

MINUTES

**Regular Meeting of the Lompoc
City Council and Lompoc Redevelopment Agency
Tuesday, January 3, 2011
City Hall, 100 Civic Center Plaza, Council Chambers**

CLOSED SESSION**OPEN SESSION – 5:30 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.

ORAL COMMUNICATIONS: None

CLOSED SESSION – Utilities Conference Room

BUSINESS ITEM:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: 112 No. H Street, 203 No. N Street, 709-713 No. E Street, 501-513 No. S Street, 508 No. T Street, and 500-504 North T Street, Lompoc, CA. City negotiators: Laurel Barcelona, City Administrator and Joseph W. Pannone, City Attorney. Negotiating parties: Steve Taber. Under negotiation: Price and terms of payment.
2. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9) Pacific Western Bank etc v. Lompoc Housing Community Development Commission et al, Case No. 1389106 and Citibank NA etc. v. Lompoc Housing Community Development Commission et al, Case No. 1389696.
3. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One matter regarding LHCDC.
4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: City Attorney

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 Joseph Pannone, City Clerk/Secretary Stacey Alvarez, Economic Development Director/Asst City Administrator Teresa Gallavan, Management Services Director Brad Wilkie, Assistant Public Works Director/City Engineer Kevin McCune, Fire Department Battalion Chief Mark Bray, and Planning Manager Lucille Breese.

Other Present: James Downey, Mark Cargasacchi, Tom Davidson, Nick Gonzales, Robert Schmeidke, Ralph Harmon, Maria Aguiniga, Erik Hancock, Randy Miller, Larry Werner, Arlen Sechrest, Bobby Ranney, Susan Gallacher, Tom Hinkens, Pauline Imano, and Joe Barto.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

Mayor Linn stated there was no reportable action was taken during the Closed Session and the performance evaluation of the City Attorney will be continued to January 24, 2012.

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

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

City Administrator Laurel Barcelona announced Dan Powell, District Vice-President of the Channel Islands YMCA met with her recently and congratulated City Staff on the positive changes achieved with the Lompoc Aquatic Center and advised Ms. Barcelona that the YMCA will not pursue a change in management at the Aquatic Center, and informed her that renovations to the Lompoc YMCA facilities are scheduled to begin soon. Ms. Barcelona stated the City of Lompoc realized an increase in sales tax for the second quarter in a row this year; joint meetings with the Council's Boards, Commissions, and Committee's have been scheduled for 2012 with the first one to be January 17, 2012 at 6:30 P.M. in the Council Chambers with the Public Safety Commission; Utilities Director Ronald Stassi officially resigned as of December 31, 2011, but has agreed to return temporarily until a new Utilities Director is chosen.

STAFF REQUESTS AND ANNOUNCEMENTS:

City Administrator Laurel Barcelona introduced Fire Department Battalion Chief Mark Bray to discuss the Fire Department's upcoming live fire burn training sessions. Battalion Chief Bray explained the Fire Department will be burning down several houses and a commercial building donated by the Santa Barbara Housing Authority for live fire training beginning January 23, 2012 and to be completed by February 4, 2012.

Ms. Barcelona requested City Attorney Joseph Pannone to speak about the Lompoc Redevelopment Agency and how the Supreme Court of California's recent decisions will affect the City of Lompoc. Mr. Pannone explained as of February 1, 2012, the Lompoc Redevelopment Agency will be dissolved and the City Council will need to discuss and decide whether to become the successor agency and to decide if Council will assume the Agency's housing responsibilities. With a general consensus Council approved scheduling a Special Meeting on January 10, 2012, to take formal action on this issue.

ORAL COMMUNICATIONS:

1. James Downey spoke about the Lompoc Housing and Community Development Corporation (LHCDC) and asked if the property on the corner of Ocean and H Street where the Sculpture Park is located is City property.

Mayor Linn explained that property was never public property but was part of LHCDC's control and was to be redeveloped at the same time as the Old Theater, but has now been returned to the previous owner.

2. Mark Caragasacchi filed a verbal complaint with Council regarding a possible conflict of interest involving Planning Commissioner Kate Griffith.

Mayor Linn asked Staff what the next step will be to respond to this complaint. City Attorney Joseph Pannone stated Staff will investigate the complaint and a memo will be provided to Council as soon as possible. City Administrator Laurel Barcelona affirmed to Council the complaint will be investigated.

