

# MINUTES

## City of Guadalupe

Regular Meeting of the Guadalupe City Council  
Tuesday, August 10, 2021, at 6:00 pm  
City Hall, 918 Obispo Street, Council Chambers

1. **ROLL CALL:**

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

*Council Member Costa, Jr. was absent. All others present. (Note: The abbreviation "CM" is being used for "Council Member" in these minutes.)*

2. **MOMENT OF SILENCE**

3. **PLEDGE OF ALLEGIANCE**

4. **AGENDA REVIEW**

*No changes were requested for the agenda.*

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.

*Mayor Julian mentioned that an email was received from Mr. Lupe Alvarez regarding the Royal Theatre. Mr. Todd Bodem said that a copy would be posted on the City's website and that copies were on the back table in the chambers.*

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 August 5, 2021.
- C. Approve the Minutes of the City Council regular meeting of July 27, 2021, to be ordered filed.
- D. Adopt Ordinance No. 2021-495 adding Chapter 8.10, Organic Waste Disposal Reduction, to the Guadalupe Municipal Code.
- E. Adopt Resolution No. 2021-60 approving a parks improvement project list.
- F. Adopt Resolution No. 2021-61 approving changes to an agreement with Andrew Goodwin Designs previously approved by the City Council on July 13, 2021, for the design-build proposal to historically renovate the Royal Theater building, and authorizing Mayor Julian to sign the agreement on behalf of the City.
- G. **MONTHLY REPORTS FROM DEPARTMENT HEADS**
  - 1. Planning Department Report for July 2021
  - 2. Building Department Report for July 2021
  - 3. Public Works / City Engineering Report for July 2021

*Item #6.E. was pulled.*

**Motion was made by Council Member Ramirez and seconded by Council Member Robles to approve the remainder of the Consent Calendar. 4-0 Absent: Costa, Jr. Passed.**

*Mayor Julian asked Ms. Shannon Sweeney to speak on the pulled Item #6.E. – Resolution No. 2021-60 approving a parks improvement project list. Ms. Sweeney said that the Council had requested to look at ADA compliant play structures and groundcover for the site at O’Connell Park. She said, “I started with some research first. I looked for ADA compliant play structures that would fit in the space. I looked around and then decided to ask manufacturers to do the work. I made a list of eight (8) play structure manufacturers, names, contact numbers and emails. Then I put together a Request for Quotation (RFQ) with specific criteria, such as ADA compliant, ‘must fit in space’, ‘must include foam mulch/turf, not acceptable’, etc. Then I had some ‘nice to haves’, like a slide would be nice to have.”*

*She continued saying, “I invited submittals, anybody could submit as many options as they wished. Then we’ll lay them out and say that the criteria by which it’s selected is: 1) ability to meet criteria; 2) cost, and 3) desire of the selection committee. We can lay them all out and see which one you*

like. Also, if someone would like other things added, those can be included to make sure the submittal does fit the desires but must be ADA compliant, foam, fit within the space and meet all regulations. That's all put together and now waiting for blessing on funds to send out the RFQ. We don't have to select any quotes that come in. We can always change it and go back out. There's nothing that ties us to the submittals that come out, but it gives us their best bet what can be available given the space. When we turn to them to give your best option, then we'll get the very best for the space and constraints that we have."

CM Cardenas asked, "Is there any way we can we make the space bigger?" Ms. Sweeney responded, "We can pull out the concrete and repour but there isn't any funding right now. If that's something you wish to explore, I should probably go back to square one and have that discussion. One of the things we can do is see what's submitted for the space that's there and see if the structure is enough and then decide. We can always reopen discussion of reconfiguring the space. I'll also put in the RFQ that the City reserves the right to reject all bids."

Mayor Julian asked, "At the last Council meeting, a footprint was shown." Ms. Sweeney said, "Yes, in the staff report there was the footprint. In fact, there was a diagram that showed the measurements and how things could fit in that space." The mayor added, "In the past, that footprint had a lot of equipment that was kind of top-end. I don't think \$23,000 is going to touch it. Maybe that's why you're looking at expanding that."

CM Cardenas explained, "When we were with the Lions and contemplating the idea to help with the park, one of the companies mentioned constraint of the space and maybe it was best to expand." Ms. Sweeney said, "That's entirely possible but I don't know that when that site was put together, the '6-ft. from concrete rule' existed back then. That is a serious constraint for that. If the submittals are good, there's no harm for us to reevaluate the site. Let's see what they provide us."

