

MINUTES
City of Guadalupe

Regular Meeting of the Guadalupe City Council
Tuesday, April 27, 2021 at 6:00 pm
City Hall, 918 Obispo Street, Council Chambers

1. ROLL CALL:

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

Mayor Julian was absent. All other present.

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. AGENDA REVIEW

There were no changes made to the agenda.

5. COMMUNITY PARTICIPATION FORUM

Ms. Shirley Boydston thanked the City and Public Works for arranging for resodding of park strips after the water meter boxes were taken up, replaced, with some of the grass destroyed in the process.

Mr. Roberto Valencia spoke in Spanish with Council Member Cardenas giving the translation. Mr. Valencia explained that two years ago, he had a horse at a ranch. A police sergeant said he couldn't keep the horse at that ranch. And if the horse wasn't removed, the sergeant said he would be arrested. Mr. Valencia took the horse away so he wouldn't be arrested. He then went on to explain that he was recently at the "Jiffy" store where he had a pocketknife tucked in his belt and he was arrested that night. Mr. Valencia said that he's been targeted by this police sergeant for the past two years. Mr. Valencia walked over to Mr. Todd Bodem, City Administrator, to show the

pocketknife. Mayor Pro Tempore Ramirez thanked Mr. Valencia for coming to the meeting and said that City staff would follow up on the matter.

6. CEREMONIAL CALENDAR

A. Proclamation – Allan Hancock College 100-Year Anniversary

Mayor Pro Tempore Ramirez read the proclamation. Mr. Kevin Walthers, President of Allan Hancock College, was unable to be present to accept the proclamation. Accepting on his behalf were Mr. Jon Hooten, Executive Director of Allan Hancock College Foundation and three Board Trustees, Dr. Suzanne Levy, Hilda Zacarias, and Jeffery Hall. Mr. Hooten said, “We have educated thousands of students from Guadalupe. We’ve also engaged the business community who are working to be economic drivers for the community but also to be drivers of opportunities for students of all ages. Mr. Hooten went on to explain the importance of the Hancock Promise which allows high school graduates in the district to receive their first year of college tuition-free, regardless of background. He said, “It’s only \$1,300 for the first year which is like a million dollars to many.”

Ms. Zacarias also mentioned that one of the five trustees recently resigned due to a relocation out of the area. That trustee represented Guadalupe and Southern Santa Maria. Ms. Zacarias said, “I encourage individuals from Guadalupe to consider becoming a trustee. A formal notice will be going on the Board of Trustees website as of May 12, 2021.”

B. Proclamation – DMV Donate Life Month – April 2021

Council Member Cardenas read the proclamation which was received by Mr. Scott Burns who is with the organization, Donate Life. Mr. Burns thanked the Council for the proclamation acknowledging the importance of life-saving organ donations. He briefly explained that in 2015 he, himself, became a recipient of a donated kidney. He said that there are 120,000 people on the national waiting list. Every 10 minutes someone is put on the list and every 10 minutes, 17 people on the list die. One in 200 people die nationally in a way where organs could be donated. Mr. Burns said that the “pink dot” on your driver’s license designates you as a donor. In California 43% have signed up to be donors. He encouraged everyone to consider the “gift of life’ through organ donations.

7. 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.

- 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 April 21, 2021.**

- C. Approve the Minutes of the City Council regular meeting of April 13, 2021 to be ordered filed.
- D. Accept the Third Quarter Financial Report.
- E. Adopt Resolution No. 2021-26 authorizing the City to enter a two-year agreement for Planning Services with Mr. Larry Appel, Integrity Planning.
- F. Adopt Resolution No. 2021-27 authorizing application for the Affordable Housing and Sustainable Communities (AHSC) program grant opportunity available through the Strategic Growth Council, associated with the Escalante Meadows housing program.
- G. Adopt Resolution No. 2021-28 authorizing staff to apply for the National Rural Transit Assistance Program (NRTAP) Community Rides Grant Program and authorizing Mayor Julian to sign a letter of support on behalf of City Council.
- H. **MONTHLY REPORTS FROM DEPARTMENT HEADS**
 - 1. Police and Fire Department report for March 2021
 - 2. City Treasurer's report for March 2021
 - 3. Recreation and Parks report for March 2021
 - 4. Human Resources report for March 2021

Items #7B, 7D and 7H4 were pulled.

Motion made by Council Member Costa, Jr. and seconded by Council Member Robles to approve the balance of the Consent Calendar. 4/0 Passed.

