



**AGENDA**

**Regular Meeting of the Lompoc City Council  
Tuesday, April 17, 2018  
City Hall, 100 Civic Center Plaza, Council Chamber**

Please be advised that, pursuant to State Law, any member of the public may address the City Council concerning any Item on the Agenda, before or during Council consideration of that Item. Please be aware that Items on the Consent Calendar are considered to be routine and are normally enacted by one vote of the City Council. If you wish to speak on a Consent Calendar Item, please do so during the first Oral Communications.

“Members of the Public are Advised that all **PAGERS, CELLULAR TELEPHONES** and any **OTHER COMMUNICATION DEVICES** are to be **turned off** upon entering the City Council Chambers.”

Regular City Council meetings will be videotaped and available for review on the City’s website by the end of the day on the Thursday following the City Council Meeting. **The Agenda and related Staff reports are available on the City’s web site: [www.cityoflomdoc.com](http://www.cityoflomdoc.com) the Friday before Council meetings between 9:00 a.m. and 5:00 p.m.**

Any documents produced by the City and distributed to a majority of the City Council regarding any item on this agenda will be made available the Friday before Council meetings at the City Clerk’s Office at City Hall, 100 Civic Center Plaza, Monday through Friday between 9 a.m. and 5 p.m. and at the Information Desk at the Lompoc Library, 501 E. North Avenue, Lompoc, California, Monday - Thursday between 10 a.m. and 7 p.m. and Friday and Saturday between 1 p.m. and 5 p.m. The City may charge customary photocopying charges for copies of such documents.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, including review of the Agenda and related documents, please contact the City Clerk at (805) 875-8241 at least 72 hours prior to the meeting. This will allow time for the City to make reasonable arrangements to ensure accessibility to the meeting.

**ROLL CALL:** Mayor Bob Lingl  
Mayor Pro Tempore Jenelle Osborne  
Council Member James Mosby  
Council Member Dirk Starbuck  
Council Member Victor Vega

**INVOCATION:** Pastor Bernie Federmann

**PLEDGE OF ALLEGIANCE:** Mayor Bob Lingl

**PRESENTATIONS:**

Proclamation in honor of Donate Life

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

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

**CONSENT CALENDAR:** All items listed under Consent Calendar are considered to be routine and will be enacted, after one motion, in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the Council vote. Any items withdrawn from the Consent Calendar for separate discussion will be addressed immediately before the second Oral Communications, near the end of the meeting.

1. **Approval of Minutes** of the Lompoc City Council Regular Meeting of November 7, 2017

2. **Approval of expenditures for:**

Payroll of 03/23/2018 - \$1,343,466.27

Voucher Register of 03/16/2018 - \$731,675.32

Voucher Register of 3/22/2018 – 3/23/2018 - \$1,455,009.53

3. **Adoption of Resolution No. 6173(18), Road Repair and Accountability Act List of Proposed Projects (Fiscal Year 2018-19).**

Assistant Public Works Director/City Engineer Michael W. Luther  
[m\\_luther@ci.lompoc.ca.us](mailto:m_luther@ci.lompoc.ca.us)

Recommendation: Council adopt Resolution No. 6173(18), approving a list of proposed projects to be funded with Road Maintenance and Rehabilitation Account revenues for Fiscal Year 2018-19.

4. **Award of Project No. FY-08-S-2, Santa Ynez River Bank Stabilization Project; Adoption of Resolution No. 6174(18) Approving Supplemental Appropriations.**

Principal Civil Engineer Craig Dierling  
[c\\_dierling@ci.lompoc.ca.us](mailto:c_dierling@ci.lompoc.ca.us)

Recommendation: Council take the following actions:

- a) Adopt the Plans and Special Provisions for Project No. FY-08-S-2, Santa Ynez River Bank Stabilization Project, as required by Section 22039 of the Public Contract Code (copies of Plans and Special Provisions are on file in the City Engineer's Office);
- b) Award the Construction Contract in the amount of \$800,000 to Bosco Constructors, Inc.; and
  - i. Authorize the City Manager to execute the necessary agreements for that Contract, and
  - ii. Authorize the City Engineer, to approve additional construction costs and construction contract change orders in an amount not to exceed \$90,000; and

**CONSENT CALENDAR:** (cont'd)

Agenda Item No. 4

- c) Authorize the City Engineer to execute the necessary amendments to the existing Project contract with Rincon Consultants Inc. for an aggregate amount not to exceed \$40,000 over the existing contract value previously approved by the City Council; and
- d) Adopt Resolution No. 6174(18) approving supplemental appropriations to provide sufficient funding for the Project.

**STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:**

Economic and Community Development Staff to give a presentations on:

- Lompoc Tourism Business Improvement District Renewal
- Opportunity Zones (requested by Council Member Starbuck).

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

**PUBLIC HEARING:**

- 5. **Adoption of Resolution No. 6159(18), Reducing Water Conservation In-Lieu Fee, Amending Program, and Authorizing Supplemental Appropriations.**

Senior Administrative Analyst Susan Zavolta  
[s\\_zavolta@ci.lompoc.ca.us](mailto:s_zavolta@ci.lompoc.ca.us)

Recommendation: Council adopt Resolution No. 6159(18), which reduces the Water Conservation In-Lieu Fee, makes changes to the Water Conservation In-Lieu Fee Program, authorizes supplemental appropriations from the Program Account No. 751WRC-572180, and rescinds Resolution No. 5629(10).

(Public Comment)

**NEW BUSINESS:**

- 6. **Direction Regarding City Properties for Possible Disposition.**

Deputy City Manager Laura Dubbels  
[l\\_dubbels@ci.lompoc.ca.us](mailto:l_dubbels@ci.lompoc.ca.us)

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

Item No. 6

Recommendation: Council review the options below regarding surplus City-owned real estate sales:

- a) Review the list of remaining City-owned properties, determine if Staff should take any further action on any of those properties, and what steps the Council would like the Staff to take for disposition; or
- b) Determine there will be no further disposition actions at this time regarding the listed City-owned properties, and decide not to renew the contract with the City's real estate professional Debbie McComb with Central Coast Realty Group that is set to expire on April 30, 2018; or
- c) Provide alternative direction.

(Public Comment)

**WRITTEN COMMUNICATIONS:**

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

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

**ADJOURNMENT:**

Lompoc City Council will adjourn to a Regular Meeting at 6:30 P.M. on May 1, 2018.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting. Dated this 13th day of April, 2018.

\_\_\_\_\_  
Stacey Haddon, City Clerk

By: Shannon Marrs

## Proposed Future City Council Agenda Items

(Please note these items are tentatively scheduled and subject to change)

April 4, 2018

<u>Council Mtg. Date/Subject</u>	Department	Agenda Category	
<b>May 1 – Airport Commission – 6PM</b>			
<b>May 1</b>			
Home Buyers Assistance Program Review	Econ & Comm Dvlp	Council Request	
CDBG Budget Action Plan Annual Report	Econ & Comm Dvlp	Public Hearing	
Letter of Support to Amend SB47	Police	New Business	
Other Unscheduled Items	Proposed Date of Item	Department	Agenda Category
Annual Report from Visit Lompoc	May	Econ & Comm Dvlp	Presentation
Weed Abatement – Declaring Public Nuisance	May	Fire	Public Hearing
Tourist Improvement District Renewal	May	Econ & Comm Dvlp	Public Hearing
Review of the Animal Control Contract with County of Santa Barbara	May	Administration	New Business
Discussion of possible light study at Riverbend Park (Mosby)	May	Planning	Council Request
<b>Special Joint Meeting w/EDC 9am-2pm</b>	May 21		Council Request
Special Food Service Permit Process in the Wine Ghetto Area	June	Planning	Council Request
Request for Election Consolidation w/County	June	City Clerk	Consent
SY Riverbed Cleanup Plan	June	Public Safety	Council Request
Annual Operations & Maintenance Plan	June	Planning	New Business
Unclaimed Property	June	Finance	Consent
Council Workshop RE: Zoning Ord Update		Planning	
Council Workshop to Review 2030 GenPlan		Planning	
Report from AdHoc Committee RE: Enterprise Reimbursement Study (Osborne)		Council Request	Presentation
Evaluation of Extended Hours at City Hall (Osborne)			Council Request
AB1234 – Ethics Training	Dec 11		
Presentation of Costs Estimates for Multi-Sports Complex on City-owned property (Mayor Lingl)		Administration	Council Request
Estimates of costs on procuring engineering documents for future City projects (Ryon Park Rehabilitation, Construction of New Fire Station and New Police Station) (Mayor Lingl)			Council Request
Assessment of CCU License Application Deposit (Mosby)	April 2019		Council Request

g:futureagendalist 04-04-18



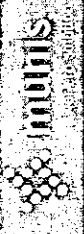
## April/May 2018 Master Calendar

DATE	ITEM	NOTES
04/02/2018	*Human Services Commission - 6:00pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/03/2018	Joint Meeting w/Youth Commission- 6pm - Cancelled	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/03/2018	City Council Meeting - 6:30pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/05/2018	* Airport Commission Meeting – 7pm - Cancelled	Lompoc City Hall – Admin Conference Room - 100 Civic Center Plaza
04/05/2018	*Economic Development Committee - Executive Committee Meeting – 5:30pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/05/2018	*Economic Development Committee – General Board Meeting – 6pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/09/2018	*Utility Commission Meeting 6pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/02/2018	<b>City's New Transit Transfer Center to Open</b>	200 Block of West Cypress Avenue
04/10/2018	*Library Commission Meeting 10am	Lompoc Main Library - Grossman Gallery 501 E. North Avenue
04/10/2018	*Parks & Recreation Commission – 6:30pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/11/2018	*Beautification Commission Meeting 6:30pm	Lompoc City Hall – Admin Conference Room - 100 Civic Center Plaza
04/11/2018	*Planning Commission Meeting 6:30pm - Cancelled	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/12/2018	<b>State of the City Address</b>	DeWees Community & Senior Center
04/17/2018	Joint Meeting w/Public Safety Commission - 6:00pm - Cancelled	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/17/2018	City Council Meeting - 6:30pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/18/2018	*Public Safety Commission Meeting 6:30pm - Cancelled	Lompoc City Hall – Admin Conference Room - 100 Civic Center Plaza
4/20-4/22	<b>Lompoc Spring Fest</b>	Ryon Park
04/21/2018	<b>Beautification Commission Work Project</b>	Walking Path along Olive Avenue at O Street, R Street and the Corner of Olive & V Street
04/23/2018	*Youth Commission Meeting – 7pm	Anderson Recreation Center – 125 W. Walnut Avenue, Lompoc
04/29/2018	<b>City's 15<sup>th</sup> Annual Golf Tournament</b>	Mission Golf Club – 4300 Club House Road, Lompoc

DATE	ITEM	NOTES
05/01/2018	City Council Meeting - 6:30pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
05/03/2018	*Economic Development Committee - Executive Committee Meeting – 5:30pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
05/03/2018	*Economic Development Committee – General Board Meeting – 6pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
05/3/2018	*Airport Commission Meeting – 7pm	Lompoc City Hall – Admin Conference Room - 100 Civic Center Plaza
05/05/2018	<b>Mission to Mars Launch</b>	Viewing Site at Lompoc Airport
05/07/2018	*Human Services Commission - 6:00pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
05/08/2018	*Library Commission Meeting 10am	Lompoc Main Library - Grossman Gallery 501 E. North Avenue
05/08/2018	*Parks & Recreation Commission – 6:30pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
05/14/2018	*Utility Commission Meeting 6pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
05/15/2018	City Council Meeting - 6:30pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
05/28/2018	*Youth Commission Meeting – 7pm	Anderson Recreation Center – 125 W. Walnut Avenue, Lompoc

\*One or more Council Members may attend this meeting. However, if a majority of Council Members are present at this meeting, then no Council Member may make any comments regarding any matter within the subject matter jurisdiction of the City if a majority of Council Members would be able to hear those comments. In addition, no Council Member attending this meeting should discuss (at the same time or serially or through an intermediary) with a majority of the Council Members, outside of the duly noticed Council meeting, what occurred at this meeting or his/her thoughts regarding the meeting.

\*\*Only the two Council Members appointed to this Committee may attend this meeting. In addition, no Ad Hoc Committee Member should discuss (at the same time or serially or through an intermediary) with any Council Member outside of the duly noticed Council meeting, other than her/his Ad Hoc Committee co-member, what occurred at this meeting or his/her thoughts regarding this meeting.



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03/28/2018 07:28  
r\_poorbaugh  
City of Lompoc Production  
AP CHECK RECONCILIATION REGISTER

FOR CASH ACCOUNT: 999 100010

FOR: All Except Stale

CHECK # CHECK DATE TYPE VENDOR NAME UNCLEARED CLEARED BATCH CLEAR DATE

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342363	03/16/2018	PRINTED	000130 ALLIANCE FOR PHARMACEUTIC	1,484.00			
342364	03/16/2018	PRINTED	000294 AMERICAN INDUSTRIAL PIPE	437.74			
342365	03/16/2018	PRINTED	000294 AMERICAN INDUSTRIAL SUPPL	1,822.25			
342366	03/16/2018	PRINTED	007053 ANTHONY CARO	27.00			
342367	03/16/2018	PRINTED	001284 AutoZone Stores, Inc	1,037.68			
342368	03/16/2018	PRINTED	001372 Axon Enterprise, Inc.	2,573.07			
342369	03/16/2018	PRINTED	001042 BAKER & TAYLOR	2,747.87			
342370	03/16/2018	PRINTED	000309 UNITED BOYS & GIRLS CLUB	3,520.00			
342371	03/16/2018	PRINTED	001037 SKOV AUTO PARTS INC	354.26			
342372	03/16/2018	PRINTED	001413 BROUGH CONSTRUCTION, INC	142,840.93			
342373	03/16/2018	PRINTED	001352 STATE OF CALIFORNIA	2,692.00			
342374	03/16/2018	PRINTED	000043 CA SOCIETY OF MUNI FINANC	410.00			
342375	03/16/2018	PRINTED	000054 CARRS BOOTS & WESTERN WEA	142.28			
342377	03/16/2018	PRINTED	000479 CITY OF LOMPOC	50.00			
342378	03/16/2018	PRINTED	000479 CITY OF LOMPOC PETTY CASH	503.93			
342379	03/16/2018	PRINTED	000066 CULLIGAN INDUSTRIAL WATER	205.00			
342380	03/16/2018	PRINTED	000139 CULLIGAN WATER COND OF LO	116.50			
342381	03/16/2018	PRINTED	000166 DELL MARKETING L P	22,652.31			
342382	03/16/2018	PRINTED	000184 DOUBLE RADIUS INC	1,631.88			
342383	03/16/2018	PRINTED	007048 EMILIE SMYTH	27.00			
342384	03/16/2018	PRINTED	007055 EVELYN BREWER	27.00			
342385	03/16/2018	PRINTED	000278 FRUIT GROWERS LABORATORY	5,241.00			
342386	03/16/2018	PRINTED	000242 FASTENAL	855.17			
342387	03/16/2018	PRINTED	000243 FEDERAL EXPRESS CORPORATI	64.19			
342388	03/16/2018	PRINTED	000252 FILIPPIN ENGINEERING	24,620.00			
342389	03/16/2018	PRINTED	000306 GIBBS INTERNATIONAL INC	881.07			
342390	03/16/2018	PRINTED	000323 W. W. GRAINGER INC	257.81			
342391	03/16/2018	PRINTED	000341 HAAKER EQUIPMENT COMPANY	129.84			
342392	03/16/2018	PRINTED	000344 HACH COMPANY	1,446.75			
342393	03/16/2018	PRINTED	007054 HANS VOELKER	27.00			
342394	03/16/2018	PRINTED	001052 VALLEY GARBAGE & RUBBRISH	40.87			
342395	03/16/2018	PRINTED	000366 HOME DEPOT CREDIT SERVICE	2,481.52			
342396	03/16/2018	PRINTED	000372 HOUSING AUTHORITY OF SAN	500.00			
342397	03/16/2018	PRINTED	000214 IDEXX DISTRIBUTION INC	798.89			
342398	03/16/2018	PRINTED	000385 EMERGENCY PHYSICIANS INDU	190.00			
342399	03/16/2018	PRINTED	001383 HANKERING CORPORATION	294.44			
342400	03/16/2018	PRINTED	000404 J B DEWAR INC	1,871.35			
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342403	03/16/2018	PRINTED	000423 K M E FIRE APPARATUS	932.73			
342404	03/16/2018	PRINTED	000457 LAWSON PRODUCTS INC	950.44			
342405	03/16/2018	PRINTED	000493 SANTA MARIA TIMES INC	260.36			
342406	03/16/2018	PRINTED	000462 LEE WILSON ELECTRIC COMPA	1,133.61			
342407	03/16/2018	PRINTED	000825 LEOTEK ELECTRONICS USA	13,010.81			
342408	03/16/2018	PRINTED	000045 LEVEL 3 COMMUNICATIONS	5,808.26			
342409	03/16/2018	PRINTED	000302 LHOIST NORTH AMERICA OF A	25,594.06			
342410	03/16/2018	PRINTED	000472 LIFE-ASSIST INC	759.24			
342411	03/16/2018	PRINTED	000272 LISA WISE CONSULTING INC	26,064.00			
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342414	03/16/2018	PRINTED	008906 Michelle Davenport	21.80			
342414	03/16/2018	PRINTED	000351 MID COAST GLASS	1,447.97			





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FOR: All Except State

UNCLEARED

CLEARED BATCH CLEAR DATE

FOR CASH ACCOUNT: 999 100010

CHECK # CHECK DATE TYPE VENDOR NAME

342467 03/16/2018 PRINTED 001409 Valley Auto Speciallists/B

342468 03/16/2018 PRINTED 000943 MICHAEL L CUMMINGS

342469 03/16/2018 PRINTED 000942 VALLEY ROCK READY MIX INC

342470 03/16/2018 PRINTED 000956 VISIT LOMPOC

342471 03/16/2018 PRINTED 000996 WINEMA GROUP INC

342472 03/16/2018 PRINTED 000480 WORKERS COMPENSATION ADMI

110 CHECKS CASH ACCOUNT TOTAL

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333.50

526.36

48,915.31

480.00

20,090.63

731,675.32

.00

City of Lompoc Production

AP CHECK RECONCILIATION REGISTER

03/28/2018 07:28

r\_poorbaugh



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03/28/2018 07:32  
r\_poorbaugh  
City of Lompoc Production  
AP CHECK RECONCILIATION REGISTER

