

6d4.



PLANNING DEPARTMENT

**City of Guadalupe
918 Obispo Street
P.O. Box 908
Guadalupe, CA 93434
Tel (805) 356-3903**

To: Mr. Mayor and City Councilmembers
From: Larry Appel, Contract City Planner
Date: April 2, 2018
Re: Monthly Planning Report Covering March 2018

MINISTERIAL PROJECTS

Zoning Clearances Approved	20
Zoning Clearances Denied	3
Zoning Clearances Appealed	1
Business Licenses Approved	7

DISCRETIONARY PROJECTS

The following projects are in for Planning Department review and have been worked on during March:

Rear yard paving ordinance
Pasadera (Master TPM on southern property, and Lot 4 Final Map and zoning clearance)
Beachside Produce (Design Review)
Ramos Accessory Dwelling Unit (ADU)
APIO Waste Water Treatment and Reclamation Facility
Guadalupe Cultural Arts Center
Alvarez Retail Commercial Pre-App
People's Self Help Housing (Guadalupe Ct. Apts.)
Nelson Vapor Recovery TUP
Active Transportation Plan (ATP)
Ortiz ZC Front Yard Paving Appeal
El Padrecito Retreat & Events

If any Councilmember is interested in a particular project or would like to know its status, please let me know and I would be happy to provide the information.

Guadalupe City Planning Department Discretionary Processing Summary (3/28/18 update)

<u>Case No.</u>	<u>Name</u>	<u>Submittal Date</u>	<u>Comp. Date</u>	<u>Status</u>	<u>OK for Bldg. Permit Issuance</u>
2016-054-CUP \$\$	Quiroga Boardinghouse	11-23-16	COMP 02-21-18	Deemed Complete, but waiting for authorization from owner to proceed. Building Permit has expired and new Codes require resubmittal with expensive upgrades	NO
2017-096-CUP \$\$	Guadalupe Cultural Ctr.	09-17-17	INC 03-12-18	Mtg. w/ applicants 2-22. Partial resubmittal, new Incomplete letter sent 3/12	NO
2017-126-CUP \$\$	Edwards Boardinghouse	10-19-17	INC 01-25-18	Review of plans show project would not receive staff support; suggested that project be withdrawn. No contact with applicant since January INC letter.	NO
2017-080-CUP \$\$	El Padrecito Retreat & Events	08-21-17	INC 10-27-17	Project remains INC pending resubmittal from applicant. Checked with applicant on need for earthquake retrofit and need for fire sprinklers	NO
2017-124-DR \$\$	APIO WWTP	09-18-17	COMP 03-15-18	Application deemed Complete 3/15, staff report prepared, CC hearing on 4/10	NO
2014-080-DR \$\$	Beachside Cooler Facility Expansion	06-17-14	COMP	Replacement for condition #25 approved by City Planner on 3/28. No need for CC consideration based on Design Review standards. *Requires Lot Merger and/or LLA	YES*

Guadalupe City	Planning			Discretionary Processing	Page 2
Case No.	Name	Submittal Date	Comp. Date	Status	OK for Bldg. Permit Issuance
2018-068-OA No\$	Rear yard paving ordinance	01-02-18	NA	First reading approved by Council on 02-13-18, second reading cont'd to 5/8. All rear yard paving, up to 100% coverage, is being approved by staff.	N/A
2017-130-TPM \$\$	DJ Farms South Master TPM	10-12-17	INC 03-07-18	Draft INC converted to INC letter 3-7. Several meetings held with applicants to discuss the project. No resubmittals.	NO
2017-141-FM \$\$	DJ Farm Lot 4 FM	08-25-17	INC No record	Working with applicant and Surveyor to prepare map for recordation. Revisions now requested to "merge" some lots to achieve ZC/SP consistency with new homes	NO
2016-016-TPM \$\$	Beachside Cooler Tent. Parcel Map	07-06-16	INC No record	No record of activity, but it appears that this map app will not be needed.	YES*
2018-071-DR (MOD) \$\$	Guadalupe Court-PSHH Modif.	03-20-18	03-27-18	Ownership change to People's Self Help Housing. Modified DR submitted 3/27, staff report prepared for CC hearing on 4/10	NO
2016-043-LLA \$\$	Beachside Cooler Lot Line Adj.	10-31-16	INC No record	Waiting for resubmittal. Permit should be processed by City Engineer.	YES*

A DISCRETIONARY permit is one that requires City Council approval

No\$ = unreimbursed planning work

\$ = projects where a fixed fee has been paid

\$\$ = projects where a variable fee / deposit is made and the applicant is billed for time beyond the initial deposit

03/28/18

Ministerial Projects Completed in March 2018

2018-073-ZC	Buchan Paving
2018-079-ZC	Valenci Lattice Patio Cover
2018-063-ZC	Brooks Paving
2018-066-ZC	Marchiano Paving
2018-070-ZC	Buckner Paving
2018-065-ZC	Glas Paving
2018-064-ZC	Lua Paving
2018-069-ZC	Patio Cover
2018-072-ZC	Alvarado Paving
2018-073-ZC	Cavazos Paving Denial
2018-075-ZC	Covurrubius Paving
2018-074-ZC	Jimenez Paving
2018-055-ZC	La Blanc Paving
2018-028-ZC	Rosas Paving
2018-058-ZC	Camacho Paving
2018-076-ZC	Hoelscher Paving
2018-077-ZC	Torres Paving
2018-078-ZC	Ruby Paving
2018-031-ZC	Del Rio Trailer denial/ paving approval
2018-061-ZC	Morazan Patio Cover
2018-018-ZC	Read RV storage denial
2018-019-ZC	Ramos Addition

6ds.



CITY OF GUADALUPE
918 Obispo Street
Guadalupe, CA 93434
P: (805) 356-3895
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Finance Department

Memorandum

To: Cruz Ramos, City Administrator

From: Megan Lizalde, City Treasurer

Subject: Treasurer's Report – February 2018

Date: April 2, 2018

This memo explains the changes in the monthly Treasurer's report for February 2018 compared to the prior month. February cash increased by approximately \$6,000 due primarily to:

- \$8,361 received from Charter for franchise fees.

**Treasurer's Report
Investments and Cash as of February 28, 2018**

Local Agency Investment Fund ("LAIF") Account 98-42-346	3,997,004.97
Total Investments	\$ 3,997,004.97

Cash	
Checking Account 155-503815 ("Warrant Account")	118,806.64
Checking Account 155-003261 ("Payroll Account")	155,002.96
Total Cash	\$ 273,809.60 *

*Actual ending balances reconciled to Bank Statements

The following is a summary of the City's cash and investments as of January 31, 2018 compared with the prior month.

Investments and Cash	January 31, 2018	February 28, 2018
Investments	3,797,004.97	3,997,004.97
Cash	466,821.96	273,809.60
Total	\$ 4,263,826.93	\$ 4,270,814.57 **

** Total Cash and Investments agree to General Ledger.

Note 1: Monies held in the non-commingled and trust accounts are required to be kept separate from all other city funds.

Submitted: 4/3/2018 by:


Megan J. Lizalde
 City Treasurer

Local Agency Investment Fund
 P.O. Box 942809
 Sacramento, CA 94209-0001
 (916) 653-3001

www.treasurer.ca.gov/pmia-laif/laif.asp
 April 03, 2018

CITY OF GUADALUPE

CITY TREASURER
 918 OBISPO STREET
 GUADALUPE, CA 93434

PMIA Average Monthly Yields

Account Number:
 98-42-346

Tran Type Definitions

February 2018 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
2/15/2018	2/15/2018	RD	1562720	ANNETTE MUNOZ	200,000.00

Account Summary

Total Deposit:	200,000.00	Beginning Balance:	3,797,004.97
Total Withdrawal:	0.00	Ending Balance:	3,997,004.97

**City of Guadalupe
Fund Balances
as of February 28, 2018**

Fund #	Fund	Balance
01	General Fund	-441,311
10	Water Operating	4,159,970
30	Water Capital	-710,781
12	Wastewater Operating	-1,142,258
32	Wastewater Capital	5,818,551
15	Solid Waste	-28,132
20	Gas Tax	110,894
22	Local Transportation	176,225
23	Transit	862,868
26	RDA Operating	-4,947,005
28	Guadalupe Library	-70,800
31	Payroll Clearing	0
36	Public Facilities	4,760
38	Park Development	1,415
39	Community Corrections Grant	24,507
40	Fire Safety Fund	70,903
42	Police Safety Fund	32,841
43	Police - Airport	-22,938
57	Alcohol & Drug (Gladiators)	4,054
58	CDBG	57,600
60	Guadalupe Assessment District	24,896
65	Guadalupe Lighting District	435,577
66	STBG-1412	0
67	EDBG	11,588
71	Measure A	926,280
76	Capital Facilities Fund	228,611
78	City Hall Equipment	7,784
87	Traffic Mitigation	30,456
90	RDA-Affor Hsg	422,699
91	2003 Bond Refi	654,217
94	Sewer Bond Fund	31,941
96	Def. Comp Fund	0
97	GEN L.T. Fund	0
98	GEN Fix Assests	3,597,823
99	Cash Clearing	0

Note:

The fund balance is the value of the fund after total liabilities are subtracted from total assets. The balance is typically positive.



Human Resources
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HUMAN RESOURCES MONTHLY REPORT MARCH 2018

RECRUITMENT

- Maintenance Worker

Posting deadline was 3/12/18. There were 26 responses from our postings on our City website, Craigslist, EDD, City Hall and Guadalupe Library. Seven were initially screened out as not having qualifications applicable to the position. Three candidates had incomplete applications and were contacted but none replied. The remaining 16 were screened with seven selected to be scheduled for interviews. Of those seven, one declined interview as he had accepted another position. Oral board for the remaining six set for 4/02/18. Regret letters were sent to the other candidates not selected to go forward in the process.

- Police Sergeant

Internal posting ran from 3/08/18 to 3/20/18. Two candidates applied. Oral board is scheduled for 4/11/18.

- Chief of Police

30-day posting targeted for 4/11/18.

- Paid-Call Firefighter

Conditional offer extended to candidate from October oral board. Backgrounds continue for second candidate from same oral board.

OTHER:

- Workers' Compensation

There was one claim in February not previously reported. Two new claims were reported in March.

Two claims which were previously reported remain open with temporary disability benefits continuing. It is anticipated that one of those claims may be closing soon. The third claim previously reported as being in the evaluation stage remains open.

At the end of March, there are 6 claims that remain open.

- **Training:**

There were no workshops attended for the month of March.

- **FACILITIES**

The following number of rental/usage data is for the period October 2016 through March 2018:

<u>Facility</u>	<u>Oct. '16 – Feb. '18</u>	<u>Mar. '18</u>	<u>Total To Date</u>
Auditorium/Gym	49	7	56
O'Connell Park	10	1	11
LeRoy Park	12	1	13
Senior Center	16	4	20
City Parking Lot	6	0	6
City Council Chambers	1	2	3

McKenzie basketball ended 3/20/18.

Frank T. Almaguer ended on 3/05/18.

Wrestling Brigade continued practice through March. Meeting held with Joe Valdez, coordinator, on 3/27/18 to discuss arrangement for use of City auditorium/gym for 2Q of year on Mondays and Wednesdays. It was previously agreed that the City would look at arrangements on a quarterly basis.

“Women Speak” forum sponsored by Supervisor Joan Hartman held on 3/15/18. Intent of the forum was to have women raise their concerns in a safe and confidential environment. Some issues raised were regarding immigration, voter responsibilities, need for more daycare, youth programs, equity between activities at Boys & Girls Club in Guadalupe and Santa Maria, etc.

Two community forums held in March with Cal Poly students moderating discussions.

Meeting to be scheduled in April with coalition group (youth groups and non-profits) to continue discussion on fee schedule.

City of Guadalupe
March 2018
Civil Engineering Projects

The following is a list of projects in various stages of construction, design, or planning.

- **Obispo and 11th Street Drainage Improvements** – Plans have been prepared for this project. It is anticipated that the project will go out to bid in April 2018, with construction starting in May or June. This project will include new drainage facilities at the 11th Street and Obispo Street intersection, and on Peralta Avenue from 12th Street to the north end. The work is being coordinated with the Beachside Cooling project.
- **2018 Pavement Maintenance Project** – The slurry seal project design is nearly complete. It is anticipated that the project will go out to bid in May with construction in June/July. The work to be completed will depend upon the amount of funding available. The following streets will be considered in the plans.
 - Ibis Circle
 - Pacific Dunes Way from W. Main to Surfbird Lane
 - Sand Piper Lane from Pacific Dunes Way to cul-de-sac
 - Point Sal Dunes Lane from W. Main to Surfbird Lane
 - Surfbird Lane from Pacific Dunes to Surfbird Court
 - Egret Lane
 - Garrett Street
 - Mary Knoll Drive
 - 2nd Street from Tognazzini Ave. to Hwy 1
 - Campodonico Ave. from 2nd Street to 7th Street
 - Alley between Campodonico Ave and Hwy 1 from 2nd Street to 7th Street
 - 3rd Street
 - 7th Street
 - Rubio Street
 - Peralta Street from 10th Street to 11th Street
 - Escalante Street
- **2018 Pavement Rehabilitation Project** – The proposed 2018 Pavement Rehabilitation Project will be designed over the spring months for construction this summer.

The extents of the final plans will depend upon funding available. The following segments are being evaluated and designed for construction in the Summer of 2018:

- Obispo Street from West Main to 10th Street
 - Pelican Lane from Sandpiper Lane to Surfbird Lane
 - Sandpiper Lane from Pacific Dunes Way to Pelican Lane.
- **USDA - Tognazzini Well Project** – Final adjustments are being made to the system.

- **Implementation of NPDES Permit and MS4 Requirements** – The City is in the 4th year of implementation of the MS4 Requirements. This is an ongoing operation. The California Regional Water Control Board is starting to implement Trash Amendments to the MS4 permit. These amendments increase the amount of engineering and field staff time significantly. The annual reports have been submitted.
- **ATP Cycle 3.** Due to additional funding being made available from SB1, the City’s grant application for Cycle 3 of the Alternate Transportation Program has been funded. The awarded grant amount is \$410,000. Matching funds were required in the amount of \$32,000 from SBCAG Bike and Pedestrian Program and \$25,000 of the City’s Measure A funds. The project will include sidewalks on the east side of Guadalupe Street from Olivera Street to the Amtrak Station, street crossings, and handicap ramp replacements at various locations. Design will occur in FY 2017/2018, with construction occurring in FY2018/2019. Survey work has been completed, and design is proceeding. Environmental review will need to be completed prior to submission to Caltrans for approval.
- **ATP Cycle 4.** The California Transportation Commission (CTC) is finalizing the Cycle 4 application. Once the call for projects has been made, the City Engineer will propose potential projects for the grant funding program.
- **IRWM DAC Grant (Lift Stations and Sewer Main Replacement)** –The first phase of the grant funding is for the design phase of work on the Pioneer and Hwy 1 Lift Stations, Sewer Main, and various “High priority” Water and Wastewater capital improvement projects. MKN has been awarded a contract to complete this work. All the design work is being funded by the IRWM Grant.
- **Proposition 1 County-Wide Integrated Stormwater Resource Plan** –The City of Guadalupe is a partner in this program. The construction of a regional infiltration at Jack O’Connell Park is being considered. The project would have multiple water quality benefits including ground water basin recharge, enhanced water quality, and flood management. City Staff have been working with the County to ensure the playing fields are not impacted. This phase of the project is preliminary design and is being paid for by Proposition 1 monies allocated to the County. The preliminary design will further evaluate the site to ensure that it is suitable. The implementation phase would come at a future time if/when money is secured through the next round of Proposition 1 funds. **The actual implementation of a basin would only be based on Council and community approval.** This facility could be a tremendous asset to the City and help in the implementation of the NPDES trash regulations. The facility would be designed to be an amenity to the City. Not only would it clean storm water, but it could become a model for other agencies and developments. It is anticipated that any final design would include landscaping elements that would help it blend into the surrounding environment. City staff has made it clear to the County and the design firm that the recreational facility cannot be negatively impacted. As discussed during the Council meeting in February, no construction will be performed without the City Council’s approval.
- **Hwy 1/ Hwy 166 Intersection.** The City Engineer has been attending quarterly meetings with Caltrans, SBCAG and other agencies regarding the signalization of the Hwy 1 / Hwy 166 intersection. This project was originally slated for construction in 2018. However, due to additional requirements by the Union Pacific Railroad and Caltrans the project is on hold pending further investigation.

