

**MINUTES**  
**City of Guadalupe**

**Regular Meeting of the Guadalupe City Council**  
**Tuesday, May 25, 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

*All were present. Mayor Julian was on zoom with Mayor Pro Tempore Ramirez chairing the meeting.*

**2. MOMENT OF SILENCE**

**3. PLEDGE OF ALLEGIANCE**

**4. AGENDA REVIEW**

*There were no changes made to the agenda.*

**5. COMMUNITY PARTICIPATION FORUM**

Each person will be limited to a discussion of three (3) minutes or as directed by the Mayor. This time is reserved to accept comments from the public on Consent Calendar items, Ceremonial Calendar items, Closed Session items, or matters not otherwise scheduled on this agenda. 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. City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

*Mayor Pro Tempore mentioned that because there was no regular business, speakers who wished to speak on an item on the Consent Calendar could do so now.*

*Item #6.1:*

*Ms. Shirley Boydston had said, "On the two gentlemen who are being offered additional pay for their positions, Mr. Rose and Mr. Greene, were either of them recipients of complaints? If so, how were*

they resolved?" Mr. Todd Bodem, City Administrator, said, "No, I've never received a call or any complaints on either of them. Have only heard positive things."

Item #6.J:

Brett Ferini explained that he is a member of Iremel Farms. He's been involved with farming since he was 14 years old. His family's been in farming for over 100 years. He said, "I care about the community and want to see it prosper. I agree with the ordinance. It's a step in the right direction but it's missing a key component that could offer the City hundreds of thousands of dollars each year. Section 9.22.48 of the ordinance prohibits all cannabis cultivation in the city limits. In-door cultivation should be allowed. It could bring in taxes. Similar indoor groves gross about \$15M a year, and at a 2% tax, that would be \$300,000 in revenue. In-door cultivation can bring high paying jobs, excellent indoor working conditions and no commute since it would be here within the city limits. Indoor cultivation centers are compatible with the Guadalupe community and concerns such as odor, increased crime, and poor aesthetics can all be mitigated with indoor cultivation."

Mr. Ferini continued by saying, "Finally, the City would be the final say on any project that comes across as it will need a CUP. I urge the Council to consider allowing indoor cannabis cultivation due to the positive economic effects Guadalupe has to benefit." Mayor Pro Tempore Ramirez added, "I had spoken with Mr. Ferini over the weekend explaining the general timelines on the ordinance and why it had been calendared the way it had. I explained what could be done later if we need to relook the ordinance. I just wanted to disclose that information."

Item #6.J:

Mr. Michael Rochlin said, "I presented the Council with a list of businesses opposing marijuana sales. The Council clarified they tend to buy goods and services in Santa Maria. For the most part, City employees are from out-of-town. It was explained that the Council could make decisions because they were elected by the voters. However, the majority of the council members ran unopposed and is the result of constituents that are wary of this officious litigious bias process. Why hire an expensive consultant for this? All speakers, 100% of them who were for the ordinance, were from outside the City. All speakers, 100% of them who were against the ordinance, were your constituents. You received a list of businesses who opposed the ordinance which has grown, but you didn't receive a list of businesses in favor of the ordinance. The Council's comments were tangential, such as veterans and medicinal value, etc. There were some misguided assumptions that people don't shop in Guadalupe making it necessary to offset with marijuana. There are many healthy businesses here in Guadalupe. The City has managed to maintain schools, parks and a library. Now they plan to sully those past efforts." Mr. Rochlin ended his comments by saying, "I hire locally and invest locally. I prefer the Guadalupe to the City to Santa Maria. It's a much better investment."

