

**MINUTES**

**Regular Meeting of the Lompoc  
City Council and Lompoc Redevelopment Agency  
Tuesday, October 4, 2011  
City Hall, 100 Civic Center Plaza, Council Chambers**

**CLOSED SESSION****OPEN SESSION - 5:30 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 – Utility Conference Room****BUSINESS ITEM:**

1. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One case
2. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One case.

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

Council/Agency Members Present: Ashley Costa, Cecilia Martner, Dirk Starbuck, 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, Recreation Manager JoAnne Plummer, Economic Development Director/Assistant City Administrator Teresa Gallavan, Community Development Program Manager Dinah Lockhart, and Aviation/Transportation Administrator Richard Fernbaugh.

Other Present: Ken Ostini, David Grill, Carol Benham, Joyce Howerton, Terry Hammons, Trina Long, DeWayne Holmdahl, Janet Duncan, Al Ruiz, and Brian Cole.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION:**

Mayor Linn announced Council will return to a Closed Session at the end of the Open Session Meeting.

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

**PRESENTATIONS PRESENTED ELSEWHERE:**

On September 24, 2011, Mayor Linn presented a Proclamation to Alice Milligan **Commemorating the 75<sup>th</sup> Anniversary of the Lompoc Veterans Memorial Building**.

**PRESENTATIONS:**

Mayor Linn presented a proclamation, to Lompoc Police Department Victim Advocate Cozetta Blow, declaring October as **Domestic Violence Awareness Month**.

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

City Administrator Laurel Barcelona announced Governor Brown has signed California State Assembly Bill AB 634, authorizing the use of carbon monoxide for control of burrowing rodent pests. The bill is effective as of January 1, 2012, and will allow the City to purchase and use the **Verminator** to help control the gopher population at City parks.

## STAFF REQUESTS AND ANNOUNCEMENTS:

### ORAL COMMUNICATIONS:

1. Ken Ostini spoke about current and upcoming events sponsored by the Lompoc Valley Chamber of Commerce.
2. David Grill spoke about Adult Education Program at Lompoc High School.

With a general consensus, Council requested City Administrator Laurel Barcelona contact the Principal of the Adult Education School and request a presentation at a future Council Meeting on programs.

3. Carol Benham spoke about the Lompoc Housing and Community Development Corporation and funding that organization received even when not in compliance of loan document requirements and suggested the City put a policy in place for regulating funding requirements.

Council Member Martner thanked Ms. Benham for her testimony.

4. Terry Hammons spoke about preservation of historic areas in the City, code enforcement and over-sized vehicles parking on City streets.
5. Trina Long, a representative of the Santa Barbara County Health Department reported the results of an undercover illegal tobacco buying survey recently completed by the County Health Department.

Council Member Lingl thanked Ms. Long for the information and requested a copy of the report. Council Member Costa questioned how the sample size is chosen and if this is an accurate percentage in the City. Council Member Martner requested the Lompoc Police Department provide a memo to Council regarding the Police Department's actions on this issue.

6. Joyce Howerton spoke about the Lompoc Housing and Community Development Corporation (LHCDC) expressing concern about the Mayor speaking to individuals and/or companies regarding LHCDC controlled properties.

Council Member Martner stated her understanding was that the City Administrator and City Attorney were to be the points of contact for any and all LHCDC properties in which the City has a tangible interest in. Mayor Linn stated he only encouraged various organizations to contact the City Attorney, and did not negotiate.

### 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.

CITY/RDA 1. **Approved the Minutes** of the Lompoc City Council and Lompoc Redevelopment Agency Regular Meeting of September 20, 2011.

CITY 2. **Approved the expenditures for:**

Payroll of 9/16/11 - \$1,284,303.90  
Voucher Register of 9/9/11 - \$607,524.26  
Voucher Register of 9/16/11 - \$715,212.17  
Credit Refunds of 9/15/11 - \$1,930.03

**CONSENT CALENDAR:** (cont'd)

- CITY 3. **Approval of City-County Agreement for North Avenue Storm Drain Improvements Project – City Project No. FY-05-SD-1.**

Council approved the Joint Exercise of Powers Agreement between the City of Lompoc and the Santa Barbara County Flood Control and Water Conservation District for the North Avenue Storm Drain Improvements Project, City Project No. FY-05-SD-1; and authorized the Mayor to execute the Agreement.

