. Strudley explained that the assessment could only be imposed on those who benefit from the project.

3) Public Input

Steve Trujillo thanked Dr. Nancy A. Bilicich for her work in advocating for flood protections. He stated cattle growers should contribute towards the project. He spoke in support of the proposed partnership and project.

11.B. UPDATE ON THE DRAFT WATER SYSTEM MASTER PLAN TO PLAN FOR FUTURE NEEDS OF THE WATER PRODUCTION, STORAGE, AND DISTRIBUTION FACILITIES, THE WATER DIVISION PRIORITIZED SELECT AREAS OF THE WATER SYSTEM FOR EVALUATION OVER A PLANNING HORIZON OF 20-YEARS AS PART OF A WATER SYSTEM MASTER PLAN

1) Oral Presentation

The report was given by Carollo Engineers Inc. Senior Engineer Elaine Simmons.

2) City Council Clarifying & Technical Questions

In answering Member Hernandez, Ms. Simmons and Water Operations Supervisor Kayser explained the service offered at Pájaro Dunes.

Public Works & Utilities Director Palmisano, in answering Member Hurst, spoke about the financial needs in order make repairs and improvements to water infrastructure.

In answering Member Gonzalez, Public Works & Utilities Director Palmisano stated the City would be outsourcing labor for pipe replacement.

In answering Member Estrada, Public Works & Utilities Director Palmisano stated there were no updates from the State regarding Chromium 6 mandates.

Public Works & Utilities Director Palmisano, in answering Member Parker, spoke about outreach to the community to inform them about utility infrastructure needs.

Public Works & Utilities Director Palmisano and Ms. Simmons answered questions from Mayor Pro Tempore Coffman-Gomez regarding use of SB1 funding, coordination of pipe replacement with street repairs, recommended pipeline projects, potential for seeking funding from FEMA to purchase emergency generators, and potential for relocation of the Fowle Booster Pump Station.

In answering Member Gonzalez, Public Works & Utilities Director Palmisano stated the City would explore reduced utility rates for disadvantaged communities.

Mayor Garcia asked that Public Works & Utilities Director Palmisano explore options for informing the community about needs for water infrastructure.

3) Public Input

Steve Trujillo asked Council to investigate where Chromium 6 was coming from and prevent it from getting into the City's water source. He asked the City to plan for future water needs.

12. PUBLIC HEARINGS, ORDINANCES, & APPEALS

12.A. CONSIDERATION OF URGENCY MORATORIUM RESTRICTING DRIVE-THROUGHS FOR NEW PROJECTS (REQUIRES 4/5 VOTE) IN THE NEIGHBORHOOD COMMERCIAL, NEIGHBORHOOD SHOPPING CENTER, & THOROUGHFARE COMMERCIAL ZONING DISTRICTS

5238

1) Staff Report

The report was given by City Attorney Smith.

2) City Council Clarifying & Technical Questions

In answering Member Hurst, City Attorney Smith stated projects in the approval process would not be affected by the proposed moratorium.

City Attorney Smith answered questions from Mayor Pro Tempore Coffman-Gomez regarding criteria used to justify why the proposed moratorium was an immediate threat to health and welfare.

In answering Mayor Garcia, City Attorney Smith explained the process for adopting a permanent ordinance banning drive-throughs.

City Attorney Smith and City Manager Huffaker answered questions from Mayor Pro Tempore Coffman-Gomez regarding staff recommendation and its intent. City Manager Huffaker added that staff would be reviewing the potential for a permanent ban on drive-throughs in certain areas of the City. Member Coffman-Gomez asked that the City conduct an open and transparent process with community input in regards to ban of drive-throughs.

In answering Member Hurst, City Manager Huffaker spoke about the amount of drive-throughs in Watsonville and stated there were no complaints about them. He added staff would assess work load and estimate when completion of a potential ban of drive-throughs could be brought for consideration by Council.

3) Public Hearing

Mayor Garcia opened the public hearing.

Steve Trujillo stated drive-throughs were producing high amounts of Carbon Monoxide and hurting the environment. He asked Council to pursue a ban of drive-throughs citywide.

Gina Cole, Bike Santa Cruz County, stressed the importance of protecting the environment and reducing emissions. She asked Council to approve the moratorium.

Seeing no one else approach the podium, Mayor Garcia closed the public hearing.

4) MOTION (FAILED): It was moved by Member Estrada, seconded by Member Hernandez to adopt the following ordinance:**ORDINANCE NO. 1400-20 (CM) - FAILED:**

**ADOPTION OF UNCODIFIED EMERGENCY INTERIM ORDINANCE
ESTABLISHING A 45-DAY MORATORIUM ON THE APPROVAL OF NEW,
RECONSTRUCTED, OR EXPANDED DLU 581 & GLU 58 DRIVE-THROUGHS IN
THE CN, CNS & CT (NEIGHBORHOOD COMMERCIAL, NEIGHBORHOOD
SHOPPING CENTER, & THOROUGHFARE COMMERCIAL) ZONING DISTRICTS**

5) City Council Deliberation on Motion(s)

Member Parker stated drive-throughs were too valuable to disabled persons and families unable to walk certain distances to ban. She added Council could consider approval of each drive-through brought for consideration based on its own merits.

Member Coffman-Gomez stated her concerns in approving a moratorium based on the information provided and criteria used to justify the moratorium.

Member Gonzalez spoke about the benefits drive-throughs were for the community and stated there was no justification for a moratorium.

5238

Member Hurst stated there was no emergency and a moratorium was not needed. He spoke about the benefit drive-throughs were to disabled and elderly residents as well as those families who it was too difficult to walk to a certain location.

Member Estrada spoke about the importance of protecting the environment by reducing emissions generated from cars. He asked the public to be more involved in the matter.

Mayor Pro Tempore Coffman-Gomez stated drive-throughs contributed to a large part of sales for some restaurants. She spoke about ways emissions could be reduced without banning drive-throughs.

Mayor Garcia stated the environment was in a state of crisis and everyone needed to pursue policies to protect the environment. She added that the moratorium would allow staff to explore options for addressing drive-throughs and environmentally friendly policies.

MOTION: The above motion failed by the following vote:

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

13. EMERGENCY ITEMS ADDED TO AGENDA (None)

14. REQUESTS & SCHEDULING FUTURE AGENDA ITEMS

Member Estrada requested an ordinance to extend protections to Section 8 housing program participants from unfair evictions and unjust rent increases.

Mayor Garcia asked for a resolution asking the bankruptcy court to transform PG&E into a customer owned public utility.

Mayor Pro Tempore Coffman-Gomez asked for a report regarding efforts to address street repairs.

Member Hernandez asked for an update on Pinto Lake.

15. ADJOURNMENT

The meeting adjourned at 9:42 p.m.

ATTEST:


Beatriz Vázquez Flores, City Clerk


Rebecca J. Garcia, Mayor