Item #7B:

Page 1: Ms. Shirley Boydston said, "I'm anxious to see the \$729 knife that the Chief bought for the Police Department." Chief Cash explained that the purchase wasn't for one knife but rather for 20. He said, "Officers are authorized to carry safety equipment. By all officers having standardized knives, we're in compliance. These are multi-purpose knives, such as cutting through seat belts, breaking a car window with the end point, etc. After Chief's explanation as to the nature of these knives, Ms. Boydston encouraged others to carry similar knives for their own safety. Council Member Cardenas said she pulled the item for the same reason as Ms. Boydston. The line item showed "one unit". Chief said that they have to buy in bulk so the \$729 was for one bulk of knives.

Page 8, EMC Planning: Council Member Cardenas asked if the \$30,327.38 was the full cost for the General Fund. Mr. Bodem said, "It's the partial cost. An invoice comes in, we pay, and then get reimbursed. The total grant amount is \$160,000. This is like a pass through."

Page 12, HdL: Council Member Cardenas asked, "For the three-line items, the total cost is \$1,561.81. Is this 2% for tax assessment?" Ms. Zarate said, "Yes, that amount includes a fee for the projection

they (HdL) prepared for us for the budget workshop. They said \$500 and the other \$1,000 is probably the 2% assessment.”

Page 14, ITech Solutions: Council Member Cardenas questioned the total of \$6,555.45 cost. Ms. Zarate explained that this amount for licenses needed to put on the new server for Finance’s new accounting software and the Police Department’s database. Council Member Cardenas had asked if this is to be a monthly charge and Ms. Zarate said that it is a one-time purchase cost.

Page 14, Linegear Fire & Rescue: Council Member Cardenas asked for an explanation for the \$2,094.66 warrant. Chief Cash that this amount was for prior items. This is from a Volunteer Fire Assistant Grant Program. It was a 50/50 grant for wildland fire safety equipment. Previous payments were made for shirts, boots, and other equipment. The grant will pay 50% and the State pays the other 50%.

Item #7D:

Council Member Cardenas said, “Council had been told before that revenues were not impacted by Covid but now in the report, it says the sales tax is 13% under budget from HdL’s projections. How was that 13% calculated? Ms. Zarate explained that the HdL made projections in June 2020. In prior months, we’ve been under but the difference for March between budgeted and actual was more significant at 13%. So far in April, we received \$45,980. And in March we already received \$33,940. So, the sales tax revenue will be about 75% of budget, or actually 8% under budget.

Item #7H4:

On the Human Resources Report, Council Member Cardenas had questions on the updated policy on the PCF (Paid-Call Firefighter) Program as well as the notation of a start date for two PCF candidates when no decision has been made on the Fire Department’s budget. Ms. Emiko Gerber, HR Manager, said, “The updated policy was written by the law firm, Liebert, Cassidy, Whitmore. We engaged this law firm to look at the PCF Program to calculate hours worked to see if there were any issues with CalPERS retirement or healthcare. They concluded there were no issues. We also asked them to develop this policy.”

Ms. Gerber continued saying that during the time that the law firm was doing its research, PCF candidates continued to be interviewed but we paused on the recruitment process. Two candidates had already completed the required background and medical examinations. The hire dates were established prior to the budget workshop preview. Does the City Council want to wait to hire until budget is finalized?”

Philip Sinco, City Attorney, said that question couldn’t be answered as the subject is not agendized. Chief Cash interjected and said, “We’re holding on to the two candidates, keeping them up-to-date on what’s happening. I met with Fire this morning and discussed the budget and future. Everything’s fluid with nothing certain at this point. We can defer until later but hold on to them.” Mayor Pro Tempore Ramirez said, “Because this isn’t agendized, we can’t take any action on it. But at the manager level, a decision can be made.” Chief Cash said, “Yes. That date isn’t fixed.”

Motion made by Council Member Cardenas and seconded by Council Member Robles to approve Items #7B, #7D and #7H4. 4/-0 Passed.

Note: Item #7G – Adopt Resolution No. 2021-28 authorizing staff to apply for the National Rural Transit Assistance Program (NRTAP) Community Rides Grant Program and authorizing Mayor Julian to sign a letter of support on behalf of the city Council: This item was not noted as pulled prior to the motion to approve the remainder of the Consent Calendar.

