

MINUTES

City of Guadalupe Regular Meeting of the Guadalupe City Council Tuesday, March 9, 2021 at 6:00 pm City Hall, 918 Obispo Street, Council Chambers

ROLL CALL:

Council Member Liliana Cardenas
Council Member Gilbert Robles
Council Member Eugene Costa Jr.
Mayor Pro Tempore Tony Ramirez
Mayor Ariston Julian

All present

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

AGENDA REVIEW

There were no changes to the agenda requested by the City Council.

PRESENTATIONS

1. Highway 166 Corridor Project Presentation

Mr. Fred Luna, Director of Project Delivery, SBCAG and Paul Martinez, Project Manager, Caltrans District 5, gave a presentation on various Hwy 166 projects that are in and near Guadalupe. Mr. Luna began the presentation with a brief explanation of the transportation sales tax passed in 2008 in Santa Barbara County, "Measure A". One-half cents of sales tax went to transportation projects. SBCAG is the funding sponsor and implementing agency for Measure A project. Caltrans is the owner/operator of Hwy and 166 and the lead for Caltrans funded projects. Mr. Luna stated that a separate investment fund was developed for safety and operational improvements for Hwy 166. Back in 2012, the SBCAG Board selected and funded four (4) projects. Two (2) of those projects are done. (Cuyama and CHP enforcements on West and East 166.) The two (2) remaining projects involve projects in or near Guadalupe, Hwy 166 & Black Road and Hwy 166 & Hwy 1.

One project is at the intersection of Hwy 166 and Black Road which is the intersection located between/in unincorporated Santa Barbara County. That road gets heavy use with large numbers of trucks and agricultural vehicles with limited shoulder space on Hwy 166. A widening of Black Road and turning lanes will be necessary. SBCAG, Caltrans and local agencies will be working conducting

outreach with agricultural property owners regarding “right-of-way” issues. The new signalized intersection is to be implemented with construction to start by late summer or early fall this year.

Mr. Luna then spoke about the other project which is the intersection of Hwy 166 and Hwy 1. He said that SBCAG started environmental work in November 2020. The County has project approval and is now at the document stage. There is a delay with Pasadera and the railroad crossing. However, the plan is to add a traffic signal at the intersection. From the direction of going west on Hwy 166 towards Hwy 1, there will be a “pre-signal” coordinated with the traffic signal. Enhanced improvements will be required at the railroad crossing. Coordination is currently underway with Pasadera development for improvements at Obispo Street. The County is currently working with the Public Utilities Commission, Caltrans and the railroad. Construction is anticipated for late 2023.

Mr. Martinez took over the presentation. He explained that he is a project manager at Caltrans with duties typically in Santa Barbara County, mostly oversight projects that are implemented by cities, counties, SBCAG or even by developers. He then highlighted the various Caltrans projects anticipated in or near Guadalupe. But before talking about those projects, he explained the Hwy 166 improvements near Pasadera. He said, “Pasadera is currently working on the environmental impacts to the highway project which are separate from what Pasadera had to do for the development project. Caltrans is waiting for what Pasadera has planned for improvements on Hwy 166. We are waiting for a submittal of what they plan there. But Caltrans has approved a traffic study for that. We soon will see what improvements they’ve proposed but it will include a traffic signal at Obispo Street, which has been a big concern with the community especially with a planned school going in at that location. Caltrans and SBCAG are still discussing the intersection of Hwy 166 & Hwy 1 regarding sidewalk improvements on the southside of Hwy 166 to get people from Pasadera to Hwy 1, crossing Main Street, to downtown Guadalupe. Details are still being worked on and discussions continue. We’re ready to start on this project as soon as the developer gives us their proposal.”

He also talked about two projects involving Solomon Canyon on Hwy 1 up to Hwy 166. One is an overlay on Hwy 1 and is currently under construction and should be completed in less than a year. Another project is shoulder widening on Hwy 1 near Orcutt to Hwy 166 out to Hwy 224. Shoulders will be widened and “rumble strips” will be put in. It’s a separate project from the overlay project.

There is another overlay project planned between Hwy 166, between Guadalupe and Santa Maria, which is scheduled to start in May 2024. Some minor enhancements may be made but it is mainly an overlay project. Much of the work will be handled at night due to the heavy traffic on Hwy 166.