FOR CASH ACCOUNT: 999  
CHECK # CHECK DATE TYPE VENDOR NAME  
100010  
FOR: All Except State  
CLEARED BATCH CLEAR DATE

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED
26	03/23/2018	WIRE	NORTHERN CA POWER AGENCY	893,998.00
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342474	03/23/2018	PRINTED	000294 AMERICAN INDUSTRIAL SUPPL	81.98
342475	03/23/2018	PRINTED	000888 ANN THOMPSON	43.18
342476	03/23/2018	PRINTED	000533 APPLIANCE CENTER	635.00
342477	03/23/2018	PRINTED	000051 ATC GROUP SERVICES INC	20,538.50
342478	03/23/2018	PRINTED	001007 BENKE SERVICES LLC	1,990.00
342479	03/23/2018	PRINTED	001475 ** BOB MURRAY & ASSOCIATE	5,954.04
342480	03/23/2018	PRINTED	001032 BOMAR SECURITY & INVESTIG	516.18
342481	03/23/2018	PRINTED	001037 SKOV AUTO PARTS INC	141.08
342482	03/23/2018	PRINTED	000506 BRENTAG PACIFIC INC	5,354.90
342483	03/23/2018	PRINTED	000006 C I F SOUTHERN SECTION	350.00
342484	03/23/2018	PRINTED	000917 CALPORTLAND CONSTRUCTION	402.60
342485	03/23/2018	PRINTED	000054 CARRS BOOTS & WESTERN WEA	150.00
342486	03/23/2018	PRINTED	000057 CATHOLIC CHARITIES OF LOS	21,807.50
342487	03/23/2018	PRINTED	000479 CITY OF LOMPOC	50.00
342488	03/23/2018	PRINTED	000479 CITY OF LOMPOC - Invoices	360.00
342489	03/23/2018	PRINTED	000479 CITY OF LOMPOC - Utilitie	211,598.58
342490	03/23/2018	PRINTED	000479 CITY OF LOMPOC - Pt Retir	1,806.06
342491	03/23/2018	PRINTED	000479 CITY OF LOMPOC - D&M RIMB	2,498.99
342492	03/23/2018	PRINTED	000479 CITY OF LOMPOC - MEDICARE	25,584.38
342493	03/23/2018	PRINTED	000090 CLEAN & COAT SYSTEMS	155.00
342494	03/23/2018	PRINTED	001334 CLEARS	50.00
342495	03/23/2018	PRINTED	000102 COMCAST	492.85
342496	03/23/2018	PRINTED	000117 COOK ERECTORS INC	24.24
342497	03/23/2018	PRINTED	000066 CULLIGAN INDUSTRIAL WATER	70.00
342498	03/23/2018	PRINTED	000139 CULLIGAN WATER COND OF LO	227.50
342499	03/23/2018	PRINTED	000151 CYRUN CORPORATION	44,100.00
342500	03/23/2018	PRINTED	007043 ELIZABETH O'CONNELL	27.00
342501	03/23/2018	PRINTED	007051 ESTELLA PANDOLFO	27.00
342502	03/23/2018	PRINTED	000231 EWING IRRIGATION PRODUCTS	326.59
342503	03/23/2018	PRINTED	000242 FASTENAL	1,115.79
342504	03/23/2018	PRINTED	000243 FEDERAL EXPRESS CORPORATI	18.50
342505	03/23/2018	PRINTED	007062 GARY HAUENSTEIN	27.00
342506	03/23/2018	PRINTED	001299 GEMTECH SALES CORP	21,450.00
342507	03/23/2018	PRINTED	000306 GIBBS INTERNATIONAL INC	362.99
342508	03/23/2018	PRINTED	007049 GLORIA FULLER	27.00
342509	03/23/2018	PRINTED	001468 Gobbell & Company	3,900.00
342510	03/23/2018	PRINTED	000319 GOVT FINANCE OFFICERS ASS	505.00
342511	03/23/2018	PRINTED	000366 HOME DEPOT CREDIT SERVICE	878.48
342512	03/23/2018	PRINTED	000372 HOUSING AUTHORITY OF SAN	3,857.00
342513	03/23/2018	PRINTED	000404 J B DEWAR INC	3,962.56
342514	03/23/2018	PRINTED	008008 JASON CARTER	127.50
342515	03/23/2018	PRINTED	008002 KEITH MARSHALL	93.18
342516	03/23/2018	PRINTED	000457 LAWSON PRODUCTS INC	197.28
342517	03/23/2018	PRINTED	000493 SANTA MARIA TIMES INC	907.52
342518	03/23/2018	PRINTED	000496 LOMPOC VALLEY CHAMBER OF	165.00
342519	03/23/2018	PRINTED	000486 LOMPOC VALLEY MEDICAL CEN	38.50
342520	03/23/2018	PRINTED	000566 MOBILE DIESEL SMOKE TESTI	300.00
342521	03/23/2018	PRINTED	000602 NO CA JOINT POLE ASSOCIAT	690.42
342522	03/23/2018	PRINTED	000614 OFFICE DEPOT	1,208.49
342523	03/23/2018	PRINTED	009999 CORE DEVELOPMENT SERVICES	500.00

03/28/2018 07:32  
r\_poorbaugh

City of Lempop Production  
AP CHECK RECONCILIATION REGISTER

P 3  
apchrcn

	UNCLEARED	CLEARED
94 CHECKS	1,455,009.53	.00
FINAL TOTAL		

\*\* END OF REPORT - Generated by Ruth Poorbaugh \*\*

C I T Y O F L O M P O C  
EMPLOYEE NETPAY LIST  
PAYDAY DATE Mar-23-2

EMP#	PAYDAY	EMPLOYEE NAME	NETPAY
00059	Mar-23-2018	ROLANDO M ADAMES	306.38
00077	Mar-23-2018	DONN ALLAN D ACOLFO	1,487.27
00080	Mar-23-2018	ONYEMAUCHE M AGBODIKE	2,354.76
00081	Mar-23-2018	LORI C AGBODIKE	753.91
00196	Mar-23-2018	JAIME A AGUILAR	234.50
00197	Mar-23-2018	JUSTIN D AGUILAR	2,015.95
00279	Mar-23-2018	DEAN A ALBRO	2,378.99
00286	Mar-23-2018	CHRISTIE A ALARCON	3,509.20
00298	Mar-23-2018	KEVIN E ALVARADO MARTINEZ	1,341.37
00299	Mar-23-2018	ALVIN J ALLEN	2,123.67
00304	Mar-23-2018	PETER L ALMADA	1,835.93
00316	Mar-23-2018	STACEY D HADDON	1,995.35
00317	Mar-23-2018	RAY G AMBLER	2,297.88
00326	Mar-23-2018	THALIA C AMADOR PALACIOS	1,123.10
00707	Mar-23-2018	ERIC E ANDREASEN	5,385.75
00715	Mar-23-2018	JOSHUA L ACTON ANTHONY	850.26
00730	Mar-23-2018	AMABELLE A APOLINARIO	1,604.32
00740	Mar-23-2018	KARINA D ARAUJO	951.48
00750	Mar-23-2018	ROBERT P ARCHER	2,225.31
00759	Mar-23-2018	VICENTE A ARRIAGA	1,056.64
00772	Mar-23-2018	SERGIO ARIAS	3,513.67
00777	Mar-23-2018	LEONARD P ARELLANES	1,155.70
00778	Mar-23-2018	AGUSTIN ARIAS JR	3,326.53
01040	Mar-23-2018	JUDITH E BAKER	230.11
01058	Mar-23-2018	JOSEPH L BAILEY	3,264.48
01062	Mar-23-2018	SANDRA F BAILEY	1,377.30
01161	Mar-23-2018	MICHAEL J BALCORTA	320.66
01515	Mar-23-2018	ANGELICA JIMENEZ	1,049.17
01538	Mar-23-2018	JEANETTE M BARTELS	1,930.55
01730	Mar-23-2018	LESLIE A BEAN	3,608.48
01773	Mar-23-2018	JACOB A BEARD	386.56
02014	Mar-23-2018	CONNIE BERROTERAN	1,179.28
02024	Mar-23-2018	ALEXA R BERRYMAN	90.96
02025	Mar-23-2018	SHANDON A VEGA	1,102.91
02026	Mar-23-2018	TRISTA L BERRYMAN	229.28
02076	Mar-23-2018	ROSALIA D RAZO	415.46
02077	Mar-23-2018	JASON T BILLIPS	1,587.56
02092	Mar-23-2018	JASON P BLACK JR	313.82
02132	Mar-23-2018	KATHERINE J MERRILL	1,328.89
02141	Mar-23-2018	SARAH J BLEYL	2,858.57
02144	Mar-23-2018	TODD P BLOOMSTINE	3,436.52
02234	Mar-23-2018	DAVID I BOEKEN	3,835.77
02466	Mar-23-2018	TRAVIS R BORDER	4,433.17
02692	Mar-23-2018	SCOTT C BRADE	2,834.36
02795	Mar-23-2018	MARK R ERAY	3,087.55
03134	Mar-23-2018	JAMES J BROWN	1,800.92
03215	Mar-23-2018	BRANDON C BRYNER	1,637.28
03303	Mar-23-2018	CARINA BUENO	1,170.60
03535	Mar-23-2018	GABRIEL BUSTAMANTE	2,238.09
03546	Mar-23-2018	IRISH ANGELICA CAAYUPAN	164.01
03682	Mar-23-2018	JOCI S CALDERA-TOLEDO	269.35
03683	Mar-23-2018	MAURICIO T CALDERON	4,535.74
03694	Mar-23-2018	FERNANDO L CALDERON	1,020.92

C I T Y O F L O M P O C  
EMPLOYEE NETPAY LIST  
PAYDAY DATE Mar-23-2

EMPN#	PAYDAY	EMPLOYEE NAME	NETPAY
07248	Mar-23-2018	ALYSSA M ENOS	41.69
07295	Mar-23-2018	ALAN L ERLAND	1,925.50
07296	Mar-23-2018	MARY T ERLAND	2,016.28
07297	Mar-23-2018	ERIC D ERLAND	1,887.27
08001	Mar-23-2018	LOUIS C FARAH JR	2,134.07
08039	Mar-23-2018	SARA M FARRELL	1,857.95
08067	Mar-23-2018	SAMUEL N FAST	1,440.05
08080	Mar-23-2018	BRIAN R FEDERMANN	3,586.94
08301	Mar-23-2018	RICHARD L FERNBAUGH	1,950.99
08405	Mar-23-2018	BRANDY L FLINT	1,928.08
08406	Mar-23-2018	DEVON C FLINT	416.17
08409	Mar-23-2018	JASON P FLINT	2,133.81
08417	Mar-23-2018	WYATT A FLINT	281.05
08505	Mar-23-2018	REBECCA N FLORES	611.56
08547	Mar-23-2018	MATHEW L FOLMAR	1,385.85
08552	Mar-23-2018	DENA D FOOSE	2,439.31
08564	Mar-23-2018	CHRISTOPHER L FLOYD	1,495.20
08633	Mar-23-2018	MADALIN A FORSYTHE	275.82
08670	Mar-23-2018	BRYAN J FOX	1,788.07
08676	Mar-23-2018	JESSICA R FOX	1,534.43
08757	Mar-23-2018	RACHELL E FRAZIAN	1,535.88
09012	Mar-23-2018	TERESA M GALLAVAN	4,338.98
09474	Mar-23-2018	JENNIFER M GARBISO	918.24
09489	Mar-23-2018	ALFREDO GARCIA	1,880.89
09493	Mar-23-2018	DIANA M GARCIA	376.61
09494	Mar-23-2018	CHARLIZE A GARCIA	31.26
09496	Mar-23-2018	DAVID F GARCIA	2,539.01
09501	Mar-23-2018	GABRIEL A GARCIA	2,857.62
09506	Mar-23-2018	LISA GARCIA	1,138.24
09514	Mar-23-2018	REGINA D GARCIA	125.06
09559	Mar-23-2018	SIERRA B GASCH	1,335.34
09563	Mar-23-2018	DAVID GARZA JR	2,400.66
09566	Mar-23-2018	LEONEL G GARZA JR	4,261.60
09588	Mar-23-2018	JOEL R GEORGE	1,899.01
09640	Mar-23-2018	CRAIG M GILDEA	2,989.94
09641	Mar-23-2018	SHANE M GILDEA	252.96
09731	Mar-23-2018	ROBIN L GINN	1,382.28
09897	Mar-23-2018	DAVID GONZALEZ	1,626.10
09901	Mar-23-2018	FRANCES B GONZALES	1,253.06
09903	Mar-23-2018	JOHNNY A GONZALES	1,499.93
09911	Mar-23-2018	MICHAEL A GONZALES	2,025.18
09912	Mar-23-2018	LORENZO GONZALES III	1,704.39
09924	Mar-23-2018	SUE A GORANSON	156.18
09990	Mar-23-2018	RICHARD M GRACYK	2,500.29
10072	Mar-23-2018	CODY R GRAYBEHL	1,664.92
10205	Mar-23-2018	GALE W GREER	2,022.77
10288	Mar-23-2018	JASON A GROSSBERG	1,474.82
10457	Mar-23-2018	BRIAN D GUERRA	3,488.54
10464	Mar-23-2018	MARIO GUERRERO	1,960.67
10514	Mar-23-2018	EFREN H GUTIERREZ	1,675.05
10962	Mar-23-2018	BRIAN R HALVORSON	2,505.78
11059	Mar-23-2018	MARGIE I HAMON	1,444.64
11138	Mar-23-2018	PHYLLIS L HARDY	523.90

C I T Y O F L O M P O C  
EMPLOYEE NETPAY LIST  
PAYDAY DATE Mar-23-2

EMP#	PAYDAY	EMPLOYEE NAME	NETPAY
18818	Mar-23-2018	DELIA M MACIAS-MARQUEZ	1,238.18
18821	Mar-23-2018	YVETTE MACIAS	619.29
18858	Mar-23-2018	VINCENT A MAGALLON	3,275.26
18864	Mar-23-2018	DAVID A MAGANA	2,239.21
18865	Mar-23-2018	JORGE MAGANA	2,473.64
18867	Mar-23-2018	MATHEW M MAGERS	1,118.59
18868	Mar-23-2018	MARK M MAGERS	2,724.63
18875	Mar-23-2018	JENNIFER L MAIN	1,949.69
19055	Mar-23-2018	SHANNON L MARRS	1,105.71
19082	Mar-23-2018	DORIN J MARRS	2,202.66
19085	Mar-23-2018	KEVIN M MARTIN	2,851.91
19195	Mar-23-2018	CHRISTOPHER D MARTINEZ	2,202.97
19200	Mar-23-2018	JOSEPH A MARIANI	3,374.09
19426	Mar-23-2018	MARIA A MARTINEZ GUALAJARA	454.69
19438	Mar-23-2018	LEE A EDIE	1,403.50
19448	Mar-23-2018	SHERI L MATTHEWS	1,374.65
19460	Mar-23-2018	CALE A MAURICE	1,010.69
19559	Mar-23-2018	PATRIECE A BARRITT	1,145.26
19731	Mar-23-2018	JAMES R MERCER JR	1,299.39
19759	Mar-23-2018	STEFFEN B MEYER	3,152.32
19765	Mar-23-2018	STEVE D MICKELSON	3,504.42
19788	Mar-23-2018	ANGELA F MILHOLLAND	137.91
19811	Mar-23-2018	JAMES C MINDORO	2,054.98
19812	Mar-23-2018	MICHAEL J MILLER	2,469.78
19940	Mar-23-2018	LAURA D DUBBELS	2,160.14
19947	Mar-23-2018	ANDIE L MISNER	398.84
20256	Mar-23-2018	RAMIRO JESUS G MONREAL	1,231.77
20294	Mar-23-2018	JAQUELYN GARCIA MORA	142.26
20295	Mar-23-2018	JOSE MANUEL G MORA	2,463.88
20297	Mar-23-2018	CORAIMA Y MORALES	463.79
20308	Mar-23-2018	JULIE ANN L MOORE	2,225.33
20322	Mar-23-2018	JUAN C MORENO	1,246.16
20323	Mar-23-2018	DANIELLE R MORGAN-GREENE	2,208.48
20326	Mar-23-2018	SCOTT A MORGAN	2,982.67
20329	Mar-23-2018	CHRISTOPHER R MORLAN	1,296.43
20357	Mar-23-2018	JAMES I MOSBY	329.83
20425	Mar-23-2018	PATRICIA A MUNOZ	1,489.73
20700	Mar-23-2018	DIANE M NAJERA	1,141.35
20724	Mar-23-2018	CHRISTOPHER J NASTER	1,564.50
20744	Mar-23-2018	PHILLIP A NAUGHTON	1,775.28
20883	Mar-23-2018	KATELYN G NELSON	436.72
20885	Mar-23-2018	KATHLEEN E NELSON	45.97
20930	Mar-23-2018	ERIC A NESBY	2,907.71
20931	Mar-23-2018	EVAN R NESBY	1,869.54
20952	Mar-23-2018	DEBORAH A NETTLETON	103.44
20968	Mar-23-2018	RITA E NEUMANN	2,430.63
20973	Mar-23-2018	ALEXANDRA U NEWMAN	655.67
20976	Mar-23-2018	TARA B NEWTON	2,570.91
20998	Mar-23-2018	HANNAH NGUYEN	1,707.29
21450	Mar-23-2018	SCOTT E NUNEZ	3,450.36
21865	Mar-23-2018	ROBERT J O'BRIEN	1,594.11
21867	Mar-23-2018	KYLE S OCHOA	2,681.11
21868	Mar-23-2018	JAKE R OCHOA	2,129.12

