

MINUTES
Regular Meeting of the Lompoc
City Council and Lompoc Redevelopment Agency
Tuesday, January 16, 2007
City Hall/100 Civic Center Plaza
Council Chambers

CLOSED SESSION – 4:30 P.M. – Utility Conference Room

Council/Agency Members Present: DeWayne Holmdahl, Ann Ruhge, Will Schuyler, Michael Siminski, and Mayor/Chair Dick DeWees.

Staff Present: City Administrator Gary Keefe, City Attorney Sharon Stuart, Human Services Director Bill Yanonis, Senior Human Resources analyst Beth Flamm-Oveby, Management Services Director John Walk, and Financial Services Manager Rene Vise.

ORAL COMMUNICATIONS: None

BUSINESS ITEMS:

- A. Pursuant to Government Code Section 54957.6, the City Council met with the City's labor negotiators, City Administrator Gary Keefe and Human Resources Director William Yanonis, and instructed them regarding their current meet-and-confer sessions with representative of Teamsters Local 381, the Lompoc Police Officers Association, and the Lompoc City Firefighters International Association of Firefighters Local 1906.

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

Council/Agency Members Present: DeWayne Holmdahl, Ann Ruhge, Will Schuyler, Michael Siminski, and Mayor/Chair Dick DeWees.

Staff Present: City Administrator/Executive Director Gary Keefe, City Clerk/Secretary Donna Terrones, City Attorney/General Counsel Sharon Stuart, Police Chief Tim Dabney, City Planner Lucille Breese, Senior Civil Engineer Mike Luther, Electrical Utility Manager Rodney Ray, and Wireless Service Administrator John Greenly.

Other Participants: John Linn, Tim Creager, Nicholas Gonzales Jr., Jonatha Linn, Martha Barajas, Kevin Smith, Darrell Tullis, Larry Werner, Morris Sobhani, Esther Gamblin, Paul Woyak, J.R. Barto, Jeanne Wilson, Rob Lewis, Joy Royder, Arlen Sechrest, and Ken Dewar.

Bernie Federmann gave the invocation and Mayor Dick DeWees led the Pledge of Allegiance.

PRESENTATIONS PRESENTED ELSEWHERE:

On January 15, 2007, at the Lompoc High School, Mayor/Chair DeWees presented a proclamation to Club Arcturus for "Carousel of Cultures Day," January 15, 2007.

PRESENTATIONS:

Santa Barbara County Sheriff Bill Brown, former Lompoc Police Chief, administered the oath of office to the new Lompoc Police Chief Tim Dabney.

CITY ADMINISTRATOR/EXECUTIVE DIRECTOR'S STATUS REPORT: (distributed as an informational report)

STAFF REQUESTS AND ANNOUNCEMENTS:

City Administrator/Executive Director Gary Keefe informed the public of the Budget Goal Setting Workshop scheduled for January 19 and 20, 2007, and the Special Meeting scheduled for January 23, 2007 to receive reports from consultants for the Fire and Police Master Plan.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

Council/Agency Member Holmdahl announced that local Winery Flying Goat won for “best red wine” in a wine competition held in San Francisco. He commented on an article in the Lompoc Record recognizing the City of Lompoc Fire Department for their participation in the Urban Search Program. He acknowledged Senior Water Distribution Operator Louie Rizzoli for his prompt service to the citizens of Lompoc during the cold weather.

Council/Agency Member Ruhge announced a workshop for elected officials that she attended.

Council/Agency Member Schuyler stated he will not participate in the vote for Check No. 263371 and announced a meeting he had attended.

Council/Agency Member Siminski announced a meeting he attended.

Mayor/Chair DeWees informed the public of the Addendum to the Agenda and a correction to Consent Calendar Item No. 5. He announced the budget workshops, commented on the graffiti that has occurred in the City, and acknowledged the efforts of the volunteers. He requested staff review the City’s graffiti ordinance and suggested stronger penalties. He would like to see this come back to Council as soon as possible.

