



AGENDA

**Regular Meeting of the Lompoc City Council
Tuesday, April 3, 2018 – 6:30 P.M.
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.cityoflompoc.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: Chaplain Dale Willis

PLEDGE OF ALLEGIANCE: Mayor Bob Lingl

PRESENTATIONS PRESENTED ELSEWHERE:

On April 2, 2018, Mayor Lingl presented a proclamation at the Lompoc City Hall Courtyard, declaring April 2018 as **Child Abuse Awareness Month**.

PRESENTATIONS:

Cabrillo High School Senior Kaitlyn Chui will present a music video.

Mayor Lingl will present a proclamation in honor of:

- Sexual Assault Awareness Month
- Equal Pay Day
- National Public Safety Telecommunicators Week
- National Library Week

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 October 17, 2017

2. **Approval of expenditures for:**

Payroll of 03/09/2018 - \$1,154,065.75

Voucher Register of 02/28/2018 – 03/02/2018 - \$752,936.22

Voucher Register of 03/09/2018 - \$525,783.92

3. **Adoption of Resolution No. 6169(18), Approving a Utility Service Agreement with the Lompoc Cemetery District and Authorizing the Execution of the Utility Service Agreement, an Intergovernmental Agreement for Utility Services with the Lompoc Cemetery District.**

Management Services Director Brad Wilkie

b_wilkie@ci.lompoc.ca.us

Recommendation: Council adopt Resolution No. 6169(18) approving a Utility Service Agreement with the Lompoc Cemetery District.

4. **Land Lease Agreement at Lompoc Airport.**

Aviation/Transportation Administrator Richard Fernbaugh

r_fernbaugh@ci.lompoc.ca.us

Recommendation: Council approve and authorize the Mayor to sign a land lease with Jeff Thomas for the purpose of hangar construction and aircraft storage at the Lompoc Airport.

CONSENT CALENDAR: (cont'd)

5. **Adoption of Ordinance No. 1648(18) Amending Lompoc Municipal Code subdivision 9.36.090 A. to Permit Commercial Cannabis Dispensaries in the Industrial Districts with a Conditional Use Permit.**

City Attorney Joseph W. Pannone
jpannone@awattorneys.com

Recommendation: Council adopt Ordinance No. 1648(18), amending Subdivision 9.36.090 A. of the Lompoc Municipal Code Regarding Commercial Cannabis Dispensaries within the Industrial District, subject to approval of a Conditional Use Permit.

6. **Adoption of Resolution No. 6167(18) Extending the Electric Utility Business Incentive Rebate Program and Replacing Section 5 of Resolution No. 5888(14).**

Development Programs Specialist II Jasmine McGinty
j_mcginty@ci.lompoc.ca.us

Recommendation: Council adopt attached Resolution No. 6167(18) extending the Electric Utility Incentive Rebate Program through December 31, 2020; or provide alternate direction.

7. **Revisions to Handbook for Commission, Committee, and Board Members; Adoption of Resolution No. 6171(18).**

City Clerk Stacey Haddon
s_haddon@ci.lompoc.ca.us

Recommendation: Council adopt Resolution No. 6171(18), revising the Handbook for Commission, Committee, and Board Members to reflect changes to meeting time of the Parks & Recreation Commission; and the Membership of the Mobilehome Rent Stabilization Board, and the Citizens Committee to Oversee Park Maintenance & City Pool Assessment District.

8. **Adoption of Resolution No. 6170(18), Reestablishing Fees, Charges and Deposits for Processing, Reviewing and Auditing Applications for Commercial Cannabis Activities and Rescinding Resolution No. 6148(17).**

City Attorney Joseph W. Pannone
jpannone@awattorneys.com

Recommendation: Council adopt Resolution No. 6170(18) regarding regulations and fees for commercial cannabis activities.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

- Economic and Community Development Staff to announce date of upcoming Joint Meeting/Workshop with the Economic Development Committee and City Council.
- Financial Services Staff will provide an update on the Financial System Upgrade.
- Staff will present a review of the Fiscal Years 2017/2019 Budget

ORAL COMMUNICATIONS (3 Minutes Maximum):

NEW BUSINESS:

9. **Proposition 69 Support Letter and Coalition Endorsement and Opposing the Repeal of the Transportation Funding Established by Senate Bill 1.**

Deputy City Manager Laura Dubbels
l_dubbels@ci.lompoc.ca.us

Recommendation: Council authorize a support letter and endorsement, as a member of the Coalition to Protect Local Transportation Improvements, a diverse coalition of local government, business labor, transportation, and other organizations throughout the state, in support of Proposition 69 and to oppose the repeal of Senate Bill 1, which was signed into law on April 28, 2017.

(Public Comment)

10. **Discussion and Direction Regarding Policy for Release of Documents.**

City Attorney Joseph W. Pannone
jpannone@awattorneys.com

Recommendation: Council:

- A. Provide direction on the following topics regarding a policy for release of documents, which would otherwise be destroyed:

- (1) Does the City Council want to adopt such a policy?

- (2) Would the policy be to change the City's retention policy to prohibit destruction of certain documents or to allow someone to request release of a document that is to be destroyed?

NEW BUSINESS: (cont'd)

Item No. 10

- (3) If the decision is to adopt such a policy, then:
 - i. What type of documents would be covered by in the policy?
 - ii. Whether and how the policy should be advertised (webpage, newspaper, utility bill stuffer)?
 - iii. What length of time would be required for each advertisement?
 - iv. What would the time period be for someone to request release of such documents?
 - v. If more than one person desires a document, then how will the decision be made as to whom would be given that document?
 - vi. Will there be a fee for providing that document?

B. Or provide other direction.

(Public Comment)

COUNCIL REQUEST:

- 11. **Further Discussion and Direction Whether Dance Studios are to be Considered Youth Centers for Buffer Zones Near Cannabis Uses.**

City Attorney Joseph W. Pannone
jpannone@awattorneys.com

Recommendation: Council again determine whether dance studios should be considered youth centers for purposes of buffer zones near cannabis uses.

(Public Comment)

City Council will recess to a Closed Session immediately following the last Regular City Council Meeting item.

CLOSED SESSION – City Council Conference Room

BUSINESS ITEM:

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS:** Properties: APN: 099-150-054, 099-150-055, and 099-150-056 Lompoc CA, City Negotiators: Interim City Manager Teresa Gallavan, City Attorney Joseph Pannone, and Electrical Utility Manager Tikan Singh P.E. Negotiating Parties: N/A. Under negotiation: Price and terms of payment.
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One Matter
3. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION:** Pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One Matter

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

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 Tuesday, April 17, 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 29th day of March, 2018.

/Stacey Haddon/

Stacey Haddon, City Clerk

By: Shannon Marrs

Proposed Future City Council Agenda Items

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

March 21, 2018

<u>Council Mtg. Date/Subject</u>	Department	Agenda Category	
April 17 – Public Safety Commission – 6PM			
April 17			
Home Buyers Assistance Program Review	Econ & Comm Dvlp	Council Request	
CDBG Budget Action Plan Annual Report	Econ & Comm Dvlp	Public Hearing	
Water Conservation In-Lieu Fee	Utilities	Public Hearing	
Other Unscheduled Items	Proposed Date of Item	Department	Agenda Category
Annual Report from Visit Lompoc	April/May	Econ & Comm Dvlp	Presentation
Weed Abatement – Declaring Public Nuisance	April/May	Fire	Public Hearing
Tourist Improvement District Renewal	May	Econ & Comm Dvlp	Public Hearing
Special Joint Meeting w/EDC	May		Council Request
Review of the Animal Control Contract with County of Santa Barbara	May	Administration	New Business
Special Food Service Permit Process in the Wine Ghetto Area	May/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			
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
Discussion of possible light study at Riverbend Park (Mosby)		Planning	Council Request

g:futureagendalist 03-21-18



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 with 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	Lompoc City Hall - Administrative 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	City's New Transit Transfer Center to Open	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 - Administrative Conference Room - 100 Civic Center Plaza
04/11/2018	*Planning Commission Meeting 6:30pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/12/2018	State of the City Address	DeWees Community & Senior Center
04/17/2018	City Council Meeting - 6:30pm	Lompoc City Hall - Council Chamber - 100 Civic Center Plaza
04/18/2018	*Public Safety Committee Meeting 6:30pm	Lompoc City Hall - Administrative Conference Room - 100 Civic Center Plaza
4/20-4/22	Lompoc Spring Fest	Ryon Park
04/21/2018	Beautification Commission Work Project	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	City's 15th Annual Golf Tournament	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 - Administrative Conference Room - 100 Civic Center Plaza
05/05/2018	Mission to Mars Launch	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.



City Council Agenda Item

City Council Meeting Date: April 3, 2018

TO: Teresa Gallavan, Interim City Manager

FROM: Brad Wilkie, Management Services Director
b_wilkie@ci.lompoc.ca.us

SUBJECT: Adoption of Resolution No. 6169(18) Approving a Utility Service Agreement with the Lompoc Cemetery District and Authorizing the Execution of the Utility Service Agreement, an Intergovernmental Agreement for Utility Services with the Lompoc Cemetery District

Recommendation:

Staff recommends the City Council adopt Resolution No. 6169(18) approving a Utility Service Agreement (Agreement) with the Lompoc Cemetery District (District) (Attachment 1).

Background:

On March 23, and May 29, 2017, the District submitted letters to the City of Lompoc (City). In those letters (Attachment 2) the District requested to enter negotiations for an intergovernmental agreement with the City related to water utility services. The suggestion to enter into an intergovernmental agreement is based, in part, on the City's existing agreements with Vandenberg Village Community Service District and Vandenberg Air Force Base for wastewater treatment services, which have a different rate structure than in-City customers.

The request by the District relates to the delivery of water to its facility at 600 South C Street. Two separate parcels owned by the County of Santa Barbara comprise that address. One parcel is in the City limits and the other, the cemetery itself, is outside City limits. The water deliveries are made through two separate meters. One is a domestic meter for the District's office and maintenance facilities. The second is a larger 3" meter utilized for general services including irrigation of the cemetery grounds.

On July 18, 2017, the City Council provided direction to draft an agreement and to enter into discussions with the District's staff regarding the establishment of an intergovernmental agreement for utility services to be brought to the governing bodies of each agency for approval and authorization to execute.

On December 21, 2017, a preliminary draft of the Agreement was delivered to the District for review and comment. The City received one partially executed original of the Agreement signed by the Chair of the District's Board, effective January 24, 2018, the date the Board deliberated and approved the Agreement at a regular meeting of the District's board. No changes had been proposed to the draft of the Agreement by the District. On February 18, after receiving the executed original, City staff contacted District staff regarding the next step in the process.

Discussion:

In preparing the preliminary draft of the Agreement, City staff utilized an existing Electric Services Agreement for the Economic Incentive A-13 Rate as a comparable agreement for developing the Agreement with the District. In the A-13 agreement, the customer provides consideration for the advantageous rate as required for an agreement. For the District, a similar type of consideration is also included. As the District already receives other City utility services, the Agreement includes recognition of the other utility services and states the District will continue to subscribe to the City for those utility services during the term of the Agreement.

The general terms of the Agreement are as follows:

- The effective date of the Agreement is July 1, 2018, while the effective date of the applicable water rates is for billing cycles after July 1, 2017.
- The term is for an initial 10-year period with two additional 5-year optional extensions.
- During the initial term of the Agreement, the District will continue to receive the current utility services provided by the City.
- Either the City or the District can end the Agreement with a 30-day written notice in the event of the failure to perform in accordance with the Agreement's provisions.
- The District would be afforded the same rate structure (equal to the rates for City based customers) at the then effective rates at any time the City modifies water rates for all classes during the term of the Agreement.

On February 18, 2018, the City contacted the District regarding necessary changes in the language of the Agreement based on the information completed by the District on the preliminary Agreement returned on January 24. The two significant changes were the elimination of the Deputy County Counsel as the District's attorney for the "approved as to form" section of the signature page and the renaming of the Agreement to "Utility Services" from "Water Utility Services". On March 14, the District returned three signed copies of the revised Agreement. The revised Agreement executed by the District is attached to the Resolution (Exhibit A of Attachment 1).

Fiscal Impact:

The request to initiate negotiations between the City and the District had minimal fiscal impact to the City. By providing the District with an agreement that provides for water rates equal to the rates afforded customers within the City limits, the City will have reduced revenues for the Water Utility of approximately \$10,000 to \$15,000 per year depending on the volume of water consumed by the District. Prior to a City-wide evaluation in 2015-2016 of services provided to customers outside the City, the District had been receiving water and wastewater services at the in-City rates. The audit and review of customers provided for prospective corrections of services rates, if necessary. In the case of the District, the City received less than two years of additional revenues after identifying the District's rate structure required modification prior to the proposed effective date of the Agreement, July 1, 2017.

In addition, the City also will benefit from the Agreement by formalizing the existing voluntary services of Electric and Wastewater for the duration of the initial term of the Agreement. The risk of a fiscal impact of the loss of revenues due to future changes in operations of the District are reduced with the District's affirmation of the use of the two utilities during the term of the Agreement.

Conclusion:

The execution of the Agreement with the District will formalize utility services between the City and the District for as long as 20 years and provides the District with rates historically afforded it until the City's review of the requirements its rate resolutions.

Respectfully submitted,

Brad Wilkie, Management Services Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Teresa Gallavan, Interim City Manager

Attachments: 1) Resolution No. 6169(18)
2) District Correspondence dated March 23, 2017, and May 29, 2017

RESOLUTION NO. 6169(18)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Approving a Utility Services Agreement with the Lompoc Cemetery District and
Directing the Mayor to Sign that Utility Services Agreement**

WHEREAS, the City of Lompoc (City) is authorized to enter into service agreements with other governmental agencies; and

WHEREAS, the Lompoc Cemetery District (District) has requested to enter into the Utility Services Agreement (Agreement) with the City attached hereto as Exhibit A; and

WHEREAS, the District facilities are located outside the City's jurisdictional boundaries while the District's boundaries includes the greater Lompoc Valley, including the entirety of the City; and

WHEREAS, the City has historically provided utility services to the District as a utility customer of the City including water services, wastewater services, electric services, and solid waste services; and

WHEREAS, the City and the District desire to enter into an Agreement to formalize the delivery by the City and the receipt by the District of utility services.

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

SECTION 1. The Agreement for Utility Services is hereby approved.

SECTION 2. The Mayor is directed to signs the Agreement.

SECTION 3. A credit refund of any water meter or use charges paid in excess of the Agreement terms charged since the effective date of the rate modification is authorized, until the District's service account is adjusted to reflect the water rate terms of the Agreement.

SECTION 4. Although the Agreement is effective as of July 1, 2018, the water rates applicable to the District pursuant to the Agreement will be considered effective, as of July 1, 2017.

SECTION 5. 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 3, 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

Exhibit A: Agreement – Utility Services Between the Lompoc Cemetery District and the City of Lompoc

Agreement
Utility Services
Between the Lompoc Cemetery District and the City of Lompoc

This Agreement is made by and between the Lompoc Cemetery District, an independent Special District of the County of Santa Barbara, State of California, herein after referred to as DISTRICT and the CITY OF LOMPOC, a California municipal corporation.

WITNESSETH:

WHEREAS, CITY owns, operates and maintains existing water production wells, transmission lines, treatment facilities, storage facilities, and distribution lines, which facilities presently serves CITY customers, DISTRICT and other properties within CITY and to a limited area of unincorporated Santa Barbara County adjacent to the CITY; and

WHEREAS, DISTRICT was established in 1909, as a local government agency under California Government Code section 61000, *et seq.*, for purposes of providing burial services for residents within DISTRICT'S boundaries, which are generally the greater Lompoc Valley of Santa Barbara County, including all of the area of CITY (Cemetery); and

WHEREAS, the Cemetery is located in unincorporated Santa Barbara County abutting CITY; and

WHEREAS, pursuant to CITY'S water service rules and policies, adopted by Council Resolution in 2013 (Water Service Rules) CITY currently provides water service to DISTRICT for the Cemetery at a rate one and one-half times greater than charged to those water customers located within CITY'S jurisdictional boundaries; and

WHEREAS, pursuant to the Water Service Rules, CITY is authorized to enter into contracts with political subdivisions that are located outside CITY'S jurisdictional boundaries to receive water service from CITY at rates determined by that contract; and

WHEREAS, CITY has such agreements with other neighboring community facilities districts and the rates for that service are less than the one and one-half times amount; and

WHEREAS, DISTRICT has requested to enter into an agreement with CITY for water utility services as permitted by the Water Service Rules.

NOW, THEREFORE, for good and valuable consideration the Parties hereto agree as follows:

Section 1. Definitions.

- A.** "Account" means DISTRICT'S account initially assigned to the Cemetery or its successor account.
- B.** "CITY CODE" means the Lompoc Municipal Code.

- C.** "Facility" means DISTRICT'S cemetery grounds located at 600 South C Street, Lompoc, California, 93436, Assessor's Parcel Number 093-140-014.
- D.** "Force Majeure" means unforeseeable causes beyond the reasonable control of and without the fault or negligence of the Party claiming force majeure. Such an occurrence may include, but not to be limited to, acts of God, labor disputes, sudden actions of the elements, actions or inactions of federal, state, and municipal agencies, and action or inactions of legislative, judicial, or regulatory agencies.
- E.** HCF means Hundred Cubic Feet, which is the smallest measure of water consumption used by the City for billing purposes. One Hundred Cubic Feet of water is approximately 748 gallons.
- F.** "Parties" mean, collectively, DISTRICT and CITY.
- G.** "Water Rates" are those rates set by Resolutions including Resolution Nos. 5859(13), 6052(16) and 6128(17) establishing Water Rates and Charges for all Water Utility customers served by the Utility, as adopted or amended by the CITY Council.

Section 2. Rate Application.

