

MINUTES

City of Guadalupe Regular Meeting of the Guadalupe City Council

Tuesday, March 23, 2021 at 6:00 pm
City Hall, 918 Obispo Street, Council Chambers

ROLL CALL:

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

Council Member Eugene Costa Jr. was absent.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

AGENDA REVIEW

The City Council agreed to move regular agenda item #11 to be considered before the Public Hearing item #9.

COMMUNITY PARTICIPATION FORUM

George Alvarez stated that he is against any movement the City Council might consider as it relates to allowing any form of cannabis in the City of Guadalupe.

CONSENT CALENDAR

The following items are presented for City Council approval without discussion as a single agenda items 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.

1. 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.
2. Approve payment of warrants for the period ending March 18, 2021.
3. Approve the Minutes of the City Council regular meeting of March 9, 2021 to be ordered filed.

4. Accept the February 2021 Financial Report.
5. Acceptance of City of Guadalupe Transportation Development Act (TDA) fund and Transit fund financial statements for fiscal years ended 2020 and 2019 with Independent Audit Report.
6. Accept, by motion, a grant of easement for a sewer main from the property owners of APN 113-351-023, 287 Mahoney Lane.
7. Adopt Resolution No. 2021-15 authorizing City staff to approve the use of Prop 68 Per Capital grant funds and donations received for the LeRoy Park Capital Campaign on the LeRoy Park project alternates identified in phase two of the LeRoy Park project.
8. **MONTHLY REPORTS FROM DEPARTMENT HEADS**
 - a. Police and Fire Department Report for February 2021
 - b. City Treasurer's Report for February 2021
 - c. Recreation and Parks Department Report for February 2021
 - d. Human Resources Department Report for February 2021

Items pulled: #2 and #8

Motion was made by Council member Ramirez and 2nd by Council Member Robles to approve the balance of the Consent Calendar. 4/0 passed.

Item #2

Ms. Shirley Boydston raised a question about the warrants on page 17 labeled, "Bush Furnisher Office Desk." Public Safety Director Michael Cash said this purchase was recommended by the City's insurance provider from the California Joint Powers Insurance Authority to help improve a much-needed ergonomic support to prevent injury. Ms. Boydston thanked Mr. Cash.

Item #8d

Ms. Boydston thanked Human Resources Director Emiko Gerber for providing an excellent Human Resources Department Report for February 2021.

Motion was made by Council Member Cardenas and seconded by Council Member Ramirez to approve Items #2 and item #8d. 4/0 passed.

CITY ADMINISTRATOR REPORT: (Information Only)

City Administrator Todd Bodem reported that the fence along Treasure Park will be removed as a condition of Pasadera Project development agreement. Mr. George Alvarez stated that the fence is a bit of a nuisance and was painted for less than \$1000 by children 35 years ago.

DIRECTOR OF PUBLIC SAFETY REPORT: (Information Only)

Director of Public Safety, Michael Cash held a successful burglary serious and presented it to the Guadalupe Business Association. Mr. Cash is still working hard to address the fire department's overtime budget and is completing an assessment plan with possible options. He went onto state that he is working on improving the volunteer program. Lastly, he is going to work with the City Administrator on a plan to help the City with the broken and abandoned sculpture art.

Item #11 moved here: Request to Approve Phase II Community Action Plan to Address Homelessness.

Written Report: Kimberlee Albers, County of Santa Barbara

Recommendation: That the City Council:

- a. Receive a presentation from County of Santa Barbara staff; and
- b. Adopt Resolution No. 2021-18 approving the Phase II Community Action Plan to address homelessness: and
- c. Determine the receipt of the documents is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), finding that the project is an organizational or administrative activity of government that will not result in direct or indirect physical changes to the environment.

Lucille Boss, Housing Specialist Sr. and Dinah Lockhart, Deputy Director from the County of Santa Barbara's Community Services Department/Housing and Community Development reviewed the current state of homelessness and provided an overview of the Phase II Community Action Plan to Address Homelessness. The current state of homelessness included local trends, funding, and COVID-19 impacts. The Phase II Plan presentation included: process and timeline, guiding principles, system-level goals, strategies and priorities, and the implementation plan. Council consideration is to adopt the Phase II Community Action Plan to Address Homelessness and determined the receipt of the documents is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), finding that the project is an organizational or administrative activity of government that will not result in direct or indirect physical changes to the environment.