Development

The following developments which require engineering review/oversight are in various phases.

- **Pasadera**
 - Obispo Tank – Tank construction is complete. The tank has been put into operation.
 - Onsite Water Line (Staff is providing ongoing testing of dead end line to ensure water safety)
 - Lot 4 / Phase 2 – Grading and the installation of underground utilities and walls has started on Lot 4.
 - A Vesting Tentative Tract Map has been submitted for Lot B of Tract 26,090, which is the parcel between the UPRR and the Santa Maria Valley Railroad spur.
- **Pioneer Street Apartments**
 - The building permits have been approved and are awaiting the developer submitting fees. The developer is having difficulty securing funding for the project. During construction activities staff will provide technical assistance for items within the City right-of-way.
- **Beachside Cooler**
 - Building permits have been issued.
 - The Developer requested a certificate of occupancy prior to completing the improvements for Peralta Avenue or completing the Lot Line Adjustment. They are bonding for the improvements.
- **Apio Wastewater Reclamation System and Voluntary Merger**
 - Both applications are in various phases of review.
- **Guadalupe Cultural Arts Center Improvements**
 - Plans have been submitted and are being reviewed for the project.
- **11th Street Apartment (Alvarez)**
 - Construction plans have been submitted for City review.



Department of Public Works Activity Summary

Caring for over \$25,000,000 of Guadalupe's Assets

10 April, 2018

Richard Jamar, DPW Director/Mike Pena, DPW Manager

1. General

- Street Worker-retired 3/18; Grade I WWTP Operator out 2/26-4/2, broken ribs-not work related
- Interviews for Street Maintenance Worker – 26 apps, two candidates forwarded to C.A.
- Budget Development begun – Zero-based/Activity-based budget - ONGOING
- Employee Continuing Ed./Certifications Tracking - ONGOING
- Citywide Report Tracking Matrix – ONGOING development for master matrix for federal, state, regional, and local reporting for water, wwtp, streets, MS4, solid waste, etc.)
- Timesheet – “Full-Cost Recovery” timesheet introduced
- Setup/Tear Down of activities throughout City – ONGOING
- Data: Setup Permanent directory structure to collect/archive departmental data
- Investigate Spraying program, costs, equipment, training
- Provide Design Review comments (at full-cost recovery) for development projects - ONGOING

2. Facilities

- City Hall
 - i) Main hallway
 - (1) Walls repaired/painted - COMPLETED
 - (2) Window frame repairs needed/glass replaced
 - ii) CC Video – diagnosed as camera failure – COMPLETED, programmed replacement
 - iii) CC window screen replacement – programmed replacement
 - iv) Bird netting repair - programmed replacement
 - v) Men's room window - programmed replacement
 - vi) Auditorium
 - (1) Walls – in progress
 - (2) Panels – in progress
 - (3) Emergency egress lighting – in progress
- Boys & Girls Club
 - i) CDBG not awarded. Must repair roof/ceiling above boys bathroom - April
- Veteran's Building
- Senior Center
 - i) Leak reported
- Corporate Yard

City of Guadalupe - Department of Public Works

1 April, 2018

- i) DPW Management to remove obsolete vehicles – April
- ii) DPW Staff to remove debris – April/May
- iii) DPW Staff to organize equipment – April/May
- 10th St. / Elevated Tank Yard
 - i) DPW Staff to remove debris – April
 - ii) DPW Staff to weed whack site
- Tognazzini Well Building
 - i) Building is painted - COMPLETED
 - ii) Concrete landing is poured/finished – COMPLETED
 - iii) Decorative gravel and weed fabric placed - COMPLETED
 - iv) Perimeter is re-fenced – COMPLETED
- Amtrak Station
 - i) HWY 1 Sign lighting replaced - COMPLETED
 - ii) Coordinate with CalRail re: Possible station upgrades
 - iii) Meet with SBCAG re: funding/upgrade options – COMPLETED

3. Fleet

- Water Maintenance Worker's truck needs steering wheel & utility bed repairs
- All vehicles washed after next rainfall
- Vehicle maintenance schedule is under development

4. Streets Department

- Storm Preparedness
 - i) CBD Gutter Maintenance - ONGOING
 - ii) Ongoing maintenance of critical channels during rainy season - COMPLETED
 - iii) Pre-Placement of "Flooded" signs
 - iv) Shoring of Obispo & 9th Street asphalt failure (fut. CIP replacement project) - COMPLETED
- Striping Projects
 - i) Obispo Street – Obtaining estimates
 - ii) Parking 10th Street near school -
 - iii) Considering: W. Main St., 11th St., Peralta St., CBD Parking Lot
 - iv) Weed abatement in alleys

5. Parks & Rec

- Jack O'Connell
 - i) Repair broken irrigation pipe at restrooms -proposed
 - ii) Scrape/Paint wood at irrigation pump house/trash enclosure - proposed
- Guadalupe Sports Coalition (GSC)
 - i) City to provide Key for bathrooms
 - ii) Wrestling mats to gym
- Your Children's Trees – Joint grant with SB Co. Parks Department/Guadalupe

City of Guadalupe - Department of Public Works

1 April, 2018

- Leroy Park, others – general maintenance

6. Water Department

	This Month	Year to Date	Last Year to Date
Water Production (MG)	27.80 MG	56.0 MG	359.5 MG in 2017 (724.1 MG to date)
Usage totals (MG)	28.47 MG	53.34 MG	321.38 MG in 2017 (374.72 MG to date)
Shut offs	38	104	567 in 2017 (671 to date)
Opens	32	64	319 in 2017 (383 to date)
Closes	28	46	240 in 2017 (286 to date)
Main Breaks	0	0	2 in 2017 (2 to date)
Lateral Breaks	0	1	15 in 2017 (18 to date)

February 2018 Data

Projects:

- Pasadera
 - i) Lift Station-Water meter service and Backflow device installed - COMPLETED
 - ii) Lot #4 - Some Water Services active under developer - COMPLETED
 - iii) Lot #5 - Close to 95% of water services signed up by new residents - COMPLETED
- Obispo Tank #1
 - i) Drained for maintenance, repairs completed, cleaning, disinfection finished - COMPLETED
- Tognazzini Well
 - i) Operational – fine tune SCADA programming for optimum performance - COMPLETED
- Backflow Testing - Yearly
 - i) Testing in progress
 - ii) City owned devices - COMPLETED
 - iii) Non-City Owned in process
- Pasadera Well
 - i) Pending PGE transformer upgrade delayed by Electric crews Fire & Debris flow responses.
- Water line upgrade on 11th street
 - i) Pending Start Up. (Engineers) Bid target month is May 2018
 - ii) Meter Route #7: Auto-Read conversion - ONGOING
 - iii) State Water Line: Currently set at 200gpm; blending and quality monitoring -ONGOING
- Hydrant maintenance: Cleaning and Painting In progress as time allows
- School Lead Testing: COMPLETED. Results to GSD/school and SWRCB
- Tanks 1&2 intertie: Pipe Coatings pending selection of contractor
- Hydrants Replaced – Pioneer St. & Guadalupe (HWY 1) - COMPLETED

City of Guadalupe - Department of Public Works

1 April, 2018

7. Wastewater Department

- General
 - i) System performance reviews by a Circuit Rider with the California Rural Water Association, and weekly mentor training by Trevor Ray, Grade IV Operator, have had significant impacts on the performance and the recovery from threatening violations. - COMPLETED
- Odors
 - i) Sludge handling operations must be improved by repairing sludge processing equipment.
 - ii) Temporary Solutions: Chlorine (hi-conc.) spray on sludge beds to minimize odors, and cover exposed sludge with tarps to minimize wind transport of odors. - ONGOING
- Biological (Biolac) Operations - ONGOING
 - i) Biological operations much better after following the counsel of CRWA & mentor Ray.
 - ii) Air diffusion system has broken equipment hampering performance. Staff researching best way to repair and maintain plant operations during repairs
- Headworks: MKN/Staff developing contract for pump replacement
- State Water Control Board Inspection
 - i) Expect inspection date to be near May 15. Staff is tuning facility to optimum operation and clearing unnecessary debris from site due to lax maintenance in the past
 - ii) DPW Management to remove obsolete vehicles in April.
- WWTP Tractor Engine – Diagnosed/Repaired – COMPLETED, some transmission issues remain.

8. Development – Construction

- Beachside Cooling
 - i) Bonds – COMPLETED
 - ii) Peralta upgrades after City CIP: 11th St/Peralta St. storm drain & water main project
- Britton/Gonzales Parcels
 - i) Service proposal - COMPLETED
- Pasadera
 - i) Well/Well House – waiting for PGE transformer
 - ii) Lot 5 (Final Map 29061)
 - (1) Final punchlist items being developed by consultants
 - (2) Developer to “give” approx. 500 SF to each of lots 1-37, along 10-foot wide SoCal Gas easement (to be abandoned). Will be processed as a Map Modification (see Subdivision Map Act for details)
 - (3) Select lots need grading touch up.
 - iii) Lot 4 (Final Map 29062)
 - (1) Conflicts with Rev. Specific Plan
 - iv) Lift Station
 - (1) In-use, but access not completed and not formally transferred to City

DRUG AND ALCOHOL POLICY ADDENDUM EFFECTIVE: JANUARY 1, 2018

GUADALUPE CITY COUNCIL

The United States Department of Transportation (USDOT) – Office of Drug and Alcohol Policy and Compliance (ODAPC) has issued an update to USDOT’s drug and alcohol testing regulation (49 CFR Part 40). The new regulation has been revised and the changes (summarized below) will become effective on January 1, 2018. Therefore, the **GUADALUPE TRANSIT & SMOOTH, INC. FTA / DOT / FMCSA DRUG & ALCOHOL TESTING PROGRAM MANUAL** drug and alcohol testing policy is amended as follows:

1. CHANGES TO THE DRUG TESTING PANEL

- a. Four new opioids added to the drug testing panel –
 - i. The USDOT drug test remains a “5-panel” drug test; however, the list of opioids for which are tested will expand from three to seven opioids.
 - ii. The “opioid” category will continue to test for codeine, morphine, and heroin; however, the “opioid” testing panel will now be expanded to include four (4) new semi-synthetic opioids:
 1. (1) Hydrocodone, (2) Hydromorphone, (3) Oxycodone, and (4) Oxymorphone.
 2. Common brand names for these semi-synthetic opioids include, but may not be limited to: OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, Exalgo®.
- b. ‘MDA’ will be tested as an initial test analyte
- c. ‘MDEA’ will no longer be tested for under the “amphetamines” category.

2. BLIND SPECIMEN TESTING

- a. The USDOT no longer requires blind specimens to be submitted to laboratories.

3. ADDITIONS TO THE LIST OF “FATAL FLAWS”

- a. The following three circumstances have been added to the list of “fatal flaws”:
 - i. No CCF received by the laboratory with the urine specimen.

- ii. In cases where a specimen has been collected, there was no specimen submitted with the CCF to the laboratory.
- iii. Two separate collections are performed using one CCF.

4. MRO VERIFICATION OF PRESCRIPTIONS

- a. When a tested employee is taking a prescribed medication, after verifying the prescription and immediately notifying the employer of a verified negative result, the MRO must then (after notifying the employee) wait five (5) business days to be contacted by the employee's prescribing physician before notifying the employer of a medical qualification issue or significant safety risk.
 - i. Specifically, in cases where an MRO verifies a prescription is consistent with the Controlled Substances Act, but that the MRO has still made a determination that the prescription may disqualify the employee under other USDOT medical qualification requirements, or that the prescription poses a significant safety-risk, the MRO must advise the employee that they will have five (5) business days from the date the MRO reports the verified negative result to the employer for the employee to have their prescribing physician contact the MRO. The prescribing physician will need to contact the MRO to assist the MRO in determining if the medication can be changed to one that does not make the employee medically unqualified or does not pose a significant safety risk. If in the MRO's reasonable medical judgment, a medical qualification issue or a significant safety risk still remains after the MRO communicates with the employee's prescribing physician, or after five (5) business days, whichever is shorter, the MRO must communicate this issue to the employer consistent with 49 CFR Part 40.327.

5. DEFINITIONS

- a. The term "***DOT, the Department, DOT Agency***"
 - i. Modified to encompass all DOT agencies, including, but not limited to, FAA, FRA, FMCSA, FTA, PHMSA, NHTSA, Office of the Secretary (OST), and any designee of a DOT agency.
 - ii. For the purposes of testing under 49 CFR Part 40, the USCG (in the Department of Homeland Security) is considered to be a DOT agency for drug testing purposes.

- b. The term "**Opiate**" is replaced with the term "**Opioid**" in all points of reference.
- c. The definition of "**Alcohol Screening Device (ASD)**" is modified to include reference to the list of approved devices as listed on ODAPC's website.
- d. The definition of "**Evidential Breath Testing Device (EBT)**" is modified to include reference to the list of approved devices as listed on ODAPC's website.
- e. The definition of "**Substance Abuse Professional (SAP)**" will be modified to include reference to ODAPC's website. The fully revised definition includes:
 - i. A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

NOTE: The revisions listed in this addendum include only those revisions to 49 CFR Part 40 which may be referenced in our drug & alcohol testing policy. A list of all the revisions made to 49 CFR Part 40 can be found at <https://www.transportation.gov/odapc>.

Addendum Authorization Date: JANUARY 1, 2018

Authorized Transit Official (Printed Name): CRUZ RAMOS, CITY ADMINISTRATOR

Authorized Transit Official (Signature): _____

City Council Representative (Printed Name): _____

City Council Representative (Signature): _____

Date Executed: APRIL 10, 2018 CITY COUNCIL MEETING



ADOPTION CERTIFICATION

The Guadalupe Transit and SMOOTH, Inc. Drug and Alcohol Testing Program Manual, as revised, was adopted by the City Council of Guadalupe, during the regular Council meeting, April 10, 2018 at the Guadalupe City Council Chambers, 918 Obispo Street, Guadalupe, CA 93434.

Following a MOTION by _____, a SECOND by _____ and Council discussion, _____ Votes in FAVOR, _____ Votes AGAINST, and _____ Votes ABSTAINING were received.

Attested to by:

Council Member / Office

Date

Staff Member / Office

Date

AGENDA ITEM NO. 6f.

REPORT TO THE CITY COUNCIL OF THE CITY OF GUADALUPE
Agenda of April 10, 2018

157
Prepared by: _____
Gary L. Hoving, Director of Public Safety

Cruz Ramos
Approved by: _____
Cruz Ramos, City Administrator

SUBJECT: **Proposal to Support Firefighting Response to State-Wide out of City Mutual Aid Requests by Authorizing Compensation Portal to Portal and to Submit an Updated Salary Survey Form**

RECOMMENDATION:

It is recommended that the City Council approve this report and adopt Resolution No. 2018-10 authorizing compensation on out of city emergency operations from portal to portal.

BACKGROUND:

The City Council approved the Season Firefighter position and salary at the regular City Council Meeting on November 14, 2017. It was the intent of the Director of Public Safety to support the state-wide mutual aid response to emergencies. In order to participate in the mutual aid plan, the City must be registered with the California Office of Emergency Services and update the Salary Survey annually.

DISCUSSION:

The Director of Public Safety requests authorization to sign and submit the 2018 Salary Survey to the Governor's Office of Emergency Services. The salary survey is required to maintain participation in the mutual aid program and reflects minor hourly rate changes based on current benefits and salary rates.

FINANCIAL IMPACT:

Approval of this Resolution will authorize the highest amount of financial reimbursement during the response to emergencies outside of the City of Guadalupe.

RESOLUTION NO. 2018-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUADALUPE, CALIFORNIA,
AUTHORIZING OVERTIME AND PORTAL TO PORTAL PAY FOR FIRE EMPLOYEES
DEPLOYED TO EMERGENCY OPERATIONS AND TO SUBMIT A REVISED 2018 SALARY
SURVEY**

WHEREAS, the Guadalupe Fire Department is a public agency located in the County of Santa Barbara, State of California, and

WHEREAS, it is the City Council of the City of Guadalupe desire to provide fair and legal payment to all its employees for time worked; and

WHEREAS, the City of Guadalupe has in its employ, fire department response personnel including: Chief, Captain, Engineer and Firefighter; and

WHEREAS, the City of Guadalupe will compensate its employees portal to portal while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for an emergency response; and

WHEREAS, the City of Guadalupe will compensate employees overtime in accordance with their current Memorandum of Understanding while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for emergency response; and

WHEREAS, the City of Guadalupe desires to continue participate in the state-wide mutual aid program and receive cost reimbursement for responses outside of the city.