Ms. Shirley Boydston commented the City should look at using the statues that are throughout the town. Put those by the bus stops rather than vegetable signs. That will solve the problem of what to do with them. Ms. Shannon Sweeney, Public Works Director, said, “That’s a good suggestion. The grant application, however, has to tie into ‘healthy living’. The nexus to that is healthy foods. We can consider other opportunities for this other artwork which has held up well. Additional artwork doesn’t concern me.”

8. CITY ADMINISTRATOR REPORT: (Information Only)

Mr. Bodem said that there will be a “Cannabis Education & Outreach Workshop” on Wednesday, May 12, 2021, at 6:00 p.m. in the City Auditorium.” He handed out a flyer which is in both English and Spanish with information on the workshop. That flyer will be included in the next utility bill mailings as well as put on social media. The general purpose of the workshop is to seek resident feedback to help the City determine the reasonable local regulations that will be needed, should the City decide to permit cannabis business. Mr. Bodem also mentioned that there will be a Spanish translator in attendance at this workshop.

Ms. Sweeney also mentioned that there was a 2021 kick off meeting for the Road Rehabilitation Design Program. The meeting was to determine the best surface preparation needed for a targeted group of streets, such as Obispo between 9th and 11th, Nelson, Masatani, Julia, etc. Equipment will be here next week but won’t hold up traffic.

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

No report given.

PUBLIC HEARING

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

Written Report: Larry Appel, Planning Director

Recommendation: That the City Council:

- a. Receive a presentation from staff; and

- b. Conduct a public hearing, including: 1) an opportunity for the applicant to present the proposed project, and 2) receive any comments from the public; and
- c. Adopt Resolution No. 2021-16 approving the Conditional Use Permit for the Pioneer Street Apartment Project for Employee Housing (2021-001-CUP).

Mr. Larry Appel, Contract Planning Director, said that this item was brought before the City Council in an open hearing on March 23, 2021. Based on the comments by staff, the applicant and the public at the March 23rd meeting, the City Council directed staff to prepare a resolution for approval that would contain the CEQA findings and conditions of approval necessary for Council to approve the project. Mr. Appel said, "There was one big issue and that was the RHNA (Regional Housing Needs Allocations) numbers. Our concern was when it went to employee housing, we might lost lose credit for those. But the staff have determined, along with the owner, State, and County Planning and Development, that as long as the units are rented within the range as stated in the affordable guidelines, we can continue to keep the 34 within our inventory of affordable units. You have the resolution and I'm recommending for approval." Mr. Steve Somoulis, the applicant, spoke, "I've read the resolution and I accept it."

Mayor Pro Tempore Ramirez opened the public hearing at 6:41 p.m. No Comments. Public hearing closed at 6:42 p.m.

Motion made by Council Member Robles and seconded by Council Member Cardenas to adopt Resolution No. 2021-16 approving the Conditional Use Permit for the Pioneer Street Apartment Project for Employee Housing (2021-001-CUP). 4 Ayes and 0 Noes. Passed.

REGUAR BUSINESS

11. Consideration of Planning/Building Tracking Software Contract with Accela or Dude Solutions.

Written Report: Larry Appel, Planning Director

Recommendation: That the City Council:

- a. Receive a presentation from Larry Appel; and
- b. Provide direction to City Management to move forward and pursue one of the two firms by returning with updated proposals and a recommendation to proceed with the winning proposal: or
- c. Direct staff to not pursue the proposals due to budgetary constraints and thank the firms for their interest in Guadalupe.

Mr. Larry Appel began the presentation by holding up a large white binder which he said is the "records management" system for the Planning Department. He said, "That binder has all permits issued in 2020. It's the only record of those permits issued. We don't have anything online. We need to make changes in the system if we can afford it. When I was started here in December 2017, I learned from staff that Rincon (the prior planning consulting group) would make copies of staff reports and other documents, attach to emails and send all emails to one employee's computer in the Building Department. I developed a directory and had an intern put all documents into

categories. That was step one and part of what we needed to do. Now, what I want to talk about is step two, a long-term records management system.”

Mr. Appel reminded the Council that on March 25, 2021, he had sent a memo to the City Council that described the current state of records management for the Planning Department, as well as the Building Department. That memo included two proposals for planning/building tracking software, one from Accela and the other from Dude Solutions. The intent was to provide Council with sufficient time to review the information and discuss at an open meeting. Mr. Appel said, “A software system is needed to retain information. Of the two vendors interested in providing a proposal, Dude Solutions is a simpler software. However, both allow staff to enter data; information could easily be pulled up to make reports sorted by categories. The public could also have access to the information through a website.”