Both County representatives stated that if there are any Questions/comments from the Council and Public focused on emergency rental assistance, they could go to:

*<https://www.unitedwaysb.org/rent> or
<https://www.unitedwaysb.org/covid19-financial-assistance>*

and the regional entry hotline <https://www.liveunitedsbc.org/home-good-santa-barbara-county-homeless-services>.

or call 805-450-3558), as well as meeting the needs of target populations and strengthening supportive services.

Motion was made by Council Member Ramirez and seconded by Council Member Cardenas to adopt Resolution No. 2021-18 Approving Phase II Community Action Plan to address homelessness. 4/0 passed.

PUBLIC HEARING

9. **Public Hearing to consider a Conditional Use Permit Application to use the Pioneer Street Apartments, a 34-Unit Multi-Family Housing Project, located at 856 and 864 Pioneer Street for “Employee Housing”, 2021-001-CUP; APN 115-092-001, and 025.**

Written Report: Larry Appel, Contract Planning Director

Recommendation: That the City Council:

- a. Receive a presentation from staff; and
- b. Conduct a public hearing, including: a) an opportunity for the applicant to present the proposed project, and b) receive any comments from the public; and
- c. Adopt Resolution No. 2021-16 denying the Conditional Use Permit for the Pioneer Street Apartment Project for Employee Housing (2021-001-CUP); or
- d. If the Council wishes to approve the Conditional Use Permit, the Council should continue the hearing to April 27, 2021, to allow staff time to prepare findings in support of approval along with conditions and a CEQA document.

Larry Appel - Staff presentation and Power Point made by Planning Director.

Public Hearing opened at 7:08 p.m.

Steve Simoulis, property owner/applicant made a presentation and showed interior pictures of a typical furnished apartment that would be used by the H-2A farm worker. He included the following points: No modifications would be necessary to add the seventh farm worker to each room, local store owners said that they liked having the workers in town as they would purchase goods from them, there is an outdoor common area at the rear of each building for bar-b-ques and gatherings, no families are included with the workers, the apartments provide 50% more parking than necessary due to the use of vans, there are strict requirements for those living in his 34 units, finally the room with the proposed three employees is a 200 square foot room which the Federal Government would allow a fourth person.

There were a couple questions from Council questioning the sufficiency of parking onsite. Councilmember Ramirez disclosed that he had toured the facility with the owner.

George Alvarez, Resident requested that some units be set aside for veterans, and he also asked if it was possible to get impact fees from this project.

Councilmember Ramirez stated that H-2A workers are in the country legally.

Councilmember Robles stated that the workers are thoroughly vetted prior to arriving in the U.S. Mayor Julian asked if the units could be used as possible emergency housing during the off months (Dec –February). The owner said he has been trying to work with the local charity agencies but had consulted with several attorneys who advised that this might create a tenancy which could prevent the workers from moving in on time.

Public Hearing closed at 7:25 p.m.

Motion by Councilmember Cardenas second by Councilmember Ramirez to continue the hearing to April 27, 2021 and direct staff to prepare Findings for approval as well as appropriate conditions to ensure the project is compatible with the surrounding neighborhood. 4-0-1. Passed.

REGULAR BUSINESS

- 10. Request to initiate a General Plan Land Use Designation Amendment and Rezone Amendment for the Open Space lot within the Point Sal Dunes Subdivision from Open Space to Low Density Residential and from Open Space to Residential Single-Family-Low Density (Specific Plan) R-1 (SP) APN 113-030-059.**

Written Report: Larry Appel, Contract Planning Director

Recommendation: That the City Council:

- a. Receive a presentation from staff; and
- b. Hear public comment from the property owner and the public; and
- c. City Council discussion and consideration
- d. It is recommended that the City Council consider all information presented and determine if it would be in the public interest for the City to initiate a General Plan Amendment and Rezone of the above-noted parcel, and adopt draft Resolution No. 2021-17 Approving Initiation of General Plan and Specific Plan Amendments and Rezoning Request, or, adopt draft Resolution No. 2021-17 Denying Initiation of General Plan and Specific Plan Amendments and Rezoning Request; OR
- e. Continue the hearing to obtain additional information prior to making the determination.

