



Minutes

Regular Meeting of the Lompoc City Council
Tuesday, June 5, 2018
City Hall, 100 Civic Center Plaza, Council Chamber

CLOSED SESSION

OPEN SESSION – 4:30 P.M. – Council Chamber

Council Members Present: Victor Vega, Dirk Starbuck, James Mosby, Jenelle Osborne, and Mayor Bob Lingl.

Staff Present: Interim City Manager Teresa Gallavan, City Clerk Stacey Haddon, and City Attorney Joseph Pannone.

ORAL COMMUNICATIONS: None

CLOSED SESSION – City Council Conference Room

BUSINESS ITEM:

1. **PUBLIC EMPLOYEE APPOINTMENT:** City Manager
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One matter regarding a letter received from an attorney for a dance studio alleging the City violated Proposition 64 by excluding dance studios from the buffer zones around youth centers where cannabis uses cannot be located.
3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9.: One Matter

OPEN SESSION - 6:30 P.M. – Council Chamber

Council Members Present: Victor Vega, Dirk Starbuck, James Mosby, Jenelle Osborne, and Mayor Bob Lingl.

Staff Present: Interim City Manager Teresa Gallavan, City Clerk Stacey Haddon, City Attorney Joseph Pannone, Library Director Sarah Bleyl, Accounting and Revenue Manager Dean Albro, Interim Economic and Community Development Director Christie Alarcon, Planning Manager Brian Halvorson, Deputy City Manager Laura Dubbels, Management Services Director Brad Wilkie, Police Chief Pat Walsh, and Fire Chief Gerald Kuras.

Others Present: Augustin Arias, Steve Byork, Dr. Melissa Thomasson, Terry Hammons, Stan Chang, Janice Moeller, Teresa Wuitschick, Angela Mill, Kyle Tankard, Pam Ricci, Linda Costa, Brian Halterman, Judy Langely, Wen Garcia, Gary Bauer, and Brian (unknown last name).

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

City Attorney Joseph Pannone stated Staff was directed to pursue the collection of past due fees in regards to Business Item No. 3 of the Closed Session.

Reverend Michael Cook gave the invocation and Mayor Bob Lingl led the **Pledge of Allegiance**.

PRESENTATIONS PRESENTED ELSEWHERE:

Mayor Lingl presented a proclamation in honor of **Public Works Week** to City of Lompoc Public Works Division on May 22, 2018, at the Dick DeWees Community and Senior Center, Lompoc, CA.

PRESENTATIONS PRESENTED ELSEWHERE: (cont'd)

On May 23, 2018, Mayor Pro-Tempore Jenelle Osborne presented a Proclamation to Alma Cena Sana Community Food Center honoring its First Anniversary, at El Camino Elementary School, Lompoc, CA.

On May 25, 2018 at the Lompoc Veteran’s Memorial Building, Mayor Lingl presented a Proclamation honoring the American GI Forum of the Lompoc Valley.

PRESENTATIONS:

McKenna, Addison, and Morgan, three young Lompoc Citizens gave a donation check of \$100.67 to Catholic Charities from funds earned at a bake sale organized and conducted by these three young citizens. Mayor Lingl presented a Certificate of Appreciation to all three youths.

CITY MANAGER REPORT: (Information only)

Council Member Mosby asked if there was any update on the Bailey Avenue Corridor Annexation process. Interim City Manager Teresa Gallavan stated the City has a meeting scheduled with the County of Santa Barbara regarding this matter for the end of June 2018.

- **List of City expenditures**
 - **April 23 – 27, 2018 - \$901,609.73**
 - **April 30, 2018 – May 4, 2018 - \$497,379.28**
 - **May 7 – 11, 2018 - \$427,860.39**
 - **May 4, 2018 Payroll - \$1,131,278.27**
 - **May 18, 2018 Payroll - \$1,345,747.96**

PUBLIC COMMENT ON CONSENT CALENDAR ITEMS (Maximum of 3 Minutes):

1. Augustin Arias, President of the Lompoc Police Officers Association expressed concern about budget cuts that he believes will detrimentally affect the Lompoc Police Department.