Mr. Appel said that the decision now is finding funds. One system costs \$57,000 and the other \$79,000 for three years. That’s all the start-up costs, for running the system and providing support for the three years. He explained by saying, “There are two possible funding sources: 1) REAP Grant for \$104,000. There are things I’m doing for the City that the State says the grant can reimburse the City. The City could pay for the software with General Fund monies but there’s \$104,000 in the grant to cover the software costs. There’d be a payback but maybe not immediate; OR 2) Stimulus Program monies.” Mr. Appel said he spoke with the Dude Solutions representative who said that other cities have been successful with using stimulus monies for this purpose. He also spoke with a staff member of Congressman Carbajal’s office regarding the Stimulus Program monies who said, “This type of use is what they’re wanting the stimulus monies to go for. During the pandemic, public can’t access the office to take care of business in person but can do so online.” Mr. Appel also said that the Dude Solutions software also has included a module for the Building Department so all their permits could be tracked. They have side programs we’re not paying for now but at some time we could that includes code enforcement, business licenses and one other.

Mr. Appel said, “Before I leave the City, there’ll be something in place. Whoever comes in will have a good recordkeeping system in place. If the Council believes we should move forward on this, I’d want to give the vendors notice if they wanted to redo their bids since bids are only good for 30 days. Then select a vendor and come back to Council to try and deal with this from a fiscal standpoint.”

Council Member Cardenas asked, “Reading your staff report, will the REAP grant cover the costs?” Mr. Appel said that when he was reviewing the provisions of the REAP grant, it talked about records management system. He said, “When I talked to the person at AMBAG (Association of Monterey Bay Area Governments) who had the final say on which agencies got the monies or not, that person highly recommended instead that we go forward with a program that would reimburse various planning efforts in the City that were conducted by the contract planning staff. That person told me that rather than going that route since you’re a small agency, to have the Director be able to have the different things he works on be reimbursed. That way you can still go forward with the other program. It’s just that you’re paying out of a different pot of money.”

Council Member Robles asked about the two bids. Mr. Appel had spoken with four vendors with two offering bids. He said, “I feel more comfortable with the lower bid (Dude Solutions), not just because of the cost but also that it’s easier to use. If they both continued to bid, that would be my recommendation to Council to go that way.” Council Member Costa, Jr., “Dude Solutions does

schools, too. I'm familiar with their software as the Guadalupe School District uses it for work orders and maintenance. It's very good."

Mr. Bodem said, "This item was not budgeted. It's a grant for planning. The grant will go to the General Fund to cover contract planning costs but may come in as extra revenue to pay for the software. This is a classic example of a grant going to the General Fund but is being used by other departments due to their deficits which is frustrating. The grant gets eaten up, but the revenues are for planning. We have to cover this somehow and some way by cutting into other areas."

Ms. Zarate said, "I spoke with Tyler Software and they have modules for to store permitting information that ties into code compliance but may not be specific to what these software packages would provide. There could be an overlap, but we won't know until we launch. Tyler has paperless capabilities but may not be specialized enough like a planning module can do." Mr. Appel said, "Tyler can't do what these two vendors can. There may be a business license or code compliance element but not what's needed for building and planning."

Ms. Sweeney said, "I'm not opposed to efficiencies in building software to improve things. Software organizations tend to promise more than they can deliver. She gave examples of software used when she worked at CCWA and City of Santa Maria. She continued by saying, "The two software systems, I believe, are too big, advanced and cumbersome. I think we really need to define what we want the software to do. Then work backwards from there to see what we can do in-house as far as our paperwork and documentation. Our community doesn't really deal with computers. It's more an 'in person' community. There are subscription fees that we'd need to pay each year. There's a lot that the City needs to do for our community that's more urgent. We can look at stimulus funds. But until we know how those monies are to be used, I don't know that we want to promise ourselves to this."

Mr. Appel said again, "I'm going to retire in December 2022. I may do some extra consulting to help. Shannon doesn't have time to put things together to find a less huge program. If we don't do something soon, we're not going to have a system. The software is tailored to the needs of the community. I don't think we want to give up six months' worth of work. Vendors have shown us what they can do. I'm disappointed. I think we're ready to go forward. It's a matter of whether you can use the reimbursed monies from the REAP grant to pay for the software. If we can't, then find monies from the large stimulus package that we're going to get soon."

