

# MINUTES

## City of Guadalupe

### Regular Meeting of the Guadalupe City Council

Tuesday, May 14, 2024, at 6:00 pm

City Hall, 918 Obispo Street, Council Chambers

#### 1. ROLL CALL:

Council Member Christina Hernandez  
Council Member Gilbert Robles  
Council Member Whitney Furness  
Mayor Pro Tempore Eugene Costa Jr.  
Mayor Ariston Julian

*Mayor Julian called the meeting to order at 6:00 p.m. All members were present. (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, "Peace in the world...it's needed."*

#### 4. AGENDA REVIEW

*There were no requests to change the agenda.*

#### 5. CEREMONIAL CALENDAR

- Fentanyl Awareness Day Proclamation

*Mayor Julian read the proclamation which, in part, said: "...Fentanyl Awareness Day is a day of education to raise public awareness that people are dying at alarming rates due to illicitly manufactured drugs mixed with fentanyl, a synthetic opioid...over 150 people die every day from overdoses related to synthetic opioids like fentanyl...it is odorless, tasteless, cheap and extremely potent, 50 times more potent than heroin and 100 times more potent than morphine...*

*it is becoming more common for individual to use drugs without knowing it contains fentanyl and overdosing as a result...overdose deaths linked to synthetic opioids like fentanyl tripled nationally among teenagers in the last two years...Assembly Bill 701 allows the penalties for fentanyl trafficking to mirror those of Schedule I drugs such as heroin and cocaine...*

*Fighting Back Santa Maria Valley Coalition will play an important role in highlighting...efforts to increase awareness and decrease use of this highly addictive and dangerous drug."*

*Mr. Edward Weaver from Fighting Back Santa Maria Valley Coalition was present to receive the proclamation. He said, "It's an honor to be here tonight. I recently talked to the Chief. There hasn't been any overdoses here. There were seven (7) rescues in Guadalupe using Narcan, a medicine that can help people who are overdosing on opioids. Some people have their own Narcan to reverse overdoses. People have it at home; some carry it in their car. Deaths from opioids surpasses other deaths nationwide with 100,000 overdoses.*

*We are being proactive in schools showing the dangers of vaping, marijuana use, opioids. The DEA has a poster with a saying 'One Pill Can Kill'. Xanax, Percocet...those are party drugs. Fentanyl is in marijuana now. Addiction is easy with fentanyl, it's cheap. There are junior high and high school kids in medically assisted treatment. None from Guadalupe. Thank you to Guadalupe, parent support, and the schools' support."*

*Mayor Julian said, "100 times more potent than morphine?" Mr. Weaver said, "The bag with fentanyl is smaller than a stamp. I've never seen a bag that small. The amount is like the size of salt. It's a full hit for an addict to use. The pipeline is from China to Mexico to the United States. Fentanyl is lucrative and easy to make. The DEA has said that most drugs have fentanyl."*

*Mr. Weaver further said that he hadn't heard anything at the schools in Guadalupe. Gina, from 'Fighting Back' said, "There's use of marijuana, alcohol on campuses. Also, nicotine products." Mr. Weaver added that Righetti High School has had some reversals but not Guadalupe students.*

## **6. COMMUNITY PARTICIPATION FORUM**

### Request to Speak

*Mr. George Alvarez: It's amusing that you're talking about fentanyl. I served for four (4) years as a County Drug Commissioner. The problem is not so much the drugs, it's lack of law enforcement. They're not enforcing anything. People that have addictions... Marijuana, the City Council approved the sale of that. There are ramifications and consequences.*

*But that's not why I came here. We need abatement...two (2) houses should be condemned. The police, no, excuse me, code enforcement. What are they doing? There's a homeless person throwing garbage in front of the Basque House on 10<sup>th</sup> Street. Have self-respect for the City. These things represent the City. A local homeless person on the street. Does the clinic here serve the homeless? What are we doing about outreach?*

## **7. CONSENT CALENDAR (A-C)**

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 May 6, 2024.
- C. Approve the Minutes of the City Council regular meeting of April 23, 2024.