CONSENT CALENDAR:

Council Member Mosby complained about the delay of minutes being presented to Council for review and approval, and requested the draft Minutes for the December 19, 2017 Meeting, presented as Consent Calendar Item No. 1 are incorrect and requested Staff review the video and return at a later date with revised minutes. The request was seconded by Council Member Vega and carried by Council Member Starbuck.

Pulled by Council Member Mosby

1. **Approval of Minutes** of the Lompoc City Council Regular Meeting of December 19, 2017

Council Member Vega asked Staff to confirm Consent Calendar Item No. 5 was previously funded and approved in the City’s budget. Management Services Director Brad Wilkie answered yes.

ACTION: Motion/Second: Vega/Starbuck. By a 5-0 vote, Council:

2. **Approval of the Annual Operations and Maintenance Plan for Fiscal Year 2018-2019; Adoption of Resolution No. 6172(18).**

Adopted Resolution No. 6172(18), approving the Annual Operations and Maintenance Plan for Fiscal Year 2018-2019, and authorizing Staff to submit the Notices of Exemption to the Santa Barbara County Clerk of the Board.

3. **Award of a Contract to Purchase Liquid Caustic Soda in the Amount of \$519,295.00**

Awarded a contract to purchase annual requirements of caustic soda to Brenntag Pacific, Inc., of Santa Fe Springs, CA, for the use at the Water Treatment Plant; and authorized the Purchasing and Materials Manager to issue a purchase order for the contract.

CONSENT CALENDAR: (cont'd)

4. **Unclaimed Property: Stale-Dated Checks; Adoption of Resolution No. 6183(18).**

Adopted Resolution No. 6183(18), transferring property (stale-dated checks) to the General Fund.

5. **Award of Project No. CS18-W-1 – Prepare Engineering Plans, Specifications, and Construction Management and Inspection Services Associated with the City of Lompoc Main Replacement Projects.**

Awarded the Consultant Services Agreement for the development of plans and specifications, pre-bid services, construction management, and inspection services, for replacement of water mains in six locations to be determined, to Filippin Engineering, Inc., in the amount of \$200,192.00; and authorized the City Manager to execute the agreement; and authorized the Water Superintendent to approve contract change orders in an aggregate amount not to exceed \$40,000.00.

6. **Adoption of Resolution No. 6186(18), to Replace Resolution No. 5793(12), Authorizing Submittal of Hazard Mitigation Grant Program Documents for the Santa Ynez River Bank Stabilization Project (City Project No. FY-08-S-2).**

Adopted Resolution No. 6186(18), to replace Resolution No. 5793(12), authorizing submittal of Hazard Mitigation Grant Program documents by the City Manager, the Public Works Director, and the City Engineer, for the Santa Ynez River Bank Stabilization Project.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

Library Director Sarah Bleyl gave a brief presentation on the upcoming 2018 Summer Events being held at the Lompoc Public Library.

ORAL COMMUNICATIONS (3 Minutes Maximum):

Police Chief Pat Walsh and Pastor Bernie Federmann announced they will each match the bake sale donation to Catholic Charities.

1. Steve Byork, Dr. Melissa Thomasson, Terry Hammons, Stan Chang, Janice Moeller, Teresa Wuitschick, and Angela Mill spoke in favor of dance studios to be defined as youth centers and requested Council reconsider its previous decision to not allow dance studios be defined as youth centers in regards to commercial cannabis use.

Mayor Lingl motioned to direct Staff to bring forward a discussion and possible action item at a future Council Meeting, regarding the definition of youth centers, in relation to commercial cannabis use. The motion was seconded by Council Member Osborne, and died for a lack of a third by Council.

APPOINTMENTS:

7. **Council Appointment to the Library Commission.**

ACTION: Motion/Second: Osborne/Vega. By a 5-0 vote, Council appointed Maricela Barraza to the Library Commission for a term ending January 2019.

PUBLIC HEARING:

8. **Adoption of Resolution No. 6182(18), Setting the Fiscal Year 2018-19 Gann Appropriation Limitation.**

Accounting and Revenue Manager Dean Albro presented the Staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Osborne/Vega. By a 5-0 vote, Council adopted Resolution No. 6182(18), setting the Fiscal Year 2018-19 appropriation limit at \$44,442,704.

