

MINUTES

Regular Meeting of the Lompoc
City Council and Lompoc Redevelopment Agency
Tuesday, April 6, 2010
City Hall, 100 Civic Center Plaza, Council Chambers

CLOSED SESSION

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

Councilmembers Present: Tony Durham , Bob Lingl, Ann Ruhge, Mayor Pro Tempore Cecilia Martner, and Mayor Mike Siminski.

Staff Present: City Administrator Laurel Barcelona, City Attorney Joe Pannone, and City Clerk Donna Terrones.

ORAL COMMUNICATIONS: None

CLOSED SESSION – Utility Conference Room

BUSINESS ITEM:

1. Pursuant to Government Code Section 54957.6, the City Council met with its labor negotiators and instructed them regarding negotiations with the Lompoc Police Officers Association (LPOA).
2. Pursuant to Government Code Section 54956.9, the City Council met with Bruce White of Worker’s Compensation Administrators and the Principal Human Resources Analyst regarding the Workers Compensation case of Phil Armijo v. City of Lompoc.
3. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Pursuant to subdivision (b) of Section 54956.9: (One Case)

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

Council/Agency Members Present: Bob Lingl, Ann Ruhge, Tony Durham, Mayor Pro Tempore/Vice Chair Cecilia Martner, and Mayor/Chair Siminski.

Staff Present: City Administrator/Executive Director Laurel Barcelona, City Attorney/General Counsel Joe Pannone, City Clerk/ Secretary Donna Terrones, Purchasing and Materials Manager Ray Ambler, Police Chief Tim Dabney, Utility Director Ron Stassi, and Water Resources Engineer Eric Erland.

Others Present: John Linn, Arlen Sechrest, DeWayne Holmdahl, Chris Smith, Monica Hoiseth, Adam Cameron, Shane Martin, Erik Moore, Will Schuyler, Judith Cameron, and Jon Johnson.

Councilmember Durham gave the invocation and Mayor Mike Siminski led the Pledge of Allegiance.

REPORT ON ACTION TAKEN IN CLOSED SESSION:

Mayor Siminski stated that no reportable action was taken.

PRESENTATIONS PRESENTED ELSEWHERE:

On March 20, 2010 the following Resolutions were presented:

Councilmember Lingl presented a resolution to Norma Anderson, “Honoring Her Service to the Lompoc Community,” at Beattie Park, Lompoc, California.

PRESENTATIONS PRESENTED ELSEWHERE: (cont’d)

Councilmember Martner presented a resolution to David Lemon, "Honoring His Service to the Lompoc Community," at Beattie Park, Lompoc, California.

Councilmember Ruhge presented a resolution to Horace Truit Reed, "Honoring His Service to the Lompoc Community," at Beattie Park, Lompoc, California.

Mayor Siminski presented a resolution to Jane DeWees, "Honoring Dick DeWees for His Service to the Lompoc Community," and to Vera "Sally" Godwin, "Honoring Her Service to the Lompoc Community," at Beattie Park, Lompoc, California.

PRESENTATIONS:

Mayor Siminski presented proclamations to:

Library Director Molly Gerald for "National Library Week," April 11-17, 2010.

Lompoc Police Department Dispatch Supervisor Kim Berry for "National Public Safety Telecommunicators Week," April 11-17, 2010.

Joyce Howerton, President, North County Rape Crisis and Child Protection Center Board of Directors for, "Sexual Assault Awareness Month," and "Child Abuse Prevention Month," April 2010.

CITY ADMINISTRATOR/EXECUTIVE DIRECTOR'S STATUS REPORT:

City Administrator/Executive Director Laurel Barcelona announced that a Joint City Council and Planning Commission Meeting will be held Tuesday, April 13, 2010, starting at 6:30 P.M. in the Council Chambers to discuss the General Plan Update. Ms. Barcelona stated that an update of Code Enforcement is scheduled for the May 4, 2010 Council Agenda.

STAFF REQUESTS AND ANNOUNCEMENTS: None

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

Mayor/Chair Siminski announced an award received by Council/Agency Member Durham from the Santa Barbara County Board of Supervisors for Santa Barbara County's Employee of the Year.

Council/Agency Member Ruhge gave an update on the WiFi system. She announced that the Utility Department installed electronic readers on the water meters. She noted a meeting she attended with the Ministerial Association and the Interfaith Alliance along with Mayor Siminski, City Administrator Laurel Barcelona and City Attorney Joe Pannone regarding the wording for the invocation, and requested this come before Council at a later date; Mayor/Chair Siminski seconded and Council/Agency Member Lingl concurred asking that it be under Council Request for discussion, Council concurred.

