

MINUTES

City of Guadalupe
Regular Meeting of the Guadalupe City Council
Tuesday, January 24, 2023, at 6:00 pm
City Hall, 918 Obispo Street, Council Chambers

1. ROLL CALL

Council Member Christina Hernandez
Council Member Gilbert Robles
Council Member Megan Lizalde
Mayor Pro Tempore Eugene Costa Jr.
Mayor Ariston Julian

The meeting was called to order at 6:00 p.m. All five (5) were present.

2. PLEDGE OF ALLEGIANCE

3. AGENDA REVIEW

Council Member Lizalde requested that Consent Item 6 E be pulled for discussion.

4. CEREMONIAL CALENDAR

Deputy City Clerk, Todd Bodem, administered the Swearing in of David Bonifacio, Fire Engineer.

5. COMMUNITY PARTICIPATION FORUM

Each person will be limited to a discussion of three (3) minutes or as directed by the Mayor. Pursuant to provisions of the Brown Act, no action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

Ms. Zabrina Tipton, Public Information Officer from the U.S. Small Business Administration, mentioned that with Santa Barbara County being a Declared County after the storm event, the support extends to homeowners and renters along with small businesses for the Winter Storms and flooding that occurred on Dec. 27, 2022, and continuing.

Following is the Declared County guidance for Santa Barbara County, and Tipton stated some facts:

GETTING DISASTER HELP FROM SBA

WHAT YOU NEED TO KNOW

- *SBA offers federal low-interest disaster loans to businesses of all sizes, most private nonprofit organizations, homeowners, and renters.*
- *Businesses of any size may borrow up to \$2 million to repair/replace disaster property damage.*
- *Small businesses, small businesses engaged in aquaculture, and most private nonprofit organizations may also borrow to help meet disaster caused working capital needs. The \$2 million maximum applies to the combination of property damage and working capital loans.*
- *If over 50% of revenue is carried from agricultural, farming, and ranching business-contact your local United States Department of Agriculture (USDA) and Farm Service Agency (FSA) for available programs.*
- *If you are a homeowner or renter, FEMA may refer you to SBA.*
- *Homeowners may borrow up to \$200,000 to repair or replace their primary residence.*
- *Homeowners and renters may borrow up to \$40,000 to replace personal property, including vehicles.*

REGISTER WITH FEMA

- *Register with FEMA at www.disasterassistance.gov -or- www.disasterassistance.gov/es (Spanish). This is the fastest way to register for help.*
- *Homeowners and renters should submit their SBA disaster loan application, even if they are not sure if they will need or want a loan. If SBA cannot approve your application, in most cases we refer the applicant to FEMA's Other Needs Assistance (ONA) program for possible additional assist.*

There is a Center in San Luis Obispo, and we encourage those affected by the storms to visit the Center due to the many resources available at the Center. There is also online assistance at www.disasterassistance.gov -or- www.disasterassistance.gov/es (Spanish). Following is the Center information:

The Mayor and City Council thanked Ms. Tipton for providing the city with this important information following the recent catastrophic storm event.

6. CONSENT CALENDAR

The following items are presented for City Council approval without discussion as a single agenda item in order to expedite the meeting. Should a Council Member wish to discuss or disapprove an item, it must be dropped from the blanket motion of approval and considered as a separate item.

- A.** Waive the reading in full of all Ordinances and Resolutions. Ordinances on the Consent Calendar will be adopted by the same vote cast as the first meeting unless City Council indicates otherwise.
- B.** Approve payment of warrants for the period ending January 16, 2023.
- C.** Adopt second reading of Ordinance No. 2022-506 amending Chapter 18.53 Accessory Dwelling Units.

- D. Receive the Clean California grant update.
- E. Adopt Resolution No. 2023-04 approving the 2023 update to the City's Sanitary Sewer Management Plan (SSMP).
- F. Receive the November 2022 Financial Report.
- G. Adopt Resolution No. 2023-05 approving amendment # 1 to the agreement between the City of Guadalupe and Andrew Goodwin Designs to complete the additional work required by the City's Fire Department to the Royal Theater building.
- H. **MONTHLY REPORTS FROM DEPARTMENT HEADS**
 - 1. Public Safety Department:
 - a. Police Department report for November and December 2022
 - b. Fire Department report for November and December 2022
 - c. Code Compliance report for November and December 2022
 - 2. Human Resources report for November and December 2022
 - 3. Recreation and Parks Department report for November and December 2022
 - 4. City Treasurer's report for November 2022
 - 5. Royal Theater Update – Tom Brandeberry

Council Member Lizalde pulled Item 6E. Adopt Resolution No. 2023-04 approving the 2023 update to the City's Sanitary Sewer Management Plan (SSMP).

