

MINUTES

**Regular Meeting of the Lompoc
City Council and Lompoc Redevelopment Agency
Tuesday, August 16, 2011
City Hall, 100 Civic Center Plaza, Council Chambers**

Open Session 7:00 P.M.

OPEN SESSION - 7:00 P.M. – Council Chambers

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

Staff Present: City Administrator/Executive Director Laurel Barcelona, City Attorney/General Counsel Joe Pannone, City Clerk/Secretary Stacey Alvarez, Management Services Director Brad Wilkie, Public Works Director Larry Bean, Assistant Public Works Director/City Engineer Kevin McCune, Utilities Director Ronald Stassi, Electrical Utility Division Manager Marty Hostler, Solid Waste Superintendent Claudia Stine, Landfill, Landfill Supervisor Scotty Marshall, Solid Waste Program Analyst Steve Clark, Human Resources Manager Beth Flamm-Overby, Civil Engineering Associate III Craig Dierling, and Police Chief Timothy Dabney.

Other Present: Ken Ostini, Suzanne Schwark, Joyce Howerton, and Arlen Sechrest.

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

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

City Administrator/Executive Director Laurel Barcelona introduced Senior Civil Engineer Michael Luther who presented monthly status reports for the Dick DeWees Community and Senior Center, Lompoc Aquatic Center Dehumidification Project, and the installation of traffic light at "R" Street and Ocean Avenue.

Council discussed the completion dates for the Dick DeWees Community and Senior Center and the Lompoc Aquatic Center Dehumidification Project, the estimated total of payments requested and processed for the Community Center, the estimated total work completed at the Community Center and with the Dehumidification Project and possible sanctions against contractors that do not complete a project by the completion date set in a signed contract.

STAFF REQUESTS AND ANNOUNCEMENTS:

City Administrator Laurel Barcelona informed Council that Staff has started a trial use of a new natural based product to eradicate gophers at two City Park facilities and is continuing to follow the proposed California State Bill AB 634, which if passed, would allow the use of carbon monoxide gas to kill vertebrate pests. Ms. Barcelona acknowledged several City employees that have been commended by City of Lompoc citizens for excellent customer service; spoke about Consent Item No. 3; and announced Lompoc Valley Chamber of Commerce & Visitors Bureau President/CEO Ken Ostini will be presenting an oral update of the Chamber's events and activities during Oral Communications.

Council Member Martner asked Ms. Barcelona to explain what the Parks Department Staff did to prepare Ryon Park for the annual dog show. Ms. Barcelona stated Staff made a concerted effort to fill all visible gopher holes before the event and level out the park grounds.

City Attorney Joseph Pannone announced the State of California Supreme Court has issued a stay of State Bill AB X126 as a result of the stay, the Lompoc Redevelopment Agency is not obligated to make payments to the State as required by Bill AB X126 but cannot enter into any new debt or financial obligations and a list of all current obligations and debts are to be provided to the State Supreme Court not later than August 28, 2011. Mr. Pannone stated a Special City Council Meeting will need to be scheduled by August 28, 2011 to adopt an "Enforceable Obligations Payment Schedule."

ORAL COMMUNICATIONS:

1. Ken Ostini spoke about current events sponsored by the Lompoc Valley Chamber of Commerce and Visitors Bureau and suggested the Lompoc Unified School District may be interested in cost sharing the price of a “Verminator” if the State approves the use.

Council Member Lingl asked Mr. Ostini if the Chamber of Commerce tracks State bills, especially those considered “job killers.” Mr. Ostini stated the Chamber relies on information received from the California State Chamber of Commerce.

Council Member Martner thanked Mr. Ostini and asked when the Chamber would be able to provide a strategic long term plan to Council. Mr. Ostini stated the Chamber has a strategic meeting scheduled for Thursday, August 25, 2011 and a long term plan will be presented as soon as possible.

Council Member Costa expressed her gratitude to the Chamber for the update, spoke about the wine pouring fund raising events held during the Old Town Market and asked if the Chamber has made a decision how to use those funds. Mr. Ostini said an update can be provided at a later date after the Chamber makes an official decision.

2. Suzanne Schwark announced upcoming events sponsored by the Lompoc Library District Libraries Foundation.
3. Joyce Howerton spoke about Council commenting on Agenda items before receiving Public Comment and the use of carbon monoxide for gopher eradication.
4. Arlen Sechrest spoke about gopher eradication.

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 Costa requested the Minutes of July 9, 2011 and August 2, 2011 be corrected to show Council Member Martner was present at both meetings.