NOW THEREFORE BE IT RESOLVED that the conditions set forth in this resolution requires the annual submittal of updated salary costs for reimbursements during emergency operations and authorizes the Director of Public Safety to sign the forms necessary for participation by the California Governor's Office of Emergency Services.

PASSED, APPROVED AND ADOPTED this 10th day of April, 2018.

John Lizalde, Mayor

ATTEST:

I, Joice Earleen Raguz, City Clerk of the City of Guadalupe, herby certify that the foregoing resolution was duly passed at a regular meeting of the City of Guadalupe City Council held on the 10th day of April, 2018, by the following vote on roll call:

- Ayes:
- Noes:
- Abstain:
- Absent:

Joice Earleen Raguz, City Clerk

REPORT TO THE CITY COUNCIL OF THE CITY OF GUADALUPE
Agenda of April 10, 2018

151
Prepared by:
Gary L. Hoving, Director of Public Safety

Cruz Ramos
Approved by:
Cruz Ramos, City Administrator

SUBJECT: **REPORT ON FINDINGS OF A CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING AUDIT**

RECOMMENDATION:

It is recommended that the City Council review the findings of a State of California Commission on Peace Officer Standards and Training (POST) audit.

BACKGROUND:

The Guadalupe Police Department is certified by the California Commission on Peace Officer Standards and Training. To maintain certifications, the Police Department must maintain specified standards for hiring, retention, training and professionalism. There is no legal mandate that requires an agency to participate in the POST certification program. However, obtaining and maintaining POST certification is the best way to provide a professional law enforcement service and reduces our exposure to civil liability. In addition to the profession advantages of participation, the City also receives reimbursement for portions of the training costs.

DISCUSSION:

A site inspection was conducted on February 21, 2018, by a Senior Consult from POST. The areas reviewed included our POST electronic records management, training standards, and employee selection process. All of the areas were found to be in full compliance with the POST standards which is a notable achievement.

Maintaining this level of professionalism has been a team effort from the Police Department Staff. The attention to detail exhibited by Records Manager Rosanne Tesoro (retired), Records Manager Norma Bribiesca, Background Investigator Larry Vernon and Background Investigator Julio Carrillo were each instrumental reaching this level of competence.

FISCAL IMPACT

This information is provided to share a significant achievement by the Police Department. By continuing to maintain POST Certification, the City will realize a cost reimbursement for attending Continued Professional and Perishable Skills Program training.



EDMUND G. BROWN JR.
GOVERNOR

XAVIER BECERRA
ATTORNEY GENERAL

**COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING**

February 27, 2018

Gary Hoving, Chief of Police
Guadalupe Police Department
4490 10th Street
Guadalupe, CA 93434

Dear Chief Hoving,

This correspondence reports the findings of the compliance inspection that was conducted on February 21, 2018. The purpose of the audit was to assess the level of compliance with POST standards for selection and training in your department.

AGENCY ROSTER

The POST listing of agency personnel including Officers and Dispatchers was reviewed for accuracy and found to be correct. The names, ranks, and hire dates of all personnel have been appropriately documented in EDI.

TRAINING STANDARDS

Norma Bribiesca and I spoke and reviewed the current Training Planner, which indicates the current training status of the department employees in the Continued Professional and Perishable Skills program. She indicated that ongoing training for all staff has been scheduled and your agency is on track to ensure compliance with all CPT/PSP requirements during the current cycle that ends on December 31, 2018.

The Compliance Analysis Report for the CPT/Perishable skills previously completed cycle (01/01/2015-12/31/2016) revealed all peace officers and dispatchers were in compliance with the required 24 hours of CPT.

SELECTION STANDARDS

Your agency has hired two (2) Officers since the 2016 audit. The background files were reviewed and all the mandatory documents were present. The files were well kept and organized. Any areas of improvement were discussed with Norma Bribiesca to be passed along to your background investigation team and are noted in the attached Compliance Inspection Checklist.

I appreciate the support of your staff during the audit process and would like to personally thank Norma Bribiesca for her willingness to assist me during the compliance review. You and your staff are to be commended for your ongoing efforts in providing quality professional training to all department members.

If there is anything I can do to assist in the creation, scheduling, or coordination of training or to assist in any other issues, please do not hesitate to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'CF', written in a cursive style.

CHRISTINE FORD
Senior Consultant
Training Delivery & Compliance Bureau
Region 8 Manager

Encl: Compliance Analysis Report
Compliance Inspection Checklist

CF/ah

REPORT TO THE CITY COUNCIL

April 10, 2018

151

Cruz Ramos

Prepared by:
Philip F. Sinco, City Attorney

Approved by:
Cruz Ramos, City Administrator

SUBJECT: SECOND READING OF ORDINANCE NO. 2018-471 PROHIBITING COMMERCIAL CULTIVATION, MANUFACTURING, PROCESSING, LABORATORY TESTING, LABELING, STORING, WHOLESALE AND RETAIL SALES AND DISTRIBUTION, AND DELIVERIES OF CANNABIS, CANNABIS PRODUCTS AND ALL CANNABIS DERIVATIVES IN THE CITY OF GUADALUPE EXCEPT FOR DELIVERIES FOR MEDICAL PURPOSES FROM DISPENSARIES LOCATED OUTSIDE OF THE CITY

EXECUTIVE SUMMARY:

Staff is recommending that the City Council conduct the second reading and adopt Ordinance No. 2018-471 prohibiting commercial cultivation, manufacturing, processing, laboratory testing, labeling, storing, wholesale and retail sales and distribution, and deliveries of cannabis, cannabis products, and all cannabis derivatives in the City of Guadalupe except for deliveries for medical purposes from dispensaries located outside of the City. This ordinance was introduced at the Council's meeting on March 13, 2018. If adopted, the ordinance will take effect in thirty (30) days.

RECOMMENDATION:

That the City Council adopt, on a second reading, Ordinance No. 2018-471 prohibiting the commercial cultivation, manufacturing, processing, laboratory testing, labeling, storing, wholesale and retail sales and distribution, and deliveries of cannabis, cannabis products, and all cannabis derivatives in the City of Guadalupe except for deliveries for medical purposes from dispensaries located outside of the City.

BACKGROUND:

The City Council introduced Ordinance No. 2018-471 at its meeting on March 13, 2018. This constitutes the second reading of this ordinance.

CONCLUSION

Staff recommends that the City Council adopt Ordinance No. 2018-471.

ATTACHMENTS:

- 1) Ordinance 2018-471 entitled "An Ordinance of the City Council of the City of Guadalupe, California, Prohibiting Commercial Cultivation, Manufacturing, Processing, Laboratory Testing, Labeling, Storing, Wholesale and Retail Sales and Distribution, and Deliveries of Cannabis, Cannabis Products, and All Cannabis Derivatives in the City of Guadalupe except for Deliveries for Medical Purposes from Dispensaries Located Outside of the City."

ORDINANCE NO. 2018-471

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUADALUPE, CALIFORNIA, PROHIBITING COMMERCIAL CULTIVATION, MANUFACTURING, PROCESSING, LABORATORY TESTING, LABELING, STORING, WHOLESALE AND RETAIL SALES AND DISTRIBUTION, AND DELIVERIES OF CANNABIS, CANNABIS PRODUCTS, AND ALL CANNABIS DERIVATIVES IN THE CITY OF GUADALUPE, EXCEPT FOR DELIVERIES FOR MEDICAL PURPOSES FROM DISPENSARIES LOCATED OUTSIDE OF THE CITY

The City Council of the City of Guadalupe, State of California, does ordain as follows:

SECTION 1. Chapter 18.74 of the Guadalupe Municipal Code is repealed in its entirety:

SECTION 2. Chapter 9.21 of the Guadalupe Municipal Code is hereby added to read as follows:

CHAPTER 9.21 CANNABIS REGULATIONS

Section 9.21.010. Purpose and Intent.

The purpose and intent of this Chapter is to comprehensively regulate cannabis within the City of Guadalupe, as authorized by State law.

Section 9.21.020. Definitions.

For purposes of this Chapter, the following definitions apply:

- (a) "Cannabis" and "marijuana" mean all parts of the plant *Cannabis sativa* L., *Cannabis Indica*, or *Cannabis Ruderalis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. It does not include "industrial hemp" as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code.
- (b) "Commercial marijuana activity" means the cultivation, harvesting, manufacture, processing, storing, laboratory testing, labeling, transportation, distribution, delivery or sale of marijuana or marijuana products.
- (c) "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.
- (d) "Cultivation site" means any facility or location where cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or that does all or any combination of those activities.
- (e) "Delivery" means the commercial transfer of marijuana or marijuana products to a customer. "Delivery" also includes the use by a retailer of any technology platform owned and controlled by the retailer, or independently licensed, that enables customers to arrange for or facilitate the commercial transfer by a licensed retailer of marijuana or marijuana products.
- (f) "Distribution" means the procurement, sale and transport of marijuana and marijuana products between parties to a transaction.
- (g) "Manufacture" means to compound, blend, extract, infuse or otherwise make or prepare a marijuana product.
- (h) "Marijuana accessories" means any equipment, products or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, smoking, vaporizing or containing marijuana, or

for ingesting, inhaling or otherwise introducing marijuana or marijuana products into the human body.

(i) “Marijuana dispensary” or “dispensary” means a facility or location, whether fixed or mobile, where marijuana or marijuana products are made available for sale, whether for medical purposes or otherwise.

(j) “Marijuana products” means marijuana that has undergone a process whereby the plant material has been transformed into a concentrate, including but not limited to, concentrated cannabis, or an edible or topical product containing marijuana or concentrated cannabis and other ingredients.

(k) “Nursery” means a producer of clones, immature plants, seeds and other agricultural products used specifically for the planting, propagation, and cultivation of marijuana.

(l) “Sell,” “sale” and “to sell” include any transaction whereby, for any consideration, title to marijuana is transferred from one person to another, and includes the delivery of marijuana or marijuana products pursuant to an order placed for the purchase of same and soliciting or receiving an order for same.

(m) “Smoke” and “smoking” means to inhale, exhale, burn, or carry any lighted or heated device or pipe, or any other lighted or heated marijuana or marijuana product intended for inhalation, whether natural or synthetic, in any manner or in any form. “Smoke” and “smoking” includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in a place.

(n) “Testing service” means a laboratory, facility or entity that offers or performs tests of marijuana or marijuana products, including the equipment provided by such laboratory, facility or entity.

Section 9.21.030. Marijuana Dispensaries Prohibited.

Marijuana dispensaries are prohibited in the City. No person shall operate or allow to be operated a marijuana dispensary in or upon any premises in the City.

Section 9.21.040. Commercial Marijuana Activity Prohibited.

Commercial marijuana activities are prohibited in the City. No person shall operate or allow to be operated a commercial marijuana activity in or upon any premises in the City.

Section 9.21.050. Cultivation Prohibited.

Cultivation of marijuana is prohibited in the City, except for cultivation of up to six (6) living plants for personal use as permitted by California Health and Safety Code section 11362(a)(3) and when located within a private residence or inside an accessory structure of a private residence located upon the grounds of a private residence that is fully enclosed and secure on the grounds of a private residence. Outdoor cultivation of marijuana for person use on the grounds of a private residence (e.g., in a garden area) is prohibited. No person shall operate or allow to be operated a cultivation site or nursery in or upon any premises in the City.

Section 9.21.060. Delivery Restricted.

Delivery of marijuana or marijuana products is limited to the delivery for medical purposes to a qualified patient or primary caregiver pursuant to Health and Safety Code Section 11362.5 from dispensaries located outside of the City.

Section 9.21.070. Distribution Prohibited.

The distribution of marijuana or marijuana products is prohibited in the City.

Section 9.21.080. Manufacture Prohibited.

The manufacture of marijuana or marijuana products is prohibited in the City. No person shall manufacture or allow the manufacturing of marijuana or marijuana products in or upon any premises in the City.

Section 9.21.090. Testing Services Prohibited.

The provision of testing services of marijuana or marijuana products is prohibited in the City. No person shall operate or allow testing services of marijuana or marijuana products in or upon any premises in the City.

Section 9.21.100. Smoking Prohibited.

Smoking marijuana and ingesting marijuana products are subject to the regulations contained in California Health and Safety Code section 11362.3.

Section 9.21.110. Public Nuisance.

(a) The operation of a marijuana dispensary, commercial marijuana activities, cultivation sites and nurseries, distribution, provision of testing services, and manufacturing of marijuana and marijuana products from any property, structure or building in the City is declared to be a public nuisance.

(b) In addition to the penalties provided in Section 9.21.140, any violation of this Chapter shall constitute a public nuisance and may be abated by the City by administrative process, or by civil restraining order, preliminary or permanent injunction, or in any manner provided by law for the abatement of a nuisance. All remedies herein are cumulative and non-exclusive.

(c) Any person, including the City, who prevails in an action or proceeding for the abatement of a public nuisance as provided herein shall be entitled to recover attorney's fees and costs incurred in any such action or proceeding.

Section 9.21.120. Confiscation of Marijuana and Marijuana Products.

Any peace officer who issues a criminal citation under this Chapter shall confiscate any marijuana or marijuana products and store them according to law, pending the conclusion of the criminal case.

Section 9.21.130. Suspension or Revocation of Business License.

No person or business holding a City business license and owning or operating a business in the City may use that business to operate a marijuana dispensary, conduct commercial marijuana activities, operate a cultivation site or nursery, distribute, provide testing services or manufacture of marijuana and marijuana products. A violation of this Chapter shall constitute grounds for suspension or revocation of a business.

Section 9.21.140. Penalties.

(a) Failure to comply with this Chapter is a misdemeanor punishable by imprisonment in the County Jail for a period not exceeding six (6) months, or by fine not exceeding \$1,000.00, or by both, provided that where the City Attorney determines that such action would be in the interest of justice, he/she may specify in the accusatory pleading that the offense is an infraction.

(b) Each person committing, causing, or maintaining a violation of this Chapter, or failing to

comply with the requirements set forth herein shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Chapter is committed, continued, maintained, or permitted by such person and shall be punishable accordingly.

Section 9.21.150. Exclusions.

(a) Nothing in this Chapter is intended to prohibit individuals from cultivating not more than six (6) living marijuana plants and possessing the marijuana produced by the plants when in compliance with the restrictions set forth at Health and Safety Code Section 11362.2(a) and when located within a private residence or inside an accessory structure located upon the grounds of a private residence that is fully enclosed and secure.

(b) Nothing in this Chapter is intended to prohibit individuals 21 years of age or older to possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without compensation, not more than 28.5 grams of marijuana and not in the form of concentrated cannabis, as set forth at Health and Safety Code Section 11362.1(a)(1).

(c) Nothing in this Chapter is intended to prohibit individuals 21 years of age or older to possess, process, transport, purchase, obtain or give away to persons 21 years of age or older without any compensation, not more than eight (8) grams of marijuana in the form of concentrated cannabis, including as contained in marijuana products, as set forth at Health & Safety Code Section 11362.1(a)(2).

(d) Nothing in this Chapter is intended to prohibit individuals 21 years of age or older to possess, transport, purchase, obtain, use, manufacture, or give away marijuana accessories to persons 21 years of age or older without compensation, as set forth at Health and Safety Code Section 11362.1(a)(5).

(e) Marijuana and marijuana products involved in any way with conduct deemed lawful by this Section are not contraband and not subject to seizure. No conduct deemed lawful by this Section shall constitute the basis for detention, search or arrest.

Section 9.21.160. Severability.

If any section, subsection, sentence, clause or phrase of this Chapter is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction or preempted by State or Federal legislation, such decision or legislation shall not affect the validity of the remaining provisions of this Chapter.

SECTION 3. This Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the CEQA guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to Section 15601(b)(3) (general rule) of the CEQA Guidelines, because the City Council hereby finds with certainty that there is no possibility the passage of this Ordinance will have a significant effect on the environment.

SECTION 4. If any part or provision of this Chapter, or the application thereof to any person or circumstance, is held invalid, the remainder of the Chapter, including the application of that part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Ordinance are severable.