C I T Y O F L O M P O C  
EMPLOYEE NETPAY LIST  
PAYDAY DATE Mar-23-2

EMP#	PAYDAY	EMPLOYEE NAME	NETPAY
27499	Mar-23-2018	IAN D SADECKI	1,883.69
27693	Mar-23-2018	BALDOMERO M SANTIAGO	1,575.28
27883	Mar-23-2018	SAUL A SALAZAR	1,841.42
27906	Mar-23-2018	JOHN H SALTER	191.35
28006	Mar-23-2018	MARCILO S SARQUILLA	1,660.42
28070	Mar-23-2018	BEARET H SCHAAR	1,588.64
28167	Mar-23-2018	JENNIFER L JOHNSON	1,055.89
28282	Mar-23-2018	TERI M SCHWAB	1,793.38
28455	Mar-23-2018	SAMANTHA Y SCROGGIN	2,150.17
28464	Mar-23-2018	DANNIELLE K SEBRING	1,136.29
28471	Mar-23-2018	AMADEO B SEGURA	1,301.78
28898	Mar-23-2018	KEVIN C SHAY	2,285.74
28975	Mar-23-2018	MARCY R WEBB	801.17
28978	Mar-23-2018	GARY D SILBAUGH	1,417.92
28979	Mar-23-2018	DORIAN C SIKES	1,502.99
29080	Mar-23-2018	CHRIS SILVA	1,638.98
29410	Mar-23-2018	TIKAN SINGH	3,152.53
29441	Mar-23-2018	SUSAN D SITZLER	1,302.69
29448	Mar-23-2018	SUZANNE G SLAVENS	1,567.85
29456	Mar-23-2018	JAZMIN SMALLWOOD	2,202.17
29483	Mar-23-2018	DANIEL J SMITH	1,431.11
29873	Mar-23-2018	VICTORIA K SMITH	902.71
29876	Mar-23-2018	SCOTT W SMITH	3,035.71
29901	Mar-23-2018	WILLIAM T SMITH	481.82
30092	Mar-23-2018	EDGAR SOLIS	1,446.55
30294	Mar-23-2018	JARED W STANDIFORD	1,593.11
30353	Mar-23-2018	DIRK L STARBUCK	306.92
30368	Mar-23-2018	WILLIAM J STEFFENS	2,818.62
30395	Mar-23-2018	JUAN R STEPHENS	1,078.09
30399	Mar-23-2018	BRIAN R STEVENS	4,493.55
30411	Mar-23-2018	DONNA C STEWART	226.98
30413	Mar-23-2018	GREGORY S STONES	2,516.41
30418	Mar-23-2018	CHRISTOS A STOYOS	2,853.25
30446	Mar-23-2018	HENRY L STRONG JR	1,086.59
30448	Mar-23-2018	ROBERT W STRICKLIN	1,600.82
30462	Mar-23-2018	BRIAN K SULLIVAN	977.49
30465	Mar-23-2018	KONANG A SUMARYADI	1,323.00
30468	Mar-23-2018	DEIDRA L SUTTON	1,605.09
30606	Mar-23-2018	ALLISON A SYLVESTER	396.39
30769	Mar-23-2018	ANGELITO P TABIN	1,398.06
30808	Mar-23-2018	EDUARDO J TAMAYO	1,161.80
31105	Mar-23-2018	JOHN R TERRONES	1,713.68
31108	Mar-23-2018	MARY L TERRONES	24.64
31155	Mar-23-2018	STEVEN J TERRONES	2,573.04
31208	Mar-23-2018	CHELSEA K TERRUSA	1,413.86
31242	Mar-23-2018	DARRELL D THOMAS	1,026.61
31898	Mar-23-2018	CHANEL L TOLEDO	1,620.38
32094	Mar-23-2018	JARRED M TORRES	98.49
32098	Mar-23-2018	JOE TORRES	2,067.61
32109	Mar-23-2018	SHAWN D TOSH	2,121.22
32205	Mar-23-2018	MARK W TREXLER	2,053.64
32240	Mar-23-2018	WILLIAM G TRIBER	2,514.53
32307	Mar-23-2018	TRACY E TRIPP	1,116.57



## MINUTES

Regular Meeting of the Lompoc City Council  
Tuesday, November 7, 2017  
City Hall, 100 Civic Center Plaza, Council Chamber

### CLOSED SESSION

#### OPEN SESSION – 5:45 P.M. – Council Chamber

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

Staff Present: City Manager Patrick Wiemiller, Economic Development Director/Assistant 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 LEGAL COUNSEL – EXISTING LITIGATION:** Paragraph (1) of subdivision (d) of Section 54956.9: One Matter City of Lompoc v. Sterling Ranft and Real Parties in Interest Paul R. Ranft etc. Case Number 16CV03074
2. **CONFERENCE WITH LEGAL COUNSEL – 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, James Mosby, Jenelle Osborne, and Mayor Bob Lingl.

Staff Present: City Manager Patrick Wiemiller, Economic Development Director/Assistant City Manager Teresa Gallavan, City Clerk Stacey Haddon, City Attorney Joseph Pannone, and Police Chief Pat Walsh.

Others Present: Deb Andrews, Sue Coupland, Shawndel Malcolm, Bonnie Martin, Nicholas Gonzales, John Linn, Matthew Lowe, Jatzibe Sandoval, Lanny Ebenstein, Jaime Tinoco, Bernie Federmann, Malisa Paz, Tiffani Woodworth, Jane DeWees, Leland Simpson, Amy Schwind, Mark Ashwalla, Rob Traylor, Cameron Porter, Tiffany (Last Name Unknown), Shilor Belgarde, Darren Hunt, Joseph Dowdy, DeWayne Holmdahl, Don Buck, and Tina Mercer.

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

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

Chaplain Dale Willis gave the invocation and Mayor Bob Lingl thanked all who have served in the Armed Forces and led the **Pledge of Allegiance**.

#### PRESENTATIONS PRESENTED ELSEWHERE:

Mayor Lingl presented a Proclamation in San Luis Obispo, CA. in honor of the **50<sup>th</sup> Anniversary of the Coast Counties Missionary Baptist District Association**.

#### PRESENTATIONS:

Mayor Lingl presented proclamations for:

- The recognition of November 7, 2017 as **Law Enforcement Records & Support Personnel Day**;
- The week of October 30 – November 3, 2017 as **Veteran's Small Business Week**; and
- The month of November 2017 as **National American Indian Heritage Month**.



**CITY MANAGER REPORT:** None

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

Mayor Lingl announced Consent Item No. 5 has been pulled from the Agenda, and will be presented to Council at the November 21, 2017 Regular City Council Meeting.

1. Deb Andrews stated she made comments at the July 18, 2017 Regular City Council Meeting just before the Closed Session, and asked to have those minutes corrected.
2. John Linn encouraged Council to move forward and approve Consent Calendar Item No. 4.

**CONSENT CALENDAR**

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of July 18, 2017 and directed Staff to include Ms. Andrews comments given before the Closed Session at the July 18, 2017 Meeting
2. Approved the expenditures for:  
Payroll of 10/06/2017 - \$1,169,020.03  
Payroll of 10/20/2017 - \$1,443,741.23  
Voucher Register of 10/2/2017 – 10/13/2017 - \$919,516.00
3. **Adoption of Ordinance No. 1641(17) Amending Municipal Code Chapter 9.44, Relating to Registered Sex Offender Regulations.**  
  
Adopted Ordinance No. 1641(17), amending the definition of **Registered Sex Offender** and the definition of **Residential Exclusion Zone** in Section 9.44.010 of the Lompoc Municipal Code (LMC).
4. **Introduction by First Reading of Ordinance No. 1642(17), with Further Reading Waived, Reauthorization of PEG Access Channel Fee.**  
  
Introduced for first reading by title only, with further reading waived, uncodified Ordinance No. 1642(17), reauthorizing the Public, Education, and Government access channel fee.

**Pulled from this Agenda and scheduled for November 21, 2017**

5. **Adoption of Resolution No. 6144(17) Revising Salary Ranges For Certain Police Department Positions and Updating and Restating the Master Pay Schedule.**

Human Resources Manager Gabriel Garcia,  
[g\\_garcia@ci.lompoc.ca.us](mailto:g_garcia@ci.lompoc.ca.us)

**Recommendation:** Council adopt Resolution No. 6144(17), which will:

- a) Amend Salary Schedules for certain Police Department positions not represented by the Lompoc Police Officers Association (LPOA) and amend the Management, Supervisory, and Confidential (MS&C) Compensation Plan Pay Schedule to reflect those new salary ranges; and
- b) Amend and restate the previously adopted Master Pay Schedule for all represented and unrepresented employee classifications of the City of Lompoc (City) covered by a City-adopted compensation plan or a City Council-approved labor memorandum of understanding (MOU).

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

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

1. Deb Andrews spoke about her concerns of how the City handles the homeless population, City employee wages, and State gas tax.
2. Sue Coupland asked Council to review the City's General Plan to look for ways that will allow the City of Lompoc to expand past the current city limits to the east and the west.
3. Shawndel Malcolm, the Director of Planting a Seed, spoke about the efforts this organization has completed to help the homeless population in the City of Lompoc, and expressed his disappointment regarding how he believes City Staff did not help facilitate this organization's efforts in cleaning the Santa Ynez Riverbed area.
4. Bonnie Martin requested Council allow churches be considered youth centers and include those locations in the buffer zone maps.

**APPOINTMENTS:**

6. **Council Appointments to Fill Current Vacancies on the Beautification Commission and the Youth Commission.**

ACTION: Motion/Second: Vega/Osborne. By a 4-0-1 vote (Council Member Starbuck was absent), Council approved the appointment of Scott Reardon to the Beautification Commission with a term to expire 12/2018.

ACTION: Motion/Second: Osborne/Vega. By a 4-0-1 vote, (Council Member Starbuck was absent) Council appointed Nathan Schatz as a Youth Member of the Youth Commission for a term to expire 1/2019

**PUBLIC HEARING:**

7. **Transition to District-Based Elections.**

City Attorney Joseph W. Pannone gave a brief summary of this item and introduced Chalice Tilton from National Demographics, Inc. Ms. Tilton provided a Power Point Presentation regarding draft district maps for the City of Lompoc and the process for those draft maps.

Mayor Lingl stated maps 102 and 103 seem to be the most balanced.

Public Comment:

1. Nicholas Gonzales asked Council to use the total number of registered voters and not just the population count.
2. Jacklyn (Unknown Last Name), Matthew Lowe, Jatzibe Sandoval, Lanny Ebenstein, and Jaime Tinoco, spoke in favor of draft map 101

Council Member Osborne requested the draft maps be provided on a larger format and mounted onto poster board for future meetings, and asked if the public still has opportunity to provide comment on current draft maps and possibly provide a draft map. Chalice Tilton from National Demographics, Inc., answered yes, the public input time frame is open through November 10, 2017.

Council received the presentation from the demographic consultant, National Demographics, Inc. (NDC), regarding draft district maps; opened a public hearing for the purpose of receiving public testimony regarding draft district maps for City Council elections in the City of Lompoc pursuant to Elections Code section 10010. No formal Council Action was taken.

**UNFINISHED BUSINESS:**

**8. Adoption of Ordinance No. 1640(17) Amending Chapter 9.36 of the Lompoc Municipal Code Regarding Cannabis Uses in Lompoc.**

City Attorney Joseph W. Pannone presented the Staff report and recommendations.

**Public Comment:**

1. Bernie Federmann, the pastor at Foursquare Church and Malisa Paz, the Children's Ministry Program Manager at Foursquare Church spoke about the programs held at the church specifically for children and youth and encouraged Council to include this church and all other churches in the buffer zone maps regarding cannabis use in Lompoc.
2. Tiffani Woodworth spoke in favor of allowing churches to be included in the buffer zone maps.
3. Jane DeWees spoke against allowing an unlimited number of commercial cannabis/marijuana businesses inside the City and urged Council to allow churches to be included in the buffer zone maps.
4. Leland Simpson stated he believes the cannabis industry is being unfairly targeted with very stringent laws and regulations.
5. Amy Schwind spoke in favor of allowing cannabis/marijuana commercial businesses inside the City.
6. Mark Ashamalla, Rob Traylor, Cameron Porter, Rich Smith, and Todd Mitchell spoke against allowing churches to be included in the buffer zone maps.
7. Tiffany (Last Name Unknown) and Chelsea (Last Name Unknown) spoke about the current State regulations for cannabis/marijuana use, indicating these will help increase public safety and requested churches not be included in the buffer zone maps.
8. Shiloh Belgarde urged everyone to become educated and educate their children about cannabis/marijuana use.
9. Darren Hunt asked for all churches to be included in the buffer zone maps.
10. John De Friel stated he believes the regulations imposed on the cannabis/marijuana industry will create a safer place around permitted cannabis/marijuana commercial facilities.
11. Joseph Dowdy encouraged Council to continue to have open minded discussions and decisions regarding cannabis/marijuana use inside the City.

Council continued to discuss this matter.

Mayor Lingl motioned to reject the proposed ordinance, thank and terminate the Ad-Hoc Committee Regarding Marijuana Use Inside the City of Lompoc, return the matter to Staff to address public comments and concerns and direct all City Departments to be involved in presenting a revised ordinance regarding cannabis use inside the City. The motion died for a lack of a second.

**ACTION:** Motion/Second: Osborne/Vega. By a 3-1-1 vote (Mayor Lingl voted No and Council Member Starbuck was absent), Council adopted Ordinance No. 1640(17), Amending Chapter 9.36 of the Lompoc Municipal Code regarding cannabis uses in Lompoc.

**WRITTEN COMMUNICATIONS:** None

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

1. DeWayne Holmdahl reported the Turducken Dinner Group presented its last check to the Lompoc Public Library for just over \$3,000.00, stated the Turducken Dinner Group has raised over \$200,000 over the past ten years for the Library, and thanked Lompoc citizens for their generous donations to this matter.
2. Julia Hunt stated previous buffer zone maps included churches.
3. Don Buck thanked Council for working through the difficult cannabis/marijuana ordinance and thanked Mayor Lingl for his stance on this matter.
4. (Name not given) stated he would be working hard to have Mayor Lingl recalled.

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

Council Member Vega announced a veteran’s celebration will be held at the Lompoc Veteran’s Memorial Building at 100 E. Locust Avenue, Lompoc, on Saturday November 11, 2017 at 11am.

Council Member Osborne stated she attended the Healthy Eating Active Living (HEAL) Regional Conference.

Mayor Lingl reported he attended several meetings and events including an Economic Vitality Award (EVA) presentation to the Cypress Gallery at 119 E. Cypress Avenue, Lompoc on October 24, 2017; a Northern California Power Agency (NCPA) Meeting in Roseville, CA on October 25 – 26, 2017; the Grand Opening of the Hilton Garden Inn at 1201 N. H Street, Lompoc, on October 27, 2017; participated in the **2017 Make a Difference Day**; participated in a business visitation at DenMat and received a concern from DenMat about overnight parking of recreational vehicles on Aviation Drive; attended a flag presentation at the Lompoc Veteran’s Memorial Building at 100 E. Locust Avenue, Lompoc, on November 1, 2017; and participated in the last event held by the Turducken Dinner Group on November 6, 2017.

**ADJOURNMENT:** At 8:58 P.M. Mayor Lingl adjourned the Lompoc City Council to a Regular Meeting on November 21, 2017 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully submitted to Council for review on April 11, 2018 by:           *Stacey Haddon*            
Stacey Haddon, City Clerk



## City Council Agenda Item

**City Council Meeting Date:** April 17, 2018

**TO:** Teresa Gallavan, Interim City Manager

**FROM:** Michael W. Luther, Assistant Public Works Director/City Engineer  
M\_luther@ci.lompoc.ca.us

**SUBJECT:** Adoption of Resolution No. 6173(18) Road Repair and Accountability Act List of Proposed Projects (Fiscal Year 2018-19)

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### **Recommendation:**

Staff recommends the City Council adopt Resolution No. 6173(18) approving a list of proposed projects to be funded with Road Maintenance and Rehabilitation Account (RMRA) revenues for Fiscal Year (FY) 2018-19.

### **Executive Summary:**

In order to meet eligibility requirements, and receive its monthly Senate Bill 1 (SB 1) Local Streets and Roads Funding Program (Program) allocation from the State Controllers Office (Controller) for FY 2018-2019, the City of Lompoc (City) must annually adopt, by resolution, a list of projects proposed to be funded with Program funds. Program funds are anticipated to grow over time, and are an essential new resource for maintenance of the City's street infrastructure.

### **Background:**

#### **Senate Bill 1**

In April 2017, Governor Jerry Brown signed SB 1 (Beall, Chapter 5, Statutes of 2017), known as the "Road Repair and Accountability Act of 2017." The purpose of SB 1 is to provide new additional resources to address basic road maintenance, rehabilitation, and critical safety needs on both the state highways, and local streets and roads systems. SB 1 generates new funding by implementing increases to the per-gallon fuel excise taxes, diesel fuel sales taxes, vehicle registration fees, and provides for inflationary adjustments to tax rates in future years.

Beginning November 1, 2017, the Controller began depositing various portions of the Program funding into the newly created RMRA. A portion of the new RMRA funding will be apportioned, by formula, to eligible cities, and counties, pursuant to Streets and

Highways (S&H) Code subdivision 232(h), for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads systems.

On March 21, 2018, the California Transportation Commission (Commission) adopted updated Program Guidelines. One significant change made to Program Guidelines removed a requirement for the list of projects to be adopted into a city's budget. Other key elements of the Program are summarized below.

### Statutory Requirements

In order to receive RMRA funds the City must comply with all relevant Federal and State laws, regulations, policies, and procedures. The main requirements for the Program are codified in S&H Code sections 2034, 2036, 2037, and 2038 and include the following:

- Annually, by May 1<sup>st</sup>, a list of proposed projects must be submitted to the Commission. The project list must be adopted by the City Council at a regular public meeting [S&H Code subdivision 2034(a)(1)];
- The project list must include a description, and the location, of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement [S&H Code subdivision 2034(a)(1)];
- The project list will not limit the flexibility of the City to fund projects in accordance with local needs and priorities, so long as the projects are consistent with RMRA priorities as outlined in S&H Code subdivision 2030(b) [S&H Code subdivision 2034(a)(1)];
- The Commission will report to the Controller the cities and counties that have submitted a list of projects, and are therefore eligible to receive an apportionment of RMRA funds for the applicable fiscal year [S&H Code subdivision 2034(a)(2)];
- The Controller, upon receipt of the report from the Commission, shall apportion RMRA funds to eligible cities and counties pursuant to S&H Code subdivision 2032(h) [S&H Code subdivision 2034(a)(2)];
- For each fiscal year in which RMRA funds are received and expended, the City must submit documentation to the Commission, including a description and location of each completed project, the amount of funds expended on the project, the completion date, and the estimated useful life of the improvement [S&H Code subdivision 2034(b)]; and
- Any city or county, receiving an apportionment of RMRA funds, is required to sustain a Maintenance of Effort (MOE), by spending at least the annual average of its General Fund expenditures during the three fiscal years of 2009–2012, for street, road, and highway purposes from that city's or county's General Fund [S&H Code section 2036] as determined by the Controller.

