

MINUTES

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

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

Council/Agency Members Present: Dirk Starbuck, Cecilia Martner, Ashley Costa, 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, Civil Engineer Associate III Craig Dierling, P.E., Public Works Director Larry Bean, Police Chief Timothy Dabney, Planning Division Manager Lucille Breese, Community Development Director Arleen Pelster, Redevelopment Program Coordinator Linda Wertman, Senior Civil Engineer Michael Luther, Management Services Director Brad Wilkie, and Utilities Director Ron Stassi.

Others Present:

Tim Sales, Craig Steward, Allan Clark, Ralph Harman, Dulcie Sinn, Alice Milligan, Carol Benham, Bob Manning, Nick Gonzales, Joyce Howerton, and Bianca Gonzales.

Pastor Bert Langdon gave the invocation.

Mayor John Linn led the Pledge of Allegiance.

PRESENTATIONS PRESENTED ELSEWHERE:

On January 24, 2011, a proclamation honoring Jean Barr on Her 83rd Birthday was handed to Andrew Salazar.

On January 28, 2011, Mayor Linn presented a Proclamation to C. Dennis Anderson “Honoring His Service to the Lompoc Valley Chamber of Commerce & Visitors Bureau” at the Lompoc Valley Chamber of Commerce, 111 South I Street.

PRESENTATIONS:

Mayor Linn presented proclamations to:

Pauline Dhui, VAFB Family Advocacy Department, for **Teen Dating Violence Awareness and Prevention Month**.

David Kreir, Community Action Commission and Gabriella Castellanos Cabrillo Economic Development Corporation, for **SCAM ALERT – Prevent Loan Modification Fraud Month**.

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

City Administrator Laurel Barcelona announced two upcoming Council Meetings, the Council Budget Goal-Setting Workshop on February 10, 2011, beginning at 9:00 A.M. and the Continued Council Workshop on February 22, 2011 at 6:00 P.M. in the Lompoc City Council Chambers. Ms. Barcelona spoke about Consent Calendar items number 7, 8, and 10.

STAFF REQUESTS AND ANNOUNCEMENTS: None**COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:**

Council/Agency Member Starbuck motioned for Staff provide a status report to Council on the Dehumidification Project at the Lompoc Aquatic Center at a later date, seconded by Council Member Lingl and carried by Mayor Linn.

Council/Agency Member Lingl expressed his condolences to the family and friends of Russ Hicks, Council Member and former Mayor of Buellton. Mr. Lingl announced he attended a meeting regarding New Market Tax Credits, a meeting of the Santa Barbara County Agency Governments, travelled to Sacramento for a Northern California Power Agency (NCPA) Commission Meeting on January 26 and 27, 2011, and attended the retirement party for former Chamber of Commerce President, Denny Anderson.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

(cont'd)

Council/Agency Member Martner announced she also attended the NCPA Commission Meeting in Sacramento on January 26 and 27, 2011.

Council/Agency Member Costa announced she attended the Zotovich Winery grand opening event in Lompoc and stated she was a judge for the Vandenberg Village Lions Club Student Speakers Contest.

Mayor/Chair Linn announced Council/Agency Member Lingl will attend the memorial service for Russ Hicks on Saturday, February 12, 2011 at the Santa Ynez High School stadium. Mayor/Chair Linn motioned Staff provide a report to Council at a future date on the possibility of working with the Lompoc Valley Community Healthcare Organization (LVCHO) to secure grant funding to study the safety of bike and walk paths within the City Limits, seconded by Council/Agency Member Martner and carried by Council/Agency Member Lingl; he then distributed a copy of the City of Lompoc draft Graffiti Abatement Program and motioned to have Staff present a staff report on the draft Graffiti Abatement Program to Council at a later date, seconded by Council/Agency Member Lingl and carried by Council/Agency Member Starbuck; spoke about several meetings and community events he attended; announced he has been in discussions with the State of California Parks Department regarding La Purisima Mission Historic State Park; and stated American Medical Response sent a letter to the City commending the efforts of the Lompoc Police and Fire Departments during the January 6, 2011, fire at the Mountainview Mobile Home Estates; and spoke about the League of California Cities New Mayors and Council Members Academy he attended with Council/Agency Members Starbuck and Costa January 19 – 21, 2011 in Sacramento CA.

Council/Agency Member Starbuck thanked the Lompoc Police Department for the current graffiti abatement program.