## 6. 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 May 20, 2021.
- C. Approve the Minutes of the City Council regular meeting of May 11, 2021, to be ordered filed.
- D. Adopt Resolution No. 2021-35 accepting the proposed Budget for the Fiscal Year 2021-2022, along with the Capital Improvement Projects and Capital Facilities Program of Projects.
- E. Adopt Resolution No. 2021-36 acknowledging the receipt of and filing of the Annual Statement of Investment Policy for Fiscal Year 2021-22.
- F. Accept the April 2021 Financial Report.
- G. Adopt Resolution No. 2021-37 approving a contract with Minagar & Associates, Inc. in the amount of \$39,564.00 for development of Local Road Safety Plan (LRSP).
- H. Receive an update to the City of Guadalupe water supply, in light of the current State of California drought conditions.
- I. Adopt Resolution No. 2021-38 authorizing the City to enter into an Agreement for Professional Services with David R. Rose; and Adopt Resolution No. 2021-39 authorizing the City to enter into an Agreement for Professional Services with Mark Alain Green (“AKA Pacific Coast Plan Review”).
- J. Second Reading of Ordinance No. 2021-494 repealing Chapter 9.21 and adding Chapter 9.22 to Title 9 of the Guadalupe Municipal Code relating to Commercial Cannabis Businesses and amending various section of Title 12 (Zoning) of the Guadalupe Municipal Code to designate Zoning District for Commercial Cannabis Businesses.
- K. **MONTHLY REPORTS FROM DEPARTMENT HEADS**
  - 1. Police & Fire Department report for April 2021
  - 2. City Treasurer’s Report for April 2021
  - 3. Recreation and Parks Department Report for April 2021
  - 4. Human Resources Department report for April 2021

*Items 6D, F, H, I and K-1 were pulled.*

**Motion made by Mayor Julian and seconded by Council Member Costa, Jr. to approve the balance of the calendar. 5/0 Passed.**

*Item #6.D:*

*Mayor Pro Tempore Ramirez acknowledged all the hard work and countless amount of hours from the staff. He especially thanked Lorena Zarate, Finance Director, by saying, "Thank you for everything presented to us in multiple forums and workshops during this budget process. You were always available to answer any questions. So, thank you. I always want to acknowledge management, and this having been a tough year. Just wanted to make sure we acknowledge that."*

*Mr. Philip Sinco, City Attorney, said, "Now that the cannabis ordinance has been approved, the clerical changes that were to be made in the ordinance that were discussed at the last council meeting, there were two of them. Those were not made on the ordinance that's posted on the website." Mr. Bodem said, "They were made. I made the corrections in the final copy of the ordinance." Mr. Sinco then said, "There were three other places where the word 'Administrator' should be used instead of 'Manager'. I just wanted to mention that those changes will be made as well. There's a provision in the ordinance that allows the City Clerk to make any clerical changes. I just wanted to mention that will be done if anyone who, down the road, compares the ordinance on the website to what's actually published, there'd be that explanation."*

*Item #6.F:*

*Council Member Cardenas asked about the Cares Act. She said, "We lost revenue. For losses in facility rentals and sales tax, can we get those monies back? Can we use the Cares Act monies for those losses?" Mr. Bodem said, "Yes, we're going back over the last three years to see what the average rent had been for our facilities. In fact, Charlie Guzman is working all of that up now. We'll calculate that as a loss as well as sales taxes, too." Council Member Cardenas added, "I just wanted to make sure for the facility rentals that we could use the Cares Act monies, too." Mr. Bodem reiterated that those monies could be used.*

*Item #6.H:*

*Mayor Pro Tempore Ramirez asked Ms. Shannon Sweeney, Public Works Director, to comment on the water situation and give an overview of what can be done to pre-empt a possible shortage in a drought. Ms. Sweeney mentioned that precipitation conditions aren't very good this year throughout Northern, Central and Southern California. She said, "We've purchased water through the State Water Project which received its water supply from the snow in the Sierras and local groundwater supply. Summary is that our water supply, despite those conditions, is in decent shape. The conditions for groundwater rely on water that comes through Twitchell. It's natural for it to have some wet years and some dry years. It's not unusual to not have a lot of water come and infiltrate the groundwater basin. We check for levels of our wells and they're in good shape."*

