

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)

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.

/s/Rebecca J. García
Mayor

ATTEST:

/s/Beatriz Vazquez Flores
City Clerk