

**CHAIRMAN:** ARISTON JULIAN  
**AGENCY MEMBER:** VIRGINIA PONCE  
**AGENCY MEMBER:** LUPE ALVAREZ  
**VICE CHAIRMAN:** JOHN LIZALDE  
**AGENCY MEMBER:** JOHN SABEDRA

**EXECUTIVE DIRECTOR:** REGAN M. CANDELARIO  
**AGENCY COUNSEL:** DAVID FLEISHMAN  
**RECORDING SEC.:** ROSA NAREZ  
**CITY TREASURER:** PETRONA AMIDO

## AGENDA

### GUADALUPE COMMUNITY REDEVELOPMENT AGENCY

**Regular Meeting**  
**Tuesday, May 24, 2011**

**(Immediately Following Regular City Council Meeting)**

**City Hall, Council Chambers**  
**918 Obispo Street, Guadalupe, California 93434**

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's office, (805) 356-3891. Notification of at least 72 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.*

*If you wish to speak concerning any item on the agenda, please complete the Request to Speak form that is provided at the rear of the Council Chambers and hand the form to the Recording Secretary. **Note:** Staff Reports, as well as any materials related to items on this agenda submitted after distribution of the agenda packet, are available for inspection at the office of the City Administrator, City Hall, 918 Obispo Street, Guadalupe, California during regular business hours, 8:30 a.m. to 12:00 pm. and 1:00 p.m. to 5:00 p.m., Monday through Friday; telephone (805) 356-3891.*

1. **CALL TO ORDER.** Chairman Ariston Julian.
2. **ROLL CALL.** Agency Members Lupe Alvarez, Virginia Ponce, John Lizalde, John Sabedra and Chairman Ariston Julian.
3. **PLEDGE OF ALLEGIANCE.**
4. **CONSENT CALENDAR.** The following routine items are presented for Agency approval without discussion as a single agenda item in order to expedite the meeting. Should an Agency 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. Minutes for the Regular Agency Meeting of May 10, 2011 to be ordered filed.

5. **COMMUNITY PARTICIPATION FORUM.**

Each person will be limited to a discussion of 3 minutes. 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. The RDA may direct Staff to investigate and / or schedule certain matters for consideration at a future RDA Agenda

6. **URM PROGRAM UPDATE.** That the Agency Board receives a status report regarding the URM Program.

- a. Written Staff Report (Regan M. Candelario)
- b. Agency discussion and consideration.
- c. It is recommended that the Agency Board receives a status report regarding the URM Program.

7. **URM PROGRAM – REQUEST FOR RELEASE OF RETENTION FUNDS.** That the Agency Board considers the request from program participants, discusses the program guidelines, reviews the current status of specific projects, and provides direction to staff regarding the URM Program.

- a. Written Staff Report (Regan M. Candelario)
- b. Agency discussion and consideration.
- c. It is recommended that the Agency Board considers the request from program participants, discusses the program guidelines, reviews the current status of specific projects, and provides direction to staff regarding the URM Program.

8. **FUTURE AGENDA ITEMS.**

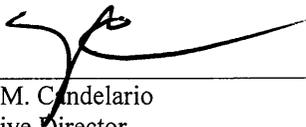
- a. Royal Theater.
- b. Katayama Clock Estimates.
- c. Market Study RFP.

9. **ANNOUNCEMENTS.**

10. **ADJOURNMENT.**

*I hereby certify under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the City Hall display case, the Water Department, the City Clerk's Office and Rabobank not less than 72 hours prior to the meeting. Dated this 20<sup>th</sup> day of May 2011.*

By:



Regan M. Candelario  
Executive Director

**MINUTES**  
**GUADALUPE COMMUNITY REDEVELOPMENT AGENCY**  
**Regular Meeting - Tuesday, May 10, 2011**  
**(Immediately Following Regular City Council Meeting)**  
**City Hall, Council Chambers - 918 Obispo Street, Guadalupe, California 93434**

1. **CALL TO ORDER.** Chairman Ariston Julian called the meeting to order at 9:03 p.m.
2. **ROLL CALL.** Agency Members Lupe Alvarez, Virginia Ponce, John Lizalde, John Sabedra, and Chairman Ariston Julian.

