



MINUTES

Regular Meeting of the Lompoc City Council
Tuesday, June 19, 2018
City Hall, 100 Civic Center Plaza, Council Chamber

CLOSED SESSION

OPEN SESSION – 5:30 P.M. – Council Chamber

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

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. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** Properties: APN: 093-051-020, 087-011-061, 087-306-005, 087-306-006, Lompoc CA. City Negotiators: Interim City Manager Teresa Gallavan, City Attorney Joseph Pannone, and Deputy City Manager Laura Dubbels. Negotiating Parties: Stan and Mary Leach. Under negotiation: Price and terms of payment.
2. **CONFERENCE WITH LEGAL COUNSEL – Pending Litigation:** Marsha Waldau v. 513 North G, et al., Santa Barbara County Superior Court Case No. 17CV02104

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

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

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

Others Present: James Throop, John Hermanson, Deb Andrews, John Linn, DeWayne Holmdahl, Marcia Waldau, CC Wellman, Van Do Reynoso, Jan Glick, Dori Villalon, Cynthia Allen, Jennifer Martnec, and Jill Anderson.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

City Attorney Joseph Pannone stated no reportable action was taken during the Closed Session.

Pastor Bernie Federmann gave the invocation and Mayor Pro-Tempore Jenelle Osborne led the **Pledge of Allegiance**.

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**
 - **May 14 – 18, 2018 - \$301,218.13**
 - **May 21 – 25, 2018 - \$699,380.30**
 - **June 1, 2018 Payroll - \$1,215,072.45**

Interim City Manager Teresa Gallavan gave a brief update on the Commercial Cannabis Use License Application process; reported the AIDS Life Cycle Bike Ride which stopped in town on June 7, 2018, and was hosted overnight in Ryon Park did cause some damage to the tennis courts and Staff is working to complete repairs as soon as possible; and asked Council if it would be agreeable to cancelling the July 3, 2018 Regular City Council Meeting for a lack of business items.

PUBLIC COMMENT ON CONSENT CALENDAR ITEMS (Maximum of 3 Minutes): None

CONSENT CALENDAR:

Council Member Osborne requested Consent Calendar Item No. 7 be removed from the Consent Calendar and brought forward immediately following the Consent Calendar. The request was seconded by Council Member Starbuck and carried by Council Member Vega.

ACTION: Motion/Second: Vega/Starbuck. By a 4-0-1 vote, (Mayor Lingl was absent) Council:

1. Approved the minutes of the Lompoc City Council Regular Meeting of December 19, 2017 and January 16, 2018.
2. **Adoption of Ordinance No. 1649(18) Prohibiting Residential Use of City Streets and Alleys, City-Owned Parking Areas and Certain Private Property.**

Adopted Ordinance No. 1649(18), prohibiting residential use of City streets and alleys, City-owned parking areas, and certain private property.

3. **Notice of General Municipal Election on November 6, 2018; Request to Board of Supervisors to Consolidate the Election; Adoption of City Council Policy Requiring Payment for Candidate Filing Packets and Deposits for Candidate Statements.**

Adopted the following Resolutions pertaining to the November 6, 2018, election for Mayor and two Council Members:

- a) Resolution No. 6188(18), Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 6, 2018, for the election of Mayor and two Council Members; and
- b) Resolution No. 6189(18), Requesting the Board of Supervisors of the County of Santa Barbara (County) to Consolidate a General Municipal Election of the City of Lompoc (City) to be held on November 6, 2018 with services to be provided by the County;
- c) Resolution No. 6190(18), Adopting Regulations for Candidates for Elective Office, Pertaining to and Costs of the Candidates' Statements for the Consolidated General Municipal Election (Resolution No. 6190(18) will require each candidate filing a Candidate's Statement to pay a deposit and comply with the 200-word limit on Candidates' Statements of Qualifications); and

Directed the City Clerk to file one original and seven copies of Resolution No. 6189(18) with the Clerk of the Board Supervisors, requesting consolidation with the County for the November 6, 2018, General Municipal Election, before the July 5, 2018, deadline.

4. **Rescind Second Amendment to Lease Agreement for Airport Maintenance Hangar with Larry Curtis.**

Rescinded a Second Amendment to the Lease Agreement for the Airport Maintenance Hangar with Larry Curtis, which extended the term of the lease to 2032 in exchange for additional tenant improvements.