ORAL COMMUNICATIONS: None

CONSENT CALENDAR:

ACTION: Motion/Second: Holmdahl/Siminski. By a unanimous vote (Councilmember Schuyler did not participate in the vote) the City Council/Agency with noted corrections:

- CITY/RDA 1. Approved Minutes of the Lompoc City Council and Lompoc Redevelopment Agency Regular Meeting of January 2, 2007.
- CITY 2. Approved expenditures for:
 - Payroll of 12/29/06 - \$995,308.76
 - Voucher Register of 01/05/07 - \$535,850.60
 - Voucher Register of 12/29/06 - \$522,205.33
- CITY 3. Awarded a professional services agreement for a Wastewater Molybdenum Study to Larry Walker Associates for an amount not to exceed \$287,886.
- CITY 4. Adopted Ordinance No. 1538(07) Amending the Zoning Map Designation for a Site Currently Zoned *Planned Commercial Development (PCD)*, to *Convenience Center (CC)*. The Site is Located at 608 West Ocean Avenue (Assessor Parcel No. 91-092-18).
- CITY 5. Adopted Resolution No. 5387(07), Denying Two Appeals of Planning Commission’s Approval of Conditional Use Permit (CUP 06-09) for Good Samaritan Services, Inc. (GSSI), to Operate a Transitional Shelter for Drug and Alcohol Recovery with Onsite Treatment Housing, a Thrift Store, and Day Care. The Site is Located at 608 West Ocean Avenue (Assessor Parcel Number 91-092-18) and approved the Negative Declaration (Planning Division File No. 06-09).
- CITY 6. Approved the permanent addition of 10 hours per week to the half-time (.5) OSA II position in the Transit Budget, and a budget adjustment in the amount of \$3,078 to fund the additional hours for the remainder of FY 2006-2007.

CONSENT CALENDAR: (cont'd)

- CITY 7. Approved the fifth revision of the Personnel Procedure Manual's Chapter 54, Drug and Alcohol Testing under the Department of Transportation (DOT) regulations, to bring it into compliance with Federal Transit Authority (FTA) regulatory requirements.
- CITY 8. Approved the Request for Payment of \$4,310.56 from the Buellton Library Reserve Fund to the City of Buellton to Satisfy the Outstanding Balance for the Olga Klibo Children's Room Remodel Project at the Buellton Library.

APPOINTMENTS:

9. **Airport Commission (1 term ending 01/2011)**

ACTION: Motion/Second: Holmdahl/Ruhge. By a unanimous vote City Council appointed Ed Mandibles to the Airport Commission for 1 term ending 01/2011.

Library Board of Trustees (2 terms ending 1/2010)

ACTION: Motion/Second: Schuyler/Siminski. By a unanimous vote City Council appointed Luella Knowles to the Library Board of Trustees for 1 term ending 01/2010.

Youth Commission (1 Adult term ending 01/09, 3 Youth terms ending 01/09)

ACTION: Motion/Second: Schuyler/Siminski. By a unanimous vote City Council appointed Cadman Owens to the Youth Commission for 1 Adult term ending 01/09.

PUBLIC HEARING:

- CITY 10. **An Appeal of Planning Commission recommendation that the City Council Deny Zone Change - ZC 06-05 – A Comprehensive Revision of the City's Zoning Map to Rezone Approximately 600 Designated Parcels of Land Located throughout the City of Lompoc. This Rezoning would make the Zoning Map consistent with the Land Use Element Map of the General Plan, as required by State Law (California Government Code Section 65860). A Map Identifying the Properties to be Rezoned can be Reviewed at the Planning Division at City Hall. A Negative Declaration has been Prepared for this Project in Accordance with the California Environmental Quality Act (CEQA). (Planning Division File No. ZC 06-05).**

Councilmember Siminski requested that Commercial/Industrial, Residential, and Mixed Use process should be reviewed and discussed separately. Mayor DeWees suggested a motion be made to have the three issues reviewed and discussed as suggested by Councilmember Siminski.