- CITY 4. **Final Acceptance of Project No. FY-99-S-3, Allan Hancock Bike Path Project.**

Council accepted Project No. FY-99-S-3 as complete and instructed the City Clerk to file the required Notice of Completion regarding this project.

- CITY 5. **Installation of Street Clock in Olde Towne.**

Council appropriated from Account # 15109-80070 not to exceed \$12,320 from Measure D (Dedicated Carryover) for roadway modifications of South “H” Street.

**APPOINTMENTS:**

- CITY 6. **Library Board of Trustees, one unexpired term ending 1/2012.**

*ACTION:* Motion/Second: *Costa/Lingl.* By a 5-0 vote the City Council appointed Judith Dale to the Library Board of Trustees for one term ending 01/2012.

**Youth Commission, one unexpired term ending 1/2012.**

*ACTION:* Motion/Second: *Starbuck/Costa.* By a 5-0 vote the City Council appointed Roselei Redrick to the Youth Commission for one term ending 01/2012.

**COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:**

Council Member Costa announced the current boards, commissions, and committees vacancies.

Council Member Lingl stated there will be a vacancy on the Public Safety Commission.

**UNFINISHED BUSINESS:**

- CITY 7. **Street Closure for Annual Lompoc Valley Children’s Holiday Parade and Consideration of Renaming the Parade the Lompoc Valley Christmas Parade. (requested by Council Member Lingl)**

Recreation Manager JoAnne Plummer presented the Staff report and recommendations.

Council Member Lingl asked Staff to clarify if the parade participation application specifically prohibits or encourages religious representations; if the City has ever conveyed a message that favors one religion over another; and stated Christmas is recognized as a holiday by the Federal, State, and County Government. Ms. Plummer answered no to each of these questions.

**Public Comment:**

1. DeWayne Holmdahl spoke in favor of renaming the parade.

Council discussed the original name change of the parade, community input, new names for the parade, and possible legal challenges.

**BREAK:**

At 8:12 P.M. Mayor/Chair Linn announced a break. At 8:27 P.M., the meeting reconvened with all Council/Agency Members present.

**UNFINISHED BUSINESS:** (cont'd)

Item No. 7

**ACTION:** Motion/Second: Mayor Linn/Lingl. By a 4-1 vote (*Council Member Martner voted NO*), the City Council collected public comment; renamed the parade The Lompoc Valley Children's Christmas Season Parade; directed appropriate interlineations be made to the Resolution to reflect that change and then adopted the changed Resolution No. 5744(11), authorizing City personnel to secure the encroachment permit from CalTrans for temporary closure of portions of North "H" Street and East Ocean Avenue for the subject parade and designated this activity as a City sponsored event.

**NEW BUSINESS:**

CITY            8.        **Airport Commission Structure.**

Aviation/Transportation Administrator Richard Fernbaugh presented the Staff report and recommendations.

Council Member Starbuck asked Staff if the two (2) additional positions would be appointed by Council or by the Commission. Mr. Fernbaugh stated it is Council's decision.

Public Comment: None

**ACTION:** Motion/Second: Mayor Linn/Martner. By a 5-0 vote that Council authorized the membership structure of the Lompoc Airport Commission be changed to include two (2) additional non-voting Council appointed Commissioners whose primary residence is within the boundaries of the Lompoc Unified School District; and directed Staff to return at a later date with an City ordinance changing the City Code to accommodate this Council decision.

CITY            9.        **City Consideration of Transfer of General Partner for College Park Housing Associates, A California Limited Partnership.**

Community Development Program Manager Dinah Lockhart presented the Staff report and recommendations and introduced Jeannette Duncan from Peoples' Self-Help Housing (PSHH).

