



## MINUTES REGULAR CITY COUNCIL MEETING

October 12, 2021

City of Watsonville  
Council Chambers  
275 Main Street, Top Floor

**5:02 p.m.**

### 1. ROLL CALL

Mayor Dutra, Mayor Pro Tempore Parker and Council Members Estrada, García, and Montesino were present. Member Hurst was absent.

#### 1.a. MOTION TO EXCUSE ABSENT COUNCIL MEMBER HURST

It was moved by Member Montesino, seconded by Mayor Pro Tempore Parker, and carried by the following vote to excuse Member Hurst:

AYES:	MEMBERS:	Estrada, García, Montesino, Parker, Dutra
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	Hurst

### 2. INFORMATION ITEMS

#### 2.a. REPORT OF DISBURSEMENTS

#### 2.b. MISCELLANEOUS DOCUMENTS REPORT

### 3. REPORTS TO COUNCIL – No Action Required

#### 3.a. MAYOR FOR THE DAY PRESENTATION

#### 3.b. CITY MANAGER'S UPDATE REPORT

In answering Member García, City Clerk Vázquez Flores spoke about mapping tools that would be available for residents to draw and submit maps and explained what communities of interest were.

Assistant City Manager Vides, in answering Member Estrada, spoke about the requirements for obtaining a COVID-19 booster vaccine.

Member García stated the COVID-19 testing site at Ramsay Park was still open to the public.

Mayor Pro Tempore Parker stated Pájaro Valley Unified School District was offering drive-thru COVID-19 testing services with online registration options.

### 4. PRESENTATIONS

#### 4.a. MAYOR'S PROCLAMATION RECOGNIZING OCTOBER 2021 AS NATIONAL CODE COMPLIANCE MONTH & INVITING THE COMMUNITY TO JOIN IN EXPRESSING APPRECIATION FOR THE DEDICATION & SERVICE OF ALL WHO WORK IN THIS FIELD

- 4.b. **MAYOR'S PROCLAMATION RECOGNIZING OCTOBER 2021 AS COLLEGE & CAREER AWARENESS MONTH & CONGRATULATING CABRILLO COLLEGE FOR THEIR EFFORTS IN HELPING STUDENTS ACHIEVE THEIR EDUCATIONAL GOALS**
- 4.c. **MAYOR'S PROCLAMATION RECOGNIZING OCTOBER 2021 AS FILIPINO AMERICAN HISTORY MONTH, & CONGRATULATING THE FILIPINO COMMUNITY OF WATSONVILLE FOR THEIR EFFORTS TO ENSURE THE CONTRIBUTIONS & LEGACY OF FILIPINOS CONTINUE TO BE REMEMBERED FOR GENERATIONS TO COME**
- 4.d. **MAYOR'S PROCLAMATION CONGRATULATING WATSONVILLE WETLANDS WATCH ON THEIR 30TH ANNIVERSARY & RECOGNIZING THEIR DEDICATION TO PROTECTING & CARING FOR THIS VITAL PIECE OF NATURE SO IT MAY BE ENJOYED FOR GENERATIONS TO COME**

**5. CONSENT AGENDA**

**PUBLIC INPUT (None)**

**MOTION:** It was moved by Member García, seconded by Member Montesino, to approve the Consent Agenda.

Member García spoke in support of Item 5.f.

Mayor Dutra spoke about Item 5.e mitigation measures that would be taken by the owners of the property to address homelessness issues. He spoke about the need for support services to address mental health and substance addiction issues in the community.

In answering Mayor Pro Tempore Parker regarding Item 5.e, City Attorney Smith spoke about the ownership and lease status of the property. He stated the current lessees had begun work to address homelessness issues.

City Attorney Smith, in answering Member García, explained the reasons Item 5.e. was necessary.

In answering Mayor Pro Tempore Parker, Assistant City Manager Vides spoke about the various parties that would be involved in a potential new lease on the property. She stated the City was not part of the process.

City Attorney Smith explained the options for reaching an agreement for a new lease on the property.

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

AYES:	MEMBERS:	Estrada, García, Montesino, Parker, Dutra
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	Hurst