5. **Award of Project No. FY-18-S-1, 2018 Curb Ramp Upgrade Project; Adoption of Resolution No. 6191(18), Approving Supplemental Appropriations.**

- a) Adopted the Special Provisions for Project No. FY-18-S-1, 2018 Curb Ramp Upgrade Project, as required by Section 22039 of the Public Contract Code (copies of Special Provisions are on file in the City Engineer's Office);
- b) Awarded the Construction Contract in the amount of \$242,327.00 to G. Sosa Construction, Inc.; and

CONSENT CALENDAR: (cont'd)

Item No. 5

- i. Authorized the City Manager to execute the necessary agreements for that Contract; and
 - ii. Authorized the City Engineer, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed \$30,000.00;
 - c) Approved a budget for consulting services including Materials Testing in the amount of \$5,000.00;
 - d) Adopted Resolution No. 6191(18), to approve Supplemental Appropriations in Fiscal Year 2018-19 to provide construction funding for the Project.
6. **Award of Project No. FY-18-S-2, 2018 Street Pavement Digout Project; Adoption of Resolution No. 6198(18), Approving Supplemental Appropriations.**
- a) Adopt the Special Provisions for Project No. FY-18-S-2, 2018 Street Pavement Digout Project, as required by Section 22039 of the Public Contract Code (copies of Special Provisions are on file in the City Engineer's Office); and
 - b) Award the Construction Contract in the amount of \$547,547 to Granite Construction Company;
 - i. Authorize the Interim City Manager or City Manager to execute the necessary agreements for that Contract; and
 - ii. Authorize the City Engineer, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed \$75,000;
 - c) Award the Consulting Contract for Construction Engineering Support, Inspection, and Materials Testing in the amount of \$59,700 to Pavement Engineering, Inc.;
 - i. Authorize the Interim City Manager or City Manager to execute the necessary agreements for that Contract; and
 - ii. Authorize the City Engineer to approve Contract Change Orders in an amount not to exceed \$5,000.00; and
 - d) Adopt Resolution No. 6198(18), to approve Supplemental Appropriations in Fiscal Year 2018-19 to provide construction funding for the project.

Pulled from Consent Calendar by Council Member Osborne.

7. **Adoption of Resolution No. 6199(18), Approving the Agreement with James Throop for Lompoc City Manager.**

City Attorney Joseph Pannone stated it is required for the terms of this Agreement to be read aloud during an open meeting.

Mayor Pro-Tempore Jenelle Osborne recited the terms of the agreement.

ACTION: Motion/Second: Osborne/Starbuck. By a 4-0-1 vote, (Mayor Lingl was absent) Council adopted Resolution No. 6199(18), approving the employment agreement with James Throop to be the Lompoc City Manager.

PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

Council formally introduced newly hired City Manager James Throop. Mr. Throop spoke briefly, introduced his family, and thanked Council for the introduction and the position, stating he is looking forward to working with everyone to help push Lompoc to be a recognized gem of the area.

BREAK:

At 6:54 P.M. Mayor Pro-Tempore Osborne announced a break. At 7:15 P.M., the meeting reconvened with all Council Members present.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. John Hermanson requested Council direct Staff to add an exclusion for the use of the tennis court areas at Ryon Park for all events held at that park, in an effort to keep the tennis courts in good working condition.
2. Deb Andrews spoke about the recreational facilities at Ryon Park, reports of bullying in local schools, services cutbacks for Code Enforcement, and suggested the City privatize as many City Departments and Divisions as possible.
3. John Linn provided an unaudited list of what he claims the City has received in funding from Safe & Sane Fireworks sales.

APPOINTMENTS:

8. **Council Appointment to Economic Development Committee.**

ACTION: Motion/Second: Mosby/Vega. By a 4-0-1 vote, (Mayor Lingl was absent) Council appointed Edwin Braxton to the Economic Development Committee as Council Member Mosby's direct appointee with a term ending December 2020.

9. **Designation of Voting Delegate and Alternate for League of California Cities Annual Conference.**

ACTION: Motion/Second: Starbuck/Vega. By a 4-0-1 vote, (Mayor Lingl was absent) Council appointed Mayor Pro-Tempore Jenelle Osborne as the Voting Delegate and Mayor Bob Lingl as the Alternate Voting Delegate for the League of California Cities Annual Conference.

PUBLIC HEARING:

10. **Public Hearing Regarding Nuisance Abatement of Weeds, Rubbish, Refuse, and Dirt; Adoption of Resolution No. 6193(18).**

Battalion Chief Dena Paschke presented a Power Point Presentation showing several properties inside the City Limits with nuisance issues.