CITY 1. **Presentation by Tim Sales on New Market Tax Credit Funding Program.** *(Requested by Council Member Lingl)*

Due to conflict of interest, Mayor Linn and Council Member Starbuck left the Council Chambers.

Council Member Lingl introduced Tim Sales who presented a Power Point presentation on New Market Tax Credit Funding.

Public Comment:

1. Marc Donars spoke about parking in the Downtown Old Town District Area.

Mayor Linn and Council Member Starbuck returned to the Council Chambers.

CITY 2. **Project Update on City Project No. CS-08-S-2, Feasibility Study for Santa Ynez River Bank Stabilization at Riverbend Park Bikeway.** *(Requested by Mayor Linn)*

Civil Engineer Associate III Craig Dierling, P.E., introduced Craig Steward of Penfield & Smith. Mr. Steward presented an update on the project and riverbank stabilization options.

Council discussed the erosion site, options to stabilize the Santa Ynez River Bank at the erosion site, and funding for proposed stabilization options.

Public Comment:

1. DeWayne Holmdahl spoke about previous floods of the Santa Ynez River in 1969.

ACTION: Motion/Second: Linn/Costa. By a 5 to 0 vote, the City Council directed Staff to prepare a funding proposal for Option 1 – Reinforced Vegetative Bank Protection (RVBP) with no grading for the Santa Ynez River Bank Stabilization at the Riverbend Park Bikeway site; and a funding proposal for the repair or replacement of the post and cable system of the Santa Ynez River Bank near Riverside Drive and Hwy 246.

RECESS:

At 8:00 P.M. Mayor/Chair Linn announced a break. At 8:58 P.M., the meeting reconvened with all Council/Agency Members present.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

(cont'd)

CITY 3. **Purisima Road Safety Improvement Project.** *(Requested by Mayor Linn)*

Public Works Director Larry Bean presented the staff report and recommendations.

Council discussed the Caltrans project information for the proposed roundabout at La Purisima Road and Hwy 246.

Public Comment: None

ACTION: Motion/Second: Linn/Lingl. By a 3 to 2 vote, *(Council Members Martner and Costa voted NO)*, the City Council directed Staff to prepare a letter to CalTrans for Council to sign opposing the proposed roundabout at La Purisima Road and HWY 246 and direct the Mayor and City Administrator to pursue a political solution and seek other agencies support in the City's opposition of this proposed project.

ORAL COMMUNICATIONS

1. Allan Clark spoke about Charlotte's Web Children's Library.
2. Ralph Harman announced the Lompoc Fire Fighters Foundation Annual Fire & Ice Ball Fundraising Event will be held on February 26, 2011 at the Lompoc Elk's Lodge.
3. Dulcie Sinn announced the County of Santa Barbara will be holding a meeting with the Lompoc Housing and Community Development Corporation on Friday, February 11, 2011.

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.

ACTION: Motion/Second: Martner/Costa. By a 5 to 0 vote, the City Council:

CITY/RDA 4. Approved the Minutes of the Lompoc City Council and Lompoc Redevelopment Agency Regular Meeting of January 18, 2011.

CITY 5. Approved the expenditures for:
Payroll of 01/19/2011 - \$1,221,597.16
*Voucher Register of 01/14/2011 - \$953,644.23
Voucher Register of 01/21/2011 - \$318,244.22
*(Mayor Linn will not participate in the vote for Check #296235 Speedy Load'Um Towing, \$74.00).

CITY 6. **Nomination of a City of Lompoc representative to the County Library Advisory Committee.**

City Council approved the nomination of Lompoc Resident Alice Down to the County Library Advisory Committee (LAC).

CONSENT CALENDAR: (cont'd)

