

MINUTES

City of Guadalupe

Regular Meeting of the Guadalupe City Council

Tuesday, October 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

Mayor Julian called the meeting to order at 6:03 p.m. All members were present except Council Member Costa, Jr. (Note: The abbreviation, "CM", for "Council Member", will be used in these minutes.)

2. PLEDGE OF ALLEGIANCE

3. MOMENT OF THANKS, APPRECIATION OR CONDOLENCES.

Mayor Julian said, "Our hearts are with those in the Middle East....very trying times. We wish them peace and safety.

CM Hernandez said, "I just want to thank the Touch of Style Car Club. This is their ninth year supporting the community with their donation of toys."

4. AGENDA REVIEW

Mayor Julian said that Items #9., Director of Public Safety Report, and #11., "Adoption of the June 2023 City of Guadalupe Emergency Response and Procedures Manual", are to be tabled as Chief Cash was not in attendance.

5. CEREMONIAL CALENDAR

A. Swearing-in Jacob Nuño, Fire Captain

Jacob Nuño was sworn in as Fire Captain. He said, "Thank you for this opportunity. Thank you to my support system, my family, my girlfriend, and everybody. I'm ready to move forward. This is a learning process, but I'm looking forward to this challenge and will do the best that I can. Thank you."

Mayor Julian commented, "Captain has been a solid team member of our fire community, our public safety community. When we needed him for anything, food bank... someone falling out of his wheelchair, and he was there to help him. And there are many other instances where you communicate with people, and you're one of the first responders. So, it's great to have you as part of a solid team. I know Chief Cash would really want to be here to welcome you as the Captain. Congratulations to you and I'm glad to see your family is supporting you. The family of Guadalupe is supporting you, too. Welcome!"

CM Lizalde added, "I always feel that the swearing in ceremony, still to this day, gets me excited. To step into this service for your community is such a commitment for you and your family. The sacrifices you make to be on shifts, to be there on call. It's so beautiful to have such a great support system."

6. COMMUNITY PARTICIPATION FORUM

An email was submitted for public comment from Meredith E. Valenzuela, dated 10/20/23:

"I am writing to the city council to express my deep concern regarding the strong and persistent odor emanating from the weed processing plant that was approved. Even though I live at least [a half a mile] away from the processing plant, the overwhelming smell has been prominent in our neighborhood for at least two days now during the day and evening.

As a resident who recently moved into Guadalupe about a year ago, I am disappointed and disturbed that my family has continuous exposure to this nauseating odor of weed. I cannot have my windows or doors open even just slightly without the smell filling up the room. This issue is making it challenging to enjoy our home and outdoor spaces.

I strongly urge the city authorities to take prompt and effective measures to address this issue and ensure that the processing plant complies with and mitigates the release of such strong nauseating odors into our community.

If the situation persists, my family and I will highly consider relocating out of Guadalupe as the current circumstances have created an unpleasant environment to live in. I appreciate your immediate attention to this matter. Thank you."

Michael Rochlin

Guadalupe students are highly intelligent and love to read. They like books...playing chess. They do not need to be bribed with interactive machine gun war games in order to utilize the library. Yet, Head Librarian Jackson's policy has led to an unviable situation. Many patrons no longer use the library. Head Librarian Jackson does not use the Guadalupe Library. Though other branches have numerous employees...here, there is only one. Jackson has said that by allowing students access to these games, maybe they will use the library. This is a reflection of disdain on the community. Guadalupe students do not need to be bribed with interactive machine gun war games in order to utilize the library.

Currently, children may use computers without a library card or any ID. Requiring students to at least have a library card or show ID would involve parents and establish a minimum of control. Most students do not wish to play war games. They would like to read, learn and study. They would like to feel the warmth of the town's support of providing them with a public space of peace and quiet. Encouraging a handful of children who have been sadly addicted to electronics to monopolize it, as in an arcade, drives away patrons of all ages, classes, backgrounds, and interests.

Library administration doesn't know who is behind these games nor the effects these programs are having on children. The Guadalupe branch doesn't need to be under the jurisdiction of any other agency. It can reside, for example, in City Hall, as is done in other municipalities. Their policies could be appropriate for our residents, instead of the library being an object of disdain.

7. CONSENT CALENDAR (A-G)

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 October 16, 2023.
- C.** Approve the Minutes of the City Council regular meeting of October 10, 2023.
- D.** Adopt Second Reading of Ordinance No. 2023-512 amending Chapter 12.12 of Title 12 of the Guadalupe Municipal Code regarding street trees.
- E.** Adopt Resolution No. 2023-84 acknowledging the receipt of and filing of the Annual Statement of Investment Policy for fiscal year 2023-24.
- F.** Adopt Resolution No. 2023-85 accepting as complete the public improvements required for Tract 29,062 (Lot 4N) and Tract 29,064 (Lot 9) of the Pasadera Development (DJ Farms) and to authorize the release of the remaining cash funds deposited to secure construction of the required public improvements.
- G.** Adopt Resolution No. 2023-86 approving a Memorandum of Understanding (MOU) with the Guadalupe Police Officers Association (GPOA) for the time period of August 18, 2023, through June 30, 2024.