Mr. Sinco added, "I agree with Larry that this will be necessary going forward. The City of Santa Maria started like this years ago and their system is efficient. I strongly support this even if there aren't monies now. This is not a luxury, either for now or in the near future. If we don't have the monies now, we need to keep our eyes open for a grant or some other way to finance this. We can't continue with paper files in this day and age." Mr. Bodem reminded everyone by saying, "This software is for land use and building, not civil. It's land use and planning. It's for that department, and it's necessary."

Council Member Cardenas said, "Personally, I see the need. But financially, I'm not sure now is the time to go forward. In the meantime, as we're prepping for looking at programs for the near future, look at what other type of recordkeeping you can do." Mr. Bodem said that a cost study could be done to build in fees to pay for the software, as part of the application process. Mr. Sinco said,

"We're going to need a cost study. Utilities is doing a cost study now and eventually, we're going to need a thorough General Fund fee analysis. There could be a cost that we include as something necessary for the department, like including a cost as a part of a permit fee." Mr. Appel gave an example when he worked for Santa Barbara County. An additional amount was added to a planner's fee. That extra money went towards upgrading the computer system and software.

Council Member Robles asked, "When will we get the 'ok' for the stimulus monies?" Mr. Bodem said, "I recently spoke with David Mullinex, the League's Regional Representative. We believe the monies would go for this because you're not touching paper. So, we may qualify for COVID and the American Rescue Plan monies. I'm just not comfortable confirming anything yet. We should be getting one-half of those monies within 60 days. The other half, next year." Council Member Robles said that he agreed with the need for the software but needed to know when the stimulus monies would be coming.

Mayor Pro Tempore Ramirez said, "The work that Larry has done to bring things more up-to-date is very good. Just looking at that white binder, we need to have software sooner rather than later. There are two unknowns: 1) When stimulus monies will be received, and 2) Budget getting finalized. This isn't a 'no'. We just need to go back to the drawing board for some research. I know you need direction and that's it." Mr. Bodem said that he thinks we'll get an answer fairly soon.

Mayor Pro Tempore added, "We definitely see the need. Keep this item on the unscheduled agenda items listing. We definitely see the importance for this. Is that enough direction?" Mr. Appel said, "Yes, and I'll get back to the two companies. Funding is the big issue now and that needs to be worked out." Council Member Cardenas said, "We're coming out of a pandemic and have been impacted financially as have everyone else. We do want to move forward. We hope companies would be understanding. We just can't afford it right now."

Mr. Bodem added, "As Larry transitions out, we may be looking at an in-house planner. Having a system in place, somebody in-house could work and massage it for an in-house program."

Council Member Robles asked, "How many binders are there in the Building and Planning Department?" Mr. Appel said, "From what I could find for planning, binders go back to 2006.

- 12. Request to initiate a General Plan Land Use Map Amendment and Prezone for a 0.58-acre property located at the southwest side of the intersection of Eleventh Street and Simas Street, to apply the Low Density Residential General Plan Land Use designation and the R-1 (Single-Family Residential) Zoning District; and inclusion of the 0.58-acre property within the City of Guadalupe's Sphere of Influence and annexation into the Guadalupe city limits (portion of APN 113-040-004)-Resolution No. 2021-29.**

Written Report: Bill Scott, City Planner

Recommendation: That the City Council:

- a. Receive presentation from Bill Scott; and
- b. Hear public comment from the property owner and the public; and
- c. Consider all information presented and determine if it would be in the public interest for the City to initiate a General Plan Amendment, Prezone, Sphere of Influence (SOI) amendment and annexation of the above-referenced property; OR

- d. Continue the hearing to obtain additional information prior to making a determination.

Mr. Bill Scott, Contract Planner, gave a brief history regarding the decision required to annex a 0.58-acre property to Guadalupe's city limits and include within the City of Guadalupe's Sphere of Influence. A single-family home was constructed on a 2.0-acre property at 4146 Eleventh Street. The property was in the County of Santa Barbara at the time. When the home was constructed, an error was made identifying the rear property line of the homesite. The backyard of the home was established on a portion of the neighboring property to the south. Although the 2.0-acre homesite was annexed to the City in 1995, the backyard of the home, on the southside, remained in unincorporated Santa Barbara County which amounts to a 0.58-acre area.

The City's Contract Building Official, Mark Green, has stated the property is currently in non-compliance with certain State Building Codes pertaining to fire and safety. Correcting the error with the rear property line by annexing it to the City of Guadalupe, there would no longer be any violation.

To correct this problem, a lot line adjustment was filed with the City, and the Planning Department's "tentatively" approved it, with special conditions. Because the 0.58-acre area is in unincorporated Santa Barbara County and the 2.0-acre homesite is in the City, the adjoining 0.58-acre area must be annexed into the City before the Local Formation Commission (LAFCo) moves forward with the lot line adjustment request.