Council briefly discussed the information.

Public Comment:

1. (Name Unknown) asked for direction on who to speak to regarding trees growing into electrical wires.

Mayor Pro-Tempore Osborne suggested he contact the Electric or Urban Forestry Divisions for this issue.

ACTION: Motion/Second: Starbuck/Vega. By a 4-0-1 vote, (Mayor Lingl was absent), Council held a public hearing, received comments and information from the public to show cause why nuisance conditions upon subject properties should not be abated; and adopted Resolution No. 6193(18), ordering the Fire Marshal to abate nuisances, as declared on May 15, 2018, by Resolution No. 6181(18), not otherwise satisfactorily corrected, in the time and manner provided by law.

PUBLIC HEARING: (cont'd)

11. **Consideration of a Planning Commission Recommendation Regarding a Text Amendment Adding Chapter 17.130 to the Lompoc Municipal Code Relating to Food Services Special Use Permits in the Wine Ghetto; Introduction of Ordinance No. 1650(18).**

Planning Manager Brian Halvorson presented the Staff report and recommendations.

Council Member Vega asked Staff why this text amendment does not address food trucks. Planning Manager Brian Halvorson stated Council did not give Staff direction to include food trucks in this matter.

Mayor Pro-Tempore Jenelle Osborne asked if this permit requires the food service to be connected to a winery, and stated she thought Council direction was to allow an individual company or person to use a small space to provide food service. Mr. Halvorson confirmed the food service must be in conjunction with a business related to the wine industry.

Council Member Mosby stated he is willing to support this recommendation as a first level of food service in this specific area.

Council Member Starbuck asked if a future revision could be brought forward to allow a restaurant in this specific area. Mr. Halvorson explained an item could be brought back to Council after it has been reviewed by the Planning Commission.

Public Comment:

1. John Linn asked for Council to allow for the boundaries of this specific area be revised to include the adjacent empty lot area.
2. DeWayne Holmdahl spoke about the positive impact the wine industry has had on the City and suggested the City include breweries in this area.
3. Deb Andrews asked Council to help insure businesses succeed in the City by not over-regulating matters.

Osborne stated she will support this matter as an interim and asked Staff to return to Planning Commission for the full review of allowing a stand-alone deli restaurant in the Wine Ghetto specific area and to include the adjacent PG&E empty lot on Twelfth and Laurel be included in the Wine Ghetto specific area.

ACTION: Motion/Second: Mosby/Vega. By a 4-0-1 vote, (Mayor Lingl was absent), Council received and considered the Planning Commission recommendation, held a public hearing and introduced by first reading, with further reading waived, Ordinance No. 1650(18), approving a text amendment adding Chapter 17.130 to the Lompoc Municipal Code relating to food services Special Use Permits in the Wine Ghetto, and directed Staff to bring forward an option for stand-alone restaurant service in the Wine Ghetto during the Zoning Code Update process.

UNFINISHED BUSINESS:

12. **Adoption of Resolution 6192(18), to Join Santa Barbara County HOME Investment Partnership Consortium for Federal Fiscal Years 2019-2021.**

Interim City Manager Teresa Gallavan presented the Staff report and recommendations.

Council Member Starbuck asked Staff to confirm is the City will remain an independent Entitlement City. Interim City Manager Teresa Gallavan answered yes.

Public Comment:

1. Marcia Waldau complained about the inspection process she has been subjected to because she lives in a housing unit supported by these funds.

UNFINISHED BUSINESS: (cont'd)

Item No. 12

ACTION: Motion/Second: Starbuck/Vega. By a 4-0-1 vote, (Mayor Lingl was absent), Council adopted Resolution No. 6192(18), to join the Santa Barbara County HOME Investment Partnership Consortium for Federal Fiscal Years 2019-2021; and authorized the City Manager or his/her designee to sign any agreements or certifications that authorize participation in the Consortium.

NEW BUSINESS:

13. **Options for Animal Control Services.**

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

Council Member Vega asked if there is an estimate of savings to the City by going with an option for animal control services outside of the County of Santa Barbara Animal Services; and if the City would have any options for management of animal control services if this specific provider did not continue to provide services throughout the length of the contract. Deputy City Manager Laura Dubbels explained there will be a debt service for the build out of the City's animal services structure to allow the City to avoid using general fund monies; and explained the City would put forward a request for proposals for a management company if this company was unable to continue providing services for the entire length of the contract.