A significant project planned is the replacement of the Santa Maria Bridge on Hwy 1 which is currently in development. The major concern is the potential impact on traffic. The intent is to leave all traffic lanes open during construction. There will be a realignment between Thornberry & 10th Streets to move the highway a little to the east, build partial of the new bridge, move traffic over there and get rid of the old bridge and finish full length of the new bridge. That shouldn’t be too much of an impact on traffic. It will have 8’ shoulders and a barrier separating a sidewalk on the bridge for pedestrians and bicycles.

An ADA project is also planned along Hwy 1 from Hwy 166 to Obispo Street. This project will include widening sidewalks out to a standard width. It will fill in the gap on the sidewalk between the

railroad station out to Hwy 166. There will be bicycle improvements such as bike racks, a bike lane on the side of Hwy 1. There will also be flashing beacons and possibly some "bulb outs" at three (3) locations. This is in the development now. The environmental and preliminary engineering stage will be starting in July. This is another project anticipated thru 2024 which will be quite a busy year for Guadalupe.

Mayor Julian asked whether any discussions had started about a "roundabout". Mr. Martinez said that there have been some discussions. Some of the concerns that the neighborhood is right up against Hwy 166. On the Pasadera side, they would be encroaching on Mr. Martinez mentioned pros and cons. With the signals, there's a wide crossing at Hwy 166. For children going to school, it's a long way. But if you had a roundabout, more crossings but a shorter distance. He felt that discussions about that were too early but could see discussions better suited once commercial property was developed at Pasadera. He felt that it would end up being a signal but nothing has been finalized yet. The Mayor also asked who pays for the improvements. Mr. Martinez said that for the project now, the signal and intersection improvements, Pasadera would be responsible for those. The one place where there would be question is on the sidewalk on the southside going to Hwy 1.

Council Member Costa Jr. asked, "At Black Road and 166, will there be a signal on Main Street." Mr. Martinez said, "Yes, there will be a 4-way signal." Then Anna Marie Michaud, City Treasurer, asked, "What is the difference in cost with a roundabout and signal light?" Mr. Martinez said that the developer is working on this issue. However, in his opinion, he felt that a traffic signal is far cheaper than a roundabout. He estimated that a signal would cost in the "hundreds of thousands", whereas a roundabout could be between \$2-3million.

Ms. Michaud further asked, "Right now you say that you're not sure if it's going to be a signal or a turnabout. What does the community do if a decision for a roundabout is made and we don't want it because it's not safe?" Mr. Martinez said, "An environmental document will be prepared by the developer and there should be some public comment. The best thing to do is go to informational meetings they would hold.

The Mayor talked a bit about Black Road when a roundabout versus signalization was discussed. He said that SBCAG North County folks said "NO" and it has to be signalization. So, they did take that into consideration. When it's open for public comment, that's when you can voice your opinion." Mr. Martinez talked again about pros and cons to a roundabout but said that it will probably be a signal. The Mayor said, "You can't see people walking on Hwy 166 from the northside to the southside. It's a challenge to decide what's best for all. You also need to consider the trucks from Curation coming on to Obispo Street." Mr. Martinez said, "Traffic study points to signals. But nothing is set until all the studies are completed."

COMMUNITY PARTICIPATION FORUM

Ms. Joanne Britton, Librarian III, from the Santa Maria Head Library, manages the Guadalupe Branch Library. The City of Santa Maria contracts with the Santa Barbara County to operate the branch. She asked for the City to continue its financial support for the rent. She said, "We don't have our own building and we really rely on the City for its support. The library is an investment in the

community for our youth and the services we are able to provide. The library is one of the last free resources in the country.”

Ms. Britton further said that for a community of Guadalupe’s size, our small branch is important to youth, family, literacy and some entertainment options, as well. During COVID through grants, in lieu of traditional in-person programming, librarians have created a variety of craft kits that celebrate diverse themes on a rotating basis. In March, for example, there will be a ‘Preschool Activity Pack for youth that includes craft, a fun maker project, coloring pages, a list of fun activities to do at home, and a book list. She gave some monthly stats for the branch for year 2019 (pre-COVID): 1) an average of 617 computer sessions; 2) an average of 800 books in circulation, and 3) about 916 visits to the branch.

Ms. Britton said, “The four (4) library districts are now entering into budget review cycle with the County. We want to emphasize the importance of this community and others in Northern Santa Barbara County to be leaders at the County level. It’s a really good time to partner. We believe together we can get through this.”

The Mayor advised her about the ad hoc committee recently formed as the discussion of the library is part of the committee’s focus. Council Members Ramirez and Cardenas will oversee that committee.

