

MINUTES

**Regular Meeting of the Lompoc
City Council and Lompoc Redevelopment Agency
Tuesday, April 5, 2011
City Hall, 100 Civic Center Plaza, Council Chambers**

CLOSED SESSION

OPEN SESSION - 5:45 P.M. – Council Chambers

Council Members Present: Cecilia Martner, Dirk Starbuck, Ashley Costa, 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--EXISTING LITIGATION
Initiation of litigation pursuant to subdivision (a) of Section 54956.9
SBCAN v. City of Lompoc, Case Number 1375488
2. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One (1) Case.
3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Property adjacent to Ken Adam Park
City negotiator: City Administrator/City Attorney. Negotiating parties: California Space Authority. Under negotiation: Price and terms of payment

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

Council/Agency Members Present: Cecilia Martner, Dirk Starbuck, 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, Library Director Molly Gerald, Senior Human Resource Analyst Jeanette Bartels, Police Captain Larry Ralston, Assistant Public Works Director/City Engineer Kevin McCune, Planning Division Manager Lucille Breese, Community Development Director Arleen Pelster, Senior Environmental Coordinator Stacy Lawson, Aviation/Transportation Administrator Richard Fernbaugh, and Management Services Director Brad Wilkie.

Others Present: Ellen Goodstein, Noreen Pond, Ann McCarty, and Hugh Thompson.

Pastor Darren Hunt gave the invocation and Mayor Linn led the Pledge of Allegiance.

REPORT OF ACTION TAKEN IN CLOSED SESSION:

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

PRESENTATIONS PRESENTED ELSEWHERE:

On March 19, 2011 the following Resolutions were presented:

Council Member Lingl presented a resolution to Sergeant Harry Thomas Heidt, “Honoring His Service to the Lompoc Community,” and to William F. “Bill” Ruffner, “Honoring His Service to the Lompoc Community, at Beattie Park, Lompoc, California.

Council Member Starbuck presented a resolution to “Rocky” L. Cobb, “Honoring Her Service to the Lompoc Community,” at Beattie Park, Lompoc, California.

PRESENTATIONS PRESENTED ELSEWHERE: (cont'd)

Mayor Linn presented a resolution to Albert "Al" Thompson, "Honoring His Service to the Lompoc Community", and to Larry H. Schwartz, "Honoring His Service to the Lompoc Community", at Beattie Park, Lompoc, California.

A Proclamation for **Childhood Cancer Awareness Week** was mailed to Kids Cancer Connection Family House, 20978 Bandera Street, Woodland Hills, CA, on March 15, 2011.

PRESENTATIONS:

Mayor Linn presented Proclamations to:

Library Director Molly Gerald for **National Library Week**, April 10 – 16, 2011. Ms. Gerald accepted the proclamation, thanking the Mayor and Council and announced the Lompoc Public Library will be hosting a panel presentation titled "The Power of Tea" on Monday, April 11, 2011, at 7pm, at the Lompoc Library Grossman Gallery.

Ellen Goodstein of Legal Aid and Noreen Pond of the North County Property Manager's Committee proclaiming April 2011 as **Fair Housing Month**.

Ann McCarty, Associate Director of the North County Rape Crisis and Child Protection Center proclaiming April 2011 as **Sexual Assault Awareness Month and Child Abuse and Neglect Prevention Month**.

Council Member Costa presented a proclamation to Hugh Thompson a representative of Donate Life California for **DMV/Donate Life California Month**, April 2011.

Management Services Director Brad Wilkie gave a short presentation on the Redesign of City of Lompoc Website.

Council thanked Staff for the presentation, discussed recent changes to the City of Lompoc Website, ideas for additional content for the City of Lompoc Website, and with a general consensus requested Staff return to Council at a later date with a proposal for hiring an outside consultant/technical advisor for continued work on the City of Lompoc Website.

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

City Administrator Laurel Barcelona wished her son Rodney and Assistant Public Works Director/City Engineer Kevin McCune "Happy Birthday", requested Agenda Item No. 12 be placed at the beginning of the **New Business** Agenda Category, Council agreed. Ms. Barcelona stated there is a correction to the March 15, 2011 Minutes, the vote on Agenda Item No. 9 should read 3-0-1.

STAFF REQUESTS AND ANNOUNCEMENTS:

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

1. **Amendment of the Duties of the Single-Purpose Committee Established to Review the City's Building, Engineering, and Planning Development Review and Permit Process.** (*Requested by Mayor Linn*)

Community Development Director Arleen T. Pelster gave the staff report and recommendations.