### Roles and Responsibilities

The general roles and responsibilities of recipient cities/counties, the Commission, and the Controller, in carrying out the Program's statutory requirements are:

- Recipient Cities/Counties
  - Develop and submit a list of projects to the Commission each fiscal year,
  - Develop and submit a project expenditure report to the Commission each fiscal year,
  - Comply with all requirements including reporting for RMRA funding;
  
- Commission
  - Provide technical assistance to cities and counties,
  - Receive proposed project lists from cities and counties each fiscal year,
  - Provide list of cities and counties eligible to receive RMRA apportionments to the Controller each fiscal year,
  - Receive Program expenditure reports from cities and counties each fiscal year,
  - Provide aggregated statewide information regarding use of RMRA funds to the Legislature and the public;
  
- Controller
  - Receive list of cities and counties eligible for RMRA apportionments each fiscal year from the Commission,
  - Apportion RMRA funds to cities and counties, and
  - Oversee MOE, and other requirements for RMRA funds, including reporting required pursuant to S&H Code section 2151.

Program Schedule

The following schedule lists the major milestones for the Program.

Activity	Timeframe
Project lists due to the Commission	May 1 <sup>st</sup> each year
Commission adopts initial list of eligible cities and counties	June Commission meeting each year
Commission submits list initial list to Controller	No later than June 30 <sup>th</sup> each year
Commission adopts subsequent list of eligible cities & counties	August Commission meeting each year (if needed)
Commission submits subsequent list to Controller	No later than August 31 <sup>st</sup> each year (if needed)
Annual reporting of fiscal year expenditures due to Commission	October 1 <sup>st</sup> each year
Informational Program update to Commission	December Commission meeting each year

Funding

The State of California imposes per-gallon excise taxes on gasoline and diesel fuel, sales taxes on diesel fuel, and registration taxes on motor vehicles, and dedicates those revenues to transportation purposes. Portions of those revenues flow to cities and

counties through the Highway Users Tax Account (HUTA), and now the newly established RMRA created by SB 1.

The Program is administered by the Commission, in partnership with the Controller, and is supported by RMRA funding, which includes portions of revenues, pursuant to S&H Code section 2031 from the following sources:

- An additional 12 cents per gallon increase to the gasoline excise tax, effective November 1, 2017.
- An additional 20 cents per gallon increase to the diesel fuel excise tax, effective November 1, 2017.
- An additional vehicle registration tax called the "Transportation Improvement Fee" with rates based on the value of the motor vehicle, effective January 1, 2018.
- An additional \$100 vehicle registration tax on zero emissions (ZEV) vehicles of model year 2020 or later, effective July 1, 2020.
- Annual rate increases to the above taxes beginning on July 1, 2020 (July 1, 2021 for the ZEV fee), and every July 1st thereafter, equal to the change in the California Consumer Price Index.

S&H Code subdivision 2032(h)(2) specifies 50% of the balance of revenues deposited into the RMRA, after certain funding is set aside for various programs, will be continuously appropriated for apportionment to cities and counties by the Controller pursuant to the formula in S&H Code subdivisions 2103(a)(3)(C)(i) and (ii).

#### Estimation and Disbursement of Funds

While neither the Commission, nor the Controller, prepares formal estimates of RMRA funds, the Department of Finance (DOF) estimates the total amount of funding that will be deposited into the RMRA annually. The California State Association of Counties and the League of California Cities then use the information from the DOF to develop city and county level estimates of RMRA funds. Estimated revenues for the City for Biennial Budget FYs 2017-2019 are projected to be \$301,248 for FY 2017-18 and \$781,432 for FY 2018-19. The City previously followed the reporting requirements outlined above to be eligible for the FY 2017-18 allocation.

Each fiscal year, upon receipt of a list of cities and counties eligible to receive an apportionment of RMRA funds pursuant to S&H Code subdivision 2032(h)(2) from the Commission, the Controller is required to apportion RMRA funds to eligible cities and counties consistent with the formula outlined in S&H Code subdivisions 2103(a)(3)(C)(i) and (ii). It is expected the Controller will continuously apportion RMRA funds on a monthly basis to eligible cities and counties using a process and system similar to Highway Users Tax Account apportionments. RMRA funding is continuously apportioned and is not provided on a reimbursement basis.

The Commission does not approve project lists, or provide authorization to proceed with RMRA-funded projects. The Commission receives project lists, determines they are



complete, meet basic statutory requirements outlined in S&H Code section 2034, and then approves, and submits, a statewide list to the Controller of cities and counties eligible to begin receiving monthly RMRA funding apportionments.

**Discussion:**

Pursuant to S&H Code subdivision 2034(a)(1), prior to receiving an apportionment of RMRA funds from the Controller in a fiscal year, cities/counties must submit a list of projects proposed to be funded to the Commission. Staff proposes to utilize FY 2018-2019 RMRA funds to offset the costs of eligible Street Maintenance Division work, including, but are not limited to:

- a) Pavement work (crack sealing, pothole patching, digout repairs, or similar maintenance and rehabilitation);
- b) Transportation safety improvements;
- c) Active transportation (bike, pedestrian, etc.) improvements; and
- d) Traffic control devices (lane line striping, stencil painting, sign installation, and maintenance).

**Fiscal Impact:**

All of the City's estimated \$781,432 FY 2018-2019 RMRA funds, are proposed to be spent on short-term maintenance of existing streets, sidewalks, and right-of-ways by the City's Street Maintenance Division above the amounts available for those programs from existing resources and budgeted in FY 2018-19. The fully phased-in annual allocation of RMRA funds to the City could be approximately \$1 Million annually, and could provide needed funding for more substantial annual street pavement rehabilitation projects (Capital Improvement Projects). That would provide a substantial improvement to the City's overall pavement condition. However, RMRA funding of \$1 Million annually is still far less than the current estimated annual \$6 Million needed to address deferred maintenance to maintain the City's current Pavement Condition Index.

The City Council's approval of a list of proposed projects to be funded from SB 1 funds is required for the City to be eligible to receive RMRA funds. Submittal of the adopted list to the Commission prior to May 1<sup>st</sup> each year, is required for eligibility. Failure to approve and/or submit the list of projects would forfeit the City's monthly allocation from the Controller until the City meets eligibility requirements. The City would have 90 days to meet eligibility requirements for forfeited monies to be recoverable once eligibility is met. Once forfeited, the funds revert to state responsibility and would be unavailable to the City.

**Conclusion:**

All sources of road maintenance and rehabilitation funds are critically needed to maintain the City's failing pavement infrastructure, and to bridge the gap between available and needed road maintenance funding. RMRA revenue for operations and maintenance of

City streets and right-of-ways is a critical resource for the City's Streets Division. Staff proposes to expend the City's share of RMRA funds for street maintenance, and other street-related uses, performed by Street Maintenance Division staff. Resolution No. 6173(18) adopts the required list of projects for the City to meet the program eligibility requirements.

Respectfully submitted,

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Michael W. Luther, Assistant Public Works Director/City Engineer

**APPROVED FOR SUBMITTAL TO THE CITY MANAGER:**

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Kevin P. McCune, Public Works Director

**APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Teresa Gallavan, Interim City Manager

Attachment: Resolution No. 6173(18)

## RESOLUTION NO. 6173(18)

### **A Resolution of the City Council of the City of Lompoc, County of Santa Barbara, State of California, Approving a List of Projects Funded by The Road Repair and Accountability Act**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017), was passed by the Legislature, and signed into law by the Governor, in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure residents are aware of the projects proposed for funding in their communities, and which projects have been completed each fiscal year; and

**WHEREAS**, the City of Lompoc (City) must adopt a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description, and the location, of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

**WHEREAS**, the City will receive an estimated \$731,364 in RMRA funding in Fiscal Year 2018-2019 from SB 1 and a repayment of \$50,068 of previously borrowed Gas Tax resources in Fiscal Year 2018-2019; and

**WHEREAS**, the City maintains a Pavement Management System to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

**WHEREAS**, the funding from SB 1 will help the City equip, and purchase supplies for, the Street Maintenance Division to maintain the street/road network and pedestrian infrastructure throughout the City this year, and for similar projects into the future; and

**WHEREAS**, without revenue from SB 1, the City would have otherwise been canceling projects throughout the community, and/or laying off staff; and

**WHEREAS**, if the legislature and governor failed to act, city streets and county roads would have continued to deteriorate, having many and varied negative impacts on communities; and

**WHEREAS**, cities and counties own and operate more than 81% of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

**WHEREAS**, modernizing the local street and road system provides well-paying construction jobs and boosts local economies; and

**WHEREAS**, the local street and road system is also critical for farm-to-market needs, interconnectivity, multimodal needs, and commerce; and

**WHEREAS**, police, fire, and emergency medical services all need safe reliable roads to react quickly to emergency calls, and a few minutes of delay can be a matter of life and death; and

**WHEREAS**, maintaining, and preserving, the local street and road system in good condition will reduce drive times and traffic congestion, improve bicycle safety, and make the pedestrian experience safer and more appealing, which leads to reduction in vehicle emissions, helping the State achieve its air quality and greenhouse gas emissions reductions goals; and

**WHEREAS**, restoring roads before they fail also reduces construction time, which results in less air pollution from heavy equipment, and less water pollution from site run-off; and

**WHEREAS**, the City’s SB 1 project list, and overall investment in local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive benefits Citywide.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** Approves the following list of projects planned to be funded with Fiscal Year 2018-2019 RMRA revenues:

Description	Location	Estimated Useful Life	Anticipated Year of Construction
Lane Line Striping	Citywide	2 years	Ongoing
Stencil Painting	Citywide	2 years	Ongoing
Sign Maintenance	Citywide	7 years	Ongoing
Pavement Repair	Citywide	Varies	Ongoing

**SECTION 2.** Effective Date. This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on April 17, 2018, by the following vote:

- AYES: Council Member(s):
- NOES: Council Member(s):
- ABSENT: Council Member(s):

\_\_\_\_\_  
Bob Lingl, Mayor  
City of Lompoc

ATTEST:

\_\_\_\_\_  
Stacey Haddon, City Clerk  
City of Lompoc



## City Council Agenda Item

**City Council Meeting Date:** April 17, 2018

**TO:** Teresa Gallavan, Interim City Manager

**FROM:** Craig Dierling, Principal Civil Engineer  
c\_dierling@ci.lompoc.ca.us

**SUBJECT:** Award of Project No. FY-08-S-2, Santa Ynez River Bank Stabilization Project; Adoption of Resolution No. 6174(18) Approving Budget Adjustments and Supplemental Appropriations

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### **Recommendation:**

Staff recommends the City Council:

- 1) Adopt the Plans and Special Provisions for Project No. FY-08-S-2, Santa Ynez River Bank Stabilization Project (Project), as required by Section 22039 of the Public Contract Code (copies of Plans and Special Provisions are on file in the City Engineer's Office);
- 2) Award the Construction Contract in the amount of \$800,000 to Bosco Constructors, Inc.; and
  - a. Authorize the City Manager to execute the necessary agreements for that Contract,
  - b. Authorize the City Engineer, to approve additional construction costs, and construction contract change orders, in an amount not to exceed \$90,000; and
- 3) Authorize the City Engineer to execute the necessary amendments to the existing Project contract with Rincon Consultants Inc. (Rincon) for an aggregate amount not to exceed \$40,000 over the existing contract value previously approved by the City Council; and
- 4) Adopt Resolution No. 6174(18) approving supplemental appropriations, re-establishing prior year revenues and appropriations, providing full funding above existing appropriations, and providing for necessary budget adjustments for the Project (Attachment 1).

**Background**

The Project has been developed to address progressive erosion of the Santa Ynez River’s western bank, near residential properties and City of Lompoc (City) infrastructure, located along Riverside Drive from Pine Avenue to North Avenue (Attachment 2). The Project will install ten rows of vertical steel piles running from the bottom of the western river bank, perpendicular into the river bed approximately 40 feet, with the piles of each row being connected by strands of steel cable. Native willows will be planted between the rows of piles, and the system of plantings, protected by piles and cables, will catch debris to slow the river flows near the bank. That process will protect the bank from further erosion, and begin to rebuild the lower portion of the bank through deposits of sediment carried by river flows. The rows of piles will be placed from approximately Pine Avenue to North Avenue within the western river bed.

In order to provide direction for the Project, and approvals when necessary, the City Council has received a number of presentations and updates. In September 2014, the City was awarded a grant from the Federal Emergency Management Agency (FEMA) to design and prepare environmental documents for the first phase of the Project (Phase 1). The initial award by FEMA provided for a grant of \$204,998, with a required local match of \$68,332, or 25% of the full Phase 1 resources of \$273,330. At its December 16, 2014, meeting, the City Council awarded the design contract, and approved the necessary supplemental budget appropriations for Phase 1. The \$204,998 grant revenues awarded in September 2014, and related grant appropriations, were recognized in the Federal Road Fund, with an additional \$68,332 of local funds appropriated as the match to the grant, and \$56,668 appropriated for contingencies (FEMA does not count contingencies as part of the required match). The estimated revenues and supplemental appropriations for Phase 1 of the Project were approved as follows:

Table 1

	Grant	Match	Contingency	Phase 1 Total
<b>Resources:</b>				
FEMA HMGP Grant	\$204,998	\$68,332		\$273,330
Contingency			\$56,668	56,668
Total Resources	\$204,998	\$68,332	\$56,668	\$329,998
<b>Appropriations:</b>				
Federal Grant Fund	\$204,998			\$204,998
Gas Tax		\$34,166	\$28,334	62,500
Park Improvement Fees		17,083	14,167	31,250
Water Utility		17,083	14,167	31,250
Total Appropriations	\$204,998	\$68,332	\$56,668	\$329,998

April 17, 2018

Award of Project No. FY-08-S-2, Santa Ynez River Bank Stabilization Project

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At its March 3, 2015, meeting, the City Council awarded the contract for environmental review, and approved the necessary supplemental appropriations for that work, which included an additional \$35,000 of funding from Gas Tax, Park Improvement Fees, and Water Utility. On May 7, 2015, the Public Works Department was notified FEMA had approved additional Phase 1 costs of \$83,257, comprised of \$62,442 grant funds and \$20,815 for the City's local match obligation. The grant awards of September 4, 2014, and May 7, 2015, were recorded as estimated revenues in Fiscal Year (FY) 2014-15 in account 40013-45286. However, as part of the encumbrance carryover process for the Biennial Budget (Budget) FYs 2013-15, the remaining estimated revenues due to the award of the grant were not carried forward, although the appropriations for the Project were. The remaining unused funding for Phase 1 is recommended within the budget adjustments shown later in this staff report to be recognized as part of the award of the Project as it has not yet been recorded in the City's financial records beyond June 30, 2015, as anticipated estimated revenue. The additional award increased the total award for Phase 1 of the Project to \$356,587. With the additional award from FEMA, and the supplemental appropriations approved by the City Council on March 3, 2015, the Phase 1 budget increased to a total of \$427,440. That \$427,440 total includes \$267,440 of FEMA grant funds, \$89,147 in local matching funds, and \$70,853 in local contingency funds.

On June 23, 2015, the City Council adopted the Budget FYs 2015-17. Included in the approval of that Budget, estimated construction costs were appropriated for the construction phase of the Project (Phase 2). \$540,000 was appropriated for the grant, which was later approved by FEMA in the amount of \$539,516, and \$300,000 was appropriated for the necessary local funding, comprised of \$179,838 in local matching funds, and \$120,162 in local contingency funds. At the time the Budget FYs 2015-17 was approved, Phase 2 appropriations were included with Phase 1 appropriations previously approved in Budget FYs 2014-15. The budget adjustments shown later in this staff report move previously approved construction funding from Phase 1 accounts, to Phase 2 construction accounts, to better represent the activity for the two phases.

At its July 19, 2016, meeting, the City Council adopted the Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA). In November 2016, FEMA completed its determination the Project meets the project description and conditions of the Programmatic Environmental Assessment for Recurring Actions in Arizona, California, and Nevada (PEA), and the PEA finding of No Significant Impact pursuant to the National Environmental Policy Act (NEPA). In December 2016, FEMA approved an allocation of grant funding for the construction phase of the Project. During 2017 the City secured the necessary resource agency permits to construct the Project, and then, during the winter 2017-18, finalized the construction contract documents, incorporating the permit conditions required by the resource agencies.

## **Discussion:**

### **Construction Advertisement**

The Project was noticed, advertised, and bid in accordance with the procedures of the Uniform Public Construction Cost Accounting Act (Public Contract Code sections 22000-22045) and Chapter 3.36.025 Procurement of Public Projects of the Lompoc Municipal Code (LMC).

The Office of the City Clerk was available to receive bids for the Project until 2:00 p.m., Tuesday, March 27, 2018, at which time four bids were publicly opened and read. The base bids received ranged from \$800,000 to \$1,092,520 (see Attachment 3). The design consultant's construction cost estimate was in the range of \$500,000 to \$600,000. City Engineering Division staff reviewed the bids and found them to be responsive.

Staff received feedback from bidders, before and after the bid opening, indicating several primary factors had increased the range of the bids received above the design consultant's construction cost estimate for the Project. The first factor mentioned, which affected the bid prices, was the continual increase and future uncertainty in the price of steel. There was a dramatic increase in the price of steel globally during the latter part of 2017, and a 25% tariff was imposed by the Federal government on imported steel just prior to bid opening. Steel prices vary on a daily basis, are influenced by many factors, and are projected to continue to rise. The Project is designed with over 500,000 pounds of steel in the piles. The quantity of steel required for the Project, combined with those steel cost increases, and the future uncertainty of steel prices, have increased the bid prices.

The second factor, which increased bids, are the stringent environmental requirements placed upon the Project by the resource agencies, and other environmental agencies. Those requirements have limited the means and methods available to the contractors, and tightened the required outcomes of plant survival and restoration, resulting in increased prices.

Third, the Project is somewhat unique, which makes cost estimating difficult, and limits the number of contractors who can competitively bid the Project.

Overall, however, the Project design is several times less expensive to construct than traditional bank protection alternatives, while also being much more effective and long-lasting in this type of river. The primary factors identified above, that increased bid costs, are all outside of the City's control, and are not likely to improve enough in the future to result in the Project being less expensive at a future time, while still providing the desired protective outcomes. Therefore, staff determined awarding the construction contract at this time will be the most cost effective way for the City to complete the Project.



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Award of Project No. FY-08-S-2, Santa Ynez River Bank Stabilization Project

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If awarded now, then Project construction should begin on or after June 1, 2018, and complete by October 31, 2018, within the limited timeframe allowed by the Project's environmental documents and permits. The construction contract also includes vegetation establishment after the completion of initial construction, until October 31, 2019, in order to ensure the establishment and growth of the willow plantings, which are a critical component of the Project.