Council Member Cardenas asked if the craft kits are available at the branch here in Guadalupe. Ms. Britton said, “Yes, we’re working a lot on adding more kits to all branches so there will be some coming here. These kits have themes, like monthly holidays, art packs, nuts & bolts of literacy, and STEM topics.”

CONSENT CALENDAR

The following items are presented for City Council approval without discussion as a single agenda items 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.

2. 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.
3. Approve payment of warrants for the period ending March 4, 2021.
4. Approve the Minutes of the City Council regular meeting of February 23, 2021 to be ordered filed.
5. Accept the January 2021 Financial Report.

6. Adopt Resolution No. 2021-13 approving the Local Transit Fund (LTF) / Transportation Development Act (TDA) for City of Guadalupe, 2021-2022 Claim.
7. Approve the City Policy for the use of the Veterans Memorial Plaza.
8. **MONTHLY REPORTS FROM DEPARTMENT HEADS**
 - a. Planning Department Report for February 2021
 - b. Building Department Report for February 2021
 - c. Public Works Director / City Engineer Report for February 2021

Items pulled: #4, #5 and #7

Motion was made by Council Member Ramirez and 2nd by Council Member Costa Jr. to approve the balance of the Consent Calendar. 5/0 passed.

Item #4.

Council Member Cardenas stated that for Item #1 in the minutes, it should be mentioned that Mr. Kevin Kahn had not attended the council meeting to give a presentation on the "Oceano Dunes Public Works Plan".

Item #5.

Mayor Julian asked Lorena Zarate, Finance Director, where we will be at the end of 6/30/2021. He asked, "Where will we be positive or negative in terms of a ballpark figure?" Ms. Zarate said, "In my prior report, I projected we will be about \$150,000 in the black versus \$400,000+ at 6/30/2020. We'll be eating up into the funds we had accumulated but not fully in the red but with COVID, that's my best projection. Other things may come up between now and the end of the year that we may not control or unexpected expenses that may alter the results." The Mayor said, "We just need to control what we can control. That's probably what we can expect at the end of the year but It would be nice to push that up as high as you can." Ms. Zarate said, "I was conservative in my projections but I hope we do end up better."

Item #7.

The Mayor had some questions on the Veterans Memorial Plaza Policy (sometimes referred to as the "City Parking Lot"). He said, "As you look at the Memorial Park from the west to the east, there's the parking lot but there's the flagpole. That's on private property. The current owner has no problem leaving it where it is. There was talk about moving the memorial to the Veterans Memorial Park. But if it is moved over, it's noted on the policy that we will allow the Lions, Kiwanis, etc. but I'd like to see something to allow the local veterans to use the facility. I'm sure they'd be willing to pay to use it but it would be nice to have them as part of this since it is the Veterans Memorial Park to actually include them along with the other listed organizations. Do we kick it back to the commission? Do we just add the veterans to the list of organizations on the bottom of the policy?"

Philip Sinco, City Attorney, said, "The veterans don't have specific events as the organizations have as listed on the policy. Any non-profit can come to the Council for an event to be reviewed, approved, or declined." The Mayor said, "I'd just like to highlight the veterans. The City Administrator has the ability to approve if the City co-sponsors the event. Don't need to change anything but because it is the Veterans Memorial Park, the veterans should have the recognition and ability to use the facility."

Council Member Cardenas suggested to just add a statement, somewhat like "Events sponsored by the veterans". Mr. Sinco said, "Any event? That would mean the veterans wouldn't have to go through the Council which would then be blindly approving the event without any say so. He stated that the three (3) listed events on the policy are traditional and are allowed every year. That's why they're listed on the policy. I'm trying to limit to truly civic and not private events. Veterans would be able to use the facility and would just have to fill out an application like others requesting to use the facility."

Motion was made by Council Member Ramirez and seconded by Council Member Robles to approve Item #4, Item #5 and Item #7. 5/0 passed.

CITY ADMINISTRATOR REPORT: (Information Only)

Mr. Bodem said there was no report to be given at this time.

DIRECTOR OF PUBLIC SAFETY REPORT: (Information Only)

Chief Cash said there was no report to be given at this time.

PUBLIC HEARING

9. Measure A Local Program of Projects.

Written Report: Shannon Sweeney, Public Works Director / City Engineer
Recommendation: That the City Council adopt Resolution No. 2021-14 approving the 2021/2022 through 2025/2026 Measure A Local Program of Projects for the City of Guadalupe.