Mayor Linn distributed a handout with his suggested wording for an added duty to the Single-Purpose Committee.

Public Comment: None

Council briefly discussed Mayor Linn's handout and the suggested added duty, current Staff methods of interpretations and applications of ordinances, laws, and regulations, and Staff's recommendations to amending the Single-Purpose Committee's general functions and meetings.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

Council Member Lingl motioned to amend the Single-Purpose Committee's general functions and meetings. The motion was seconded by Council Member Starbuck.

ACTION: Motion/Second: *Lingl/Starbuck*. By a 5-0 vote the City Council directed Staff to amend the Single-Purpose Committee's general function by adding the following verbiage as No. 3 to the Committee's list of duties: **“Review the existing City policies regarding the interpretation of ordinances when working with applicants. The committee will recommend a policy on the interpretation of ordinances by Staff when Staff or Broadspec, Inc., is working with applicants.”** and to extend the Committee's meetings to June 2011.

2. Revision to City Council Handbook.

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

Council Member Starbuck approved revisions to the City Council Handbook as presented. Council Member Martner concurred, but would like to request additional revisions.

Council discussed the proposed revisions requesting Staff to change paragraph 3 of Item No. C3 on page 32 to read, **“The Council will not take any action to provide advice regarding how an elector should vote on any State or local ballot measure, unless the League of California Cities has encouraged cities to take such actions or the matter directly affects the City's funding or operations.”**; remove the wording **“... and also attached to the City Administrator's next available Weekly Report...”** from paragraph 3 of Item No. A3.4 on page 6; and add verbiage to Item No. B8.4 on page 30, stating **“...Parties involved in Closed Session items should not have private conversations with any individual Council/Agency Member ...”**

Council Member Martner requested Staff present a report at the May 17, 2011 Regular City Council Meeting, on Council term limits with a cost analysis of placing this item on a special elections ballot or on the next regular elections ballot; and suggested the Council salaries, benefits, and travel expenses, as referred in Item No. A.2 on page 4 be suspended.

Public Comment:

1. Joyce Howerton spoke about Council salaries and expenses and previous Council practices.
2. Carol Benham spoke about Closed Session ExParte Communications, term limits, and requested the public be provided copies of handouts Council distribute during any meeting.

After lengthy discussion and with a general consensus, Council requested Staff make all requested revisions to the City Council Handbook, return to Council for final action at the April 19, 2011 Regular City Council Meeting, and decided Council salaries, benefits, and travel expenses be discussed during the 2011/13 FY Budget process.

RECESS:

At 9:15 P.M. Mayor/Chair Linn announced a break. At 9:25 P.M., the meeting reconvened with all Council/Agency Members present.

ORAL COMMUNICATIONS:

1. Joyce Howerton announced the Santa Barbara County Action Network (SBCAN) annual Community Awards Dinner and Fundraiser on Sunday, May 1, 2011 at the Santa Maria Inn in Santa Maria, CA.

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: Lingl/Starbuck. By a 5-0 vote the City Council/Agency Board:

CITY/RDA 3. **Approved the Minutes** (*Council Member Martner abstained from voting on the proposed March 15, 2011, Minutes*) of the Lompoc City Council and Lompoc Redevelopment Agency Regular Meeting of March 15, 2011 with noted correction and the Council Workshop of February 22, 2011.

CITY 4. **Approved the expenditures for:**

Payroll of 3/17/2011 - \$1,268,906.59
*Voucher Register of 3/11/2011 - \$259,140.22
Voucher Register of 3/18/2011 - \$439,862.75
Voucher Register of 3/25/2011 - \$663,227.76
*(Mayor Linn will not participate in the vote for Check #297323, Speedy Lock & Safe, \$135.20)

CITY 5. **Amendment to Compensation Plans Regarding Senior Code Enforcement.**

City Council approved Resolution No. 5708(11), amending the Compensation Plan to include the revised salary range for Senior Code Enforcement.

PUBLIC HEARING:

CITY 6. **Citation Correction Administrative Charge.**

Police Captain Larry A. Ralston presented the Staff report and recommendations.

Council Member Lingl asked Staff why the recommended administrative charge was set at \$10.00. Police Captain Ralston stated the \$10.00 amount was deemed a fair amount.