- A.** DISTRICT is requesting to be on a specific Water Rate for each of its two water services, as shown on Attachment A, which is attached hereto and incorporated herein.
- B.** As a local governmental entity, DISTRICT is classified as an institutional class customer for the purposes of this Agreement.
- C.** DISTRICT represents it has met the necessary criteria to qualify for the applicable Water Rates.
- D.** DISTRICT agrees the Water Rate identified in Attachment A may be adjusted from time to time by CITY, whenever the CITY modifies CITY's Water Rate schedule by Resolution. CITY will provide DISTRICT the revised Attachment A, 30 days prior to adjusting DISTRICT'S charges based on the new Attachment A.
- E.** DISTRICT agrees it is subject to the requirements of the various CITY Resolutions pertaining to the delivery of utility services other than as provided for in this Agreement including the CITY'S Utility Billing Service Rules and Regulations.
- F.** For 10 full calendar years after the effective date of this Agreement, DISTRICT agrees to have CITY provide to the Facility water service and other utility services, as available from CITY, including, but not limited to, wastewater, solid waste, and electric services.

Section 3. Term of Agreement.

- A.** This Agreement is effective on July 1, 2018, and shall continue through June, 30, 2028 (Initial Term).
- B.** The initial application of the Agreement's Water Rates identified in Attachment A applies to water consumption and related monthly billing cycles during the July 1, 2017 to June 30, 2018 fiscal year for utility bills presented after July 1, 2017 to the effective date of the agreement.
- C.** By written notice to CITY at least six months prior to the expiration of the Initial Term, DISTRICT may elect to extend the Initial Term and the extended term, if any, for up to two additional 5-year terms. Each five-year extension if taken shall be referred to as the Extended Term.
- D.** At the end of the second Extended Term DISTRICT can, upon written notice by DISTRICT to CITY at least six months prior to that second Extended Term, the Parties may negotiate to reach a good faith agreement further extend or replace this Agreement with another agreement for Water Utility services.
- E.** Except for cause, as provided in Section 4., below, this Agreement cannot be terminated without the mutual consent of the Parties.

Section 4. Termination of Agreement for Cause.

- A.** If either Party fails to perform any of the provisions of this Agreement, then the other Party may, by written notice given within thirty (30) days after such failure to perform, terminate this Agreement.
- B.** If DISTRICT fails to continue to meet the requirements of the Water Rates within the terms of this Agreement or fails to make two or more full and timely payments of the Water Rate within a 12-month period, then DISTRICT'S Account shall be transferred to the Water Rates applicable to customers outside CITY'S jurisdictional boundaries, as provided by the then current Resolution for Water Rates.
- C.** If DISTRICT continues to qualify for the Water Rates of this Agreement, and CITY lowers its applicable schedule of rates, or CITY amends its rate structure to offer lower rates for which DISTRICT would otherwise qualify under the Water Rates, then DISTRICT will receive the new lower rates without the necessity of an amendment to this Agreement for the duration of the term of this Agreement or the term of the lower rate, whichever is shorter in time.
- D.** If DISTRICT qualifies for different Water Rates offered by CITY, other than the Water Rates offered through this Agreement, then this Agreement may be terminated by mutual consent of the Parties for the sole purpose of DISTRICT entering into a new agreement with CITY.

Section 5. Force Majeure.

- A.** If either Party because of Force Majeure is rendered wholly or partly unable to perform its obligations under this Agreement, then that Party shall be excused from whatever performance is affected by the Force Majeure to the extent so affected; provided, that the non-performing Party, within two weeks after the occurrence of the Force Majeure, shall give the other Party a written report describing the particulars of the occurrence. The suspension of performance is of no greater scope and of no longer duration than is required by the Force Majeure.
- B.** No obligation of either Party, which arose before the occurrence causing the suspension of performance, are excused as a result of the occurrence.
- C.** The non-performing Party shall use its best efforts to remedy its inability to perform. This sub-paragraph shall not require the settlement of any strike, walkout, or other labor dispute on terms, which, in the sole judgment of the Party involved in the dispute, are contrary to its interest. It is understood and agreed settlement of strikes, walkouts, or other labor disputes shall be entirely within the discretion of the Party having the difficulty.

Section 6. Assignments.

Neither Party shall voluntarily assign its rights or delegate its duties under this Agreement without the written consent of the other Party.

Section 7. Amendments.

This Agreement shall only be amended by mutual written consent executed by the parties or their successors.

Section 8. Severability.

In the event any of the terms, covenants, or conditions of this Agreement shall be held invalid, the Parties intend all other terms, covenants, and conditions and their application shall not be affected thereby, but shall remain in force and effect unless a court holds that such provisions are not severable from all other provisions of this Agreement.

Section 9. Governing Law and Venue.

This Agreement shall be interpreted, governed by, and constructed under the laws of the State of California; and any litigation arising out of this Agreement shall be commenced and pursued in the Superior Court of the CITY of Santa Barbara.

Section 10. Notices.

- A.** Any notice, demand, or request required or permitted to be given by either Party of the other and any instrument required or permitted to be given by either Party to the other may be so given, tendered or delivered, as the case may be, by depositing the same in any United States Post Office with postage prepared, for transmission by certified

or registered mail, addressed to the Party, or personally delivered by the Party, at the address designated below. Changes in such designation may be made by notice similarly given.

B. All written notices or questions related to the Agreement shall be directed as follows:

To CITY: City of Lompoc
Attn: City Manager
100 Civic Center Plaza
Lompoc, CA 93436

To DISTRICT: Lompoc Cemetery District
Attn: General Manager
600 South C Street
Lompoc, CA 93436

Payments of utility services, notices, utility account changes, and other correspondences related to the ordinary monthly billing of utility services may be made by the DISTRICT to the CITY at:

City of Lompoc
Attn: Utility Payments
100 Civic Center Plaza
Lompoc, CA 93436

Section 11. Non-waiver.

None of the provisions of this Agreement shall be considered waived by either Party except when such waiver is given in writing. The failure of any Party at any time or times to enforce any right or obligation with respect to any matter arising in connection with this Agreement shall not constitute a waiver as to future enforcement of that right or obligation or any right or obligation of this Agreement.

Section 12. Warranty of Authority.

Each of the Parties which has executed and delivered this Agreement represents and warrants that it has agreed to be bound by all terms, covenants, and conditions of this Agreement and has acted with all the requisite capacity and authority and approval of its governing body.

Section 13. Complete Agreement.

Notwithstanding any other oral or written negotiation or agreements, the Parties hereby acknowledge this Agreement is the complete understanding of the Parties with regard to the subject matter contained herein.

Water Service Agreement
Page 6 of 7

IN WITNESS THEREOF, DISTRICT has executed this Agreement after approval by its Board of Directors and CITY has executed this AGREEMENT after approval of its City Council. This AGREEMENT may be executed in counterpart.

CITY OF LOMPOC

LOMPOC CEMETERY DISTRICT:

By: _____
Bob Lingl
Mayor

By: Joseph D. Cook Sr.
Its Chairman

Date: _____

Date: 1-24-18


APPROVED AS TO FORM:

Joseph W. Pannone
City Attorney

ATTEST:

ATTEST:

Stacey Haddon
City Clerk


Carrie Troup
Clerk of the Board

Attachment A

Water Services

Meter Charge

Consumption Charge

Meter Size: 5/8"
3"

\$36.06/Mo
\$346.37/Mo

\$4.80/HCF
\$4.80/HCF

Effective Date: July 1, 2017

Lompoc Cemetery District

AN AGENCY OF SANTA BARBARA COUNTY

WILLOW AND SOUTH C STREET
P.O. BOX 972
LOMPOC, CA 93438
TELEPHONE (805) 735-1817
FAX (805) 735-4977

March 23, 2017

City of Lompoc
Attn: Mr. Brad Wilkie, Financial Services Manager
100 Civic Center Plaza
Lompoc, CA 93436

Re: Contractual water rates; Property north/east of cemetery

Dear Mr. Wilkie,

This letter is to inform you that the Lompoc Cemetery District would like to pursue a government to government contractual water rate memorandum of understanding with the City of Lompoc. We look forward to a mutually beneficial agreement regarding the water needs of the Lompoc Cemetery District.

Regarding the City of Lompoc's property, north/east of the cemetery, the Lompoc Cemetery District is interested in negotiations associated with the possible acquisition of the aforementioned parcel.

We look forward to further discussions with the City of Lompoc regarding these issues.

Joseph Avila, Chairman of the Board
Lompoc Cemetery District



RECEIVED

MAR 30 2017

City of Lompoc - City Clerk's Office

Lompoc Cemetery District

AN AGENCY OF SANTA BARBARA COUNTY

Willow and South C Street
P.O. Box 972
Lompoc, CA 93438
Telephone (805) 735-1817
Fax (805) 735-4977

May 29, 2017

City of Lompoc
Attn: Mr. Brad Wilkie, Financial Services Manager
100 Civic Center Plaza
Lompoc, CA 93436

Re: Contractual water rates; Property north/east of cemetery

Dear Mr. Wilkie,

In case you did not receive our prior letter dated March 23, 2017; this letter is to inform you that the Lompoc Cemetery District would like to pursue a government to government contractual water rate memorandum of understanding with the City of Lompoc. We look forward to a mutually beneficial agreement regarding the water needs of the Lompoc Cemetery District.

Regarding the City of Lompoc's property, north/east of the cemetery, the Lompoc Cemetery District is interested in negotiations associated with the possible acquisition of the aforementioned parcel.

We look forward to further discussions with the City of Lompoc regarding these issues.

Joseph Avila, Chairman of the Board
Lompoc Cemetery District

cc: City Administrator, Mr. Patrick Wiemiller



City Council Agenda Item

City Council Meeting Date: April 3, 2018

TO: Teresa Gallavan, Interim City Manager

FROM: Richard Fernbaugh, Aviation/Transportation Administrator
r_fernbaugh@ci.lompoc.ca.us

SUBJECT: Land Lease Agreement at Lompoc Airport

Recommendation:

Staff recommends the City Council approve and authorize the Mayor to sign a land lease with Jeff Thomas for the purpose of hangar construction and aircraft storage at the Lompoc Airport (attached).

Background/Discussion:

Mr. Thomas is proposing to build a hangar on the south side of the Airport to store and restore aircraft. The proposed lease requires that Mr. Thomas build a hangar of approximately 5,000 sq. ft. within 12 full calendar months after entering the 40-year land lease agreement.

Fiscal Impact:

The initial lease amount is set at \$412.50 per month, payable the first of each month, effective April 1, 2018. The agreement includes a cost-of-living adjustment to the monthly lease amount equal to 1% plus the CPI for the year (as measured from April 1 to April 1) effective each July 1 during the remaining term of the agreement. Rental revenue to the Airport enterprise fund from this land lease is anticipated to be \$1,237 for the remainder of Fiscal Year (FY) 2017-18 and \$4,950 for FY 2018-19.

Rental revenue received by the Airport provides the resources for Airport operations. As an enterprise fund, the Airport is required to be self-sustaining from charges for services or rental income. The funds received under this lease offset the cost of operations of the Airport. The calculation used in determining the lease payments is approved by the Federal Aviation Administration (FAA). Surplus funds received by the Airport provide for the local share for FAA grants used to maintain and improve the Airport.

Conclusion:

Staff recommends City Council approve the Lease Agreement.

Respectfully submitted,

Richard Fernbaugh, Aviation/Transportation Administrator

APPROVED FOR SUBMITTAL TO THE CITY ADMINISTRATOR:

Kevin McCune, P.E., Public Works Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Teresa Gallavan, Interim City Manager

Attachment: Lease Agreement

**LONG-TERM GROUND LEASE AGREEMENT
FOR HANGAR CONSTRUCTION AND AIRCRAFT STORAGE
AT LOMPOC AIRPORT**

This Lease Agreement is made by and between the City of Lompoc, a California municipal corporation ("City") and Jeffrey Thomas ("Lessee"), effective as of May 1, 2018.

RECITALS

WHEREAS, City owns and operates an airport commonly known as the Lompoc Airport, hereinafter referred to as "Airport," and

WHEREAS, Lessee desires to lease a portion of Airport for the purpose of building and maintaining an aircraft storage hangar; and

WHEREAS, Lessee has read and understands the rules and regulations that apply to the Lompoc Airport;

NOW, THEREFORE, incorporating the foregoing Recitals herein, it is mutually agreed as follows:

1. Premises. City hereby leases to Lessee, and Lessee hereby hires from City, upon the terms and conditions herein set forth, those certain premises located at the Lompoc Airport in the City of Lompoc (the "Premises"), comprising 5,000 square feet, and more particularly identified as outlined on Exhibit A, attached hereto and made a part hereof by this reference. Lessee shall, prior to December 20, 2018, provide an original map and legal description (8 ½ X 11), of the developed property, tied to City's coordinate control system, Record of Survey Book 172, pages 4 through 7, prepared and stamped by a licensed land surveyor. The map shall be delivered, to City's Engineering Division, in hardcopy and computer format for transfer to the City geographic information system. Acceptable forms are: DGN, DWG and DXF. At the time Lessee takes possession of the Premises, it will be unimproved. All oil, gas and mineral rights are expressly reserved from this Lease Agreement.

2. Term. The term of this Lease Agreement shall be for a period of forty (40) years commencing on the first day of April, 2018 and terminating on the last day of March 2058, unless sooner terminated as provided in this Lease Agreement.

3. Use of Premises.

A. Lessee shall use the Premises solely for the purpose of (i) construction and maintenance of a new aircraft storage hangar, as discussed below, (ii) the storage of aircraft and (iii) related (commercial) or (noncommercial) activities, the

latter two of which must be approved, in writing, by City's Aviation/Transportation Administrator and storage of parts and personal property related to the aircraft or authorized activities. Lessee further agrees any activity, including but not limited to, repair and maintenance of aircraft in the storage area which violates Fire Codes, causes structural or other damage to Airport property, including surfaces, or detracts from a clean and orderly appearance of the Airport or storage space is prohibited. Lessee agrees to limit all repair, maintenance, installation or other aeronautical activity service performed on the aircraft to the extent permitted by FAA regulations.

B. Aircraft stored In the hangar by Lessee shall be (i) owned or leased by Lessee, (ii) those that are deemed airworthy by the Aviation/Transportation Administrator (iii) have current FAA annual inspection certificate and (iv) have flown in the past 6 months or are undergoing repair, construction, or restoration, as determined by the Aviation/Transportation Administrator.

C. Lessee agrees to notify City in writing within ten days after any aircraft substitution, change in aircraft ownership, and change of Lessee's or other registered owner's addresses and telephone numbers.

4. Construction of Improvements.

A. Lessee shall complete construction, at his/her sole cost and expense, except as provided herein, of a new aircraft storage hangar, as approved by City, on the leased Premises within twelve full calendar months after the effective date of this Lease Agreement. Utilities will be paid for by the Lessee. Evidence of completion shall be the issuance of a Certificate of Occupancy from City. Prior to occupancy of the hangar, Lessee shall present the Aviation/Transportation Administrator with a copy of the Certificate of Occupancy. Lessee shall be responsible for obtaining, at his sole cost and expense, all permits of any kind required by law, including payment of utility and development impact fees and retrofit fees. City shall have the right to control the type of construction, architectural style, size and color of any improvements. City shall review the plans submitted to City by Lessee for the hangar and advise Lessee of any deficiencies. Lessee shall then make the necessary changes, if any, required for City's approval. After those conditions have been satisfied City shall notify Lessee in writing he may proceed with construction. If Lessee commences construction without City's written consent, then Lessee shall be in violation of this Lease Agreement, and City, at its option, may terminate this Lease Agreement. In the event Lessee fails to complete construction within six-month period, as required and evidenced above, City may, at City's City Manager's sole discretion, terminate this Lease Agreement and Lessee shall forfeit all rights and interest to the Premises and any improvements.

B. Surety for Performance and Payment: Before any major work of construction, alteration or repair is commenced on the Premises, Lessee will furnish City adequate surety for performance and payment in a form acceptable to City's

Management Services Director, in an amount not less than the cost of the improvements to be constructed, plus twenty-five (25) percent. The surety in the required amount will remain in effect until the entire cost of the work has been paid in full and the new improvements have been accepted as complete and insured as provided in this Lease Agreement. The surety will state the following:

(i) It is conditioned to secure the completion of the proposed construction free from all liens and claims of contractors, subcontractors, mechanics, laborers and materialmen for three months after the project receives its Certificate of Occupancy;

(ii) The construction work shall be satisfactorily performed by Lessee and his contractors and subcontractors, or, if they fail to do so, then by the surety; and

(iii) If Lessee or any of his contractors or subcontractors fail to complete the satisfactory construction of the hangar and pay for labor used for that completion, then, at City's sole discretion, the surety will complete and construction and pay the laborers or such part of the amount of the bonds as shall be required to complete the work and pay the laborers shall be paid to City as liquidated and agreed damages for the non-performance of Lessee's agreements, it being agreed the exact amount of City's damages is difficult and impractical to ascertain.

C. City may, but shall not unreasonably, disapprove either or both bonds. The bonds shall be deemed disapproved, unless written notice of approval has been given within thirty working days after receipt of the proposed bonds.

D. Builder's Risk Insurance. Notwithstanding any other insurance requirements contained in this Lease Agreement, Lessee shall also deliver to City a certificate of insurance evidencing coverage for "builder's risk" insurance in an amount reasonably approved by City's Management Services Director.

5. Unobstructed Access. City shall ensure a taxiway exists directly in front of Lessee's hangar doorway. That taxiway shall allow unobstructed access to the south side parallel taxiway. If the taxiway ceases to permanently exist as a result of the direct action of the City, then City agrees this Lease Agreement shall be deemed terminated and to purchase the hangar constructed by or on behalf of Lessee. Such purchase shall be for an amount based on an independent appraisal, (appraiser to be agreed upon by both parties, cost of appraisal to be shared by both parties equally) to be completed prior to any obstruction being created. City shall provide ninety (90) days' written notice to Lessee of pending loss of access. City's obligation and termination of this Lease Agreement pursuant to this paragraph is subject to its receiving written notice from Lessee within thirty (30) days after Lessee's receipt of the notice from City of Lessee's intent to exercise its rights under this paragraph. If no such notice is given by Lessee,

then all terms and conditions of this Lease Agreement shall remain in full force and effect.