3. **PLEDGE OF ALLEGIANCE.** Done.

4. **CONSENT CALENDAR.** The following routine items are presented for Agency approval without discussion as a single agenda item in order to expedite the meeting. Should an Agency 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. Minutes for the Regular Agency Meeting of April 26, 2011 to be ordered filed.

**ALL AGENCY MEMBERS APPROVE ITEM (a): ALVAREZ/SABEDRA**  
**AYES: 5**

5. **COMMUNITY PARTICIPATION FORUM.** None.

6. **FUTURE AGENDA ITEMS.**

- a. Business Attraction.
- b. Royal Theater.
- c. Ball/Obispo Mud Issue.

***Agency Member, Lupe Alvarez, suggests the mud problems along Obispo Street should be addressed immediately as the current conditions could pose dangerous conditions, particularly for children walking to and from school.***

- d. Katayama Clock Estimates.
- e. Market Study RFP.

***Shirley Boydston had asked to speak, however, she left before this issue was addressed.***

7. **ANNOUNCEMENTS.**

8. **ADJOURNMENT.** Meeting called to a close at 9:08 p.m.

**MOTION TO ADJOURN: ALVAREZ/SABEDRA**  
**AYES: 5**

**REPORT TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF  
GUADALUPE**

**Agency Agenda of February 22, 2011**



Prepared by:  
**Regan M. Candelario**

**SUBJECT:**

URM PROGRAM UPDATE

**RECOMMENDATION:**

That the Agency Board receives a status report regarding the URM Program.

**BACKGROUND:**

The URM Program has been very active over the past year. As the Board is aware, there have been two time limit extension provided to all program participants. Projects were to have been complete by June 30, 2010. The first extension was for six months to December 31, 2010 and the second was for an additional three months to March 31, 2011. It appears that most all of the program participants are complete with the seismic safety portions of their projects by the latest deadline of March 31, 2011. The following are some bulleted updates regarding the program.

- There are a total of 23 projects identified in the URM Program, however four (4) of those specific sties are not in process. The Far Western Tavern building that chose NOT to participate in the URM Program and the Basque House that is not a candidate for URM Improvement. The other two are Agency/City properties – Royal Theater and American Legion Hall.
- There is a balance of only \$3,183.37 in the URM Program from projects that did not expend their entire grant amount.
- Additionally, there is \$328,481.48 remaining in the URM Program for the project locations that have not yet begun. (Royal Theater and American Legion Hall)
- Fifteen (15) projects have completed the seismic retrofit.
- Four (4) projects remain to be completed and each has met the March 31, 2011 deadline to have at least completed the seismic retrofit portions of their projects. Staff has informally extended the deadline for the remainder of their project efforts since the seismic retrofit work has been completed.
- The URM Program was able to fund permit fees for all projects that resulted in \$195,154.43 to the City general fund.

REPORT TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF  
GUADALUPE

Agency Agenda of May 24, 2011

  
Prepared by:  
Regan M. Candelario

**SUBJECT:**

URM PROGRAM – REQUEST FOR RELEASE OF RETENTION FUNDS

**RECOMMENDATION:**

That the Agency Board considers the request from program participants, discusses the program guidelines, reviews the current status of specific project, and provides direction to staff regarding the URM Program.

**BACKGROUND:**

The URM Program has provided much needed financial support, in the form of grants, to many property owners in Guadalupe. As the Board is well aware, the URM Program was developed to provide a financial incentive in the form of a grant to local property owners to assist with the need to retrofit buildings prior to the buildings needing to be closed and ultimately demolished.

There are currently only five projects that are incomplete. The incomplete URM Program participants, (920 Guadalupe Street-Pool Hall, 928 A and B Guadalupe Street-Beverly Chapman building, and 823 through 829 Guadalupe Street-La Simpatia building) have approached the Agency to seek support for their ongoing issues and a release of retention funds.