Council discussed the recommendations, the management experience PSHH has with the College Park property and other low-income or affordable housing projects, the submission of required financial and annual reports for the College Park property and other properties owned or controlled by PSHH, current tenants, rules and regulations for tenant occupancy, past and current condition of the property, and a grant received from Los Padres Bank, which is now Pacific Western Bank.

Public Comment:

1.        Joyce Howerton and Carol Benham spoke in favor of Peoples' Self-Help Housing being appointed General Manager for College Park Housing Associates.

Council Member Martner requested Staff prepare a report for the next Council Meeting to clarify if the City has awarded funds to any LHCD property while out of compliance.

Mayor Linn asked Ms. Duncan to speak about monies that may be owed to LHCD as the developer of the College Park project, from the investors College Park Housing Associates, A California Limited Partnership; if she was confident PSSH would be able to file all past due and current financial reports; and if PSSH could successfully manage the College Park property. Ms. Duncan stated she was not involved in the negotiations between LHCD and the investors, but explained a partnership agreement for these types of projects is typically based on performance, stating it is her understanding that LHCD did not meet all contractual obligations and that any monies for those unmet obligations that were scheduled to be dispersed to LHCD would be held back. Ms. Duncan explained that PSHH is currently in the process of compiling the information for all reports and filing with the necessary agencies and she then proclaimed she is confident PSHH will be able to manage this project successfully.

Council Member Costa acknowledged LHCD for beginning this project and thanked PSHH for their ability to take over the management of the project.

**NEW BUSINESS:** (cont'd)

Item No. 9

**ACTION:** Motion/Second: Costa/Martner. By a 5-0 vote Council approved a request by the National Equity Fund to replace the Lompoc Housing Community Development Corporation as the general partner of the College Park Housing Associates, Limited Partnership with Peoples' Self-Help Housing.

**WRITTEN COMMUNICATIONS:** None

**ORAL COMMUNICATIONS:**

1. Brian Cole spoke about Lompoc Downtown and requested Council focus effort on revitalization of the Old Theater.

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

Council Member Martner moved Staff provide a report and a draft policy, at a later date, but within two months time, to Council addressing properties which receive funds and/or loans through any City program and is non-compliant with City requirements for those funds and/or loans, stating the report should include a case study or history of any previous non-compliant property. The motion was seconded by Council Member Lingl and carried by Mayor Linn.

Council Member Martner reported she attended the Northern California Power Agency (NCPA) Annual Conference in Napa, CA.

Council Member Costa announced she attended the California League of Cities Annual Conference in San Francisco, CA.

Council Member Starbuck stated he attended the Leadership Banquet, the Lompoc Veteran's Memorial Building 75<sup>th</sup> Anniversary Celebration, and the City of Lompoc Employees' Development Association Luncheon.

Council Member Lingl reported he attended Lompoc Veteran's Memorial Building 75<sup>th</sup> Anniversary Celebration and announced a book commemorating the Memorial Building the has been published and is available for \$35.00 with all proceeds going to help with building restoration costs.

Mayor Linn stated he attended the California League of Cities Annual Conference in San Francisco, CA.

**RECESSED:**

At 9:42 P.M. Mayor/Chair Linn announced the Council/Agency would recess to a Closed Session in the Utilities Conference Room. At 10:51 P.M., the meeting reconvened with all Council/Agency Members present.

**REPORT ON ACTION TAKEN DURING CLOSED SESSION:**

Mayor Linn announced no reportable action was taken during the closed session.

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

Mayor Linn moved Staff present a report at the next Council Meeting on the proposed legislation by the Santa Barbara Local Agency Formation Commission (LAFCO). The motion was seconded by Council Member Lingl and carried by Council Member Costa.

**ADJOURNMENT:**

At 10:54 P.M. Mayor Linn adjourned the Lompoc City Council/Redevelopment Agency to a Regular Council Meeting at 7:00 P.M. on October 18, 2011.

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John H. Linn  
Mayor

ATTEST:

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Stacey Alvarez  
City Clerk  
October 10, 2011