Mr. Scott said, "There are no huge "plusses or minuses" to taking this action to ultimately correct the property line error. The homesite has its own well and septic. City emergency services would respond even if the property was in the County. This would clean up the map with correct uses. As mentioned before, the City's Building Official approved. We'd ask for an exemption to CEQA. This is just a procedural action, a map clean-up. There is no development or change of use. If we proceed, we'd bring everything back for a public hearing with everything in a detailed report with any implications with the General Plan, Sphere of Influence, annexation, etc."

Mr. Scott said, "It's recommended that the City Council consider all presented information and determine if it would be in the public interest for the City to initiate a General Plan Amendment and Rezone of the appropriate noted parcel and include the 0.58-acres into the City by adopting the resolution before you, Resolution No. 2021-28."

Mr. David Cross, who represents the property owner, Mr. Almaguer and family, thanked Mr. Scott for his work on this request. He said, "A mistake happened many years ago. The half-acre needs to be absorbed on Mr. Almaguer's property to clean things up. We've applied for various reviews by other groups involving numerous jurisdictions. I request the support of the City Council."

Council Member Robles said, "The mistake happened back in 1978 or 1979. Seems common sense to approve the request."

Council Member Cardenas asked for clarification if this action required CEQA review. Mr. Scott said, "Yes, all projects like this require a CEQA review. We believe it's just a map clean-up issue and it's probably exempt. The next higher form of CEQA review would be a negative declaration which is a little bit more complicated. But, yes, it would require a CEQA review." Council Member Cardenas

further asked, "The incurred costs for CEQA. Who pays?" Mr. Scott said, "The applicant pays for the processing. A substantial deposit has already been paid."

Mr. Bodem said, "This is a jurisdictional issue between the City and the County. Ownership is in the County and part of another property. Is that the applicant's property?" Mr. Scott replied, "That's where the land line adjustment comes in for the 0.58-acre area. The south property owner is in full agreement to take action."

Council Member Costa, Jr. asked, "What brought this action to light now? Did something new happen?" Mr. Scott said, "Mr. Almaguer has been talking to the south property owner for years. They finally agreed to take care of things now." Mr. Cross added, "Timing is perfect for it to happen. Mr. Almaguer wants to clean it up for his estate, so this problem doesn't get kicked down the road."

Motion was made by Council Member Robles and seconded by Council Member Costa, Jr. to adopt Resolution No. 2021-28 supporting initiation of a general plan use map amendment and prezone for a 0.58-acre property, located at the southwest side of the intersection of Eleventh Street and Simas Street, from Unincorporated Santa Barbara County to the low density residential general plan use designation; and from Unincorporated Santa Barbara County to R-1 (Single Family Residential) Zoning District; and inclusion of the 0.58-acre property within the City of Guadalupe's Sphere of Influence and annexation into the Guadalupe City Limits (portion of APN 113-040-004). 4/0 Passed.

13. Reclassification of Emergency Preparedness Coordinator/Non-Exempt position to Emergency Services Manager/Exempt position.

Written Staff Report: Emiko Gerber, Human Resources Manager

Recommendation: That the City Council adopt Resolution No. 2021-24 creating the exempt position of Emergency Service Manager and approving a job description and salary range for this position, eliminating the nonexempt position of Emergency Preparedness Coordinator, and Reclassifying the current Emergency Preparedness Coordinator to the new Emergency Manager Classification.

The request to reclassify the Emergency Preparedness Coordinator position from an hourly position to an exempt position had been previously presented to the City Council. It had been recommended to bring the request back with additional justification for the City Council's further consideration.

Ms. Emiko Gerber, Human Resources Manager, began by explaining the differences of the Emergency Preparedness Coordinator position versus the Emergency Services Manager reclassification. FEMA's definition of emergency services has four functions: preparedness, response, mitigation, and recovery. The "Coordinator" position handles two of the four functions, preparedness, and response. In addition to those two functions, the "Manager" also handles mitigation and recovery.

Council Member Costa, Jr. asked, "What is exempt?" Ms. Gerber said that there's non-exempt/hourly and exempt/salaried. Exempt positions are not eligible for overtime. She referenced supporting documentation regarding focus on overall responsibilities. She referenced CJPIA and a risk management evaluation that resulted in an itemized report, Loss Control Action Plan. This

itemized report shows outstanding areas that need correction and updating. The areas are listed as urgent or important and have been on the books since around 2015. These tasks are mostly safety related and have components relating to general liability and workers' compensation.