ACTION: Motion/Second: Siminski/Schuyler. The motion failed on a 2 to 3 vote (Councilmembers Ruhge and Holmdahl and Mayor DeWees voted **NO**).

City Planner Lucille Breese presented the staff report and recommendations.

Councilmember Schuyler feels the issues need a workshop to inform the public/property owners of the zoning requirements and any changes that have been proposed.

Mayor DeWees stated that the issues have been ongoing and feels a workshop is not necessary at this time. Mayor DeWees suggested the item move forward for discussion, with each citizen having five minutes for public comment.

Public Comment:

1. John Linn spoke of noticing requirements and voiced his concern with the language in the General Plan. He is opposed to Staff's recommendations.
2. Tim Creager spoke in support of Staff's recommendations but is concerned with the language in the General Plan regarding Mixed Use.
3. Nicholas Gonzales spoke about residential zoning requirements.
4. Jonatha Linn, Martha Barajas, Larry Werner, Ester Gamblin, Joe Barto, Rob Lewis, and Ken Dewar spoke in opposition to Staff's recommendations.
5. Kevin Smith and Darrell Tullis spoke about issues regarding zoning requirements, but are undecided as to Staff's recommendations.
6. Morris Sobhani spoke of zoning requirements and urged the Council to consider grandfathering existing uses.
7. Paul Woyak requested a workshop on zoning requirements, supported grandfather clauses, and opposes Staff's recommendations.
8. Jeanne Wilson spoke about zoning requirements.
9. Joy Browder asked Council to reconsider the proposal and suggested the General Plan be changed instead of the Zoning Map.
10. Arlen Sechrest spoke about various zoning issues.

RECESS:

At 9:00 P.M. Mayor DeWees announced a Recess. The meeting reconvened at 9:25 P.M. with all Councilmembers present.

City Planner Lucille Breese reviewed Non-Conforming Uses as stated in the Zoning Ordinance.

Community Development Director Arleen Pelster discussed with Council the requirements in the General Plan Use Map and the Zoning Map.

Lengthy discussion followed regarding Non-Conforming Uses, the General Plan Use Map, and the Zoning Map. Council feels the changes need to be made to either update the Zoning Map to coincide with the General Plan or to update the General Plan to coincide with the Zoning Map.

Councilmember Schuyler moved to follow the Planning Commission's decision to deny Zone Change 06-05.

Councilmember Siminski proposed a substitute motion to take no action and send the item back to Staff with a request to look at it in segments and to consider all the alternatives with respect to the different areas in town.

PUBLIC HEARING: (cont'd)
Item No. 10

Councilmember Siminski withdrew his substitute motion.

Councilmember Schuyler's motion stayed in discussion.

Councilmember Ruhge suggested bringing the General Plan into compliance with the Zoning Map.

ACTION: Motion/Second: Schuyler/Siminski. The motion failed on a 2 to 3 vote (Councilmembers Siminski, Holmdahl and Schuyler voted **NO**).

Councilmember Holmdahl would like to see the CM and PM zones in one category and for Staff to return with this proposal. He supports making the General Plan comply with the Zoning Map.

ACTION: Motion/Second: Holmdahl/Ruhge. By a 4 to 1 vote (Councilmember Siminski voted **NO**) to instruct Staff to bring the General Plan into compliance with the Zoning Map.

Staff commented that Council is initiating a General Plan Amendment and that an Environmental Review document needs to be prepared, as well as a Planning Commission hearing so that the Commission can make a recommendation to Council for consideration at another public hearing. Another issue to be reviewed is the effect on the availability of affordable housing.

