

MINUTES
REGULAR MEETING/LOMPOC CITY COUNCIL
TUESDAY, August 7, 2001
COUNCIL CHAMBERS/100 CIVIC CENTER PLAZA

7:03 P.M.

COUNCILMEMBERS PRESENT: DeWayne Holmdahl, Janice Keller, Will Schuyler, Michael Siminski, and Mayor Dick DeWees.

Staff Participants: City Administrator Frank Priore, Assistant City Attorney Matt Granger, City Clerk Jane Green, City Planner Arleen Pelster, and Utility Director Gary Keefe.

Other Participants: Ariana Katovich, Justin Ruhge, Martha Bell, Florence Pata, Ray Garrett, Rita Madden, Ralph Harman, Muriel Machin, Robert Cuthbert, Joy Browder, Butch Browder, and Mark Kauppinen.

INVOCATION: Given by Terry Smith

PLEDGE TO THE FLAG: Led by Mayor DeWees

PRESENTATIONS:

Mayor DeWees announced the following:

- A. Certificates of Recognition to Robert Turner and Wovoka Trudell for their mural entitled "Mission View" were presented on July 17, 2001.
- B. Proclamations to Patricia (Trish) Jordan, Chamber 2001 Woman of the Year, and Patrick (Pat) Lind, 2001 Man of the Year, were presented at the Chamber of Commerce & Visitor's Bureau Annual Meeting July 19, 2001.
- C. Proclamation for National Night Out, August 7, 2001 to Chief of Police Bill Brown and Police Officer Kristie Columbo.

STAFF REQUESTS AND ANNOUNCEMENTS:

City Administrator Frank Priore requested Item 12 be continued to the next meeting.

CITY ADMINISTRATOR'S STATUS REPORT (Distributed as an information item.)

COUNCIL REQUESTS AND ANNOUNCEMENTS:

Councilmember Holmdahl congratulated the Parks and Recreation Staff for a successful Fireworks Show as reported in the City Administrator's Status Report. He reported he attended the Board of Supervisor's meeting concerning redistricting.

Councilmember Siminski proposed the City investigate the feasibility of a student exchange program to enhance our relationship with our Sister City, Inca and provide details at the August 13, 2001 reception for Inca.

Councilmember Schuyler stated he attended an informative presentation on California space technology on August 7, 2001.

Councilmember Keller encouraged the public to attend the dedication ceremony of the Plaza de Inca in front of City Hall at 9:30 A.M. on August 13, 2001. In addition, she requested Item 8 (Lower Santa Ynez

River Management Plan MOU) be removed from the Consent Calendar for separate consideration and requested a future presentation on high gas prices in Lompoc.

COUNCIL REQUESTS AND DISCUSSION (Cont'd)

Mayor DeWees also noted he attended the Space Summit in Santa Maria and encouraged the public to attend the 4th Annual Brushes and Blues at La Purisima Mission on Sunday, August 19 from 11:00 A.M. to 5:00 P.M.

1. Recommendation Regarding the Gaviota Coast National Seashore Feasibility Study. Requested by Councilmember Schuyler.

City Administrator Frank Priore summarized his report that provided information on the Gaviota Coast Act of 1999, also known as the Gaviota Coast Feasibility Study. At the April 18, 2000 City Council meeting, Council identified issues which they wanted addressed in the Feasibility Study.

An environmental impact statement (EIS) is anticipated in January 2002. The Department of the Interior has announced that it is not supporting designation of new National Park areas at this time in order to focus on maintenance backlogs.

Councilmember Schuyler recommended that the City Council consider adoption of Resolution No. 4953(01), Recommendation regarding the Gaviota Coast National Seashore Feasibility Study, which would oppose continuation of the Gaviota Coast Seashore Feasibility Study.

Councilmember Schuyler stated the Council had established a standard to comment on projects or studies that impact our area. He expressed concern that the Study would lead to development of a National Seashore and impact private property owner rights. He asked the Council to support Resolution No. 4953(01).