Ms. Sweeney added, "Mr. Mayor, the \$23,000 is what I'm asking for out of this, but as part of the American Rescue Plan (ARP) funds, I'm adding an extra \$15,000. So that brings it up to \$48,000. As I was doing my research, I found I couldn't get a play structure under \$32,000 that met the ADA criteria. Combining the funds in this fund with the ARP funds, I think we can get a better project. What that means, though, is I'd have to wait for the blessing on those funds before I go out. Although I could always just go out to bid as there's no harm in that. The \$48,000 is a more realistic number for what we're going after. So that's where that stands."

Mayor Julian said, "That's a good start. You're looking for people that can provide that equipment and then the technical advice on what we can do." Ms. Sweeney then said, "We can start over if we don't like what they give us. And I have no problems going through the legwork in getting what we really want." Mayor Julian commented that he just wanted to check on the status of things with the park improvements.

**Motion made by Council Member Cardenas and seconded by Council Member Robles to adopt item 6E. Resolution No. 2021-60 approving a parks improvement project list. 4-0 Absent: Costa, Jr. Passed.**

**7. CITY ADMINISTRATOR REPORT: (Information Only)**

*Mr. Bodem read an email he received from the city auditors which, he noted, was rather nice. It said: "I just wanted to let you know that the Interim Audit went very smoothly this year. Angie and the team were able to provide documents timely and we were able to complete more audit procedures this interim audit than last year's interim. In short, the Guadalupe finance team exceeded expectations. Signed, Samantha Michel, Badawi & Associates". He added, "Kudos to them. They're doing a good job considering Lorena (Zarate, Finance Director) is out now."*

*He also said, "There was also a nice email received from Thomas Brandeberry, Los Amigos de Guadalupe, saying the \$250,000 micro-enterprise grant is in motion and starting. That's going to assist people in Guadalupe who may want to start a business, get training, develop a business plan and work to actually provide for possible loans and grants for them". Mayor Julian added, "Another item that we approved. There are micro businesses in the community. There are about five (5) that have been approved. That's good to see that people are taking advantage of that. Hopefully, this will expand opportunities for people to really get into it."*

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

*No report given.*

**REGUAR BUSINESS**

**9. LeRoy Park and Community Center contract extensions that lead to contract increases due to the approval of needed change orders extending the project completion date.**

**Written Report:** Sonia Rios-Ventura, LADG Community Development Manager

**Recommendation:** That the City Council decide if they would like to use the Fund 26 RDA Operating funds (balance as of June 30, 2021 is \$376,932) or rescind the approval of the PCO-008C parking lot upgrades (\$121,394) to cover the cost of these contract extensions – Resolution No. 2021-62.

*Ms. Rios-Ventura began with a brief background: "There were unforeseen problems with the building with the LeRoy Park Community Center renovation project which resulted in additional working days added to the project. Change orders were approved with working days added to the project. Los Amigos de Guadalupe was focused on finding funds for the phase 2 park features and neglected to consider the additional contract time for the oversight contractors. The terms for the construction inspector, architecture and design team, and labor compliance company's contracts expire on August 13, 2021, which was the original estimated completion date. The project completion date has been extended to December 17, 2021 (about four (4) months from the original completion date). In order to extend these contracts, however, the City Council needs to decide if it would like to use the Fund 26 RDA Operating funds (balance of June 30, 2021 is \$376,932) or rescind*

*the approval of the PCO-008C parking lot upgrades (\$121,394) to cover the cost of these contract extensions (\$79,850)."*

*Ms. Rios-Ventura continued saying, "The affected contractors, Andrew Goodwin Designs, Cannon and the Labor Consultants of California, have provided their costs for their extended contract time. Change orders were approved resulting in additional workdays. As we received additional funds from Prop 68 and donations, we also worked with Los Amigos de Guadalupe and staff to decide on what additional features would be added to the park. With those additional features also came additional working days."*

*She then said, "The question now is where does the Council want to take the funds from? The Fund 26 RDA Operating Funds which has a balance of \$376,932, as of June 30, 2021? (Fund 26 is the fund that is used for all LeRoy Park invoices. Monies are requested back from the State, and those monies then go back into the fund.) Or the alternative is to rescind the approval of the PCO-008C for the parking lot upgrades which would cost \$121,394? We have applied for a grant for \$1.7M that could be used to cover the building extension and would also be able to pay for the parking lot upgrades. Those funds, however, can't pay for the other approved park alternatives as it can't be used for recreational features. So, if we did get those funds, we could use for the parking lot upgrades if you decide to rescind." She also went on to explain the current breakdown of contingency funds along with pending change orders that need to be approved and the contract extension costs increases needed to complete the project.*