- CITY 7. **Opposition to defunding of the Public Library Fund, Library Literacy Services, and The California Library Services Act**
- City Council Staff authorized the Mayor to sign the attached letters to the State Senate and Assembly Sub-Committees on Education and Finance, stating the City's opposition to the defunding of the Public Library Fund, Library Literacy Services, and the California Library Services Act.
- CITY 8. **Resolution No. 5694(11), Form and Letter in opposition to State Budget Proposal to Eliminate Redevelopment Agencies.**
- City Council adopted resolution No. 5694(11), and authorized the Mayor, on behalf of the City Council, to sign the "Coalition Sign-Up Form", and endorse the League of California Cities letter to Governor Brown and the Legislature opposing the elimination of redevelopment agencies.
- CITY 9. **Approval of Resolution No. 5687(11), Upholding the Appeal submitted by Ellen Berkowitz of Manatt, Phelps & Phillips on behalf of Walmart Real Estate Trust, inc. the applicant, of the Planning Commission determination of October 13, 2010 denying certification of the Final Environmental Impact Report (FEIR 09-02).**
- City Council adopted Resolution No. 5687(11) based on the finding of fact noted in the Resolution.
- CITY 10. **Lompoc Police Department Special Olympics Car Show and Cruise Night.**
- City Council adopted Resolution No. 5693(11), pertaining to the Lompoc Police Department Cruise Night on Friday, August 12, 2011, from 5:00P.M. until 7:00P.M., and the Lompoc Police Department Car Show on Saturday, August 13, 2011, in Ryon Park, designating those two charitable activities as City-sponsored events.
- CITY 11. **Proposition 1B, Certifications and Assurances.**
- City Council adopted Resolution No. 5690(11), authorizing City Staff to file and execute the necessary documents for the purpose of obtaining financial assistance provided by the Public Transportation, Modernization, Improvement and Service Enhancement Account Bond Program (PTMISEA).

APPOINTMENTS:

- CITY 12. **Appointment of Council Nominees to the following City Commissions.**

a) Human Services Commission

ACTION: Motion/Second: Costa/Lingl. By a 5 to 0 vote, the City Council appointed Michael Martinez to the Human Services Commission for a term ending 12/2014.

b) Single-Purpose Committee

ACTION: By a unanimous vote, the City Council appointed James Dixon, James White, Oscar Werner, Erin Briggs, and Mike Siminski to the Single-Purpose Committee to Review the City's Building, Engineering, and Planning Development Review and Permit Procedures terms ending 5/2011.

APPOINTMENTS: (cont'd)

CITY 13. **At Large Appointments to the following City Commissions, Committees, and Boards.**

 a) Airport Commission

ACTION: Motion/Second: Linn/Costa. By a 5 to 0 vote, the City Council re-appointed Ed Mandibles to the Airport Commission for a term ending 01/2015.

 b) Oversight Committee for Park Maintenance and Pool Assessment District

ACTION: Motion/Second: Linn/Costa. By a 5 to 0 vote, the City Council re-appointed Kenneth Ostini to the Oversight Committee for Park Maintenance and Pool Assessment District for a term ending 01/2015.

 c) Youth Commission

ACTION: Motion/Second: Linn/Costa. By a 5 to 0 vote, the City Council re-appointed Cadman Ownens, Edith Vargas, Maribel Agnuiano, Camron Filburn, and Karla Jimenez to the Youth Commission terms ending 01/2013.

PUBLIC HEARING:

CITY 14. **Approval of Resolution No. 5692(11), Assessing Costs of Nuisance Abatement at 409 South C Street.**

Mayor Linn moved to have this item continued to the February 15, 2011 Council Meeting because the owner of record could not attend this meeting due to illness.

Public Comment: None

ACTION: Motion/Second: Linn/Costa. By a 5 to 0 vote, the City Council approved to continue this item to the February 15, 2011 Council Meeting.

CITY 15. **Application for Certificate of Convenience and Necessity and Taxicab Owner's permit by Eyyup Mendi dba 805 Taxicab/Mendi International Corp.**

City Administrator Laurel M. Barcelona stated the City Clerk's Office received a written request from the applicant to have this item continued to the March 1, 2011 Council Meeting.

Public Comment: None

ACTION: Motion/Second: Costa/Starbuck. By a 5 to 0 vote, the City Council approved to continue this item to the March 1, 2011 Council Meeting

NEW BUSINESS:

Mayor/Chair Linn and Council/Agency Member Starbuck recused themselves from this item and left the Council Chambers.

CITY/RDA 16. **Board Consideration of the Use of Tax Increment Funding for a Consultant Contract to Perform Initial Feasibility Analysis of Old Town Properties Interested Properties for New Market Tax Credit Funding to Improve Several Old Town Buildings and Properties.**

Redevelopment Program Coordinator Linda Wertman presented the staff report and recommendations.

Council discussed the Old Town District, property owner interest in this type of funding, oversight if funding is secured, Mr. Sales' previous projects and references, and the requirement of a Final Report from the consultant if a contract for the Feasibility Analysis is approved.

NEW BUSINESS: (cont'd)

Item No. 16

Public Comment:

1. Alice Milligan, Carol Benham, Bob Manning, and Nick Gonzales spoke in favor of approving the proposed consultant contract.
2. Joyce Howerton spoke in opposition to the City paying for the proposed consultant contract.