### Construction Phase Consultants

Additional construction phase consulting services are required by the Project's environmental documents, and regulatory agency permits, than were estimated and included within the contract awarded to Rincon at the March 3, 2015, City Council meeting. The additional services primarily include having a Native American monitor present during all ground-disturbing construction activities; increasing the number of days budgeted for the biological and archaeological monitors in order to ensure the Project meets its environmental requirements; and fulfilling the reporting requirements imposed by the Central Coast Regional Water Quality Control Board (CCRWQB) for five years following the completion of Project construction. As discussed further in the Fiscal Impact section, significant cost savings during Phase 1 will help to offset the increased Phase 2 costs. In addition to environmental consulting, the City's existing Project contract with its design consultant, Stantec, includes sufficient budget for the necessary Phase 2 services to be performed by Stantec.

### Fiscal Impact:

#### Request for Additional FEMA Grant Funding

The lowest construction bid was significantly higher than the design consultant's construction cost estimates. Therefore, the amount of FEMA grant funding allocated to the Project to date is less than the intended 75% Federal share of participating Project costs. Staff contacted the California Governor's Office of Emergency Services (Cal-OES), which administers the grant to the City on behalf of FEMA, and inquired whether FEMA could approve, and participate in, the additional Project costs resulting from the higher bid price. Cal-OES believes the City has valid justification, and requested staff provide a revised Benefit-Cost Analysis, a revised City matching funds commitment letter, and other supporting documentation. Approval could take 30 to 60 days; however, and is dependent upon funding availability. Staff is preparing those documents, and will submit them formally to Cal-OES upon the City Council's approval of the supplemental budget appropriations necessary for the matching funds commitment letter.

While the FEMA grant provides up to 75% of approved Project costs up to the authorized grant amount, the remaining 25%, and all contingencies and additional costs, must be supplied from other non-Federal sources. Until the City receives the approval from FEMA, through Cal-OES, to increase the approved Project costs, FEMA's contribution

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Award of Project No. FY-08-S-2, Santa Ynez River Bank Stabilization Project

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will remain at 75% of the currently approved Project costs of \$1,075,941 with the remainder of the costs (up to the revised Project budget shown below) being the responsibility of the City's funding sources.

Staff, and the consultants for design and environmental review work, were able to complete Phase 1 at a total cost to the grant budget almost 30% below the Phase 1 budget previously approved by FEMA. Therefore, approximately \$100,000 of savings from Phase 1 is available to offset the higher than estimated Phase 2 budget for construction.

### Previous Project Budget Approvals

As discussed above in the Background section, FEMA has awarded funds to the City for the Project over time in three separate actions. While two of the actions were specifically for Phase 1, due to the cost savings realized by the Public Works Department through the Phase 1 work, staff recommends requesting FEMA to transfer the remaining unused Phase 1 grant funds to Phase 2 of the Project. If approved, then the following would be available for the Project to provide for the grant-funded portion, the City's local match, and the contingencies and other costs, which FEMA does not include in its budget for the Project:

Table 2

Approval Date	Grant	Match	Cost w/o Contingency	Contingency
9/4/14 (FEMA)	\$204,998	\$68,332	\$273,330	
12/16/14 (Council)				\$56,668
3/3/15 (Council)				\$35,000
5/7/15 (FEMA)	\$62,442	\$20,815	\$83,257	(\$20,815)
6/23/15 (Council)				\$300,000
12/15/16 (FEMA)	\$539,516	\$179,838	\$719,354	(\$179,838)
<b>Totals</b>	<b>\$806,956</b>	<b>\$268,985</b>	<b>\$1,075,941</b>	<b>\$191,015</b>

As mentioned above, the awards of September 4, 2014, and May 7, 2015, were recorded in the City's budget system as projected revenues in the Budget FY 2013-15 in account 40013-45286 – FEMA HMGP Program. The December 15, 2016, award was recorded in the City's budget system as projected revenues in the Budget FY 2015-17, in account 40013-45283 – Federal Grants - FEMA. However, the remaining available grant revenues are not customarily carried over from budget year to budget year as are appropriations for the projects. While this procedure is in place to reduce the chance of expending funds that may not be realized; in this case, the significant time lag in receiving approvals for the work has resulted in the City budgets no longer including the affected FEMA revenues for the Project. The proposed budget adjustments shown below are, in part, to reestablish the remaining approved grant revenues for the Project.

The funding sources approved initially for Phase 1 included Gas Tax revenues, Park Development Impact Fee resources, and Water Utility Fund resources (due to the Project providing protection to water distribution and transmission lines adjacent to the Project). Subsequent to the appropriation of funding sources, the State Controller’s Office (SCO) provided guidance on the use of Gas Tax resources to be limited to maintenance and improvements within the right-of-way of streets, or that are a specific right-of-way obligation as approved by the SCO. As such, the use of Gas Tax resources is no longer incorporated into the resources being used for the Project.

Previous appropriations for the Project were approved with the award of the Phase 1 contracts for design and environmental work on December 16, 2014, and March 3, 2015, and for Phase 2 with the adoption of the Budget FY 2015-17. The previous budget approvals for Phase 1 and Phase 2 are shown as follows:

Table 3

Phase 1	
FEMA HMGP Grant (recorded <sup>1</sup> 12/31/14, lapsed <sup>2</sup> 6/30/15)	\$204,998
FEMA HMGP Grant (recorded <sup>1</sup> 5/31/15, lapsed <sup>2</sup> 6/30/15)	62,442
Gas Tax	80,000
Water Utility	40,000
Park Improvements Development Impact Fees	40,000
Phase 1 subtotal	427,440
Phase 2	
FEMA HMGP Grant (recorded <sup>1</sup> 7/1/15, lapsed <sup>2</sup> 6/30/16)	539,516
Measure A	150,000
Water Utility	75,000
Park Improvements Development Impact Fees	75,000
Phase 2 subtotal	839,516

<sup>1</sup>Recorded, as used above, means recognized within the City’s budget.

<sup>2</sup>Lapsed, as used above, means not carried over to the next fiscal year of the City’s budget, but still available to the Project from FEMA.

Total of previous budget approvals for all phases \$1,266,956

Funds no longer available to the Project budget:

Gas Tax (per discussion above) 80,000

Water Utility (appropriations used for a different project) 75,000

Revised total of previous budget approvals for all phases \$1,111,956

Revised Project Budget Needs

The cost savings experienced in the Phase 1 design and environmental review portion of the Project combined with the costs in excess of previous estimates for the Phase 2 construction, consulting, and additional post-construction vegetation establishment work required by the environmental agency permits for five years following construction, result in the following revised Project budget.

The revised Project budget is as follows:

Table 4

	<u>Amount</u>
Design & Environmental Phase Costs	\$256,000
Construction Contract	\$800,000
Construction Contract Contingency	90,000
Construction Phase Consultants	180,956
Post-Construction Vegetation Establishment in Years 2-5	64,000
<b>Total Project Budget</b>	<b>\$1,390,956</b>

As indicated by the figures shown above, supplemental appropriations totaling \$279,000 are necessary in addition to the \$1,111,956 revised total of previous budget approvals, in order to fully fund the revised Project budget of \$1,390,956.

In order to award and construct the Project within the narrow timeframe allowed by the environmental documents and permits, and the FEMA funding grant, staff recommends budgeting \$85,000 of local funds, which are anticipated to be replaced with FEMA grant funds once FEMA approves the City’s request for additional funding. That \$85,000 is incorporated into the \$279,000 necessary for the award of the Project and is included in the revised Project budget shown above, as well as in the tables below, and is proposed to be taken from the Project’s existing local funding sources. The Project funding sources are: FEMA Hazard Mitigation Grant Program funds, Measure A Local Street and Transportation Improvement funds (due to the protection of Riverside Drive, intersecting streets and alleys, and the multipurpose trail), City Water Utility funds (due to the protection of water infrastructure along Riverside Drive, and in the intersecting streets and alleys), and AB1600 Park Impact Fees (due to the protection of the adjacent parkland and the utility lines serving River Park). As discussed above, the Project does not utilize any General Fund resources beyond the limited General Fund contribution to the Engineering Division’s staff time.

Based on the proposed award of the construction contract, the Project is proposed to be funded as shown in Table 5 – 08-S-2 Project Funding – Sources and Uses Summary, below. The revised Project Funding covers all of the Project budget approved by FEMA, from the design and environmental work in Phase 1, through construction in Phase 2. It

also covers the contingencies and additional local funds necessary to complete the Project, and fulfill the City’s resource agency permit obligations following construction. The term of Project funding spans several fiscal years beginning with the award of the FEMA grant on September 4, 2014. Construction is anticipated to be completed within FY 2018-19, however, vegetation establishment, reporting and verification measures will continue for an additional five years post construction.

Table 5

08-S-2 Project Funding – Sources and Uses Summary					
Program	Org/Object	Account Description	Sources		Uses
			Phase 1	Phase 2	
FEMA Grant	313FD5-779040	08S2 FEMA Grant – Phase 1, Design & Environmental	\$191,888		\$191,888
FEMA Grant	313FD5-800700	08S2 FEMA Grant – Phase 2, Construction		\$615,068	615,068
Measure A	3308S2-779040	08S2 Meas A – Phase 1, Design & Environmental	\$32,056		32,056
Measure A	3308S2-800700	08S2 Meas A – Phase 2, Construction		259,944	259,944
Park Improvement Impact Fees	424AB1-779040	08S2 Park Impact Fees – Phase 1, Design & Environmental	16,028		16,028
Park Improvement Impact Fees	424AB1-779040	08S2 Park Impact Fees – Phase 2, Construction		129,972	129,972
Water – Distribution	751WTM-779040	08S2 Water – Phase 1, Design & Environmental	\$16,028		16,028
Water – Distribution	751WTM-779040	08S2 Water – Phase 2, Construction		129,972	129,972
Total Sources and Uses – FY-08-S-2 - Riverbank Stabilization Project			<b>\$256,000</b>	<b>\$1,134,956</b>	<b>\$1,390,956</b>

Due to the significant work involved in getting the Project from initial concept to construction, two budget cycles have elapsed since the beginning of Phase 1. Table 6 below, recommends re-establishing prior appropriations and estimated revenues for the Project as the appropriations and estimated revenues lapsed with the close of Budget FYs 2013-15 and Budget FYs 2015-17.

Table 6

Proposed Budget Adjustments – Project FY-08-S-2			
	Account No.	Account Name	Amount
From	313-340990	Federal Road Funds – Fund Balance	\$806,956
From	313-340990	Federal Road Funds – Fund Balance	(110,440)
To	313RFF-452860	Federal Road Funds – FEMA HMGP Grant	696,516
To re-establish prior estimated revenues for the Project in FY 2017-18, less revenues utilized through June 30, 2017 for Phase 1 – Design and Environmental activities			
From	313-340990	Federal Road Funds – Fund Balance	696,516
To	313FD5-779040	08-S-2 – Phase 1 Design & Environmental	157,000
To	313FD5-800700	08-S-2 – Phase 2 Construction	539,516
From	330-340990	Measure A – Fund Balance	150,000

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Award of Project No. FY-08-S-2, Santa Ynez River Bank Stabilization Project

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To	3308S2-800700	08-S-2 – Phase 2 Construction	150,000
From	424-340990	Park Improvements Impact Fees – Fund Balance	106,000
To	424AB1-77904	Park Improvement Impact Fees – 08-S-2 – Phase 1 Design & Environmental	31,000
To	424AB1-800700	Park Improvement Impact Fees – 08-S-2 – Phase 2 Construction	75,000
From	751-340990	Water Utility – Fund Balance	106,000
To	751WTM-779040	Water Utility – 08-S-2 – Phase 1 Design & Environmental	31,000
To	751WTM-779040	Water Utility – 08-S-2 – Phase 2 Construction	75,000
To re-establish appropriations for Phase 1 – Design & Environmental and Phase 2 - Construction for the Project in FY 2017-18, net of Phase 1 costs incurred through June 30, 2017			

If the construction contract is accepted as recommended, the necessary budgetary adjustments to complete the Project are shown in Table 7 – Supplemental Revenues and Appropriations, below. The recommendation for Fund 751 includes the reallocation of previously reallocated appropriations. Once FEMA grants the City’s request for additional grant resources for the Project, budget adjustments will be prepared to increase appropriations in the 313 – Federal Road Projects Fund, and to decrease the appropriations in the local sources (330,424 and 751) in the same proportion that the three funds have shared the local match requirement (50% to 330 – Measure A, 25% to 424 – Park Improvement Fees, and 25% to 741 – Water Utility).

Table 7

<b>Supplemental Revenues and Appropriations</b>			
	<b>Account No.</b>	<b>Account Name</b>	<b>Supplemental Revenues</b>
<b>From</b>	330-340990	Measure A – Fund Balance	\$142,000
<b>From</b>	424-340990	Park Improvement Impact Fees – Fund Balance	31,000
<b>From</b>	751-340990	Water Utility – Fund Balance	75,000
<b>From</b>	751-340990	Water Utility – Fund Balance	31,000
<b>Total Resources</b>			\$279,000
			<b>Supplemental Appropriations</b>
<b>To</b>	3308S2-800700	08S2 Measure A – Phase 2, Construction	\$109,944
<b>To</b>	3308S2-779040	08S2 Measure A – Phase 1, Design & Environmental	\$32,056
<b>To</b>	424AB1-800700	08S2 Park Impact Fees – Project 08-S-2 – Phase 2, Construction	31,000

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<b>To</b>	751WTM-800700	08S2 Measure A – Project 08-S-2 – Phase 2 Construction	106,000
<b>Total Uses</b>			\$279,000

**Conclusion:**

Awarding the construction contract to Bosco Constructors, Inc. and approving the necessary appropriations and expenditures to complete the Project is consistent with previous City Council direction, utilizes the FEMA Hazard Mitigation Grant Program grant received for the Project, and addresses the progressive erosion of the river bank.

Respectfully submitted,

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Craig Dierling, Principal Civil Engineer

**APPROVED FOR SUBMITTAL TO THE INTERIM CITY MANAGER:**

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Kevin P. McCune, P.E., Public Works Director

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Leslie A. Bean, P.E., Utilities Director

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Brad Wilkie, Management Services Director

**APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Teresa Gallavan, Interim City Manager

Attachments: 1) Resolution No. 6174(18) Approving Supplemental Appropriations  
2) Location Map  
3) Bidders List

**RESOLUTION NO. 6174(18)**

**A Resolution of the Council of the City of Lompoc,  
County of Santa Barbara, State of California,  
Approving Budget Adjustments and Supplemental  
Appropriations for the Santa Ynez River Bank Stabilization  
Project (Project No. FY-08-S-2)**

**WHEREAS**, the City of Lompoc (City) has developed the Santa Ynez River Bank Stabilization Project (Project) to address progressive erosion of the Santa Ynez River's western bank near residential properties and City infrastructure located along Riverside Drive from Pine Avenue to North Avenue; and

**WHEREAS**, the City received three allocations of grant funding from the Federal Emergency Management Agency (FEMA) to fund up to 75% of then approved costs for the design and environmental review (Phase 1), and construction (Phase 2), of the Project; and

**WHEREAS**, the City Council approved supplemental appropriations to its adopted Biennial Budget for Fiscal Year 2014-2015 for Phase 1 and appropriations in its adopted Biennial Budget for Fiscal Years 2015-2017 for Phase 2 for the then estimated amount of the grant and the local funding necessary for the local share of 25% of approved Project costs and contingencies; and

**WHEREAS**, the City has now received bids for construction of the Project, environmental permit conditions which are required to be implemented, and fee estimates for the necessary construction phase consulting services, and has established a revised total Project budget of \$1,390,956, with available prior budget approvals of \$1,111,956, resulting in a funding deficit of \$279,000; and

**WHEREAS**, the revised total Project budget allows for the City to request additional grant funding which would result in the reduction of the local share of additional appropriations by approximately \$85,000 to approximately \$194,000; and

**WHEREAS**, the City has sufficient additional funding available from Measure A resources, City Water Utility resources, and AB1600 Park Improvement Development Impact Fee resources, all of which have had appropriations approved previously for the Project; and

**WHEREAS**, previously appropriations for the Project lapsed with the conclusion of the Biennial Budget for Fiscal Years 2015-2017 which the City Council desires to re-establish for the Fiscal Year 2017-18 with budget adjustments; and

**WHEREAS**, the City Council desires to approve supplemental revenues and supplemental appropriations to provide for the completion of the Project.



**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The City of Lompoc hereby agrees and further authorizes the City Manager or designee to expend funds for the Project.