6. Rent. Lessee agrees to pay to City at 100 Civic Center Plaza, Lompoc, California, as rent for the use and occupancy of the Premises, the amounts as hereinafter provided during the term of this Lease Agreement. Partial months shall not be prorated. Rent is due on the first day of each month while this Lease Agreement is in effect.

A. Initial Rent. Monthly rent for this Lease Agreement shall be at the rate of \$.0825 cents per square-foot (\$412.50) and shall commence on November 1, 2018 and continuing on the first day of each calendar month thereafter.

B. Rent Adjustments. Effective July 1st of each year, including 2018, a new monthly rent shall be determined based upon the following adjustment:

(i) For the purpose of this adjustment, the basic index to be used for adjusting the rent shall be the Consumer Price Index (CPI) for Urban Wage Earners and Clerical Workers U.S. City Average published by the U.S. Department of Labor, Bureau of Labor Statistics in May for the month of April of each year.

(ii) Effective each July 1st during the term of this Lease Agreement, the monthly rent shall be increased by the then current basic index (CPI) as defined in paragraph (i), plus one percent.

(iii) In the event the basic index (CPI) decreases to the point of reflecting a negative figure for that year, the rental rate shall not change.

(iv) If the foregoing index is at any time no longer available, then a comparable economic indicator shall be used to determine the annual rent adjustment.

7. Late Charges. Rent payments, and other costs and charges authorized hereunder, not received by City by the tenth day of the month when due are subject to a late penalty, without notice to Lessee, of 15 percent per month.

8. Costs of Lease Agreement. Lessee shall promptly pay all costs and expenses, including utilities (Utilities include, but are not limited to, gas, electricity, telephone, water, sewer and refuse collection services). Lessee also agrees to reimburse City for any and all expenses City incurs in modifying existing utilities for Lessee's benefit relating to possession and use of the Premises. The possessory interest created by this Lease Agreement may be subject to taxation, and Lessee may be subject to the payment of taxes levied on such interest. Lessee acknowledges his actual knowledge of the existence of a possessory interest tax and receipt of this notice of Lessee's potential tax liability. Lessee agrees he is solely responsible for the timely

payment before delinquency of possessory interest taxes and any other tax, levy or assessment upon the Premises, the aircraft, Lessee's personal property, improvements, and fixtures upon the Premises.

9. Aircraft Lien. Lessee consents and agrees City may levy a lien against Lessee's aircraft, improvements, fixtures, and personal property upon the Premises. Such lien shall exist and continue to secure all unpaid amounts which Lessee owes to City. Such lien shall not relieve Lessee from compliance with this Lease Agreement, including the obligation to pay rent as provided herein. If Lessee does not fully and immediately discharge all unpaid amounts, then City is hereby granted and shall have the right to take and recover possession of Lessee's aircraft, improvements, fixtures, and to satisfy City's lien in accordance with California Code of Civil Procedure sections 1208.61 through 1208.70 and any other applicable common laws or statutory provisions. City may also take and recover possession of personal property stored on the Premises and exercise its lien against the same without notice or other action, and in addition thereto, City shall have and recover all costs and expenses including attorneys' fees in connection with repossession and disposal of the aircraft, improvements, fixtures, and personal property and enforcement of City's lien.

10. Condition of Premises.

A. Lessee has inspected the Premises and knows the extent and condition thereof and accepts same in its present condition, subject to and including all defects, latent or patent. Lessee will keep and maintain the Premises, improvements, and fixtures in a clean, safe, and orderly condition at all times. Lessee shall not commit or suffer to be committed any waste upon the Premises, improvements, and fixtures or commit or allow any nuisance or other act which may disturb or interfere with the Airport, its surroundings, the departure and arrival of aircraft, or other aircraft operations and uses. If Lessee shall fail to perform the obligations under this paragraph, after 21 days written notice setting forth such failure, City shall have the right to perform the same and to charge Lessee therefore, and Lessee shall pay the City such costs upon City's demand.

B. Lessee may park passenger vehicles within the boundaries of the Premises.

C. If Lessee desires to use the services of another person in connection with any aircraft work or repair other than at established repair facilities at the Airport, then City may require such persons to provide their names, addresses, evidence of adequate liability insurance, payment of any required business fees, and proof of City business license; and, lacking such information, such persons may be refused permission to conduct the work or ordered to stop work. This shall not limit an aircraft owner's or pilot's right to work on his or her own aircraft as permitted by the Federal Aviation Regulations in areas of the Airport so designated by City.

D. Lessee shall not use, keep, store or place in or on the Premises any petroleum products or any materials that are in any way hazardous, toxic, radioactive or explosive, except those which are necessary and appropriate to accomplish the purpose of this Lease Agreement. All such materials shall be used, stored, handled, dispensed and disposed of as required by applicable governmental regulations and laws. Any spills of such materials by Lessee anywhere on the Airport shall be immediately reported to the Aviation/Transportation Administrator and cleaned up by Lessee, at Lessee's sole expense, in accordance with standards of the industry and applicable governmental regulations and laws.

E. Lessee shall not construct or place signs, awnings, marquees, advertising, or promotional structures upon the Premises or Airport. If Lessee fails to remove any such signs, displays, advertisements or decorations within twenty-four hours after written notice from City, then City may remove them at Lessee's sole expense.

F. Lessee hereby agrees Lessee will not permit or suffer any liens of any kind to be filed against the Premises as a result of any obligation, malfeasance, negligence, or omission of Lessee, and that Lessee shall diligently take all necessary and proper steps to remove and discharge any liens which are filed.

11. Alterations. Lessee shall not alter the Premises without City's prior written consent except as herein set forth. If City so consents, then alterations shall be made at the sole cost and expense of Lessee.

12. Insurance. Lessee shall not occupy the Premises or operate any aircraft before obtaining the insurance specified below. Insurance amounts may be adjusted annually by the City Manager.

A. Personal Injury. During the term of this Lease Agreement and any extension thereof, Lessee shall continuously maintain an insurance policy providing for liability insurance in amounts of not less than \$3,000,000 per occurrence for death and personal injury.

B. Aircraft Liability. For each licensed aircraft, Lessee shall maintain during the life of this Lease Agreement, at his sole expense, at least the following insurance coverage: bodily injury, including passengers, \$500,000 each person; \$500,000 property damage; and \$3,000,000 each occurrence.

C. Personal Property. Lessee understands and agrees that it is Lessee's sole responsibility to obtain insurance covering Lessee's aircraft and other personal property, which is located on the Premises.

D. Fire and Extended Coverage Insurance. Throughout the term, at Lessee's sole cost and expense, Lessee shall keep or cause to be kept insured, for the

mutual benefit of City and Lessee, all improvements located on or appurtenant to the Premises, whether constructed at the time of signing this Lease Agreement or not, against loss or damage by fire and such other risks as are now or hereafter included in an extended coverage endorsement in common use of structures, including vandalism and malicious mischief. The amount of the insurance shall be sufficient to prevent either Lessee or City from becoming a co-insurer under the provisions of the policies, but in no event shall the amount be less than one hundred percent of the actual replacement cost, excluding the cost of replacing excavations and foundations, but without deduction for depreciation (herein called full insurable value). In the event payments are made for repairs, payments of proceeds for repair, restoration, or reconstruction of improvements shall be made monthly on architect's certificates until the work is completed and accepted. Any insurance proceeds remaining after complying with the provisions of this Lease Agreement relating to maintenance, repair, and reconstruction of improvements shall be the Lessee's sole property.

E. Documentation. Lessee shall present to City a certificate evidencing the required coverage, naming the City of Lompoc as additional insured. All insurance required by express provisions of this Lease Agreement shall be carried only in responsible insurance companies licensed to do business in the State of California. All such policies shall be non-assessable and shall contain language, to the extent obtainable, to the effect that (1) any loss shall be payable notwithstanding any act or negligence of City that might otherwise result in failure of the insurance, (2) insurer waives the right of subrogation against City and against City's agents and representatives, (3) the policies are primary and non-contributing with any insurance that may be carried by City, and (4) the policies cannot be canceled or materially changed except after thirty (30) days notice by the insurer to City. Lessee shall furnish City with copies of all such policies upon their receipt.

13. Release and Indemnification. Lessee shall defend, indemnify and hold harmless City and each of its officers, employees and representatives ("Indemnitees") from any and all liability, claims, loss, damages, or expenses, including reasonable attorneys' fees and costs, arising by reason of the death or injury of any person, including Lessee or a person who is an employee, invitee or an agent of Lessee, or by reason of damage to or destruction of any property, including property owned by Lessee or any person who is an employee, invitee or agent of Lessee (collectively, "Damages"), caused or allegedly caused by: (1) any cause whatsoever while that person or property is in or on the Premises or in any way connected with the Premises or with any improvements or personal property on the Premises, (2) any condition of the Premises or any building or improvement on the Premises, (3) any act or omission on the Premises of Lessee or any person in, on or about the Premises with the permission and consent of Lessee or (4) any matter connected with Lessee's occupation and use of the Premises; provided that Lessee's obligations to indemnify and hold harmless are only to the extent Damages are caused by Lessee or any person in, on or about the Premises with the permission and consent of Lessee.

14. Right of Entry. Lessee shall permit City's employees and authorized agents the right and privilege, at all times, of entering the Premises for the purposes of inspection, determining whether the terms of this Lease Agreement are being kept and performed, and posting notices of nonresponsibility.

15. Default or Breach. If Lessee (a) fails to pay or cause to be paid any tax, assessment, insurance premium, lien, claim, charge, or demand herein provided to be paid or caused to be paid by Lessee at all times and in the manner herein provided; or (b) defaults in the payment of any installment of rent or any other sum when due and provided; or (c) fails to commence or to complete the construction, repair, restoration, or replacement of the hangar and any other improvements in and about the Premises within the times and in the manners herein provided; or (d) fails to use, maintain, and operate the Premises as herein required, or abandon the property; or (e) fails to maintain the required insurance; or (f) fails to abide by any Airport rule or regulation; or (g) defaults in the performance of or breach of any other covenant, condition, or restriction of this Lease Agreement herein provided to be kept or performed by Lessee, then City shall give written notice to remedy such default or breach. If the default or breach is remedied within thirty days following such notice, then this Lease Agreement shall continue in full force and effect. If such default or breach is not remedied within thirty (30) days following such notice, then City may, at its option, terminate this Lease Agreement, and, in addition to all of the remedies, City may re-enter and re-lease the Premises, and all improvements shall become the sole property of City. Upon termination, all subleases, at the option of City, shall terminate. Such termination shall not waive any remedy available to either party because of such default or breach. Each term and condition of this Lease Agreement shall be deemed to be both a covenant and a condition. Upon default or breach by Lessee, City may, in addition to all other remedies available in law or equity, recover all damages proximately resulting from the breach or default, including, but not limited to, the cost of recovering the Premises, attorneys' fees, and the total balance of lease payments due under this Lease Agreement for the remainder of the Lease Agreement term, which sum shall be immediately due City from Lessee.

Appointments of a receiver to take possession of Lessee's assets, Lessee's general assignment for the benefit of creditors, Lessee's insolvency, and Lessee's taking or suffering action under the Bankruptcy Act are breaches of this Lease Agreement. Upon any such event, City shall have the option to terminate this Lease Agreement or to require that Lessee provide additional security by means of a cash security deposit, advance rental payments, or such other action as City deems prudent to protect the Premises and the public fisc.

16. Surrender of Premises. Upon expiration of the term of this Lease Agreement, all buildings, structures, facilities, improvements or alterations thereto constructed by Lessee shall become part of the land upon which they are erected, and title thereto shall, upon termination, automatically vest in City. Lessee shall leave the

surrendered Premises and any other property in a well maintained manner. All improvements shall be surrendered in good and clean condition.

Notwithstanding the foregoing, all uncompleted or partially or totally destroyed improvements shall, at City's option, be removed prior to surrender of the Premises, and the site of such improvements shall be returned to the same condition as prior to the execution of the Lease Agreement.

17. Assignment/Subletting. Neither this Lease Agreement nor any interest herein shall be assigned, either voluntarily or involuntarily, by Lessee, or by operation of law or otherwise, nor shall the Property, or any part thereof, be sublet by Lessee without the prior written consent of City. Such sublease shall be subject to such other conditions as may be imposed by City. Any such assignment or sublease without such prior written consent of City shall be void. In addition to such other conditions City may impose, Lessee shall pay to City 30% of the amount of any sublease plus the rent per Section 6. City shall have the right to assign or transfer this Lease Agreement or any rights in or to it.

18. Destruction of Premises. If the Premises are damaged or destroyed by fire, earthquake or other act of God or any other causes so as to render them unfit for occupancy, except as caused by Lessee, then Lessee may terminate this Lease Agreement at his option; but should Lessee elect to reconstruct said Premises it shall do so within six months after the date of destruction.

19. Security. City does not warrant the security of Lessee's property at the Airport, including, but not limited to, aircraft, fuels, tools, vehicles and related personal property and ground equipment.

20. Sole Agreement; Amendments. This Lease Agreement constitutes the sole and final agreement between City and Lessee respecting the lease of the Premises. No prior agreement or understanding pertaining to lease of the Premises is effective. This Lease Agreement may be modified only by a writing signed by the parties.

21. Binding on Successors. This Lease Agreement and each of its provisions shall be binding upon and shall inure to the benefit of the respective heirs, executors, administrators, trustees, successors, and assigns of the parties.

22. Waiver. City's waiver of breach of any provision of this Lease Agreement shall not be treated as a continuing waiver of such provision or as a waiver of any future breach of the same or other provision of the Lease Agreement. City's acceptance of rent shall not be treated as a waiver of Lessee's previous breach of any provision of this Agreement. No custom or practice which may arise or develop between the parties in the course of the term of this Lease Agreement shall be construed to waive or diminish City's right to insist upon Lessee's performance of all terms, covenants, and conditions

hereof, or to pursue any rights and remedies City may have if Lessee defaults in performance of this Lease Agreement.

23. General. If any term or provision of this Lease Agreement or any application thereof shall be invalid or unenforceable, then the remainder of this Lease Agreement and any other application of its terms or provisions shall not be affected thereby. The captions of this Lease Agreement are for the convenience of reference only and shall not define or limit any of the Lease Agreement's terms and provisions. The relationship created by this Lease Agreement is one of landlord-tenant. This Lease Agreement is not intended to create a joint venture or any relationship other than landlord-tenant.

Lessee's use of the Premises shall at all times fully comply with this Lease Agreement, the Lompoc Municipal Code, all applicable federal, state and local laws and regulations, and all signs and lawful instructions of Airport staff. In utilizing the Premises, Lessee shall not discriminate against any person or class of persons by reason of race, color, creed, sex, gender, marital status, religion or national origin. Lessee is subject to the provisions of Part 15 of the Federal Aviation Regulations and any amendments thereto which are incorporated herein by this reference. Lessee acknowledges he has read the Lompoc Municipal Code Chapter 4.04 Airport Operations and agrees to abide by it and all of the Airport rules and regulations.

This Lease Agreement shall not be deemed to grant the exclusive right of any Airport use forbidden by Section 308 of the Federal Aviation Act of 1958, any other federal statute or regulation, or state or local law or other directive.

24. Notices. Any notice required by law or pursuant to this Lease Agreement shall be deemed to be fully given when written and dispatched by registered mail, return receipt requested, postage prepaid, to the parties at the addresses below. Notices shall be deemed served on the date of postmark.

CITY OF LOMPOC

Attn: Aviation/Transportation
100 Civic Center Plaza
Lompoc, CA 93436

LESSEE

Jeffrey Thomas
10016 Edmonds Way
Suite C-202
Edmonds, WA 98020

Notices to the City related to delivery of courtesy rental payment reminders:

CITY of LOMPOC
100 Civic Center Plaza
Attn: Finance Department
Lompoc, CA 93436

IN WITNESS WHEREOF, the parties have executed this Lease Agreement effective as of the date first above written.