Council/Agency Member Lingl requested Staff look into going paperless with the Agenda and utilizing laptops for Council meetings; Council/Agency Member Ruhge seconded and added that training will be needed, Mayor/Chair Siminski concurred and added that the dais will need electric outlets for the battery cords to connect to the laptops. Council/Agency Member Martner noted that, if personal laptops are used, they will be public record.

Council/Agency Member Durham thanked everyone for their support during the passing of his Mother-In-Law. He announced a successful fundraiser put on by the Float Hopes team for the American Cancer Society's "Relay for Life" event that was held at Tom's Burgers on March 23, 2010; the retirement of CHP Officer Roley Griffy; his attendance on March 28, 2010, to the Vietnam Memorial in Guadalupe; the Lompoc Police Department's award luncheon on March 30, 2010; the Lompoc Rotary's Wine Event on March 31, 2010; the New Direction banquet on April 1, 2010; and the Lompoc Parks & Recreation Day Camp on April 6, 2010.

Council/Agency Member Martner acknowledged the Food Bank's "Empty Bowls" event that was held on March 31, 2010.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:
(cont'd)

Mayor/Chair Siminski stated that the Kiwanis and the Lompoc Parks & Recreation Department had a successful Easter Egg Hunt event on April 3, 2010.

ORAL COMMUNICATIONS:

1. John Linn noted that the Swap Meet location needed some clean-up. He stated that a few businesses in town didn't have their spray cans locked up in a case. Councilmember Durham advised Mr. Linn that the Lompoc Police Department has gone to these businesses and informed them of the requirements.
2. Arlen Sechrest commented on pampas grass and weeds being a nuisance in the community.
3. DeWayne Holmdahl announced the Vintners Festival on April 17, 2010, and commented on weeds being a nuisance in the community.

Mayor Siminski suggested Staff come back to Council with an update on the Weed Abatement Program. Councilmember Martner motioned the suggestion and added that the weeds in town be taken care of earlier than before the Flower Festival, Councilmember Lingl seconded, Councilmember Ruhge concurred.

CONSENT CALENDAR:

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

- CITY/RDA 1. Approved Minutes of the Lompoc City Council and Lompoc Redevelopment Agency Regular Meeting of March 16, 2010.
- CITY 2. Approved expenditures for:
Payroll of 03/17/10 - \$1,302,519.37
Voucher Register of 03/26/10 - \$991,816.00
Voucher Register of 03/19/10 - \$397,427.68
Voucher Register of 03/12/10 - \$406,390.92
- CITY 3. Adopted Resolution No. 5624(10), vacating Public Service Easement located at the Panda Express drive-through restaurant, 1405 North "H" Street, Lompoc.

APPOINTMENTS:

- CITY 4. Oversight Committee for Park Maintenance and Pool Assessment District (One unexpired term ending 01/2011).

ACTION: Motion/Second: Ruhge/Lingl. By a 5 to 0 vote, the City Council appointed Ralph Harman to the Oversight Committee for Park Maintenance and Pool Assessment District for one term ending 01/2011.

PUBLIC HEARING:

- CITY 5. *Continued from the March 2, 2010 City Council Meeting (request by applicant).*

Applicant has requested an additional continuance.

PUBLIC HEARING: (cont'd)

Council to Consider a Planning Commission Recommendation on DR 09-11, ZC 09-02, and Density Bonus for an Apartment Project at 115 South Third Street.

Principal Planner Keith Neubert

ACTION: Motion/Second: Ruhge/Martner. By a 5 to 0 vote, the City Council approved the applicant's request for an additional continuance.

NEW BUSINESS:

CITY 6. **Ordinance No. 1563(10) Amending Procurement Code to Adjust Sealed Bid Thresholds, to Improve Bid and Protest Procedures for Purchasing and Public Works, and to Delegate Authority to the City Administrator to Award Contract up to \$125,000.**

Purchasing & Materials Manager Ray Ambler presented the staff report and recommendations.

Public Comment: None

Councilmember Lingl voiced concern with what can be decided by the Purchasing Department and feels Council should be aware of items being purchased. Staff explained that the items have already been approved in the budget. Councilmember Lingl stated that even though they have been budgeted doesn't mean they may be approved and that it depends on the availability of funds from the budget.

Staff explained that the recommendation is also asking to amend the bidding procedures so that jobs less than \$125,000 can be done in-house.

ACTION: Motion/Second: Martner/Ruhge. By a 4 to 1 vote (*Councilmember Lingl voted NO*), the City Council waived further reading and introduced Ordinance No. 1563(10) amending Sections 3.36.030, 3.36.040, 3.36.170, 3.40.020, 3.40.030, 3.40.050, 3.40.060 of and adding Section 3.36.165 to the Lompoc Municipal Code.