**SECTION 2.** The City of Lompoc authorizes budget adjustments to re-establish estimated revenues and appropriations for the Project in the FY 2017-19 budget cycle, net of expenditures and recognized revenues through June 30, 2017 as follows:

<b>Proposed Budget Adjustments – Project FY-08-S-2</b>			
	<b>Account No.</b>	<b>Account Name</b>	<b>Amount</b>
From	313-340990	Federal Road Funds – Fund Balance	\$806,956
From	313-340990	Federal Road Funds – Fund Balance	(110,440)
To	313RFF-452860	Federal Road Funds – FEMA HMGP Grant	696,516
To re-establish prior estimated revenues for the Project in FY 2017-18, less revenues utilized through June 30, 2017 for Phase 1 – Design and Environmental activities			
From	313-340990	Federal Road Funds – Fund Balance	696,516
To	313FD5-779040	08-S-2 – Phase 1 Design & Environmental	157,000
To	313FD5-800700	08-S-2 – Phase 2 Construction	539,516
From	330-340990	Measure A – Fund Balance	150,000
To	3308S2-800700	08-S-2 – Phase 2 Construction	150,000
From	424-340990	Park Improvements Impact Fees – Fund Balance	106,000
To	424AB1-779040	Park Improvement Impact Fees – 08-S-2 – Phase 1 Design & Environmental	31,000
To	424AB1-800700	Park Improvement Impact Fees – 08-S-2 – Phase 2 Construction	75,000
From	751-340990	Water Utility – Fund Balance	106,000
To	751WTM-779040	Water Utility – 08-S-2 – Phase 1 Design & Environmental	31,000
To	751WTM-779040	Water Utility – 08-S-2 – Phase 2 Construction	75,000
To re-establish appropriations for Phase 1 – Design & Environmental and Phase 2 - Construction for the Project in FY 2017-18, net of Phase 1 costs incurred through June 30, 2017			

**SECTION 3.** The City of Lompoc authorizes supplemental revenues and supplemental appropriations from available resources for the FY 2017-19 cycle for the Project as follows:

<b>Supplemental Revenues and Appropriations</b>			
	<b>Account No.</b>	<b>Account Name</b>	<b>Supplemental Revenues</b>
<b>From</b>	330-340990	Measure A – Fund Balance	\$142,000
<b>From</b>	424-340990	Park Improvement Impact Fees – Fund Balance	31,000
<b>From</b>	751-340990	Water Utility – Fund Balance	75,000
<b>From</b>	751-340990	Water Utility – Fund Balance	31,000
<b>Total Resources</b>			\$279,000
			<b>Supplemental Appropriations</b>
<b>To</b>	3308S2-800700	08S2 Measure A – Phase 2, Construction	\$109,944
<b>To</b>	3308S2-779040	08S2 Measure A – Phase 1, Design & Environmental	\$32,056
<b>To</b>	424AB1-800700	08S2 Park Impact Fees – Project 08-S-2 – Phase 2, Construction	31,000
<b>To</b>	751WTM-800700	08S2 Measure A – Project 08-S-2 – Phase 2, Construction	106,000
<b>Total Uses</b>			\$279,000

**SECTION 4. Effective Date.** This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on April 17, 2018, by the following vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

\_\_\_\_\_  
 Bob Lingl, Mayor  
 City of Lompoc

ATTEST:

\_\_\_\_\_  
 Stacey Haddon, City Clerk  
 City of Lompoc

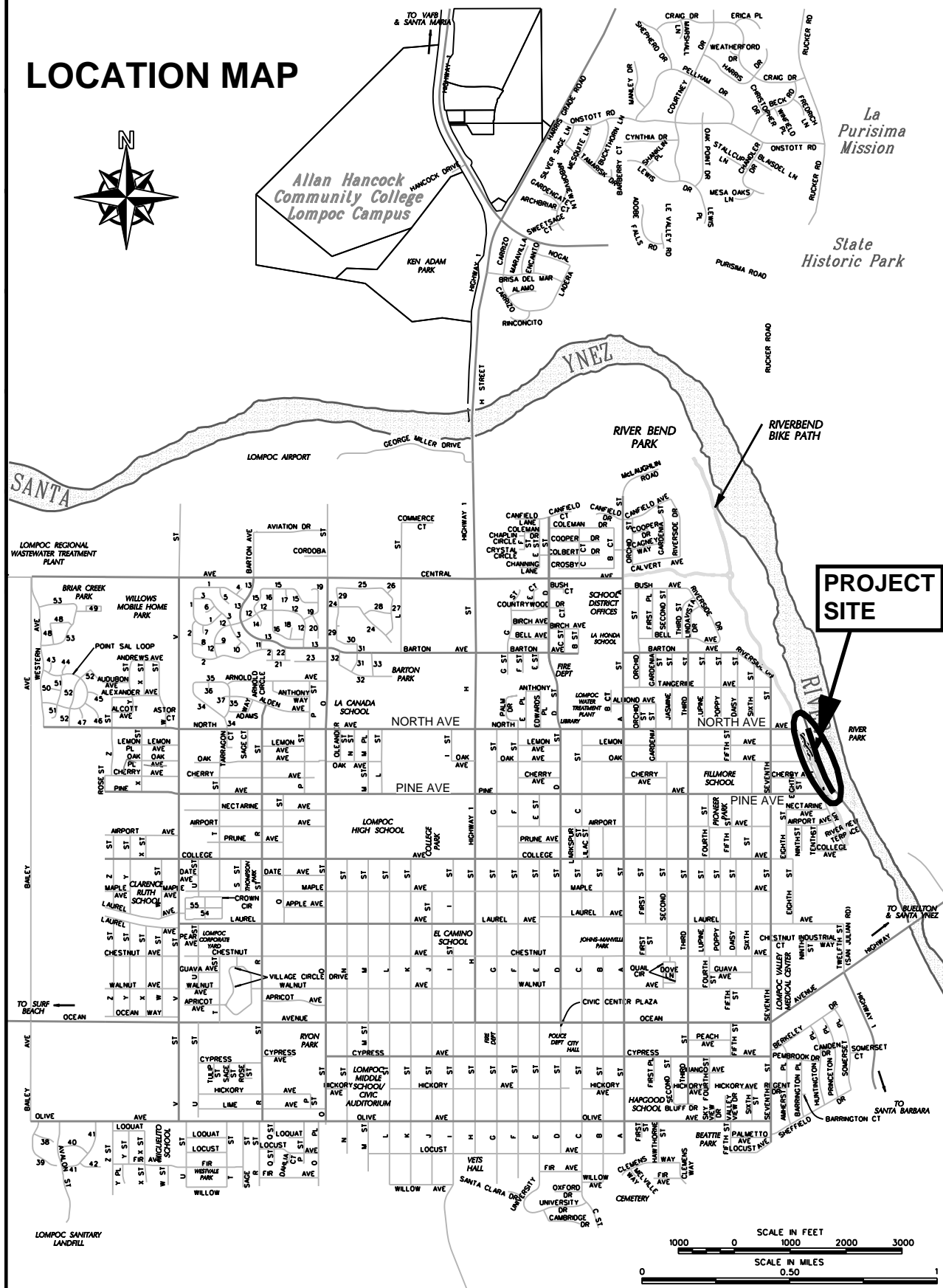
# CITY OF LOMPOC

## SANTA YNEZ RIVER BANK STABILIZATION PROJECT

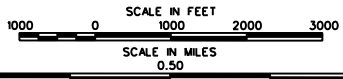
### PROJECT No. FY-08-S-2

#### ATTACHMENT 2

### LOCATION MAP



**PROJECT SITE**



# BIDDERS LIST

**Santa Ynez River Bank Stabilization Project**  
**PROJECT NO. FY-08-S-2**  
**BID OPENING: 2:00 p.m., TUESDAY, MARCH 27, 2018**

<b>CONTRACTOR</b>	<b>BASE BID AMOUNT</b>
<b>Bosco Constructors Inc.</b> 21353 Mayall Street Chatsworth, CA 91311	<b>\$800,000.00</b>
<b>Cushman Contracting Corporation</b> 5354 Overpass Road Goleta, CA 93111	<b>\$838,000.00</b>
<b>Granite Construction Company</b> 5335 Debbie Lane Santa Barbara, CA 93111	<b>\$943,805.00</b>
<b>Specialty Construction, Inc.</b> 645 Clarion Ct. San Luis Obispo, CA 93401	<b>\$1,092,520.00</b>

The design consultant's construction cost estimate prepared during design and as advertised was in the range of \$500,000.00 to \$600,000.00.



## City Council Agenda Item

**City Council Meeting Date:** April 17, 2018

**TO:** Teresa Gallavan, Interim City Manager

**FROM:** Susan Zavolta, Senior Administrative Analyst  
s\_zavolta@ci.lompoc.ca.us

**SUBJECT:** Adoption of Resolution No. 6159(18) Reducing Water Conservation In-Lieu Payment, Amending Program, and Authorizing Supplemental Appropriations

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### **Recommendation:**

Staff recommends the City Council adopt Resolution No. 6159(18) (Attachment), which reduces the Water Conservation In-Lieu Payment, makes changes to the Water Conservation In-Lieu Payment Program (Program), authorizes supplemental appropriations from the Program Account No. 751WRC-572180, and rescinds Resolution No. 5629(10).

### **Background:**

On January 16, 1990, the City Council declared a water shortage emergency and adopted urgency Ordinance No. 1312(90), which placed prohibitions and restrictions on water use in the City of Lompoc (City). Ordinance No. 1312(90) also required the use of 1.6 gallon or less per flush toilets and one gallon or less per flush urinals for new construction, beginning in February 1990.

In October 1990, the City Council adopted Ordinance No. 1334(90), which established a water retrofit program to regulate the addition of new water users in the City. The intent was to provide an alternative to a moratorium on development by establishing water conservation measures and remedies to the City's existing water supply that result in a decrease in the demand on the existing system equal to the proposed project demand. Ordinance No. 1334(90) was codified as Lompoc Municipal Code (LMC) Section 13.04.070 (previously Section 3306.1): "Development Project Impact on Water Supply". (The Program was referred to then as the Water Retrofit Program.) The Program is now being referred to as the Water Conservation In-Lieu Payment Program.

Resolution No. 4000(90) provided the first guidelines to implement the Program in October 1990, with an intent of achieving "zero impact" on existing water supply. The

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Amendments to Water Conservation In-Lieu Payment Program

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Program gave developers the option of using conserving water fixtures or paying a Water Conservation In-Lieu Payment. Collection of in-lieu funds initially provided resources for Program expenditures to provide rebates for City water customers to replace high-water using toilets, showerheads, and faucet aerators with low-flow fixtures.

Resolution No. 4000(90), implementing the Program, was amended in 1993, replaced in 1994 by Resolution No. 4397(94), further amended in 2002, and again in 2010. The changes in Program offerings were based on changes in building codes and State water conservation requirements as more toilets, plumbing fixtures, and water appliances, such as dishwashers and clothes washers, were converted to low-flow fixtures. The City Council approved the use of accumulated funds of the Program to include those fixtures and appliances. The additional rebate offerings expanded the conservation options of the Program for reducing the water demand through existing City water customers, and allowed developers to achieve Program objectives.

Following the Great Recession of 2007, on June 1, 2010, the City Council adopted Resolution No. 5629(10) suspending the collection of Program funds through June 30, 2011, due to the then current Federal, State, and local economic crisis.

On January 17, 2014, Governor Brown declared a drought emergency. Beginning in Water Year 2017 (October 1, 2016, through September 30, 2017) many parts of California began to emerge from the record-breaking drought. The State of California received record rainfalls in the 2016-2017 rain-year. As a result, on April 7, 2017, Governor Brown modified some of the State's no water waste restrictions in Executive Order B-40-17 and retained some of the restrictions in Executive Order B-37-16 and previous orders.

On August 6, 2016, the City Council suspended collection of Program funds in the Old Town Commercial District (OTC) for development retroactively from November 9, 2015, forward to encourage economic development in that district.

The City's existing water conservation programs have helped City water customers meet State mandated conservation goals. Additionally, the programs helped provide an additional water supply through water savings to its customers.

City water customers have continued to conserve water. In calendar year 2016, City residential (single- and multi-family) customers averaged 26,928 gallons of water per year. That is a sharp contrast to the City's 1990 average multi-family monthly usage of approximately 107,712 gallons per year and 134,640 gallons per year for single-family.

Since Fiscal Year (FY) 2007-08 through the end of FY 2016-17, the City has disbursed approximately \$490,000 in Program incentives. At the end of FY 2016-17, the Program had remaining restricted cash balances of approximately \$946,000 available for Program administration and incentives.

**Discussion:**

Staff recommends changes in two significant features of the Program. First, the Program's development payments should be revised to reflect current water usage to determine those payments. Second, the Program is recommended to be expanded to include additional water conservation programs to meet the current needs of water customers. The two components are directly linked as the conservation programs have known costs related to estimated water conservation levels, while the calculation of the Program payment is based on the Program costs and estimated water conservation levels anticipated to be achieved.

**Revision to Program Payments**

Staff recommends reducing the Program payment per new residential unit from \$2,256 to \$726 [Exhibit A to Resolution No. 6159(18)]. Exhibit A lists current water rebate programs and a new proposed customer leak repair program (Leak Detection and Repair Rebate), which will save an estimated 13,000 gallons of water per year. All rebate programs include an administrative cost component, which is based on divisional costs. The divisional costs are proposed to be adjusted in conjunction with the City's annual review of the Master Fee Schedule, with a cap limiting increases to no more than 5% per year.

A summary description of the calculation method used, annual gallons saved, rebate program cost, and administrative cost for each rebate program, is listed in Exhibit A. The average residential unit uses 26,928 gallons per year. That usage is reduced to 10,771 gallons, because 60% credit is given for effluent that recharges the Lompoc Plain Sub-Basin. All other types of development would be required to provide one year of estimated water use in gallons per year. The project demand is calculated by multiplying estimated use by 40%. The payment is calculated by multiplying project demand by \$0.07, average cost of rebate programs per annual gallon saved. (See Exhibit A for a more detailed outline of the calculation of Program payments and the estimated annual savings per unit.)

The change in the methodology to determine the annual use of water for new development was evaluated based on 2016 yearly average residential water demand. In the past, the Program required conservation measures and remedies that resulted in a 100% decrease of the new project's water demand on the existing system. The current proposal requires conservation measures and remedies that result in 40% decrease on the existing system. The change is arrived at by applying 60% credit for recharge of treated effluent to the Lompoc Plain Sub-Basin. Developers would be required to reduce the net remaining 40% of the water demand from residential (single- and multi-family) water usage and any other type of development to achieve "zero impact" on existing water supplies.

Recharge adds water back to the Lompoc Plain and that water becomes available for beneficial use within the Lompoc Plain Sub-Basin. The change is based on a 2003 Revised Water Balance report, prepared by Todd Engineers for the Providence Landing

development project, which is located in the Vandenberg Village Community Services District (VVCS D). The report credits 75% of VVCS D's treated wastewater (effluent) sent to the Lompoc Regional Wastewater Reclamation Plant (LRWRP) as recharge (not consumption) into the Lompoc Plain Sub-Basin.

Conservation efforts by the City's water consumers have reduced consumption over time. As mentioned above, the residential usage has decreased from a range of 107,712 to 134,640 gallons annually in 1990 to 26,928 gallons per year in 2016. The drop in consumer demand, in conjunction with new consumption requirements of building codes since 1990, has reduced the amount of demand under the Program.

### Revision to Program Features

Staff revised the program to include non-incentive Program options such as the prevention, detection and reduction of leaks in the City water distribution system (supply side), reimbursement of the Water Conservation program costs for the operation of conservation programs, reimbursement of the Wastewater Division's costs for providing recycled water for beneficial uses and partial reimbursement of staff costs associated with implementation of the Program.

### Water Conservation Program Expenditures

Exhibit B to Resolution No. 6159(18) provides a recommended list of water conservation programs for use of Program funds and a list of assumptions for those uses. The programs, with an estimated total cost of \$718,240, are the following:

1. The replacement of approximately one-third of the automated 60W water meter reading radio transmitters with 100W transmitters. The 100W transmitters provide additional leak detection capabilities as well as more timely delivery of meter information (estimated two-year appropriations of \$251,000);
2. A leak detection survey and ongoing repair of leaks from hydrants, water service lines and water mains (estimated two-year appropriations of \$240,000);
3. Reimbursement of community water conservation programs (e.g. landscape workshops and community promotions of water conservation) (estimated two-year appropriations of \$20,000);
4. Reimbursement of the City's participation in Santa Barbara County Water Agency conservation programs (estimated two-year appropriations of \$30,000);
5. Reimbursement of the permit costs for trucked recycled water uses (estimated two-year appropriations of \$40,000);
6. Additional water conservation staffing assistance (part-time) (estimated two-year appropriations of \$37,240); and
7. Customer water rebate programs (estimated two-year appropriations of \$100,000).

### Fiscal Impact:

The existing Program, and the proposed additional projects under the Program, are funded exclusively from payments generated by new development. The programs are all



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Amendments to Water Conservation In-Lieu Payment Program

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managed and administered as a component of the City's Water Utility Fund, a proprietary fund of the City. Revenues from the collection of the in-lieu payment are accounted for in the City's Water Utility Fund, as are any retained cash balances from receipt of in-lieu payments in excess of program costs. Remaining unused resources at each fiscal year end are held by the Water Utility Fund as a restriction of Net Position. No General Fund resources have ever been used to provide for the Program's management or operations, and the proposed changes also would not require General Fund resources. The City's General Fund is a customer of the City's Water Utility Fund. As a customer, the City is eligible to use Program services, and has benefitted from the services over the course of the history of the Program. A significant service provided in the past 10 years are rebates for upgrading irrigation systems in City parks, resulting in water savings to the Water Utility Fund. The City's General Fund has realized ongoing savings from the Program, in the form of lower utility bills, since the efficiency upgrades were installed.

The City has segregated Program income, expenditure and accumulated net receipts from other Water division activities, since the inception of the Program. As of June 30, 2016, the Program retained a restricted net cash balance (Restricted Net Position) of \$980,500. As of June 30, 2017, the Program's restricted net cash balance was \$947,116. As of September 30, 2017 (the most recently completed monthly cycle), the Program's net cash balance was \$935,510.

The Biennial Budget FYs 2017-19 (Budget) provides for \$100,000 per year of appropriations for Program costs in account 751WCR-572180, Water Conservation Retrofit Program (legacy account no. 51050-57218). The proposed estimated appropriations for the conservation projects total \$718,240 for the current Budget or \$518,240 more than is currently budgeted. That would leave a Program balance of \$227,760 to carry forward at June 30, 2019, for future conservation programs, assuming no additional Program in-lieu payments are collected under the revised Program payment amount during the remaining term of the FY 2017-19 biennial budget and 100% of budgeted Program appropriations are expended. However, water conservation rebate programs have averaged annual expenditures of \$39,000 per year between FY 2011-12 and FY 2016-17. With the addition of the proposed services, annual expenditures are anticipated to be greater than the average over the past seven fiscal years. There is a high likelihood existing resources should be available for Program costs through FY 2022-23, even if no additional revenue is generated from new development participating in the Program.

Approval of the proposed additional projects of the Program would utilize existing unallocated Program resources while leaving a balance to carry forward for future rebate programs. No non-Program resources in the Water Utility Fund, or elsewhere, are proposed to be appropriated for the proposed additional Program projects. However, City Council approval is required for the supplemental appropriations of the unbudgeted amount of \$518,240 to fully fund the proposed projects of the Program, and would increase the total appropriations in account 751WCR-572180, Water Conservation In-Lieu Payment Program, to \$718,340 for the FY 2017-2019 Budget period.

The implementation of the revised Program payment of \$726 per residential unit will only generate additional revenue for the Program if new development participates in the Program and pays the per unit payment.

The Budget is conservative in regards to revenues from new development and does not anticipate any new development for purposes of determining revenue estimates that are partially or fully derived from new development. Based on the assumptions used in the Budget, there is currently no estimated additional Program resources from new development included in the Water Division's budgeted revenues.

**Conclusion:**

Adoption of Resolution No. 6159(18) will benefit the community by revising the Program to reflect current residential water usage, lowering the Program payment, and providing funding for additional water conservation needs.