*Mayor Julian asked if Ms. Sweeney had any comments on this issue. She questioned the amounts listed in the breakdown of the Leroy Park contingency funds which are on page 2 of the staff report. She said, "The amounts asked for only covers what we know and not any pending costs. Is that right?" Ms. Rios-Ventura said, "Yes, there are three (3) pending change order invoices that will need to be approved as well as possible change orders that can come up since they're barely starting work on the landscaping of the park." Ms. Sweeney then asked, "So you anticipate coming back to the Council once you know what those numbers are?" Ms. Rios-Ventura said that she didn't know when invoices would be coming in so she couldn't say when she'd be coming back before Council but did say she could come back. Ms. Sweeney rephrased, "This will cover what we know now and not what we don't know yet. And we already know that there's stuff that we know we don't know yet. So, that means you anticipate you will be coming back to the Council at some point. So long as that's understood. Just wanted to make sure."*

*Mayor Julian said, "Since the original completion date for the parties involved is August 13, 2021, we need to move on this."*

*CM Cardenas asked, "So, what's being asked is either remove approval for the parking lot upgrades or use funds from Fund 26? What's in the parking lot upgrades?" Ms. Rios-Ventura said, "Some landscaping in that area. Right now, it's aggregate gravel. It will be upgraded to asphalt and doing the striping."*

*The mayor added, "I'm optimistic we can get funds to do the upgrades for the parking lot."*

CM Ramirez asked, "Will any part of this be solar?" Ms. Rios-Ventura said, "We wanted to put grids on the building but there are no funds for that." CM Ramirez mentioned that 3C, Central Coast Community Power, may have some monies there. They've been fishing for people to apply for grants. And maybe the Air Pollution Control Board, as well." Mayor Julian added, "3C has a meeting coming in September. We need to push this thing to see what's available. Everybody is looking for power grid information for solar." Mr. Bodem added that he could provide Ms. Rios-Ventura with contact names for her to research further.

CM Cardenas asked, "What is the amount that we're trying to cover?" Ms. Rios-Ventura said it was \$78,850. CM Cardenas continued asking, "Then would that amount be subtracted from Fund 26?" Ms. Rios-Ventura added, "Or taken from funds allocated for upgrading the parking lot?"

Prior to a motion being made, City Attorney Philip Sinco clarified saying, "The staff recommendation is to use Fund 26 RDA Operating funds and not rescind the parking lot upgrades. That's what the resolution is in the packet. The reason this is not on the Consent Calendar is because there's an alternative. If you wish to rescind the upgrades to the parking lot, that could be done now."

**Motion made by Council Member Ramirez and seconded by Council Member Cardenas to approve Resolution 2021-62 to use the Fund 26 RDA Operating funds and extend the Contracts for Andrew Goodwin Designs, Cannon, and the Labor Consultants for California for the LeRoy Park and Community Center Project from August 13, 2021, until December 17, 2021. Roll Call Ayes: Julian, Ramirez, Cardenas, Robles Noes: 0 Absent: Costa, Jr. 4-0 Passed.**

## **10. FUTURE AGENDA ITEMS**

Mayor Julian mentioned the School Board had previously requested a joint meeting between City Council and the Board. The mayor requested to push something out to December. Mr. Bodem will contact the School District for possible dates.

Philip Sinco, City Attorney, said that he may need more time with the "Short-Term Rentals Ordinance". Since the August 24<sup>th</sup> agenda is fairly heavy, he suggested that item be on the September 14<sup>th</sup> agenda.

Mr. Sinco also requested of the Council to put an item on the agenda to declare stating September as "Ovarian Cancer Awareness Month in the City of Guadalupe". He said, "My wife is the president of a non-profit that promotes ovarian awareness, and she'd be willing to accept a proclamation if you'd be gracious enough to approve one." Mayor Julian approved the request which would be put on the September 14<sup>th</sup> agenda.

Mayor Julian also mentioned the proclamation for Mr. Saucedo who was named the Grand Marshal for the City's 75<sup>th</sup> Anniversary. The mayor further discussed the logistics involved with presenting this proclamation to Mr. Saucedo.