CITY 7. **Water Treatment Plant Pipe Line Pigging in the Amount of \$171,000.**

Purchasing & Materials Manager Ray Ambler presented the staff report and recommendations.

Councilmember Ruhge commended the Water Treatment Plant employees for realizing a cost savings to the City.

Councilmember Lingl spoke in support of Staff's recommendation.

Public Comment: None

ACTION: Motion/Second: Ruhge/Durham. By a 5 to 0 vote, the City Council approved the award of a contract for pipeline pigging to V. Lopez Jr. and Son, Inc. for \$171,000 and authorized the Purchasing and Materials Manger to issue a purchase order.

RECESS: At 8:20 P.M. Mayor/Chair Siminski announced a break. At 8:30 P.M., the meeting reconvened with all Councilmembers present.

NEW BUSINESS: (cont'd)

CITY 8. **Application Approval for California Department of Parks and Recreation, Off-Highway Vehicle Grant Resolution.**

Police Chief Timothy Dabney presented the staff report and recommendations.

Public Comment:

1. Chris Smith spoke in opposition to Staff's recommendation and cited parts of the California Constitution and Government Code Sections pertaining to Navigable Waterways.
2. Monica Hoiseth, Adam Cameron, Shane Martin, Erik Moore, Will Schuyler, Judith Cameron, and Jon Johnson spoke in opposition to Staff's recommendations.
3. John Linn suggested establishing an off-road vehicle facility in and out of the Riverbed creating reasonable rules and asked Council to use the monies to create a facility with a safe environment.

Councilmember Lingl agrees with the speakers and agrees with the legal enforcement but would like the City to find an area for off road vehicles. He noted that the City contributes a small amount, but if the grant is not received next year there's a potential for the City to contribute more. He does not support staff's recommendations.

Councilmember Durham clarified that various jurisdictions control the riverbed not just the City. He agreed that there is not a lot for youth to do and couldn't support the recommendation at this time without knowing the legalities.

Councilmember Martner stated that the City has legal authority to pass laws and the City and the County can prohibit the off-road vehicles from entering the riverbed. Ms. Martner understands the concerns made by the speakers and does support seeking monies for an off-road vehicle park, but that the monies being requested tonight can only be used for the one purpose. Staff stated the request is only for an approval to submit an application for a grant. Ms. Martner supports Staff's recommendation and stated that laws should be followed.

Councilmember Ruhge agrees with Councilmember Martner on seeking monies for an off-road park. She encouraged those that support an off-road vehicle park to raise the funds for a location. She spoke in support of Staff's recommendation.

Councilmember Durham motioned to continue the item to allow the City Attorney time to investigate the information that was recited by Chris Smith. Councilmember Lingl seconded the motion and Mayor Siminski concurred.

ACTION: Motion/Second: Durham/Lingl. By a 5 to 0 vote, the City Council continued the item to a future date and asked City Attorney Joe Pannone to review Government Sections that were recited by Chris Smith and bring back to Council with the interpretation.

Recommendation: that the City Council:

- A) Adopt Resolution No. 5625(10) approving a grant application submitted by the Lompoc Police Department to the California Department of Parks and Recreation in the amount of \$176,595 to enhance public education, crime prevention and enforcement of laws related to off-highway vehicle use on the City of Lompoc Riverbend Multi-purpose Bike Trail and other City property in the Santa Ynez Riverbed; and
- B) Authorize the City Administrator and Chief of Police or his designee to accept and administer the California Department of Parks and Recreation Grant if awarded.

NEW BUSINESS: (cont'd)

CITY 9. **Resolution Approving the Mitigated Negative Declaration (MND) for the Frick Springs Pedestrian Bridge Replacement.**

Water Resources Engineer Eric Erland presented the staff report and recommendations.

Public Comment: None

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

- A) Adopted Resolution No. 5623(10) approving the Mitigated Negative Declaration (MND) for the Frick Springs Pedestrian Bridge Replacement; and
- B) Approved the project; and
- C) Authorized the Water Division to proceed with design and construction.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS: None

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

Council/Agency Member Lingl announced a meeting he attended and requested Staff investigate a possibility of an off-road park and bring back to Council at a future date. Council/Agency Member Ruhge seconded and Council/Agency Member Durham concurred.

ADJOURNMENT:

At 10:05 P.M. Mayor/Chair Siminski adjourned the Lompoc City Council/Redevelopment Agency to a Special Meeting with the Planning Commission at 6:30 P.M. on Tuesday, April 13, 2010.

Michael A. Siminski, Mayor/Chair
City of Lompoc

ATTEST:

Donna N. Terrones, CMC
City Clerk
Date: April 12, 2010