Motion was made by Council Member Lizalde seconded by Mayor Pro Tempore Costa Jr. to approve the remaining balance of the Consent Agenda. 5-0 Motion passed.

Council Member Lizalde asked questions regarding the SSMP update. Below are the following questions and answers from Shannon Sweeney?

Will we be fined? It is not likely that we will be fined. The Notice of Violation is intended to get our attention. Regional Board tends to fine only if they feel we are unresponsive. The city will be sending a letter by the end of the month demonstrating that we are responding to all the violations.

Will this satisfy? I believe it will. The last prohibited overflow was January 28, 2021, when it rained 1.95 inches in 24 hours. Since then, we have taken several proactive steps to reduce this occurrence. These steps have been effective, as we just had a storm of over 3 inches in 24 hours and had no release of raw sewage.

This Notice of Violation includes spills as far back as 2008. Had we gotten any Notice of Violations on our collections system before this? I have been here for over three years, and this is the first I've received. I don't know of any before then.

Motion was made by Council Member Lizalde and seconded by Council Member Robles to Adopt Resolution No 2023-04 approving the 2023 update to the City's Sanitary Sewer Plan (SSMP) but with changes to Appendix B. replace Tony Ramirez to Eugene Costa Jr. as Mayor Pro Tempore. 5-0 Motion passed.

7. CITY ADMINISTRATOR REPORT: (Information Only)

City Administrator Bodem reminded the City Council that on Saturday, January 28, 2023, from 8:00 a.m. to 4:30 p.m. Waste Management will be assisting the City of Guadalupe in a Community Clean up. Location: Kermit McKenzie Jr. High School. The purpose is for residents to get rid of their household scrap metal, green waste, wood, and bulky waste the responsible way.

Bodem then introduced the newly appointed Finance Director, Ms. Janice Davis. Janice started today. Janice has broad experience working as a Finance Officer/ Accountant for several firms in the Private Sector. Janice is working on obtaining her CPA. Janice said she is excited to get started.

The Mayor and City Council welcomed her as a member of the team.

Mr. Robert Perrault will continue with the city for the coming weeks to assist Janice in making the transition to the Public Sector. Janice and Bob will be sharing the same office for the time being.

City Administrator Bodem stated that Tom Brandeberry was not able to attend tonight's meeting and would like to provide a verbal update and answer questions (if any) at the February 14th City Council meeting.

8. DIRECTOR OF PUBLIC SAFETY REPORT: (Information Only)

The Director of Public Safety, Michael Cash provided the following updates under his report:

Pioneer Steet Update

The EOC (Emergency Operations Center) has closed the emergency side of the operations and is now focusing on the recovery period. Volunteers are coordinating the placement and needs of displaced residents.

Police Department Staffing

The police department just lost an officer to another department. The department staffing level is now, four (4) officers for day and night coverage. I am requesting that City Council allow the department to begin recruiting officers for hire. The police recruitment process usually takes between 6 to 12 months to get to the hiring stage.

City Council approved staffing.

1 Police Chief - Staffed

1 Police Lieutenant - Staffed

2 Police Sergeants – 1 opening

10 Police Officers – 2 openings
1 Emergency Preparedness Coordinator – 1 opening

Police Department Mobile Field Force Preparations

All police departments are preparing and staging their Mobile Force Teams for possible activation in response to the release of the Memphis Tennessee Police Department misconduct incident.

Guadalupe Safety Alert System

The Public Safety Department has been directing residents to sign up for the City Safety Alert system for notifications regarding public safety incidents.

Mary Buren Elementary School Traffic Issues

I have been working with Mary Buren Elementary School concerning the morning traffic concerns by direction of City Council. City staff, councilmembers, and community members have provided input. Public Safety is scheduling a meeting with city, school, and community shareholders for additional input and direction.