## 11. ANNOUNCEMENTS - COUNCIL ACTIVITY/COMMITTEE REPORTS

*CM Ramirez mentioned that he and the mayor were both able to sign a letter of support for some funding that might be available through UCSB grant for health survey needs. Mayor Julian added, "If there's something that benefits our community and the City in general...if there's a wish by whomever and it's relevant and positive for us, let's go for it. There are a lot of folks out there willing to provide us with assistance. Let's be open about getting it out. I appreciate CM Ramirez bringing it up."*

*Mayor Julian mentioned the "Infinity Healing" zoom ceremony. They thanked Guadalupe for participating. He referenced CM Cardenas for being responsible for the baskets outside City Hall and asked her to explain a little about them.*

*CM Cardenas said, "There are two baskets outside City Hall. They have rocks, seeds and stationery to write to loved ones who've passed. One basket has these items and the other is empty. Residents can come to City Hall to get these items to write letters, decorate rocks in memory of those lost and place them in the empty basket. The baskets are being monitored by a youth group and will be collected together in an art project for all of Santa Barbara County. This art project will be available in both digital and physical forms. Baskets will be outside City Hall until August 22<sup>nd</sup>."*

*Mayor Julian said, "There was a meeting with the design team held last Thursday, August 5<sup>th</sup>, for the Royal Theatre. There were about 12 people who attended. It was a positive meeting. (He also said there's a meeting this coming Thursday, August 12<sup>th</sup>, with all the engineers, design team, etc. to go over the footprint of what we're looking at to move forward with the design.) They showed some rough designs that look really good." He reminded everyone that because the Royal Theatre is an historical building, although we've applied for historical designation. He said, "As an historical building, the façade of the building can't be changed. The marquee has to look the same. It just can't be knocked down and a fancier one put up. There will be a two-story unit in the back of the theatre with dressing rooms, office spaces, etc. It will be very modern. It has to be set aside from the actual footprint. They need to submit plans and pass to us so we can see them."*

*Mayor Julian then mentioned the email received from Mr. Lupe Alvarez which stated a lack of sufficient parking addressed in the contract for the Royal Theatre rehabilitation. The mayor said, "The City owns the Royal Theatre, the physical building and the lot next to it and lots east and south of the theatre. We're looking at about a 300-seat capacity. We're also looking at refurbishing the current seats, but they'd need to be ADA compliant. Front expansion is planned. ADA restrooms on the sides and in the back for performances. Really quite dialed in so you'll be seeing more information. They need to send us shots to let the City know what's going on. It's still a draft and we're still meeting, but things look really good." Andrew Goodwin Designs needs to send the City what they're seeing."*

*CM Robles asked the mayor what time the meeting this Thursday was. Mayor said, "At 2:00 p.m. at the Royal Theatre. Chachi Ramirez and Mira Baylor want to be in charge of operating the theatre. They have theatre connections in Los Angeles. It's a City owned building. That won't change. Kids*

*could participate in training, visual and theatrical events. There will be projectors to show movies and performances. There will be large performances. Someone from Los Angeles who owned a theatre looked at the building and was overwhelmed by it and thought this was a great idea. It's going to be a real jewel in this 'Diamond in the Rough'." Mr. Bodem added that Chachi Ramirez will bring forward to the Council an overview presentation at some point.*

*Mr. Sinco added, "Before the meeting I spoke with CM Cardenas. I had spoken with the City Manager of Santa Maria regarding Guadalupe's 75<sup>th</sup> Anniversary. I asked the City Manager if the City Council of Santa Maria would issue a proclamation to Guadalupe for their 75<sup>th</sup> Anniversary. The City Manager approved the request, and it will be on Santa Maria's Council agenda for the September 7<sup>th</sup> meeting unless there's a change. I asked CM Cardenas to prepare the proclamation as she has all the relevant information. I encourage all of you to attend."*

## **12. ADJOURNMENT TO CLOSED SESSION MEETING**

*The meeting is being adjourned to closed session. Item to be discussed: Public Employee Performance Evaluation (subdivision (b) of Government Code Section 54957) Title: City Attorney*

**Motion was made by Council Member Robles and seconded by Council Member Cardenas to adjourn to closed session. 4-0 Absent: Costa, Jr. Passed. Meeting adjourned to closed session at 6:35 p.m.**

## **CLOSED SESSION**

### **13. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Subdivision (b) of Government Code Section 54957)

Title: City Attorney

### **14. ADJOURNMENT TO OPEN SESSION MEETING**

**Motion was made by Council Member Ramirez and seconded by Council Member Cardenas to go back to open session. 4-0 Absent: Costa, Jr. Passed.**

### **15. CLOSED SESSION ANNOUNCEMENT**

*No reportable action.*

### **16. ADJOURNMENT**

**Motion was made by Council Member Robles and seconded by Council Member Ramirez to adjourn. 4-0 Absent: Costa, Jr. Passed. Meeting adjourned at 6:55 p.m.**



**Prepared by:**

  
Amelia M. Villegas, City Clerk

**Approved by:**

  
Ariston Julian, Mayor