

MINUTES

**Regular Meeting of the Lompoc
City Council and Lompoc Redevelopment Agency
Tuesday, July 19, 2011
City Hall, 100 Civic Center Plaza, Council Chambers**

CLOSED SESSION**OPEN SESSION - 6:00 P.M. – Council Chambers**

Council Members Present: Ashley Costa, Cecilia Martner, Dirk Starbuck, Mayor Pro Tempore Bob Lingl, and Mayor John Linn.

Staff Present: City Administrator Laurel Barcelona, City Attorney Joe Pannone, and City Clerk Stacey Alvarez.

ORAL COMMUNICATIONS: None

CLOSED SESSION – Administration Conference Room

BUSINESS ITEM:**1. CONFERENCE WITH LABOR NEGOTIATORS**

City designated representatives: Laurel Barcelona, Beth Flamm-Overby, Brad Wilkie, Colin Tanner, and Joseph Pannone. Employee organization: Teamsters Local 381 and Lompoc Police Officers Association.

OPEN SESSION – 7:00 P.M. – Council Chambers**REPORT ON ACTION TAKEN DURING CLOSED SESSION:**

Mayor Linn stated no reportable action was taken during Closed Session.

Anita Friedman gave the invocation and Mayor John Linn led the **Pledge of Allegiance**.

PRESENTATIONS:

Utilities Director Ron Stassi introduced David Riechman of RKS Research who presented a PowerPoint presentation on the Results of three surveys conducted among Lompoc residential customers that measure customer service satisfaction relating to the City's delivery of Conservation Programs. Mr. Riechman stated the survey results show the City has a high rate of satisfaction among its customers related to the City's Energy Efficient (EE) programs, but most City of Lompoc utility customers are unaware of the available EE programs.

Council discussed the survey results, the methodology of how the surveys were conducted, total number of survey participants, the current City of Lompoc Energy Efficient (EE) programs available, and ideas for informing the public of all EE programs available.

CITY ADMINISTRATOR/EXECUTIVE DIRECTOR'S STATUS REPORT: (Information only)

City Administrator Laurel Barcelona introduced Senior Civil Engineer Michael Luther who presented monthly status reports on the Dick DeWees Community and Senior Center, the Lompoc Aquatic Center Dehumidification Project, and the Installation of Traffic Signal and Curb Ramps at Hwy 246 (Ocean Avenue) and "R" Street.

Mayor Linn asked Staff to estimate the construction time for a traffic signal. Mr. Luther stated it would take approximately five months time after the construction project is awarded.

Council Member Lingl asked if the contract for the Lompoc Aquatic Center Dehumidification project has a penalty clause that imposes fines on the contractor if the project is not completed on time, and if the completion date for the Community and Senior Center is estimated to be in February 2012. Mr. Luther answered yes, there is a penalty clause in the contract for the Lompoc Aquatic Center Dehumidification project and stated the projected completion date for the Community and Senior Center has not changed and is still August 10, 2011.

CITY ADMINISTRATOR/EXECUTIVE DIRECTOR'S STATUS REPORT: (Information only) (cont'd)

Council Member Martner asked why the completion date for the Dehumidification project has not been changed. City Attorney Joseph Pannone stated the contract completion date is August 10, 2011, the contract would need to be amended or revised to change the completion date.

STAFF REQUESTS AND ANNOUNCEMENTS:

City Administrator Laurel Barcelona announced a trial of the publicly accessible version of TrakIt has been launched and is available on the City's website. Ms. Barcelona commended Public Works Director Larry Bean, Solid Waste Superintendent Claudia Stine, Solid Waste Code Enforcement Officer Carol Hesson and Graffiti Abatement program part-time employee Norman Flint for a very successful start of the new City of Lompoc Graffiti Abatement program, stating citizens are encouraged to report graffiti by calling the Solid Waste Division at 805-875-8024; and then stated Item No. 8, under New Business will be pulled from the Agenda and re-submitted to Council at a later date.

City Attorney Joseph Pannone stated Staff will be presenting an item to Council at the August 2, 2011 Meeting but may not have enough time available to complete the Staff report in time for the July 22, 2011 Draft Agenda posting.

Electric Utility Division Manager Marty Hostler announced the Utilities Department will be at the July 22, 2011 Friday Night Old Towne Market with information on the Utilities Department and all of its divisions and available Energy Efficient programs. Mr. Hostler also stated the City will be hosting an open house at the Wastewater Treatment Plant, Water Treatment Plant and the Electric Substation on August 7, 2011.