*There were no items pulled. Motion was made by Council Member Hernandez and seconded by Council Member Costa, Jr. to approved the full Consent Calendar. 5-0 Motion passed.*

## **MANAGEMENT REPORTS**

### **8. CITY ADMINISTRATOR REPORT: (Information Only)**

- A. City Administrator's report for May 14, 2024
- B. Planning Department report for April 2024
- C. Building Department report for April 2024
- D. City Engineer's report for April 2024

*Some of the items Mr. Bodem highlighted were:*

- *May interest income received was \$50,999.*
- *California's housing market is competitive. The market lost momentum in March as sales fell on a year-over-year basis for the first time in three (3) months.*
- *Cal Trans will hold a virtual public meeting on Thursday, 5/16, to discuss the Hwy 1/166 project.*
- *Planning and building fees are being reviewed as they appear to be much lower than other jurisdictions. More to come on this item.*
- *SBCAG will be giving an update on the City council on the Hwy 166/Black Road project, in either May or June. Construction of the Hwy 166/Black Road Traffic Signal and Safety Improvement Project will begin on July 1.*

*Mr. Bodem mentioned that City Engineer, Jeff van den Eikoff, was not present at the meeting and asked if the City Engineer's report should be read. Mayor Julian commented that it would be good if Mr. van den Eikoff could attend a meeting once a month. Mr. Bodem then stated that there were no significant changes from the prior month's City Engineer report.*

*(Note: Go to our website at [www.cityofguadalupe.org](http://www.cityofguadalupe.org) to view the City Administrator's full report.)*

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

*Chief Cash said, "The PD has not had an arrest directly related to fentanyl. We don't know if someone is on fentanyl when arrested. The County jail will do a medical screen. It was mentioned that there were seven (7) overdosed cases. We're not checking blood levels. That's done at the hospital or if they go to court.*

*As for code enforcement, it's a process. The issue brought up by the Basque House, that's private property. We've notified the property owner. Being homeless is not a crime. I know this gentleman. He walks from the Amtrak station down to 12<sup>th</sup> Street and back all day. There's nothing illegal there. He doesn't bother anyone. He's been offered services, coinage, etc. We can't force a person to leave. We're trying to provide services. Directing people when they want information or assistance. For the community out there, go to the PD and Fire website to mention that there's a need out there that requires attention."*

*CM Hernandez asked, "Could we get an update on GSST? Next meeting or sometime soon?" Chief Cash said, "I'd like to do a presentation to the City Council. Will coordinate that."*

*Mayor Julian said, "There's an individual who knows all the homeless. She knows all of them. There's no trouble from those people. Then on Tognazzini Street, it's unsightly. It was cleaned up 6-9 months ago, but now it's untidy again." City Attorney Sinco said, "I'm working on an ongoing order to secure the building to clean up. The County Administrator can't find the owner. They're going to sell the property, and the City will be reimbursed for any costs incurred."*

*Chief Cash added, "At a location on Surf Bird Court, the person passed away. A citizen stepped up and notified the Police Department. The weeds were cut down. Took it upon themselves to find the family. Will try to sell the property...will be up for sale fairly soon. Citizens working on properties."*

## **10. RECREATION SERVICES MANAGER REPORT (Information Only)**

### **A. Recreation and Parks report for April 2024**

*Ms. Barajas reported on the following:*

- *Cinco de Mayo – good feedback. There were dancers, booths for kids activities, a band, informational booths. Was successful.*
- *Volleyball, Basketball & Dodgeball drop-ins - Saturday, 5/18 – Dodgeball (flyer posted). Participation is increasing for these drop-in sports activities. Information is posted on Facebook, Instagram and the Recreation Department bulletin board.*
- *Movie Nite: June 21<sup>st</sup> inside the Community Center at Le Roy Park. There'll be popcorn and food for sale. The next one will be July 12<sup>th</sup> running through the end of the year.*
- *June 30<sup>th</sup>: collaboration of Art-in-the-Park. This will be held inside and outside the Community Center at Le Roy Park. There will be vendors, art classes, picnic style games, old school activities.*

*(Go to the City's website at [www.cityofguadalupe.org](http://www.cityofguadalupe.org) for the Recreation Manager's full report.)*

*Mayor Julian said, "Volleyball, an assistant coach is out here playing. He played at Righetti High School. There are a lot of youth participating. It's great that the gym's open."*

*CM Hernandez asked, "For movie night, can you share the flyer with the Superintendent to have parents there?" Ms. Barajas said, "We're sharing events with the schools through bulletin boards at the schools, Facebook, Instagram. Flyers are posted in classrooms at both schools."*

## REGULAR BUSINESS

### **11. International Association of Fire Fighters, Local 4403, Memorandum of Understanding for the time period of May 14, 2024, through June 30, 2027.**

Written report: Amelia M. Villegas, Interim Human Resources Manager

Recommendation: That the City Council adopt Resolution No. 2024-32 approving a Memorandum of Understanding (MOU) with the International Association of Fire Fighters (IAFF), Local 4403, for the time period of May 14, 2024, through June 30, 2027.