Councilmember Holmdahl opposed the Study due to the potential affects on agricultural lands, lack of funding for current National Park maintenance projects, and potential of removing private property from the tax rolls if placed in the National Seashore.

Public Comment:

(1) Ariana Katovich, Sierra Club, urged the Council not to take a position on the Study until it is released. Ms. Katovich stated the Study might reach conclusions other than development of a National Seashore. Discussion followed between Councilmember Schuyler and Ms. Katovich regarding watershed areas.

(2) Justin Ruhge urged the Council to oppose continuation of the Study.

(3) Martha Bell, Gaviota Coast Conservancy, stated she was concerned about the future of the Gaviota Coast, and population pressure impacts, and asked the Council not to take a position on the issue at this time.

(4) Florence Pata stated she was concerned about the affects of the Study, noted that a petition from farmers opposing it was sent to Congresswoman Capps, and asked Council to oppose the Study.

Mayor DeWees submitted for the record a letter the Council received from Nathan Post of Santa Barbara in support of the Study.

ACTION: Following lengthy debate on the protection of the coastline and property rights, it was moved by Councilmember Schuyler, seconded by Councilmember Holmdahl, to accept the recommendation. Councilmember Keller stated she was opposed to the motion and asked the Council to wait until the Study and EIS are released. Mayor DeWees recommended adding the Santa Barbara County Taxpayers Association and former Congressman Robert Lagomarsino to the Resolution as opposed to the Study. Following discussion on the issue of local control, Councilmember Schuyler amended his motion to adopt

Resolution No. 4953(01) as amended and Councilmember Holmdahl concurred. The motion passed on a 4-1 vote (Councilmember Keller voted **NO**).

ORAL COMMUNICATIONS:

(1) Ray Garrett supported keeping the old pool open along with a new Aquatic Center; disguising cell towers, the Central Avenue extension, and complimented the City on the resurfacing and striping of City streets.

(2) Rita Madden, Community Action Commission (CAC), supported Consent Calendar Item 7 (Rental Agreement with CAC), and commented on CAC's energy conservation programs.

(3) Ralph Harman expressed concern about the prison's process relative to the environmental assessment (EA) on the prison remodel.

Councilmember Siminski clarified that the EA just released was not on the prison remodel and expansion that is still due around September but rather on the F.C.I. housing units.

(4) Molly Machin provided Council with handouts regarding the prison and spoke against the prison expansion, highlighting concerns about health issues and medical services provided locally and commented on prisons in California versus other states.

(5) Justin Ruhge thanked the City Council for support of a redistricting plan to keep Lompoc whole.

Councilmember Keller asked the Lompoc Record to distinguish between the prison projects in their articles.

(6) Robert Cuthbert spoke in opposition to the Bureau of Prison expansion and the related process for the recent EA on the F.C.I. inmate housing.

(7) Joy Browder stated the prison should address the cumulative impacts of new inmates with the expansion projects at the prisons.

CONSENT CALENDAR:

Items listed under Consent Calendar were considered routine and upon motion by Councilmember Holmdahl, seconded by Councilmember Siminski, were approved by a unanimous vote except as noted under Item 8 below.

2. Approved City Council Minutes from the Regular Meeting of July 17, 2001.

3. Approved expenditures for:

- Payroll of 7/20/01 - \$904,923.75 (New FY)
- Voucher Register of 7/27/01 - \$220,044.86 (New FY)
- Voucher Register of 7/26/01 - \$320,477.36 (Old FY)
- Voucher Register of 7/20/01 - \$141,716.03 (New FY)
- Voucher Register of 7/19/01 - \$291,539.29 (Old FY)
- Voucher Register of 7/13/01 - \$127,088.75 (New FY)
- Voucher Register of 7/12/01 - \$270,040.56 (Old FY)
- Credit Refunds of 7/10/01 - \$ 1,367.27 (New FY)

4. Adopted Ordinance No. 1466(01) Amending the City's Zoning Map Designation for Property located at 302 East Maple Avenue to High Density Residential – Planned Development (R-3 PD). (Assessor Parcel Number: 87-251-01) (Planning Division File No. ZC 01-03).