She continued saying, "There's a workers' compensation report with the staff report, too. It shows an analysis of claims for the period 2015-2020. Tim Karcz, Senior Risk Manager, would be available to explain more on this report to the Council. Emergency services can help mitigate potential injuries and illnesses onsite. Most of these claims are strains. There were about 23 such claims. For this five-year period, there are five open cases. Three were litigated. There aren't any new cases as of March 31, 2021."

Ms. Gerber emphasized that with the Safety Manager role and monthly safety training, issues can be mitigated with an internal safety program. Everyone could benefit from preventive measures which, hopefully, will drive down the number of claims. CJPIA used a comparison with three similar sized cities. The average cost per claim is \$3.03 (for every \$100 of payroll costs) whereas the cost in Guadalupe is about \$10 per claim. It is a team effort to manage the safety program to make sure its effective.

Chief Cash said, "These are two separate jobs: risk management and emergency management. We're merging these two because we don't have a lot of staff. I can't go to Santa Barbara for numerous meetings. We're still trying to put together a county-wide emergency program. But I don't I have the time to put together our portion of that plan. Having someone to oversee safety issues in departments and preparing us for emergencies is vital and huge. Looking at this internally, this position can save us from lawsuits. We're looking at what's needed to prepare the City for disaster."

As for the cost to reclassify this position, Chief said, "I'd be moving funds from one position to this one. It's practical, necessary and we can afford to do it." Ms. Sweeney asked, "Isn't this paid from the General Fund?" Chief responded, "The addition isn't. It's about \$11,000 to add to the existing position." Ms. Sweeney said that it's still General Fund and Chief said, "Yes, it is."

Council Member Cardenas asked the Chief, "Where are you taking the money from?" He said, "The \$45,000 for the PCF Program. That program was developed years ago for a specific purpose. I'm trying to reevaluate it. There were to be about 12 PCFs for \$45,000. With changes in stipends, \$45,000 is not enough for 12 PCFs. The two current PCFs aren't using the \$45,000. I'd take \$11,000 from that program and move it to this position but still keep the program running." Council Member Cardenas further asked, "So, you'd hire less PCFs. Maybe just three or four?" Chief said, "We have two candidates in position now. We still need to look at the program. Is it still viable? The program was built when we only had one Fire Captain. We've really changed."

Council Member Cardenas asked, "That would be it for the PCFs?" Chief Cash explained further saying, "This is evolving. What does the City get from this program? We need to relook everything. How can the Police and Fire involve our youth? How do we get our youth to look at emergency services and first responders as potential professions? I'm looking to partner with schools and the hospital to look at ways to do that. I'm looking at all programs. Are they efficient? Are necessary monies used for our community?"

Council Member Cardenas said, "Thank you for being so invested in our youth and trying to get resources into our community. The monies for this reclassification, though, are dependent on decisions we haven't made yet. There's been no final decision on the budget. Like the stimulus monies where we were thinking we already have it, but we don't. We need more evaluation on what we're doing to say we comfortably have the monies." Ms. Zarate said, "I agree with Council Member Cardenas. The \$11,000 would be funded on the assumption that there will be \$45,000 for the PCF Program."

Council Member Costa said, "I like seeing putting two jobs into one. I understand about budget cuts. I'd like to talk further to see how PCF Program has changed. But we can do that another time."

Council Member Robles said, "I agree with Council Member Cardenas. Mentoring kids is great. Start our youth here with a profession. If we can figure something out knowing that monies are there." Council Member Cardenas added, "Once we have things finalized and we're comfortable that funds are available, then we can discuss where the monies can be allocated but we can't do that with assumptions."

A question was asked about whether the employee can grow into the position. Mr. Sinco said, "The position is now hourly. Chief couldn't use the employee for the additional responsibilities. The City Council needs a better explanation on how the position can be funded now and how it would be funded next year, not with some contingent funds. Identify funds for this year and going forward. Maybe find a position that's currently funded that can remain vacant."

Mayor Pro Tempore Ramirez said, "We have had two items that are separate from the budget, both unbudgeted monies. It isn't equitable to take no action on Mr. Appel's request for software and then give special attention to other areas. We need to pass the budget with hard numbers and hard facts. We can't assume that monies are going to be there."

