

MINUTES
Regular Meeting of the Lompoc City Council
Tuesday, January 3, 2017
City Hall, 100 Civic Center Plaza, Council Chamber

CLOSED SESSION

OPEN SESSION – 5:45 P.M. – Council Chamber

Council Members Present: Victor Vega, James Mosby, Jenelle Osborne, Dirk Starbuck, and Mayor Bob Lingl.

Staff Present: City Manager Patrick Wiemiller, Economic Development Director/Assistant City Manager Teresa Gallavan, City Clerk Stacey Haddon, and City Attorney Joseph Pannone.

ORAL COMMUNICATIONS: None

CLOSED SESSION – City Council Conference Room

BUSINESS ITEM:

1. **CONFERENCE WITH LABOR NEGOTIATORS:** City Designated Representatives: Gabriel Garcia, Brad Wilkie, Colin Tanner, and Patrick Wiemiller. Employee Organization: International Brotherhood of Electrical Workers, Local 1245 (IBEW) Lompoc Police Officer's Association (LPOA), Unrepresented (UR) Employees and Management, Supervisory, & Confidential (MS&C) Employees.
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One matter.

OPEN SESSION - 6:30 P.M. – Council Chamber

Council Members Present: Victor Vega, James Mosby, Jenelle Osborne, Dirk Starbuck, and Mayor Bob Lingl.

Staff Present: City Manager Patrick Wiemiller, Economic Development Director/Assistant City Manager Teresa Gallavan, City Clerk Stacey Haddon, City Attorney Joseph Pannone, Management Services Director Brad Wilkie, and Development Programs Specialist II Jason Rojas.

Others Present: Chuck Flacks, John Linn, Robert Traylor, Will Schuyler, Maria Hall, and Ken Ostini.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

City Attorney Joseph Pannone announced there was no reportable action taken during the Closed Session.

Pastor Bernie Federmann gave the invocation and Mayor Bob Lingl led the **Pledge of Allegiance**.

PRESENTATIONS:

- Mayor Lingl presented a plaque to recently retired Lompoc Valley Chamber of Commerce and Visitor's Bureau President/C.E.O. Ken Ostini, in honor of his service to the City of Lompoc as a member of the Lompoc Economic Development Committee; and Maria Hall, Chairperson of the Economic Development Committee thanked Mr. Ostini for all his work with the Committee and in the Community.
- The Maria Hall, Chairperson of the City's Economic Development Committee helped present the Committee's periodic report, along with Economic Development Director/Assistant City Manager Teresa Gallavan.

CITY MANAGER REPORT: None

MAYOR/COUNCIL MEMBER MEETING REPORTS: None

PUBLIC COMMENT ON CONSENT CALENDAR ITEMS (3 Minutes Maximum):

1. John Linn expressed concern regarding Consent Agenda item numbers 3, 4, 6, 7, and suggested Council remove item number 9 from the Consent Calendar for further discussion at the end of the meeting.
2. Will Schuyler stated he believes the new minimum wage levels, as written in item number 7 will have negative impact on small businesses and asked Council to bring that message to State officials; and asked if the City has a vehicle replacement fund setup.

CONSENT CALENDAR:

Council briefly discussed Consent Calendar Item No. 9 before Council Member Mosby requested Item No. 9 be pulled from the Consent Calendar and placed at the end of the Agenda for further discussion.

Council Member Vega asked Staff to clarify Consent Calendar Item No. 5; and to confirm if the funds to be used for payment of legal representation in Consent Calendar Item No. 3 have been budgeted. Management Services Director Brad Wilkie explained sales and use tax records are confidential and this item will allow certain employees to review those records for official use only; and answered yes, stating Item No. 3 will be paid with funds that have been in the City's Budget.

ACTION: Items No. 1, 2, 3, 4, 5, 7, and 8: Motion/Second: Starbuck/Osborne. By a 5-0 vote Council approved Staff recommendations.

ACTION: Item No. 6: Motion/Second: Vega/Osborne. By a 3-2 vote (Council Member Osborne and Mayor Lingl voted No): Council approved Staff recommendations.

