



**Minutes of the Regular Meeting of the
Lompoc City Council
Tuesday, August 7, 2018
City Hall, 100 Civic Center Plaza, Council Chamber**

CLOSED SESSION

OPEN SESSION – 5:15 P.M. – Council Chamber

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

Staff Present: City Manager James Throop, City Clerk Stacey Haddon, and City Attorney Joseph Pannone.

ORAL COMMUNICATIONS: None

CLOSED SESSION – City Council Conference Room

BUSINESS ITEM:

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One matter regarding an agreement to provide landscaped screening at 1050 North D Street, Lompoc, CA.
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One matter relating to a letter from the Institute for Justice regarding mobile vending within the City.
3. **CONFERENCE WITH LABOR NEGOTIATORS:** City Designated Representatives: Management Services Director Brad Wilkie, Human Resources Manager Gabriel Garcia, City Attorney Joseph Pannone and City Manager Jim Throop. Employee Organizations: Lompoc Police Officer's Association, International Association of Firefighters, and International Brotherhood of Electrical Workers.

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

Council Members Present: Victor Vega, Dirk Starbuck, James Mosby, Jenelle Osborne, Mayor for a Day Julie Schneringer, and Mayor Bob Lingl.

Staff Present: City Manager James Throop, Community and Economic Development Director/Assistant City Manager Teresa Gallavan, Deputy City Manager Laura Dubbles, City Clerk Stacey Haddon, City Attorney Joseph Pannone, Safety Officer Jo Cavanaugh, Police Chief Pat Walsh, Police Officer Mauricio Calderon, and Development Programs Specialist Jasmine McGinty.

Others Present: Deb Andrews, Dinah Lockhart, Jeremy Ball, Bob Nelson, and Alice Milligan.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

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

Pastor Darren Hunt gave the invocation and Mayor for a Day Julie Schneringer led the **Pledge of Allegiance**.

PRESENTATIONS PRESENTED ELSEWHERE:

On July 18, 2018 at the Dick DeWees Community & Senior Center, Lompoc, CA, Mayor Lingl presented proclamations honoring Linual White as the Lompoc Chamber of Commerce **2018 Man of the Year** and Ann McCarty as the Lompoc Chamber of Commerce **2018 Woman of the Year**; a Certificate of Appreciation to the Lompoc Chamber of Commerce **2018 Volunteer of the Year** to Sandy Skinner; and a Certificate of Appreciation to Scratch Kitchen as recipient of the Lompoc Chamber of Commerce **2018 Small Business Excellence Award**.

PRESENTATIONS:

City Clerk Stacey Haddon officiated the Swearing In Ceremony of new City Manager Jim Throop.

Mayor Lingl presented a plaque honoring Julie Schneringer as **Mayor for the Day**.

Safety Officer Jo Cavanaugh presented the Quarterly **Above and Beyond Awards** from the Central Safety Committee.

Police Chief Pat Walsh introduced Homeless Liaison Program Officer Mauricio Calderon.

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**
 - June 25 – 29, 2018 - \$1,369,518.62
 - July 2 – 6, 2018 - \$955,857.14
 - July 9 – 13, 2018 - \$620,449.05
 - Payroll July 13, 2018 - \$1,228,596.90

City Manager Jim Throop thanked Council, Staff, and the Public for the warm welcome; announced the City has 7 people helping fight fires outside the area; and reminded all about the upcoming Lompoc PD Cruise Night on August 10, 2018 and the Car Show at Ryon Park on August 11, 2018.

Council Member Mosby asked Staff for a quick update on the annexation application for the Bailey Avenue corridor. Assistant City Manager Teresa Gallavan stated the City has submitted the application to the Santa Barbara Local Area Formation Commission (LAFCO).

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

CONSENT CALENDAR:

Council Member Mosby asked for the City Attorney to clarify, to the public why any Council Member would not need to recuse themselves from the presented Agenda Items No. 4 and 5 due to real property interest within 500 feet of those projects. City Attorney Joseph Pannone stated there are specific exemptions to the rules when that Agenda item is for street improvements/repairs and or for storm drain improvements/repairs.

Council Member Starbuck asked Staff to clarify the account listed as Park Lease Maintenance Fund Program on the Staff report of Consent Calendar Item No. 6. Management Services Director Brad Wilkie explained this account was set up to receive rent monies from use of the City-owned parks for maintenance projects, can be used for any City-owned park maintenance project, and will continue to receive rental monies.