An overview of Measure A projects showed that in November 2008 voters passed the Road Repair, Traffic Relief and Transportation Safety Measure, commonly referred to as Measure A. This measure provided approximately \$1.0 billion for transportation needs over 30 years within Santa Barbara County, from 2010-2040. Cities in the County, including Guadalupe, are required to submit an annual Measure A Local Program of Projects (POP) to the SBCAG Board showing in detail how the Measure A funds will be spent.

By the City Council adopting the POP, it "certifies that it will include in its budget an amount of local discretionary funding for local streets and roads sufficient to comply with the Maintenance of Effort (MOE) requirements contained in Section 27of the [Measure A] Ordinance..." The City met its MOE

requirements over the last five-year window and will meet its MOE requirements of about \$175,000 over the next five-year window.

Shannon Sweeney, Public Works Director/City Engineer, mentioned to the Council that this is a process done every year. She gave a brief history of Measure A. The City is required in a 5-year plan to show all road projects, how much we will be receiving will be spent. She said that we have to do two things: 1) we to have to demonstrate our Maintenance of Effort (MOE) meaning that we provide monies from our General Fund into it, in certain amounts that meets the requirements showing that we're providing at least five percent (5%) active transportation which are sidewalks and other pedestrian and bicycle and improvements. Ms. Sweeney said, "I can assure you that both of those requirements are met."

Ms. Sweeney then said, "I apologize because Measure A revenues and projects, for some reason, are from last year. There are numbers in here from 2020. I did go through the resolution and the spreadsheet. Both are correct. But the work here is from last year. The work the City is anticipating doing for 2021 has to do with road rehabilitation of some residential areas that were identified in our Maintenance of Effort are overdue."

She explained that road rehabilitation will be taking place on the streets in the following residential area: Almaguer, Julia, Masatani, Nelson, Sanchez, Hernandez, Chapman, Mills, and Montes. She said that she will be putting out an RFP for a consultant to perform road deflection and coating testing to provide recommendations on appropriate road retreatment for rehabilitation. Then final specifications will be put together. The funding that is a carryover of monies from 2019-20 will be applied this year plus the monies from this year in order to do that rehabilitation work.

Ms. Sweeney said, "I am trying to schedule everything to avoid huge amounts of road work in 2024. As you've heard, Caltrans will have a lot of things going and I don't really think we want that many things going on. So, some of the planning is taking that into consideration. I can't promise we won't do any road work but we're certainly taking that into consideration as we plan our future road work. She concluded her comments which then went to public hearing.

Public Hearing opened at 6:41 p.m. No comments. Public Hearing closed at 6:43 p.m. Mayor Julian asked if the Council had the correct attachments. Ms. Sweeney reiterated that the resolution and spreadsheet are correct.

Council Member Cardenas asked if Santa Barbara Street was to be included in this project or just the Pioneer Street area that will get the road work. Ms. Sweeney said, "Look at the area north of West Main Street to west of Pioneer Street, then go all the up from Almaguer Street to Wong Street. All of those streets were listed for either light or heavy rehabilitation. That's getting fairly close to doing the streets. It got beyond what we call 'light or heavy maintenance', similar to what was recently done on all the streets last Fall. That's fairly inexpensive type of repair. The streets in those residential neighborhoods have already passed just doing maintenance. We have to do a little bit more substantial work. By doing the coring and deflection testing, it provides us with whether that treatment is necessary to make sure the roads hold up. The pavement maintenance system listed

the streets all that needed heavy rehabilitation just by looking at them. A pavement consultant can look at the street and think that it's in really bad shape, but it just looks that way on the surface and really isn't that bad. I'm hoping that's what comes from the consultant that the streets aren't really that bad as what they thought so it won't cost as much. Then we can accomplish more work at lower amounts of money. We'll know in June or July after an evaluation is done."

To answer Council Member Cardenas' question about Santa Barbara Street, Ms. Sweeney said that Santa Barbara Street is under 'light or heavy maintenance'. It's not rehabilitation like all of those other streets. She said that it would not be included at this time as the street is not listed for heavy rehabilitation as shown in the plan.

Motion was made by Council Member Cardenas and seconded by Council Member Ramirez to adopt Resolution 2021-14 approving the 2021/2022 through 2025/2026 Measure A Local Program of Projects for the City of Guadalupe. 5/0 passed.

REGULAR BUSINESS

10. Consider Repealing or Amendment of the City of Guadalupe's Cannabis Ordinance.

Written Report: Todd Bodem, City Administrator

Recommendation: That the City Council provide guidance on whether to repeal or amend the City's cannabis ordinance to allow retail storefront cannabis sales, delivery, manufacturing, testing and/or commercial cultivation.