APPROVED AS TO FORM:

CITY OF LOMPOC

Joseph W. Pannone
City Attorney

By _____
Bob Lingl
Mayor

ATTEST:

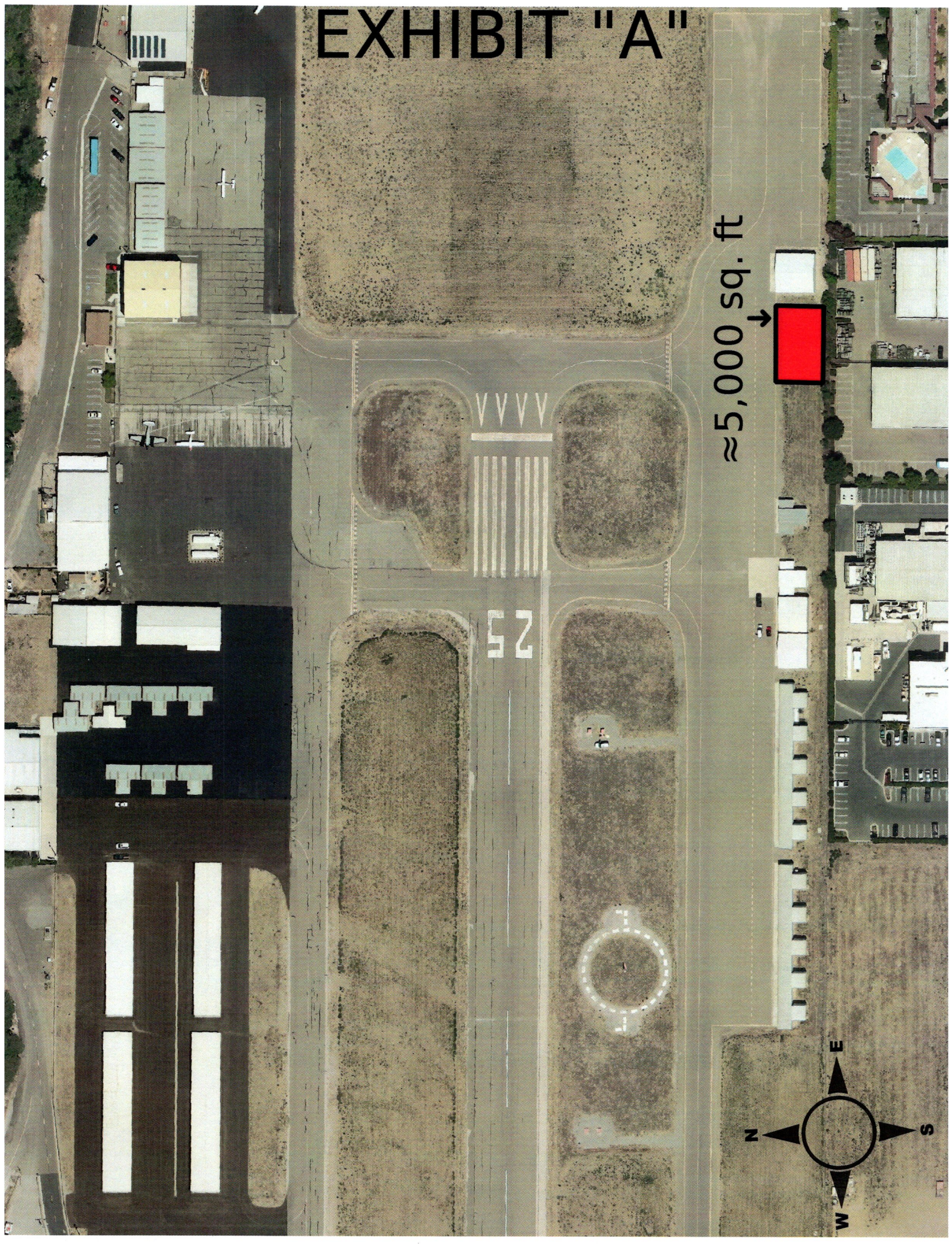
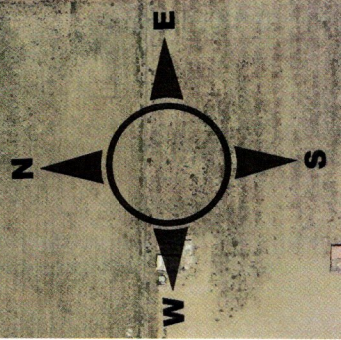
LESSEE:

Stacey Haddon
City Clerk

Jeffrey Thomas

EXHIBIT "A"

≈ 5,000 sq. ft



Ordinance No. 1648(18)

**An Ordinance of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Amending Subdivision 9.36.090 A. of the Lompoc Municipal Code,
to Allow Commercial Cannabis Dispensaries within the Industrial Districts,
Subject to a Conditional Use Permit**

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

SECTION 1. Lompoc Municipal Code subdivision Section 9.36.090 A. is hereby amended in its entirety to read as follows:

- A. Subject to the provisions of this chapter, dispensaries are permitted within the City:
1. in the OTC District, as established by Title 17 of this Code,
 2. in the Industrial District, as established by Title 17 of this Code, subject to approval of a conditional use permit, or
 3. where, pursuant to Title 17 of this Code, retail pharmacies (i) are allowed by right and (ii) do not require a special or conditional use permit.

SECTION 2. This ordinance shall take effect 30 days after its adoption. The City Clerk, or her duly appointed deputy, shall attest to the adoption of this Ordinance and shall cause this Ordinance to be posted in the manner required by law.

This Ordinance was introduced on March 20, 2018, and duly adopted by the City Council of the City of Lompoc at its duly noticed regular meeting on _____, 2018, by the following electronic vote:

PASSED AND ADOPTED this ___ day of _____, 2018, by the following electronic 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 3, 2018

TO: Teresa Gallavan, Interim City Manager

FROM: Jasmine McGinty, Development Programs Specialist II
J_mcginty@ci.lompoc.ca.us

SUBJECT: Adoption of Resolution No. 6167(18) Extending the Electric Utility Business Incentive Rebate Program and Replacing Section 5. of Resolution No. 5888(14)

Recommendation:

Staff recommends the City Council:

- 1) Adopt attached Resolution No. 6167(18) extending the Electric Utility Incentive Rebate Program through December 31, 2020, and replacing Section 5 of Resolution No. 5888(14) (Attachment 1); or
- 2) Provide alternate direction.

Background:

After the Lompoc Redevelopment Agency was eliminated, the Economic and Community Development Department expressed interest in the creation of additional incentives beyond the A-13 General Service Economic Development Incentive Rate Schedule to encourage the establishment of businesses and to reduce the number of vacant business storefronts in the City of Lompoc (City). In January 2014, staff brought forth to then City Council the creation of the Business Incentive Rebate Program (Program) for the electric utility to offer businesses that occupy a previously unoccupied building that has been vacant for 90 days or more. The Program provides a rebate of 20% of the electric service charges for a period of six months, a rebate of 15% for the next six months, and a rebate of 10% for the final six months; for a total rebate period of eighteen months.

There have been two recipients of the Program, Floriano's Mexican Food and Solvang Brewing Company. Both businesses occupied buildings that had been vacant for longer than 90 days. Floriano's Mexican Food received the rebate from the time period of July 2015 through December 2016, at 1129 North H Street, formerly Carrows Restaurant. Solvang Brewing Company has received a rebate from the time period of August 2017 to January 2018, and will continue to receive the rebate until January 2019, at 234 North H Street, formerly a car dealership.

Florian's first rebate, which consisted of 20% of charges incurred during the first six months of operation was a total of \$1,922.29 in February 2016. The second rebate, for a reimbursement of 15% of charges incurred in the following six months of operation, was a total of \$2,858.89 in September 2016. The third and final rebate of 10% of charges incurred for the last six months of the incentive program was \$2,315.17 in January 2017. The total rebate for that 18-month period was \$7,069.35.

Solvang Brewing Company has only received the first installment of the electric rebate. The 20% rebate of incurred charges for the first six months of operation was \$3,562.02 in February 2018. The next rebates will be applied to their August 2018 and February 2019 utility bills.

When the Program was first created in 2014, the Economic Development Committee and the Utility Commission reviewed the Program and recommended implementing it. When it was approved by then City Council in 2014, the Program implementation was retroactive to July 1, 2013. The opportunity for someone to take benefit of the Program only applied to those businesses meeting the qualifying criteria as of December 31, 2016. Pursuant to Section 5 of Resolution No. 5888(14), the City Council is authorized to extend the term of the Program.

Discussion:

This Program encourages new businesses to the community with an incentive if they move into an unoccupied commercial building that has been vacant for 90 or more days. The Program provides for a reimbursement of a portion of the electric consumption and (if applicable) demand charges for a new or expanding business for a limited period not to exceed 18 months after occupying a previously vacant commercial location.

As vacant commercial buildings do not generate revenue for the Electric Utility, by encouraging occupancy in vacant commercial buildings, commercial tenant spaces, and storefronts, the Electric Utility would realize new revenue where none exists for otherwise vacant buildings and storefronts.

Resolution No. 6167(18) will extend the opportunity for qualifying businesses to take benefit of the Program through December 31, 2020. To accomplish that, Resolution No. 6167(18), in essence, replaces Section 5. of Resolution No. 5888(14) and adopts a replacement attachment as the City's Electric Utility Business Incentive Rebate Program. (See Attachment 2 for the changes made to Section 5.)

Fiscal Impact:

By providing a temporary incentive to businesses to occupy previously unoccupied locations already served by the Electric Utility, the Electric Utility increases revenues and only incurs incremental increases in costs. Although the Electric Utility commercial rates are already competitive with the rates in neighboring communities, as a community-owned utility, the Electric Utility is able to provide an incentive program tailored to the needs of the community.

Conclusion:

The extension of the Program will benefit new and expanding businesses in the community and incentivize those businesses to occupy a vacant building, lessening the amount of vacant commercial buildings in the City.

Respectfully submitted,

Jasmine McGinty, Development Programs Specialist II

APPROVED FOR SUBMITTAL TO THE INTERIM CITY MANAGER:

Christie Alarcon, Interim Economic Development Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Teresa Gallavan, Interim City Manager

Attachments: 1) Resolution No. 6167(18)
2) Changes to Resolution No. 5888(14) Section 5

RESOLUTION NO. 6167(18)

**A Resolution of the Council of the City of Lompoc,
County of Santa Barbara, State of California,
Amending Section 5. of Resolution No. 5888(14) to
Extend the Electric Utility Business Incentive Rebate Program**

WHEREAS, the City Council established an Electric Utility Business Incentive Rebate Program (Program) by Section 5. of Resolution No. 5888(14) to encourage the use of underutilized commercial opportunities in the City; and

WHEREAS, the Program was implemented through the attachment to Resolution No. 5888(14) entitled: City of Lompoc's Electric Utility Business Incentive Rebate Program (Program);

WHEREAS, the Program provided a temporary incentive to businesses to occupy previously unoccupied locations already served by the Electric Utility in order for the Electric Utility to increase its revenues; and

WHEREAS, two businesses have been beneficiaries of the Program, which was retroactive to June 30, 2013; and

WHEREAS, the City Council now desires to extend the Program to continue to encourage new and expanding businesses to occupy vacant commercial buildings in Lompoc, increase electric utility revenue, and incentivize business to occupy vacant spaces.

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

SECTION 1. Section 5. of Resolution No. 5888(14) is rescinded and restated as follows and Attachment 1 to that resolution is hereby replaced the Attachment to this Resolution:

The Program, as set forth in Attachment 1 to this Resolution, is renewed and extended. Attachment 1 is hereby made a part of the official public records of the City. Changes to the Program and Attachment 1 may be made from time to time by the City Manager, Interim City Manager, Management Services Director, or Economic Development Director/Assistant City Manager, to encourage participation or to clarify conditions, except the number of rebate periods cannot be increased or be extended beyond six months each, and the program term shall not be extended beyond December 31, 2020, without City Council approval. Rebate percentages may also be reduced and cannot be increased above the percentages approved without City Council approval. If any such modification is made to the Program, then the person making that change shall report the modification to the City Council at a duly noticed public meeting during the City Manager or Staff Presentations portions that meeting's agenda.

SECTION 2. This Resolution is effective on and after the day of its adoption.

The foregoing Resolution was proposed by Councilmember _____, seconded by Councilmember _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on April 3, 2018, by the following vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

Bob Lingl, Mayor
City of Lompoc

ATTEST:

Stacey Haddon, City Clerk
City of Lompoc

Attachment 1 Electric Utility Business Incentive Rebate Program Guidelines and Application



City of Lompoc's Electric Utility Business Incentive Rebate Program

Purpose:

The City of Lompoc's (City) Economic Development Department has partnered with the Electric Utility Division to increase the occupancy of vacant properties by encouraging new businesses to the community with an incentive to occupy previously vacant properties. This program provides for the reimbursement of a portion of the electric consumption and (if applicable) demand charges for a new or expanding business for a limited period not to exceed 18 months after occupying a previously vacant commercial location.

Applicability:

This rebate is available as a reimbursement to qualified customers on the A-1 and A-12 Rate Schedules. Otherwise eligible customers on the A-13 or eligible for the A-13 Rate Schedule will continue to receive the discount provided by the A-13 Schedule or will be encouraged to apply for the A-13 rate.

Intention of some terms used herein:

A **property** can be either a separate parcel or a location identified in the City's utility billing system within the City's service territory. The property or location must be individually metered. A location can be a storefront that is otherwise part of a larger complex on a parcel that is individually metered for electricity.

A property is considered **unoccupied** if the electric consumption is and has been at or near zero for at least 90 consecutive days. Incidental consumption only to maintain security or landscaping services would not cause the property to be considered occupied.

A **Business Tax Certificate (BTC)** is issued annually and expires June 30th each year. The issuance of a BTC requires compliance with applicable regulatory codes and regulations. The law provides a BTC is necessary before any business, trade, profession, enterprise, establishment, occupation, or calling is conducted within the City. A BTC is required even though the business may not have a fixed place of business in the City or has a BTC from another city.

A customer in **good standing** has paid in full all utility charges on their accounts and has paid those charges on time or has established good credit with the City. For the account the rebate applies to, good credit is required for the rebate to be credited. The qualifying customer (or related parties to the qualifying customer – a related business or the residential account of the qualifying customer), if they have other utility accounts with the City, may not have more than one delinquency within the last twelve months on those accounts to qualify for the rebate.

Eligibility criteria:

1. A qualifying customer is one who takes permitted occupancy after June 30, 2013, of property within the jurisdictional limits of the City.
2. The occupied property must receive electric service from the City and has an operational City electric meter.
3. The property must have been unoccupied prior to the subject occupancy.
4. All applicable planning and permitting costs associated with the permitted occupancy have been paid by the time the rebate application is processed.
5. Any BTC requirements must have been met and the qualifying customer must be in possession of a valid Lompoc BTC.
6. Only an electrical customer who is in good standing with all City utility charges is eligible.
7. The qualifying customer must not have otherwise received rebates under the Program at another location. If the Program is extended beyond December 31, 2020, then a qualifying customer can be eligible for the program once in every five-year period.

Discount:

The reimbursement rebate will be based on a graduated percentage over the term of eligibility for the qualifying customer. The rebate percentages are as follows:

1. Upon initiating electric service, but no earlier than the effective date of the BTC, the rebate for the first six months (or billing cycles) of electric service charges will be 20% of the charges incurred during that same six month period.
2. Following the first six months, and for an additional six months, the rebate will be 15% of the charges incurred during that same six month period.
3. The final six months of rebates will begin after the first twelve months of service and conclude eighteen months following the initiation of the rebate program for the eligible customer and will be 10% of the charges incurred during that same six month period.
4. The discount will only be calculated on electric consumption and electric demand charges, if applicable, of the eligible customer's bill.
5. The rebate does not apply to any external charges (currently the State CEC Surcharge and the Public Benefits Charges are such charges) or other charges, assessments or adjustments on the electric portion of the bill. Water, Wastewater, Solid Waste and Broadband charges on the same bill are not eligible for the rebate.

6. The rebate will be paid within 90 days following the end of each six-month period based on billed consumption upon confirmation of good standing. The rebate will be applied as a credit to the customer's account eligible for the rebate.

Verification:

Eligible customer must provide information satisfactory to the City regarding the new business planned and qualification information for the location and business. The attached form is provided to assist with the collection of data necessary to apply for the rebate. A business that ceases to operate during the 18 month period in which it is eligible for the rebate will forfeit any rebate that is due but unpaid unless any and all fees or charges due to the City have been paid timely and in full.

Sunset:

This rebate is retroactive related to the review period of a facility's use. Customers eligible for this rebate must have occupied and established electrical service at the facility no earlier than July 1, 2013. The rebate program can be discontinued by the City at any time, but in no event will someone be able to qualify for the Program after December 31, 2020, unless the Program is extended by City Council action. Any rebate approved by December 31, 2020, will be eligible to receive rebates as prescribed in the rebate terms.

**City of Lompoc's Electric Utility
New Business Incentive Rebate Application**

Customer's Business Name: _____

Customer's mailing address: _____

Customer's physical service address: _____

I certify that I meet all requirements listed above and I understand the conditions listed above.

I verify I am an authorized agent for the customer and the information I have provided is true and correct.

Signed: _____ Date: _____

Printed name and title: _____

City of Lompoc use:

Electric service turn-on date: _____

Cumulative consumption at location for the 3 full cycles prior to the Customer's turn-on date:

Customer's payment standing over:

First six months: _____ of lates/delinquencies

Second six months: _____ of lates/delinquencies

Third six months: _____ of lates/delinquencies

Customer rebate calculation:

	First six months	Second six months	Third six months
Total eligible charges:			
Rebate amount:			
Date paid:			

SECTION 5. The ~~Electric Utility Business Incentive Rebate~~ Program is adopted, as set forth in Attachment 1 to this Resolution, is renewed and extended; ~~copies of the program guidelines and application are attached to this Resolution to become Attachment 1 is hereby made~~ a part of the official public records of the City. Changes to the ~~Electric Utility Business Incentive Program or application form and Attachment 1~~ may be made from time to time by the City Manager, Interim City Manager, Management Services Director, or Economic Development Director/Assistant City Manager, to encourage participation or to clarify conditions, except the number of rebate periods cannot be increased or be extended beyond six months each, and the program term shall not be extended beyond December 31, ~~2016~~2020, without City Council approval. Rebate percentages may also be reduced and modified but cannot be increased above the percentages approved without City Council approval. If any such modification is made to the Program, then the person making that change shall report the modification to the City Council at a duly noticed public meeting during the City Manager or Staff Presentations portions that meeting's agenda.



City Council Agenda Item

City Council Meeting Date: April 3, 2018

TO: Teresa Gallavan, Interim City Manager

FROM: Stacey Haddon, City Clerk
s_haddon@ci.lompoc.ca.us

SUBJECT: Revisions to Handbook for Commission, Committee, and Board Members;
Adoption of Resolution No. 6171(18)

Recommendation:

Staff recommends the City Council adopt Resolution No. 6171(18) (Attachment 1), revising the Handbook for Commission, Committee, and Board Members (Handbook) to reflect changes to meeting time of the Parks & Recreation Commission; and the Membership of the Mobilehome Rent Stabilization Board, and the Citizens Committee to Oversee Park Maintenance & City Pool Assessment District.

