

MINUTES

City of Guadalupe

Special Meeting of the Guadalupe City Council

Tuesday, October 24, 2023, at 5:45 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 special meeting to order at 5:45 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. COMMUNITY PARTICIPATION FORUM

There were no requests to speak.

REGULAR BUSINESS

4. **Approval of agreements between the City of Guadalupe and the Pasadera Development and between the City of Guadalupe and Caltrans for Highway 166 improvements.**

Written report: Philip F. Sinco, City Attorney

Recommendation: That the City Council adopt Resolution No. 2023-87 approving the in-lieu funding contribution agreement between the City and the Pasadera developer, and Resolution No. 2023-88 approving the cooperative agreement between the City and Caltrans, both of which are related to a consolidated project for traffic improvements for Highway 166.

City Attorney Sinco explained why there is this special meeting. This item became urgent when it was learned that Cal Trans needed action to be taken before the next meeting, November 14, 2023. They needed action by November 2, 2023. There wasn't enough time to get this item on the regular agenda. This item should be uncontroversial as this is a highly desirable project.

The Pasadera development was approved back in November 2012. One of the conditions that was required for the approval of the project involved some traffic improvements to Hwy 166. Those

haven't been done and weren't intended to be done at that time...they were deferred to a later time when it would be required, and Caltrans would have something to say about that. SBCAG is also working on installing a traffic signal at Hwy 1/166 intersection.

Caltrans has other projects going on with Hwy 166. It approached the parties for a consolidated project which is what is all about. Caltrans requires a cooperative agreement between the City and Caltrans to receive funding for the project. Cal Trans will be providing the remaining funding that isn't provided by the cooperative agreement.

The cooperative agreement involves the City contributing \$9.9M for the project, of which \$5.5M will come from Pasadera, in lieu of its obligations under the development agreement and other documents to actually perform the improvements for Hwy 166. All the parties agree that \$5.5M is fair and reasonable substitute for the actual work it was required to do.

It's already irrevocably offered for dedication certain right-of-way along Hwy 166 from its property. The next item, the City is going to...hopefully, the City Council is going to accept those offers which is also required for this project.

The City's contribution of \$4.4M has already been approved by the City Council in September...actually twice. In July, \$3.3M was approved for this project and another \$1.4M was requested Measure A funding. So, \$4.4M is already approved.

This item involves two (2) resolutions to approve two (2) separate agreements. The main highlights are listed in the staff report. The funding contribution agreement between the City and Pasadera involves \$5.5M to be contributed by the developer and that not likely will be paid before January 1, 2027, unless certain things happen before then that require those monies to be spent. The City's \$4.4M will be spent first. Only at that point will the developer's money be required.

Due to the fact that the money is being spent but the traffic improvements are not being performed for some time, but they would have been performed by Pasadera when they were doing housing in that area, part of the future based developments, it was agreed that in order for the future houses to be developed and constructed in the Pasadera future phases, the improvements required in the agreement had to be deemed satisfied by the execution of this agreement...rather than the actual contribution of the funding. Partly because the funding is required for expensive bridges that have to be built so they need the money to do that. There's no reason to have it until 2027. That was one of the key provisions that was negotiated for the agreement.

As for the cooperative agreement, it's pretty basic. The City signed what Caltrans basically told us to sign. And we give them \$9.9M when they need it. They'll give us notice before it's due, about 45 days. We really don't expect the monies to be paid until at least 2025. City Attorney completed his report and then asked for motions to adopt two (2) separate resolutions.

Mayor Julian said, "I have one caveat. There's one big item: the railroad and lights there. Southern Pacific wants one point person, Cal Trans, and they agreed. The whole project will cost \$31M."

Request to Speak:

Garret Matsuura: On the railroad, I have an additional question. Will there be regular updates and, if so, from whom?" Mayor Julian said, "SBCAG...they're adamant about having public input. They want to meet here to discuss. Caltrans will make sure that... SBCAG wants minute-by-minute updates. Caltrans met with Tayler Farms...trucks coming in."

Mr. Matsuura then asked, "Signal at Hwy 1/166. Design only?" The mayor said, "Pretty much set in stone. \$3M for signalization." Mr. Matsuura said that there's been much discussion about how it will affect agricultural acreage. Mayor Julians said, "There's underground powering. Caltrans will make sure they connect with Pasadera developer."

Motion was made by Council Member Hernandez and seconded by Council Member Lizalde to adopt Resolution No. 2023-87. Roll Call: Ayes: 4 Absent: Costa, Jr. Motion passed.

Motion was made by Council Member Lizalde and seconded by Council Member Robles to adopt Resolution No. 2023-88. Roll call: Ayes: 4 Absent: Costa, Jr. Motion passed.

- 5. Offer to dedicate additional Right-Of-Way (ROW) for public roads, utilities, and drainage purposes along the frontage of the Pasadera Development on Highway 166/Main Street.**

Written report: Philip F. Sinco, City Attorney

Recommendation: That the City Council adopt Resolution No. 2023-89 approving the City of Guadalupe's acceptance of the dedication of Right-Of-Way (ROW) for public road, utilities, and drainage purposes along the Pasadera project frontage on Highway 166 to allow the construction of improvements related to the City-Caltrans Cooperative Agreement.


City Attorney Sinco said that now that the two (2) agreements have been approved, Caltrans needs the City to accept specific lots for Pasadera. Caltrans requires that the City accept the offer to dedicate (OTD) the additional ROW along the Hwy 166 frontage of the Pasadera Development required for the improvements as proposed within the Cooperative Agreement between the city of Guadalupe and Caltrans. Certificate of Acceptance for all – improvement for Caltrans. The City Council will accept the dedication.

Motion was made by Council Member Lizalde and seconded by Council Member Robles to adopt Resolution No. 2023-89. Roll Call: Ayes: 4 Absent: Costa, Jr. Motion passed.

- 6. ADJOURNMENT**

Motion was made by Council Member Hernandez and seconded by Council Member Robles to adjourn special meeting. 4-0 Absent: Costa, Jr. Motion passed. Meeting adjourned at 6:01 p.m.

Prepared by:



Amelia M. Villegas, City Clerk

Approved by:



Ariston Julian, Mayor