



AGENDA

**Regular Meeting of the Lompoc City Council
Tuesday, March 19, 2013
City Hall, 100 Civic Center Plaza, Council Chambers**

Please be advised that, pursuant to State Law, any member of the public may address the City Council concerning any Item on the Agenda, before or during Council consideration of that Item. Please be aware that Items on the Consent Calendar are considered to be routine and are normally enacted by one vote of the City Council. If you wish to speak on a Consent Calendar Item, please do so during the first Oral Communications.

*“Members of the Public are Advised that all **PAGERS, CELLULAR TELEPHONES** and any **OTHER COMMUNICATION DEVICES** are to be **turned off** upon entering the City Council Chambers.”*

*Regular City Council meetings will be videotaped and rebroadcast in Lompoc on Channel 23 at 9:00 a.m. the following Wednesday. **The Agenda and related Staff reports are available on the City’s web site: www.cityoflompoc.com the Friday before Council meetings between 9:00 a.m. and 5:00 p.m.***

Any documents produced by the City and distributed to a majority of the City Council regarding any item on this agenda will be made available the Friday before Council meetings at the “City Clerk’s Office” at City Hall, 100 Civic Center Plaza, Monday through Friday between 9 a.m. and 5 p.m. and at the “Reference Desk” at the Lompoc Library, 501 E. North Avenue, Lompoc, California, Monday and Tuesday between 10 a.m. and 5 p.m., Wednesday and Thursday between 1 p.m. and 5 p.m. and Friday and Saturday between 1 p.m. and 5 p.m. The City may charge customary photocopying charges for copies of such documents.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, including review of the Agenda and related documents, please contact the City Clerk at (805) 875-8241 at least 72 hours prior to the meeting. This will allow time for the City to make reasonable arrangements to ensure accessibility to the meeting.

CLOSED SESSION

OPEN SESSION – 6:00 P.M. – Council Chambers

ROLL CALL: Mayor John Linn
Mayor Pro Tempore Ashley Costa
Council Member Bob Lingl
Council Member Dirk Starbuck
Council Member DeWayne Holmdahl

ORAL COMMUNICATIONS: (maximum of five minutes per speaker, limited to subject of “Closed Session”)

CLOSED SESSION – Employee’s Break Room

BUSINESS ITEM:

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – CONTRACT REVIEW: City Attorney.
2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Case Nos. 12 COL 0033 and 08 COL 0082

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

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

INVOCATION: Bert Langdon

PLEDGE OF ALLEGIANCE: Mayor John Linn

PRESENTATIONS PRESENTED ELSEWHERE:

PRESENTATIONS:

- Mayor Linn to present a Proclamation to Urban Forestry Manager Cindy McCall in honor of **Arbor Day, 2013.**
- [Presentation by Bob Braitman, Executive Officer from Santa Barbara Local Agency Formation Commission.](#)

STAFF REQUESTS AND ANNOUNCEMENTS:

ORAL COMMUNICATIONS (Maximum of 5 Minutes): (At this time, please direct comments to the City Council regarding Consent Calendar items, other agenda items if you are not able to stay until that matter is discussed, or issues not on the Agenda but within the jurisdiction of the Council.)

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 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.

1. **Approval of Minutes** of the Lompoc City Council Regular Meeting of February 19, 2013.

2. **Approval of expenditures for:**

Payroll of 02/27/2013 - \$1,031,185.76
Voucher Register of 02/22/2013 - \$354,419.20
Voucher Register of 03/01/2013 - \$322,681.88
Electronic Payments February 2013 - \$3,510,267.57
Manual Checks February 2013 - \$58,484.56

3. **Final Acceptance of Project No. FY-12-LF-1 - Landfill Scale and Solid Waste Yard Paving Project.**

Civil Engineering Associate III Alex Ubaldo
a_ubaldo@ci.lompoc.ca.us

Recommendation: that Council accept Project No. FY-12-LF-1 as complete and instruct the City Clerk to file the required Notice of Completion regarding this project.

4. **Land Lease Agreement at the Lompoc Airport.**

Aviation/Transportation Manager Richard Fernbaugh
r_fernbaugh@ci.lompoc.ca.us

Recommendation: that Council approve and authorize the Mayor to sign a land lease agreement with James Macgregor for the purpose of aircraft storage at the Lompoc Airport.