On January 2, 2018, the state began issuing state licenses allowing businesses to sell cannabis products for medical use to individuals who are at least 18 and have a valid physician's recommendation, and adult use to adults 21 and over. Ordinance No. 2018-471 which the City Council approved on April 10, 2018, states a variety of cannabis prohibitions for the City of Guadalupe except for the deliveries for medical purposes from dispensaries located outside of the City, but which exempted cannabis uses required to be permitted under state law, including the cultivation (of up to six plants), and the transportation, possession, purchases of cannabis legally acquired outside of the City.

For quite a few years until FY 2019-20, the City's general fund ran a deficit. Last November 2020, voters approved a 1% sales tax measure (Measure N) to help increase and diversify its revenue portfolio which has previously been sustained by a one-time revenue stream from the Pasadera housing developed. Measure N is estimated to generate \$150,00 for the fourth quarter of FY 2020-21 and \$625,000 for FY 2021-22.

The City has been exploring a variety of avenues to general additional recurring revenue for the general fund. At the City Council meeting on December 8, 2020, Mayor Julian requested that the City's Cannabis Ordinance be brought to the Council to consider repealing or amending it to allow some uses of cannabis in the City. Thereafter, City staff began researching the impact of legalized cannabis uses in other California cities with respect to the revenue that was generated for these cities as well as any negative impacts (e.g., public safety concerns).

Staff quickly realized that this is highly specialized and requires a level of expertise that staff was not able to adequately provide to the Council. City staff then requested proposals from four (4) firms with the required expertise to provide assistance to the City. Two proposals were received, and the City determined that HdL (the City's sales tax consultant, Hinderliter, de Llamas & Associates) was the more comprehensive with a lower cost than the other proposal. HdL is a recognized local government consulting firm with expertise in cannabis related services. Their Cannabis Management Team of professionals has over 46 years of direct experience establishing and implementing cannabis regulatory and taxation programs, to include but not limited to, establishing land-use regulations, permit processes, cost recovery fees, regulatory compliance, etc.

The City sought City Council feedback on whether staff should enter into a contract with HdL that may include a scope of services, such as attendance at community meetings, developing of an amended or new cannabis ordinance, operational agreements, application and cost recovery fees, etc. Costs for HdL services is approximately \$50,000, but these costs are potentially reimbursable depending on what uses, if any, the City Council decides to allow. Depending on what uses are permitted in the City, there might be additional, on-going revenue in the low to mid six figures annually.

Todd Bodem, City Administrator, asked if the Council wanted staff to work with HdL to present back to the Council to see if the City wants to work further on this subject.

Council Member Cardenas asked, "What is HdL offering the City, just a Q&A and a presentation?" Mr. Bodem said they would offer to come before the Council for a presentation, develop revenue projections, development of an amended or new cannabis ordinance, operational agreements, application process and cost recovery fees, application reviews and interviews, supplemental background checks, pre-license site visits and additional hours of technical assistance and subject matter expertise to be used by the City. The costs could be recovered from the successful applicant.

Philip Sinco, City Attorney, said that HdL's proposal from start to finish is \$50,000 but they may delay fees until the reimbursement by the potential applicant, retail store, or firm. He said, "If the Council decided to start with HdL and then they decided not to go through with the legalization process, the City would owe fees incurred up to that point. The Council wouldn't have to pay until a decision was made by the Council not to proceed."

Council Member Cardenas asked if the \$50,000 was for the full scope of work. Mr. Bodem said, "Yes, that fee was for the full scope of work, from front to end. The cost quoted was actually \$44,000 which is still less than the other proposal." He reiterated that HdL has 46 years' experience in this. Mr. Sinco said, "The City currently works with HdL helping us with our tax collection and implementing Measure N. There are 400+ cities in California and HdL 175 of them are their clients. Not all of the clients are for cannabis work."

Mayor Julian said that the City of Lompoc had a lottery system. There's a lottery or development agreement. He said, "With a development agreement, we will be allowed to give specific details, such as 'what we want', 'where it will be located', 'where the money will go', 'who can work here', 'what security there will be', etc. There's a lot of interest in setting a cannabis system throughout

the state but also here. But the City's current ordinance that allows for deliveries. Now deliveries aren't taxed from outside. If we set up a system that allows delivery, we tax that delivery side of things."

Mr. Bodem said that he, Chief Cash and others visited some of the dispensaries and retail stores and found them to be very regulated from the point of coming in. It's all measured. There's security. It's tightly regulated. Probably more so than any other industry."