ACTION: Motion/Second: Costa/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 Meetings of July 19, 2011 and August 2, 2011 with stated corrections.

CITY 2. **Approved the expenditures for:**
 Payroll of 08/05/2011 - \$1,095,046.93
 Voucher Register of 07/21/2011 - \$322,639.69
 Voucher Register of 07/22/2011 - \$588,463.42
 Voucher Register of 07/28/2011 - \$176,990.70
 Voucher Register of 07/29/2011 - \$260,332.05

CITY 3. **Memorandum of Understanding (MOU) with Employees Represented by Lompoc Police Officers’ Association (LPOA).**

Council approved the Memorandum of Understanding (MOU) for the period of July 1, 2011 through June 30, 2012, between the Lompoc Police Officers’ Association and the City of Lompoc (Exhibit A); adopt Resolution No. 5742(11), which provides salary/benefit adjustments outlined for bargaining unit members of the Lompoc Police Officers’ Association.

CONSENT CALENDAR: (cont'd)

CITY 4. **Final Acceptance of Project No. FY05-WW-1, 2011 Regional Wastewater Reclamation Plant Upgrade Project.**

Council accepted Project No. FY-05-WW-1 as complete and instructed the City Clerk to file the required Notice of Completion regarding this project.

CITY 5. **Renewable Energy Certificate Transfer Agreement.**

Council adopted Resolution No. 5735(11), authorized the Mayor to execute the Northern California Power Agency (NCPA) Renewable Energy Certificates Transfer Agreement (AGREEMENT); authorized the Utilities Director or his designee to open a City of Lompoc (City) Western Renewable Energy Generation Information System (WREGIS) account; authorized the Utilities Director or his designee to request that NCPA transfer the City's share of Renewable Energy Certificates (RECs) held by NCPA to the City's WREGIS account; authorized the Utilities Director or his designee to sell RECs in excess of the City's minimum renewable energy standard compliance requirements.

CITY 6. **Memorandum of Understanding for Transit Service between the City of Lompoc and the City of Solvang (Wine Country Express).**

Council approved a Memorandum of Understanding for transit service between the Cities of Lompoc and Solvang (Wine Country Express) and authorized the Mayor to execute the extension.

CITY 7. **Ordinance No. 1572(11) Determining to Comply with the Voluntary Alternative Redevelopment Program Pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in Order to Permit the Continued Existence and Operation of the Lompoc Redevelopment Agency.**

Council waived further reading and adopted Ordinance No. 1572(11).

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

CITY 8. **Status Report of Landfill Green/Wood Waste Recycling.**

Solid Waste Superintendent Claudia Stine presented the Staff report and recommendations and stated there are two typographical errors in the report. The percent of change for the tons/load in table 1 on page 2 of the Staff report should be 15%, and the deficit amount of \$907,000 in paragraph 1 of page 2 should have been written \$970,000 and stated the actual amount of the deficit is closer to \$955,000.

Council discussed illegal dumping of trash and green/wood waste, possible no charge landfill days for residents or amnesty days, approximate amount in cash reserves for the Solid Waste Division, added costs and/or possible loss of revenues to facility for amnesty day, landfill fees, surrounding communities fees and services, change in the amount of vehicles using landfill, and total amount of waste brought to the landfill.

Mayor Linn asked Staff to provide information at a later date on cost savings if recycling and green waste pick up was changed to an alternate week schedule and the possibility of a more accurate vehicle weighing and weight charge system.

Council Member Lingl requested Landfill Supervisor Scotty Marshall and Solid Waste Program Analyst Steve Clark to come to the podium and thanked them for their work and dedication.

Public Comment:

1. Joyce Howerton spoke in favor of Staff's recommendation to maintain the fees for green/wood waste.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

Item No 8 (cont'd)

Council Member Costa requested Staff to provide data of illegal dumping inside the City Limits and a review of the fees in a year.

ACTION: Motion/Second: Martner/Costa. By a 5-0 vote Council received staff's report; heard public comment; and maintained the fees for green/wood waste recyclable material at the Lompoc Landfill as established by Resolution No. 5630(10).

UNFINISHED BUSINESS:

- CITY 9. **Contract Amendment – Summary of Action Amending Contract with California Public Employees' Retirement System (CalPERS) to provide a second tier of different level of retirement benefit (3% @ age 55 Full Formula) for 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/Starbuck. By a 5-0 vote Council read and adopted the Ordinance No. 1571(11).

NEW BUSINESS:

- CITY 10. **Award of Project No. FY-09-S-8 Bicycle Transportation Account Striping, Signage & Signal Detection Project.**

Civil Engineering Associate III Craig Dierling, P.E., presented the report and recommendations.