As the Agency Board is well aware, two program extensions have been provided to all URM Program participants and projects were required to be complete by March 31, 2011. As of today, any project that is not complete is approximately one year past the original contract requirement for completion. At this time, the three buildings listed here are the only projects that are still incomplete and they are now requesting that the Agency release the project retention funds despite their projects **not** being complete.

The retention funds are held on each URM Program project to ensure that all of the work is completed properly and that all of the program guidelines are met. It should be very clear that once the retention funds are released to the applicant/contractor, the Agency/City has no leverage to ensure that work is completed and that the program guidelines are met. Staff does not support this request and highly recommends that the Agency Board deny these requests. The following is a review of the status of each of these three projects.

**AGENDA ITEM NO.**

**Attachments:**

URM Program Guidelines

Remaining Incomplete Projects Status Report

## THE 2006/2007 CITY OF GUADALUPE COMMUNITY REDEVELOPMENT AGENCY DOWNTOWN SEISMIC RETROFIT GRANTS PROGRAM

### OBJECTIVES

The City of Guadalupe Community Redevelopment Agency Downtown Seismic Retrofit Grants Program is designed to encourage property owners in downtown Guadalupe to seismically retrofit Unreinforced Masonry Bearing Wall Buildings. All qualifying buildings in the City of Guadalupe Community Redevelopment Agency Redevelopment Project Area ("Project Area") that do not meet seismic standards are eligible for a grant from the Guadalupe Community Redevelopment Agency, subject to available funding. The City of Guadalupe has adopted the 2003 Edition and subsequent editions of the International Existing Building Code, Appendix A, Chapter A1 and has set a date of 10 years from adoption for compliance by all existing buildings (having at least one unreinforced masonry bearing wall) located within the city limits of Guadalupe. The City has adopted an ordinance reflecting this requirement.

Further, it is the intent of the City of Guadalupe Community Redevelopment Agency ("RDA") to preserve the historical features of the City's downtown buildings to the extent practical.

### BACKGROUND

The grant program will distribute available funds from the Redevelopment Agency bond fund (Fund 91) for payment of construction costs and related governmental permitting fees associated with the seismic retrofit of unreinforced masonry bearing wall buildings located within the Project Area. It is not intended that the grant program fund 100% of the construction costs related to seismic retrofit or that grant program funds be utilized for cosmetic or other ancillary work on the buildings. However, if funds are available, the RDA may fund 100 percent of some or all projects at the discretion of the RDA board.

In December 2003, the City of Guadalupe suffered damage from the Central Coast Earthquake. Thankfully, there was no loss of life from the earthquake in Guadalupe. However, the damage underscored the need to seismically retrofit the downtown buildings before the occurrence of another major seismic event. The RDA's primary purpose in developing the grant program is to assist property owners in improving the safety of their buildings.

### PROGRAM OVERVIEW

- **Fund Total:** \$3,000,000
- **Size of Grants:** See Exhibit A (Sign & Date as approved by Finance Director to validate numbers)
- **Application Format:** Applications must be submitted on the attached application forms with attachments.
- **Deadline for Applications (postmarked by):** Proposals must be received no more than 12 months from April 30, 2007. Proposals may not be submitted by FAX.

- **Project Selection:** RDA staff will review all applications and make recommendations to the RDA board, which will consider approval and funding at a regular meeting of the RDA within 90 days of application submission.
- **Notification:** Applicants will be notified following the RDA vote by the RDA Executive Director, in writing.
- **Questions:** Contact Administration at (805) 343-1340 ext. 103 or Building and Fire at (805) 343-1340 ext. 108.

**ELIGIBLE APPLICANTS** Applicants must be owners of unreinforced masonry bearing wall buildings located in the Project Area.

## **ELIGIBLE PROJECTS**

Projects will be evaluated using the criteria described below. Grants will not be awarded to fund work on buildings other than seismic retrofit work. Only actual construction costs are reimbursable with Grant Program funds. Construction costs include costs for preparation of plans and specifications, actual construction as well as building permits for the actual seismic retrofit work.