1. Approved the Minutes of the Lompoc City Council Regular Meeting of December 6, 2016.
2. Approved the expenditures for:
 - Payroll of December 1, 2016 - \$100,098.07
 - Payroll of December 2, 2016 - \$1,395,038.86
 - Voucher Register of December 2, 2016 - \$1,035,307.19
 - Voucher Register of December 9, 2016 - \$750,780.53
 - Utility Credit Refunds of December 13, 2016 - \$2,729.84
3. **Legal Representation by Nye Peabody Stirling Hale & Miller, LLP.**

Approved the attached Letter of Representation by Nye Peabody Stirling Hale & Miller, LLP and direct the City Manager to execute it.
4. **Approval of Right of Way Use Agreement with Astound Broadband, LLC.**

Approved the Right of Way Use Agreement with Astound Broadband, LLC and directed the Mayor to execute the Agreement.
5. **Authority to Examine Board of Equalization Sales and Use Tax Records; Adoption of Resolution No. 6087(17).**

Adopted Resolution No. 6087(17) authorizing certain Staff positions and contractors to examine sales and use tax records pursuant to Revenue and Taxation Code Section 7056.
6. **Adoption of Resolution No. 6089(17) Which Directs the Installation of Stop Signs on Cypress Avenue at Fifth Street.**

Adopted Resolution No. 6089(17), which directs the City Engineer to install a multi-way stop at the intersection of Cypress Avenue and Fifth Street.

CONSENT CALENDAR: (cont'd)

7. **State Mandated Minimum Wage Increases; Adoption of Resolution No. 6090(17).**

Adopted Resolution No. 6090(17), which will amend the Compensation Plan to revise the salary rates for various part-time, at-will positions effected by the State mandated minimum wage increases; and approved the appropriations which fund the proposed salary rate adjustments for the remainder of FY 2016-17.

8. **Bike Service Station Donations.**

Recommendation: City Council accept the donation from the Lompoc Valley Community Healthcare Organization of two Bike Service Station to be located at City Hall and the Lompoc Library.

Item No. 9 was pulled by Council Member Mosby for discussion at the end of the Agenda.

9. **Adoption of Resolution No. 6086(17) Related to Lease with Option to Purchase Financing.**

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Chuck Flacks, representative from the Central Coast Collaboration on Homelessness (C3H) gave a brief report on the work completed inside the City of Lompoc, thanked Council for working with C3H, and stated he will begin working with the City's representative and City Staff to bring forward a more accurate budget for services.
2. John Linn spoke about new building permit requirements.

APPOINTMENTS:

10. **Review of and Appointments to Commissions/Committees/Agencies on Which Council Members Serve.**

ACTION – Motion/Second: Osborne/Starbuck. By a 5-0 vote Council, approved the following appointments:

Community Action Commission (CAC)	-	Human Services Commissioner to be determined at an upcoming Regular Human Services Commission Meeting
Liaison to Chamber of Commerce Board of Directors	-	Dirk Starbuck
Santa Barbara County Air Pollution Control District	-	James Mosby - Jenelle Osborne (Alternate)
Santa Barbara County Association of Governments	-	James Mosby - Victor Vega (Alternate)
Breeze Political Advisory Committee	-	Dirk Starbuck
Multi Jurisdictional Solid Waste Task Group	-	James Mosby - Victor Vega (Alternate)
Central Coast Collaboration on Homelessness (C3H)	-	Jenelle Osborne - James Mosby (Alternate)
Central Coast Commission for Senior Citizens Area Agency on Aging	-	Mayor Bob Lingl
California Municipal Utilities Association Legislative Committee	-	Jenelle Osborne - Mayor Bob Lingl (Alternate)

APPOINTMENTS: (cont'd)

11. **Appointment of Council Nominees to the following City Commissions. Terms for nominees of Council Members Mosby and Osborne will expire December 2020.**

a) Beautification Commission

By a unanimous vote, the City Council approved the following appointment (term to expire 12/2018):