PUBLIC HEARING

9. Central Park Conceptual Design.

Shannon Sweeney, Public Works Director/City Engineer provided a written report that the City Council will conduct a public hearing to review a revised Central Park conceptual design and adopt Resolution No. 2023-06 to approve the revised conceptual design for the Central Park Renovation Project.

Sweeney stated that on March 3, 2022, the City of Guadalupe was awarded \$4,887,084 through the 2018 Parks Bond Act Statewide Park Development and Community Revitalization program for the Central Park Renovation Project. On July 26, 2022, the City approved a contract with Pacific Coast Land Design, Inc. (PCLD) for preparation of plans and specifications for this project.

PCLD representatives (Brook McDonald and Eric Berg) provided additional detailed discussion about the basic design features from the original concept and adjusted it to take advantage of the existing topography and most efficient use of utility locations.

Mayor Julian asked if the proposed lights would cast into the neighborhood? PCLD representatives stated that the lighting is designed to cast down and not cross property lines. The lighting is provided for safety but also not to encourage nighttime use of the park.

Council Member Lizalde asked if they are engineering solar into the project. PCLD said that that solar technology for park lighting is not reliable and hard wire LED lighting does not use that much energy.

Council Member Robles wondered if the existing sidewalk would remain in the same location. PCLD needs to reroute the location of the sidewalk due to onsite topography needs. Most of the crushed sidewalk will be recycled.

PCLD said the project will be publicly bid.

The Public Hearing opened at 6:58 p.m.

Citizen Albert Nunez asked whether the large conifer tree in memory of Jose Rubalcaba was staying. PCLD responded by saying the tree is outside the scope of the project area so it will not be removed. Some of the trees on site will be removed as they have died or near dead.

The Public Closed at 7:03 p.m.

Motion was made by Mayor Pro Tempore Costa Jr. seconded by City Council Member Robles to approve a revised Central Park conceptual design and adopt Resolution No. 2023-06. 5-0 Motion passed.

REGULAR BUSINESS

- 10. Finding of public purpose for expenditures required under emergency occupancy agreement for temporary lodging of displaced City residents and confirming ratification of the agreement as revised at the City Council meeting on January 17, 2023.**

A written report was provided Philip F. Sinco, City Attorney explaining the need to ratify the emergency occupancy agreement (EOA) previously signed by the Mayor and the Pioneer Apartments property owner who is housing the displace families in lower Pioneer Street.

Mr. Sinco stated the facts concerning this matter are now well known to the City Council that on January 9, 2023, sometime after 9:00 p.m., lower Pioneer Street in the City of Guadalupe flooded, and the residents of these homes were unable to access their residences. Director of Public Safety, Michael Cash ("Chief Cash"), activated the City's Emergency Operations Center (EOC) and notified the Red Cross of the need for a temporary shelter for these residents, however, the Red Cross did not respond, and Chief Cash directed that the City Hall Auditorium be opened up for use as a temporary shelter for these residents, and approximately 20 of these residents were evacuated to the Auditorium and provided shelter there. Subsequently, the residences were moved the to the Pioneer Apartments whereby a temporary EOA was executed. The City Council must now ratify the EOA confirming by Resolution finding that the expenditure of public funds for temporary lodging of City residents displaced due to flooding during a local emergency serves a public purpose and confirming ratification of an EOA as revised at the City Council meeting on January 17, 2023.

Motion was made by Council Member Lizalde and seconded by Council Member Hernandez to Adopt Resolution No 2023-07 finding that the expenditure of public funds for temporary lodging

of city residents displaced due to flooding during a local emergency serves a public purpose and confirming the ratification of an emergency occupancy agreement as revised at the City Council meeting on January 17, 2023. 5-0 Motion passed.

11. New Electric bus paint schematic.

A written report was provided by Shannon Sweeney, Public Works Director/City Engineer who is seeking direction from the City Council on preferred paint or wrap schematics as treatment for new electric bus. Ms. Sweeney said that the fiscal year 22 – 23 budget includes funding for the purchase of a new electric bus. The purchase order for this bus was issued on August 10, 2022. The manufacture of the bus is scheduled to be completed late January. Upon completion, the bus has a primer coat of white paint. The city has the choice of either painting or wrapping the bus. Painting is more expensive than wrapping. There were three (3) schemes (A-C). A summary of the schemes and associated costs were discussed at length.