Respectfully submitted,

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Susan Zavolta, Senior Administrative Analyst

**APPROVAL FOR SUBMITTAL TO THE CITY MANAGER:**

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Larry Bean, Utility Director

**APPROVAL FOR SUBMITTAL TO THE CITY COUNCIL:**

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Teresa Gallavan, Interim City Manager

Attachment: Resolution No. 6159(18)

## RESOLUTION NO. 6159(18)

### **A Resolution of the Council of the City of Lompoc, County of Santa Barbara, State of California, Amending the Standards and Guidelines Relating to Development Project Impact on Water Supply (Water Conservation In-Lieu Payment Program), Authorizing Supplemental Appropriations and Rescinding Resolution No. 5629(10)**

**WHEREAS**, in 1990, the City Council adopted Lompoc Municipal Code (LMC) section 13.04.070, prohibiting new development unless it participates in, and provides, water conservation measures and remedies to the existing City of Lompoc (City) water supply and distribution systems that will result in a decrease in the demand on the existing system equal to the proposed project demand; and

**WHEREAS**, implementation of the requirements of LMC section 13.04.070 to achieve “zero impact” was based upon standards and guidelines adopted by Resolution No. 5629(10); and

**WHEREAS**, based upon ongoing evaluation of the Water Conservation In-Lieu Payment Program (Program), several adjustments are recommended to the Program standards and guidelines, in order to continue to decrease the new water demand by participating in, and providing, water conservation measures and remedies that result in a decrease in the new demand equal to proposed demand from new development; and

**WHEREAS**, for purposes of evaluating and calculating net consumptive water use for developments, approximately 60% of the wastewater sent to the Lompoc Regional Wastewater Reclamation Plant (LRWRP) percolates into the Lompoc Plain Sub-Basin, and is considered recharge, not consumption; and new development’s net consumption is 40%; and

**WHEREAS**, in order to continue to decrease the new development’s consumptive water use, the following is needed: (i) review of residential (single- and multi-family) water usage, (ii) review of the impact of current water conservation programs, and (iii) development of new water conservation programs; and

**WHEREAS**, Governor Brown declared water conservation is a “California Way of Life;” and

**WHEREAS**, groundwater is the City’s only source of water, and the City is currently in a very dry year with 8.20 inches of rainfall recorded through seven months of the current water year compared with the City’s mean annual rainfall of 14.59 inches (average based on annual rainfall between 1955 and 2017) for a full water year; and

**WHEREAS**, as of April 1, 2018, Cachuma Reservoir’s water storage is 40% of capacity; and

**WHEREAS**, the City Council, at a regularly scheduled meeting, held a Public Hearing on April 17, 2018, to review and consider proposed changes to the Program; and

**WHEREAS**, the proposed adjustments to the Program are exempt from environmental review as actions authorized by local ordinance to assure the maintenance, restoration, or enhancement of a natural resource, as provided by CEQA Guidelines Section 15307.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, STATE OF CALIFORNIA, HEREBY RESOLVES:**

**SECTION 1.** Resolution No. 5629(10) is hereby rescinded.

**SECTION 2. Intent.** The City Council intends this Resolution to implement and facilitate the administration of LMC section 13.04.070. The Urgency Water Conservation Regulations continue to apply to the application for an issuance of any building permit, which in the determination of the Utility Department, may result in increased consumption. It is determined that 60% of water usage in the City is recharge, and is not considered consumptive water use.

**SECTION 3. Prohibitions.** LMC section 13.04.070 authorizes the Building Inspection Division to issue building permits, and allow processing of parcel maps and subdivision maps, only for those new construction projects which have demonstrated, to the satisfaction of the Utility Director, they have provided water conservation measures and/or remedies for decreasing project water usage in the existing City water demand equal to the proposed project water demand. LMC section 13.04.070 also authorizes the Building Inspection Division to issue building permits only to those projects that have participated in, or provided, such measures, remedies, or payments. Those prohibitions mean the applicant shall, from the City's existing and projected new demand, reduce, through conservation measures and remedies, their projected water demand.

The City's Old Town Commercial District (OTC) area is exempt from this Program, due to the City Council's suspension of the Program for development in that zone from November 9, 2015, forward, to encourage economic development in the OTC area.

Any area of the City where water is provided by other than the City is also excluded from this Program. For new development in areas of the City, where water is provided by other than the City, in-lieu payments do not apply. Residents or customers in areas of the City where water is provided by a water utility other than the City, are ineligible to participate in Program incentives of the City.

**SECTION 4. Consumptive Quantity.** The following average water consumption quantity is assigned to projects within the City for the purpose of this Resolution:

- A. Each residence (single- and multi-family) uses an average 26,928 gallons of water per year. 60% of this water is estimated as recharge to the LRWRP; therefore, the remaining 10,771 gallons is considered the project water demand of each proposed new residence.
- B. Any other project, or any other form of commercial, industrial, or institutional development, may require the submission of one year calculation of expected water consumption for verification and approval by the Utility Director, or his/her designee. This must be submitted prior to issuance of permits for new construction. 60% of the water usage will be considered recharge; therefore, the remaining 40% will be considered the project demand for the development.

**SECTION 5. Guidelines.**

- A. Applicants building a new residential unit (single- or multi-family) will pay \$726.00 per unit to offset the annual water usage. This payment is subject to change annually, due to changes in the administration cost of the rebate program; however, no such increase shall exceed an average of 5% per year. Calculation of payments is described in Exhibit A attached hereto and incorporated herein. The determination of the number of units subject to the payment will be consistent with the number of units determined in the Building Inspection review process.
- B. Applicants for all development projects other than new residential construction, will be charged \$0.07 per annual gallon saved of the project demand. This payment is subject to change annually due to changes in the administration cost of the rebate program; however, no such increase shall exceed an average of 5% per year.
- C. Payments collected in the Program are to be expended only for water conservation measures and remedies approved by the City Council.
- D. Calculation of the payments and conservation programs funded by the Program are described in Exhibits A and B attached hereto.

**SECTION 6. Supplemental Appropriations.**

- A. Supplemental appropriations for the Biennial Budget Fiscal Years 2017-19 are approved in the amount of \$518,240 in account 751WCR-572180, Water Conservation In-Lieu Payment Program. Funding to provide for the supplemental appropriations are from previously collected Program revenues retained in the Water Division's Fund Equity (account 751-340990).
- B. Approved Program projects utilizing the full appropriations of \$718,240 in account 751WCR-572180 include the following summarized projects in Exhibit B attached hereto and incorporated herein:

- a. Water Meter Encoder Receiver Transmitter (ERT) replacement project;
- b. Leak detection survey with service line, water main and hydrant leak repairs;
- c. Santa Barbara County Water Agency program contract;
- d. Water Conservation temporary staffing;
- e. Recycled water permit reimbursement;
- f. Community Promotions – Water Conservation Program; and
- g. Existing Water Conservation Rebate and Other Programs, as provided for in Exhibits A and B attached hereto, funded as part of the Biennial Budget Fiscal Years 2017-19 at \$100,000 per year.

**SECTION 7. Effective Date.** This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on April 17, 2018, by the following vote:

AYES: Council Member(s):  
NOES: Council Member(s):  
ABSENT: Council Member(s):

\_\_\_\_\_  
Bob Lingl, Mayor  
City of Lompoc

ATTEST:

\_\_\_\_\_  
Stacey Haddon, City Clerk  
City of Lompoc

Attachments:

Exhibit A: Customer Water Rebate Programs, Savings & Water Conservation In-Lieu Payment Calculation

Exhibit B: Water Conservation In-Lieu Payment Expenditures-Current and Proposed Programs

## EXHIBIT A

<b>Customer Water Rebate Programs, Savings &amp; Water Conservation In-Lieu Payment Calculation</b>				
<b>Rebate Programs</b>	<b>(A) Annual Gallons Saved/Unit</b>	<b>(B) Administrative Cost</b>	<b>(C) Rebate Amount</b>	<b>Cost per Annual Gallon Saved (B+C) (A)</b>
<b>All programs require application, receipt or invoice.</b>				
<b>Clothes Washer</b> <small>(Savings Source Energy Star) Must replace an inefficient washer with an Energy Star certified washer</small>	5,443	\$44.68	\$300.00	\$0.06
<b>Toilet Retrofit - Replace 1.6 gpf to 1.28 gpf</b> <small>Note - Assumes 5.05 Flushes per Person/Day &amp; 2.88 people/Household (Savings Source EPA)</small>	1,699	\$44.68	\$100.00	\$0.09
<b>Leak Detection and Repair</b> <small>(Savings Source EPA) Maximum rebate is \$700</small>	13,000	\$44.68	\$700.00	\$0.06
<b>Rain Barrel</b> <small>(Savings Source Houselogic) Minimum size - 50 gallons</small>	1,300	\$44.68	\$50.00	\$0.07
<b>Landscape</b> <small>Assumes avg of 1496 gal saved/month Maximum rebate is \$1000</small>	17,952	\$44.68	\$1,000.00	\$0.06
<b>Average Cost per Annual Gallon Saved</b>				\$0.07

<b>Calculation Used to Determine the Number of Gallons Required to Reduce New Demand</b>			
	<b>Residential Water Use Gallons/Year</b>	<b>Demand Reduction Credit</b>	<b>Demand Reduction Gallons/Year</b>
<b>Based on Single Family (SF) &amp; Multiple Family (MF) Annual Average Water Use</b>	26,928	40%	10,771
<b>Developer Payment Calculation</b>	<b>Demand Reduction Gallons/Year</b>	<b>Average Cost per Annual Gallon Saved</b>	<b>Developer Payment</b>
<b>Developer Payment (Residential) - Per Unit</b>	10,771	\$0.07	\$726
<b>Developer Payment (All Other Development)</b>	Developer must provide one year of estimated water use for the project. The project demand is calculated by multiplying estimated use by 40%. Payment is calculated by multiplying project demand by Average Cost per Annual Gallon Saved (\$0.07).		

## EXHIBIT B

<b>WATER CONSERVATION IN-LIEU PROGRAM EXPENDITURES - Current and Proposed Programs</b>	
<ul style="list-style-type: none"> <li>• Continue Funding Water Conservation and Rebate Programs to Protect Current &amp; Future Water Supplies and Comply with State Standards</li> <li>• Add a Customer Water Rebate Program - Leak Detection and Repair</li> <li>• Allow Project Reduction of 60%, Based on Water Recharge of the Lompoc Plain SubBasin</li> <li>• Fund Conservation Programs on the City Distribution/Program Administrative Side</li> </ul>	
<b>Water Conservation In-Lieu Program Expenditures For Remainder of FY 2017-19 Budget</b>	
<b>Water Retrofit Program - Restricted Balance at 6-30-2017</b>	<b>\$947,116</b>
<b>Program Appropriation Descriptions</b>	<b>Proposed Appropriations</b>
Replacement of water meter 60W ERTs with 100W ERTs - Replace 30% of 6,713 Cost - $(\$81.74 \times 2,238) = \$182,934.12$ , plus installation $(\$30 \times 2,238 = \$67,140)$ Total Replacement Cost = \$251,000	251,000
Leak Detection Survey/Service Lines, Water Mains and Hydrant Repair, Replacement & Ongoing Repairs, Total Cost = \$240,000	240,000
Santa Barbara County Water Agency Contracts - Approximately - \$10,000 + School Programs(\$4,500) = \$15,000/Year or \$30,000 Cost for 2 Years	30,000
Water Conservation-Part Time Position = \$22/hour (Includes Salary and Benefits)	37,240
Recycled Water Permit Reimbursement	40,000
Community Promotion - Conservation \$10,000/year - Cost for 2 years - \$20,000	20,000
Customer Water Rebate Programs \$50,000/year - Cost for 2 Years - \$100,000 (For Description of programs See TABLE 1)	100,000
<b>Total Proposed Program Appropriations - FY 2017-19</b>	<b>\$718,240</b>
<b>Estimated Water In-Lieu Program - Restricted Balance at 6-30-2019</b> (Available for appropriation of eligible programs beyond June 30, 2019)	<b>\$228,876</b>





## City Council Agenda Item

**City Council Meeting Date:** April 17, 2018

**TO:** Teresa Gallavan, Interim City Manager

**FROM:** Laura Dubbels, Deputy City Manager  
l\_dubbels@ci.lompoc.ca.us

**SUBJECT:** Direction Regarding City Properties for Possible Disposition

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### **Recommendation:**

Staff recommends the City Council review the options below regarding surplus City-owned real estate sales:

1. Review the list of remaining City-owned properties (Attachment 1), determine if staff should take any further action on any of those properties, and what steps the Council would like the staff to take for disposition; or
2. Determine there will be no further disposition actions at this time regarding the listed City-owned properties, and decide not to renew the contract with the City's real estate professional Debbie McComb with Central Coast Realty Group that is set to expire on April 30, 2018; or
3. Provide alternative direction.

### **Background:**

On February 16, 2016, a list of City-owned properties that were inventoried by staff and determined to have no current or future strategic use was presented to the City Council in order to get direction, if any, of action for disposition. The City Council took action to market 5 parcels for sale at that time. Staff took appropriate steps and to date, the following has occurred:

**Real Estate Sales History**

<u>Address</u>	<u>Transaction Date</u>	<u>Listine Price</u>	<u>Action</u>
518 North T Street	8/17/2016	\$185,000.00	Original Listing Price
	11/2/2016	\$139,000.00	Price Reduced
	4/5/2017	\$85,000.00	Price Reduced
	5/18/2017	\$90,000.00	Sold
1404-1408 W. College Ave.	8/17/2016	\$199,000.00	Original Listing Price
	11/2/2016	\$185,000.00	Price Reduced
	4/5/2017	\$145,000.00	Price Reduced
	8/24/2017	\$95,000.00	Sold
110-114 South K Street	8/17/2016	\$250,000.00	Original Listing Price
	11/2/2016	\$235,000.00	Price Reduced
	4/5/2017	\$197,500.00	Price Reduced
	12/20/2017	\$155,000.00	Price Reduced - Still on Market

**Discussion:**

Staff is now bringing back the remainder of the list, after further review of the properties, to ascertain the Council's next direction, if any, for any further disposition. Some properties have been removed from the list (Attachment 1) after staff's review determined no further action could occur for various reasons.

A slide show presentation (Attachment 2) of that list will be shown in order to give Council an accurate depiction as to the location of the properties and any requirements necessary for disposition. Those properties have already gone to the Planning Commission for a finding the disposition of those City-owned properties is in conformity with the City's General Plan, pursuant to Government Code subdivision 65402(a). As such, adoption of Planning Commission Resolution Nos. 870(17), 871(17), 872(17), and 873(17) were made at the meeting held on December 13, 2017, as per staff's request (Attachment 3). That finding is only for legal conformity purposes and should not be deemed as any suggested disposition action for the properties. Any disposition action is solely up to the Council to determine.

At that Planning Commission meeting, it should be noted several members of the public made comments on the properties located in the Cultural Resources Overlay District (CRO) (Attachment 3). Concern was noted from citizens who actually sold the properties to the City for the promise to preserve and protect them as historical resources. It was suggested to staff beforehand from one concerned citizen the properties be offered to the original owners for the price paid at that time, if the City was seriously considering selling the properties for development.

The CRO area is part of the slide presentation for this agenda item and has many restrictions and requirements associated with it that were adopted by a previous Council in response to the 1988 City of Lompoc Cultural Resources Study, which can be located at <http://www1.cityoflompoc.com/departments/comdev/pdf/CulturalResourcesStudy.pdf>. Development of those properties would be bound to regulations contained in the City's CRO, the architectural review guidelines, General Plan goals/policies/implementation measures and subject to environmental review relating to potential impacts to archaeological and historic resources.

If the City Council directs staff to market any of those properties, then a process will be followed for the City to sell real property that is set forth in Government Code Sections 37420 *et seq.* That process establishes a noticing procedure that will involve a public hearing for public input, with a final decision by vote of the City Council at a date to be later determined.

**Fiscal Impact:**

If any City properties are approved to be sold, then the fiscal impact will be whatever the proceeds are minus any costs. The market value will be determined by the City's real estate professional listed above, and the proceeds will be from the price the City Council approves to sell the property. In addition to the City receiving net proceeds on the sale of properties, a one-time revenue, the City will be relieved of the ongoing annual operational and maintenance obligations associated with vacant property ownership. Examples of such costs are weed abatement, landscaping (mowing), and possibly utility service costs. All these are generally paid by the City's Parks Division, a General Fund program. In addition, any potential liability issues related to the use of the property would be transferred to the new owner upon the property's sale. The elimination of ongoing maintenance costs will benefit the City's General Fund from the time any property is conveyed to another owner, for that property.

If no further action is decided upon by the City Council, then the contract with the real estate professional named above will terminate as of April 30, 2018, and no further commissions will be paid in the event of future sales.

**Conclusion:**

Staff is requesting Council direction on the remaining City properties for possible disposition and will proceed with any actions needed from the direction.