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 two corrections to the minutes of the December 20, 2011, Council Meeting; paragraph 5 on Page 5 should be revised to reflect Council Member Costa's preference to a code enforcement policy that is a hybrid of the RESPECT program; and paragraph 9 on Page 6 Council Member Lingl's name is to be replaced with Council Member Starbuck.

Council Member Lingl requested Staff to utilize Lompoc area businesses when at all possible when procuring services such as the scheduled records destruction on Agenda Item No. 5.

CONSENT CALENDAR: (cont'd)

ACTION: Motion/Second: Martner/Starbuck. 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 December 20, 2011, with requested corrections and revisions.

CITY 2. **Approved the expenditures for:**
Payroll of 12/20/2011 - \$1,441,276.83
Voucher Register of 12/09/2011 - \$895,681.25
*Voucher Register of 12/16/2011 - \$1,354,337.52
**(Mayor/Chair Linn will not participate in the vote for Check No. 302883, Speedy Lock & Safe, \$6.30).*

CITY 3. **Summary of Action – Adoption of Ordinance No. 1580(12), Adding Section 1.04.025 to the Lompoc Municipal Code Relating to Reference to City Departments and Positions; Follow up to Fiscal Year 2011-2013 Department Consolidations.**

Council waived further reading and adopted Ordinance No. 1580(12).

CITY 4. **Award Contract to Cannon Associates for Professional Services for Project CS-11-S-4, Central Avenue and “H” Street Intersection Improvements.**

Council awarded a Consultant Services Contract to Cannon Associates for \$193,200.00 and authorized the Mayor to execute the necessary agreements and authorized the City Engineer to execute Contract Amendments in the aggregate amount not to exceed \$26,800.00.

CITY 5. **Resolution No. 5761(12) Authorizing the Destruction of City Attorney Records.**

Council adopted Resolution No. 5761(12).

APPOINTMENTS:

CITY 6. **Selection of Mayor Pro Tempore for a term of one year or until a successor is chosen.**

ACTION: By a unanimous vote, the City Council selected Council Member Starbuck as Mayor Pro Tempore.

CITY 7. **Review of and appointments to Commissions/Committees/Agencies on which Council Members serve.**

Council Member Costa requested Staff to correct the meeting date of the Community Action Commission from the 1st Monday of every Month to the 1st Wednesday of every Month.

The City Council unanimously voted to appoint the following Council Members to the following Agencies:

Community Action Commission (CAC) – Council Member Ashley Costa.

Liaison to Chamber of Commerce Board of Directors – Council Member Dirk Starbuck.

Electric Utility Joint Power Agency’s (JPA’s) Northern California Power Agency (NCPA) and Transmission Agency of Northern California (TANC) – Council Member Bob Lingl and Council Member Ashley Costa and Utility Department Director Ron Stassi as Alternate Commissioners.

Santa Barbara County Air Pollution Control District – Council Member Cecilia Martner and Council Member Ashley Costa as Alternate.

Santa Barbara County Association of Governments – Mayor John Linn and Council Member Bob Lingl as Alternate.

UNFINISHED BUSINESS:

CITY 10. **Council Discussion and Direction Regarding the Schedule, Topics and Format of the Council's Review Process for the General Plan Update Phase 1.** *(Requested by Mayor Linn)*

Planning Manager Lucille T. Breese presented the Staff report and recommendations.

Mayor Linn spoke at length about his concerns regarding the current Zoning Code and General Plan Update and requested Council work to simplify commercial zoning, consolidate a single industrial zone, unwind the previously down zoned industrial properties, and discuss annexations.

Council Member Lingl thanked Mayor Linn for his presentation and stated he is unsure of how to begin this process.

Council Member Martner agreed with Mayor Linn's comments stating she wants zoning to be revised to be simpler and consistent for the entire community.

Council Member Costa commented on the Nolan property located on West Ocean Avenue and the approved uses for that property that are preventing Mr. Nolan's desired use for that property and agrees Council should take a general look at residential zoning and expressed concern about spot zoning and wants to make sure the City does not become an "anything goes" community.