Council Member Robles asked if the double wrap is as long lasting and durable as painting? Citizen Abraham Carmona approached podium and said wrapping is the best long-term solution and is most inexpensive approach. Business Owner Mr. Stew Jenkins said that he ran a nonprofit busing operation in San Luis Obispo and said that a wrap is the preferred option and provides shading, even over windows. Citizen, Mr. Albert Nunez mentioned that wrapping can allow the city to advertise community events.

After having thoroughly assessed all viewpoints, it was the consensus of the City Council to call for wrapping the bus with a hybrid blend of schematics both B&C. This gave Ms. Sweeney enough knowledge to work with the vendor to determine the desired color scheme and wrap the bus instead of painting it.

12. Caltrans Guadalupe Street ADA project update.

Ms. Shannon Sweeney, Public Works Director/City Engineer, provided a written and verbal report about the status of the Caltrans Guadalupe Street ADA project.

Business owner Lupe Alvarez stated that city staff should draft a letter and submit it to SBCAG for their consent agenda and then Mayor Julian (SBCAG Board Member) could pull the item at the Board meeting for discussion with the hope to expedite the HWY 1 and 166 project along.

Mayor Julian stated that more funds and attention need to be directed to the North County.

Pasadera resident and employee of Caltrans Abraham Carmona agreed that it does not hurt to push for leadership.

Council Member Hernandez reiterated that about four (4) years ago, Council had meetings about the 166/Hwy 1 project, I believe this was during the general plan update. "I am hesitant and concerned about the agency's accountability."

Ms. Sweeney stated that she will work with the Pasadera civil engineer and discuss next steps. Updates will be forthcoming.

13. Consideration of a proposed ordinance adding Chapter 8.80 to the Guadalupe Municipal Code entitled “Vacant Commercial Property Registration and Property Maintenance” relating to the required registration and maintenance of vacant commercial buildings.

A written report was provided by Todd Bodem, City Administrator. City Administrator Bodem opened the discussion by stating that in conjunction with the Guadalupe Department of Public Safety, Public Works Department, Planning Director, City Administrator, and City Attorney, staff drafted an ordinance proposing to add Chapter 8.80 to the Municipal Code, requiring the registration and maintenance of all vacant commercial buildings as defined in the proposed ordinance. After that, the City Administrator turned over the discussion to the City Attorney to further provide background and discussion.

At this time, the mayor asked for any public comments:

Local resident Garrett Matsuura said that he is here representing himself and not necessarily the Guadalupe Business District (GBA) regarding the Vacant Commercial Ordinance. He is generally in favor of the ordinance.

Business owner Lupe Alvarez stated that as a business owner and property tax payer, I feel the city should be light on the annual fees. We already pay enough fees for fire registration and other regulatory fees, etc.

Council Member Lizalde asked if one can reduce the initial fees. Sinco said fees don't have to be required. One could apply for it on a prorated basis.

Business owner Stew Jenkins said that this proposed ordinance is a violation of the US Constitution on unreasonable search, and you don't want to 'kick the hornets' nest'. Sinco stated that he feels this ordinance has strong legal ground based on a health & safety and as a property nuisance.

Motion was made by Mayor Pro Tempore Costa Jr. seconded by City Council Member Hernandez to Introduce by title only and waive the first reading of Ordinance No. 2023-507 adding Chapter 8.80 to the Municipal code entitled “Vacant Commercial Property Registration and Property Maintenance” relating to the required registration and maintenance of vacant commercial buildings. 5-0 Motion passed.

14. FUTURE AGENDA ITEMS

Mayor Pro-Tempore suggested the city revisit, for a future discussion, a parking plan between the school and the city hall facility.

15. ANNOUNCEMENTS – COUNCIL ACTIVITY/COMMITTEE REPORTS

Council Member Robles mentioned his desire for the County to open up the Guadalupe Beach. Ms. Sweeney said this cannot happen because the access road is covered with sand and there is undisinfected water the breach the berm and has the potential for contamination. Council Member Hernandez said the beach has not yet been inspected.

16. ADJOURNMENT

Motion was made by Mayor Pro Tempore Costa Jr. and seconded by City Council Member Hernandez to adjourn. 5-0 Motion passed. Meeting adjourned at 8:10 p.m.

Prepared by:



Todd Bodem, Deputy City Clerk

Approved by:



Ariston Julian, Mayor