Background:

The City of Lompoc (City) provides its Boards, Commissions and Committees with a Handbook for guidance in the commission of their duties. The Handbook was first created by resolution in 1990 and has since been updated either by resolution or by minute order, the last update being made on May 2, 2017, by Resolution No. 6115(17), revising the Handbook for Commission, Committee, and Board Members to reflect minor typographical revisions throughout the Handbook and formally accept the following changes to meeting place and times of certain City Boards, Commissions, and Committees: the Beautification and Appearance Commission will meet on the second Wednesday of each month at 6:30pm at Lompoc City Hall; the Parks & Recreation Commission will meet on the second Tuesday of each month at 6:30pm at Lompoc City Hall; the Public Safety Commission will meet quarterly on the third Wednesday of January, April, July, and October at 6:30pm at Lompoc City Hall; the Utility Commission will meet on the second Monday of each month at 6pm at Lompoc City Hall; the Airport Commission will meet on the first Thursday of each month at 7pm at Lompoc City Hall.

Discussion:

Since the most recent revision on May 2, 2017 of the Handbook, additional changes have been adopted for the Parks & Recreation Commission, the Mobile Home Rent Stabilization Board, and the Citizens Committee to Oversee Park Maintenance & Pool Assessment District that need to be incorporated into the Handbook. The specific changes are as follows:

Parks & Recreation Commission

On February 13, 2018, the Parks & Recreation Commission voted (4-0-1), to change the meeting time for all regular Parks & Recreation Commission Meetings to begin at 7:00 P.M.

Mobile Home Rent Stabilization Board

On February 6, 2018, City Council adopted Ordinance No. 1644(18), appointing the City Council as the Mobile Home Rent Stabilization Board.

Citizens Committee to Oversee Park Maintenance & City Pool Assessment District

On December 5, 2017, City Council adopted Resolution No. 6146(17), appointing the City Council as the Committee to Oversee Park Maintenance & City Pool Assessment District.

Fiscal Impact:

There is no fiscal impact due to the changes proposed to the Handbook, as copy and printing charges would be covered in the City Clerk's regular budget.

Conclusion:

The Handbook is a useful tool for the bodies that use it. Staff recommends adoption of Resolution No. 6171(18), and the attached updated Handbook, in order to stay current with the needs of the users.

Respectfully submitted,

Stacey Haddon, City Clerk

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Teresa Gallavan, Interim City Manager

Attachments: 1) Resolution No. 6171(18)
2) Red-lined Changes to Handbook

RESOLUTION NO. 6171(18)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Revising the Membership and the Meeting Time for Certain City
Commissions, Committees, and Boards, and Revising the
Handbook for Commission, Committee, and Board Members**

WHEREAS, the City Council directs its Commissions, Committees, and Boards to conduct their meetings and activities generally pursuant to a Handbook for Commission, Committee, and Board Members (Handbook), which was last amended by Resolution No. 6115(17) adopted on May 2, 2017; and

WHEREAS, the City Council now desires to make revisions to the membership of the Mobilehome Rent Stabilization Board and the Citizens Committee to Oversee Park Maintenance & City Pool Assessment District; revisions to the meeting time of the Parks & Recreation Commission; and to amend the Handbook for Commission, Committee, and Board Members to reflect those changes as well as other minor typographical corrections and updates.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC RESOLVES AS FOLLOWS:

SECTION 1. The City Council rescinds Resolution No. 6115(17).

SECTION 2. By adoption this Resolution, the City Council approves the Handbook dated April 3, 2018, and attached hereto as Exhibit A, which supersedes each and every previously approved Handbook.

SECTION 3. This Resolution is effective upon 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 3, 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

Exhibit A: Handbook for Commission, Committee, and Board Members
(available for review at the City Clerk's Office, City Hall Lobby, Lompoc Public Library,
or www.cityoflompoc.com)

INDEX

<u>SUBJECT</u>	<u>PAGE NUMBER</u>
INTRODUCTION.....	1
HISTORICAL SKETCH OF LOMPOC.....	2
CITY GOVERNMENT	6
Appointed Positions:	
City Manager	
City Attorney	
CITY ADMINISTRATION.....	7
City Departments and Divisions	
Organizational Flow-Chart	
COMMISSIONS, COMMITTEES, AND BOARDS	12
Airport Commission	
Beautification and Appearance Commission	
Citizens Committee to Oversee Park Maintenance & City Pool Assessment District	
Compliance Committee (for the Sub-Recipient Financial, Programmatic, and Monitoring Reporting Requirement Policy)	
Economic Development Committee	
Human Services Commission	
Library Commission	
Mobilehome Rent Stabilization Board	
Parks and Recreation Commission	
Planning Commission	
Public Safety Commission	
Senior Commission	
Utilities Commission	
Youth Commission	
MEMBERSHIP	29
Appointment	
Eligibility	
Oath of Office	
Term Limits	
Ethical Principles	
Attendance	
Removal	
Resignation	
Vacancy	
Compensation	
Incidental Expenses	

ADOPTED BY LOMPOC CITY COUNCIL MARCH 6, 1990
REVISED per Ordinances 1258(86), 1386(93), 1402(95), 1424(97), 1454(00), 1504(04), 1536(06), 1579(12) and 1585(12); Resolutions 4265(93), 4275(93), 4298(93), 4299(93), 4300(93), 4391(94), 4467(95), 4492(96), 4594(97), 4728(98), 4797(99), 5092(03), 5214(04), 5437(07), 5483(08), 5818(13), 5905(14), 5954(14), 5968(15), 5981(15), 6006(15); 6031(16); 6075(16), 6115(17), 6171(18); Minute Actions: 7/19/94, 3/4/97, 11/01/11, 2/21/12 & 10/16/12; City Reorganization 6/02, 6/04, 7/05, and 12/11.

ORGANIZATION	32
Regular Meetings	
Adjourned Regular Meetings	
Special Meetings	
Subcommittees	
Annual Reports	
Biennial Review of Committees	
Joint Meetings with Council and Committees	
Ralph M. Brown Act	
Informal Public Hearings	
Formal Public Hearings	
Hearing Procedures	
Motions	
Adjournment	
Agenda	
Minutes	
Agenda Packets	
Conflict of Interest	
Officers	
Role of Chairperson	
RELATIONS	36
Relations with City Council	
Relations with the Public	
Relations with City Staff	
COMMISSION, COMMITTEE, AND BOARDS EFFECTIVENESS	38
Preparation for Meeting	
Meeting Procedure	
Meeting Action	
Meeting Follow-up	
COOPERATION	39
Functions and Behaviors	
Effective Conflict Management	
MANAGING CONFLICT	40
CONCLUSION	41

INTRODUCTION

The City of Lompoc (City) has established a number of standing City commissions and special citizen advisory committees and boards to review City program areas and special community problems in order to provide a greater public input into the city government of Lompoc. This Handbook has been prepared to provide a general idea of the policies, guidelines and responsibilities of committee, commission and board members.

It is hoped this handbook will provide members with the necessary information to understand the basic functions of their commission, committee or board, as well as their role within the organization.

LOMPOC VALLEY HISTORY

ORIGIN OF NAME

The name Lompoc comes from the Chumash; various translations suggest the lakes and lagoons resulting from the spring flooding: "lagoon, little lake."

INDIAN PERIOD

The Chumash Indians lived in small villages, surviving off the sea and the land. They were non-agricultural. Two of their greatest achievements were the design and construction of the plank canoe and the fine workmanship of their baskets.

EXPLORATION

1542 - Expedition by Juan Cabrillo (first white contact with the Indians)

1769 - Don Gaspar De Portala camped with his expedition at the mouth of the Santa Ynez River and found an inviting area about which he wrote in his diary.

MISSION PERIOD

In 1769, King Carlos III of Spain acquired land from San Diego to Monterey for the purpose of building 21 missions and to protect the land from the invading Russians.

In 1787, Mission de la Purisima Concepcion de Maria Santisima was founded. It was built at the end of South "G" Street--just below the hills. Twenty-five years later the Mission was destroyed by an earthquake. Some wall structural remains are still at the site, and a huge, deep crevice can be seen in the hill above the ruins.

The Indians moved across the Valley to the present site, taking 5 years to build and complete the new mission. Unfortunately, white man's diseases wiped out the Indian population and the mission fell to ruin.

The Union Oil Company later owned the land where the Mission ruins lay. In 1933, Union Oil deeded the Purisima Mission site to the county, and a 507-acre State Park was later created. During the 1930's the Civilian Conservation Corps (now known as the California Conservation Corps), the State Park Commission, the National Park Service, and the Department of the Interior restored the mission to its present condition. It is one of the most authentic restorations of an historical landmark in the nation. The restorations were completed in late 1941.

RANCHO PERIOD

In 1837, the Mexican Governor of California gave land to his soldiers as payment for excellent service. In Santa Barbara County, land was divided into 40 Ranchos. In the Lompoc area there were 5.

In the early 1850's, Thomas Wallace More and his brothers A.P. More and H.H. More bought Rancho Lompoc from the Carrillos family. The partnership of Mr. W. W. Hollister, Hubbard Hollister, Albert Diblee, and Thomas Diblee purchased the two Ranchos in 1863 for \$60,000.

RANCHO PERIOD (cont'd)

They also owned most of the Ranchos between Lompoc and Santa Barbara. On this land, they ran thousands of sheep and the floor of the Lompoc Valley was covered with 20,000 sheep grazing on lush grass.

LOMPOC COLONY PERIOD

Mr. W. W. Broughton, a lawyer and newspaperman from Santa Cruz, California, was looking for a place to start a new town. He was unhappy with the drinking problem in the Santa Cruz area, and wanted to start a new town where he could raise his children in a peaceful atmosphere.

In his travels throughout the state, he saw the Lompoc Valley and realized that, because of its beauty, rich soil and excellent climate, this was the dream land he had been looking for. The land was very fertile and would be perfect for farming and raising sheep and cattle.

His town was to be a Temperance Colony – a town where no liquor could be made, consumed or sold. Mr. Broughton organized 100 farmers, ranchers and businessmen from Santa Cruz, Santa Barbara, and San Francisco. They purchased the land, which consisted of all the territory of the Lompoc and Mission Veija de la Purisima Ranchos. It was a total of 46,500 acres, and was purchased on October 19, 1874, at a cost of one half million dollars. These 100 businessmen made up the Lompoc Valley Land Company.

The land was divided into 5, 10, 20, 40 and 80-acre lots and it was to be put up for auction. One square mile would be for the town itself and the rest would be for farmland. One block was set aside for a school (the original site is where El Camino is located). Lots were set aside for churches and fraternal organizations, and a 10-acre section was to be used for a cemetery. Everything was well planned before the auction was ever held.

Mr. Broughton then advertised his land sale in all the newspapers in the Santa Cruz, Santa Clara, San Jose and Watsonville areas. Families arrived in wagons, which held all their belongings and they lived in tents or the ruins of the first mission while anxiously awaiting the day of the auction. Lots sold fast and furiously.

Five hundred dollars from the land sales was set aside to start a newspaper, because news needed to be sent to the "Easterners" to come West to this wonderful new town. The first auction was so successful that another one was arranged. This time, with his new newspaper, Mr. Broughton was able to advertise throughout the United States. The second sale would be held Monday, April 26, 1875. (Terms of the sale were 15% down with purchase; 15% on the last Monday in December of the first year; and then 10% annually on the last Monday of December of each year.) The average price per acre was \$60.00. These people, who now called Lompoc their home, were peaceful, non-drinking, farmers and ranchers. They brought their trades with them. They ran blacksmith shops, harness shops, made wagons and buggies, set up a creamery and ran grocery and drug stores.

LOMPOC COLONY PERIOD (cont'd)

The first two years were great ones. By the end of the first year, 200 families had settled in the valley; school was in session; the stage coach came to town three days a week; there was a post office; a newspaper was being published; the town had a doctor; a five-acre picnic ground had been established in Miguelito Canyon; there were plans for an agricultural college; and plans for a much-needed wharf. The wharf was needed so that butter and cheese and other farm products could be shipped to San Francisco. As it was, wagons were hauling these goods to the Gaviota wharf 22 very-rough miles away. It was the plan of the stock company to set aside a quarter of all proceeds from the land sale for the building of an agricultural college. The wharf was urgently needed and so the money from the college fund was loaned for the building of a wharf – with the idea that the profits from shipping Lompoc goods to San Francisco would repay the loan for the college. Soon after the wharf was completed, disaster struck, and rough seas washed the wharf away. It was rebuilt a couple of times – only to wash away again – along with the dreams of a college. All that was left of the dream is the name of the street where the college was to be built – College Avenue.

Disaster seemed to be the key word following the shattered dreams of a wharf and college. For the next few years, no rain fell, and a damaging drought hit the valley. Animals died by the thousands and many people became discouraged and left. Colonel W.W. Hollister loved the new town and hated seeing these people losing everything they owned just because Mother Nature wasn't cooperating. He and the two Mr. Diblees saved the people and the town from total abandonment by remitting interest charges on the land payments for a few years until the drought had passed.

There were still hard times for four more years – a diphtheria epidemic killed many of the children. However, many of these tough people clung to the rich soil and their new homes, and survived.

The town prospered and in years to come another industry, besides agriculture, developed. This was the mining of diatomaceous earth.

In 1896, the Balaam Family found the largest uniform deposit of pure diatomaceous silica, so far discovered in the world, on their property in Miguelito Canyon. The rights were sold in 1929 to the Johns Manville Corporation. At times, 1,200 people have been employed at one time at the Company. Most of the early employees lived in company housing on the property – which also had a store, a hospital and a school. Manville continues to be one of Lompoc's top industries.

The flower seed industry followed and has probably brought more fame to Lompoc than any other industry. Mr. Burpee from Philadelphia heard of the beautiful flowers growing in the yards of Lompoc residents. He came out to investigate and found it to be true. He first tried growing sweet peas here and because of the rich soil, cool ocean breezes for air pollination, and the long summers, the flowers grew profusely. Later, the sweet pea became the City flower. Today, Lompoc grows 500 varieties of flowers for seed for the world. Two major seed companies plant hundreds of acres of flowers. Lompoc has the distinction of being known as the Flower Seed Capital of the World.

LOMPOC COLONY PERIOD (cont'd)

In 1941, 86,000 acres of the Jesus Maria Rancho owned by the Olivera family, just north of Lompoc, was purchased by the Army for an Army base. The name of the new base was Camp Cooke – named for a pioneer cavalry officer. Camp Cooke was to be used for artillery firing and tank maneuvers. It was the first armored training center on the West Coast.

Camp Cooke was at one time a prisoner of war camp. Italian and German prisoners were brought to the camp by ships. It later became a federal penitentiary – built where the United States Penitentiary is now.

After the bombing of Pearl Harbor, there were rumors of enemy submarines off the coast of California. A blimp base was established at the Lompoc Airport for the purpose of spotting submarines. (At that time, the Lompoc Airport was at the site of the Lompoc Shopping Center and Lompoc High School).

Camp Cooke was reactivated for two and a half years after the outbreak in Korea. In 1956, the Air Force took over Camp Cooke for the purpose of launching missiles from the West Coast, and on December 26, 1958, the first missile was sent soaring into space. The name of the new facility was changed from Cooke Air Force Base to Vandenberg Air Force Base to honor the late General Hoyt S. Vandenberg, second Air Force Chief of Staff and early proponent of aerospace preparedness.

By 1944, Lompoc had grown to over 5,000 people. Four years after the Air Force's takeover of the base in 1957, Lompoc's population had grown to more than 20,000. By 1988 the population was more than 32,300. The little farm community would be no more.

CITY GOVERNMENT

The City is a general law city with a Council-Manager form of government. Under this form of government, the City Council is the policy making body and the City Manager is responsible for carrying out Council policy.

The City is governed by a five-member City Council, consisting of the Mayor and four Council Members elected from the City at large. Municipal elections are held each even-numbered year, with the Mayor and two Council Members elected on each occasion. The Mayor is elected for a two-year term, and Council Members are elected for four-year terms. The Mayor serves as presiding officer during all public meetings. The duties of the City Council include appointing a City Manager, City Attorney, and members of the commissions, boards, and committees; adopting the budget; enacting legislation and generally establishing basic policy for the City.

The City has a staff of over 400 full-time employees. The principal departments within the City's organization include the Departments of Administration, Economic and Community Development, Fire, Library, Management Services, Police, Public Works, and Utilities.

The City forces are responsible for the distribution of electrical power within the City and the City owns and operates wastewater and water treatment plants. The City provides refuse collection and maintenance of the landfill as well, as the operation of the transit system and the Lompoc Airport. The City has its own Police and Fire Departments. In addition, there are police volunteers and reserve fire fighters who assist in providing public safety services.

Appointed Officers

City Manager. Subject to the approval of the City Council, the City Manager performs a variety of duties designed to promote and further the interests of the City. The City Manager provides general direction to the Economic Development and Administrative support staff, department heads, and directs, controls and coordinates various City services and programs.

The City Manager meets with, provides information to, and receives direction from the City Council. The City Manager also advises the City Council on the fiscal affairs of the City and assists the Council in developing goals and the planning framework for the City. Additionally, the City Manager seeks alternative state and federal revenue sources, coordinates the preparation and submission of grant applications, coordinates and promotes economic development activities, and researches and implements modern management practices.

City Attorney. The City Attorney directs and performs legal services on behalf of the City, its officers, boards, committees, commissions and departments. The City Attorney attends meetings of the City Council, Planning Commission and other official bodies on request. The City Attorney renders legal advice and opinions when requested, prepares ordinances, resolutions, contracts and other legal documents, and represents the City as legal counsel.

CITY ADMINISTRATION

The City's administrative organizational structure reflects modern management principles and provides an effective arrangement of City functions and activities to meet the goals, objectives and service requirements of the City.

City Clerk's Office – plans and supervises the work involved in maintaining official City documents and records. Additionally, the division prepares the City Council agenda, arranges for agenda distribution, attends City Council meetings, records actions taken, prepares minutes, and certificates of adoption of Council resolutions and ordinances. The City Clerk also provides information on filing procedures to potential Council candidates and assists the County in conducting municipal elections, which are consolidated with the County elections. The Office coordinates the recruitment and appointment by the City Council to City advisory bodies.