Chief Cash added, "I have an open position with a person who is out on worker's compensation. We would look to defer that position, which is about \$116,000, back to the General Fund. If that employee doesn't come back, he's at the top of the salary range. If we hired a new officer, we'd go at the lower level. We could take funds from that position and still have funds for this one. Mayor Pro Tempore Ramirez cautioned filling a position while someone is out due to a worker's compensation issue."

Mr. Sinco said, "The budget's coming up soon. A budget amendment would be needed if there's support to upgrade if funds are found. If not, no need to go forward. I think I heard Chief say he really wants to reclassify the employee in this regard. He needs to find monies because there is an unbudgeted increase. Is there support if he finds funding? If the reclassification can be justified within the restrictions of the budget, would there be support? If not, we don't want to waste staff's time."

Mayor Pro Tempore Ramirez suggested looking at an intern or graduate student for project-based work like a specific part of the safety program. Ms. Sweeney said, "The Sidewalk Deficiencies Report. My intern did it already." Mayor Pro Tempore Ramirez said to look at other areas to pursue. We don't know if it's needed now." Council Member Cardenas suggested outsourcing to other organizations or agencies that do mitigation and/or look at mitigation training.

Mayor Pro Tempore Ramirez brought the discussion back to the Council. He said, "It's not a matter of my being for or against the reclassification. We need more concrete data and numbers. If we need to do a budget amendment to look at other avenues, after the budget is final, we'll look at that. I like the idea of engaging some youth, Cal Poly students. There are things we can do that are actionable that we've seen in the past done well and cost less, but still get a great product."

Council Member Costa, Jr. asked, "There's a step increase with exempt to range 227 because of the other job. Why is that?" Ms. Gerber explained, "With the reclassification to range 227, the move was from Step A to Step B. It was SEIU's recommendation to move to Step B as the incumbent wouldn't be eligible at the one-year anniversary mark with a hire date of December 2020." Council Member Costa, Jr. asked, "How much overtime has there been?" Ms. Gerber said, Under \$1,000, year-to-date."

Mayor Pro Tempore Ramirez said, "No action taken for the resolution on the reclassification of Emergency Preparedness Coordinator/Non-Exempt position to Emergency Services Manager/Exempt position."

14. FUTURE AGENDA ITEMS

Ms. Sweeney said to eliminate "Public Works' presentation" previously scheduled for the May 11th meeting. She said that was already done on the consent calendar now.

Mr. Bodem said there is the Cannabis Workshop on Wednesday, May 12th, at 6:00pm in the City Auditorium. Also, a potential Special City Council meeting on cannabis for May 18th. He also mentioned that the decision to extend the CEQA deadline beyond June 30, 2021 could be decided by the end of this month.

15. ANNOUNCEMENTS - COUNCIL ACTIVITY/COMMITTEE REPORTS

Council Member Robles mentioned that Monday, April 26th, the second Pfizer vaccinations were given at the Senior Center. He said, "On April 5th, there were 424 people getting the first shot. Yesterday, April 26th, there were 406. So, 18 people didn't make the 2nd shot." (But they were still within the window of time to get the second shot wherever available.) He also said that the Food Bank is still going strong.

16. ADJOURNMENT TO CLOSED SESSION MEETING

Motion made by Council Member Costa, Jr. and seconded by Council Member Cardenas to adjourn to closed session. 4/0 Passed. Meeting adjourned to closed session at 8:08 p.m.

CLOSED SESSION

17. a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9 (d)(4):
1 Case

b. CONFERENCE WITH LABOR NEGOTIATORS

(Subdivision (a) of Government Code Section 54957.6)

Agency designated representatives: City Administrator and Human Resources Manager;
Employee Organizations: International Association of Firefighters (IAFF), Local 4403 and
Service Employees International Union (SEIU), Local 620

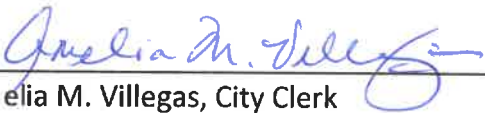
18. CLOSED SESSION ANNOUNCEMENTS

Motion was made by Council Member Costa, Jr. and seconded by Council Member Cardenas to adjourn to open session. 4/0 Passed. Meeting adjourned to open session at 9:44 p.m.

19. ADJOURNMENT

Motion was made by Council Member Costa, Jr. and seconded by Council Member Cardenas to adjourn meeting. 4/0 Passed. Meeting adjourned at 9:45 p.m.

Prepared by:



Amelia M. Villegas, City Clerk

Approved by:



Ariston Julian, Mayor