*Ms. Sweeney further explained that we will get a 5% allocation of water which we signed up for with the State Water Project. We've had that allocation before during the drought. She said, "It's not a great place to be, but we have more than enough capability to produce our demand from our groundwater wells to meet the supply in the City. We actually can do it with one of our wells, but we have two wells that have a capacity of 1,000 gallons per minute. We're in better shape than we*

were in the 2010's when we only had one 1,000 gallon per minute well and a tiny one. As for our ability to produce water, we're in an 'okay' shape." She also said that the staff report has suggestions on how to conserve water even though it isn't necessary as our water supply is very good. But it would be nice to look at it and consider doing things on a voluntary basis. She ended by saying, "We welcome any calls. We have staff that can go to houses and businesses and take a look at your water use and make recommendations." (Council Member Cardenas had pulled this item, too.)

Item #6.I:

Council Member Cardenas asked, "Were these calculations in the renewal of two proposed agreements calculated in the proposed budget? Mr. Bodem said, "Yes, those calculations are in the proposed budget. The increases are nominal and there are the 35% recoverable costs, too. There are significant savings compared to the previous three years. The Building Official has minimal hours. The hourly rate is low with negligible impact to the budget. I will say that there will be some items, specific to research, that may hit the General Fund."

Item #K-1: Mayor Pro Tempore Ramirez said that he started thinking ahead to the next budget process. He said, "One of the things we had talked about before was a focus on mental health. I know we do a good job of capturing certain metrics in the monthly Police Department report. Is there a way to capture moments when we need to call County, social services, Child Protective Services, etc. to help make decisions on what our community needs? Are there any reporting metrics that we can use to show that?" Chief Cash, "Yes, we'll recalculate our formats. Those stats aren't reported to the State or the federal government. We can make a new type of form and can start working on it."

Mayor Pro Tempore Ramirez then said, "Let's start thinking ahead that for next budget time. We'd have a year's worth of data to make decisions." Chief Cash said, "We could have a specific call for a mental crisis. It could be called out as a family disturbance but could turn into something else. We need to be careful not to play 'doctor in the field'. We can look at doing something on the reporting." Mayor Pro Tempore Ramirez said he was willing to be a part of that process. Chief Cash further said, "That would be good. We will also talk with our mental health services here because that information, on its face, that call is public. But if we put that aspect into it, that becomes confidential. There are a lot of little steps involved. We need to sit down and figure out exactly what we're getting into."

Mayor Julian added, "In terms of our staff and their abilities to look at mental health issues, what training is there? What training has been given? Is there a plan to de-escalate a situation where there are mental health issues?" Chief Cash said, "The police officers are not trained. Don't really want to put that on them. Santa Barbara County is one of the few counties in California where an officer doesn't have the authority to commit someone for a 72-hour evaluation. We don't have the resources, knowledge, training, and to be honest, the time."

Chief Cash went further saying that he thinks there's a need for an ad hoc committee to figure out what we want as a city. What happens to the rest of the community if officers are dedicated to

*handling these issues? Maybe we can bring in some clinicians and services from the outside to see how we can jointly do something. Or maybe have some satellite here that we could call mental health services.” Mayor Pro Tempore Ramirez talked a little about “mental health first aid”. He said, “I know in San Luis Obispo County, they have lay people handling this type of aid. Looking at a situation where the individual might be suicidal versus something else. It’s a free service. Maybe Santa Barbara County has this, too. We should do some research, but I think they do have this.”*

**Motion made by Mayor Julian and seconded by Council Member Robles to approve Items #6D, #6F, #6H, #6I and #6K-1 of the consent calendar. 5/0 Passed**

**7. CITY ADMINISTRATOR REPORT: (Information Only)**

*Mr. Bodem said that there was tentative agreement with SEIU. The members would be taking a vote on June 3<sup>rd</sup>. He also mentioned for the City’s 75<sup>th</sup> anniversary, there will be events that probably will require some overtime for the Police Department and Public Works staff. There probably will be an expense that the City will incur.*