SECTION 5. This Ordinance shall be in full force and effect thirty (30) days after its passage. Within fifteen days following its passage, the City Clerk shall cause this Ordinance to be published in a newspaper of general circulation in accordance with State Law; or when deemed necessary due to the length or complexity of the Ordinance, cause a summary of the Ordinance to be prepared and

published at least five days prior to the City Council meeting at which the proposed Ordinance is to be adopted. If a summary is published at least five days prior to the City Council meeting at which the proposed Ordinance is to be adopted, then within 15 days after adoption of the Ordinance the City Clerk shall publish a summary of the Ordinance with the names of those City Council Members voting for and against the Ordinance and shall post a certified copy of the full text of such adopted Ordinance along with the names of those City Council Members voting for and against the Ordinance.

SECTION 6. The Chief Deputy City Clerk is hereby authorized to make minor changes herein to address clerical errors, so long as substantial conformance of the intent of this document is maintained. In doing so, the Chief Deputy City Clerk shall consult with the City Manager and City Attorney concerning any changes deemed necessary.

INTRODUCED at a regular meeting of the City Council held on the 13th day of March 2018, and **PASSED AND ADOPTED** at a regular meeting of the City Council held on the 10th day of April 2018, by the following roll call vote:

MOTION: GINA RUBALCABA / ARISTON JULIAN

AYES: 5 Ramirez, Ponce, Lizalde, Rubalcaba, Julian
NOES: 0
ABSENT: 0
ABSTAINED: 0

PASSED AND ADOPTED at a regular meeting of the City Council held this 13th day of February, 2018 on motion of Councilmember _____, seconded by Councilmember _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

John Lizalde, Mayor

Joice Earleen Raguz, City Clerk

APPROVED AS TO FORM

Philip F. Sinco, City Attorney

APPROVED AS TO CONTENT

Cruz Ramos, City Administrator

REPORT TO THE CITY COUNCIL

April 10, 2018



Prepared by:
Larry Appel, Contract City Planner



Approved by:
Cruz Ramos, City Administrator

SUBJECT: Consent item to postpone second reading of Ordinance No. 2018-468, to amend Chapters 18.20, 18.21, 18.24, 18.28, and 18.64 of the Municipal Code limiting the paving of residential rear yards, and continue hearing to May 8, 2018.

EXECUTIVE SUMMARY:

A public hearing and first reading of this ordinance occurred on February 13, 2018. A second and final reading on consent was scheduled for March 13, 2018. Based on public comments received at the first hearing, the City Administrator directed staff to conduct a public workshop to better explain the proposed ordinance and how it would affect various rear yards. During the workshop, held on March 1st from 6:00 p.m. to 8:00 p.m., staff discussed the ordinance, fielded a variety of questions and also offered to meet at several owner's property to specifically analyze their rear yards and determine what the limits of paving would be. Staff has set up appointments to meet with several owners that asked for visits to their property and staff will be reporting on the findings at the May 8th City Council meeting.

Since the urgency ordinance failed to receive four votes at the February hearing, it then expired on the 45th day, February 23rd. Since that time, staff has been compelled to approve all requests for rear yard paving even though many of them included 100% impervious pavement. This is contrary to the reasons why the ordinance was recommended in the first place. It will not be possible to deny rear yard paving greater than 40 percent until thirty days after the ordinance has its second reading.

RECOMMENDATION:

It is recommended that the City Council:

- 1) Continue Zoning Ordinance No. 2018-468 to the meeting of May 8, 2018 on the regular agenda for second reading and consideration of adoption.

AGENDA ITEM NO. 6j

REPORT TO THE CITY COUNCIL OF THE CITY OF GUADALUPE
Agenda of April 10, 2018

151
Prepared by:
Amelia M. Villegas, HR

Cruz Ramos
Approved by:
Cruz Ramos, City Administrator

SUBJECT: Chief of Police – Recruitment Update

BACKGROUND: At the March 13, 2018 City Council meeting, direction was given to City staff to begin the recruitment process to fill the vacancy by the announced retirement of Gary Hoving, Director of Public Safety.

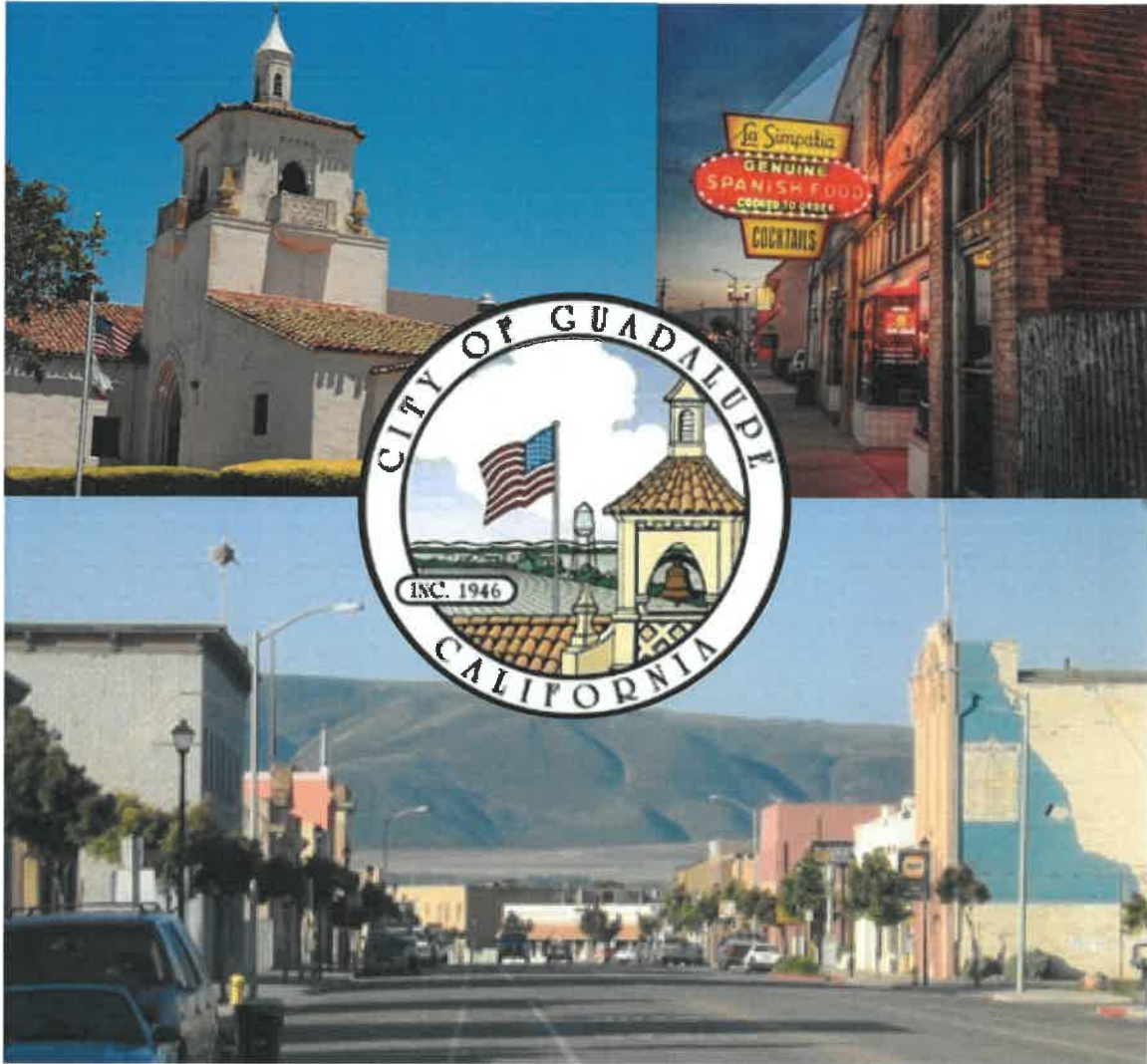
Staff developed the attached draft flyer with narratives on the City, the skill set and qualifications needed for the ideal candidate and the compensation and benefits package for the Chief of Police position. (A salary survey will be completed shortly.) In addition to the City's website, the final flyer with salary information will be posted for a 30-day period on the following online sites:

- California Chiefs Association
- League of Cities – Western Magazine
- Craigslist (No Cal, SF/Bay Area and So Cal, LA Area)
- Municipal Management Association of Southern California
- Municipal Management Association of Northern California
- Facebook (various)
- California Cities News

The flyer will also be sent to a variety of cities, police departments and sheriffs' departments throughout the state.

RECOMMENDATION: That the City Council approve City staff's recruitment process and/or provide additional direction.

The City of Guadalupe, California



CHIEF OF POLICE



THE COMMUNITY

Located in the northern end of the fertile Santa Maria Valley, the City of Guadalupe along scenic Highway 1 is known for its small town charm. Guadalupe is also known as the home of Guadalupe Dunes Beach, a short 4 miles inland from the Pacific Ocean where a beautiful, extraordinary and unique nature preserve is found. Featuring towering 550 foot high dunes-the tallest on the west coast, it is a great place to surf, fish, hike, take photos, view wildlife, and simply enjoy nature. The Preserve is also the location used in the 1923 film, *The Ten Commandments*, by Cecil B. DeMille.

This friendly community of 7,400 residents in northern Santa Barbara County is accessible 10 miles from the east by US Highway 101, a regional highway linking California's coastal cities of Santa Luis Obispo 25 miles to the north, Santa Maria, 8 miles to the east, and Pismo Beach, 15 miles to the north. For those that favor train travel, Amtrak is located in Guadalupe on Highway 1.

What makes the City of Guadalupe a great place to work, play and raise a family, is exceptional city leadership, quality affordable housing, a low crime rate and easy access to major transportation corridors all within 1.4 square miles in an agricultural region of statewide and national importance.

CITY GOVERNMENT AND THE DEPARTMENT

Guadalupe is a general law city, incorporated in 1946, operating under a council-administrator form of government. Four of the five-person council are elected at-large to four-year terms on an overlapping basis with the Mayor serving a two-year term, with the Mayor Pro Tem appointed by the Mayor each election year.

Guadalupe is a full service city that operates with a total budget of \$10.4M (FY 2017-18), under the leadership of a city administrator appointed by the city council. It provides general administrative, community and economic development, police, fire, water, and wastewater. Several functions including City Attorney, Engineering and City Planning/Building Inspection are contracted. The City's dedicated and tenured workforce consists of 32 staff. The Police Department consists of 12 FTEs including the Chief, and two civilian staff members. Police dispatch services are provided by the County Sheriff's office. Fire Department has 3 captains and 12 paid-call firefighters. The new Chief may also function as Director of Public Safety, having administrative oversight of the Fire Department.



THE POSITION AND THE IDEAL CANDIDATE

The Chief of Police plays a strong leadership role within City government. The ideal candidate will possess a broad base of law enforcement experience. The preferred skill set will include technical expertise in patrol operations, investigations, emergency actions, current in the latest tactical and technological advances and highly motivated. Additionally, the Chief of Police must have outstanding communication skills to reach all levels of society through verbal and written formats.

The Police Department enjoys a strong community support through relationships in all sectors of the community. Maintaining and enhancing community relationships will be a priority for the new Chief.

Strong fiscal integrity and innovative practice will be critical for the new Chief in order to maintain the stability of the City. Those abilities will be enhanced through creative management of resources, enhanced revenue generation and grant writing capabilities.

It is expected that the Chief of Police would foster relationships with other law enforcement community and outside government services utilizing best-practices of the business of government.

An awareness of emerging trends impacting the community is critical. The range of potential risks could include an increase in drug abuse, mental illness response, juvenile crime or other issues affecting the quality of life in Guadalupe.

A management style that promotes the professional growth of staff is another essential trait. A nurturing and progressive working environment has proven effective and should continue to be enhanced.

The successful candidate will have a combination of education and experience that includes 10 plus years of experience in law enforcement services, including at least four years in a management position. A BS/BA in Administration of Justice or a related field and a POST Management Certificate or the ability to secure one within a year of hire.



COMPENSATION AND BENEFITS

The City of Guadalupe offers an attractive and competitive salary and benefits package. The current salary range for this position is \$ _____ annually, DOQ. The employee benefits package includes:

- Retirement: CalPERS 2%@55 (Classic members). The City pays a portion of the employee's contribution. (Note: PEPRA members are subject to a different retirement formula with a required contribution paid by the employee)
- Medical: PPO coverage through Anthem Blue Cross. HMO coverage through Blue Shield of CA. The City pays premium if coverage is only for employee. There is cost sharing for coverage of Employee + dependents.
- Dental and Vision: There is cost sharing for both dental and vision (City 75%/Employee 25%)
- Life/AD&D Insurance: City paid term life/AD&D insurance in the amount of \$50,000
- Vacation: Accrual rate from 10 days to 20 days per year
- Sick Leave: 12 days per year
- Holidays: 11 paid holidays per year, including two floating holidays
- Administrative Leave 80 hours per year
- Uniform Allowance: \$800 per year; Uniform Maintenance: \$23 per pay period
- City Vehicle: Police command vehicle provided
- Voluntary deferred compensation (457 Plan), Employee Assistance Program, and Credit Unit are also offered
- The City participates in Social Security and Medicare programs


The Process

If you are interested in pursuing this unique and exceptional career opportunity, please go to our website at www.ci.guadalupe.ca.us and download our employment application. Please submit your completed application, letter of interest, resume, and a list of 5 work-related references to Amelia Villegas at City of Guadalupe, P.O. Box 908, Guadalupe, CA 93434. For additional questions regarding this position, please contact Amelia Villegas at (805) 356-3893 or by email: villegas@ci.guadalupe.ca.us

The final filing date for this position is May 11, 2018, by 5:00 p.m.

EOE

REPORT TO THE CITY COUNCIL**April 10, 2018**



PREPARED BY:
PHILIP F. SINCO, CITY ATTORNEY



APPROVED BY:
CRUZ RAMOS, CITY ADMINISTRATOR

**SUBJECT: RECONVEYANCE BY QUIT CLAIM DEED OF LOT 7 OF PASADERA
FINAL MAP FOR SCHOOL SITE**

EXECUTIVE SUMMARY:

The City Council approved a purchase and sale agreement with the Guadalupe Union School District (“District”) for a 5.1 acre parcel (identified as Lot 8 on final map for the Pasadera project (“FM 29060”) at its meeting on April 28, 2015. The staff report and resolution for this item clearly indicated that a 12.5 acre parcel (identified as Lot 7 on FM 29060) was to be transferred to the District from the Pasadera developer by a separate agreement.

However, previously, there was a mistake on FM 29060 that was approved by the City Council on April 8, 2014. On FM 29060, Lot 7 and Lot 8 were offered for dedication in fee by the Pasadera developer to the City of Guadalupe “for school and park purposes, respectively.” At that time, the Council rejected the dedications but reserved the right to accept them at a future date. The offer of dedication of Lot 7 to the City was a mistake by the project applicant. Lot 7 was supposed to be designated as a school site but was not supposed to be offered in dedication to the City.

The Pasadera developer and the District are currently in escrow to transfer Lot 7 to the District, but because Lot 7 was offered in dedication to the City on FM 29060 and, even though the City rejected the dedication, it reserved the right to accept the dedication at a later time, the City needs to execute a quitclaim deed to terminate its right to accept the dedication at a later time so the developer can transfer the property to the District. In order to accomplish this, staff is asking the City Council to authorize the City Administrator to execute a quitclaim deed on behalf of the City.

RECOMMENDATION:

That the City Council adopt Resolution No. 2018-14 authorizing the City Administrator to execute a quitclaim deed with respect to Lot 7 of FM 29060 in favor of the Guadalupe Union School District so the property can be transferred to the District.

BACKGROUND:

FM 29060 for the Pasadera development was approved by the City Council on April 8, 2014, and the final map clearly stated that Lot 7 and Lot 8 were offered for dedication in fee to the City of Guadalupe “for school and park purposes, respectively.” The City Council rejected both of these dedications but reserved the right to accept the dedications a later time. This is standard practice when a local jurisdiction approves a final map. Since dedications of land to a local jurisdiction may be rejected with the right to accept them at a later time, local jurisdictions typically reject them (and the required maintenance responsibilities) until such time as it is appropriate and beneficial for the dedications to be accepted. As an example, it makes little sense for a local jurisdiction to accept dedications for roads until the roads have been constructed by the developer.