Human Resources Division and Safety and Risk Management – enables the City to manage its human resource requirements and to improve organizational effectiveness by assisting City departments through programs of recruitment, selection, employee performance and development. Responsibilities also include employee relations, benefits, administration, developing fair and equitable policies and procedures, and attaining a diverse workforce. Safety and Risk Management provides for the safety and health of City employees through training of staff in safe practices and procedures, including CPRT. Also, the division protects the safety of the public as they come into contact with City facilities, equipment and personnel.

Economic & Community Development Department

The Economic & Community Development Department is responsible for activities related to Planning, Community Development Block Grant programs and environmental review.

Planning Division – provides services related to comprehensive planning, development and maintenance of a safe and satisfying environment for the citizens of Lompoc. This is done by assisting and directing orderly growth, protecting environmental resources, and stressing high standards of architecture, landscaping, and site planning. In so doing, the division helps protect the public interest, the public's safety, and the preservation of property values. The Division provides staff services for the Planning Commission and prepares, updates, and maintains the General Plan program to ensure City policies are coordinated and implemented.

Community Development Block Grant (CDBG) and Human Service Program – provides efficient and effective administration that results in attainment of the CDBG's program goals, which are: to provide decent housing, a suitable living environment, and expanded economic opportunities for persons of low and moderate income through public services, public facilities, housing programs, economic development, and the elimination of slums and blight.

Recreation Division – provides the citizens of Lompoc a comprehensive program of leisure-time activities based on the expressed needs of the community, and the availability of resources to meet those needs.

Fire Department

The Fire Department provides for community fire safety, the control and suppression of fire, emergency medical service, emergency preparedness planning, support of allied services providing for the safety of the citizenry, public safety through the coordination and enforcement of all building regulations established by the City and the State of California, including building, plumbing, mechanical, electrical, housing, sign codes, Title 24 and Americans with Disabilities Act requirements.

Life Safety Division – provides consistent and thorough inspection of all construction work to ensure compliance with approved plans, applicable codes and regulations. Inspectors investigate general code violations, substandard or unsafe buildings, and building equipment. Action is initiated to ensure compliance with applicable codes and City ordinances.

Library Department

The Library Department's mission is to be the learning center of our communities within the Lompoc Valley and the place people turn to for the discovery of ideas, the joy of reading, and the power of information.

Library's values:

- Reading improves lives.
- Literacy and the ability to learn are basic tools of economic opportunity and personal success.
- Outstanding customer service to patrons of all ages and backgrounds is a responsibility and privilege.

Management Services Department

The Management Services Department provides administrative support, including treasury, finance, accounting, budget, print shop, information systems, insurance, and central purchasing and materials warehousing for all departments of the City.

City Treasury – is responsible for supervising receipt counting, deposits, and the accounting of fees, taxes, claims due the City and directs the preparation and collection of utility bills. A variety of financial reports for management information and Council action are prepared here.

Finance – is responsible for financial and budgetary control, accounting system, payroll, and debt management. Other major responsibilities of the Finance Division are assisting in the preparation and administration of the City's Biennial Budget and preparation of the City's Comprehensive Annual Financial Report (CAFR). The division also administers the City's business tax (license) and permit requirements.

Information Services – provides information services data processing support for all departments of the City, storage of City documents with minimum space requirements, and other management information as requested. The division maintains all computing, network, Geographic Information, Intranet, Internet and telephone systems for all City departments.

Purchasing Division – approves all City purchasing activities, assists departments with selection of products or services maintains central stores for commonly used and bulk items, and is the central receiving area for deliveries of goods.

Police Department

The Police Department provides effective and professional police services, in partnership with the citizens we serve, encouraging mutual respect and innovative problem solving, thereby improving the quality of life in our community.

Public Works Department

Airport/Transit Services – provides convenient, safe, economical, and reliable transit services to meet the needs of those who are transportation disadvantaged and to help reduce traffic congestion, improve access to employment, shopping, medical, education, and recreational destinations and assist in air quality attainment. Airport programs are designed to develop and maintain a fully operational airport that meets the needs and expectations of the airport community within available resources.

Building Maintenance– maintains City buildings in a safe and cost effective manner for the benefit of the general public and City employees.

Engineering – ensures the health and safety of the community by administering the City's street capital improvement and traffic engineering programs. The Engineering Division also provides engineering support for other projects, including private development, water, sewer, storm drains, and park facilities.

Equipment Maintenance – provides for the orderly replacement, maintenance and repair of the City vehicular equipment in an efficient and economical manner.

Parks – maintains and continues to develop City parks, public facility grounds, street landscaping, and open space, based on the expressed needs of the community and the availability of the resources to meet those needs.

Street Maintenance – improves the health, safety and appearance of the community by maintaining and improving the physical conditions of the City streets.

Urban Forestry – enhances the City beautification by providing City streets with attractive landscaped areas while providing routine maintenance and planting of street trees in a safe, efficient, and economical manner that are safe and attractive and to provide and maintain for street trees.

Utility Department

The Utility Department provides the basic services of water, wastewater, electric, internet and broadband services to the citizens of Lompoc, which maintains and improves the community standards for health, safety and appearance.

Solid Waste Division – improves the health, safety, and appearance of the community by assuring a high level of refuse collection, including recycling, and providing street sweeping services. This division also operates and maintains the City's Landfill.

Water Division – provides production, treatment, storage, and distribution of municipal water supply as a contribution to the health and welfare of the community.

Wastewater Division – provides safe, and efficient conveyance and treatment of domestic and industrial wastewater, thereby making a positive contribution to the health of the community.

Electric Division – contributes to the maintenance and improvement of the quality of life in the City by ensuring the supply of electricity meets the needs of the community and is provided efficiently and economically.

Broadband Utility – provides low cost reliable wireless Internet services to residents, businesses, and visitors to the City.

INSERT LATEST ORGANIZATION CHART would be page 11 in handbook.

COMMISSIONS, COMMITTEES, AND BOARDS

The City Council is assisted by 14 citizen-advisory commissions, committees, and boards. These bodies are charged with the following responsibilities:

- Advise the City Council and the City Manager on matters within their area of responsibility and interest, as prescribed by State law, the City Council, and its ordinances and resolutions.
- Help focus attention on specific issues and problems within their scope of responsibilities and recommend actions and alternatives for Council consideration.
- Act as channels of communication and information between City Council, the general public, and special interest groups.
- Reconcile contradictory viewpoints and provide direction toward achievement of citywide goals and objectives.
- Encourage broad citizen participation in the definition and formulation of City goals and actions for their achievement.
- Balance community wants and municipal responsibility and resources.

AIRPORT COMMISSION

General Functions:

The Airport Commission shall promote the economic benefits of the Lompoc Airport and act in an advisory capacity in matters pertaining to safety, operations, maintenance, long-term planning, and economic development; provided, however, that the commission shall not make recommendations on rates and charges for use of the Airport. It shall also assist in the development of rules and regulations for safety, operations, hangar occupancy, hangar waiting list, and any other areas necessary for the orderly operation of the airport in association with the Aviation/Transportation Administrator.

The Commission may adopt such rules and regulations, as it may deem necessary to carry out its functions.

Members:

Seven members appointed by the City Council for four-year overlapping terms. Five members must be City residents and two non-voting members must have their primary residence within the boundaries of the Lompoc Unified School District.

Meetings:

The Airport Commission meets on the first Thursday of the month at 7:00 p.m. in the Administrative Conference Room at Lompoc City Hall, 100 Civic Center Plaza, Lompoc, CA. Meetings may be called by the Chairperson of the Commission or by a majority of its members.

Time Involved:

Time involved is estimated to be approximately 28 hours per year.

References:

Lompoc Municipal Code (LMC) section 4.04.090 and Ordinance Nos. 1352(91), 1386(93), and 1579(11).

BEAUTIFICATION AND APPEARANCE COMMISSION

General Functions:

The Beautification and Appearance Commission shall recommend and act in an advisory capacity to the City Council in all matters pertaining to the beautification and appearance of the City and its environs, including the following duties:

1. To stimulate public interest in the overall community appearance and to preserve and enhance the natural features of the Valley of Flowers.
2. To encourage citizens, the business community and governmental agencies, in the planting of trees, flowers and shrubs and the like.
3. To encourage cooperation and coordination among private citizens to improve and make more attractive their residential and commercial property.
4. To advise the City Council relative to Urban Forestry operations, policies and procedures.
5. To make recommendations to the City Council regarding public art programs and become the oversight body of such programs as directed by Council.
6. As requested by the City Council, Planning Commission or other City agency or department, to prepare special appearance reports relative to areas and conditions of public interest and concern.
7. To make an annual written report to the City Council on or before the first day of April of each year, which shall include projects completed in the past year, projected projects, and solicit Council input for future projects.

The functions and duties of the Commission as contained herein shall not be construed as prohibiting the Commission from initiating such studies and preparing such reports concerning conditions and problems regarding City beautification and appearance, which its membership feels warrant the attention of the Commission and the consideration of the City Council.

The Commission may adopt such rules and regulations, as it may deem necessary to carry out its functions.

Membership:

Five members appointed by the City Council. Each member is to serve a concurrent term with that of the nominating Council Member. All members must be City residents.

Meetings:

Second Wednesday of each month, at 6:30 p.m., in the Administrative Conference Room at Lompoc City Hall, 100 Civic Center Plaza, Lompoc, CA.

Time Involved:

Averages eight to ten hours per month for meetings and preparation.

References:

LMC Chapter 2.60 and Ordinance Nos. 1386(93), and 1424(97).

**CITIZENS COMMITTEE TO
OVERSEE THE PARK MAINTENANCE AND CITY POOL
ASSESSMENT DISTRICT (NO. 2002-01)**

General Functions:

The City Council annually will publicly review the budget for improvements and services funded by the Park Maintenance and City Pool Assessment District No. 2002-01 (District). The purpose of the Oversight Committee is to annually review the budget and plans to ensure that all funds of the District are spent as intended and as approved by the City Council.

Members:

During their terms of office, the City Council Members shall serve as the Committee Members.

Meetings:

The Oversight Committee will meet at least once a year or as needed more frequently to carry out their general functions.

Officers:

The Committee shall not elect officers. The Committee members shall designate one of their members to chair meetings and direct the performance of the Committee functions.

Committee Report:

Not later than November 30th of each year, the Committee shall submit to the City Council at a regular City Council meeting a report of the results of its annual review of the budget and plans of the District.

Time Involved:

Time involved is estimated to be approximately 6 hours per year.

References:

Resolution Nos. 5092(03), 5818(13) and 6146(17).

COMPLIANCE COMMITTEE
**(FOR SUB-RECIPIENT FINANCIAL, PROGRAMMATIC,
AND MONITORING REPORTING POLICY)**

General Functions:

To receive and review and approve or deny any and all downgraded financial reporting requests by any sub-recipient, funded by the City (sub-recipient here, is defined by Chapter 45 of the City of Lompoc Administrative Procedures Manual).

Membership:

The Compliance Committee shall be comprised of five members: one member of the City's Economic and Community Development Department; one member from the City's Management Services Department; an annually rotating member from the Human Services Commission; an annually rotating member of the City Council; and the City Manager or his/her designee.

Meetings:

The Committee shall meet at such times and dates necessary to consider requests received by any sub-recipient.

Officers:

The Committee shall not elect officers. The Committee members shall designate one of their members to chair meetings and direct the performance of the Committee functions.

Time Involved:

Varies from year to year.

References:

Resolution No. 5916(14).

ECONOMIC DEVELOPMENT COMMITTEE

General Functions:

The Economic Development Committee (Committee) shall establish an Economic Development Plan (Plan) for the City. Following completion of the Plan, the Committee shall conduct annual reviews, each calendar year, that include reporting of progress to benchmarks and other identified measures, and recommend amendment of the Plan, if needed. The Committee shall be staffed by the Economic Development Director/Assistant City Manager.

The Committee functions shall include the following:

1. Conduct an annual detailed review of the Economic Development Element of the 2030 General Plan.
2. Develop a Plan for the City that considers each economic market segment and establishes target industries and priorities to be updated annually.
3. Clearly identify the roles of the Chamber of Commerce and the City in the economic development efforts, and the cross cooperation in these efforts.
4. Hold public meetings to solicit input and encourage community involvement in the economic development planning process and its implementation.
5. Provide a forum for ongoing dialogue on economic issues between the City government, private sector, and other governmental agencies by regularly reviewing business incentives, policies, and procedures that impact economic development. The identification of any improvements, potential new programs, and/or suggestions for revisions of policies and procedures that would enhance the City's economic development efforts may then be recommended by the Committee to the City Council and staff.
6. The Committee members will be selected from, but not limited to, the following economic market segments in the Lompoc Valley and strive to represent the demographic diversity of the Lompoc Valley:
 - Education
 - Vandenberg Air Force Base/Aerospace
 - Medical/Public Health
 - Manufacturing/Commercial
 - Federal Correctional Institute/Public Safety
 - Agriculture/Wine Industry
 - Tourism
 - Retail Services
 - Contractors/Tradesmen/Professional Services
 - Auto Industry
 - Finance
 - Real Estate
 - Energy
 - Information Technology/High Tech
 - Commuter/Resident At-Large

Membership:

The Committee shall be composed of 22 members appointed by the City Council: 15 regular members, and 7 associate members, who will have all the same responsibilities as regular members, except they will only be called upon to participate as part of a quorum and vote when needed to create a quorum. The associate members, on a rotating basis will vote when a regular member is absent and the associate member is needed to make a quorum of eight. One of the associate members shall be the CEO/President of the Lompoc Valley Chamber of Commerce & Visitor's Bureau or a Chamber of Commerce staff member designated by the CEO/President. One of the associate members shall be a member of Visit Lompoc, Inc., the non-profit owners association for the Lompoc Tourism Improvement District. The Committee shall select, from its membership, a five-member Executive Board. At least three-fifths of the Committee members shall reside within the 93436 zip code. The Committee shall select a Chairperson and Vice Chairperson from the Executive Board.

Terms:

Of the 15 regular members, 5 will be direct appointments made by the City Council, and 10 will be at-large. The remaining 7 members will be associate positions; 1 of which will be the Chamber CEO/President; and 1 a representative from Visit Lompoc, Inc. The 5 positions directly appointed by Council will match the term of the appointing Council Member; 4 positions will serve four-year terms, and 1 position will serve a two-year term, to match the term of the appointing Mayor. Vacancies in any of those 5 positions shall be filled by the appointing Council Member/Mayor. All other regular and associate terms of office, except the Chamber CEO/President and Visit Lompoc, Inc. representative, shall be four years with positions staggered. If an at-large or associate member is unable to fulfill his/her term, then a new at-large or associate member can be appointed at-large. The new member will then complete the remainder of the initial term.

Meetings:

The Executive Board shall meet a minimum of six times a year, and the Committee shall meet a minimum of four times a year. Meetings shall be held in publicly accessible locations, preferably the City Council Chambers, and on dates to be established by the Economic Development Director/Assistant City Manager and the Executive Board. Committee and Board meetings are subject to the Brown Act. Additional meetings may be called by the Economic Development Director/Assistant City Manager, the Chairperson of the Committee, or by a majority of its members.

Subcommittees/Ad Hoc Committees:

Due to the extensive nature of an Economic Development Plan, the Committee is encouraged to have separate subcommittees and ad hoc committees work on parts of the Plan and economic development opportunities as they arise. Each subcommittee/ad hoc committee should have no more than seven members; and since each subcommittee/ad hoc committee will be made up of less than a majority of the Committee, its meetings would be exempt from complying with the Brown Act. Each subcommittee/ad hoc committee could then work on its assignments in a less formal atmosphere and bring its final recommendations for consideration at one or more Committee public meetings.

References: Lompoc City Council Minutes 11/01/11 and 10/16/12; Resolution No. 6027(16).

HUMAN SERVICES COMMISSION

General Functions:

The goal of the Human Services Commission is to assess community needs and requests and to provide the City Council with recommendations for fiscal support. The City Council has established the Human Services Commission to make recommendations and advise the City Council on matters affecting the human services of this community, as well as those in areas surrounding the City and having some relationship to the City.

The Human Services Commission shall perform the following functions:

1. Establish procedures for applying for funds, criteria for allocations, and making funding recommendations to the City Council.
2. Coordinate Human Services and Community Development Block Grant (CDBG) Public Service Activity funding so that basic human service needs are met.
3. Encourage citizens to contribute to the Human Services Fund.
4. Provide recommendations to the City Council concerning matters relating to human services.

The Commission may adopt such rules and regulations, as it may deem necessary to carry out its functions.

Emergency Grant Authority – Emergency grants of a maximum of \$1,000 per year may be available to any requesting human service agency to provide non-duplicate services or items not funded under current contract, which fall within basic critical needs as defined by Section 2. (B). General Functions, and meet CDBG criteria.

Membership:

Five members appointed by the City Council. Each member is to serve a concurrent term with that of the nominating Council Member. All members must be City residents. Members shall not be a paid staff member for any human services organization in the Lompoc Valley.

One member of the Human Services Commission shall be appointed as a member of the Compliance Committee (for Sub-recipient Financial, Programmatic, and Monitoring Reporting Policy).

Meetings: The Human Services Commission meets the first Monday of each month, at 6:30 p.m., in City Hall, Administrative Conference Room. Any regular meeting may be adjourned to a time and place certain, but not beyond the next regular meeting.

Time Involved: Approximately 60 to 80 hours per year.

References: LMC section 5.60.030; Resolution Nos. 3754(88), 3842(89), 4113(91), 4265(93), 4467(95), 4728(98), 5214(04), 5437(07), 5483(08), 5916(14), 6075(16), and 6146(18).