PUBLIC HEARING:

5. **The City Council will Consider Public Input, Discuss Options, and Provide Direction Regarding 2030 General Plan Land Use Element Expansion Area C – Miguelito Canyon.**

Planning Manager Lucille T. Breese
l_breese@ci.lompoc.ca.us

Recommendation: that Council consider the material presented in the January 29, 2013, Staff report, hold a Public Hearing, and provide direction to Staff.

COUNCIL REQUESTS AND ANNOUNCEMENTS:

6. **Discussion on possible revisions to the General Plan Update Tentative Schedule of Public Meetings (*Requested by Council Member Costa*).**

(Public Comment)

UNFINISHED BUSINESS:

7. **Water and Wastewater Rate Study Presentation and Request to Start the Proposition 218 Process for Rate Adjustments.**

Management Services Director Brad Wilkie
b_wilkie@ci.lompoc.ca.us

Recommendation: that Council receive rate information from Willdan Financial Services (Consultant) on the water and wastewater funds, direct Staff to start the process on the next City Council agenda to follow Proposition 218 guidelines and adjust rates by the amounts recommended by Consultant for the water and wastewater services or provide other direction to Staff.

8. **Discussion Regarding Reconveyance of Successor Agency Deed of Trust Recorded Against the Lompoc Theater and Adjoining Property**

City Attorney/General Counsel Joseph W. Pannone
jpannone@awattorneys.com

Recommendations: Staff recommends the City Council and Successor Agency Board review this report and:

- The Successor Agency direct staff to take steps necessary for the Successor Agency to reconvey its deed of trust recorded against the Lompoc Theater property, subject to:
 - the Lompoc Housing and Community Development Corporation (“LHCDC”) conveying the Lompoc Theater property to the Lompoc Theater Project Corporation (“LTPC”); and
 - staff’s receipt of LTPC’s articles of incorporation and by-laws, a list of LTPC Board Officers and Members, as well as proof of a formal action by LTPC’s Board accepting such conveyance; and
- The Successor Agency direct staff to pursue obtaining approval from the Oversight Board and State Department of Finance for the Successor Agency’s reconveyance of the deed of trust; and

UNFINISHED BUSINESS: (cont'd)

- The City Council authorize the City Administrator to send a letter to LTPC approving the transfer of ownership of the Lompoc Theater property from LHCDL to LTPC; and
- The Successor Agency authorize staff to seek written approval from the Calverts for the transfer of ownership of the Lompoc Theater property from LHCDL to LTPC; and, either
- The City Council direct staff to proceed with abatement of the public nuisance created by the Lompoc Theater's marquee; or
- The City Council rely on Caltrans' determinations regarding the public right-of-way under the Lompoc Theater marquee; and
- The City Council rely on LTPC to perform the shoring up work for the marquee through working with LHCDL or on its own after it becomes owner of the Theater; or
- Provide direction to staff as deemed appropriate.

(Public Comment)

NEW BUSINESS:

9. **Resolution No. 5830(13) for the Mitigated Negative Declaration, and Resolution No. 5831(13) for the Loan Application to CalRecycle for the Lompoc Landfill Gas Collection and Control System.**

Solid Waste Superintendent Claudia A. Stine
c_stine@ci.lompoc.ca.us

Recommendation: that Council:

- Adopt Resolution No. 5830(13), approving the attached Mitigated Negative Declaration for the Lompoc Landfill Gas Collection and Control System; and
- Adopt Resolution No. 5831(13), approving the application for a loan from the State of California's Solid Waste Disposal Site Cleanup Trust Fund for the Lompoc Landfill Gas Collection and Control System; and
- Approve the Lompoc Landfill Gas Collection and Control System Project; and
- Authorize the Solid Waste Division to proceed with the design phase.

(Public Comment)

NEW BUSINESS: (cont'd)

10. **City of Lompoc 2012 General Plan Annual Report – Progress Status of Implementing General Plan Policies.**

Planning Manager Lucille T. Breese
l_breese@ci.lompoc.ca.us

Recommendation: that Council accept the 2012 General Plan Annual Report and direct the Economic and Community Development Department to file said report with the Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

(Public Comment)

WRITTEN COMMUNICATIONS:

ORAL COMMUNICATIONS (2 Minutes Maximum):

COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:

ADJOURNMENT:

Lompoc City Council will adjourn to a Special Meeting at 7:00 P.M. on Tuesday, March 26, 2013.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Website this 14th day of March, 2013

Stacey Alvarez, City Clerk
By: Lori Lardizabal