DISCUSSION:

Lot 7 was offered for dedication to the City by mistake. (See Attachment No. 1 hereto). Staff agrees that, at the time FM 20960 was approved by the City Council, Lot 7 was intended to be a school site for the District, and Lot 8 was intended to be dedicated to the City for park purposes (and sold to the District in lieu of Quimby fees and that a joint use agreement would be entered into concerning the property). This is clearly evident from the staff report and resolution from the April 28, 2015, City Council meeting at which the Council approved the purchase and sale agreement for the 5.1 acre parcel (Lot 8) that is to be sold to the District. The staff report and resolution as well as the purchase and sale agreement all clearly indicate that the 12.5 acre parcel (Lot 7) is to be transferred to the District in a separate transaction.

Since the City has already rejected the offer of dedication of Lot 7, the City may execute a quitclaim deed which will have the effect of terminating the City’s power to accept the rejected dedication of Lot 7 at a later time. The quitclaim deed proposed to be executed by the City Administrator is attached hereto as Attachment No. 2.

CONCLUSION

Staff recommends that the City Council adopt Resolution No. 2018-14 authorizing the City Administrator to execute a quitclaim deed of Lot 7 on behalf of the City.

ATTACHMENTS:

- 1) Letter from Fargen Surveys, Inc., dated April 4, 2018
- 2) Quitclaim Deed
- 3) Resolution No. 2018-14 entitled "A Resolution of the City Council of the City of Guadalupe, California, Authorizing the City Administrator to Execute a Quitclaim Deed in Favor of the Guadalupe Union School District as to Lot 7 of FM 29060."



April 4, 2018

City of Guadalupe
918 Obispo Street
Guadalupe, CA 93434

Subject: Tract 29,060 Pasadera

It has come to my attention that we have an error in the owner's Statement on the Final Tract Map for Pasadera Tract 29,060 as recorded in Book 206 of Maps at page 9 Santa Barbara County Records.

The owners statement reads in part "We also hereby offer to dedicate lots 7 and 8, in fee to the City of Guadalupe". Lot 7 should have been to the Guadalupe Union School District for school purposes, not the City of Guadalupe.

Sincerely,

Kenny L. Fargen, PLS



**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

Guadalupe Union School District
Attn: Superintendent
4465 9th Street
Guadalupe, CA 93434

APN: 113-450-007

(Space Above for Recorder's Use)

The undersigned grantor(s) declare(s): This document is being recorded for the benefit of
This conveyance is exempt from the payment of a the GUADALUPE UNION SCHOOL DISTRICT
documentary transfer tax pursuant to Revenue and and is exempt from the payment of a recordation
Taxation Code Section 11922. fee pursuant to Government Code Section 6103.

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, CITY OF GUADALUPE, a municipal corporation, hereby remises, releases and forever quit-claims unto GUADALUPE UNION SCHOOL DISTRICT, a public school district duly organized and existing under Chapter 1 of Division 3 of Title 2 of the Education Code of the State of California, all the right, title, interest and claim that CITY OF GUADALUPE has or may have, whatsoever, in and to that certain real property located in the City of Guadalupe, County of Santa Barbara, State of California, along with all improvements thereon, as described in the legal description attached hereto as Exhibit "A," incorporated herein by this reference.

Dated: _____

CITY OF GUADALUPE

Name:
Title:

Attest:

Name
Title:

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Seal)

EXHIBIT "A"

LEGAL DESCRIPTION

Real property in the City of Guadalupe, County of Santa Barbara, State of California, described as follows:

LOT 7 OF TRACT NO. 29,060, IN THE CITY OF GUADALUPE, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS PER MAP FILED ON MAY 09, 2014 IN BOOK 206 OF MAPS, PAGES 9 THROUGH 15 INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 113-450-007 (Lot 7)

RESOLUTION NO. 2018-14

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUADALUPE,
CALIFORNIA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A
QUITCLAIM DEED IN FAVOR OF THE GUADALUPE UNION SCHOOL DISTRICT
AS TO LOT 7 OF FM 29060**

WHEREAS, the final map (“FM 29060”) for the Pasadera development was approved by the City Council on April 8, 2014; and

WHEREAS, Lot 7 and Lot 8 of FM 29060 were offered for dedication in fee to the City of Guadalupe for “school and park purposes, respectively” when the final map was approved by the City Council on April 8, 2014; and

WHEREAS, at that time, the Council rejected the dedications but reserved the right to accept them at a future date; and,

WHEREAS, on April 28, 2015, the City Council approved a purchase and sale agreement with the Guadalupe Union School District (“District”) for a 5.1 acre parcel (identified as Lot 8 on FM 29060); and

WHEREAS, the staff report and resolution for this item clearly indicated that a 12.5 acre parcel (identified as Lot 7 on FM 29060) was to be transferred to the District from the Pasadera developer by a separate agreement; and,

WHEREAS, the Pasadera developer recently informed the City that the offer of dedication in fee of Lot 7 to the City on FM 29060 was a mistake and should not have been offered in dedication to the City since Lot 7 was intended to be a school site; and

WHEREAS, the Pasadera developer and the District are currently in escrow to sell Lot 7 to the District, but because Lot 7 was dedicated in fee to the City on FM 29060, the City needs to execute a quitclaim deed in favor of the District so the District can acquire title to the property.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Guadalupe as follows:

SECTION 1. That the foregoing recitals are true and correct; and,

SECTION 2. The City Administrator is authorized to execute a quitclaim deed in favor of Guadalupe Union School District as to Lot 7 of FM 29060.

SECTION 3. The City Clerk shall certify to the passage and adoption of the Resolution, and the minutes of this meeting shall so reflect the City Council’s action.

PASSED, APPROVED AND ADOPTED at a regular meeting the 10th day of April 2018 by the following vote:

- Motion:**
- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

I, **Joice Earleen Raguz, City Clerk of the City of Guadalupe** DO HEREBY CERTIFY that the foregoing Resolution, being C.C. Resolution No. 2018-14, has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the City Council, held October 10, 2017, and that same was approved and adopted.

ATTEST:

Joice Earleen Raguz, City Clerk

John Lizalde, Mayor

APPROVED AS TO FORM:

PHILIP F. SINCO, City Attorney

**INFORMATIONAL
REPORT TO CITY COUNCIL
Council Agenda of 4/10/18**



Richard Jamar, PW Director

SUBJECT

DPW has examined and considered a sanitary sewer connection for a proposed apartment complex located on 11th Street.

DISCUSSION

The Department of Public Works (DPW) is processing an application for an apartment development at the City limits adjacent to agriculture fields. The current structure is connected to City water but lacks City sewer service to the lower approximately 5 parcels on 11th Street.

Sewer access difficulties caused by the downslope location of these parcels require pumping uphill to a shallow manhole on 11th Street (150 ft west of Guadalupe Street/HWY 1). Currently, The Little House at the Park/Head Start and the Boys and Girls Club all pump uphill. City DPW is concerned that any further force-main (pumped) connections into the shallow manhole will result in surcharging the manhole, and that could lead to sewage spills that will drain into farmland via the storm drain system.

CONSIDERATIONS

DPW considered two options for the remaining two underdeveloped parcels: a) install a private lift stations and through a force-main, pump uphill to the sewer main located in Guadalupe Street (HWY 1), or b) install a gravity sewer from the future Pioneer St./11th St. intersection, south to the existing manhole at Pioneer St. & 9th St.

A) Force Main Option: install private lift stations and through a force-main, pump uphill to the sewer main located in Guadalupe Street (HWY 1), the force main concept to HWY 1 presents a number of obstacles for the City, and it presents a duplicate set within the state highway right-of-way (ROW). A primary concern is who owns (and is responsible for) the small force main lines that are routed within the City ROW? Likewise, the same question exists within the state ROW. Typically state DOT's do not permit private utilities to exist within their ROW's. Cities typically do not either, but at some time in the past the three buildings were allowed to do this.

B) Gravity Sewer Main Option: install a gravity sewer from the future Pioneer Street to 11th Street intersection, south to the existing manhole at Pioneer St. & 9th St. The gravity main option is a standard installation throughout the City. Preliminary engineering shows that a gravity solution is possible along the future Pioneer St. alignment.

Other Considerations

- a) The property owner west of the city limits is apparently willing to grant the City an easement to access and maintain the proposed sewer main.
- b) A new gravity sewer main could be the beginnings of the long-discussed Pioneer Street bypass around the CBD.
- c) Further, should the farmland west of future Pioneer St. consider annexation, there appears to be area for the City to expand without encroaching on Coastal Commission boundaries.
- d) Lastly, the three existing buildings can eventually utilize a gravity connection and can abandon their 'private utilities' within the City ROW.

CONCLUSION

DPW considered several options and concludes it's in the long term best interest of the City to pursue the gravity sewer main option of a sanitary sewer infrastructure from an existing manhole at Pioneer Street and 9th street to be aligned along with Pioneer Street to the east end of 11th street terminating nearby Leroy Park for the apartment complex proposed at 4630 11th Street.

FISCAL IMPACT

None apparent.

ATTACHMENTS

Gravity Sewer exhibit.

Future Manhole

11 th. Street

Lot 2
L.L.A.

Proposed sewer

Proposed sewer easement

400'

Street



Scale 1"=100'

10 th. Street

Pioneer Street

400'

Guadalupe

Existing Manhole

9 th. Street

**INFORMATIONAL
REPORT TO CITY COUNCIL
Council Agenda of 4/10/18**


Richard Jamar, PW Director

SUBJECT

Amtrak Station coordination, funding, and facility review meeting with Santa Barbara County Association of Governments (SBCAG). SBCAG is our regional designee in the San Luis Obispo to San Diego (SLO-SAN) group (a 9-member administrative body of Amtrak Surfliner – San Luis Obispo to San Diego)

DISCUSSION

Recent discussions about the condition and challenges of the Guadalupe Amtrak Station lead to meeting with Scott Spaulding of SBCAG. Discussion focused on the current organizational structure, station ownership, Guadalupe's concerns, potential mitigation measures, and historical expenditures and future funding opportunities.

CalRail is the state-level organization responsible for public rail service. It manages the regional group of which SLO-SAN is a member. SLO-SAN represents the nine (9) local/ metropolitan areas between the Central Coast and San Diego. OCTA (Orange County Transportation Authority) has been designated to administer funds for the SLOSAN section of railway.

The question of ownership came up and who owns the station. There was no clear ownership information available at the meeting, but SBCAG has seen ownership handled in two ways, as Amtrak's ownership or as City-owned stations.

The City brought up the interior condition, homeless occupants, restrooms, historical clock relocation, and bird intrusion. Further, the City requested a summary of historical station spending from the state supplied maintenance funds.

Mitigation measures discussed:

- Comfort and cleanliness:
 - Enclose the facility to prevent birds and wind-blown debris.
 - Lock at night to prevent homeless occupants.
 - Posting of signs indicating facilities are only for ticketed passengers.
 - City to provide greater patrol frequency.
 - Possible locking the enclosure.
 - Consider adding a pre-fab restroom for passenger comfort, however also leads to homeless or vandalism opportunity.

City Maintenance- DPW maintenance includes trash removal, tree trimming, and lighting. Recently the City replaced broken or inefficient sign lights with high-efficiency LED lighting.

Action Items

- SBCAG and City to research ownership, including any MOU's or other relationship information.
- SBCAG to provide funding background and current opportunities.
- Develop strategy to improve conditions and identify funding sources.

FISCAL IMPACT


Unknown

ATTACHMENTS

None

REPORT TO THE CITY COUNCIL
April 10, 2018


Prepared by:
Larry Appel, Contract City Planner


Approved by:
Cruz Ramos, City Administrator

SUBJECT:

Public Hearing to consider approval of a new waste water treatment and reclamation facility at the APIO processing plant, (2017-124-DR), located at 4575 W. Main Street, APN 115-210-023.

EXECUTIVE SUMMARY:

The APIO cooler facility processes a wide range of bulk vegetables and processed platters and bagged vegetables from the surrounding Santa Maria Valley. Each year, APIO uses approximately 130 million gallons of water for all functions onsite. The new treatment facility will allow APIO to recycle 85 percent, resulting in reduced water consumption. The facility will be comprised of a 6,000 square foot water processing/treatment facility along with several large water tanks and additional tanks for the storage of chemicals necessary to treat the water before it is ultimately released to the waste water treatment plant. A General Rule Exemption was prepared for the project in accordance with State CEQA Guidelines.

RECOMMENDATION:

It is recommended that the City Council:

- 1) Receive a presentation from staff;
- 2) Conduct a public hearing, including: a) an opportunity for the applicant to present the proposed project, and b) receive any comments from the public; and
- 3) Adopt Resolution No. 2018-11 approving the APIO waste water treatment and reclamation facility project (2017-124-DR)

BACKGROUND:

An application was submitted to the City on September 18, 2017 and was deemed complete for processing on March 15, 2018. The application was updated on March 27,

2018 to modify the project description to include processed water for vegetable washing in addition to the wash down of the facility. Prior to the new facility being constructed and brought online, water was only used once and then released to the waste water treatment plant. Once the facility is operating, it is anticipated that water released to the City's treatment plant will not negatively impact the digesters or any other element of the plant.

DISCUSSION:

Project Description

The treatment facility is proposed for a vacant portion of the APIO facility, adjacent to existing buildings. The 19,832 square foot parcel is of sufficient size to accommodate the proposed use and does not impact surrounding uses. The description is as follows:

- 1) Construct a new waste water treatment and reclamation facility to treat and recycle process water from vegetable cleaning and processing. Recycled water will be used for wash down of the processing plant, and cleaning. Recycled water will be used for washing of vegetables.
- 2) Components: The primary construction involves a 6,000 square foot metal building with an eve height of 23'-6" and a maximum height at the ridge of 26'.
- 3) The equipment yard will contain two 60,000 gallon water tanks and three 5,000 gallon tanks to hold a variety of chemical agents needed for the processing and recycling of waste water. The two largest tanks would have a height of 32 feet. Two smaller 300 gallon tanks (totes) would also be used to store chemicals.
- 4) No new parking is proposed and no increase in employees would be required.

General Plan and Zoning

The project has the proper land use and zoning designations for this industrial use. A review of the Design Review Findings (Sec.18.073.100) shows that the project, as designed, is consistent with Findings A-E. The project is also consistent with applicable goals and policies of the General Plan.

CEQA Review

The project was evaluated by staff to determine if the proposed treatment facility and its components had the potential to cause a potentially significant impact. The project has been found to be exempt from CEQA based on the General Rule Exemption (CEQA Sec. 15061(B)(3)).

PUBLIC NOTICE:

Staff published the required Public Hearing Notice in a newspaper of general circulation on March 31, 2018. Copies of the Public Hearing Notice were also mailed to property owners and occupants within a 300-foot radius of the subject property.

CONCLUSION:

Staff has evaluated the project in light of the required Findings of the Design Review section of the Zoning Ordinance, and reviewed the policies of the General Plan. The project is found to be consistent in all areas. Further, the required findings of fact are supported by substantial evidence in the record. The staff recommendations are summarized below.

1. Adopt City Council Resolution No. 2018-11, approving the Design Review for the APIO Waste Water Treatment and Reclamation Facility 2017-124-DR, in accordance with the requisite Findings set forth in Exhibit 2 and subject to the project's conditions of approval set forth in Exhibit 3.

ATTACHMENTS:

1. Resolution No. 2018-11, including CEQA General Rule Exemption (Exhibit 1), Approval Findings (Exhibit 2), and Conditions of Approval (Exhibit 3)
2. Site Plans

RESOLUTION NO. 2018-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUADALUPE, CALIFORNIA, APPROVING THE DESIGN REVIEW PERMIT FOR THE APIO WASTE WATER TREATMENT AND RECLAMATION FACILITY- (2017-124-DR)

WHEREAS, APIO Inc. (the "Applicant") has submitted applications to the City of Guadalupe for approval and construction of a waste water treatment and reclamation facility consisting of a 6,000 square foot metal building, two 60,000 gallon water storage tanks, and three 5,000 gallon tanks for chemicals need for processing. The new facility is located in the heart of the existing APIO facility on an approximately 0.45-acre site at 4575 West Main Street within the City of Guadalupe (APN 115-210-023); and

WHEREAS, the facility has been in operation for many years and has seen numerous expansions, the last being in 2015 for a 24,000 square foot cooler expansion (2013-015-DR); and

WHEREAS, the current City Council held a duly-noticed public hearing on April 10, 2018, at which all interested persons were given the opportunity to be heard, and notice of said hearing was published in the Santa Maria Times at least 10 days prior to the public hearing. Said public hearing notice was also mailed to all residents and property owners within 300 feet of said property; and

WHEREAS, after taking public testimony and hearing evidence from City staff, the City Council finds, pursuant to the Findings attached to this resolution as Exhibit 2 and subject to the project's Conditions of Approval attached to this resolution as Exhibit 3, that the approval of the Design Review Permit, is consistent with the City's General Plan and applicable Articles of the City's Municipal Code; and

WHEREAS, the City Council has considered the entire administrative record, including application materials, staff report, the California Environmental Quality Act determination, and oral and written testimony from interested persons; and

WHEREAS, the City Council finds that after completely reviewing this project, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore the activity is not subject to CEQA per CEQA Section 15061(B)(3), Exhibit 1; and

WHEREAS, the City Council finds that approval of the Design Review Permit is consistent with the City's General Plan, the provisions of Title 18 (Zoning Code) of the Guadalupe Municipal Code; and the ability to make the required Findings, including Findings pursuant to the California Environmental Quality Act; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Guadalupe does hereby find and determine as follows:

- Section 1. The Findings set forth in Exhibit 2 to this Resolution are true and correct in regards to the Design Review Permit, which are hereby adopted and incorporated herein by this reference.
- Section 2. After completely reviewing this waste water treatment and reclamation facility project, it can be seen with certainty that there is no possibility that the activity in

question may have a significant effect on the environment, and therefore the activity is not subject to CEQA per CEQA Section 15061(B)(3).