No items were pulled. Motion was made by Council Member Lizalde and seconded by Council Member Hernandez to approve the full Consent Calendar. 4-0 Absent: Costa, Jr. Motion passed.

MANAGEMENT REPORTS

8. CITY ADMINISTRATOR REPORT: (Information Only)

Mr. Bodem went through his written report giving additional information and summarizing details on others.

He spoke a bit about 995 Guadalupe Street (Al's Union) saying, "Some of the HCD requirements are that we had to put property away and advertise it for housing purposes. We reached that deadline and now we can start marketing for commercial use." Mayor Julian asked, "What if the City wanted to keep the property?" City Attorney Sinco said, "If we wanted to keep it, we'd need to talk to the Successor Agency's attorney who specializes in this. We'd have to go to the County Oversight Board and request a change to our long-term property management plan. It requires us to sell it. It doesn't say how we have to sell it. What we were proposing as staff was do requests for proposals. We can accept ideas from developers about what they thought best for that property. There could be a variety of ideas. For example, there's been talk about a city parking lot or something like that...a municipal enterprise. That would require a change in the plan, and we'd have to get approval from the Department of Finance in Sacramento. I don't think it would be insurmountable to do...it could be possible to make that change."

Mr. Bodem then said, "The property has a lot of value. There are a lot of entities to divide...more value as property for us or as a development property." The mayor said, "We need a fire station. It's outdated. A parking lot is not high on my priority list although it is used as a parking lot now." City Attorney Sinco said, "We can have the item agendized for the Successor Agency. I'll need to speak with the attorney and bring it forward. I don't think we have to go through the Surplus Land Act again but there are a lot of issues relating to all of this."

Mr. Bodem summarized comments about grant earmarks from Townsend; the City's new website which will be rolling out soon, and potential disaster relief funds for Guadalupe. There are some transitional updates with the Guadalupe Senior Meal Program. He talked about the use of a food truck for a temporary "farmers' market" at Le Roy Park on Fridays. The operation would involve the use of a food truck that has been converted to offer fresh veggies and fruit.

He also commented that there was a zoom meeting last week on the consolidated project of Hwy 1 and 166. This City Administrator's report was put out before the meeting was actually held, but Mr. Bodem said that he wanted to mention the update on the consolidated efforts on this project.

CM Lizalde said that she was excited for a mobile farmers' market where healthy foods can be accessed.

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

- A. Police Department report for September 2023
- B. Fire Department report for September 2023
- C. Code Compliance report for September 2023

The mayor tabled this item.

10. RECREATION SERVICES MANAGER REPORT (Information Only)

A. Recreation and Parks report for September 2023

Ms. Sanchez gave a brief update on activities and events.:

The Senior Fitness classes are back at the Senior Center. Schedule is Monday & Wednesday, 1:00 p.m. to 1:45 p.m. Line dancing is on Tuesday and Thursday, 1:00 p.m. to 2:00 p.m.

Pumpkin Painting: Wednesday, 10/25, at 1:15 p.m. Still open to sign up. Thank you to the Nipomo Pumpkin Patch that donated the pumpkins. It's a pretty pumpkin patch on Eucalyptus Road.

Dia de Los Muertos: Monday, 10/30, will be set up day, 3:00 p.m. to 7:00 p.m. Activities will commence on Wednesday, 11/1, from 3:00 p.m. to 7:00 p.m. and Thursday, 11/2, 3:00 p.m. to 7:00 p.m. Friday, 11/3, will be breakdown.

McKenzie School, Kiwanis, and the Little House by the Park = "Trunk or Treat" at McKenzie. There will be roller skating, Touch of Style Car Club, barbecue, booths and cake walk – 5:00 p.m. to 9:00 p.m.

No drop-in volleyball – gym/auditorium floors are being refinished. Volleyball will be back up next Wednesday, 11/1.

Thank you to those who attended "Movie Night" at Le Roy Park. Two films were shown: "Hocus Pocus" and "The Addams Family". Best costumes were highlighted. Musical chairs were played. Lobo's provided food and snacks. It was a great success. CM Lizalde asked if more movie nights would be scheduled. Ms. Sanchez said that at the next Recreation & Parks Commission meeting, she would ask if a Commissioner would want to be in charge .

Mayor Julian asked about the exercise classes. Ms. Sanchez said that the instructor had filled out a volunteer form. It's run through the City.

The mayor then asked about janitorial services as there's a need at the Senior Center. Ms. Sanchez said that an email had been sent out for estimates, and she's waiting for responses. Mayor Julian added, "Now that there no longer is Los Amigos de Guadalupe, City staff is picking up the cleaning at the Senior Center. Restrooms need to be maintained on a regular basis. City staff is doing a good job taking care of things."