Mayor Linn asked Staff to confirm if the signal detection for a bicycle works in the same way for a vehicle on a public street. Civil Engineering Associate answered yes, same principal and mechanism, just on a small scale.

Public Comment: None

ACTION: Motion/Second: Lingl/Martner. By a 5-0 vote Council adopted the Plans and Specifications for Project FY-09-S-8, as required by Section 22039 of the Public Contract Code; awarded the Construction Contract, including the Base Bid and Additive/Alternates 1 through 3, for a total contract amount of \$269,085.00 to Sterndahl Enterprises, Inc., and authorized the Mayor to execute the necessary agreement for this Contract; and authorized the City Engineer to approve quantity increases and Construction Contract Change Orders in an amount not to exceed \$40,000.00.

Council Member Costa asked Staff if there was any concern that only one bid was received for this project. Mr. Dierling said there is no concern, because the bid received was comparable to the engineer's estimate.

BREAK:

At 8:33 P.M. Mayor/Chair Linn announced a break. At 8:43 P.M., the meeting reconvened with all Council/Agency Members present.

NEW BUSINESS: (cont'd)

CITY 11. **Award of Project No. FY-10-LB-1 Retrofitting the Public Library Heating & Ventilation System.**

Civil Engineering Associate III Craig Dierling, P.E., presented the Staff report and recommendations.

Council discussed the estimated project schedule, grant funding for the project, contract amount, allowance funds, budgeted contingency amounts, and the original heating and ventilation system at the Lompoc Public Library.

Public Comment: None

Mayor asked Staff to clarify how the Construction Management Contractor is chosen. Staff explained the process to choose a Construction Management (CM) Contractor is dictated by State and Federal laws and regulations and cannot be based on price, and the CM contract price is based on time and materials not total amount.

Council Member Costa asked Staff if the job of the Construction Management (CM) Contractor is to insure the project remains on schedule. Civil Engineering Associate III Craig Dierling stated the CM is responsible for monitoring the project.

ACTION: Motion/Second: Lingl/Costa. By a 5-0 vote Council adopted the Plans and Specifications for Project FY-10-LB-1, as required by Section 22039 of the Public Contract Code; awarded the Construction Contract in a total contract amount of \$294,960 to J.R. Barto Heating, Air Conditioning & Sheet Metal, Inc.; authorized the Mayor to execute the necessary agreements for this Contracts; and authorize the City Engineer to approve additional construction costs and construction contract change orders in an amount not to exceed \$26,000.00; awarded the Construction Management Consulting Contract in an amount not to exceed \$96,600.00, to Bachini-Deferville Management, Inc.; authorized the City Administrator to execute the necessary agreements for this Contract; and authorized the City Engineer to approve Contract Change Orders in an amount not to exceed \$9,400.00.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS: None

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

Council Member Starbuck requested to be allowed to resign as the City of Lompoc City Council Alternate Representative to the Santa Barbara County Air Pollution Control District due to time and schedule constraints and motioned for Council to choose a new Alternate at the September 6, 2011 City Council Meeting. Seconded by Council Member Costa and carried by Mayor Linn.

Council Member Starbuck motioned to agendize a discussion of forming a Single Purpose Committee to review future uses of the "Old" Municipal Pool. Seconded by Mayor Linn and carried by Council Member Costa.

Council Member Martner asked Council to approve her attendance at the September 20, 2011 City Council Meeting via teleconferencing. With a general consent, Council approved the request.

Council Member Costa requested Staff investigate possibility of video conferencing for her attendance at the September 20, 2011 City Council Meeting.

Council Member Lingl announced the upcoming 75th Anniversary Celebration of the Lompoc Veterans Memorial Building, on September 24th & 25th, 2011.

Mayor Linn requested Staff provide on update on the Redevelopment Agency low income down payment assistance program. City Administrator Laurel Barcelona stated a memo with the requested information will be distributed to Council as soon as possible.

Mayor Linn motioned for a Staff report to be presented to Council at a later date regarding the possibility of allowing chickens be kept inside the City Limits. Seconded by Council Member Costa and carried by Council Member Starbuck.

With a general consent Council scheduled an adjourned Meeting of the Council/Redevelopment Agency on Thursday, August 25, 2011 at 5:00 P.M.

ADJOURNMENT:

At 9:43 P.M. Mayor Linn adjourned the Lompoc City Council/Redevelopment Agency to an Adjourned Meeting at 5:00 P.M. on August 25, 2011.

John H. Linn
Mayor

ATTEST:

Stacey Alvarez
City Clerk
September 1, 2011