Public Comment:

1. CC Wellman, VanDo Reynoso, Jan Glick, Dori Villalon, Cynthia Allen, Jennifer Martnec, and Jill Anderson expressed concern the City would not continue to contract with the County for animal control services.
2. John Linn stated the Staff report is asking for approval to move forward on a new option for animal services, not approve a contract and urged Council to move forward to receive a complete quote on the cost of services by this contractor for animal services to the City.

Council Member Vega asked if this contractor would provide services to more than just cats and dogs. Ms. Dubbels answered yes, stating that information, and total costs will be included in the final proposal.

Council Member Starbuck stated he would prefer to have this matter pushed to a future Council Meeting, does not believe he has not had enough time to review the information provided.

Council Member Vega stated he would like this item to move forward and motioned to approve the renewal of the animal services contract with Santa Barbara County (County) for both shelter and field services for one year at the rate of \$326,814, plus retention of fees for animal-related services, with a cancellation period of 30 days written notice; and return in September 2018 with an updated contract proposal with Charter Services, LLC (Consultant), for a period of 10 years for a flat annual rate of \$320,000, plus retention of fees for animal related services to replace the County upon 30-day cancellation of County contract, and to provide the full range of field and shelter services thereafter.

Mayor Pro-Tempore Osborne asked Staff to investigate the possibility of signing a longer length agreement with the County for animal services to be held to the 1.5% increase.

ACTION: Motion/Second: Vega/Mosby. By a 4-0-1 vote, (Mayor Lingl was absent), approved the renewal of the animal services contract with Santa Barbara County (County) for both shelter and field services for one year at the rate of \$326,814, plus retention of fees for animal-related services, with a cancellation period of 30 days written notice; and directed Staff to return in September 2018 with an updated contract proposal with Charter Services, LLC (Consultant), for a period of 10 years for a flat annual rate of \$320,000, plus retention of fees for animal related services to replace the County upon 30-day cancellation of County contract, and to provide the full range of field and shelter services thereafter.

NEW BUSINESS: (cont'd)

14. **Approval of Resolution Nos. 6195(18), 6196(18) and 6197(18) Relating to (i) Placing a Cannabis Tax Ballot Measure before City Voters, at the November 6, 2018, General Municipal Election, (ii) Submittal of Arguments for/against and Preparation of an Impartial Analysis and (ii) Submittal of Rebuttal Arguments, Respectively.**

City Attorney Joseph Pannone presented the Staff report and recommendations.

Through a General Consensus, Council approved the reading and vote on each resolution individually.

Public Comment: None

ACTION: Motion/Second: Starbuck/Osborne. By a 4-0-1 vote, (Mayor Lingl was absent), Council adopted Resolution No. 6195(18), Ordering the Submission to the Qualified Electors of the City of a Certain Measure, Entitled the Cannabis Tax Measure, at the General Election to Be Held on Tuesday, November 6, 2018, to Be Called by Another Resolution of the City Council.

ACTION: Motion/Second: Starbuck/Mosby. By a 4-0-1 vote, (Mayor Lingl was absent), Council adopted Resolution No. 6196(18), Setting Priorities for Filing Written Argument(s) and Directing the City Attorney to Prepare an Impartial Analysis, Regarding the Cannabis Tax Measure; and directing Mayor Pro-Tempore Osborne to write an argument in favor of the Cannabis Tax Measure.

Resolution No. 6197(18) was not adopted.

ACTION: Motion/Second: Starbuck/Vega. By a 4-0-1 vote, (Mayor Lingl was absent), Council authorized Supplemental Appropriations of \$20,000.00 to account 110CCE-534150 –Clerk-Elections- County Elections Services.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:

Council Member Vega asked Staff to bring back a discussion item at a future meeting regarding a rental policy for use of the Ryon Park tennis courts. The request was seconded by Council Member Osborne and carried by Council Member Starbuck.

Council Member Mosby asked Staff to publish the Planning Division's memo regarding lighting at Riverbend Park, on the City's website.

Council Member Starbuck announced the Lompoc High School Alumni Association's annual cruise night event is scheduled for June 29, 2018.

Mayor Pro-Tempore Osborne made a request to cancel the July 3, 2018 Regular City Council Meeting. The request was seconded by Council Member Vega and carried by Council Member Starbuck.

ADJOURNMENT: At 9:35 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on July 17, 2019 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on April 2, 2019:

/Stacey Haddon/
Stacey Haddon, City Clerk