REGULAR BUSINESS

11. Adoption of the June 2023 City of Guadalupe Emergency Response and Procedures Manual.

Written report: Michael Cash, Director of Public Safety

Recommendation: That the City Council adopt the June 2023 City of Guadalupe Emergency Response and Procedures Manual.

The mayor tabled this item.

12. Authorize Mayor to execute a new Employment Agreement with Michael Cash.

Written report: Todd Bodem, City Administrator

Recommendation: That the City Council approve a new Employment Agreement with Michael Cash as Director of Public Safety and authorize the Mayor to sign on behalf of the City.

City Attorney Sinco said that the Brown Act requires public statement of executive contracts. This is a new contract for two (2) years, retroactive to October 9, 2023. There is a 7.5% increase, resulting in a new base salary of \$148,940.48 (\$71.60 per hour). In the second year of the contract, there will be a \$5.00 per hour increase, resulting in an increase to \$159,340.48 (\$76.606 per hour).

Besides the increase in base salary, the position is “at-will”. If terminated without cause, there would be six months of severance. Health benefits will match those of other City employees. Chief Cash is eligible to receive 10 hours of sick leave per month as well as 10 hours of vacation per month. He is also eligible to receive 40 hours of administrative leave annually. He will receive a uniform allowance of \$1,200 annually. In addition, he will be provided an emergency response vehicle at the City’s expense. For retirement purposes, he is classified as “PEPRA, 2% at 57” in the CalPERS Retirement System.

Mr. Bodem then said, “All managers get 80 hours of administrative leave annually.” City Attorney Sinco said that this item could be brought back to make sure of the correct number of hours for administrative leave. Mayor Julian said that he wouldn’t want to take it up now and called for a motion.

Motion was made by Council Member Lizalde and seconded by Council Member Hernandez to authorize Mayor Julian to execute a new Employment Agreement with Michael Cash. Roll Call: Ayes: 4 Absent: Costa, Jr. 4-1-0 Motion passed.

13. FUTURE AGENDA ITEMS

No new future agenda items were added.

14. ANNOUNCEMENTS – COUNCIL ACTIVITY/COMMITTEE REPORTS

CM Hernandez:

Attended the Senior Plan Workshop for County. Guadalupe scored higher than Santa Maria, Santa Barbara and Lompoc in the “livability index”.

United Way – 42% of households are below real cost measures. A family of four (4) would need to hold more than three (3) minimum wage jobs to achieve economic maturity.

CM Robles:

This weekend the Guadalupe Bulldogs football team have two (2) teams in the playoffs. "Juniors" play Saturday at Righetti High School. "Intermediates" have a bye this weekend. CM Lizalde commented that it's always nice to see the community come out when the playoffs are here.

Mayor Julian:

The mayor asked Ms. Sanchez about the vegetable truck. Ms. Sanchez said, "They need to get a Guadalupe business license. They already have a health permit...ready to go. Larry (Appel) to get a site map...where they're setting up. Not taking up a lot of room." Mayor Julian asked if the group was part of 'Fressa'. It isn't. CM Hernandez asked if they were using Root 1 from Lompoc. Ms. Sanchez said that the truck isn't Root 1.

CM Lizalde asked to have other community members or groups get involved. Ms. Sanchez said, "There's so much red tape to get groups involved. Mobile trucks...better deal. Truck is their site...their truck is permitted to be there."

15. ADJOURNMENT TO CLOSED SESSION

Items to be discussed in closed session: 1) Public Employee Performance Evaluation, and 2) Conference with Labor Negotiators.

Motion was made by Council Member Lizalde and seconded by Council Member to adjourn to closed session. 4-0 Absent: Costa, Jr. Motion passed. Meeting adjourned to closed session at 6:45 p.m.

16. CLOSED SESSION AGENDA

Public Employee Performance Evaluation
(Subdivision (b) of Gov. Code Section 54957)
Title: City Attorney

Conference with Labor Negotiators
(Subdivision (a) of Gov. Code Section 54957.6)
Agency designated representatives: City Administrator and Human Resources Manager
Employee organizations: Service Employees International Union (SEIU), Local 620; International Association of Fire Fighters (IAFF), Local 4403

17. ADJOURNMENT TO OPEN SESSION MEETING

Motion was made by Council Member Lizalde and seconded by Council Member Hernandez to adjourn to open session. 4-0 Absent: Costa, Jr. Motion passed. Meeting adjourned to open session at 7:21 p.m.

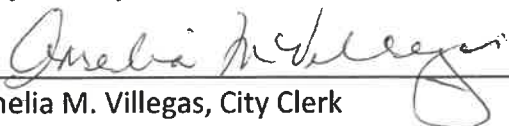
18. CLOSED SESSION ANNOUNCEMENTS

There were no "reportable actions".

19. ADJOURNMENT

Motion was made by Council Member Lizalde and seconded by Council Member Hernandez to adjourn meeting. 4-0 Absent: Costa, Jr. Motion passed. Meeting adjourned at 7:22 p.m.

Prepared by:



Amelia M. Villegas, City Clerk

Approved by:



Ariston Julian, Mayor