Section 3. The Design Review Permit is approved, subject to the Conditions of Approval set forth in Exhibit 3 of this Resolution.

Section 4. The City Council Secretary shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 10th day of April 2018 on motion of Councilmember , seconded by Councilmember , and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF GUADALUPE

BY: _____
John Lizalde, Mayor

ATTEST:

AS TO FORM:

Joice E. Raguz, City Clerk

Philip F. Sinco, City Attorney

Attachments:

- 1 - CEQA General Rule Exemption
- 2 - Findings
- 3 - Conditions of Approval

To: County Clerk
County of Santa Barbara
123 E. Anapamu Street
Santa Barbara, CA 93101

From: City of Guadalupe
819 Obispo Street
Guadalupe, CA 93434

Project Title: APIO Waste Water Treatment and Recycling Facility

Project Applicant: Sparky Locke, VP Ops, APIO, Inc.

Project Location-Specific: 4575 West Main Street

Project Location-City: Guadalupe

Project Location-County: Santa Barbara County

Description of Nature, Purpose, and Beneficiaries of Project:

- 1) Construct a new waste water treatment and reclamation facility to treat and recycle process water from vegetable cleaning and processing. Recycled water will be used for wash down of the processing plant, and cleaning. Recycled water will be used for washing of vegetables.
- 2) Components: The primary construction involves a 6,000 square foot metal building with an eve height of 23'-6" and a maximum height at the ridge of 26'.
- 3) The equipment yard will contain two 60,000 gallon water tanks and three 5,000 gallon tanks to hold a variety of chemical agents needed for the processing and recycling of waste water. The two largest tanks would have a height of 32 feet. Two smaller 300 gallon tanks (totes) would also be used to store chemicals.
- 4) No new parking is proposed and no increase in employees would be required.

Name of Public Agency Approving Project: Guadalupe City Council

Name of Person or Agency Carrying Out Project: Sparky Locke, VP Ops, APIO, Inc

Exempt Status: (check one)

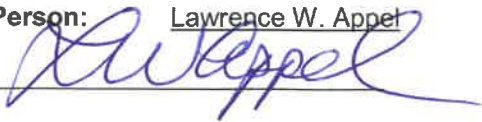
- Ministerial (Sec. 15268);
- Declared Emergency (Sec. 15269(a));
- Emergency Project (Sec. 15269(b)(c));
- Categorical Exemption. State type and section number:
- XX** General Exemption (Section 15061(b)(3))

Reasons why project is exempt:

The water treatment facility has been designed to actually improve water quality as it is used at the process facility and ultimately as it is released to go through the City's waste water treatment facility. While certain chemicals (necessary for treatment) are proposed to be stored on site, staff has determined that given the cement block containment wall surrounding the chemical tanks, that if a leak were to occur, it would be easily contained prior to professional clean up. Further, APIO is under control of the California Environmental Protection Agency, Unified Program, through the California Environmental Reporting System CERS ID 1208431. They are also monitored under EPA ID Number CAL 000033907. The proposed 6,000 square foot building is surrounded on all sides by existing industrial development so there would be no aesthetic issues with the surrounding properties. After reviewing this project completely, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore the activity is not subject to CEQA.

Contact Person: Lawrence W. Appel

(Area Code) Phone Number/Ext: (805) 598-8385

Signature: 

Title: Contract City Planner

Date received for filing at County Clerk's Office: _____

EXHIBIT 2, FINDINGS FOR APPROVAL

DESIGN REVIEW PERMIT APIO WASTE WATER TREATMENT AND RECLAMATION FACILITY 2017-124-DR

1.0 CEQA Findings

1.1 CONSIDERATION OF THE NEGATIVE DECLARATION AND FULL DISCLOSURE

The City Council has considered the General Rule Exemption together with the comments received and considered during the public review process for the project. The General Rule Exemption has been completed in compliance with CEQA, and is adequate for this proposal.

1.2 FINDING OF NO SIGNIFICANT EFFECT

On the basis of the whole record, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore the activity is not subject to CEQA.

1.3 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the City of Guadalupe, 918 Obispo Street, Guadalupe, CA 93434.

2.0 Administrative Findings

2.1 DESIGN REVIEW FINDINGS

Pursuant to City of Guadalupe Municipal Code, Section 18.73.100, a Design Review Permit shall be approved only if all of the following findings can be made:

- A. *The buildings, structures, and landscaping are appropriate and of good design in relation to other buildings, structures, and landscaping on-site or in the immediate vicinity of the project.*

The proposed 6,000 square foot building and storage tanks are well designed and will be located within an interior portion of the existing sprawling cooler/processing complex. Structures will be painted the same colors as the existing buildings. No additional landscaping is required as the new facility is not visible from surrounding properties.

- B. *That the development will be compatible with the neighborhood, and its size, bulk and scale will be appropriate to the site and the neighborhood.*

The "neighborhood" consists of a sprawling cooler/processing complex. The relatively small 6,000 square foot building and associated tanks are minor in size and scale to the existing facility and therefore are appropriate to the site and the neighborhood.

- C. *There is harmony of material, color, and composition of all sides of a structure or buildings as well as consistency and unity of composition and treatment of exterior elevation.*

The proposed building and tanks will be painted the same color as the existing buildings on the property which will provide consistency and unity of composition and exterior treatment.

- D. *Any mechanical or electrical equipment is well integrated into the total design concept and screened from public view to the maximum extent practicable.*

No roof equipment will be installed as a result of this new construction, so no screening is required.

- E. *All visible on-site utility services are appropriate in size and location.*

Utility services are already established onsite. The new building and tanks will be connected underground to other buildings depending on the specific need so there will be no visible onsite utilities.

**EXHIBIT 3
APIO WASTE WATER TREATMENT AND RECLAMATION
2017-124-DR
CONDITIONS OF APPROVAL**

GENERAL CONDITIONS

1. Subject to the conditions set forth below, this permit authorizes the improvements and uses requested by Case No. 2017-124-DR and shown in the project plans on file with the City of Guadalupe. Any deviations from the project description in the staff report, exhibits or conditions must be reviewed and approved by the City of Guadalupe for conformity with this approval. Deviations may require changes to the permit to be approved and/or further environmental review. Deviations without the above-described approval will constitute a violation of the permit approval.
2. Approval of this Design Review Permit is not valid until the property owner or authorized agent signs this list of conditions agreeing to the terms and Conditions of Approval.
3. The Applicant agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Applicants expense, City and City's agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of this permit or to determine the reasonableness, legality or validity of any condition attach hereto. City shall promptly notify Applicant of any such claim, action or proceeding to which City receives notice, and city will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Applicant of the obligation of this condition. Applicant's acceptance of this permit approval or commencement of construction or operations under the approval shall be deemed to be acceptance of all conditions of approval.
4. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threaten to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
5. In accordance with Section 18.73.120 of the City Municipal Code, this Design Review Permit approval shall expire two (2) years from the date of final approval, unless a building permit for the proposed improvements has been obtained.

PUBLIC WORKS DEPARTMENT CONDITIONS

6. The applicant shall comply with all requirements of the Guadalupe Public Works Department, including but not limited to encroachment permits for any construction within the City's public right-of-way and all current National Pollution Discharge Elimination System (NPDES) requirements to limit discharge of storm water during construction.

CITY ENGINEER CONDITIONS

7. The following conditions shall be completed to the satisfaction of the City Engineer prior to issuance of certificate of occupancy for the project, unless otherwise stated herein or as agreed by the City Engineer.
8. All engineering submittals prepared by the applicant's engineer shall be signed and sealed by a California licensed civil engineer.
9. All public improvements shall be constructed in accordance with the City of Santa Maria Standard Specifications and Drawings, or as directed by the City Engineer. The public improvements shall be approved by the City Engineer prior to construction.
10. The Storm Water Prevention Plan shall be reviewed and approved by the City Planner prior to submittal to the City Engineer.
11. The project shall comply with all Municipal Separate Storm Sewer System (MS4) requirements. Low impact development, best management practices and similar regulations and guidelines shall be met. The design shall be in compliance with The Santa Barbara County Post Construction Requirements, Stormwater Technical Guide, and all future updates.
12. The developer shall submit a drainage study prepared by a registered civil engineer addressing pre and post-development storm water run-off. The analysis shall consider the build out of the site and include storm water storage volumes and treatment measures. Post-development storm water management shall be addressed and shall be consistent with the State and County requirements.
13. Prior to construction the developer shall provide a copy of a preliminary Title Report, no more than 6 months old to the City Engineer.
14. A geotechnical report shall be submitted with the grading and drainage plans.

PLANNING DEPARTMENT CONDITIONS

15. The applicant shall notify City Planning Department and City Building Department staff of the start date for construction at least 5 working days in advance of the start of work. This notification shall also include an estimated construction schedule and a truck haul route for demolished and recycled materials. The applicant shall also notify such City staff of the completion of construction and demolition work no more than one working day upon completion.
16. Excess construction materials and demolition materials shall be recycled to the extent feasible and proof of recycling in the form of a receipt from the recycling facility noting recycled materials and amounts shall be provided to City staff.
17. The Applicant shall be required to paint all buildings and tanks to match the existing colors of the facility.
18. Prior to issuance of the building permit, all conditions of approval shall be printed in their entirety on applicable pages of final construction plans submitted to the City.
19. Prior to Zoning Clearance, the applicant shall pay all applicable permit processing fees in full.

FIRE DEPARTMENT CONDITIONS

20. Any hazardous materials or spills encountered during the process of demolition shall be handled in accordance with all applicable state and federal regulations and disposed of at an appropriately designed hazardous materials site in accordance with existing regulations. Staff from the Santa Barbara County Fire Department's Hazardous Materials Unit (HMU) and City Fire Department staff shall be notified in the event of any such encounter of hazardous materials.

21. Prior to issuance of a building permit, the applicant shall contact staff from the Santa Barbara County Fire Department's Hazardous Materials Unit (HMU) to determine if a Hazardous Materials Business Plan is required for any equipment or components for the facility. If such a plan is required, the applicant shall prepare and submit the plan to County HMU staff for review and approval. The applicant shall submit documentation of compliance with this requirement to City Fire Department staff.

Applicant's Consent to Abide by the above Conditions of Approval

Signature _____ Date _____

Printed Name _____ Title _____

PREPARED BY:
 WILLIAMS ALBRECHT AND ASSOCIATES
 1225 E. UNION AVE
 ORCLIFF CA 93347
 PH 805 928 5002
 FAX 805 928 0185
 email jimw@waaat-albrecht.com

APIO PROPERTIES

TRAC	APN	AREA	OWNER
23	AP115-215-007	0.45	APD
24	AP115-215-008	13.53	APD
25	AP115-215-009	1.28	APD
26	AP115-215-010	4.0	APD
27	AP115-215-011	0.87	APD
28	AP115-215-012	2.76	APD
29	AP115-215-013	4.31	APD
30	AP115-215-014	25.7	APD
TOTAL AREA		58.7	

ADJOINING PROPERTIES

TRAC	APN	OWNER
6	AP115-140-004	SOUTHERN PACIFIC RR CO
7	AP115-140-005	JACK ALANES
8	AP115-140-006	BRIDGEMAN ASSOCIATES
9	AP115-215-015	BRIDGEMAN ASSOCIATES
10	AP115-215-016	BRIDGEMAN ASSOCIATES
11	AP115-215-017	BRIDGEMAN ASSOCIATES
12	AP115-215-018	BRIDGEMAN ASSOCIATES
13	AP115-215-019	BRIDGEMAN ASSOCIATES
14	AP115-215-020	BRIDGEMAN ASSOCIATES
15	AP115-215-021	BRIDGEMAN ASSOCIATES
16	AP115-215-022	BRIDGEMAN ASSOCIATES
17	AP115-215-023	BRIDGEMAN ASSOCIATES
18	AP115-215-024	BRIDGEMAN ASSOCIATES

- KEYNOTES**
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PROFESSIONAL SEAL
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 CIVIL ENGINEER
 No. 10000
 State of California
 License No. 10000
 Exp. 12/31/18
 Seal No. 10000