Applicant
Beatrice Doyle

Nominated by:
Mayor Lingl

b) Human Services Commission

By a unanimous vote, the City Council approved the following appointments (term to expire 12/2020):

Applicant
Kenny Agbodike

Nominated by:
Council Member Osborne

Applicant
Maria Millsaps

Nominated by:
Council Member Mosby

By a unanimous vote, the City Council approved the following appointments (term to expire 12/2018):

Applicant
Barbara Holt

Nominated by:
Mayor Lingl

c) Parks and Recreation Commission

By a unanimous vote, the City Council approved the following appointment (term to expire 12/2020):

Applicant
Charles Sommer

Nominated by:
Council Member Mosby

By a unanimous vote, the City Council approved the following appointment (term to expire 12/2018):

Applicant
Pat Brady

Nominated by:
Mayor Lingl

d) Planning Commission

By a unanimous vote, the City Council approved the following appointments (term to expire 12/2020):

Applicant
Mary Leach

Nominated by:
Council Member Mosby

Applicant
Federico Cioni

Nominated by:
Council Member Osborne

By a unanimous vote, the City Council approved the following appointment (term to expire 12/2018):

Applicant
Ron Fink

Nominated by:
Mayor Lingl

APPOINTMENTS: (cont'd)

Item No. 11

e) Public Safety Commission

By a unanimous vote, the City Council approved the following appointments (term to expire 12/2020):

Applicant
Maria Aguiniga

Nominated by:
Council Member Mosby

Applicant
Frank Campo

Nominated by:
Council Member Osborne

By a unanimous vote, the City Council approved the following appointment (term to expire 12/2018):

Applicant
Amanda Hollingworth

Nominated by:
Mayor Lingl

f) Utility Commission

By a unanimous vote, the City Council approved the following appointment (term to expire 12/2020):

Applicant
John Linn

Nominated by:
Council Member Mosby

By a unanimous vote, the City Council approved the following appointment (term to expire 12/2018):

Applicant
Timothy Smith

Nominated by:
Mayor Lingl

COUNCIL REQUESTS:

- 12. **Council Member Starbuck to Discuss the Results of the City Council Quarterly Public Meeting Regarding Ideas for Improving Public Participation in City Government, Increasing Openness and Transparency of all City Business.**

Council Member Starbuck gave a brief report on the open meeting held by the City Council AdHoc Committee regarding Improving Public Participation in City Government, Increasing Openness and Transparency of all City Business, held on November 29, 2016 in the Lompoc City Council Chamber.

Public Comment: None

NEW BUSINESS:

- 13. **Award of Contract for Aquatic Center Pool Re-Plaster Project: Adoption of Resolution No. 6091(17), Appropriating Funds for Project Costs.**

Development Programs Specialist II Jason Rojas presented the Staff report and recommendations.

Council discussed the information provided, the length of the pool closure, and the funds to be used for this proposed project.

Public Comment:

- 1. Robert Traylor, representative from the Lompoc Tsunami Swim Club spoke in support of the proposed project, stating the rehabilitation of the pools will allow for the Swim Club to resume practices and meets at the Aquatic Center.

2. John Linn expressed his concern about the urgency of this matter and what he sees as Staff's delay in bringing this matter forward quicker and suggested fiberglass be used in the refinish of the pools.

NEW BUSINESS: (cont'd)

Item No. 13

Council Member Mosby asked Staff if there is a cost difference or a performance difference with a fiberglass finish as opposed to a plaster finish on the pools at the Aquatic Center. Development Programs Specialist II Jason Rojas stated he has never researched the use of fiberglass finishes, but would be happy to do so if that is Council's direction.

ACTION – Motion/Second: Mayor Bob Lingl/Mosby. By a 5-0 vote Council took the following actions:

- a) Awarded the contract to Condor, Inc., for the construction of the Aquatic Center Pool Re-Plaster Project;
- b) Authorized the City Manager to sign that construction contract, subject to approval as to form by the City Attorney, in the amount of \$526,000; and
- c) Adopted Resolution No. 6091(17), authorizing the supplemental appropriations of \$360,000 for the Project for total appropriations in the amount of \$610,000 for all Project costs.