Public Comment:

1. Tom Davidson, representative for Zotovich Winery spoke about the Planning Division stating there is a more helpful sense in that Division now than in previous years and suggested Council review other communities' zoning and planning processes.
2. Nick Gonzales stated he is in favor of a more simple zoning code with protection for the community to allow more flexibility for development, especially in the Downtown Area.
3. Robert Schmeidke complained about the proposed zoning changes that will affect his newly purchased rental properties.
4. Ralph Harmon stated he does not want this issue to be returned to the Planning Commission and suggested Council set specific dates for the General Plan Update public hearings as soon as possible.
5. Maria Aguiniga suggested the Zoning Code be returned to the pre-1997 Zoning Code and asked Council to simplify zoning to help vested business owners to continue to do business in the community.
6. Erik Hancock spoke about his experience and dissatisfaction in dealing with the Planning Division in 2006 to 2009 when he attempted to install an engineered building on No. G Street, stating he was unable to begin construction because of the difficulty he encountered with the Planning Division during the pre-construction phase.
7. Randy Miller complained about the Building and Planning Division's official request that the guest house on his Southside property be changed from a studio apartment to storage because a building permit cannot be located.
8. Larry Werner stated he believes the method of applying the Zoning Code rules and regulations seems to be inconsistent, suggested Council accept all current buildings as they are now in use, and requested Council solicit and accept community input for this issue.

UNFINISHED BUSINESS: (cont'd)

Item No. 10

Public Comment: (cont'd)

9. Arlen Sechrest spoke about the history of Lompoc and suggested Council consider the interest of local property owners.
10. Bobby Ranney commended the Mayor for presenting new ideas for this complex issue and stated mixed-use zoning makes it difficult for property owners to secure funding or the sale of properties.
11. Susan Gallagher spoke about down zoning of residential properties and the problems down zoning poses to property owners and surrounding properties.
12. Tom Hinkens stated the proposed re-zoning of certain residential areas have presented great fiscal difficulties for property owners, suggested re-zoning be done with a forgiveness of fees or in some way to help property owners deal with the re-zoned property, and then spoke about the previous DMV building on B Street, that remains vacant because current zoning only allows for that building to be a public facility or crematorium.
13. Pauline Imano expressed concern about properties that become re-zoned stating the property value becomes lowered and then more difficult to finance or sell and causes surrounding property values to be lowered.
14. Joe Barto complimented the Council for trying to find a solution to this problem that will be helpful to property owners, suggested the City adopt an attitude of helpfulness, and stated he is now reluctant to build anything inside the City Limits because of extensive and complicated planning rules and regulations.

Mayor Linn spoke about his unpleasant experience with the Planning Division in 1985 when he tried to construct a building on H Street.

Council thanked the public for their input and participation and discussed at length how to review the General Plan Update Phase 1, complaints about the Planning Division and processes, current policies, scheduled dates for the public hearings to discuss and take action on the General Plan Update Phase 1 including discussion of commercial, industrial, and residential zoning, and Council's desire to have information regarding surrounding areas' zoning codes.

ACTION: Motion/Second: Mayor Linn/Lingl. By a 5-0 vote, the City Council directed Staff to draft an ordinance that will allow Council to amend the Zoning Ordinance during the General Plan Update process.

ACTION: Motion/Second: Starbuck/Lingl. By a 5-0 vote, the City Council scheduled January 31, 2012, as the first public meeting to discuss and take action on the General Plan Update Phase 1, directed staff to provide proposals and/or recommendations on changing to the Zoning Ordinance and a timeline for the discussion of information on the General Plan Update Phase 1.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS:

1. Larry Werner commented he was a member of the Single-Purpose Committee to Review the City's Building, Engineering, and Planning Development Review and Permit Procedures, and the purpose of that Committee was to give suggestions to Council on how to make improvements on those procedures, it was not this Committee's responsibility to fix the problems.
2. Nick Gonzales thanked Council for discussing the General Plan and advised Council to adopt the General Plan as quickly as possible.
3. Robert Schmeidke applauded Council's attention to the complex zoning issues.

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

Mayor Linn announced he attended four meetings.

Council Member Costa requested the City's purchasing policy be reviewed at a later date to possibly include a "local purchasing" clause and requested the Lompoc Valley Chamber of Commerce announce by name the newly-opened businesses in town during the Chamber's monthly update to the Council. Council Member Starbuck stated he will ask Ken Ostini, Chamber President/C.E.O. to include that information in future updates.

ADJOURNMENT:

At 10:56 P.M. Mayor/Chair Linn adjourned the Lompoc City Council/Redevelopment Agency to a Special Meeting at 7:00 P.M. on Tuesday May 10, 2012.

John H. Linn Mayor/Chair
City of Lompoc

Stacey Alvarez, City Clerk
January 13, 2012