

MINUTES

**Regular Meeting of the Lompoc
City Council and Lompoc Redevelopment Agency
Tuesday, November 1, 2011
City Hall, 100 Civic Center Plaza, Council Chambers**

Open Session 7:00 P.M.

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

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, Economic Development Director/Asst City Administrator Teresa Gallavan, Planning Manager Lucille Breese, Utilities Director Ronald Stassi, Library Director Molly Gerald, Senior Civil Engineer Michael Luther, and Human Services Manager Beth Flamm-Overby.

Other Present: Harry Height, Bernie Federmann, Ramona Guzman, Corey Guzman, Dulcie Sinn, Carol Benham, Dale Willis, Jeff States, Ralph Harmon, DeWayne Holmdahl, Judy Taggart, and Jessica Schoen.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

City Attorney Joseph Pannone reported the City Council has directed Staff to receive statements of interest and qualifications from organizations interested in providing services for homeless services and are due back to the City not later than November 15, 2011.

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

PRESENTATIONS:

Police Chief Timothy Dabney presented plaques of appreciation to Harry Height, Ramona Guzman, Corey Guzman, and Bernie Federmann for their support of the Special Olympics fundraising events held in Lompoc and presented a check for \$20,000.00 to Jessica Schoen, the Sports Coordinator for the Northern Santa Barbara County Special Olympics.

Mayor Linn presented a Proclamation to Christy Bell, a representative of the National Lung Cancer Partnership, proclaiming November, 2011 as **Lung Cancer Awareness Month**.

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

City Administrator Laurel Barcelona announced a representative from the Lompoc Unified School District Adult Education Program will give a presentation at the December 6, 2011 City Council Meeting on the Vocational Nursing Program; the City's Public Works Department held a Building/Permit Workshop on November 24, 2011 and stated a full-time building official will be working at City Hall by the middle of November 2011. Ms. Barcelona spoke about the Police Department's efforts to curb alcohol and tobacco sales to minors, recent promotions within the Department, and stated a Crime Prevention Forum hosted by the Police Department and the Lompoc Valley Chamber of Commerce will be held on November 15, 2011, 8:00 A.M. – 12:00 P.M.; spoke about the Lompoc Fire Department's Monthly Report, the recent retirement and promotions of Fire personnel and current recruitment process for Fire Chief.

Mayor Linn asked Police Chief Timothy Dabney to speak about the Crime Prevention Forum and requested Staff send commendation letters to the businesses that did not sell alcohol and/or tobacco to the Police decoy during the Police Department's most recent decoy operations. Chief Dabney stated the forum is open to public and private employers, employees, and local business owners in the area interested in learning how to protect their business from external and internal theft. He confirmed a commendation would be included in the next notification letter of upcoming alcohol and tobacco sales decoy operations.

Council Member Costa requested the Public Safety Commission be invited to be involved in the Crime Prevention Forum.

STAFF REQUESTS AND ANNOUNCEMENTS:

ORAL COMMUNICATIONS:

1. Dulcie Sinn spoke about the homeless services in the Lompoc area.
2. Carol Benham thanked Council for discussing the process of finding a replacement organization to provide homeless services in the Lompoc area.

Mayor Linn stated the Council has received a letter from the Lompoc Human Services Commission expressing that commission's desire to help find an organization to provide homeless and shelter services to the Lompoc area.

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 spoke about Item No. 4 and asked Staff to clarify when impact fees are required to be updated. Management Services Director Brad Wilkie stated an update to the impact fees is not required but an impact fee study could be formally requested by Council. Mayor Linn gave an example of AB1600 impact fees. Council Member Costa asked if updated impact fee information could be made available for the November 8, 2011 Council Workshop. Mr. Wilkie explained an impact fee study would involve almost every City Department and then the information would need to be compiled as required by AB1600.

Council Member Costa commented on Item No. 6

Council Member Martner stated she had comments about the proposed Minutes and asked Staff to confirm a discussion of how the Minutes are prepared would be on the November 8, 2011, Council Workshop Agenda. City Administrator Laurel Barcelona answered yes.

ACTION: Motion/Second: Costa/Lingl. 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 October 18, 2011.