UNFINISHED BUSINESS:

CITY 11. **Approve Award of Project No. FY-05-WW-1, Lompoc Regional Wastewater Reclamation Plant Upgrade Project.**

Senior Civil Engineer Mike Luther presented the staff report and recommendation.

City Administrator Gary Keefe advised Council that the State Revolving Loan funds for this project have yet been received by the City, but will be forthcoming.

Public Comment: None

ACTION: Motion/Second: Holmdahl/Ruhge. By a unanimous vote Council:

- A) Adopted the Plans and Specifications for Project No. FY-05-WW-1, as required by Section 22039 of the Public Contract Code, copies of which are on file in the City Engineer's Office; and
- B) Awarded the Contract, in the amount of \$79,442,373.00, to Parsons RCI, Inc. and authorized the Mayor to execute the necessary agreements for this Project; and
- C) Authorized the Wastewater Superintendent to approve Contract Change Orders in an amount not to exceed \$7,940,000.00.

CITY 12. **Approve Participation in the Northern California Power Agency (NCPA) New Lodi Power Project.**

Electrical Utility Manager Rodney Ray presented the staff report and recommendations.

Public Comment: None

UNFINISHED BUSINESS: (cont'd)

Item No. 12

ACTION: Motion/Second: Siminski/Schuyler. By a unanimous vote Council approved participation in the Northern California Power Agency (NCPA) New Lodi Power Project Phase IIA and authorized the City Administrator to execute the agreement.

NEW BUSINESS:

CITY 13. **Approve Wireless Internet Utility Rate Reduction and Modification of Packaging Policy.**

Wireless Service Administrator John Greenly presented the staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Holmdahl/Ruhge. By a unanimous vote Council adopted the following pricing and packaging policy for LompocNet Internet service:

1. **Hotspot plan:** \$9.99 per month for unlimited, self-supported Internet access for one user at a time, subject to standard LompocNet terms of service. This plan would be available as an ongoing monthly subscription and as a single one-month purchase.
2. **Family plan:** \$15.99 per month for unlimited Internet access for up to three users at a time, technical support via telephone or email, and rental of one city-owned wireless bridge, subject to standard LompocNet terms of service.
3. **Daily plan:** This plan would remain unchanged at \$4.99 for one day (24 hours) of self-supported Internet access for one user at a time, subject to the standard LompocNet terms of service.

CITY 14. **Approve Proposed Staff Addition for City of Lompoc Wireless Internet Project.**

City Administrator Gary Keefe presented the staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Holmdahl/Siminski. By a unanimous vote the City Council

- A) Adopted the class specification for the Wireless Services Technician; and
- B) Approved a salary range of \$3,282-\$3,989 for the classification of Wireless Services Technician; and
- C) Approved Resolution No. 5379(07) which amends the Personnel Rules relative to the Classification Plan (Rule III) and Compensation Plan (Rule IV) and adds the Wireless Services Technician class specification; and
- D) Approved a budget adjustment of \$18,990 to fund the position for the remainder of FY 2005-07.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum):

1. John Linn spoke about public noticing procedures and planning issues.

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

Council/Agency Member Holmdahl stated that there have been numerous complaints regarding the color on the television screen when the Council meetings are televised. City Administrator/Executive Director Gary Keefe informed the Council/RDA Agency that three new cameras have been placed in the Council Chambers.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS, COMMENTS, AND MEETING REPORTS: (cont'd)

Council/Agency Member Siminski announced a meeting he will be attending.

Council/Agency Member Schuyler commented on Green Power and Mixed Use Zoning and suggested bringing this issues to Council at a later date.

ADJOURNMENT:

At 10:48 P.M. Mayor/Chair DeWees adjourned to a Workshop at 8:30 A.M. on Friday January 19, and at 8:30 A.M. Saturday January 20, 2007.

Dick DeWees, Mayor/Chair
City of Lompoc

ATTEST:

Donna N. Terrones, City Clerk
Date: January 31, 2007