



## AGENDA

### Regular Meeting of the Lompoc City Council

Tuesday, December 4, 2018

City Hall, 100 Civic Center Plaza, Council Chamber

#### CLOSED SESSION

##### OPEN SESSION – 5:45 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.

City Attorney Joseph Pannone announced a Closed Session Business Item has been brought forward after the Agenda was posted and needs to be approved by Council to be placed on the Agenda – the item is **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: Significant Exposure to Litigation pursuant to Paragraph (2) of subdivision (d) of Section 54956.9: One Matter**, Council must motion and vote to place the item on this Agenda.

Council Member Mosby moved to place the above item on this Agenda, the motion was seconded by Council Member Vega and approved by a unanimous vote of the entire Council.

ORAL COMMUNICATIONS: None

##### CLOSED SESSION – City Council Conference Room

##### BUSINESS ITEM:

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** City Manager
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:** Significant Exposure to Litigation pursuant to Paragraph (2) of subdivision (d) of Section 54956.9: One Matter

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

##### REPORT ON ACTION TAKEN DURING CLOSED SESSION:

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, Police Chief Pat Walsh, Wastewater Resources Protection Technician Katrina Dorsey, Interim Economic and Community Development Director Christie Alarcon, and Environmental Coordinator Stacy Lawson.

Others Present: Ron Fink, John Linn, Isabel Hapil, Charles Sommer, Gary Cox, Brian Halterman, and Sylvia King.

Pastor Kathleen Puntar gave the presentation and Mayor Bob Lingl led the **Pledge of Allegiance**.

##### PRESENTATIONS:

Mayor Lingl presented a plaque to Ron Fink, honoring him for his volunteer service as a Planning Commissioner. Mr. Fink thanked the Council for allowing him to serve the City as a Planning Commissioner and encouraged all citizens to become involved and volunteer to serve on one of the many City Boards, Commissions, or Committees.

**PRESENTATIONS:** (cont'd)

Amber Wilson provided the Quarterly Report from the Lompoc Chamber of Commerce & Visitor’s Bureau. Council Member Vega asked if the expansion of the physical size of Old Town Market and suggested music be played on the south side as well as the north side of the Market. Mayor Lingl thanked Ms. Wilson and stated he has only heard compliments about the volunteers who help put together this event.

**CITY MANAGER REPORT:** (Information only)

- **List of City expenditures**
  - **September 24-28, 2018** **\$1,274,156.44**
  - **October 1-5, 2018** **\$495,271.24**
  - **October 8-12, 2018** **\$216,448.44**
  - **October 15-19, 2018** **\$1,281,968.86**
  - **October 22-26, 2018** **\$1,900,581.19**
  - **October 29 – November 2, 2018** **\$506,887.77**
  - **November 5-9, 2018** **\$340,105.40**
  - **October 5, 2018 Payroll** **\$1,530,637.95**
  - **October 19, 2018 Payroll** **\$1,476,929.68**
  - **November 2, 2018 Payroll** **\$1,561,107.68**

City Manager Jim Throop announced the Council will be holding a special meeting on December 8, 2018 9 A.M. to Noon in the Council Chamber at City Hall at 100 Civic Center Plaza, Lompoc; reported the cleanup of the Santa Ynez Riverbed is continuing, the **Children’s Christmas Season Parade** will be on Friday, December 7, 2018 beginning at 6pm, and City Hall will be closed from December 24, 2018 – January 1, 2019; and stated he will be attending the December 6, 2018 Santa Barbara Local Agency Formation Commission (LAFCO).

Mayor Lingl presented a plaque to Joe Pannone who is retiring as the City Attorney at the end of December 2018, the Mayor thanked Joe for all tireless and continued work. Mr. Pannone thanked the Council, City Staff, and the citizens.