9. **Public Hearing to Consider the Ordering of Services and Improvements, the Continuation of the Assessments for Fiscal Year 2018-2019 for the Park Maintenance and City Pool Assessment District No. 2002-01; Adoption of Resolution No. 6184(18), Approving the Engineer's Report, Confirming the Diagram and Assessment, and Ordering the Continuation of Assessments for Fiscal Year 2018-2019.**

Accounting and Revenue Manager Dean Albro presented the Staff report and introduced Kyle Tankard from SCI Consultants.

Public Comment: None

ACTION: Motion/Second: Mosby/Osborne By a 5-0 vote, Council held a public hearing for the proposed continuation of the assessments for the Park Maintenance and City Pool Assessment District No. 2002-01 (the District), in order to receive any public input on the proposed continuation of the assessments, approve the proposed assessment budget for Fiscal Year (FY) 2018-2019 and the services and improvements funded by the assessments fund, and any other issues related to the assessments; considered the ordering of improvements and maintenance services, and the continuation of the assessments for FY 2018-2019; adopt Resolution No. 6184(18), approving the Engineer's Report, and confirming the diagram and assessments for FY 2018-2019 for the District.

10. **Approval of 2018-2019 Draft Annual Action Plan and Fiscal Year 2018-2019 Budgets for the Community Development Block Grant, and Human Services Programs; Adoption of Resolution No. 6185(18)**

Interim Economic and Community Development Director Christie Alarcon presented the Staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Mayor Lingl/Osborne By a 5-0 vote, Council held a public hearing; approved the selection of Capital Improvement Projects under the Community Development Block Grant (CDBG) Program for Fiscal Year (FY) 2018-19; adopted Resolution No. 6185(18), approving FY 2018-19 Budgets for the CDBG and Human Services program funds for inclusion in the draft City of Lompoc (City) Annual Action Plan (Action Plan) for FY 2018-19; authorized the Interim City Manager or his/her designee to sign any agreements or certifications that authorize the City to receive the funds; and authorized submission of the approved FY 2018-19 Action Plan to the U.S. Department of Housing and Urban Development at the conclusion of the 30-day public comment period (June 14, 2018).

PUBLIC HEARING: (cont'd)

11. **Consideration of, and Direction Regarding, Planning Commission Recommendations to Approve a General Plan Amendment, and Zone Change; Adoption of Resolution No. 6165(18) and Introduction of Ordinance 1647(18) for the Community Health Centers Project and the Financial Terms for Payment In-Lieu of Taxes Agreement.**

Planning Manager Brian Halvorson presented the Staff report and recommendations.

Council discussed the information presented.

Public Comment:

1. Pam Ricci of RM Design Group, asked Council to approve the proposed Alternative 2 for Payment In-Lieu of Taxes Agreement, and stated she believes the additional jobs at this new facility will help off-set any property tax that could be lost as a result of this property becoming part of a non-profit.

Mayor Lingl asked what is the total estimate of new positions will be added as a result of this facility being built. Linda Costa of Community Health Centers (CHC), explained CHC will be bringing another 27 positions with the addition of this facility.

Ariston Julian of CHC spoke about CHC's commitment to making this a successful project and stated the project is estimated to cost \$14 million dollars to complete and will provide future long term jobs for this location.

Council continued to discuss this matter.

ACTION: Motion/Second: Mosby/Vega By a 4-1 vote (Council Member Osborne voted No), Council received and considered the Planning Commission recommendations; held a public hearing; adopted Resolution No. 6165(18) approving a General Plan Amendment of 5.18 acres located at 1220 and 1300 West Ocean Avenue (Assessor Parcel Numbers: 091-110-034 and 091-110-035) from *Medium Density Residential* to *General Commercial*; and introduced by first reading, by title only with further reading waived, Ordinance No. 1647(18), approving a Zone Change of 5.18 acres located at 1220 and 1300 West Ocean Avenue (Assessor Parcel Numbers: 091-110-034 and 091-110-035) from *Medium Density Residential Planned Development* to *Planned Commercial Development*; and directed Staff to negotiate a new Payment In-Lieu of Taxes Agreement and return at a future meeting for Council discussion and possible action on the new Agreement.