Mayor Lingl stated he will be voting no on Consent Calendar Item No. 3

ACTION: Motion/Second: Vega/Mosby. By a 5-0 vote, for Consent Calendar Items 1, 2, 4, 5, & 6 Council:

1. Approved the Minutes of the Lompoc City Council Regular Meeting of February 20, 2018.
2. **Amendment to City of Lompoc Conflict of Interest Code; Adoption of Resolution No. 6202.**

Adopted Resolution No. 6202(18), amending the City's Conflict of Interest Code and accept this memorandum as the report required by Government Code Sections 87306 and 87306.5 for biennial review.

ACTION: Motion/Second: Vega/Mosby. By a 4-1 vote (Mayor Lingl voted No), for Consent Calendar Item 3 Council:

3. **Adopt Resolution No. 6203(18), Suspending the July 1, 2018, Final Increase in the Solid Waste and Landfill Service Charges and Fees.**
4. **Adoption of Resolution No. 6156(18) Approving Joint Exercise of Powers Agreement for the North Avenue Storm Drain Improvements Project, East Phase, City Project No. FY-17-SD-1; and Approving Supplemental Appropriations**

Adopted Resolution No. 6156(18), approving the Joint Exercise of Powers Agreement (Agreement) between the City of Lompoc and the Santa Barbara County Flood Control and Water Conservation District for the North Avenue Storm Drain Improvements Project, East Phase, Project Number FY-17-SD-1 (Project); authorize the City Manager to execute the Agreement; and approve supplemental appropriations to provide construction funding for the Project

CONSENT CALENDAR: (cont'd)

5. **Adoption of Resolution No. 6204(18) to Approve 2018 Cape Seal Project, Award Construction and Consulting Contracts, Authorize Contract Change Orders and Approve Supplemental Appropriations (Project No. FY-18-S-3)**

Adopted Resolution No. 6204(18), adopting the Special Provisions for Project No. FY-18-S-3, 2018 Cape Seal Project, as required by Section 22039 of the Public Contract Code; award the Construction Contract in the amount of \$1,424,060 to American Pavement Systems, Inc.; authorize the City Manager to execute the necessary agreements for the Construction Contract; authorize the City Engineer, or designee, to approve additional construction costs and sign construction contract change orders in an amount not to exceed \$140,000; award the Consulting Contract for Construction Engineering Support, Materials Testing, and Supplemental Inspection in the amount of \$59,718 to Asphalt Pavement & Recycling Technologies, Inc.; authorize the City Manager to execute the necessary agreements for the Consulting Contract; authorize the City Engineer to approve and sign Consulting Contract Change Orders in an amount not to exceed \$9,000.00; and approve Supplemental Appropriations in Fiscal Years 2017-18 and 2018-19 to provide funding for the Project.

6. **Award of Project No. FY-18-P-1, Ryon Park Pavement Improvement Project; Adoption of Resolution No. 6205(18), Approving Supplemental Appropriations.**

Adopted the Special Provisions for Project No. FY-18-P-1, Ryon Park Pavement Improvement Project (Project), as required by Section 22039 of the Public Contract Code for certain projects; award the Construction Contract in the amount of \$56,444 to Ramsey Asphalt Construction Corp.; authorize the City Manager to execute the necessary agreements for that award; authorize the City Engineer, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed \$5,644; adopt Resolution No. 6205(18) to Approve Supplemental Appropriations in Fiscal Year 2018-19 to provide funding for the Project.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Deb Andrews thanked the Council for not approving the proposed Utility Rate increases, and complained about the appearance of the grounds at City Hall and City parks, and suggested Council direct City employees to maintain, rehabilitate, and repair City-owned facilities, even if those employees do not work in that department/division.

UNFINISHED BUSINESS:

- 7. Management Agreement with Visit Lompoc, Inc. (VLI) for implementation of the Renewed Lompoc Tourism Improvement District (LTID).**

Development Programs Specialist II Jasmine McGinty presented the Staff report and recommendations.

Council Member Starbuck asked if the Visit Lompoc is agreeable to this matter. An unnamed person from the audience answered yes, Visit Lompoc is agreeable.

Mayor Lingl asked Staff if this matter could have been placed on the Consent Calendar. City Attorney Joseph Pannone stated yes, this could have been placed on the Consent Calendar.

ACTION: Motion/Second: Starbuck/Vega. By a 5-0 vote, approved the Management Agreement with Visit Lompoc, Inc. (VLI), for implementation of the purposes of the Lompoc Tourism Improvement District.