LIBRARY COMMISSION

General Functions:

The Library Commission is responsible for providing input and recommendations on matters involving the operations of the Library Department of the City. The Commission supports the Library's Mission and Values by outreach and advocacy in the community, providing feedback to the Library from the general public, and making recommendations to the Library Director, City Manager, and City Council.

Membership:

The Commission is composed of five members appointed by the Lompoc City Council. Commissioners serve three-year overlapping terms. Commissioners must live within Santa Barbara County Library Zone 2 (Lompoc and Vandenberg Village area), but one of the five may reside outside the City of Lompoc.

Meetings:

The Library Commission meets the second Tuesday of each month at 10:00 AM in the Lompoc Public Library Grossman Gallery, 501 E. North Avenue, Lompoc, CA.

Time Involved:

Averages three hours per month for meeting and preparation.

References:

LMC section 2.40.020 [Ordinance No. 1613(15)]; Resolution No. 6075(16).

MOBILEHOME RENT STABILIZATION BOARD

General Function:

The Mobilehome Rent Stabilization Board shall hear requests for increases, as hereinafter provided, concerning rents in mobilehome parks located in the City. The Board is empowered to set and adjust maximum rents for mobilehome park tenancies in accordance with the LMC.

The Board may adopt such rules and regulations as it may deem necessary to carry out its functions.

Membership:

During their terms of office, the City Council Members shall serve as, and provide the duties and functions of, the Mobilehome Rent Stabilization Board. While carrying out the duties of the Board, the City Council will not be considered acting in the capacity of a separate board.

No member shall be a tenant of, or involved in the management of any mobilehome park in the City. All members must be City residents.

Meetings:

The Board shall meet at such times and dates necessary to consider requests for increases concerning rents in mobilehome parks located in the City. The Board shall fulfill its duties as part of regular, regular adjourned, or special City Council meetings. The officers of the Board shall be the officers of the City Council. The City Manager shall appoint appropriate staff members to serve as secretary and/or advisors.

Quorum:

Three members of the Board constitute a quorum for the purposes of conducting a hearing or meeting. The decision of the Board regarding any dispute brought before it shall be by a majority vote of the members present.

Board Report:

On February 1st of each year, the Board shall submit to the City Council a status report of the activities of the Board to date, including current information on rental rates and vacancy rates in mobilehome parks within the City.

Time Involved:

Varies from year to year.

References:

LMC section 5.60.030 [Ordinances 1258(86), 1386(93), 1504(04), 1585(12), and 1644(18)].

PARKS AND RECREATION COMMISSION

General Functions:

The Parks and Recreation Commission has the following powers and duties:

1. The power and authority to hold public hearings and meetings to conduct investigations and surveys for the purpose of obtaining facts and data concerning programs of community recreation.
2. Upon approval by the City Council of the recommendations of the Commission relative to a program of community recreation, the Commission may establish rules of conduct governing such a program and the organization, management and control thereof.
3. The City Council may by resolution or amendment of the LMC regularly passed, grant to the Commission such additional powers and duties as seem expedient and necessary to carry out the purpose of the LMC.
4. The Commission shall be an advisory to the City Council on the subject of City parks and community recreation, concerning the organization, management, promotion and conduct of programs for community recreation and for the development and maintenance of parks.

Upon approval by the City Council of the recommendations of the Commission, the Commission may adopt such rules and regulations, as it may deem necessary to carry out its functions and without the need for such approval may take actions at public meetings to fulfill its duties.

Membership:

Five members appointed by the City Council. Each member is to serve a concurrent term with that of the nominating Council Member. All members must be City residents.

Meetings:

Second Tuesday of each month at 7:00 p.m. in the Council Chamber at Lompoc City Hall, 100 Civic Center Plaza, Lompoc, CA.

Time Involved:

Averages three to five hours per month.

References:

LMC Chapters 2.52, 12.08 [Ordinance Nos. 998(76), 1386(93), 1424(97), 1504(04), and 1629(16)], Resolution Nos. 6146(18) and 6171(18)

PLANNING COMMISSION

General Functions:

The Planning Commission shall have authority over planning and zoning matters as set forth by the LMC or state law. Examples of some of the functions of the Planning Commission are as follows:

1. Make recommendations to the City Council regarding amendment of the General Plan, Zoning Ordinance, or Subdivision Ordinance.
2. Approve, conditionally approve, or disapprove tentative subdivision maps.
3. Approve, conditionally approve, or disapprove development plans or architectural plans, when required, for residential, commercial, industrial, and public facility projects.
4. Approve or disapprove conditional use permits and variances pursuant to the Zoning ordinance.

The Commission may adopt such rules and regulations as it may deem necessary to carry out its functions.

Membership:

Five members appointed by the City Council. Each member is to serve a concurrent term with that of the nominating Council Member. All members must be City residents.

Meetings:

The Planning Commission meets the second Wednesday of each month at 6:30 PM, in the Lompoc City Hall Council Chambers, 100 Civic Center Plaza.

Time Involved:

Ten to twenty hours per month.

References:

LMC Chapter 2.48 [Ordinance Nos. 1386(93), 1402(95), 1424(97), and 1504(04)].

PUBLIC SAFETY COMMISSION

General Functions:

The Public Safety Commission shall advise the City Council and review local concerns related to police, fire or emergency medical activities, or social conditions that present a real or perceived threat to public safety in Lompoc. The Commission functions shall include:

1. Review public safety service delivery and address problems related to criminal activities, fear of crime, neighborhood decay and quality of life issues, as well as fire suppression and prevention efforts, and emergency medical services.
2. Attend meetings, solicit input and encourage community involvement in programs and matters of public safety and related volunteer services.
3. Make recommendations to the City Council in matters of public safety.

The Commission will abide by applicable Parliamentary procedures and all requirements of the Brown Act.

Membership:

Five members to be appointed by the City Council. Each member is to serve a concurrent term with that of the nominating Council Member. All members must be City residents.

Meetings:

The Public Safety Commission meets quarterly on the third Wednesday of January, April, July, and October, at 6:30 p.m., in the Council Chamber at Lompoc City Hall, 100 Civic Center Plaza, Lompoc, CA. Meetings may be called by the Chairperson of the Commission, or by a majority of its members.

References:

Resolution Nos. 4298(93), 4594(97), and 6075(16).

SENIOR COMMISSION

General Functions:

The Senior Commission shall advise the City Council in the following areas:

1. Defining senior needs and engaging in community planning for the development of needed services.
2. Locating and publicizing resources not already available.
3. Identifying problems affecting seniors and recommending solutions to such problems.
4. Researching and providing recommendations concerning the prevention of problems.
5. Submitting recommendations to the City Council in matters of senior citizen legislation and general legislation affecting senior citizens.
6. Serving upon request as a consultant to other agencies concerned with the problems of senior citizens.
7. Serving as a medium through which organizations can exchange information.

The Committee may adopt such rules and regulations as it may deem necessary to carry out its functions.

Membership:

Five members to be appointed by the City Council to serve four-year overlapping terms. All members must be City residents.

Meetings:

The Senior Commission meets every other month on the fourth Wednesday at 11:00 a.m. of February, April, June, August, October, and December, Dick DeWees Senior and Community Center, 1120 W. Ocean Avenue, Lompoc CA.

References:

Resolution Nos. 4300(93), 5818(13), 5916(14), and 6146(18).

UTILITY COMMISSION

General Functions:

The Utility Commission shall recommend and act in an advisory capacity to the City Council in all matters pertaining to water supply, water distribution activities of the City, operation of the City's wastewater facilities, operation of the City's electric distribution system, and operation of the City's broadband utility system as follows:

1. Water supply and quality principles, guidelines, policies, and objectives for long term water resource planning of the City, surrounding environs, and surrounding region, including groundwater and surface water management programs and the control and use of reclaimed water;
2. Management and operation of the water, wastewater, electric, and broadband utilities and facilities of the City, including the development, production, distribution, and use of water; possible use of reclaimed water from the City's wastewater system; and long-term capital improvement plans for the electric utility distribution systems;
3. Periodic review of Utility Department revenues and expenditures;
4. Review and recommendations concerning the biennial budget for the water, wastewater, electric, and broadband utilities prior to adoption by City Council. That review shall consist of evaluation of operating costs, capital expenditures, projected revenues, and level of cash reserves, which City Council shall thereafter consider at the time of adoption of the biennial budget, based upon the recommendations of the Commission and such other factors deemed appropriate;
5. Review and recommendation regarding the establishment and adjustment of consumer rates for water service, sewer service, broadband service, and electrical energy sales within the City; and
6. Review and recommendation to the City Council of rules and regulations governing the City's electric system, including hearing appeals by citizens regarding the implementation of such rules and regulations in accordance with LMC Chapter 13.24.

Membership:

Five members appointed by the City Council. Each member is to serve a concurrent term with that of the nominating Council Member. All members must be residents of the City.

Meetings:

The Utility Commission meets the second Monday of each month at 6:00 p.m. in the Council Chamber at Lompoc City Hall, 100 Civic Center Plaza, Lompoc, CA. The Commission Chairperson, a majority of its members, or the Utility Director may call meetings.

Time involved: Averages 20 to 40 hours per year.

References:

LMC Chapter 2.56 [Ordinance Nos. 1454(00), 1504(04), and 1536(06)].

YOUTH COMMISSION

General Functions:

The Youth Commission shall advise the City Council in the following areas:

1. To solicit community input on youth service needs.
2. To identify, and recommend effective solutions to youth needs and problems.
3. Initiation of various projects that will further the opportunities available to youth.
4. To represent the viewpoint of the youth by taking their suggestions, ideas, and opinions and offering them to the City Council.

The Committee may adopt such rules and regulations as it may deem necessary to carry out its functions.

Membership:

The Youth Commission shall consist of five members whose age is between 15 and 21 and who live within the Lompoc Unified School District boundaries; two members with no age restrictions who must be City residents; and four additional associate members who will have all the same responsibilities as regular members, except they will only be called upon to participate as part of a quorum and vote when needed to create a quorum. The associate members, on a rotating basis will vote when a regular member is absent and the associate member is needed to make a quorum of five. At no time shall the majority of the Commission reside outside the city limits. All members are appointed by the City Council to serve two-year overlapping terms. All adult members (18 years or older) will be required to submit to Live Scan (fingerprinting) for the purpose of conducting a background check as required by California Law (Public Resources Code Sec. 5164 and Penal Code Sec. 11105.3).

Meetings:

The Youth Commission meets the fourth Monday of each month (excluding June and July, no meetings will be held during these two months) at 7:00 p.m. at the Anderson Recreation Center, 125 W. Walnut Avenue, Lompoc, CA. Special meetings may be called by the Chairperson of the Commission, or by a majority of its members.

References:

Resolution Nos. 4299(93), 4391(94), 4492(96), 4797(99), 5214(04), and 5818(13), 6075(16), and 6146(18); and 02/21/2012 Minute Order.

MEMBERSHIP

Appointment

Applications for commission, committee, and board appointments must be submitted to the City Clerk's Office. A separate application is required for each body to which the applicant is seeking appointment. Applications are maintained by the City Clerk's Office in an active status for one year at which time they become inactive and new applications must be submitted.

Generally, the appointment process is for each commission, committee, and board to be nominated by a Council Member, which shall take place upon commencement of that Member's term of office. The appointee must be approved by the majority of the Council Members. Further details and requirements for nomination and appointment of members of commissions committees, and boards are contained in the respective ordinance or resolution for each body.

Appointment to a City commission, committee, or board is recognition of expertise and interest in a specific area as well as an honor bestowed upon a citizen. Members of an advisory body serve at the pleasure of the City Council and may be removed from office at the Council's discretion.

Eligibility

Aside from the following exceptions, all applicants must reside within City limits. Exceptions to eligibility include: Two members of the Airport Commission may live outside the City limits if their primary residence is located within the boundaries of the Lompoc Unified School District (LUSD). One member of the Library Commission may live outside the City limits if they live within Santa Barbara County Library Zone 2 (Lompoc and Vandenberg Village area). At least three-fifths of the Economic Development Committee Members must reside within the 93436 zip code. Youth members (between ages 15 and 21) of the Youth Commission must live within the LUSD boundaries; however, at no time shall the majority of the Youth Commission reside outside the City limits.

In regards to membership in the Citizens Committee to Oversee the Park Maintenance and City Pool Assessment District (No. 2002-01), one member each from the Beautification and Appearance Commission, Economic Development Committee, Human Services Committee, Library Commission, Parks and Recreation Commission and Planning Commission are eligible to apply for appointment to membership of the Oversight Committee, with the consent of their applicable Commission or Committee as a whole, without affecting their membership eligibility of their primary Commission or Committee.

City employees are not eligible to apply. Except as otherwise may be expressly provided in the Handbook or the document adopted by the Council establishing a board, commission or committee, membership on City boards, commissions, and committees shall be limited to service on one standing board, at any one time.

Oath of Office

Prior to the date each term begins, Appointees must be sworn in by the City Clerk, sign a Certificate of Appointment and sign an Oath of Office. If an Appointee is reappointed, then a new Oath of Office will be administered.

Ethical Principles

Attached to the application is a copy of the Statement of Ethical Principles Applicable to Local Government which sets forth certain principles for the proper operation of democratic government to assure that the public have confidence in the integrity of its government and public officials. Effective January 1, 2006, state law (AB 1234) required that local officials must receive training in public service ethics laws and principles *every two years*. **New officials/commission members must receive this ethics training within one year of appointment.** The AB 1234 ethics-training requirement applies to all board members, commissioners, and committee members.

Term of Service

The terms are for a period of four years with the exception of the Library Commission, which is for three years, and the Youth Commission which is two years. Except the committee members nominated by City Council Members, appointments are for overlapping, balanced terms commencing on the first day of February of the year of appointment or for the balance of the term of a predecessor. The other exception is Human Services Commissioners whose terms commence on the first day of July of the year of appointment.

Term of office for members of the commissions by nomination of City Council Members expire concurrently with the term of the Council Member responsible for that Commission member's nomination and ultimate appointment. All commission, committee and board members will serve until their successors have been appointed by the City Council and qualified.

Attendance

Members unable to attend meetings must advise the Chairperson or staff person assigned to the board, commission or committee. If any member misses three consecutive regular meetings, without permission, then that office becomes vacant.

Removal

Any member of a board, commission or committee may be removed from office by a majority vote of the City Council.

Resignation

If an appointee resigns from office before the end of the term, then a letter announcing the resignation shall be forwarded to the Mayor. Copies will be forwarded to the City Council, the City Manager, City Clerk, and the board, commission, or committee Chairperson.

Vacancy

When a vacancy occurs, a notice will be posted and applications solicited. All active applications for that commission, committee, or board will be forwarded to the City Council for review. When there is at least one qualified applicant, the appointment will be scheduled for the next City Council meeting. An applicant is appointed to fill that vacancy by the affirmative vote of the majority of the City Council. Appointments made during the middle of a term are usually for the unexpired portion of that term.

Vacancy (cont'd)

Vacancies occurring on the Beautification and Appearance, Human Services, Parks and Recreation, Planning, Public Safety and Utility Commissions during an unexpired term will be selected in the same manner provided for in the appointment section. Vacancies on the City Council occurring during a term of office of a Council Member shall not automatically terminate the commissioner nominated by the departing Council Member (Ord. No. 1504(04)).

Compensation

Commission, committee, and board members do not receive compensation or benefits of any kind.

Incidental Expenses

All operational expenses of the commission, committee or board shall be approved by the City Council and such funds budgeted for this purpose shall be included within the City's budget. Actual and necessary expenditures incurred by members, while engaged on official commission, committee or board business, may be reimbursed, provided such expenditures have been previously approved by the department head responsible for staffing the commission, committee or board. It should be noted spouses who wish to accompany members on authorized trips will not be covered for any such expenses.

ORGANIZATION

Regular Meetings

Regular meetings are held for most commissions, committees, and boards with the exception of the Mobilehome Rent Stabilization Board, the Citizens Committee to Oversee the Park Maintenance and City Pool Assessment District (No. 2002-01), and Compliance Committee **(FOR SUB-RECIPIENT FINANCIAL, PROGRAMMATIC, AND MONITORING REPORTING POLICY)**, which meet on an as-needed basis.

Adjourned Regular Meetings

If for any reason the business to be considered at the regular meeting cannot be completed, then the body may then adjourn to a specified time and location. A notice announcing the adjournment must be posted in the standard location within 24 hours after the time of adjournment.

Special Meetings

Special meetings are those called by the advisory body in order to discuss an important issue that needs to be addressed immediately. Written notice, signed by the Chairperson calling the special meeting and describing the items to be discussed, shall be received by members, the local media and posted in City Hall at least 24 hours in advance of the convening of the special meeting. The notice must state the time and place of the meeting and identify the business to be transacted and only the business set forth in the notice may be considered at the meeting.

Subcommittees

Committees may form ad hoc committees as appropriate when a particular issue or project would lend itself to involving members from various committees. Subcommittees may discuss how each committee could become more effective and address other appropriate concerns. The subcommittee or ad hoc committee shall report their findings to the City Council.

Annual Reports

Each Committee shall submit an annual report to the City Council, suitable to its activities' schedule or as provided in the LMC or other provisions. The annual report should include the number of meetings, approximate number of citizens attending, accomplishments for the year, goals for the next year, and any other significant areas of which the City Council should be aware.

Biennial Review of Committees

Every two years, the City Council should review each Committee to provide the following: recognize their efforts, assess accomplishments for the prior two years, suggest future goals consistent with the designated functions, and provide any other appropriate guidance.

Joint Meetings with City Council

Joint meetings with the City Council and boards, commissions, and committees will be scheduled when appropriate generally following the biennial review to give the members appropriate directions, etc.

Ralph M. Brown Act

The Brown Act insures all meetings, including commission, committee, and board meetings, are open to the public. Orientation materials relating to Conflicts of Interest, Brown Act and related matters are available from the City Attorney's Office.