ORAL COMMUNICATIONS:

1. Roberta Mitchell requested the Council approve funds to replace the carpet in the Lompoc Library facility.
2. Carol Benham stated Lompoc has been kept whole in the proposed State Assembly and State Senate redistricting maps.
3. Marvin Jamison complained about the length of time it took to receive a response from the City regarding a zoning violation complaint.

Council Member Starbuck asked Staff to clarify if a Code Enforcement Officer has been hired. City Administrator Laurel Barcelona answered yes.

4. Paul Rosso spoke about the City's available Energy Efficient programs, the hiring of an Assistant City Administrator and the new Community and Senior Center.

Mayor Linn suggested Mr. Rosso set up an appointment with him if Mr. Rosso would like to review the information of the new Community and Senior Center property that the Mayor requested before he was elected.

CONSENT CALENDAR:

All items listed under Consent Calendar are considered to be routine and will be enacted, after one motion, in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the Council/Agency vote. Any items withdrawn from the Consent Calendar for separate discussion will be addressed immediately before the second Oral Communications, near the end of the meeting.

Council Member Starbuck requested a correction to the June 21, 2011 minutes be made. He stated the motion to extend the meeting to 1:00 A.M. on page 8 should reflect the motion was seconded by Council Member Lingl.

CONSENT CALENDAR: (cont'd)

ACTION: Motion/Second: Starbuck/Martner. By a 5-0 vote the City Council/Agency Board:

- CITY/RDA 1. Approved the Minutes of the Lompoc City Council and Lompoc Redevelopment Agency Regular Meeting of June 21, 2011, with stated correction.
- CITY 2. Approved the expenditures for:
Payroll of 07/08/2011 - \$1,109,858.47
Voucher Register of 06/30/2011 - \$460,397.48
Voucher Register of 07/01/2011 - \$447,140.28
- CITY 3. **Text Amendment – TA 11-03 – Summary of Action Amend Section 1.32.010 of the Municipal Code and establish Chapter 17.006 Appeal Procedures in the Zoning Ordinance.**

City Council waived further reading and adopted Ordinance No. 1569(11), approving Text Amendment TA 11-03 amending Section 1.32.010 of the Municipal Code and establishing Chapter 17.006 Appeal Procedures in the Zoning Ordinance.
- CITY 4. **Resolution No. 5736(11), Assessing Costs of Nuisance Abatement, 409 South C Street, APN: 085-294-001 and Amending Resolution No. 5692(11); Resolution No. 5737(11), Assessing Costs of Nuisance Abatement, 1128 North A Street, APN: 087-021-018 and Amending Resolution No. 5676(10).**

City Council adopted Resolution No. 5736(11) Assessing Costs of Nuisance Abatement, 409 South C Street, APN: 085-294-001, and Amended Resolution No. 5692(11); and adopted Resolution No. 5737(11) Assessing Costs of Nuisance Abatement, 1128 North A Street, APN: 087-021-018, and amended Resolution No. 5676(10).

APPOINTMENTS:

- CITY 5. **Designation of Voting Delegate for League of California Cities Annual Conference.**

ACTION: Motion/Second: Costa/Starbuck. By a 5-0 vote City Council appointed Mayor Linn as the Voting Delegate for the League of Cities Annual Conference.

ACTION: Motion/Second: Mayor/Starbuck. By a 5-0 vote City Council appointed Council Member Costa as the Voting Delegate Alternate for the League of Cities Annual Conference.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

Mayor Linn announced he will be absent from the August 2, 2011 City Council Meeting; he will be helping lead a Boy Scout hiking trip in the California Sierra Mountains.

UNFINISHED BUSINESS:

- CITY 6. **Consideration of Capital Development Requests and the Submission of a Revised 2011-12 Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs budget to the County of Santa Barbara for inclusion in the Urban County Consortium's Federal Consolidation Plan Amendment.**

Community Development Program Manager Dinah Lockhart presented the Staff report and recommendations.

UNFINISHED BUSINESS: (cont'd)

Item No. 6

Council Member Starbuck asked Staff if the estimate of \$232,000.00 is a realistic amount for carpet replacement. Library Services Director Molly Gerald stated the estimate is not only based on the replacement of the carpet but also on the amount of labor Staff has estimated it will take to remove and reinstall 90,000 books, along with the shelving for those books.

Council Member Lingl asked Staff to confirm that the total requests received for unreserved Community Block Grant Capital Development funds is \$947,440 and Council is being requested to allocate \$309,765. Community Development Program Manager Dinah Lockhart answered yes.

Council Member Costa stated she would like Council to discuss the item before Public Comment is received, as suggested by a member of the public at the July 5, 2011 Council Meeting and stated she is in favor of allocating monies to fund the Animal Shelter and the Library carpet replacement project requests in full and then allocating the remaining monies to the Parks requests.