5. Adopted Resolution No. 4952(01), revising Amendment to the Compensation Plan for Management, Supervisory, and Confidential employees, effective October 3, 2000 and amended May 1, 2001, to include the cost-of-living adjustments for safety management employees provided to miscellaneous management employees.

CONSENT CALENDAR (Cont'd)

6. Authorized the City Administrator to execute a service agreement with Fortis Benefit Insurance Company for long-term disability benefits for City employees.
7. Approved the Rental Agreement between the City of Lompoc for use of the Lompoc Valley Community Center by Community Action Commission (CAC) to administer a Senior Nutrition Program for a two-year period effective September 1, 2001.
8. "2001 Memorandum of Understanding (MOU) to Support Implementation of the National Marine Fisheries Service Biological Opinion and the Santa Ynez River Technical Advisory Committee Lower Santa Ynez River Fish Management Plan." (*Councilmember Keller requested this item be considered separately at the end of the meeting.*)
9. Approved a Mutual Aid Agreement for Fire Protection services between Los Padres National Forest and the Lompoc Fire Department, and authorized the Fire Chief to execute the Agreement.

APPOINTMENTS

10. **Selection of Voting and Alternate Delegates to League of California Cities Annual Conference, Sacramento, September 12-15, 2001.**

ACTION: It was moved by Councilmember Keller, seconded by Councilmember Holmdahl, to appoint Mayor DeWees as Delegate and Councilmember Siminski as Alternate. After making brief comments, Councilmember Siminski declined the appointment due to other commitments during the Conference. The motion was amended by Councilmember Keller, seconded by Councilmember Holmdahl, to appoint Councilmember Schuyler as Alternate Delegate. The motion carried on a unanimous vote.

RECESS: At 8:35 P.M., Mayor DeWees announced a recess.
The meeting reconvened at 8:46 P.M. with all
Councilmembers present.

PUBLIC HEARING:

11. **Text Amendment TA 01-01 – Amendment of the City’s Zoning Ordinance to add Sections 9400 et seq. to provide standards to regulate Wireless Communications Facilities (Ordinance No. 1467(01)).**

City Planner Arleen Pelster reported that on April 17, 2001, the Council adopted an interim moratorium on the approval or modification of wireless communication facilities within all zone districts while preparation of appropriate zoning regulations was underway. The moratorium was extended on May 15, 2001. Ms. Pelster summarized the Staff report, highlighted the areas that the Federal Communications Commission does not allow local governments to regulate, and reviewed the provisions of the new ordinance. If adopted, the Ordinance will be effective Citywide. A Negative Declaration has been prepared for this proposal in accordance with the California Environmental Quality Act (CEQA).

The Planning Commission, recommended via Resolution No. 194(01), that the City Council take the following actions:

- a. Take public testimony;
- b. Certify the Negative Declaration;

PUBLIC HEARING (Cont'd)

#11

- a. Review Ordinance No. 1467(01), establishing standards to regulate Wireless Communications Facilities, make any necessary changes; and
- b. Move that the City Clerk read Ordinance 1467(01) by Title Only, waive further reading, and Introduce Ordinance No. 1467(01), Adding Chapter 17 to Title 3 of Chapter 50 of the Lompoc City Code pertaining to Wireless Communications Facilities.

Discussion followed regarding suggested changes to the proposed ordinance and comments received August 7, 2001 from Tacit Communications and Mackenzie & Albritton LLP, representing AT&T Wireless Communications.

Public Testimony:

Butch Browder stated that it was important to keep wireless towers away from residences due to emission of microwave radiation. Mayor DeWees replied that the Federal Telecommunications Act preempts local regulation based on health concerns.

ACTION: Council discussed continuing the matter to allow Staff time to review and modify the Ordinance as appropriate. It was moved by Councilmember Keller, seconded by Councilmember Holmdahl, to table this item until September 4, 2001. The motion carried on a unanimous vote.