Respectfully submitted,

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Laura Dubbels, Deputy City Manager

**APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Teresa Gallavan, Interim City Manager

- Attachments: 1) List of City Properties for Possible Disposition (2<sup>nd</sup> List)  
2) Slide Presentation of Properties  
3) Staff Report to Planning Commission with Resolution Nos. 870(17),  
871(17), 872(17), 873(17)

## City Properties for Possible Disposition

(2nd List)

	Use/ Special Designation	Zoning	Slide	APN	Acreage	Address/Description
Requires Archeologist Requirement Disclosure - Cultural Resources Overlay	Historic Structure	OS	1	085-341-009	0.07	510 S. F St. - Vacant lot in middle of residential area
				085-341-012	0.26	514 S. F St. - Vacant lot in middle of residential area
	OS	2	085-334-003	0.41	520 S. G St. - Vacant lot in middle of residential area	
	OS	3	085-333-012	0.25	525 S. F St. - Vacant lot in middle of residential area	
	OS	4	085-334-004	0.41	539 S. F St. - Vacant lot in middle of residential area (La Purisima Mission landmark)	
	OS	5	085-341-015	0.21	316 E. Locust Ave. - Vacant lot in middle of residential area	
	Park	PF	6	093-140-015	14.69	1200 E. Willow Ave. - Lot Split - Cemetery Interest
Lot Split	Public Parking Lot	OS	7	091-103-008	0.24	127 S. I St. - Parking Lot (Formerly RDA's)
Leased	CAC & Train Shop	R3	8	087-241-001	0.64	428 N. I St. - Currently leased



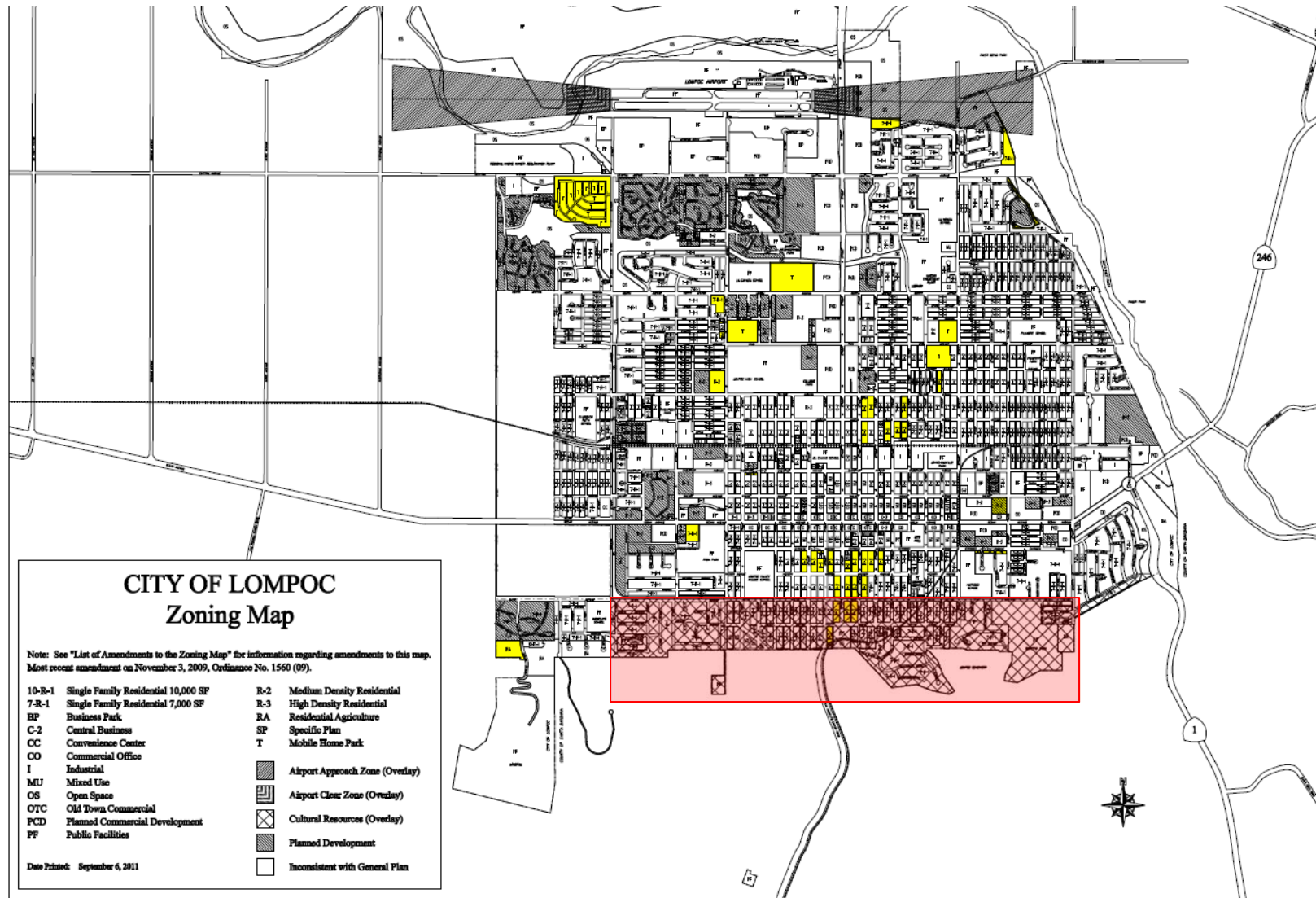


City of Lompop  
Properties for Disposition  
(List 2)

April 17, 2018



# Cultural Resources District Overlay





# 510 & 514 S. F St.



# 520 South G Street





# 525 South F Street





# 539 South F Street



# 316 East Locust Avenue





# 1200 East Willow Avenue



CL2

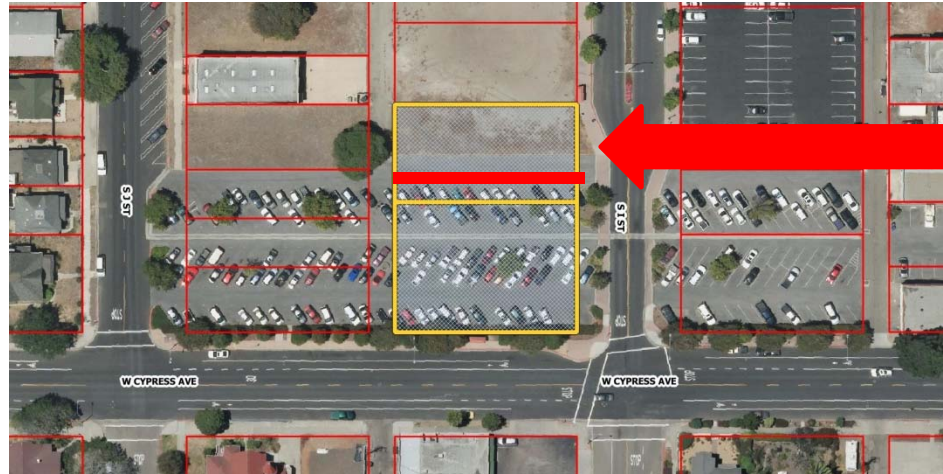
**Slide 8**

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**CL2**

Candy, Laura, 4/4/2018

# 127 S. I St.



Possible lot split to even out area for sale and better development options





# 428 North I Street



Questions?



## Planning Commission Agenda Item

**Planning Commission Meeting Date:** December 13, 2017

**TO:** Members of the Planning Commission

**FROM:** Brian Halvorson, Planning Manager  
b\_halvorson@ci.lompoc.ca.us

**SUBJECT:** DR 17-07 – Finding of Conformity  
Disposition of City owned properties

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### **AGENDA ITEM NO. 2**

A request by Laura Dubbels, City of Lompoc Deputy City Manager, for the Planning Commission to make a finding of conformity with the City's General Plan pursuant to Government Code Section 65402(a) regarding the disposition of City owned properties. This action is exempt from the California Environmental Quality Act (CEQA).

### **Scope of Review**

The Planning Commission is being asked to determine if the sale of seventeen City owned properties conforms to the City's General Plan pursuant to Government Code Section 65402(a) as shown below:

*(a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.*

Based on the above Government Code Section, the Planning Commission serves as the planning agency with the responsibility to report on General Plan conformity regarding the disposition of City owned properties.

**Planning Commission Action**

1. Adopt Resolution No. 870 (17), No. 871 (17), No. 872 (17) and No. 873 (17) making the finding that the disposition of the properties listed in these Resolutions are in conformity with the City's General Plan; or
2. Provide alternative direction.

**Property Site Data**

A total of seventeen properties are proposed to be sold by the City of Lompoc. These properties are shown below describing the site location, Assessor's Parcel Number (APN), parcel size, existing site use, general plan designation and zoning district.

**Table 1: City owned properties for disposition**

Location	APN	Size (Acres)	Use	General Plan	Zoning
518 North T Street	089-161-012	0.32	Vacant	HDR	R3
1404 West College Ave	089-151-003	0.15	Vacant	MDR	R2PD
1408 West College Ave	089-151-002	0.15	Vacant	MDR	R2PD
110 South K Street	091-102-019	0.08	Vacant	HDR	R3
114 South K Street	091-102-018	0.24	Vacant	HDR	R3
510 South F Street	085-341-009	0.07	Vacant	OS	OS/CRO
514 South F Street	085-341-012	0.26	Vacant <i>Historic Structure</i>	OS	OS/CRO
520 South G Street	085-334-003	0.41	Vacant	OS	OS/CRO
525 South F Street	085-333-012	0.25	Vacant <i>La Purisima Landmark</i>	OS	OS/CRO
539 South F Street	085-334-004	0.41	Vacant	OS	OS/CRO
316 East Locust Ave	085-341-015	0.21	Vacant	OS	OS/CRO
1200 East Willow Ave	093-140-015	14.69	Park	CF	PF/CRO
127 South I Street	091-103-008	0.24	Former <i>RDA</i> parking lot	OTC	OS
1050 North D Street	087-011-051	10.74	Partially Vacant <i>Public Utilities</i>	CF	PF
428 North I Street	087-241-001	0.64	Partially Vacant/ Leased to CAC & Train Shop	HDR	R3
200 South H Street	085-202-015	0.32	<i>Historic Structure</i> Museum	CF	PF
East Central Avenue	093-051-020	6.16	Vacant	CF	PF

## **Proposal**

The Planning Division received a request for a Finding of Conformity to allow the disposition of City owned properties. Most of the properties shown in Table 1 are vacant or underutilized. The City has no interest in developing or maintaining these properties and therefore the City Council will consider which properties to possibly market for disposition or retain.

The City Council will make the final decision whether to sell the properties and to accept or reject offers to purchase the properties. The City Council may disagree with the Planning Commission's report on General Plan conformity. If the Council directs staff to market any of the properties, a process will be followed for the City to sell real property that is set forth in Government Code Sections 37420 et seq. This process establishes a noticing procedure that will involve a public hearing for public input, with a final decision by vote of the City Council. City staff will research any covenants or restrictions for the feasibility of disposition at that time. If the properties are determined to be marketable and the City Council approves them to be sold, staff will then work with the City's contracted real estate professional to market the properties. Laura Dubbels, Deputy City Manager, is the lead staff contact regarding inquiries as to the disposition of these City owned properties.

## **Conformance with General Plan/Zoning**

The properties for disposition have various General Plan land use and zoning designations. The seventeen properties shown in Table 1 conform to current land use designations and zoning districts. It should be noted that eight of the seventeen properties are located in the City's cultural resources overlay district and/or contain an historic structure on the parcel.

The Cultural Resources Overlay (CRO) district is intended to ensure protection of cultural resources within the City of Lompoc, while streamlining the process of development review within the archaeological high sensitivity zone on the City's south side. There are goals, policies and implementation measures contained in the Conservation/Open Space element relating to cultural and historic resources. In addition, the City's architectural review guidelines require the Planning Commission to perform architectural review on all properties involving designated landmarks and historical structures and places referred to in the 1988 City of Lompoc Cultural Resources Study.

If these properties are sold to private entities, any development of these properties would still be bound to regulations contained in the City's CRO, the architectural review guidelines, General Plan goals/policies/implementation measures and subject to environmental review relating to potential impacts to archaeological and historic resources. For this reason, staff believes the proposed property sales conform to the goals and policies in the General Plan.

Further documentation regarding the City's cultural resources are on file with the City of Lompoc (Planning Division) and on the City's website located at:

<http://www1.cityoflompoc.com/departments/comdev/pdf/CulturalResourcesStudy.pdf>

### **Commissioner Conflicts**

Three commissioners have conflicts of interest with one or more of the listed properties because they own nearby property. Four proposed resolutions have been included with this item. Each will be heard separately.

There are no conflicts with the properties in Resolution 870. Those properties will be heard first with all Commissioners present. Then the remaining three resolutions will be considered, one at a time, with Commissioner Gonzalez recusing himself from Resolution 871, Commissioner Rodenhi recusing himself from Resolution 872, and Commissioner Leach recusing herself from Resolution 873.

### **Noticing**

On December 1, 2017:

- 2) Notices were mailed to property owners within 300 feet by US mail
- 3) Notice was posted on the City website
- 4) The project site was posted by City staff

On December 3, 2017:

- 1) Notice of the Public Hearing was published in the Lompoc Record

### **Appeal Rights**

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form; the fee is \$257.80.

### **Attachments**

1. [Draft Resolution No. 870 \(17\)](#)
2. [Draft Resolution No. 871 \(17\)](#)
3. [Draft Resolution No. 872 \(17\)](#)
4. [Draft Resolution No. 873 \(17\)](#)

Staff Report has been reviewed and approved for submission to the Planning Commission			
Teresa Gallavan Economic Development Director / Assistant City Manager		Brian Halvorson Planning Manager	
Date		Date	



**RESOLUTION NO. 870 (17)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC REPORTING ON CONFORMITY WITH THE CITY'S GENERAL PLAN REGARDING THE DISPOSITION OF VARIOUS CITY PROPERTIES (DR 17-07)**

**WHEREAS**, a request was received from Laura Dubbels (City of Lompoc Deputy City Manager) for a finding of conformity with the City's General Plan pursuant to Government Code Section 65402(a) regarding the disposition of the following City owned properties:

510/514 South F Street (APN: 085-341-009 / 085-341-012)  
520 South G Street (APN: 085-334-003)  
525 / 539 South F Street (APN'S: 085-333-012 / 085-334-004)  
316 East Locust Avenue (APN: 085-341-015)  
1200 East Willow Avenue (APN: 093-140-015)  
1050 North D Street (APN: 087-011-051)  
428 North I Street (APN: 087-241-001)  
200 South H Street (APN: 085-202-015)

**WHEREAS**, the request was considered by the Planning Commission at a duly-noticed public meeting on December 13, 2017; and

**WHEREAS**, at the meeting of December 13, 2017, \_\_\_\_\_ was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of December 13, 2017, \_\_\_\_\_ spoke in favor of or opposition to the proposed sales' conformity with the General Plan; and

**WHEREAS**, the project is categorically exempt from review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission reports that:

- A. The existing General Plan designations for the above mentioned properties are consistent with the existing use of the property.
- B. The General Plan contains no goals, policies, or rules preventing the disposition of these properties.
- C. Disposition of these properties would not be detrimental to the accomplishment of any goal or policy in the General Plan.

**SECTION 2:** Based upon the foregoing, the proposed disposition of the above mentioned properties, as part of DR 17-07, as reviewed on December 13, 2017 is in conformance with the City's General Plan.

The foregoing Resolution No. 870 (17) was adopted, on motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at the Planning Commission meeting of December 13, 2017 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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Brian Halvorson, Secretary

---

Ron Fink, Chair



**RESOLUTION NO. 871 (17)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC REPORTING ON CONFORMITY WITH THE CITY'S GENERAL PLAN REGARDING THE DISPOSITION OF VARIOUS CITY PROPERTIES (DR 17-07)**

**WHEREAS**, a request was received from Laura Dubbels (City of Lompoc Deputy City Manager) for a finding of conformity with the City's General Plan pursuant to Government Code Section 65402(a) regarding the disposition of the following City owned properties:

110 South K Street (091-102-019)  
114 South K Street (091-102-018)  
127 South I Street (091-103-008)

**WHEREAS**, the request was considered by the Planning Commission at a duly-noticed public meeting on December 13, 2017; and

**WHEREAS**, at the meeting of December 13, 2017, \_\_\_\_\_ was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of December 13, 2017, \_\_\_\_\_ spoke in favor of or opposition to the proposed sales' conformity with the General Plan; and

**WHEREAS**, the project is categorically exempt from review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission reports that:

- A. The existing General Plan designations for the above mentioned properties are consistent with the existing use of the property.
- B. The General Plan contains no goals, policies, or rules preventing the disposition of these properties.
- C. Disposition of these properties would not be detrimental to the accomplishment of any goal or policy in the General Plan.

**SECTION 2:** Based upon the foregoing, the proposed disposition of the above mentioned properties, as part of DR 17-07, as reviewed on December 13, 2017 is in conformance with the City's General Plan.

The foregoing Resolution No. 871 (17) was adopted, on motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at the Planning Commission meeting of December 13, 2017 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
Brian Halvorson, Secretary

\_\_\_\_\_  
Ron Fink, Chair

**RESOLUTION NO. 872 (17)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC REPORTING ON CONFORMITY WITH THE CITY'S GENERAL PLAN REGARDING THE DISPOSITION OF VARIOUS CITY PROPERTIES (DR 17-07)**

**WHEREAS**, a request was received from Laura Dubbels (City of Lompoc Deputy City Manager) for a finding of conformity with the City's General Plan pursuant to Government Code Section 65402(a) regarding the disposition of the following City owned properties:

518 North T Street (APN: 089-161-012)  
1404 / 1408 West College Avenue (APN'S: 089-151-003 / 089-151-002)

**WHEREAS**, the request was considered by the Planning Commission at a duly-noticed public meeting on December 13, 2017; and

**WHEREAS**, at the meeting of December 13, 2017, \_\_\_\_\_ was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of December 13, 2017, \_\_\_\_\_ spoke in favor of or opposition to the proposed sales' conformity with the General Plan; and

**WHEREAS**, the project is categorically exempt from review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission reports that:

- A. The existing General Plan designations for the above mentioned properties are consistent with the existing use of the property.
- B. The General Plan contains no goals, policies, or rules preventing the disposition of these properties.
- C. Disposition of these properties would not be detrimental to the accomplishment of any goal or policy in the General Plan.

**SECTION 2:** Based upon the foregoing, the proposed disposition of the above mentioned properties, as part of DR 17-07, as reviewed on December 13, 2017 is in conformance with the City's General Plan.

The foregoing Resolution No. 872 (17) was adopted, on motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at the Planning Commission meeting of December 13, 2017 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
Brian Halvorson, Secretary

\_\_\_\_\_  
Ron Fink, Chair

**RESOLUTION NO. 873 (17)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC REPORTING ON CONFORMITY WITH THE CITY'S GENERAL PLAN REGARDING THE DISPOSITION OF CITY PROPERTY (DR 17-07)**

**WHEREAS**, a request was received from Laura Dubbels (City of Lompoc Deputy City Manager) for a finding of conformity with the City's General Plan pursuant to Government Code Section 65402(a) regarding the disposition of the following City owned properties:

Vacant property on East Central Avenue (APN: 093-051-020)

**WHEREAS**, the request was considered by the Planning Commission at a duly-noticed public meeting on December 13, 2017; and

**WHEREAS**, at the meeting of December 13, 2017, \_\_\_\_\_ was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of December 13, 2017, \_\_\_\_\_ spoke in favor of or opposition to the proposed sale's conformity with the General Plan; and

**WHEREAS**, the project is categorically exempt from review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission reports that:

- A. The existing General Plan designation for the above mentioned property is consistent with the existing use of the property.
- B. The General Plan contains no goals, policies, or rules preventing the disposition of this property.
- C. Disposition of this property would not be detrimental to the accomplishment of any goal or policy in the General Plan.

**SECTION 2:** Based upon the foregoing, the proposed disposition of the above mentioned property, as part of DR 17-07, as reviewed on December 13, 2017 is in conformance with the City's General Plan.

The foregoing Resolution No. 873 (17) was adopted, on motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at the Planning Commission meeting of December 13, 2017 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
Brian Halvorson, Secretary

\_\_\_\_\_  
Ron Fink, Chair