## **CRITERIA FOR GRANT AWARD**

1. Applicant is the owner of an unreinforced masonry bearing wall building located in the Project Area that does not meet federal, state or local seismic standards. Proof of ownership must be submitted with the grant application.
2. Applicant must submit plans and specifications for seismic retrofit of the building with the Grant Application that have been prepared by an architect, structural engineer or civil engineer specializing in structural work, licensed by the State of California to practice as such. The building must meet the standards set forth in the 2003 Edition and subsequent editions of the International Existing Building Code, Appendix A and Chapter A1, as modified by Ordinance 2004-367. The Applicant must also include in its plans and specifications, necessary improvements addressing: ADA/Title 24 accessibility requirements; electrical; water heater strapping and automatic gas shut off valve. The plans and specifications must also be accompanied with a cost estimate for proposed improvements, prepared by the design professional.
3. At the time of application submittal, applicants shall provide to the RDA an ASTM Standard E1527-05-compliant Phase I environmental assessment report prepared and certified by a licensed environmental professional. In addition, applicants shall provide an additional certification prepared by a qualified environmental professional concerning the presence of asbestos in the building. Applicants shall be financially responsible for any environmental remediation of the building. Grant funds may be used to pay for the Phase I environmental assessment report and the Asbestos Certification. However, grant funds may not be used to pay for any environmental remediation.

4. Applicant must demonstrate at the time of application submittal that financing is available to complete all required and remaining work not funded by the RDA.

## **RULES FOR GRANT AWARDS**

1. Owner must complete the proposed and approved improvements of the subject building within 18 months from award of the grant. Failure to complete the project within the applicable time frame or abandonment of the project prior to completion may require the Owner to repay the grant to the RDA. The RDA may grant an extension of time on a case-by-case basis. In the event the Owner does not believe he/she will be able complete the project within the required time frame, the Owner should apply for a time extension early enough to ensure sufficient time for the RDA to process a request for time extension and present the request to the RDA Board for consideration.

2. Grant payments will be made by the RDA, or its designee, directly to contractors/engineers for work performed. Invoices for payment must be submitted to the RDA for approval and payment.

3. Owner shall comply with all federal, state and local laws related to the seismic retrofit including any applicable building and fire codes. Owner shall also comply with Government Code Section 8875.8 by installation on the building of a durable sign stating in English and Spanish:

“Earthquake Warning. This is an unreinforced masonry building. You may not be safe inside or near an unreinforced masonry building during an earthquake.”

4. Owner and Owner’s contractor shall comply with all applicable prevailing wage laws and shall indemnify the RDA from all liability related thereto.

5. Owner shall be required to enter into an agreement with the RDA agreeing to the terms, conditions set forth herein.

6. Owner shall be required to indemnify the RDA and the City for Owner’s acts or omissions, and those of Owner’s agents, contractors, engineers and all others acting on Owner’s behalf, arising out of or related to the work performed. Owner shall further be required to indemnify the RDA and the City for any tax or other liability incurred by Owner as a result of receiving the grant under this Program.

## **OTHER GRANT REQUIREMENTS**

**Payment.** Initial payment of grant funds (up to 20 % of the total individual grant) may be made in advance of work to be performed to pay for contractor mobilization. After the initial advance payment, grant funds will not be paid in advance of expenditures. Expenses will be reimbursed no more frequently than monthly upon

submission of an invoice by the Owner's contractor, and after review, inspection and approval by the Building Department of City. Reimbursement will be dependent upon successful completion of work as set forth in the proposal.

Schedule. Work must begin no later than 90 days from the date of grant award and within two weeks of payment by the RDA of any advance payment to contractors.

#### **APPLICATION PROCEDURE**

A complete application package will consist of an original and two copies of the following materials submitted to the City Administrator's office:

1. Application Summary (see attached form) and, all necessary reports.
2. Complete plans for the seismic retrofit and other required improvements (as listed above) of the building.
3. A task list and timeline for the project, including seismic retrofit and all other renovation work.
4. A budget for the project.
5. Proof of ownership of the building.