Council Member Costa asked Staff to clarify if an exemption to this proposed charge would be for City of Lompoc residents and business owners only, how would residency and business ownership be established, and if any other departments extend such an exemption for any City charges or fines; and then stated the additional revenue to the City could be less than Staff has estimated. Staff stated the exemption to the proposed administrative charge is for City of Lompoc residents and/or business owners only, residency and business ownership would be verified with accepted identification and/or with the Clerk's Office, and no other City department extends such an exemption and agreed the estimated added revenue could be different than what is written in the Staff report, but is based on the recent number of correctable traffic and/or parking citations the Lompoc Police Department personnel has processed.

Public Comment: None

ACTION: Motion/Second: Lingl/Starbuck. By a 4-1 vote (*Council Member Costa voted NO*), the City Council held a public hearing regarding the establishment of a charge for the service of inspection and certification of correctable citations; and adopted Resolution No. 5706(11), authorizing the establishment of an administrative charge of \$10.00 per citation for inspection and certification of correctable traffic and/or parking citations issued by law enforcement agencies other than the Lompoc Police Department and provide an exception for City of Lompoc residents and/or business owners receiving violation notices within the City of Lompoc.

PUBLIC HEARING: (cont'd)

CITY 7. **Hearing to Consider Measure “A” and Measure “D” Local Program of Projects for the Fiscal Years 2011-2012 through 2015-2016.**

Assistant Public Works Director/City Engineer Kevin McCune presented the Staff report and recommendations.

Council discussed the proposed Measure “A” and Measure “D” Local Program of Projects and requested Staff clarify the \$450,000 listed in the **Maintenance, Improvement or Construction of Roadways & Bridges - Overlays and Rehabilitation** category for FY 2012/2013 Measure “D” funding. Staff explained the amount was reallocated from a previous unexecuted project in the Old Town Redevelopment Project Area.

Mayor Linn and Council Member Martner are in favor of the proposed \$450,000 being reallocated to the **Overlays and Rehabilitation** category as shown in the staff report. Council Member Lingl expressed concern about the proposed reallocation of funds.

Council Member Costa asked Staff to confirm if the \$450,000 could be used for any project. Staff stated yes, if the project is for improving or constructing roadways, bridges, and bicycle and pedestrian facilities.

Council Member Starbuck asked Staff if City alleyway maintenance was funded through these monies. Public Works Director Larry Bean stated alleyway repair and maintenance is handled by City personnel and suggested requests for repair to City alleyways be made through his office, allowing the Public Works Department to schedule the repairs in a timely manner.

Public Comment: None

ACTION: Motion/Second: Costa/Lingl. By a 3-2 vote (*Council Member Martner and Mayor Linn voted NO*), the City Council held a Public Hearing on the Measure “A” and Measure “D” Local Program of Projects for Fiscal Years 2011-2012 through 2015-2016; adopted Resolution No. 5707(11) and the Measure “A” and Measure “D” Local Program of Projects with the removal of the \$450,000 from the **Maintenance, Improvement or Construction of Roadways & Bridges - Overlays and Rehabilitation** category for FY 2012/2013 Measure “D” funding and reallocate to an unknown project for the Old Town Redevelopment Project Area.

UNFINISHED BUSINESS:

CITY 8. **Amend the General Plan Update Contract with Rincon Consultants to Conduct Revised Greenhouse Gas (GHG) Emissions Impact Analysis and Environmental Impact Report (EIR) Addendum Preparation to Address Land Use Designation and Policy Changes (Planning File No. GP 07-04).**

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

Council Member Lingl asked staff if the original contract with Rincon Consultants included a contingency amount. Staff stated yes, a 10% contingency was included in the contract.

Public Comment: None

ACTION: Motion/Second: Martner/Lingl. By a 5-0 vote the City Council received the request for an amendment to the contract with Rincon Consultants and authorized the City Administrator to sign the amendment.

NEW BUSINESS:

Item No. 12 was moved to the beginning of the New Business Agenda Category.

CITY 12. **Transportation Development Act (TDA) Claim for Fiscal Year 2011-2012.**

NEW BUSINESS (cont'd)

Item No. 12

Aviation/Transportation Administrator Richard Fernbaugh presented the Staff Report and recommendations.

Council Member Lingl asked Staff to clarify why the City of Lompoc Transportation (COLT) system uses the size bus it uses. Staff stated the fleet of a single size bus is easier to run and maintain than a fleet of several sized vehicles.

Public Comment: None

ACTION: Motion/Second: Starbuck/Costa. By a 5-0 vote the City Council adopted Resolution No. 5709(11), which sets forth expenditures for Local Transportation Funds in the Fiscal Year 2011-2012 and authorizes the filing of the claim package.