*Ms. Villegas gave a brief background saying that the City and the Fire Department have not had an agreed upon MOU since the initial one expired June 30, 2021. Negotiations continued reaching impasse. A last, best, and final offer was approved at the November 22, 2022 City Council meeting and conditions and terms of employment were imposed. Further negotiations occurred with the City and IAFF, Local 4403 reaching tentative agreement in late March/early April 2024.*

*The points highlighted in this agreed upon MOU are as follows:*

- *Three-year term, effective May 14, 2024 through June 30, 2027.*
- *Three salary increases will take effect per the following schedule:*
  - Effective July 1, 2024, a salary increase equal to 10%*
  - Effective July 1, 2025, a salary increase equal to 8%*
  - Effective July 1, 2026, a salary increase equal to 8%*
- *Current schedule of 48/96 will be maintained.*
- *Bereavement Leave – changes were made to comply with the State law which went into effect January 1, 2023. Language was changed to clarify up to five (5) days of bereavement leave will be provided, three (3) days paid, and two (2) days without Pay. An employee may request use of vacation, comp time, etc. for the two(2) additional days. The days need not be taken concurrently.*
- *Grievance Procedure – streamlining of the current procedure.*
- *Disciplinary Appeal Procedure – clarification of the appeal process.*

*Ms. Villegas also mentioned two (2) other changes that were imposed back on November 22, 2022 but never were implemented. Those changes which will now take effect are:*

- *Vacation, sick leave, comp time, and any other paid leaves are not considered time worked for the purpose of calculating overtime.*
- *Overtime will now be calculated in a 28-day cycle. All hours in excess of 212 will be considered overtime. (Previously was a 14-day cycle, and hours in excess of 106 were to be considered overtime.)*

*Mayor Julian said, “There were three (3) measures approved before which were intended for public safety. We’re doing well in that area. Salaries are increasing. Ms. Villegas commented that*

*the intent of the salary increases over a three-year period was to bring the Fire Department more in line with other departments of a similar size.*

**Motion was made by Council Member Costa, Jr. and seconded by Council Member Hernandez to adopt Resolution No. 2024-32 approving a Memorandum of Understanding (MOU) with the International Association of Fire Fighters (IAFF) Local 4403, for the time period of 5/14/2024 through 06/30/2027.**

**12. Fee waiver policy for use of City-owned facilities by non-profit organizations.**

Written report: Philip F. Sinco, City Attorney

Recommendation: That the City Council adopt Resolution No. 2024-33 approving a policy for fee waivers for the use of City-owned facilities.

*City Attorney Sinco explained that at the last City Council meeting, an extensive staff report had been presented. The Council's primary direction was not to waive costs that the City incurs, such as utilities, building attendant, etc. The only portion that can be waived is the hourly fee. It was also discussed that to require documented financial hardship from the non-profit/organization was problematic and not important anymore.*

*There were two (2) additional provisions added to the policy:*

- 1) Full security deposit, including the hourly fees, would be returned if the facility had no damage, did not require cleaning, etc.*
- 2) Private events should not be eligible for a fee waiver. (Original policy had stated that point.)*

*CM Costa, Jr. asked, "Is there anything that shows financial hardship? There are some non-profits that don't make a lot of money." City Attorney Sinco said, "I didn't see showing financial hardship as being required, but that can be put back in."*

*Mayor Julian said, "I agree. Some non-profits have sizable bank while others don't. Put rationale for need to waive the fees." CM Costa, Jr. repeated that some organizations have a hardship. City Attorney Sinco said, "Then the financial hardship piece will be put back in the policy."*

*The mayor asked, "What are your issues requiring waiving fees? 'Item #1 – submit letter to the Recreation & Parks Department'. Staff should move that forward. Don't have it go to the (Recreation & Parks) Commission. It should go directly to the Recreation Services Manager."*

*CM Furness asked, "Are we sticking with no waiver or the 40% discount off the hourly fee?" City Attorney Sinco said, "No direct costs will be waived. Only the hourly fee for the rental." Mayor Julian said, "If 40% isn't enough, then a letter should show the financial hardship...demonstrate what that hardship is."*

CM Hernandez asked, "So, an organization hosting a fundraiser would be ineligible for a waiver?" City Attorney Sinco said, "No, they'd have to provide proof of financial hardship."

CM Furness asked, "Are we ever waiving the hourly fee?" City Attorney said, "Yes, an organization can provide criteria requesting waiver." CM Furness then said, "So, the 40% discount is still there?" City Attorney Sinco said, "Yes, the discount is there." It was mentioned that if after the discount, there's a financial hardship, documentation is required showing that hardship to waive the remaining portion of the hourly fee.