BREAK: At 8:33P.M. Mayor Lingl announced a break. At 8:41 P.M., the meeting reconvened with all Council Members present.

NEW BUSINESS:

12. **Introduction of Ordinance No. 1649(18) Prohibiting Residential Use of City Streets and Alleys, City-Owned Parking Areas and Certain Private Property; Introduction of Resolution 6179(18) Establishing a Safe Parking Program.**

Deputy City Manager Laura Dubbels presented the Staff report and recommendations.

Council discussed the matter at great length.

Pastor Brian Halterman explained the proposed Safe Parking Program will not be a homeless encampment, but instead is intended to be a place for overnight parking and how human services can be introduced to homeless individuals.

Council Member Vega expressed concern this would invite more homeless to the City.

Council Member Osborne stated this would give the City the power to enforce a no overnight parking on City-owned property ordinance and begin addressing the homeless issue inside the City limits.

NEW BUSINESS: (cont'd)

Item No. 12

Council Member Mosby asked Staff to confirm if this would be a temporary approved overnight parking location. Deputy City Manager Laura Dubbels answered yes and offered to have this item returned for review in 12 months.

Public Comment:

1. Judy Langely asked if this proposed project would affect the entire City.
2. (Name unknown), suggested the City use the parking lot on Cypress Avenue and I Street and encouraged Council to move forward with a plan that will help the homeless.
3. Gwen Garcia spoke in favor of the proposed project.
4. Gary Bauer asked if an ordinance banning sleeping in vehicles on City-owned property would cause problems for people who are visiting family or friends in town and sleep in their own recreational vehicles or trailers.

ACTION: Motion/Second: Starbuck/Mosby By a 3-2 vote (Council Members Osborne and Vega voted No), Council introduced by first reading, with further reading waived, Ordinance No. 1649(18), prohibiting residential use of City streets and alleys, City-owned parking areas, and certain private property.

ACTION: Motion/Second: Osborne/Mosby By a 3-2 vote (Mayor Lingl and Council Member Vega voted No), Council adopted Resolution No. 6179(18), establishing a Safe Parking Program to provide homeless individuals and families a safe place to temporarily park their vehicles overnight in order to facilitate the transition to permanent housing; and directed Staff to provide an update of the program in 12 months.

13. **Mid-Cycle Review of the Biennial Budget Fiscal Years 2017-19; Adoption of Resolution No. 6187(18).**

Management Services Director Brad Wilkie presented a summary of the Staff report and recommendations.

Council Member Mosby asked Staff to speak about the overtime from the Fire Department. Management Services Director Brad Wilkie explained Staff is researching ways to reduce this issue and can return at a later date with another updated summary.

Public Comment: None

Mayor Lingl asked if the Fire Department has been reimbursed for its contributions to helping with fires outside the City, and asked Fire Chief Kuras and Police Chief Walsh if they would like to speak about the current vacancies in their departments. Chief Walsh stated the Police Department has 9 open positions and expressed concern about the health and wellness of all current Police Department personnel. Chief Kuras explained the Fire Department has 2 current vacancies and he has concern about being able to maintain the rescue vehicle and service and a certain number of personnel is required and stated he has made several changes to spending on operations.

ACTION: Motion/Second: Osborne/Vega By a 4-1 vote (Mayor Lingl voted No), Council approved the reallocation of budgeted compensation as of June 30, 2018, recognizing actual costs and associated vacancy savings for Fiscal Year (FY) 2017-18 as the first of two steps to reduce appropriations during the Biennial Budget FYs 2017-19 cycle; approved the adjustments to tax revenues as identified for FY 2017-18 and FY 2018-19; and adopted Resolution No. 6187(18), approving FY 2017-18 budget adjustments to recognize budgetary salary savings due to vacancies and adjustments to tax revenues for FYs 2017-18 and 2018-19.

Mayor Lingl requested Council place an item on a future agenda to discuss placing a 1% sales tax on the November 2018 General Election Ballot. The request was seconded by Council Member Osborne and died for a lack of a carry vote.