Shirley Boydston said that some of her questions were already answered by Mr. Bodem. She commented that two plus years ago the decision by Council was "NO" to anything cannabis (marijuana) connected. She went on further to say that there is no land for cultivation. There are many retail sites nearby and home cultivation meets those needs as does medical delivery for those with medical cards. This decision needs careful consideration. Ms. Boydston commented that she had questioned the price of \$50,000 for the study which seems extraordinarily high. However, Mr. Bodem addressed that. She did want to know if the City went ahead and amended the ordinance, would the \$50,000 be recouped from a successful applicant. She stressed, "Again, careful consideration is needed on this matter. We're meeting our needs now but it's a tempting opportunity." The Mayor said, "Part of the resources generated through permitting, taxes, sales tax, etc., we should be committing those funds specifically to things we need to fix."

Council Member Ramirez said that he felt it was worth exploring the matter further. He said, "In the 80s and 90s, we found disproportionate impacts on different population of people. Looking at it and knowing that it's going to be regulated and we have control of where it goes, it's worth exploring. Just exploring does not mean 'yes', it's just exploring further."

Council Member Robles said he recently read an article in NoozHawk or Santa Maria Times about County revenues from cannabis sales having gone up beyond estimates for the past three (3) years. The County is now looking at cannabis revenue being considered a recurring revenue item versus a one-time thing. He expressed a desire to look into the matter more.

Council Member Cardenas asked if staff had explored the League of CA Cities. They have a presentation on best practices on this subject which she has seen. Mayor said that HdL is a part of the League. Mr. Bodem stated that the City was once a member of the League but no longer is. Council Member Cardenas suggested the City consider use of the League rather than committing large costs if we're just exploring. Mr. Bodem said that the League wouldn't be involved with working with the City. Ms. Cardenas said, "What I'm saying is that if we're just exploring and meanwhile, we're getting our community involved." The Mayor said, "From HdL side of things, they really get into detail. I think it is worth seeing what the League offers if we're not members. I believe HdL works well with the League."

The Mayor said, "This may be a 'little egg' and not the 'Golden egg' in the sense of income. We know we've been hammered by COVID. Right now we know that only 30 homes or so will be built at Pasadera for the next several months. Our revenues from permit fees have drastically gone down which we were counting on for our general fund money. We can't just rely solely on cannabis to make things happen. Let's get some resources to help us in some of the areas where we're hurting. My goal I have is looking at the 18 acres or so of commercial to be developed. That would bring in jobs, property taxes, grocery store there, growth, etc. but that won't be for

another two or three years. After COVID, what's going to keep us going on a regular basis that we can depend on that's solid?

Mr. Sinco said, "We need a motion to retain HdL. The City Administrator has the authority for \$50,000 but we want the Council's approval and/or direction." The Mayor said, "As long as we confer with the League." Mr. Sinco added that on the League's website, the latest information on cannabis is 2017. But the League does have some resources that Mr. Sinco said he could check out. He also said that we might be able to save money with HdL on the ordinance. We can negotiate with them. We would use other resources, too. Mr. Bodem suggested that staff listen to the HdL's proposal and see what they have to say. The Mayor then asked if Chief Cash had any comments he wanted to make on the subject.

Chief Cash said, "For Public Safety, we've toured about four or five locations. In Lompoc, there were those that were home grown that people built from the bottom up. You wouldn't even know a dispensary was there until we walked inside. We were shown around and saw armed security, cameras, the county of the monies, how things worked – very nice. I have contacted Police Chiefs from Lompoc and Grover Beach and the San Luis Obispo Sheriff's Department. A lot of them contracted with this company and I got to listen in on a call. Very good." Chief further said that he has visited other home grown locations, as well. These locations had all the necessary documents, permits, security plans, etc. I've never seen a business so regulated, so squared away. Chief continued by saying that on the tours, he watched the people making purchases at each location. Receipts were thrown in the trash. Some receipts were in excess of \$350. He was very impressed.

Chief said, "We're the hub. There's Grover Beach to the north and Lompoc to the south. Santa Maria isn't looking to do anything with cannabis. We're right on the freeway. Guadalupe has a lot of deliveries. They have business licenses in another city and they're bringing product here and there's nothing for us. Let's don't get caught being the last ones to have this thing get swamped on us. This is an opportunity to look ahead, get information and at least make good decisions when we know what's really out there."