Council discussed the suggested allocations, the total amount of funding available for allocation and asked Parks & Urban Forestry Manager Cindy McCall to state her opinion of what Parks improvements project(s) should be funded first. Ms. McCall stated the upgrades and improvements to the bathrooms at Thompson, J.M., Pioneer, Ryon, River, and Beattie Parks are the projects that need to be completed first.

Public Comment:

1. Ann Ruhge spoke in favor of Council approving funding requests for the Library carpet replacement, Animal Shelter improvements, and the bathroom improvement and upgrade projects.
2. Greta Bradshaw requested Council consider the funding request for the American with Disabilities Act accessibility improvements to Barkin' Park.
3. Susan Klein-Rothschild spoke in favor of Council approving funding for the Animal Shelter improvements.
4. Arlen Sechrest spoke in favor of Council approving funding for park improvements.

Council discussed the Council commenting and discussing of an item before receiving Public Comment and the complete list of Capital Development Requests.

ACTION: Motion/Second: Mayor/Starbuck. By a 5-0 vote City Council received public testimony, considered capital development requests, approved the submission of a revised 2011-12 Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs Budget to the County of Santa Barbara for inclusion in the Urban County Consortium's Federal Consolidated Plan Amendment for the 2011-12 CDBG and HOME Programs to reflect revised grant allocation amounts and reservation of funds for the Lompoc Animal Shelter in the amount of \$24,000, bathroom upgrades and improvements at Thompson, J.M., Pioneer, Ryon, River, and Beattie Parks in the amount of \$37,800, and carpet replacement at the Lompoc Public Library in the amount of \$232,000, with a contingency of \$15,965, totaling \$309,765 in unreserved Capital Development funding; and authorized the City Administrator or her designee to sign any agreements or certifications that authorize the City to receive these funds.

BREAK:

At 9:17 P.M. Mayor/Chair Linn announced a break.
At 9:27 P.M., the meeting reconvened with all Council/Agency Members present.

Mayor Linn and Council Member Starbuck recused themselves from this item due to conflict of interest, Mayor Linn has a business and Council Member Starbuck owns property located within 500 feet of the location of the proposed Public Park.

CITY 7. **Update Regarding Negotiation with Lompoc Valley Park, Recreation and Pool Foundation for the Construction and Maintenance of the Proposed Public Park at 119 South H Street.**

City Administrator Laurel M. Barcelona and City Attorney Joseph Pannone presented Staff report and recommendations.

Public Comment:

1. Ron Fink spoke in favor of Council approving the MOU as presented by the Lompoc Valley Park, Recreation and Pool Foundation.
2. John Linn and Bob Holloway spoke in favor of allowing the Lompoc Valley Park, Recreation and Pool Foundation to move forward with the proposed public park project.

Council discussed estimated costs of maintenance, donations from the Lompoc Valley Park, Recreation and Pool Foundation (LVPRPF) and other organizations used to improve/repair the Library or other City owned parks, a Parks and Recreation Commission approved park design for the “Pocket Park” as submitted by Jan Martinez, and the time-line of the proposed public park including the negotiations with the LVPRPF.

ACTION: Motion/Second: Costa/Martner. By a 3-2-0 vote (*Mayor Linn and Council Member Starbuck Abstained*) Council approved the Draft Memorandum of Understanding (MOU) as proposed by Staff with the change in the “Evidence of Financing” to allow the LVPRPF to keep all donations for pavers after construction is completed with the understanding those monies would be given to the City to assist with maintenance as needed; the deletion of the “Guarantee” of construction and the “Schedule of Performance” will be for items 1 through 7, with step 7 being entering into the Design and Construction Agreement after the conceptual design of the park is approved by Council at a later date; and directed Staff to transmit two duplicate originals of the revised agreement to Lompoc Valley Park, Recreation, and Pool Foundation (LVPRPF) for LVPRPF to sign and return to the Chief Administrative Officer within 30 days, and if the documents are not signed returned in that timeframe, then the City will discontinue its efforts to have LVPRPF assist with the construction of the proposed public park at 119 H Street and pursue other options for that construction.

BREAK:

At 10:25 P.M. Mayor Pro Tempore/Vice Chair Lingl announced a break. At 10:31 P.M., the meeting reconvened with all Council/Agency Members present.

NEW BUSINESS:

This item was pulled for resubmittal to Council at a later date.

CITY 8. **Lompoc Firefighters Foundation License Agreement for TV Show, “Lompoc Fire Responding”.**

Acting Fire Chief Jeffrey R. States
J_states@ci.lompoc.ca.us

CITY 9. **Jail Agreement with the City of Guadalupe.**

Police Chief Timothy L. Dabney presented the Staff report and recommendations.