- 8. Adoption of Economic Development Committee Strategic Directions Plan.**

Development Programs Specialist II Jasmine McGinty introduced Jeremy Ball, Chair of the City of Lompoc Economic Development Committee. Ms. McGinty, Mr. Ball, and Economic and Community Development Director/Assistant City Manager Teresa Gallavan provided a Power Point presentation on the Strategic Planning Joint Workshop with the City Council and Economic Development Committee, held on May 21, 2018, the current employment/unemployment information, sales tax, property tax, transient occupancy tax, business licenses processed, and capital development activity.

Council discussed the information provided.

Public Comment: None

ACTION: Motion/Second: Osborne/Vega. By a 5-0 vote, Council reviewed and approved the 2018 Economic Development Committee Strategic Directions Plan.

- 9. Approval of Plan for Santa Ynez Riverbed Encampments Removal; Adoption of Resolution No. 6206(18), Approving Appropriations for Funding of Staffing.**

Police Chief Pat Walsh and Deputy City Manager Laura Dubbels presented the Staff report and recommendations.

Mayor Lingl thanked Staff for the presentation and encouraged the public and businesses to help donate to this project.

UNFINISHED BUSINESS: (cont'd)

Item No. 9

Council Member Starbuck asked if the City will lose revenue while River Park is being utilized during this program; does the City Attorney approve of the proposed plan; and then suggested homeless individuals be required to clean up the Riverbed. Deputy City Manager Laura Dubbels explained the City is working with all persons who currently rent space at River Park to accommodate the requests during this project. City Attorney Joe Pannone stated Staff continues to work on the project to be the most humane and legally defensible. Police Chief Pat Walsh cautioned Council on the use of civilians to clean up the riverbed.

Council Member Mosby spoke about the potential costs to the City if steps aren't taken to remove the illegal encampments and clean up the trash and debris in the riverbed, and asked if the City has reached out to local organizations and business owners as well as other government agencies to request help with this matter. Police Chief Pat Walsh stated yes, the City has reached out to other government agencies and wants to ensure the public knows the easiest help the City can receive from businesses is to work with the Lompoc PD on reporting incidents and sign an agreement with the PD to allow officers to enforce trespass and other laws on private property.

Council Member Osborne asked for the community to come together and help those who need and want help and thanked Staff for their work on this matter.

Deputy City Manager Laura Dubbels introduced Bob Nelson from Santa Barbara County Supervisor Peter Adam's Office. Mr. Nelson thanked City Staff for their work on this project and stated there are four County Departments are committed to help during the triage portion of this project and will continue to be as present as possible.

Dinah Lockhart, Deputy Director at Santa Barbara County Housing and Community Division commended the City for taking this action and stated the State recognizes this is a Statewide problem; and the County will be declaring a shelter crisis for all unincorporated areas of the County, but cities must make their own such declarations.

Public Comment:

1. Alice Milligan asked if the triage center activity would affect the use of the park.

ACTION: Motion/Second: Osborne/Vega. By a 5-0 vote, Council approved the proposed Plan for the Santa Ynez Riverbed Encampments Removal; and adopted Resolution No. 6206(18), approving appropriations for funding to cover Lompoc Police Department staffing costs for the project the City Council requested at the meeting of February 6, 2018.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:

Council Member Vega thanked all citizens who participated in Open Streets and invited everyone to attend the last Old Town Market event for 2018 to be held on August 10, 2018.

Council Member Mosby thanked Staff for their hard work on the riverbed cleanup plan, and stated he wanted to answer some questions he received from citizens; the first is regarding street sweeping services, the City has one of its street sweeping vehicles in for repairs and should be returned to duty soon, and second when a water meter is read the readings are always rounded down if the reading is in between numbers, and finally stated he has mosquito fish available.

Council Member Starbuck reported he attended the July 30, 2018 Lompoc Compliance Committee (for the Sub-Recipient Financial, Programmatic, and Monitoring Reporting Requirement Policy), as the Council's appointed member, and stated all entities that receive funding from the City are in compliance with the City's requirements and regulations.

Council Member Osborne announced she attended the Lompoc Chamber of Commerce and Visitor's Bureau Annual Awards Dinner and was pleased to see so many community members participate in the Open Streets event.

Mayor Lingl thanked everyone involved in bringing about the riverbed cleanup plan.

ADJOURNMENT: At 8:22 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on August 21, 2018 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review on August 29, 2019 by: /Stacey Haddon/
Stacey Haddon, City Clerk