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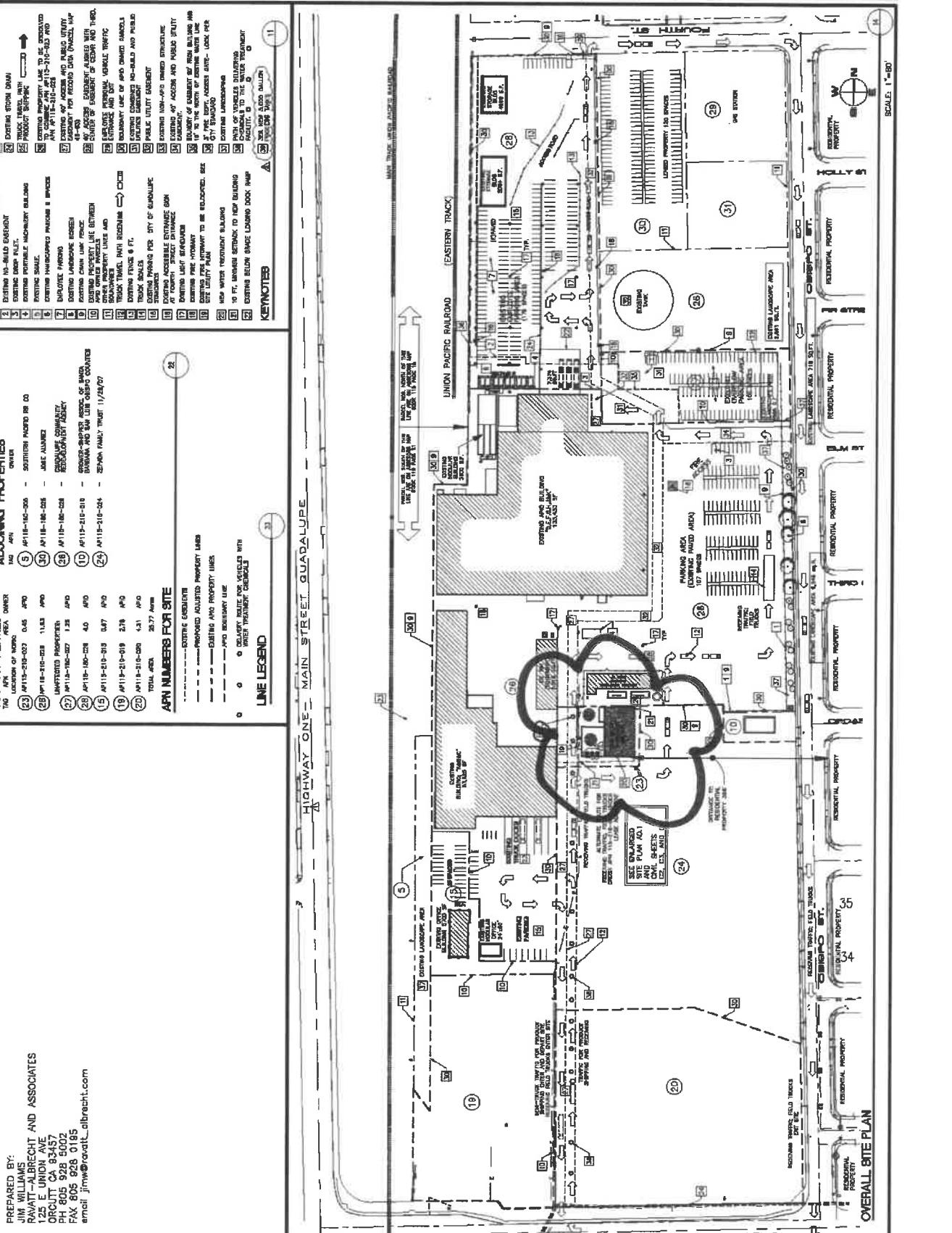
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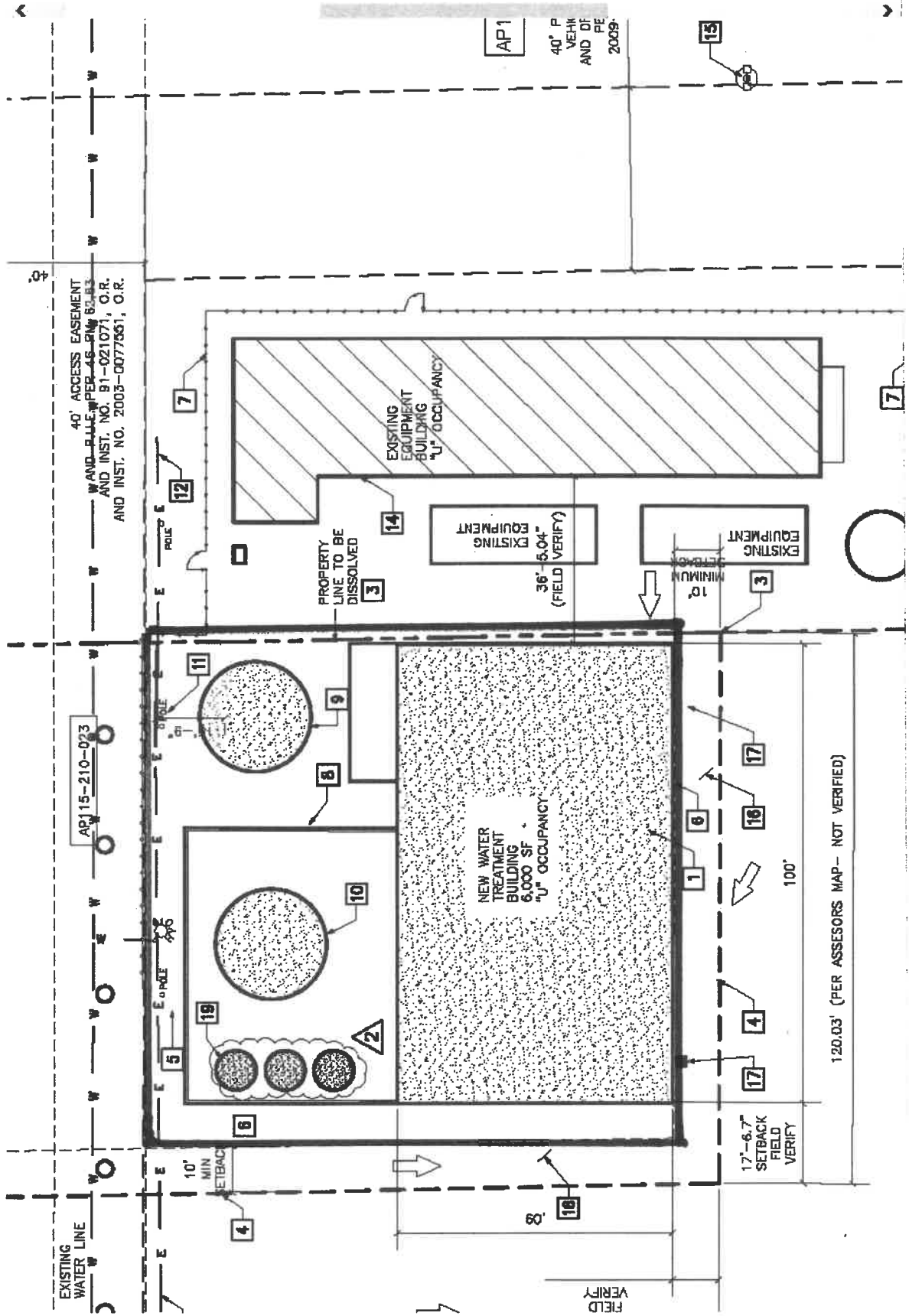
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REPORT TO THE CITY COUNCIL
April 10, 2018


Prepared by:
Larry Appel, Contract City Planner


Approved by:
Cruz Ramos, City Administrator

SUBJECT: Public Hearing to consider minor modifications to the approved Guadalupe Court Apartments, 2018-071-DR (MOD), located at 4202 Eleventh Street (APNs 115-230-028, -031)

EXECUTIVE SUMMARY:

The proposed project is a modification of an approved Design Review for a 38-unit apartment complex that was approved originally in 2014 but never constructed. A General Exemption was prepared for the project modifications in accordance with CEQA Guidelines.

RECOMMENDATION:

It is recommended that the City Council:

- 1) Receive a presentation from staff;
- 2) Conduct a public hearing, including: a) an opportunity for the applicant to present the proposed project, and b) receive any comments from the public; and
- 3) Adopt Resolution No. 2018-12 approving minor modifications to the Guadalupe Court Apartment project (2018-071-DR (MOD))

BACKGROUND:

The original project was approved by City Council on October 15, 2014 with Cabrillo Economic Development Corp. as the owner/applicant. The project was not constructed and recently transferred ownership to People's Self Help Housing (PSHH). On March 15, 2018, the first amendment and restated Development Agreement was approved between PSHH and the City. Based on funding requirements from the U.S. Department of Agriculture (USDA), PSHH were required to make certain modifications to the project design as will be described under the Discussion section. Other modifications were made after final biological field studies were completed, requiring more protection for certain species that are known to inhabit the property or adjacent to it.

DISCUSSION:

Project Description

There are four requests to modify the originally approved apartment project. Each is necessary to either comply with U.S. Army Corps or California Fish and Wildlife requirements for endangered species or is required by the USDA to ensure a major source of construction funding. The four modifications are as follows:

- 1) Modification of the building roofs to provide a flat surface to accommodate solar panels.
- 2) Modification of the proposed storm water detention area and reduction in parking spaces.
- 3) Community Room redesign to accommodate a laundry room.
- 4) Request to install 40 water meters (38 for apartments and 2 for landscaping)

Roof Modifications

The USDA now requires multi-family projects to include solar panels. Given the original design of the roof surfaces, there was insufficient square footage for the required panels. With a redesign to utilize a flat roof system, the architect was able to include all the panels required of the USDA. He then modified the roof parapets so that it still appeared to be a "Bermuda Style" roof when viewing from the ground.

Modifications to Storm Water Detention Areas and Parking Areas

Another requirement of the USDA is to avoid U.S. Army Corps of Engineers Jurisdiction, and to minimize impacts to California department of Fish and Wildlife (CDFW). The most recent field surveys by wildland biologists recommended eliminating the upper detention area and expanding the southern one. The mapped wetland areas would be avoided with this modification. In order to make the lower detention area larger, it was necessary to eliminate ten parking spaces. The Zoning Ordinance requires 57 spaces, but the project is still able to provide 73 spaces, well over the minimum required.

Community Room Modification

PSHH had developed many units throughout the county including in Guadalupe. The corporation prefers to locate all washers and driers in a common area instead of in each unit. The Community Room has been modified to include a laundry room for the future residents. By removing the washers and driers from each apartment, the overall square footage of the project has been reduced to 18,808 square feet, a reduction of 383 square feet.

Proposed Water Meters

In the original project, Resolution No. 2014-63 provided "Relief from Municipal Code 13.04.030(B) (water meters)." However, PSHH proposes to install 40 water meters as required by the municipal code (cited above). They have found that individual meters

helps reduce water use by residents and helps keep payments on time. This request is also driven by certain funding and building code requirements.

CEQA Review

This project originally had a Mitigated Negative Declaration prepared to address the environmental impacts. All applicable mitigation measures will continue to be required as conditions of approval. The current modifications has been found to be exempt from CEQA based on the General Rule Exemption (CEQA Sec. 15061(B)(3)).

PUBLIC NOTICE:

Staff published the required Public Hearing Notice in a newspaper of general circulation on March 31, 2018. Copies of the Public Hearing Notice were also mailed to property owners and occupants within a 300-foot radius of the subject property.

CONCLUSION:

The four requests have been analyzed for consistency with the General Plan and the Zoning Ordinance and have been found to be consistent with both. These four requests are considered to be minor modifications to the original approved Design Review application and are all supported by staff. The required approval findings can be made in support of approving the proposed Design Review Permit. Further, the required findings of fact are supported by substantial evidence in the record. The staff recommendations are as summarized below.

1. Adopt City Council Resolution No. 2018-12, approving the Design Review Modification for the Guadalupe Court Apartments (2018-071-DR(MOD)), in accordance with the requisite findings set forth in Exhibit 1 and subject to the project's conditions of approval set forth in Exhibit 2.

ATTACHMENTS:

1. Resolution No. 2018-12, including Approval Findings (Exhibit 1) and Conditions of Approval (Exhibit 2)
2. Modified Project Plans

RESOLUTION NO. 2018-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUADALUPE,
CALIFORNIA, APPROVING THE MODIFIED DESIGN REVIEW PERMIT FOR THE
GUADALUPE COURT MULTI-FAMILY HOUSING PROJECT - 2018-071-DR(MOD)**

WHEREAS, People's Self Help Housing (PSHH) (the "Applicant") has submitted applications to the City of Guadalupe for a modified design review permit, for an approximately 3.12-acre site at 4202 Eleventh Street within the City of Guadalupe (APN 115-230-028, -031) commonly known as the Guadalupe Court Multi-Family Housing project; and

WHEREAS, the project was originally approved by a past City Council on October 14, 2014 on a 4-0 vote of all members present. The Council used a Mitigated Negative Declaration as the appropriate CEQA environmental document; and

WHEREAS, the current City Council held a duly-noticed public hearing on April 10, 2018, at which all interested persons were given the opportunity to be heard, and notice of said hearing was published in the Santa Maria Times at least 10 days prior to the public hearing. Said public hearing notice was also mailed to all residents and property owners within 300 feet of said property; and

WHEREAS, after taking public testimony and hearing evidence from City staff, the City Council finds, pursuant to the findings attached to this resolution as Exhibit 2 and subject to the project's Conditions of Approval attached to this resolution as Exhibit 3, that the approval of the Modified Design Review Permit, is consistent with the City's General Plan and applicable Articles of the City's Municipal Code; and

WHEREAS, the City Council has considered the entire administrative record, including application materials, staff report, the California Environmental Quality Act determination, and oral and written testimony from interested persons; and

WHEREAS, the City Council finds that after completely reviewing this modified project, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore the activity is not subject to CEQA per CEQA Section 15061(B)(3), Exhibit 1; and

WHEREAS, the City Council finds that approval of the Design Review Permit would be consistent with the City's General Plan, the provisions of Title 18 (Zoning Code) of the Guadalupe Municipal Code; and the ability to make the required findings, including findings pursuant to the California Environmental Quality Act; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Guadalupe does hereby find and determine as follows:

- Section 1. The Findings set forth in Exhibit 2 to this Resolution are true and correct in regards to the Design Review Permit, which are hereby adopted and incorporated herein by this reference.
- Section 2. After reviewing this modified project completely, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore the activity is not subject to CEQA per CEQA Section 15061(B)(3).
- Section 3. The Design Review Permit is approved, subject to the Conditions of Approval set forth in Exhibit 3 of this Resolution.
- Section 4. The City Council Secretary shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 10th day of April 2018 on motion of Councilmember _____, seconded by Councilmember _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF GUADALUPE

BY: _____
 John Lizalde, Mayor

ATTEST:

AS TO FORM:

 Joice E. Raguz, City Clerk

 Philip F. Sinco, City Attorney

Attachments:
 Exhibit 1 - CEQA General Rule Exemption
 Exhibit 2 - Findings
 Exhibit 3 - Conditions of Approval

To: County Clerk
County of Santa Barbara
123 E. Anapamu Street
Santa Barbara, CA 93101

From: City of Guadalupe
819 Obispo Street
Guadalupe, CA 93434

Project Title: Guadalupe Court Apartments

Project Applicant: Lauren Nichols, People's Self Help Housing (PSHH)

Project Location-Specific: 4202 Eleventh Street

Project Location-City: Guadalupe
County

Project Location-County: Santa Barbara

Description of Nature, Purpose, and Beneficiaries of Project:

The project is a modification of an approved 38-unit low income apartment. Recently the project was purchased by PSHH. Funding from USDA has required project modifications including: flat roof for solar panels on all three buildings, modification of storm detention area and reduced parking, individual water meters, and a laundry room in the Community Room. These modifications are all minor in nature.

Name of Public Agency Approving Project: Guadalupe City Council

Name of Person or Agency Carrying Out Project: Lauren Nichols, (PSHH)

Exempt Status: (check one)

- Ministerial (Sec. 15268);
- Declared Emergency (Sec. 15269(a));
- Emergency Project (Sec. 15269(b)(c));
- Categorical Exemption. State type and section number:
- XX General Exemption (Section 15061(b)(3))

Reasons why project is exempt:

The project was previously evaluated for CEQA and a Mitigated Negative Declaration was prepared and used in part as the City Council approved the apartment project. No impacts previously identified as potentially significant would now be significant as a result of the proposed modifications. After reviewing this modified project completely, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore the activity is not subject to CEQA.

Contact Person: Lawrence W. Appel (Area Code) Phone Number/Ext: (805) 598-8385

Signature:  Title: Contract City Planner

Date received for filing at County Clerk's Office: _____

EXHIBIT 2, FINDINGS FOR APPROVAL

DESIGN REVIEW PERMIT GUADALUPE COURT MULTI-FAMILY HOUSING PROJECT 2018-071-DR (MOD)

1.0 CEQA Findings

1.1 CONSIDERATION OF THE NEGATIVE DECLARATION AND FULL DISCLOSURE

The City Council has considered the General Rule Exemption together with the comments received and considered during the public review process for the project. The General Rule Exemption has been completed in compliance with CEQA, and is adequate for this proposal.

1.2 FINDING OF NO SIGNIFICANT EFFECT

On the basis of the whole record, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore the activity is not subject to CEQA.

1.3 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the City of Guadalupe, 918 Obispo Street, Guadalupe, CA 93434.

2.0 Administrative Findings

2.1 DESIGN REVIEW FINDINGS

Pursuant to City of Guadalupe Municipal Code, Section 18.73.100, a Design Review Permit shall be approved only if all of the following findings can be made:

- A. *The buildings, structures, and landscaping are appropriate and of good design in relation to other buildings, structures, and landscaping on-site or in the immediate vicinity of the project.*

The project site is in a suburban area characterized primarily by residential, agricultural, and light industrial uses. The site is currently designated for high density residential uses. The project would not exceed two stories and would not exceed the height limitations as established by the zoning code. As such, the proposed project would be consistent with the existing visual character and scale of the residential dwellings in the immediate vicinity. The proposed project would

increase the total number of residential units on the project site and the overall density of residential dwellings when compared to existing nearby residential dwellings. However, the project would be considered an extension of the surrounding urban landscape. Moreover, the project site contains a vacant, dilapidated residential structure and an informal material storage yard and therefore the construction of new residential dwellings and the associated landscaping would be an overall improvement to the site's visual character when compared to existing conditions.

- B. That the development will be compatible with the neighborhood, and its size, bulk and scale will be appropriate to the site and the neighborhood.*

The proposed project would increase the total number of residential units on the project site and the overall density of residential dwellings when compared to existing nearby residential dwellings. However, the project would not exceed two stories and would not exceed the height limitations as established by the zoning code, consistent with the existing visual character and scale of the residential dwellings in the immediate vicinity. Additionally, the proposed project includes landscaping treatments within and surrounding the perimeter of the project site, including but not limited to evergreens, perennials, screening shrubs, and parking lot shade trees. These landscaping treatments would serve to screen adjacent residential uses associated with the project.