The Mayor said that in Lompoc, they have the lottery system but that's not what we want. But I think if someone is going to point us in the direction or we are going to point us in the direction what it is we'd like here in town. Council Member Cardenas said that she had spoken with a cannabis attorney who spoke well of HdL. Some advice given by the attorney was to not use a cookie cutter format but rather have it specific to your city and needs and wants of your residents and community. Make sure HdL does that for your city. HdL can have an ad hoc committee where residents can sit down and do a "merit based" and interview businesses that are applying to come in. If we do it, we need to really focus on getting our residents involved and their concerns are being addressed. Mayor Julian said that "merit based" is good. I think there's going to be interest in wanting to come to Guadalupe. We will say what we want, where we would want it, what we need, how we want to look, and other specifics. "Guadalupe seems to always have a bad reputation", he said, "but those that live here know that it isn't so. Given guidance from HdL who has experience in this area. But we don't have to change anything but just look at them."

The Council was asked for a motion to direct staff to pursue agreement with HdL. Council Member Cardenas asked that staff look at the League first to see what they have to offer. Council

Member Ramirez said that he was fine going forward just being able to look at things. Mr. Sinco said, "The Council could review information obtained from the League. It's not like we're going to incur big costs at the beginning. Also, payment can be deferred to the end if we went all the way through. We can start slow, have one presentation and bring other information." Mr. Bodem added that the League wouldn't actually come here to give a presentation. Mr. Sinco then said the League would give us information and he would follow up on that.

Motion was made by Council Member Ramirez and seconded by Council Member Costs to retain HdL and same time get information from the League of CA Cities. 5/0 passed.

11. Oceano Dunes Park Plan.

Written Report: Todd Bodem, City Administrator

Recommendation: That the City Council consider taking a position 'for or against' the proposed Oceano Dunes Park Public Works Plan to include in the public record before the end of the public comment period for a hearing on the Plan that will be held by California Coastal Commission on March 18, 2021.

Lucia Casalidouva, a 32-year Oceano resident, said she went to council meeting in Grover Beach for the same reason she was attending Guadalupe's meeting. She said that the public work's plan is huge. Everybody's talking about it. There's good and bad between Grand Avenue in Arroyo Grande and Pier Avenue in Oceano. She requested that the Council write a letter to the California Coastal Commission in opposition of the Oso Flaco Development Project. She said, "There are sensitive environmental issues. State Parks don't care what Coastal Commission says. For 40 years they're still allowing OHVs driving on beach but they're out of compliance because they're operating on a temporary permit. Why is State Park allowed to work out of compliance? The Coastal Commission is trying to do its job." She stressed again, "Stop Oso Flaco Development Project. Stop OHVs."

Mayor Julian asked what Grover Beach's decision or position was on the matter. Ms. Casalidouva said, "They would write a letter to the Coastal Commission that they were not taking a pro or con position."

Mayor Julian had received an email from Ilona Shakibnia, founder of the Friends of Oso Flaco Lake, requesting it be read at the City Council meeting. Below is a summary of Ms. Shakibnia's email:

"On behalf of the Friends of Oso Flaco Lake, we urge you to take a position against the Park Plan, particularly as it relates to the Oso Flaco Lake Natural Area. The Friends of the Oso Flaco Lake is a local, California Central Coast group comprised of over 600 individuals and organizations who are dedicated to support the Oso Flaco Lake Natural Area as it is today, for people and wildlife.

We are opposed to all elements of the Oso Flaco Lake 'Improvement' Project contained in the Draft PWP/EIR. We believe the project to be 1) Bad for people, those who visit the area for nature's tranquility, hiking, fishing, outdoor education, etc.; 2) Detrimental to the rich and ecologically diverse wildlife, including plants and animals; 3) Contrary to the Coastal Act and Local Coastal Programs, as well as other state and federal laws, and 4) Very unpopular with the State

Parks, since 2019, having received and completely ignored complaints. We also agree with the CA Coastal Commission does not believe that the Oso Flaco project shows that the PWP effort is moving in the right direction.

For these reasons, we urge you to reject the Oso Flaco Lake 'Improvement' Project and keep Oso Flaco Lake Natural Area just the way it is – a beautiful, serene, and rich area that local people love, and that doesn't need improvement. We support the Coastal Commission staff report regarding the Oceano Dunes Public Works Plan, support its recommendations and urge you to take a strong position against the Park Plan." Sincerely, Ilona Shakibnia (founder)

The Mayor then brought it back to Council for further discussion. He asked, "The options? Do we do anything? Take a position to support it? Take a position to oppose it?"