WRITTEN COMMUNICATIONS: None

CONSENT CALENDAR: (cont'd)

9. **Adoption of Resolution No. 6086(17) Related to Lease with Option to Purchase Financing.**

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

Council Member Starbuck asked if the financing company would require collateral for the demolition of the Old Municipal Pool. Management Services Director Brad Wilkie stated the other tangible items being financed would serve as collateral for the financing of the demolition.

Council discussed the provided information, any other possible funding sources for the demolition of the Old Municipal Pool building, the length of the rate lock for the proposed financing, the bid process for the demolition/removal of the Old Municipal Pool building, and the City's possible future use for this site. City Manager Patrick Wiemiller stated he believes this location would be most useful as a City of Lompoc Police Department facility.

Public Comment:

1. John Linn spoke in opposition to the proposed Staff recommendations, and suggested Staff was being remiss in their fiduciary duties with the City's finances.
2. Mark Arshamalla spoke in support of recommendations which would result in a new upgraded Police Department facility, and encouraged Council to move forward with this item.
3. Tim Smith spoke in favor of Staff recommendations.

City Manager Patrick Wiemiller restated his commitment to insuring the City remains financially sound and refuted the idea Staff would make any financial recommendations that would put the City at risk.

Council Member Mosby requested Council vote on each recommendation separately.

ACTION – Motion/Second: Mosby/Starbuck. By a 5-0 vote: Council adopted Resolution No. 6086(17) authorizing the City Manager and Management Services Director to execute the necessary agreements with the successful bidder to:

- a) Finance replacement vehicles scheduled for replacement during the 2015-2017 periods with various terms up to 10 years for a total of up to \$950,000;

b) With the option to finance:

i) Financial management software acquisition costs of up to \$1,500,000;

CONSENT CALENDAR: (cont'd)

Item No. 9

ACTION – Motion/Second: Osborne/Starbuck. By a 4-1 vote (Council Member Mosby voted No): Council approved authorizing the City Manager and Management Services Director to execute the necessary agreements with the successful bidder to include the option to finance:

b) ii) The Demolition of City facilities located at Civic Center Plaza (prior Municipal Pool building) of up to \$750,000;

ACTION – Motion/Second: Osborne/Starbuck. By a 4-1 vote (Mayor Bob Lingl voted No): Council removed the option to finance b) iii) The acquisition of Fleet vehicle assigned to the Police Department to be added to the replacement fleet of up to \$350,000.

ACTION – Motion/Second: Osborne/Vega. By a 5-0 vote: Council awarded the financing to the successful bidder; Banc of America Public Capital Corp with the removal of the option to finance the acquisition of Fleet vehicle assigned to the Police Department to be added to the replacement fleet of up to \$35,000.

ORAL COMMUNICATIONS (2 Minutes Maximum):

1. Charles Sommer thanked Council for re-appointing him to the Parks & Recreation Commission and stated he would like to see smaller recreation projects approved and completed before a project like the recently introduced sports complex idea for Ken Adam Park.

COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:

Council Member Vega requested a future agenda item be brought forward to allow Council discussion and possible action regarding changes to certain City Boards, Commissions, and Committees meeting locations; and requested Staff provide a presentation at a future meeting, on the City's first time homebuyer's program. The first request was seconded by Council Member Starbuck and carried by Council Member Osborne; and the second request was seconded by Council Member Starbuck and carried by Council Member Mosby.

Mayor Lingl requested Staff bring forward a future agenda item regarding parking of oversized vehicles on City-owned streets. The request was seconded by Council Member Vega and carried by Council Member Osborne.

ADJOURNMENT: At 8:58 P.M. Mayor Lingl adjourned the Lompoc City Council to a Regular Meeting on January 17, 2017 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on February 1, 2017:

/Stacey Haddon/

Stacey Haddon, City Clerk