ACTION: Motion/Second: Lingl/Martner. By a 3 to 0 vote, (*Mayor/Chair Linn and Council/Agency Member Starbuck abstained*), the City Council authorized the Executive Director or her designee to execute all documents necessary to enter into a contract not to exceed \$10,000 with Tim Sales to perform a feasibility analysis on several Old Town properties ability to apply for New Market Tax Credit Funding in accordance with this report and directed General Counsel to prepare an appropriate agreement with the addition of a Final Report and a status report to be presented to Council if the Feasibility Analysis is not completed within six (6) weeks time.

Mayor/Chair Linn and Council/Agency Starbuck returned to the Council Chambers.

CITY 17. **Award of Project No FY-07-W-1, Construction, Testing, and Equipping of Municipal Water Well No. 11 and Installation of 16" Transmission Water Main.**

Senior Civil Engineer Michael W. Luther presented the staff report and recommendations.

Council Member Costa asked Staff if funds are available for this proposed project. Staff answered yes.

Mayor Linn asked Staff if there are any large City of Lompoc capital improvement projects scheduled in the near future; and if the lowest bidder for this proposed project is acceptable as responsible. Staff stated there is no large City of Lompoc capital improvement project scheduled for at least a couple of years; and answered yes this contractor has been accepted as responsible.

Council Members Lingl and Martner commented on local contractors.

Public Comment: None

ACTION: Motion/Second: Lingl/Martner. By a 5 to 0 vote, the City Council adopted the Plans and Specifications for Project No. FY-07-W-1, as required by Section 22039 of the Public Contract Code; Awarded the Construction Contract in the amount of \$1,749,443.00 to Herback General Engineering, and authorized the Mayor to execute the necessary agreements for this Contract; Authorized the City Engineer to approve quantity increases and Construction Contract Change Orders in an amount not to exceed \$170,000.00; and Approved the budget adjustment of \$799,384.00 of unrestricted Water Utility funds to Account No. 51000-79592 (WTR-WELL No. 11)

CITY/RDA 18. **Award of a Professional Audit Services Contract for Annual Financial Auditing Services for the City of Lompoc and the Lompoc Redevelopment Agency.**

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

Council/Agency Member asked Staff if the numbers of hours listed in the submitted bids are what each firm anticipates how long it would take to complete the annual financial audit. Staff answered yes the hours listed are for the overall hours estimated by that firm.

Council/Agency Member Lingl invited Allen Eschenbach, the representative from Glenn, Burdette, Philips, and Bryson to speak about his firm's experience with other public agencies and explain if there is a difference in auditing a public agency and a private company. Mr. Eschenbach spoke about his firm's experience with public agencies on the Central Coast, including Allan Hancock, City of Guadalupe, San Luis Obispo, Lompoc Unified School District, and several other agencies.

Council/Agency Member Costa asked Staff if a formal review has been conducted on the current auditing firm, if there is an advantage to changing auditing companies and if there is such an advantage would the additional cost to hire the highest ranked bidder be enough of an advantage to warrant the added cost. Mr. Wilkie stated he was hired after the current contract for auditing services contract was approved and a formal review of the current auditing firm has not been conducted by his Department; he believes there are advantages to changing auditing firms and the added cost may not be a huge amount, but is something Council would need to be mindful of while deliberating this issue.

Public Comment: None

ACTION: Motion/Second: Costa/Lingl. By a 5 to 0 vote, the City Council enter into a contract with the highest ranked proposer, Glenn, Burdette, Philips & Bryson CPAs, for a total contract amount not to exceed \$228,975 for up to five years.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS:

1. Bianca Gonzales gave suggestions to Council on improving the City of Lompoc.

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

Council Member Costa requested Staff provide a report of the available funding for the Charlotte's Web Children's Library.

Council Members Lingl and Martner announced a locally produced wine won a gold medal at the Northern California Power Agency (NCPA) Commission Meeting in Sacramento on January 27, 2011.

ADJOURNMENT:

At 10:37 P.M. Mayor/Chair Linn adjourned the Lompoc City Council/Redevelopment Agency to a Budget Goal Setting Workshop at 9:00 A.M. on Thursday, February 10, 2011

John H. Linn Mayor/Chair
City of Lompoc

ATTEST:

Stacey Alvarez
City Clerk
Date: February 25, 2011