CONSENT CALENDAR: (cont'd)

- CITY 2. **Approved the expenditures for:**
- Payroll of 10/12/11 - \$1,043,025.86
Voucher Register of 10/07/11 - \$358,469.37
Voucher Register of 10/14/11 - \$632,642.41
- CITY 3. **New Water Conservation Program.**
- Council authorized expenditures totaling \$45,000 to be charged to account number 51-222002, Water Retrofit Fund, for a new water conservation program. The proposed program will be called Income Qualifying Clothes Washer Replacement Program.
- CITY 4. **Annual SB1693 Compliance Report fro AB1600 Development Impact Fees.**
- Council received this report prepared to satisfy Government Code Section 66006 (b)(1).
- CITY 5. **Authorize the Public Works Director to Apply for, and the City Administrator to Execute Agreements for, CalRecycle Grant Program Funds.**
- Council adopted Resolution No. 5752(11) authorizing the Public Works Director to execute all necessary applications, application amendments, and related documents, and authorized the City Administrator to execute all contracts, agreements, amendments, payment requests, and related documents, for the purposes of securing grant funds and implementing the goals of the Grant Programs administered by California Department of Resources Recycling and Recovery (CalRecycle).
- CITY 6. **Approve an Award of Contract to Purchase One Mini Digger Derrick and Trailer.**
- Council approved the award of a contract to purchase one Mini Digger Derrick and trailer from Altec Industries in the amount of \$139,250.71 and authorized the Purchasing and Materials Manager to issue a purchase order.
- CITY 7. **Text Amendment TA 11-02 – Summary of Action – Amend the City’s Zoning Ordinance.**
- Council waived further reading and adopted Ordinance No. 1578(11). (Planning Division File No. TA 11-02)

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

Council Member Martner requested Staff provide memos to Council regarding the use of lead-based paint at Marks House and awards of funding to any Lompoc Housing Community Development Corporation (LHCDC) owned properties while the properties were non-compliant with Federal regulations; and moved to agendaize a performance review of the City Administrator and the City Attorney during a Closed Session at the first Council Meeting in January 2012. The motion was seconded by Council Member Lingl and carried by Mayor John Linn.

Council Member Costa requested Staff provide the information of award of funding to LHCDC owned properties if the properties were in non-compliant status as part of the Staff report on a proposed policy of enforcement of contract compliance, scheduled to be presented to Council at a future meeting.

Mayor Linn suggested creation of an Ad Hoc Committee, consisting of himself and another Council Member, to provide direction on the presentation of the staff report for the upcoming City Council review of the Phase I General Plan Update. He indicated that due to the complexity and amount of the material to be presented it could be beneficial to do an initial review and separate some of the political decisions to be considered.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

(cont'd)

Council Member Martner indicated that she believed the matters should be discussed before the entire Council during an open session of a Council Meeting and the staff should structure the staff report. The Council discussed the concept of an ad hoc committee and determined that it would not be necessary. Staff was directed to prepare the staff report for Council consideration.

UNFINISHED BUSINESS:

- CITY 8. **Ordinance No. 1579(11), Amending Lompoc Municipal Code Subsections 4.04.090 A. and E. Relating to the Membership of the Airport Commission.**

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

Council Member Costa asked for Staff to clarify the method of appointment for the two new members of the Airport Commission. Mr. Pannone stated the appointments would be made by Council.

Public Comment: None

ACTION: Motion/Second: Starbuck/Lingl. By a 5-0 vote the Council waived further reading and introduced Ordinance No. 1579(11).

BREAK:

At 8:16 P.M. Mayor/Chair Linn announced a break. At 8:24 P.M., the meeting reconvened with all Council/Agency Members present.

- CITY 9. **Lompoc Fire Foundation Use Agreement for TV Show “Lompoc Fire Responding.”**

Battalion Chief Stan Hart presented the Staff report and recommendations.

Council Member Costa asked if this item was reviewed by the Public Safety Commission, stated she would like to see the Public Safety Commission become more involved in City business, and asked if there was a name change to the TV Show. Battalion Chief Stan Hart answered no this item was not sent to the Public Safety Commission for review. Retired Fire Chief Jeff States stated the TV Show has not had a name change, but the agreement was changed from a license agreement to a use agreement.

Council Member Lingl asked if the Firefighters Foundation has the proper level of liability insurance. Mr. States answered yes.