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

*Chief Cash reported having met with the family of the deceased young man who was murdered in Santa Maria. He said he’s helping with the services and fundraising efforts. He also said that the family felt good about their partnership during this difficult time.*

*On the budget, he said he’s moving on with that and wanted to stress the airport costs and analysis previously requested by the Council. He had a meeting with the TSA and the airport officials. He said he’d have those airport costs. He then referenced back to the approved budget saying, “See ‘F, page 3’, Police budget is bigger than the others. In the last 2.5-3 years, PD has come in under budget each month. We’re now at 82% and for this period, should be under 83%. Every month we’ve made it under budget. I’m very proud of our personnel. So, a lot of kudos to the officers for listening, understanding, and still providing the best services possible to our community.”*

**REGUAR BUSINESS**

**9. FUTURE AGENDA ITEMS**

*Council Member Cardenas asked that the City’s 75<sup>th</sup> anniversary be put on the June 8<sup>th</sup> agenda to discuss the celebration and possibly have an assessment done on the overall cost for the staff. Mayor Pro Tempore Ramirez asked if she wanted a resolution and she said, “Hopefully, a resolution for that event.*

*Mayor Pro Tempore Ramirez requested to have the PRIDE Proclamation on the June 8<sup>th</sup> agenda.*

**10. ANNOUNCEMENTS - COUNCIL ACTIVITY/COMMITTEE REPORTS**

Mayor Julian said that last Thursday, he attended an SBCAG meeting. Several things were discussed that related to Guadalupe. On Obispo Street and Hwy 166, Mayor said, "Cal Trans is waiting for the landowner's commitment working out an arrangement to move that project forward. It's not in Cal Trans' hands...it's in the developer's, DJ Farms." He also mentioned that there's a slight delay on the project with Hwy 166 and Black Road. One-tenth of an acre had to be purchased from a landowner, which has happened, and the signalization project is moving forward now.

He also gave an update on the signalization project of the railroad and Hwy 1 and 166. He said, "They're repairing and paving the road. I asked if that would include the signalization of Union Pacific. They didn't know if Union Pacific was doing anything with that. Basically, they're resurfacing the road. I don't see them much doing anything with signalization. As we've mentioned before, there's a study grant out for \$325,000 for the signalization of the railroad and for Obispo Street."

The mayor also said that the Air Pollution Control District (APCD) will be buying a building on McCoy Street in Santa Maria, the old CA Highway Patrol building. They'll be moving some APCD staff to North County, and the building will also house their monitoring equipment.

Another item discussed at the SBCAG meeting was, "Protect Blue Whale & Blue Sky", the monitoring of boating/shipping traffic through all of California. He said, "Twenty flagship companies are reducing their speed through the channel and California, resulting in a reduction in pollution and collision of whales and ships."

On a separate matter, the mayor mentioned that on May 27<sup>th</sup> and 28<sup>th</sup> at Mary Buren School, Pfizer vaccinations will be given between 3pm and 7pm.

Mayor Julian commented that zooming was a good process. He said, "Zoom is the future for us if people can't make a meeting. It would be nice if we could do it in Spanish, but that's way down the line. I'm on zoom because this trip was pre-planned since last year. I appreciate the Council taking control. It's neat to see. Also, if we didn't have to wear masks as it's hard to understand."

Mayor Pro Tempore Ramirez said that both San Luis Obispo and Santa Barbara Counties gave their approval to start wind farming out in the ocean. He said, "Let's see how this could benefit us. Could be a boost for jobs here in Guadalupe."

## 11. ADJOURNMENT

Motion was made by Mayor Julian and seconded by Council Member Costa, Jr. to adjourn the meeting. 5/0 Passed. Meeting adjourned at 6:40 p.m.

Prepared by:

  
Amelia M. Villegas, City Clerk

Approved by:

  
Ariston Julian, Mayor