- C. There is harmony of material, color, and composition of all sides of a structure or buildings as well as consistency and unity of composition and treatment of exterior elevation.*

The proposed units are divided among three separate two-story buildings that total 36,502 square feet surrounded by parking areas and an access road that has two separate driveway entrances onto Eleventh Street. The buildings would not exceed two stories, consistent with the existing visual character and scale of the residential dwellings in the immediate vicinity. All three buildings would include symmetrical window patterns and balconies utilizing natural earth tone colors and materials that would blend with the surrounding area and the proposed landscaping.

- D. Any mechanical or electrical equipment is well integrated into the total design concept and screened from public view to the maximum extent practicable.*

The roof design has been modified for all three buildings to include a flat roof surface for the placement of solar panels, as required by the USDA funding. Modifications to the roof have been made to ensure that the buildings have a similar appearance as with the original roof lines. The water, drainage, and electrical improvements will be underground and thus will not be visible from the adjacent public roadways or adjacent residential neighborhood. Additionally, the proposed project includes landscaping treatments within and surrounding the

perimeter of the project site, including but not limited to evergreens, perennials, screening shrubs, and parking lot shade trees. These landscaping treatments would serve to screen adjacent residential associated with the project.

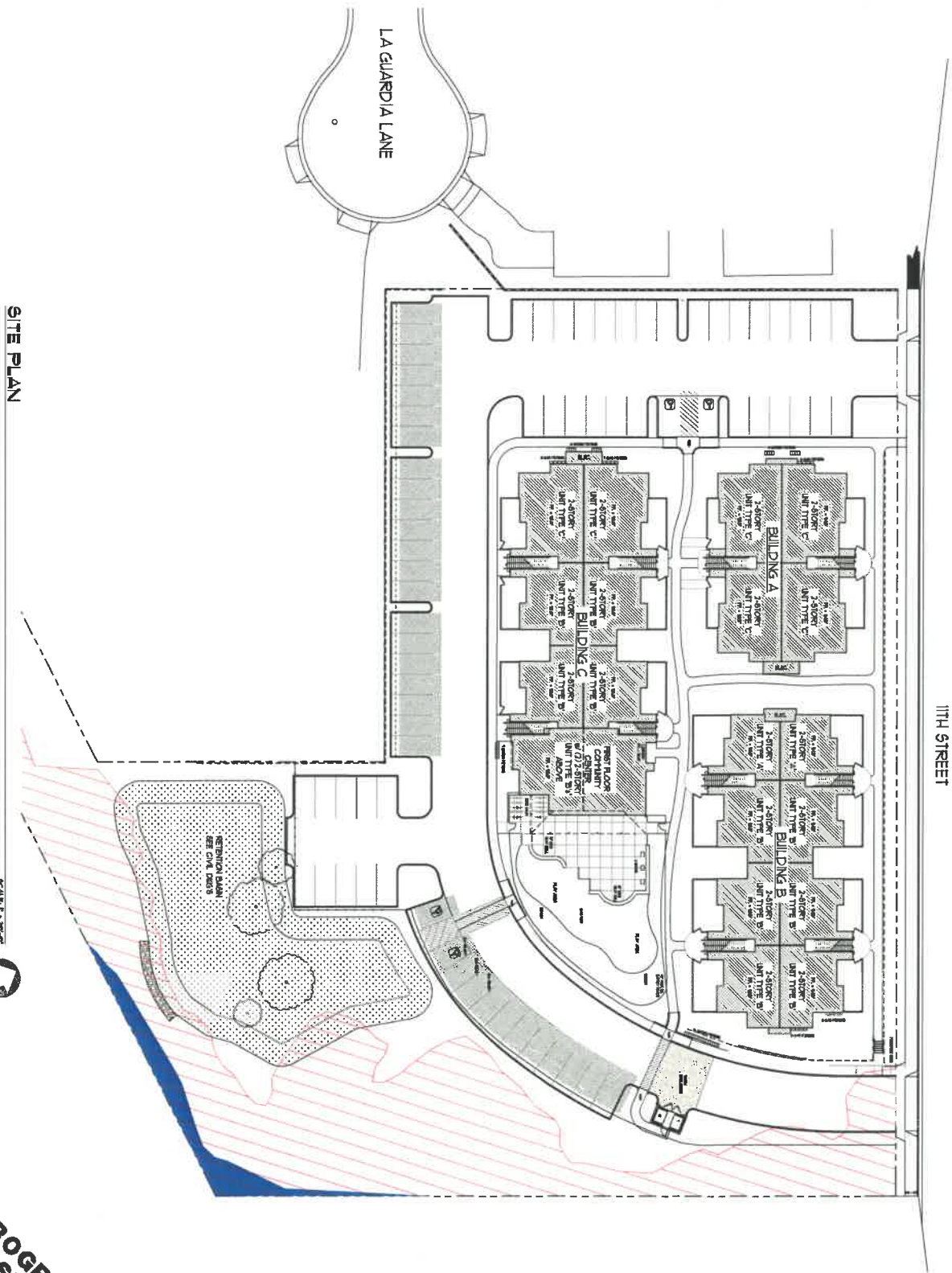
E. All visible on-site utility services are appropriate in size and location.

All solar roof panels will be completely screened from the ground. The water, drainage, and electrical improvements will be underground and thus will not be visible from the adjacent public roadways or adjacent residential neighborhood.

EXHIBIT 3
Guadalupe Court Apartments Modification
2018-071-DR (MOD)
CONDITIONS OF APPROVAL

All conditions of Approval from Case No. 2012-011-GPA, ZC,DR and described in Attachment 4, Exhibit 3 of the Report to City Council, dated October 14, 2014 shall remain in full force and effect with the exception of Condition # 13 (City Engineer Conditions) which, based on the First Amended and Restated Development Agreement, is replaced with the following:

13. Prior to issuance of a building permit, the applicant shall pay a fee for the construction of a sidewalk from the project's access at La Guardia Lane, along La Guardia Lane and Gularte Lane to 11th Street; or if this route is to be found infeasible by the City Engineer; then, prior to the issuance of a building permit, the applicant shall pay a fee for the construction of a sidewalk from the project's access at 11th Street, down 11th Street to meet the existing curb and gutter. The amount of the fee for the construction of the sidewalk shall be calculated and approved by the City Engineer. Such payment shall release applicant from any further obligations. Alternatively, Developer may choose to construct either sidewalk in lieu of paying the fee.



PROGRESS SET
 08/12/18

A Peoples' Self-Help Housing Project

GUADALUPE COURT
 4202 11th St, Guadalupe, CA



330 EAST CANON PERDIDO, SUITE A
 SANTA BARBARA, CA 93101
 805.962.4575

CSA ARCHITECTS
 CARL SCHNEIDER, AIA®



AGENDA REPORT

9a.

SUBJECT/TITLE:

SENATE BILL 1 (SB 1) FUNDING PROJECT LIST FOR 2018-19

RECOMMENDATION:

- 1. ADOPT RESOLUTION NO. 2018-13 TO ADOPT A LIST OF PROJECTS FUNDED BY SENATE BILL 1 (SB 1): THE ROAD REPAIR AND ACCOUNTABILITY ACT, FUNDED BY THE ROAD MAINTENANCE & REHABILITATION ACCOUNT (RMRA), CREATED BY SB 1.**

EXECUTIVE SUMMARY:

In April 2017, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the Governor. The bill addressed the significant multi-modal transportation funding shortfalls statewide.

SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year. The City must include a list of all projects proposed to receive funding from the Road Maintenance & Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement.

The City used a Pavement Management System to develop the SB 1 Project List to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and the funding from SB 1 will help the City maintain and rehabilitate public streets, and sidewalks, add active transportation infrastructure and improve drainage infrastructure throughout the City this year and into the future.

FISCAL IMPACT: Availability of up to \$123,117 of new funding from SB 1 Road Maintenance and Rehabilitation Account in FY 2018-19 for projects listed.

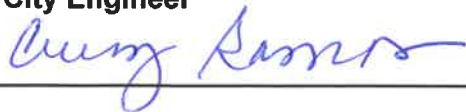
ATTACHMENTS:

1. Resolution No. 2018-13
2. Resolution No. 2018-13, Attachment A: SB 1 Project List

Prepared by: Jeff van den Eikhof, City Engineer

Meeting Date: 10 April 2018

City Administrator Approval: _____



Agenda Item: _____

RESOLUTION NO. 2018-13

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY GUADALUPE
ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2018/2019
FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY
ACT**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the project proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must include a list of all projects proposed to receive funding from the Road Maintenance & Rehabilitation Account (RMRA), created by SB 1, in the City budget, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City will receive an estimated \$123,117 in RMRA funding in the Fiscal Year 2018- 2019 from SB 1; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 Project List to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate public streets and sidewalks, add active transportation infrastructure and improve drainage infrastructure throughout the City this year and into the future; and

WHEREAS, without revenue from SB 1, maintenance of City streets would require undesirable use of Gas Tax revenue and the SB 1 revenue will help us increase the overall quality of our road system and help keep our streets and roads in good condition; and

WHEREAS, of the Legislature and Governor failed to act, city streets and county roads would have continued to deteriorate, having many and varied negative impacts on our community; and

WHEREAS, cities and counties own and operate more than 81 percent of streets and road in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

WHEREAS, modernizing the local street and road system provides well-paying construction jobs and boosts local economies; and

WHEREAS, the location street and road system is also critical for farm to market needs, interconnectivity, multi-modal needs, and commerce; and

WHEREAS, police, fire and emergency medical services all need safe reliable roads to react quickly to emergency calls; and

WHEREAS, the SB 1 Project List and overall investment in our local streets and road infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE, BE IT RESOLVED, ORDERED AND FOUND by the City Council of the City of Guadalupe, State of California, as follows:

1. The foregoing recitals are true and correct.
2. The fiscal year 2018-19 list of projects planned to be funded with Road Maintenance and Rehabilitation Account revenues include:

1. **(PP01) 2019 Pavement Maintenance Project –**

- Description: Crack Fill and Slurry Seal (Type B) and localized 4" removal and replacement of HMA on City roads as outlined in City's Pavement Management System document (2013) and any roads deferred from previous years.
- Location: Streets included but not limited to: Calle Cesar E. Chavez St., La Purisma St., San Miguel Ct., Tognazzini Ave., Sixth St., Fourth, Holly, Fir, Elm, 3rd, Cedar, Birch, Second, Amber Streets and Flower Avenue.
- Estimated Useful Life: 3 to 5 years.
- Estimated Completion of Construction: 11/2019.

PASSED, APPROVED AND ADOPTED at a regular meeting on the 10th day of April 2018 by the following vote:

Motion:

AYES:

NOES:

ABSENT:

ABSTAIN:

I, Joice Earleen Raguz, City Clerk of the City of Guadalupe DO HEREBY CERTIFY that the foregoing Resolution, being C.C. Resolution No. 2018-13, has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the City Council, held April 10, 2018, and that same was approved and adopted.

ATTEST:

Joice Earleen Raguz, City Clerk

John Lizalde, Mayor

2018-19 Proposed Project List
SB 1 Funding

Agency	Program	Funding FY	Package	PPNo	Project Type	Title	Description	Location	Est Completion Pre Con	Est Completion Construction	Est Useful Life Min	Est Useful Life Max
City of Guadalupe	Local Streets and Roads Program	18/19	LSR-2019-5292	PP001	Road Maintenance & Rehabilitation	2019 Pavement Maintenance Project	Crack Fill & Slurry Seal (Type B) and localized 4" removal and replacement of HMA on City roads as outlined in City's Pavement Management System document (2013) and any roads deferred from previous years.	Streets included but not limited to: Calle Cesar E. Chavez St., La Purisma St., San Miguel Ct., Tognazzini Ave., Sixth St. Fourth, Holly, Fir, Elm, 3rd, Cedar, Birch, Second, Amber Streets and Flower Avenue.	05/2019	11/2019	3	5

Attachment A
SB 1 Project List

AGENDA ITEM NO. 10a.

REPORT TO THE CITY COUNCIL OF THE CITY OF GUADALUPE
Agenda of April 10, 2018

151
Prepared by:
Gary Hoving, Director of Public Safety

Cruz Ramos
Approved by:
Cruz Ramos, City Administrator

SUBJECT: **PROPOSAL TO RESTORE ONE ADDITIONAL POLICE SERGEANT POSITION BY UPGRADING EXISTING STAFF TO ATTAIN AN ACCEPTABLE LEVEL OF SUPERVISION FOR POLICE SERVICES**

RECOMMENDATION:

It is recommended that the City Council adopt this proposal to upgrade one additional police officer or police corporals to the rank of sergeant resulting in the restoration of a currently vacant supervisor position.

BACKGROUND:

The police department has operated without a regularly appointed police sergeant since 2013. The loss of the previously appointed sergeant positions were due to a retirement and a personnel action. Based on financial shortfalls, the positions have remained vacant since that time, with one exception. A temporary or interim appointment was made for one position which was eliminated in February 2016.

In February of this year the City Council approved the restoration on one supervisor position with instruction to return to the Council for consideration of the second requested position.

DISCUSSION:

Sergeants are the first line of supervision in most law enforcement agencies across the country. This designation had originated with the military to create a level of control over troops and to lead the staff into organizational objectives. Supervisors in civilian law enforcement have the same purpose and are critical to coordinate staff, ensure policy compliance, investigate citizen complaints, evaluate staff performance, provide adequate training, review and approve reports, assist in administrative tasks and to maintain operational guidance during the absence of the police chief.

Operating without sergeants comes with an added risk of exposure to liability. Civil action against public agencies can include the claim of “inadequate supervision” or “failure to supervise” which would be a significant weakness in defending the City. Please note that this request somewhat protects the Police Chief and shifts liability to the City Administrator and governing body by not correcting an identified weakness.

The financial impact of upgrading the second position is very minor considering the existing risk of liability and providing an operational solution to an identified problem.

Upon comparing the request to the City current practice of providing managers or supervisors and the disparity is profound. The Fire Department operates with three Captains providing a supervisor at all times, the Finance Department operates with two management level position for a four person office and public works functions with two managers and two supervisors for their operations. But the police department has the largest staffing, works 24-7 and has one approved supervisor that be appointed soon.

It is interesting to also note that the Police Chief operating as the Director of Public Safety, has brought significant revenue to the city with little being reinvested into public safety. An example would be the FEMA reimbursement for the 2017 storms which returned about \$10,000 to the city for public works, which appeared on the same City Council Agenda as the original request for two sergeants.

Another new revenue source came to the City through a contract for service with the Santa Maria Public Airport. That contract pays for all employee costs plus the administrative overhead designed to fund the police department oversight of the operations. Yet, it has been shared that those funds are being routed to the general fund will possibly be used to increase the pay for the next Police Chief. A perfectly legitimate use for the funds would be to provide an upgrade in supervision which would meet the letter and intent of the Airport Agreement.

The role of the Director of Public Safety has great responsibility, even for a smaller community like Guadalupe. The active acceptance of the management responsibility for both the police and fire operations continues to meet the goal of reducing City expenditures through consolidation of management. However, there should be some balance to promote a healthier working situation which could be mitigated through a support system provided by the appointment of two regular sergeants.

Relief has been requested during several budget cycles without support. In consideration of the unanticipated revenue generated by the airport contract and recently adopted electronic parking citation system with fine recovery, the opportunity to fund the proposal and improve police supervision are financial feasible.

This lack of supervision is unique to the police service as the fire department has a full-time Captain for each shift and the remaining city operations are staffed with supervisors and managers to meet the objectives of our collective public service.

There is a five year history of the Director of Public Safety working hard to meet the needs of the City. Those efforts have been repeatedly demonstrated by seeking funding for the City even on issues not directly related to public safety. Some of the efforts included an \$800,000 CDBG Grant submission, FEMA disaster funding for \$10,000, instrumental in obtaining a development impact fee of \$513,000 for an apartment complex on Eleventh Street and most recently \$68,000 in reimbursement for the Thomas Fire and Montecito debris flow.

It is particularly critical to correct this shortfall as the Director of Public Safety finalizes his dedicated career and creates a smooth transition for a replacement. He has rarely asked for help to meet the mission of public safety but truly needs that support now to fix the existing problem.

Fiscal Impact

Filling existing sergeant position by upgrading one existing personnel would cost an additional \$5602 each per year.

Based on the current police department budget assessment, the improvement should be made as soon as approved and any added increase in costs would be absorbed within the existing budget. The net increase in cost for the remainder of the fiscal year would be zero. The added costs for years following would be \$11,204 based on current cost projections for upgrading to two sergeant positions.