#### **IMPORTANT NOTICE**

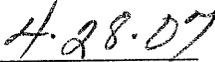
**GRANTEES SHOULD CONSULT THEIR ACCOUNTANT OR TAX ADVISOR CONCERNING ANY POTENTIAL TAX LIABILITY TO THE GRANTEE RESULTING FROM ACCEPTANCE OF A GRANT FROM THE RDA. NEITHER THE RDA NOR THE CITY SHALL BE RESPONSIBLE FOR ANY INCREASED TAX LIABILITY TO THE GRANTEE RESULTING FROM ACCEPTANCE OF A GRANT.**

# Exhibit A

## Grant Amounts Available for Seismic Retrofit on a Building by Building Basis

	<u>Property Name and Address and (Owner)</u>	<u>Amount Available*</u>
1.	Novedas Guerrero 951 Guadalupe St. (Perry)	\$123,338
2.	L&N Properties 941-943 Guadalupe St. (Perry)	\$146,893
3.	Perry Auto 959 Guadalupe St. (Perry)	\$235,280
4.	Mary B's, Discount Store, Apts 887-891 Guadalupe St. (Alvarez)	\$128,911
5.	Siete Luminerías; Joyeria Medina 868-872 Guadalupe St. (Ruedas)	\$106,048
6.	Dominos 878 Guadalupe St. (Ruedas )	\$102,658
7.	Far Western Tavern 899 Guadalupe St. (Manetti)	\$138,949
8.	Muse 910 Guadalupe St. (Teter)	\$214,218
9.	Imperial Café, Vcnt, Ice Cream, Vcnt, RE, Sisters, 946-960 Guadalupe St (Lomeli)	\$168,772
10.	Emmanuel Church 935 Guadalupe St. (Ruffoni)	\$134,155
11.	Guadalupe Financial 928 Guadalupe St. (Lomeli)	\$114,816
12.	Santa Florita - 898 Guadalupe St. (Vernon)	\$189,328
13.	El Tapatio 914 Guadalupe St. (Ramos)	\$82,219
14.	Jalisco Pool Hall 920 Guadalupe St. (Quiriga )	\$105,906
15.	La Favorita 823 Guadalupe St. (Quiriga )	\$158,857
16.	Masatani Market 771 Guadalupe St. (Masatani)	\$121,252
17.	Guadalupe Hardware 393 Guadalupe St. (LeClaire)	\$105,070
18.	Sonoras Restaurant, Esmeraldas, Flamingo, Vct, Little Town Treasures 865-875 Guadalupe St. ( Alvarez )	\$129,974
19.	Vacant 813 Guadalupe St. (Alvarez)	\$89,701
20.	Vacant 854 Guadalupe St. (Nakano)	\$128,465
21.	BASQUE House 998 Guadalupe St. ( Maretti)	\$275,200 <small>Not URM</small>

  
\_\_\_\_\_  
Finance Director

  
\_\_\_\_\_  
Date

*(THIS PAGE TO BE REVIEWED AND APPROVED BY FINANCE DIRECTOR TO VALIDATE)*

\* Amount available is based upon the cost of the seismic retrofit, as determined by Basari Engineering and provided to the RDA by the property owners, as a pro rata share of the available \$3 million from the RDA.

## **URM Program Update – Remaining Incomplete Projects Status**

### **813 Guadalupe Street – Alvarez: Total Grant \$89,701**

This project is very near completion. All of the major URM requirements are met and all of the funding has been disbursed except for the retention funds of \$6,960.75. Only minor tasks remain and they are expected to be complete soon. The contractor has requested final retention payment but has not been able to provide the required lien releases from his vendors. The property owner has agreed not to seek the retention funds until the project is 100% complete.

### **887-891 Guadalupe Street – Alvarez: Total Grant \$128,911**

This project is very near completion. All of the URM requirements are met and all of the funding has been disbursed except for the retention funds of \$12,379.13. Only minor tasks remain and they are expected to be complete soon. Please note that the contractor has not officially requested final payment of the retention funds.