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

1. John Linn suggested Council look to purchasing electric buses in the future and encouraged the approval of Consent Calendar Item No. 4

**CONSENT CALENDAR:**

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

1. **Purchase of Three Automated Side-Load Refuse Trucks in the Amount of \$1,049,266.27**  
  
Approved the purchase of three Side-Load Refuse Collection Trucks from Velocity Truck Center in the amount of \$1,049,266.27 and authorize the Purchasing and Materials Manager to issue a purchase order.
2. **Award of a Contract in the Amount of \$295,166.40 to Purchase Three Transit Buses.**  
  
Authorized the purchase of three transit buses from A to Z Bus Sales for \$295,166.40; and authorize the Purchasing and Materials Manager to issue a Purchase Order for the purchase.
3. **Adoption of Ordinance No. 1656(18), Levying Special Taxes Within Community Facilities District (CFD) No. 2018-01 (Summit View Homes).**  
  
Adopted Ordinance No. 1656(18), Levying Special Taxes Within CFD 2018-01
4. **Adoption of Ordinance No. 1661(18) Amending Lompoc Municipal Code Subdivision 9.36.120 B. to Permit Commercial Cannabis Testing in the Industrial Districts.**  
  
Adopted Ordinance No. 1661(18), permitting commercial cannabis testing in the Industrial Districts.

**STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:** None

**ORAL COMMUNICATIONS (3 Minutes Maximum):**

1. Isabel Hapil thanked Council for her recent appointment to the Youth Commission

**UNFINISHED BUSINESS:**

5. **Introduction of Ordinance No. 1657(18) Regarding Administrative Fines for Illegal Cannabis Cultivation.**

Police Chief Pat Walsh presented the Staff report and recommendations.

Public Comment: None

**ACTION:** Motion/Second: Starbuck/Vega. By a 4-1 vote (Mayor Lingl voted No), Council introduced Ordinance No. 1657(18), for first reading by title only with further reading waived, amending Lompoc Municipal Code section 1.36.040 regarding administrative fines related to illegal cannabis cultivation.

By a unanimous vote of the entire Council, Item No. 7 was placed in front of Item No. 6

**NEW BUSINESS:**

7. **Consideration of Safe Parking Pilot Program and/or Potential Amendments to Safe Parking Ordinance/Program (Ordinance No. 1649(18) and Resolution No. 6179(18))**

City Manager Jim Throop presented the Staff report and recommendations.

Council discussed the information presented.

Public Comment:

1. Pastor Brian Halterman expressed concern for the individuals who are in need of this type of program in the City, stating the participants in a program like this are looking for help and would be required to abide by the rules and regulations.
2. (Name not Given) spoke in favor of the proposed project but with less regulation, suggested the use of Riverbend park or the parking lot on Cypress Avenue and I Street.
3. Sylvia King suggested the City use the old municipal pool for a shelter.
4. Kathy Howard spoke in favor of the proposed project.
5. John Linn suggested the City use the parking lot at JM Park be used for this proposed project.

Council continued discussion of this item.

Council Member Vega motioned to implement a Safe Parking Program as a Pilot Program as approved by Resolution No. 6179(18), with an amendment to the location from the City Hall parking lot to the parking lot at JM Park, and allow the City Manager or the City Council to augment or close the program at any time for good reason. The motion was seconded by Council Member Mosby.

Mayor Lingl made a substitute motion to continue this item and direct Staff to return as soon as possible with updated information on alternate program sites and cost of services for the program. The motion died for a lack of second.

Council Member Osborne requested Council Member Vega amend his motion to allow the City Hall parking lot be an alternate location. Council Member Vega said no.

The original motion died by a 2-3 vote of the entire Council, (Council Members Osborne and Starbuck and Mayor Lingl voted No).

**NEW BUSINESS:** (cont'd)

Item No. 7

Council Member Osborne moved to implement a Safe Parking Program as a Pilot Program as approved by Resolution No. 6179(18), at the City Hall parking lot, and allow the City Manager or the City Council to augment or close the program at any time for good reason. The motion was died for lack of a second.

Mayor Lingl moved to direct Staff to return at a later date with updated information regarding possible alternate safe parking locations and costs associated with a possible program. The motion was seconded by Council Member Osborne and approved by a 5-0 vote of the entire Council.