### Request to Speak

An email from Ms. Shirley Boydstun was read by the City Clerk: "This newest proposal regarding fee waivers for use of City owned venues is clearer than the previous one. Note, however, Mr. Sinco's admonition that fee waivers mean lost revenue to the City which is really needed for not only regular projects but definitely for the theater upgrade and changes to Central Park. Additionally, this proposal would increase lead time requests, require extra work for Ms. Barajas if she must review applicants' nonprofit status and claim of financial need. To combat all this added waiver review, not lose revenue, and be FAIR to all organizations...just say NO to fee waiver requests. Signed, Shirley Boydstun Guadalupe – received 5/13/24

**Motion was made by Council Member Costa, Jr. and seconded by Council Member Hernandez to approve Resolution No. 2024-33 adopting a policy for waiving fees for the use of facilities. Roll Call: Ayes: 5, 5-0 Motion passed.**

### **13. Support for local implementation of the California Master Plan on Aging and for the City to join the AARP network of age-friendly communities.**

Written report: Todd Bodem, City Administrator

Recommendation: That the City Council adopt Resolution No. 2024-34 expressing support for local implementation of the California Master Plan on Aging and for the City to join the AARP network of age-friendly communities.

Mr. Bodem briefly explained that a presentation had been given at the City Council meeting on April 23, 2024. The presenter, Ms. Margaret Weiss, had made two requests of the Council: 1) support local implementation of the CA Master Plan on Aging, and 2) have the City join the American Association of Retired Persons (AARP) network of age-friendly cities.

Mayor Julian said, "The primary reason this item is before the Council tonight is to ask if the Council wanted to move forward. Yay or nay. If we're looking at a future of an age-friendly community, we need full approval of the board.

**Motion was made by Council Member Robles and seconded by Council Member Furness to adopt Resolution No. 2024-34 expressing support for local implementation of the California**

**Master Plan on Aging and for the City to join the AARP network of age-friendly communities.**

*CM Costa, Jr. asked, "Was a fee involved with this?" City Attorney Sinco said, "There's no fee involved."*

*Ms. Davis asked, "Does this provide financial grants?" Mayor Julian said, "Once our needs are determined and our community supports this... Our Senior Center Advisory Committee ties right into this."*

#### **14. FUTURE AGENDA ITEMS**

*CM Costa, Jr. – Joint meeting with the City and School Board; Mayor Julian said that it is timely to meet. (Mr. Bodem to get dates from the School Board to coordinate with the Council.)*

*Mayor Julian – Royal Theatre: need for the community to be aware of the status of the refurbishing of the theatre. Have Andrew Goodwin Design Group give a presentation to discuss both positives and hurdles with this redesign. There was further discussion of whether to have this presentation at a regularly scheduled City Council meeting or a special meeting. Per Mayor Julian, all the City Council would want to be there. Discussion continued on whether this should be in the City Council chambers or the City auditorium. The mayor said that it could be in the City Council chambers on zoom. Mr. Bodem will get dates from the design group and coordinate with the Council. It was last discussed that a meeting might be held during the week of 6/17/24 – 6/21/24.*

#### **15. ANNOUNCEMENTS – COUNCIL ACTIVITY/COMMITTEE REPORTS**

*CM Robles: Wrestling Group – Righetti High School hosted a match. Out of six (6) teams, Guadalupe placed 2<sup>nd</sup>. Lost to Mesa School. Last Thursday was the awards banquet.*

*CM Hernandez: CEC will be having a 'Clean Air Fair' on Saturday, 5/18. The mobile market will be there.*

*On 5/16, Cal Trans will be giving a virtual public hearing on 'Guadalupe Active Partnership for Signalization and Capital Preventive Maintenance Project to Santa Maria'.*

*At age 102, Yushiko Miwa is the oldest living Japanese who was born in Guadalupe and currently lives in Los Angeles.*

*Mayor Julian: At the Food Bank on Thursday, 5/2, there were 172 returning families and 29 new families for a total of 201 families receiving food distributions. Four (4) members per household. Thank you to City staff who helped out.*

*SBCAG/North County held a meeting in Solvang last Thursday. Cal Trans has projections for road improvements up until 2027. SBCAG is projecting 50 years out. \$21M related to transportation. One project is 'how to reroute Hwy 1 around Guadalupe – projecting that way down the road.'*



*SBCAB meeting for both North & South County meets Thursday, 5/16. Guadalupe supported the new sidewalk; \$481K for the sidewalk and Guadalupe gave \$105K towards that project.*

**16. ADJOURNMENT**

**Motion was made by Council Member Costa, Jr. and seconded by Council Member Hernandez to adjourn the meeting. 5-0 Motion passed. Meeting adjourned at 7:17 p.m.**

**Prepared by:**

  
\_\_\_\_\_  
Amelia M. Villegas, City Clerk

**Approved by:**

  
\_\_\_\_\_  
Ariston Julian, Mayor