### **928 A/B Guadalupe Street – Ana Lomeli/Beverly Chapman: Total Grant \$114,816**

This project is nearing completion. All of the URM requirements are met and all of the funding has been disbursed except for the retention funds of \$22,041.40. Please note that this building was turned into two units during the URM construction process. Tasks remaining include:

- Final completion of two bathrooms that are ADA accessible at the rear of the buildings.
- Installation of accessibility signage
- Installation of emergency lighting
- 928A, must modify the handicap parking stall striping to current code compliance
- 928B, must include a handicap parking stall
- Installation of emergency gas seismic shutoff valves

This URM Program participant has requested that all of the retention funds be released to Basseri (Engineering and Construction Firm for this project) despite these items listed above not being complete.

### **920 Guadalupe Street – Rafael Quiroga: Total Grant \$105,906**

This project is in good position to reach completion. Some of the URM requirements are met, however the installation of foundation improvements and a new slab floor are crucial to the building being complete and seismically improved. Despite that fact, all of the funding has been disbursed except for the retention funds of \$20,389.82. Tasks remaining include:

- Repair of missing bricks and supports for the foundation.
- Completion of a new slab floor and replacement of the missing bricks support on the foundation by the new slab floor.

- Once the new slab floor is complete, build the proposed new ADA accessible bathrooms.
- Energy calculations must be completed
- Installation of accessibility signage
- Installation of emergency lighting
- Installation of a seismic gas shut-off valve

This URM Program participant has requested that all of the retention funds be released to Basseri (Engineering and Construction Firm for this project) despite these items listed above not being complete.

**823, 825, 829 Guadalupe Street – Rafael Quiroga: Total Grant \$158,857**

This project is far from completion. Most of the URM requirements are met, however there is much that needs to be done for both the upstairs residential units and the first floor commercial units – including the La Simpatia Restaurant. To date, this project address has appeared to be managed much poorly than any of the other projects. Work seemed to only be done in fits and starts...no prolonged diligent activity. All of the grant funding has been disbursed except for the retention funds of \$27,489.14. It should be noted that the second floor residential units were all condemned prior to the initiation of the URM project...and at this point the residential is fairly close to completion and will be in much better shape than prior to the URM project if completed.

Tasks remaining include:

- Second floor residential is ready for wallboard and has been so for the past six weeks. Staff estimates that the second floor residential can be reasonably completed in approximately 60 days at a cost of approximately \$50,000. Please note that there are 16 units on the 2<sup>nd</sup> floor. (Prior to the URM there were 19 units at this location, which were all condemned.)
- First floor commercial area, two ADA compliant bathrooms have been framed, however plumbing and electrical has yet to be started.
- The Guadalupe Fire Department has approved the rebuild of a Type II exhaust hood for the kitchen of the restaurant. A Type I was required. This accommodation saved the project over \$30,000.
- First floor commercial area has initiated rough electrical and has the service equipment installed that is needed. However, there is much wiring still needed which is costly for materials and electrical labor.
- Since the commercial area is an A2 occupancy, two (2) exits are required. Staff has provided a significant accommodation in that the exiting path of travel is allowed to be “outside the building” in lieu of out to the public way.
- Staff has limited the entire program to three simple requirements regarding ADA compliance: bathroom accessibility, path of travel, and an accessible counter.
- The two commercial units other than the La Simpatia restaurant still have knob and tube electrical services; staff sees this as a life/safety issue. Staff will not be seeking accessibility compliance for one restroom in 823 Guadalupe Street.
- Staff has estimated that approximately \$250,000 more will be needed to get the first floor commercial (La Simpatia Restaurant) completed.

This URM Program participant has requested that all of the retention funds be released to Basseri (Engineering and Construction Firm for this project) despite these items listed above not being complete and the project being far from completion.

Regan M. Candelario  
Executive Director  
Community Redevelopment Agency

Cc John McMillan, Building Department (Jas Pacific)  
Marie Gossner, Building Department