Prior to starting the hearing, the City Attorney discussed a possible conflict of interest in that the Mayor lives in the development that is being considered in this project. It was agreed by the Mayor that he should recuse himself from the hearing and he left the Council Chambers; however, the City Attorney had not been able to complete his analysis of the possible conflict and the Mayor may not, in fact, have a conflict of interest. If the City Attorney determined that the Mayor did not have a conflict of interest, the Mayor could participate in a future hearing on this matter if the Council authorized the application to proceed with an

application), and he was not waiving the ability to participate in the future by stepping down on this item. Mayor Pro Tem Tony Ramirez conducted the hearing.

Larry Appel - Staff presentation and Power Point made by Planning Director.

Philip F. Sinco, City Attorney – clarified that there were two sets of Findings presented by staff in alternative resolutions, but only one could be used by the Council for this item.

Wayne Vaughn, Jr. – Property owner made a presentation which included the following information: he purchased the property from the City of Guadalupe in 1999 for \$1.2 million, he developed 130 homes that were part of the original specific plan, he has maintained the open space lot for over 20 years, he has submitted numerous sets of plans to develop the open space lot over the years with no success as none were taken to City Council for consideration, the Army Corps shows the property to be outside the 100-year flood plain.

Francis Romero – Resident provided an email expressing concerns about development of the property. Her email was to be uploaded to the City's website.

Jeanie Mello – Resident stated that the owner had not kept the site clean and mowed all these years, there were tall weeds last year.

Attorney Sinco - Advised the three Councilmembers that, in light of the absence of Councilmember Acosta and the abstention by Mayor Julian and because a resolution needs to be approved by three affirmative votes, they might want to elect to proceed by way of a motion rather than by way of a resolution in case there were not three votes either for or against initiation. It was determined by brief conversation among the Councilmembers that there would be a unanimous decision, so proceeding by adoption of a resolution would be possible.

Mayor Pro Tem Ramirez asked about the need for affordable housing given the new Regional Housing Needs Allocation (RHNA) requirements.

Planning Director Appel addressed the Council by saying that he had a short conversation with the property owner who expressed an interest in developing some affordable units on the property, such as with the Bonus Density program contained in the City's zoning ordinance.

Mayor Pro Tem Ramirez - asked if the City had sufficient utilities to support this project.

Planning Director Appel - responded that he had had conversations with the City's Public Works Director who indicated that the City had sufficient utilities to support the new growth.

Mayor Pro Tem Ramirez – finally asked about public safety issues.

Michael Cash, Chief/Public Safety Director - said he would need to look at the project plans before he could comment.

Motion by Councilmember Cardenas second by Councilmember Robles to find the proposed GPZ from Open Space to Residential to be in the public interest, supported by the Findings in Resolution No. 2021-17. 3-0-1. Passed

FUTURE AGENDA ITEMS

Add:

- April 19, 2021 @ 5:30 p.m. Budget workshop
- April 27, 2021, Planning Department software tracking system.

ANNOUNCEMENTS - COUNCIL ACTIVITY/COMMITTEE REPORTS

Council Cardenas said it is great to hear about the efforts to get vaccinated.

Council Member Ramirez said that he will be interviewed and will provide a tour with ABC news about the current state of Oso Flaco Lake.

Council Member Robles said that the Pop-Up Monday morning (7 a.m.) one shot (Johnson & Johnson) vaccination was a success. It was good to see the local medical director’s presence during the vaccination efforts.

Mayor Julian said Kudos to making the vaccination happen. He also touted the SBCAG money in \$1.9M for street and highway improvements. Moreover, he mentioned that the city should keep its eyes on the future regarding the redevelopment of the Chevron property. He also thanked Human Resources Manager Emiko Gerber for her help with the Public Safety and vaccine roll out.

ADJOURNMENT

Motion by Council Member Ramirez, seconded by Council Member Robles to adjourn at 8:37 p.m. 4-0. Passed.

Prepared by:



Todd Bodem, Deputy City Clerk

Approved by:



Ariston Julian, Mayor