**5.a. MOTION APPROVING MINUTES OF SEPTEMBER 28, 2021**

- 5.b. **RESOLUTION NO. 277-21 (CM)**  
**A RESOLUTION APPROVING SOLE SOURCE PURCHASE FROM TROJAN TECHNOLOGIES GROUP ULC FOR THE PURCHASE OF PROPRIETARY SPARE PARTS FOR THE RECYCLED WATER FACILITY FOR FISCAL YEAR 2021-2022, IN AN AMOUNT NOT TO EXCEED \$247,626.11 (FUNDED FROM THE WASTEWATER ENTERPRISE FUND)**
- 5.c. **RESOLUTION NO. 278-21 (CM)**  
**A RESOLUTION AWARDDING CONTRACT TO MNS ENGINEERS, INC., FOR DESIGN SERVICES FOR THE FREEDOM BOULEVARD (BETWEEN ALTA VISTA DRIVE & GREEN VALLEY ROAD) RECONSTRUCTION PROJECT, IN AN AMOUNT NOT TO EXCEED \$361,737**
- 5.d. **RESOLUTION NO. 279-21 (CM)**  
**A RESOLUTION APPROVING THIRD AMENDMENT TO CONTRACT WITH OLIN CORPORATION, INCREASING COMPENSATION & EXTENDING TERM OF CONTRACT FOR THE PURCHASE OF 12.5% SODIUM HYPOCHLORITE USED AT THE WATER RECYCLING FACILITY, IN AN AMOUNT NOT TO EXCEED \$2,000**
- 5.e. **RESOLUTION NO. 280-21 (CM)**  
**A RESOLUTION DECLARING THE CONDITION OF THE PRIVATE PROPERTY AT 1702 FREEDOM BOULEVARD, APN: 019-282-15, A PUBLIC NUISANCE & ORDERING THE BUILDING OFFICIAL TO GIVE NOTICE THEREOF, ORDER ABATEMENT, & FIX A TIME FOR PUBLIC HEARING PURSUANT TO CHAPTER 17 (NUISANCES) OF TITLE 5 (PUBLIC WELFARE, MORALS, AND CONDUCT) OF WATSONVILLE MUNICIPAL CODE**
- 5.f. **RESOLUTION NO. 281-21(CM)**  
**A RESOLUTION APPOINTING BURKE, WILLIAMS, & SORENSEN, LLP., AS CITY ATTORNEY & AUTHORIZING CITY MANAGER TO SIGN CONTRACT**
- 5.g. **RESOLUTION NO. 282-21(CM)**  
**A RESOLUTION ACCEPTING A \$10,000 GRANT FROM THE PACIFIC LIBRARY PARTNERSHIP TO CREATE EXPRESS LEARNING LITERACY KITS & APPROPRIATING SUCH FUNDS TO THE SPECIAL GRANTS FUND**
- 5.h. **RESOLUTION NO. 283-21(CM)**  
**A RESOLUTION ACCEPTING \$25,000 FROM SALUD PARA LA GENTE FOR THE CITY TO ASSIST WITH THE “PÁJARO VALLEY SAVE LIVES VACCINE EQUITY PROJECT,” & APPROPRIATING THE FUNDS TO THE GENERAL FUND**
- 5.i. **ORDINANCE NO. 1422-21(CM)**  
**FINAL ADOPTION OF ORDINANCE AMENDING ARTICLE 2 (DEFINITIONS), ARTICLE 3 (GENERAL PROVISIONS), & ARTICLE 5 (PROVISIONS FOR FLOOD HAZARD REDUCTION) OF CHAPTER 2 (FLOODPLAIN MANAGEMENT) OF TITLE 9 (PLANNING AND ZONING) OF THE WATSONVILLE MUNICIPAL CODE IN ORDER TO COMPLY WITH FINDINGS MADE BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) [Amends Ordinance Numbers 1121-01 (CM) and 1204-06 (CM)]**
- 5.j. **ORDINANCE NO. 1423-21(CM)**  
**FINAL ADOPTION OF ORDINANCE AMENDING §§ 1-8.02, 1-8-07 & 1-8.10 OF CHAPTER 8 (ELECTION PROCEDURES TO FILL A COUNCIL VACANCY) OF TITLE 1 (GENERAL PROVISIONS) OF THE WATSONVILLE MUNICIPAL CODE TO INCLUDE A REQUEST TO**

**SANTA CRUZ COUNTY ELECTIONS TO CONDUCT THE ELECTION AND AUTHORIZE  
MAILED BALLOT ELECTIONS**

**6. ITEMS REMOVED FROM CONSENT AGENDA (None)**

Mayor Dutra recessed the meeting to Closed Session at 6:05.

**6:05 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 the matters that follow:

**7.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Government Code Section 54956.9(a))**

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

Name of Case: Watsonville Pilots Association v City of Watsonville, Raoul Ortiz, Eve Ortiz – Santa Cruz Superior Court (Case No. 21CV02343)

**8. CLOSED SESSION CORRESPONDENCE (IF ANY)**

**6:38 p.m.**

**9. ROLL CALL**

Mayor Dutra, Mayor Pro Tempore Parker and Council Members Estrada, García, and Montesino were present. Member Hurst was absent.

Staff members present were Assistant City Manager Vides (Acting as City Manager ), City Attorney Smith, City Clerk Vázquez Flores, Interim Public Works & Utilities Director Di Renzo, Interim Police Chief Sims, Deputy City Manager Manning, Administrative Services Director Czerwin, Community Development Director Merriam, Parks & Community Services Director Calubaquib, Library Director Martinez, Assistant Public Works & Utilities Director Rodriguez, Assistant Planner Carmona, Senior Code Enforcement Officer Vargas, Code Enforcement Officer Leonor, Assistant City Clerk Ortiz, Executive Assistant Pacheco, and Interpreter Landaverry.