Council Member Ramirez said, "This has been a year and one half coming that we've been talking about this. This has been near and dear to me. It basically started off being the lack of transparency on the State Parks' side. There had been several times we brought them in here to find out what was going on. As recent as a few months ago, they said that nothing was going to happen. But a new report came out a few weeks later. We've been a marginalized community. We have a lot of people who are not consistently looked at when it comes to resources, not only in our own county but our neighboring county, San Luis Obispo. I hadn't thought about the local impact it would have on agriculture until Council Member Cardenas mentioned it. I did think about the ecological side and everything else that was coming into play with that. I do like the several options to look at. I do like the idea of supporting the Commission's recommendations that the Coastal Commission is going to present in the staff report. And I think if we say that, that's a strong enough position to say again that it shuts off what they plan on doing for Oso Flaco as well as doing the OHVs."

Council Member Robles said, "Oso Flaco is a natural jewel and habitat and preserve. I'd like to see it stay that way. Lucia Castinouva, who spoke earlier, brought up something about low impact. But to open it up to have a second entrance, no, I don't think so."

Council Member Cardenas said, "The Oso Flaco Development Project has impacts, not just on the environment, but on our agricultural workers. That land would be taken away for this development project besides other impacts it would have."

Mayor mentioned that he used to go bass fishing at Oso Flaco Lake. The sand intrusion of the OHVs has damaged the lake. The road to Oso Flaco is so narrow. What about RVs? Easements would have to be purchased to increase the transport back and forth. The lake is pristine. He mentioned the name, Kathleen Jones, a fervent supporter of the environment. He said, "The environmental damage that would be created to me is not worth us approving this plan. And I think we need to, personally, object to the Oceano Plan and to support the Coastal Commission's recommendations for future use."

Mr. Sinco asked the Mayor for a point of clarification. He asked, "Are you saying that the Council should oppose the entire plan or just the Oso Flaco portion?" The Mayor said, "Just the Oso Flaco portion." Mr. Sinco said, "Then I think I heard three (3) in favor from the Council for a recommendation to have a joint statement from the Council opposing the Oso Flaco development

and supporting the Coastal Commission's recommendations. I didn't hear anything else." Council Member Ramirez said, "That's my understanding."

The Mayor asked if this letter then had to be done by March 18th, the date of the Coastal Commission's meeting. Mr. Sinco said, "Yes, the staff would prepare a letter. Would you all like to sign it or have the Mayor sign on behalf of the Council?" Several members of the Council said they would like to sign.

Mr. Sinco then said that the letter would be prepared for all council members to sign. The Mayor then asked, "What if a council member doesn't want to sign?" Mr. Sinco said that all members don't have to sign it. There will be a motion in support of what you have directed the staff to do. That will be in the letter. The letter to the Coastal Commission will have the three (3) statements made by the Council that (1) the Council considered the matter; 2) the Council takes the position against the Oso Flaco portion of the plan, and 3) the Council supports the Coastal Commission staff recommendations.

Motion was made by Council Member Ramirez and seconded by Council Member Cardenas to reject the Oso Flaco portion of the State Parks Plan and support the California Coastal Commission. 4 Ayes and 1 NO/Costa Jr. 4/1 Passed.

FUTURE AGENDA ITEMS

No additional items added to future agenda.

ANNOUNCEMENTS - COUNCIL ACTIVITY/COMMITTEE REPORTS

Council Member Ramirez mentioned that he and Council Member Cardenas met virtually with some of the parents at Mary Buren Elementary School and McKenzie Middle School. They talked about different efforts being made regarding COVID, outreach, community projects and how the community can get involved with long-term projects the City has going on.

Council Member Costa said that there was a school board zoom meeting on Wednesday, March 10th to discuss if students will be going back to school after spring break. It begins at 6:00 p.m.

Mayor Julian attended a 3C meeting. Salary increase for the Executive Director was discussed. Approval of a draft of an agency that said they would support the program was also discussed.

Council Member Cardenas said that the photo contest deadline is Thursday, March 11th. The photo contest is for Guadalupe's youth. The deadline is to submit pictures of strengths and weaknesses in our community. Amigos de Guadalupe is sponsoring this contest.

The Mayor also mentioned that Allan Hancock College is celebrating its centennial this year. They will be asking the City for a proclamation before the actual centennial which in May.

ADJOURNMENT

Motion was made by Council Member Ramirez and seconded by Council Member Cardenas to adjourn meeting. 5/0 passed. Meeting adjourned at 7:36 p.m.

Prepared by:



Amelia M. Villegas, City Clerk

Approved by:



Ariston Julian, Mayor