- CITY 9. **Planning Commission request for the Council to Return Review of General Plan Phase 1 Elements (Land Use and Circulation) to the Planning Commission for Additional Review and Council Consideration of a Proposed Schedule of Review for the General Plan (Phase 1 & 2) and the Zoning Ordinance.**

Planning Division Manager Lucille T. Breese presented the staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Martner/Lingl. By a 5-0 vote the City Council received the request from the Planning Commission and directed staff to return the General Plan Phase 1 Elements (Land Use and Circulation) to the Planning Commission for additional public hearings in accordance with the proposed schedule.

- CITY 10. **Consideration of a Comment Letter Regarding State Water Quality Control Board's Draft Industrial General Permit.**

Senior Environmental Coordinator Stacy Lawson presented the Staff report and recommendations.

Public Comment: None

Council Member Lingl spoke about an email correspondence received by Council from Ron Fink in support of the proposed Comment Letter.

ACTION: Motion/Second: Martner/Lingl. By a 5-0 vote the City Council considered the Draft Comment Letter on the State Water Quality Control Board's Industrial General Permit; and approved the attached Draft Comment Letter to be sent to the State Water Quality Control Board with Mayor Linn's signature and a copy sent to the California League of Cities.

- CITY 11. **A Loan from the Lompoc Affordable Housing Trust Fund to Habitat for Humanity in the amount of \$340,000 for Rehabilitation and Construction of the Three Single-Family Homes at 308 North K Street.**

Community Development Director Arleen Pelster presented the Staff report and recommendations.

Council Member Lingl asked Staff if the area where this proposed housing will be built is zoned for this type of dwelling and if the City of Lompoc has previously approved rehabilitation and/or construction loans to Habitat for Humanity. Staff explained the property is located in an R-3 Zone which allows for this type of structure and that Habitat for Humanity has been previously approved for loans through the City with all loans in good standing.

NEW BUSINESS (cont'd)

Item No. 11

Council Member Costa asked Staff to clarify ownership of the property, repayment schedule of the requested loan, and what will the purchase price be for the completed homes. Staff stated Habitat for Humanity owns the property, purchasing price is mandated by State guidelines and the front unit has a pre-qualified buyer in the moderate-income level and the two back units will be sold at the very low-income level.

Executive Director for Habitat for Humanity of Northern Santa Barbara County stated the proposed units will be sold so the purchasing price will not exceed 30% of the qualified purchaser's family income and that Habitat for Humanity of Northern Santa Barbara County is a non-profit organization dedicated to helping provide housing to underprivileged here in this area as well as throughout the world, and assured Council that Habitat for Humanity of Northern Santa Barbara County is able to pay back this loan as required. Housing Programs Technician Laura Miranda explained the proposed Housing Trust Fund loan is a two year deferred payment loan and that the sale price of the three units equals the total amount of financing Habitat for Humanity has requested for this project.

Council Member Lingl motioned to extend the meeting past 11:00 P.M.; the motion was seconded by Council Member Starbuck and passed with unanimous vote.

Public Comment: None

ACTION: Motion/Second: Martner/Lingl. By a 5-0 vote the City Council approved a loan from the Lompoc Affordable Housing Trust Fund in the amount of \$340,000 to Habitat for Humanity for rehabilitation and construction of three single-family homes at 308 North K Street.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS: None

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

Council/Agency Member Martner requested Staff present funding options for the proposed Charlotte's Web Children's Library Project; and announced a meeting she attended. The request was seconded by Council/Agency Member Lingl and carried by Council/Agency Member Costa.

Council/Agency Member Lingl announced several meetings and events he attended and invited the public to an upcoming Turducken Group fundraising event for the Lompoc Library on Saturday, June 18, 2011 at the Clos Pepe Vineyard at 4777 W. Hwy 246.

Council/Agency Member Costa reported on the meetings and events she attended.

Council/Agency Member Starbuck commented on the new **Wine Trail** signs the Lompoc Valley Chamber of Commerce erected in the City.

Mayor/Chair Linn spoke about several meetings and events he attended.

ADJOURNMENT:

At 11:12 P.M. Mayor/Chair Linn adjourned the Lompoc City Council/Redevelopment Agency to a Regular Meeting at 7:00 P.M. on Tuesday April 19, 2011.

John H. Linn Mayor/Chair
City of Lompoc

Stacey Alvarez
City Clerk
April 13, 2011