**UNFINISHED BUSINESS:** (cont'd)

6. **Introduction of Ordinance No. 1658(18) and Adoption of Urgency Ordinance No. 1659(18) to Prohibit Overnight Parking on Cordoba Avenue and Aviation Drive, and to Create an Exception to the Safe Parking Ordinance to Comply with *Martin v. City of Boise***

**ACTION:** Motion/Second: Mayor Lingl/Vega. By a 4-1 vote (Council Member Osborne voted No), Council continued this item to a future meeting

8. **Introduction of Ordinance No. 1660(18) Related to Administrative Fines for Violations of the Sewer System Regulations.**

Wastewater Resources Protection Technician Katrina Dorsey presented the Staff report and recommendations and stated Staff continues to work with individuals and organizations to ensure voluntary compliance of these regulations. Wastewater Plant Operations Supervisor Robert Archer stated the City is always working to maintain its permits and keep individuals accountable for any violations while working to help correct them.

**Public Comment:**

1. Charles Sommer spoke about processes used for determining sewage usage and billing.
2. John Linn, City of Lompoc Utility Commission Member, expressed his annoyance that Staff did not have the Commission review this item before it was presented to the Council.

Council Member Osborne moved to introduce Ordinance No. 1660(18), for first reading by title only with further reading waived, amending Section 13.16.450 and adding Subdivision 13.16.455 to the Lompoc Municipal Code (LMC) establishing administrative fines for violations of the regulations related to the City's sewer system. (Additional clean-up revisions are also included to change the terms Utilities Director and Public Utilities Department to Utility Director and Utility Department.) The motion was seconded by Mayor Lingl.

Council Member Mosby put forward a substitution motion to direct Staff to bring this matter to the Utility Commission for review. The motion was seconded by Council Member Vega.

Council voted 3-2 (Council Member Osborne and Mayor Lingl voted No) and approved the substitution motion be voted on ahead of the first motion.

**ACTION:** Motion/Second: Mosby/Vega. By a 3-2 vote (Council Member Osborne and Mayor Lingl voted No), Council directed Staff to present this item to the Utility Commission for their review and comment.

**NEW BUSINESS:** (cont'd)

9. **Adoption of Resolution No. 6229(18) Approving a Second Supplemental Appropriation for Funding of Riverbed Clean-up**

City Manager Jim Throop provided the Staff report.

Council discussed this matter including possible financial help from other agencies.

**Public Comment:**

1. Gary Cox expressed his dismay the City did not use a local company to contract for this clean-up effort.
2. (Name not Given) asked if the City has pursued any grant funding for this project.
3. Charles Sommer cautioned the City on purchasing a forester machine too quickly.

**ACTION:** Motion/Second: Vega/Starbuck. By a 5-0 vote, Council adopted Resolution No. 6229(18) approving a second supplemental appropriation not to exceed \$450,000 for the continued phase of the "Riverbed Clean-up" funding related to clean-up of the Santa Ynez Riverbed and riverbank (collectively, Riverbed); and approved continued use of the City's Landfill to receive the trash/waste/debris from the Riverbed clean-up, and waive tipping fees for the debris.

**WRITTEN COMMUNICATIONS:** None

**ORAL COMMUNICATIONS (2 Minutes Maximum):**

1. Charles Sommer expressed his disagreement with the City's decision to close the Aquatic Center on December 5, 2018; and stated he is concerned about public safety at the skate park, suggested the City install lights at the park.
2. (Name not Given) complained about the City's website, stating it is no longer user friendly.

**COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:**

Council Member Mosby thanked all Public Safety personnel for the cleanup efforts in the Riverbed, requested Staff return at a future meeting (not more than 60 days from this meeting), with a Council discussion on the City's requirement for grease traps at certain businesses. The request was seconded by Council Member Vega and carried by Council Member Starbuck.

Council Member Osborne reported she attended a Regional Economic Development Meeting titled the Hourglass Project and thanked the Lompoc Chamber of Commerce and Visitor's Bureau for organizing the **Shop Local** event.

Mayor Lingl reported he attended a Northern California Power Agency meeting in Roseville, CA at City expense.

**ADJOURNMENT:** At 9:05 P.M. Mayor Lingl adjourned the Lompoc City Council to a Regular Meeting on December 18, 2018 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on July 2, 2019:

/Stacey Haddon/  
Stacey Haddon, City Clerk