**9.a. MOTION TO EXCUSE ABSENT COUNCIL MEMBER HURST**

It was moved by Member Montesino, seconded by Member Estrada, and carried by the following vote to excuse Member Hurst's absence:

AYES:	MEMBERS:	Estrada, García, Montesino, Parker, Dutra
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	Hurst

**10. PLEDGE OF ALLEGIANCE**

**11. PRESENTATIONS & ORAL COMMUNICATIONS**

**11.a. ORAL COMMUNICATIONS FROM THE PUBLIC**

Aurelio Gonzalez, District 2, spoke about Cancer Awareness Month. He apologized to District 2 residents for resigning from his Council seat and explained the reason that led him to make that decision.

Ben asked Council to address homelessness issues on his property on Freedom Boulevard and in other areas of the City.

Eden Crane spoke about misconceptions regarding the homeless population. She spoke about personal challenges faced during the pandemic. She asked Council to find long term solutions for homelessness.

Steve Trujillo spoke about the potential for using the vacant K-mart property to build affordable housing units. He asked staff to include the homeless community in discussions regarding housing.

Michael Baker, District 4, expressed disagreement with various Council members' comments during the September 28 Council meeting regarding housing, the possibility of closing the Airport, and racism. He asked Council to collaborate with organizations to avoid further litigation regarding airport land use.

**11.b. ORAL COMMUNICATIONS FROM THE COUNCIL**

Member Montesino thanked Aurelio Gonzalez for his service to the community during his time as a Council member.

Member García spoke about her meeting with members of micro-farm group Tierras Milperas at Pájaro River Park. She spoke about previous resolutions approved by Council setting requirements for the lot where the group's community garden is located. She stated she received recognition by Let's Green California as Climate Leader of the Week.

Member Estrada spoke about National Night Out. He recognized Indigenous Peoples Day. He invited the community to attend the Evening with the Mayor event on October 16<sup>th</sup> to help fund holiday decorations for downtown.

Mayor Pro Tempore Parker spoke about her attendance at National Night Out and thanked staff who worked the event. She acknowledged Indigenous Peoples Day and Columbus Day. She asked for a moment of silence in support of Aurelio and Elsa Gonzalez.

Mayor Dutra spoke about his Mayor for the Day event. He thanked staff for their work during National Night Out and spoke about various events he attended over the past weeks. He acknowledged National Custodian Day and invited the public to attend Evening with the Mayor at Staff of Life and be a Holiday Lights Campaign Sponsor.

**11.c. REPORT OUT OF CLOSED SESSION**

City Attorney Smith stated Council received a report on the Closed Session item, but took no final action.

## **12. PUBLIC HEARINGS, ORDINANCES, & APPEALS**

### **12.a. CONSIDERATION OF GREATER GOODS CANNABIS APPEAL**

#### **1) Staff Report by Assistant Planner Carmona & Special Counsel Deborah Mall**

#### **2) Appellant Presentation – None**

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

In answering Member García, Special Counsel Mall stated there was no basis to deem the application process unfair.

Assistant Planner Carmona, in answering Member García, stated the applicant pledged to donate \$50,000 to Watsonville-based organizations.

In answering Member García, Special Counsel Mall stated staff had a report of the applicant's code violations from the County of Santa Cruz and was not required to address said violations with the applicant.

Assistant Planner Carmona, in answering Member Estrada, stated none of the other applicants expressed concerns with the change in interview requirements from virtual to in-person.

Community Development Director Merriam, in answering Member Estrada, explained the timeline of the application process. She stated staff wanted to conduct interviews in a fair manner and took the necessary precautions due to COVID-19.

In answering Member Estrada, Community Development Director Merriam stated the applicant would have been disqualified at an earlier stage in the application process had the applicant disclosed previous code violations with the County.

#### **4) Public Hearing**

Mayor Dutra opened the Public Hearing.

Seeing no one approach the podium, Mayor Dutra closed the Public Hearing.

#### **5) MOTION:** It was moved by Member Montesino, seconded by Mayor Pro Tempore Parker to approve the resolution listed below.

#### **6) City Council Deliberation on the Motion**

Member García explained her reasons for supporting staff recommendation.

Mayor Dutra stated his concerns with the applicant's failure to disclose previous code violations.

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

AYES:	MEMBERS:	Estrada, García, Montesino, Parker, Dutra
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	Hurst

- 7)     **RESOLUTION NO. 284-21 (CM)**  
          **A RESOLUTION UPHOLDING PLANNING COMMISSION'S DECISION TO DENY A**  
          **PRE-APPLICATION FOR THE ESTABLISHMENT OF A CANNABIS RETAIL**  
          **FACILITY IN THE CITY OF WATSONVILLE FOR GREATER GOODS**  
          **MARKETPLACE LLC**

13.    **EMERGENCY ITEMS ADDED TO AGENDA**

14.    **REQUESTS & SCHEDULING FUTURE AGENDA ITEMS (None)**

15.    **ADJOURNMENT**

The meeting adjourned at 7:53 p.m.

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Jimmy Dutra, Mayor

ATTEST:

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Beatriz Vazquez Flores, City Clerk

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