Mayor Linn asked City Attorney Joseph Pannone if the agreement was reviewed. Mr. Pannone stated yes it has been reviewed and approved by the City Attorney’s Office.

Public Comment:

1. Ralph Harmon spoke in favor of Council approving the Use Agreement, stating this will be a helpful learning and fundraising tool for the Firefighters Foundation.

ACTION: Motion/Second: Costa/Lingl. By a 5-0 vote Council approved the Use Agreement between the City of Lompoc and the Lompoc Firefighters Foundation for the production of “Lompoc Fire Responding” until terminated by either party for cause, by adopting Resolution No. 5731(11); and authorized the Fire Chief to execute a Use Agreement between the City of Lompoc and Lompoc Firefighters Foundation.

UNFINISHED BUSINESS: (cont’d)

- CITY 10. **Economic Development Committee.**

Economic Development Director/Asst City Administrator Teresa Gallavan presented the Staff report and recommendations.

Council Member Starbuck suggested the Lompoc Valley Chamber of Commerce CEO be installed as the co-manager of the Economic Development Committee along with the City's Economic Development Director. Council Member Lingl stated he would prefer to allow Ms. Gallavan to develop and manage the Committee.

Council Member Costa thanked Staff for this report and reiterated her previous request that a "starter kit" of information be given to each Committee Member. Council Member Martner requested Ms. Gallavan make a personal outreach to stakeholders and/or market segments. Ms. Gallavan asked for clarification on how Council wants the outreach to be completed. Council agreed that a mass email would be sufficient.

Council discussed the appointment process for Committee Members.

Public Comment:

1. DeWayne Holmdahl spoke in favor of the establishment of the Economic Development Committee.
2. Judy Taggart suggested the addition of Public Health to the Economic Market segment list.

With a general consensus, Council agreed to add "Other Governmental Agencies" to the Committee Function No. 5 and "Public Health" to Committee Function No. 7 (3).

Council discussed the process of appointing Committee Members and agreed to have all applications given to each Council Member for review before Committee Members are appointed.

ACTION: Motion/Second: Mayor/Starbuck. By a 5-0 vote Council adopted the amended Economic Development Committee description with the addition of "other Governmental Agencies" to Committee Function No. 5 and "Public Health" to Committee Function No. 7 (3); and open a two-week application period for appointments to the Economic Development Committee; and appoint 15 members (three members per Council Member) to the Committee at the December 6, 2011 Council Meeting.

NEW BUSINESS:

- CITY 11. **Resolution Establishing a Fund Balance Policy for the General Fund pursuant to GASB Statement No. 54.**

Management Services Director Brad Wilkie presented the Staff report and recommendations.

Council discussed the given report and recommendations, the use of reserve funds and the requirements for reporting funds.

Public Comment: None

Mayor Linn stated this policy will be a reporting tool and does not change how funds will be used by the City.

ACTION: Motion/Second: Costa/Lingl. By a 5-0 vote Council adopted Resolution No. 5750(11) to establish a Fund Balance Policy in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54 (Statement 54).

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

Council Member Lingl reported he attended a Northern California Power Agency meeting in Lodi, CA, on October 24, 2011.

Council Member Starbuck stated he attended the Vandenberg Air Force Base Annual Awards Dinner, the PetCo Pet Costume event, the Chumash Indians Foundation Annual Service Awards Dinner, and the Lompocalypse Zombie Walk.

Mayor Linn announced he attended the Chumash Indians Foundation Annual Service Awards Dinner.

Council Member Costa reported she attended the Chumash Indians Foundation Annual Service Awards Dinner and has been involved in several meetings with the Community Action Commission because the Youth Corps Program is losing its funding from the Work Force Investment Association.

RECESS:

At 9:48 P.M. Mayor/Chair Linn announced the Council/Agency would be recessing to a Closed Session At 10:46 P.M., the meeting reconvened with all Council/Agency Members present.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS: None

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

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

ADJOURNMENT:

At 10.48 P.M. Mayor/Chair Linn adjourned the Lompoc City Council/Redevelopment Agency to a Council Workshop at 6:00 P.M. on Tuesday November 8, 2011.

John H. Linn Mayor/Chair
City of Lompoc

Stacey Alvarez, City Clerk
November 10, 2011