LEGISLATIVE MATTERS:

Ordinance No. 1460(01) to approve a Zone Change to Old Town Commercial District For the area generally bounded by Chestnut Avenue to the North, K Street to the West, Cypress Avenue to the South, and F Street To the East.

See under Unfinished Business

Ordinance No. 1466(01) Amending the City's Zoning Map Designation for Property located At 302 East Maple Avenue to High Density Residential – Planned Development (R-3 PD).

See under Consent Calendar

Ordinance No. 1467(01), Adding Chapter 17 to Title 3 of Chapter 50 of the Lompoc City Code pertaining to Wireless Communications Facilities.

See under Public Hearing

Resolution No. 4952(01) Revising Amendment To the Compensation Plan for Management, Supervisory, and Confidential employees.

See under Consent Calendar

Resolution No. 4953(01) Recommendation

See under Council Requests

Regarding the Gaviota Coast National Seashore
Feasibility Study.

UNFINISHED BUSINESS:

12. **Reconsideration of Zone Change ZC 01-01 (Ordinance No. 1460(01)) - A request from Francis H. Beattie that the properties located at 230, 233, 234, and 239 North H Street be removed from the area to be rezoned Old Town Commercial District (OTC) and that the existing zoning of Central Business District C-2 be retained.**

This item was continued at the request of Mr. Beattie.

NEW BUSINESS:

13. **Proposal to contract with Shilts Consultants to conduct a public opinion survey for a proposed revenue measure to evaluate public support for recreational facilities within the City of Lompoc.**

City Administrator Frank Priore advised that using survey research to determine voters' opinions on a variety of issues related to parks and recreation and library services will provide the Council with additional information before making a final decision on the aquatic center complex.

Staff recommended that the City Council approve an appropriation from General Fund Reserves for an amount not-to-exceed \$26,000 to conduct a Public Opinion Survey for a proposed revenue measure to evaluate public support for recreational facilities within the City of Lompoc.

Public Comment: Ralph Harman inquired if the survey would be given to both voters and property owners. Mr. Priore responded in the affirmative.

ACTION: It was moved by Councilmember Holmdahl, seconded by Councilmember Siminski, to approve Staff's recommendation. Following brief discussion, the motion carried on a unanimous vote.

WRITTEN COMMUNICATIONS: None.

ORAL COMMUNICATIONS:

(1) Joy Browder expressed concern that the Bureau of Prison is not informing the City in advance of proposed projects.

(2) Mark Kauppinen spoke in opposition to prison expansion. He inquired how accident debris is removed from public streets. Staff replied that generally the Fire Department, tow truck or Public Works department respond to these clean-ups.

COUNCIL REQUESTS AND COMMENTS: None.

Consent Calendar Item 8:

Lower Santa Ynez River Fish Management Plan MOU. Councilmember Keller expressed concern about reference in the MOU to supporting the biological opinion and that the City should continue the same policy of not supporting substituting Below Narrow Account water for State water. Utility Director Gary Keefe highlighted the Staff report and stated he reviewed Councilmember Keller's concern with the City's special counsel. Following discussion, Staff recommended that the City Council authorize the Mayor to execute the "2001 Memorandum of Understanding to Support Implementation of the National Marine Fisheries Service Biological Opinion and the Santa Ynez River Technical Advisory Committee Lower Santa Ynez River Fish Management Plan" contingent upon appointment of the City of Lompoc's representative on the Adaptive Management Committee established under the MOU.

Public Comment: None.

ACTION: It was moved by Councilmember Keller, seconded by Councilmember Holmdahl, to approve Staff's recommendation as stated above. The motion carried on a unanimous vote.

ADJOURNMENT:

At 9:44 P.M., Mayor DeWees adjourned the meeting to the Regular Meeting of August 21, 2001 at 7:00 p.m.

Dick DeWees, Mayor
City of Lompoc

ATTEST:

Jane C. Green
City Clerk
Dated: August 10, 2001