NEW BUSINESS: (cont'd)

Item No. 9

Council Member Starbuck asked Staff if the booking fees are used for jail maintenance. Police Chief Timothy Dabney stated no, the monies are used to pay for Staff and facility use.

Council Member Lingl asked Chief Dabney to clarify the recently approved increase in booking fees as compared to this proposed agreement. Chief Dabney stated Council recently approved booking fees that are charged directly to inmates, and this proposed agreement is a per booking charge to the City of Guadalupe for each inmate booked into the City of Lompoc Jail by the City of Guadalupe Police Department.

City of Guadalupe Police Chief George Mitchell stated he is currently working with the Santa Barbara County Superior Court system to come to an agreement that will allow the City of Guadalupe to arraign individuals, arrested by the Guadalupe Police Department, at the Lompoc Superior Court.

Council discussed the estimated booking fees for a calendar year if this agreement is approved and the sequence of booking an inmate and criteria for release.

Public Comment: None

ACTION: Motion/Second: Mayor Linn/Lingl. By a 5-0 vote the City Council reviewed the Agreement for Use of the Lompoc City Jail Facilities and Provision of Services, and authorized the Mayor, City Administrator, and Chief of Police to sign said Agreement, allowing the Guadalupe Police Department the option of booking prisoners in the Lompoc City Jail.

CITY 10. **Resolution No. 5734(11), Declaring the City Council's Non-binding Intent to Make Payment as Required by ABX1 27 to Avoid Dissolution of the Lompoc Redevelopment Agency.**

City Attorney Joseph W. Pannone presented the Staff report and recommendations.

Council Member Starbuck moved to extend the meeting past 11:00 P.M.; the motion was seconded by Council Member Martner and then carried by a unanimous vote.

Public Comment: None

ACTION: Motion/Second: Costa/Martner. By a 5-0 vote City Council waived further reading and adopted Resolution No. 5734(11) and directed Staff to send a Certified Copy of the Resolution to the State of California not sooner than September 28, 2011 and not later than September 30, 2011.

CITY 11. **Adoption of Resolution of Intention and Introduction of City Ordinance to amend the Contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City of Lompoc to Implement California Government Code Section 20475 (3% @ 55 Full Formula) Providing a Second Tier of Different Level of Benefits for New Members of the International Association of Firefighters (IAFF) Local 1906.**

Human Resources Manager Beth Flamm-Overby presented the Staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Martner/Costa. By a 5-0 vote City Council adopted Resolution No. 5733(11) Resolution of Intention, stating the City Council's intent to amend the contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City of Lompoc to implement Section 20475 (3% @ 55 Full Formula) providing a second tier of different level of benefits for International Association of Firefighters (IAFF) Local 1906 employees hired after the effective date of the amendment to contract and introduced Ordinance No. 1571(11) to authorize that amendment.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS: None

COUNCIL/REDEVELOPMENT AGENCY REQUESTS, COMMENTS, AND MEETING REPORTS:

Council Member Lingl requested Staff research and address Mr. Jaimison's and Mr. Russo's concerns. Mayor Linn stated he has spoken to Mr. Russo and the information Mr. Russo has requested will be forwarded to him as soon as possible.

Council Member Starbuck requested Council attend the upcoming Santa Barbara County Board of Supervisors Meeting on August 2, 2011 in Santa Barbara where Supervisorial Redistricting is scheduled to be discussed. Council Member Lingl and Costa stated they plan to attend the Board of Supervisors Meeting. Mayor Linn stated he will be out of the area and unable to attend the meeting. Council Member Martner stated she is unsure if she will be able to attend the meeting.

Council Member Costa announced she attended several meetings and events, including the ground breaking ceremony for the new Space X facility on Vandenberg Air Force Base and the Santa Barbara County redistricting meeting on July 12, 2011 in Santa Maria, CA.

Mayor Linn stated he attended fourteen meetings and events, including the ground breaking ceremony for the new Space X facility on Vandenberg Air Force Base; and spoke about a press release from CalTrans requesting all drivers slow down and/or move for construction workers on any highway, freeway or road. He then announced the annual Mayor's Ball will be held on October 1, 2011 and has a theme "Chicago after Dark"

Council Member Costa announced the "Wine Ghetto" is hosting a Locals Event on July 31, 2011 from 11:00 A.M. – 4:00 P.M.

ADJOURNMENT:

At 11:18 P.M. Mayor/Chair Linn adjourned the Lompoc City Council/Redevelopment Agency to a Regular Meeting at 7:00 P.M. on Tuesday, August 2, 2011.

John H. Linn Mayor/Chair
City of Lompoc

ATTEST:

Stacey Alvarez
City Clerk
August 10, 2011