Informal Public Hearings

An informal public hearing is one which is not required by law but which is called in order to give the public special notice and opportunity to comment on a subject. The commission, committee, or board can set rules for notifying the public of an informal hearing, establish a time frame, and conduct the hearing in any fair way it chooses.

Formal Public Hearings

A formal public hearing is one that must be conducted according to State or City laws, rules or regulations and is designed to solicit comment from the general public. An official Notice of Public Hearing will be published in a local paper of general circulation.

Hearing Procedures

Hearings held by an advisory body should be fair and impartial. If a member is biased or has a personal interest in the outcome of the hearing, then that member should disqualify himself/herself and not participate.

Persons or groups who may be affected by the subject of the hearing should be given sufficient notice of the time and place of the hearing and a reasonable opportunity to be heard. They may be represented by counsel and be permitted to present oral and documentary evidence. They should also be permitted to rebut any statements made by others.

At the appropriate time, the Chairperson should open the hearing and explain to the audience the hearing procedures. If there are numerous persons who would like to participate, and all represent the same views and opinions, then the Chairperson may ask a spokesperson be selected to speak for the group. If that arrangement cannot be made, then the Chairperson may restrict each speaker to a limited time (generally five minutes) so all may be heard. Irrelevant and off-the-subject comments should be ruled out of order by the Chairperson.

The usual procedure after the hearing has been opened is for staff to present the staff report, followed by members' questions relating to the report. Proponents would be given the opportunity to present their case first. That is followed by an opportunity for opponents to present their case. After all interested persons have had an opportunity to speak, the hearing is closed, ending audience participation. Commission, committee, or board members may discuss the proposal and take an action on the proposal.

Motions

When a member wishes to propose an idea for the board to consider, the member must make a motion. A motion goes through the following steps:

- A. The member asks to be recognized by the Chairperson.
- B. After being recognized, the member makes the motion (I move...).
- C. Another member seconds the motion.
- D. When the Chairperson feels there has been sufficient discussion, the debate is closed.
- E. If no one asks for permission to speak, then the Chairperson puts the question to vote.
- F. After the vote, the Chairperson announces the decision.

Adjournment

When a commission, committee, or board has finished its business, a motion to adjourn is in order. That motion is not debatable; therefore, it is the duty of the Chairperson to be sure no important business is overlooked.

If the body wishes to meet before the next regularly scheduled meeting, then a motion may be made to adjourn the meeting to a designated time and place.

Agenda

At least 72 hours before a regular meeting, an agenda shall be publicly posted which specifies the time and location of the meeting and contains a brief general description of each item of business to be transacted or discussed at the meeting.

In accordance with the Ralph M. Brown Act, no action or discussion may be taken on an item that has not been placed on the agenda except as provided otherwise in the Government Code.

Minutes

Minutes of all meetings must be kept and prepared by staff. Written minutes, upon approval by the commission, committee or board, constitute the official record of its activities. Additions and correction of the minutes may be made only in public meetings, with the approval of the body, and not by the private request of individual members. It is the policy of the City Council that minutes are not verbatim. They are, instead, action minutes, recording the essence of the decisions made and significant action taken.

It is the responsibility of the staff liaison to forward copies of the agenda, related reports and minutes to the City Council where one set will be maintained in the Council office.

Agenda Packets

Agenda packets detailing the items of business to be discussed and any communications to be presented will be prepared by the staff and delivered to the members of the body within a reasonable amount of time before the meeting. In order to be prepared for meetings, members should read these packets and contact the Chairperson if there are any questions regarding information presented in the staff reports.

All Agenda packets are to be posted to the City of Lompoc website with a hard copy of the complete packet held in the lobby of Lompoc City Hall. There shall be no less than 12 months of hard copies of agenda packets held in well-marked binders in the lobby of Lompoc City Hall.

Conflict of Interest

The Political Reform Act was enacted by the State of California by an initiative, known as Proposition 9, in 1974. One of the Act's main purposes is to prevent financial conflicts of interest on the part of public officials. The Political Reform Act requires every public official to disclose all financial interest, such as investments, interests in real estate or sources of income, which may possibly affect by the exercise of the public official's official duties. If a public official has a conflict of interest, the Political Reform Act may require the official to disqualify themselves from making or participating in a governmental decision, or using their official position to influence a governmental decision.

A Conflict of Interest occurs when: a public official makes, participates in, or uses their official position to influence a governmental decision; it is foreseeable that decision will affect the official's financial interest; the effect of the decision on the official's financial interest will be material; and the effect of the decision on the official's financial interest will be distinguishable from its effect on the public generally.

Officers

Meetings shall be scheduled in February of each year to elect a Chairperson and Vice-Chairperson. The Human Services Commission shall meet in July to elect a Chairperson and Vice-Chairperson. The Mobilehome Rent Stabilization Board meets in April or May or each year to elect a Vice Chairperson. Elected officers shall hold office for a period of one year and until a successor has been appointed. The Chairperson shall be presiding officer at all meetings and the Vice-Chairperson shall act as presiding officer in the Chairperson's absence. The City Manager shall appoint appropriate staff members to serve as secretary and advisor.

Role of the Chairperson

It is incumbent upon the Chairperson of the commission, committee, or board to ascertain the responsibility of their advisory body and to limit the discussion and deliberation to appropriately assigned areas of responsibility.

The Chairperson exists to encourage the input of ideas, to guide discussions in a logical and orderly fashion, and to facilitate the overall decision-making process. The Chairperson should clarify ideas as they are discussed and repeat motions made in order that all members fully understand the working of the item on which they are voting.

The Chairperson and the staff should be in contact prior to each regularly scheduled meeting in order to review and discuss the agenda.

RELATIONS

Relations with City Council

The primary responsibility of commissions, committees, and boards is to advise and make recommendations to the City Council. It is the Council's role to absorb the advice and recommendations offered by numerous sources and to make decisions to the best of its ability. Because the City Council is in such a position to see the broader context and is aware of other concerns, it may not always follow the recommendation offered by individual commissions, committees, and boards.

If a board, commission, or committee wishes to express a position on a particular project, program, or legislation relative to their general duties that position should be forwarded to the City Council for appropriate consideration. This includes both written and/or oral statements. This policy does not apply to matters which the board, commission, or committee has direct authority for as set forth by the LMC or state law. (Of course, this policy is not intended to deny committee members their right as an individual citizen to express their own viewpoints.)

Each Council Member will select two or three committees on which to serve as a liaison to the Council. Council Members are encouraged to occasionally attend the meetings of each Council Advisory Body. Rotation schedule for Council Members serving as liaisons to commissions will be given to Council by the City Clerk annually. The Staff or Committee will remind the Council Member of the next meeting or follow-up regarding significant issues. Council Member/liaison will then report to Council concerning the Committee meetings.

Relations with the Public

Advisory group members are encouraged to become aware of public opinion relating to their field of influence. They should welcome citizen input at meetings and ensure that the rules and procedures for these public hearings are clearly understood.

The members should conduct themselves at public meetings in a manner that is fair, understanding, and gracious. The members should be considerate of all interests, attitudes, and differences of opinion. They should also take care to observe their appearance as well as the principle of impartiality. The members shall not accept gifts from applicants or other persons concerned with matters, which have been or might come before the commission, committee, or board.

Relations with City Staff

Staff is assigned by the City Manager or Department Head to assist the advisory groups to effectively carry out their duties and responsibilities. Staff is to be considered an information source on City programs and activities and will provide advice, data and suggestions as requested. The amount of staff time assigned shall be reasonable and generally will not exceed two meetings per month. Reports to the City Council from commissions, committees, and/or boards will always represent the viewpoint and include the majority position of the advisory body.

Relations with City Staff (cont'd)

In general, the City Council sets City policy, priorities and fees and provides direction to the City Manager. The City Manager is responsible for implementation of Council direction and assigns workload and tasks to City staff. Staff utilizes City boards, commissions and committees to obtain input on operations and to obtain public comment on controversial items. Operational approval is given by the City Manager (or designee) and all board, commission and committee input remains advisory. Work assignments to carry out the City Council's directions normally flow from the City Manager to the City staff to the boards, commissions and committees. The City Manager (or designee) is solely responsible for selecting the manner and method of implementing City Council policy and priorities. The City Manager (or designee) has the authority to create the necessary rules and regulations for efficient operation.

If differences of opinion exist between staff and the advisory body, then staff will identify those differences in the report to the City Council, which has responsibility for making the final decision.

The City Council expects a mutually respectful and professional relationship to be maintained between the staff personnel and advisory board members. However, should a difference of opinion or conflict arise between an individual member and staff, the Chairperson should try to mediate the issue. If the problem cannot be resolved, the Chairperson should bring the matter to the attention of the head of the department to address the matter. If the problem remains unresolved, then the matter will be referred to the City Manager, and, if necessary, the City Council.

COMMISSION, COMMITTEE AND BOARD EFFECTIVENESS

Commission, committee, and board meetings are the time and place for decisions and actions. The quality of those decisions, and the resultant impact on the community, is the responsibility of each member. Each has an obligation to prepare, discuss, evaluate, review, and select the best possible alternatives. The following guidelines lead to constructive meetings:

i. Preparation for Meeting:

- a) Prepare meeting agenda, which is given to all members prior to meeting.
- b) Agenda background information is provided as applicable.
- c) Prepare to handle sensitive matters in a positive manner.

II. The Meeting Procedure:

- a) Stick to agenda – avoid straying.
- b) Suggest functional seating arrangements.
- c) Observe rules of order.
- d) Verify meeting records are kept.
- e) Bring out pertinent matters.
- f) Encourage participation.
- g) Discourage disruption.
- h) Try to resolve differences.
- i) Don't waste time.
- j) Summarize progress from time to time.

III. Meeting action:

- a) Recommendations in form of motion or resolution.
- b) Other action included in meeting minutes.
- c) Establish procedures for discussion and for adding items to agenda during meetings.

IV. Meeting Follow Up:

- a) Written report.
- b) Agenda item at subsequent meeting.
- c) Distribution of minutes to others via normal channels.

COOPERATION

Organized groups exist to complete certain tasks and to achieve certain agreed upon purposes and goals. A commission, committee, or board is a set of individuals held together by web of inter-relationships. A positive climate encourages member involvement and responsibility to take actions. Optimum productivity is achieved when the body's stated tasks are understood and are clearly visible to other members.

Functions and Behaviors:

Pay attention to the following functions and behaviors:

- * Prioritizing tasks
- * Anticipating problems
- * Analyzing problems
- * Setting clear objectives
- * Developing actions-options
- * Deciding
- * Active listening
 - Not interrupting
 - Not judging others
 - Summarizing and providing feed-back
- * Supporting your colleagues
 - Acknowledging their positive ideas as contributions
 - Creating opportunities to involve members
 - Building on members' positive ideas
 - Encouraging different positive ideas
- * Confronting what's happening
 - Dealing directly with conflict
 - Focusing on the idea, not the person
- * Diagnostic skills
 - How are you working together?
 - Who isn't involved?
 - What isn't being discussed?
 - Where is your help needed?
 - When are YOU going to help?

Effective Conflict Management

Public hearings or citizen input meetings can be difficult to manage. Participants are usually highly motivated and often nervous. When you have a group of potential adversaries in one room, the possibility of uncontrolled conflict may be very high. At commission, committee, and board meetings, your role is to guide conflict to positive results, not to eliminate it.

MANAGING CONFLICT

The following suggestions should help manage conflict and confrontation effectively:

- * Anticipate conflicts by doing your homework so you can concentrate on the dynamics of the meeting rather than learning about the topic at hand.
- * Treat all sides fairly. Set the rules of the hearing early and make sure everyone abides by them without exception.
- * Explain carefully the purpose of the public hearing and what action is expected at the end of the hearing. Insistence on playing by the rules is your best tool for conflict management.
- * It is preferable for persons speaking to identify themselves, not only for the record, but also so you may address them by name; however, this is not a requirement.
- * Set an acceptable time limit for testimony (generally three minutes) and stick to it.
- * Make decisions promptly. Many boards can get so bogged down in procedural distractions, petty details, and endless searches for more information the issue never seems to get resolved.
- * Try not to overreact to inflammatory comments. Most are expressions of frustration and do not require answers. Try to turn frustration to constructive avenues. Ask questions. Be specific if you can. Reinforce areas where you agree. Do not return insult for insult. Your insults can turn the audience against you for your lack of control and unfairness.
- * Try to avoid speaker-to-audience conversation. The purpose of a hearing is for your commission, committee, or board to receive direct public input, not to engage in debate with the public speakers.
- * If other members have questions of the speaker, then permit those questions only during the speaker's time at the podium.
- * Use the hearing to gather necessary information about the project and individual desires concerning the proposal. Refrain from stating comments and or asking questions that might express your position until after testimony has ended.
- * Once testimony has ended each member should be invited to discuss his or her views on the proposal.
- * View the public hearing as an example of basic democracy in action at the local level. Make it your personal goal to make the public hearing work.

CONCLUSION

The City Council would like to thank you for accepting this position and for devoting your time and effort to become actively involved in the affairs of this community. It is sincerely hoped you will enjoy your participation in the governing process in the City of Lompoc as a member of one of its advisory bodies, and you will feel totally free to call upon any of its representatives for advice, background information, or assistance.

It is with this in mind this brief handbook has been prepared. Please consider it a guide as you begin your new duties as a member of an advisory body and not as an all-inclusive set of regulations.

Welcome aboard!

**CITIZENS COMMITTEE TO
OVERSEE THE PARK MAINTENANCE AND CITY POOL
ASSESSMENT DISTRICT (NO. 2002-01)**

General Functions:

The City Council annually will publicly review the budget for improvements and services funded by the Park Maintenance and City Pool Assessment District No. 2002-01 (District). The purpose of the Oversight Committee is to annually review the budget and plans to ensure that all funds of the District are spent as intended and as approved by the City Council.

Members:

~~During their terms of office, the City Council Members shall serve as the Committee Members. Five members shall be appointed by the City Council at large to serve four-year overlapping terms. Members shall serve until their successors have been appointed by the City Council and qualified.~~

Qualifications:

~~All Committee members shall reside in the City. No person shall be appointed to the Committee who is employed by the City. One member shall be appointed each from the Parks & Recreation Commission, the Senior Commission and the Youth Commission. The remaining two members should possess a general knowledge of budget practices and purpose of the District.~~

Meetings:

The Oversight Committee will meet at least once a year or as needed more frequently to carry out their general functions.

Officers:

The Committee shall not elect officers. The Committee members shall designate one of their members to chair meetings and direct the performance of the Committee functions.

Committee Report:

Not later than November 30th of each year, the Committee shall submit to the City Council at a regular City Council meeting a report of the results of its annual review of the budget and plans of the District.

Time Involved:

Time involved is estimated to be approximately 6 hours per year.

References:

Resolution Nos. 5092(03), ~~and~~ 5818(13) and 6146(17).

MOBILEHOME RENT STABILIZATION BOARD

General Function:

The Mobilehome Rent Stabilization Board shall hear requests for increases, as hereinafter provided, concerning rents in mobilehome parks located in the City. The Board is empowered to set and adjust maximum rents for mobilehome park tenancies in accordance with the LMC.

The Board may adopt such rules and regulations as it may deem necessary to carry out its functions.

Membership:

- ~~1. During their terms of office, the City Council Members shall serve as, and provide the duties and functions of, the Mobilehome Rent Stabilization Board. While carrying out the duties of the Board, the City Council will not be considered acting in the capacity of a separate board. The Senior Commission shall appoint two members from that Commission, who, in addition to their duties for that Commission, are hereby conferred with the duties of the Mobilehome Rent Stabilization Board.~~
- ~~2.~~
- ~~3. The City Council shall appoint two members from owners of mobilehome parks within the City, who have submitted an application for membership.~~
- ~~4.~~
- ~~5. The Human Services Commission shall appoint one member from that Commission, who, in addition to his/her duties for that commission, is hereby conferred with the duties of the Chairperson of the Board of the Mobilehome Rent Stabilization Board.~~

~~The terms of the Mobilehome Rent Stabilization Board Members appointed by the Senior Commission and Human Services Commission shall run concurrently with the terms of those members' terms on the Senior Commission and the Human Services Commission, respectively. The terms for the two members appointed by the City Council shall be for a period of four years after the date of their appointment. Members shall serve until their successors have been appointed and qualified.~~

No member shall be a tenant of, or involved in the management of any mobilehome park in the City. All members must be City residents.

Meetings:

The Board shall meet at such times and dates necessary to consider requests for increases concerning rents in mobilehome parks located in the City. The Board shall fulfill its duties as part of regular, regular adjourned, or special City Council meetings. The officers of the Board shall be the officers of the City Council. ~~The Board meets at City Hall in the Council Chambers, 100 Civic Center Plaza, Lompoc, CA as required. The Board Member appointed by the Human Services Commission shall serve as Chairperson. A meeting shall be scheduled in April or May of each year to elect a Vice Chairperson. The Vice Chairperson shall hold office for a period of one year. The Chairperson shall be the presiding officer at all meetings of the Mobilehome Rent Stabilization Board and the Vice Chairperson shall act as presiding officer in the Chairperson's absence.~~ The City Manager shall appoint appropriate staff members to serve as secretary and/or advisors.

Quorum:

Three members of the Board constitute a quorum for the purposes of conducting a hearing or meeting. The decision of the Board regarding any dispute brought before it shall be by a majority vote of the members present.

Board Report:

On February 1st of each year, the Board shall submit to the City Council a status report of the activities of the Board to date, including current information on rental rates and vacancy rates in mobilehome parks within the City.

Time Involved:

Varies from year to year.

References:

LMC section 5.60.030 [Ordinances 1258(86), 1386(93), 1504(04), ~~and~~ 1585(12), and 1644(18)].

PARKS AND RECREATION COMMISSION

General Functions:

The Parks and Recreation Commission has the following powers and duties:

1. The power and authority to hold public hearings and meetings to conduct investigations and surveys for the purpose of obtaining facts and data concerning programs of community recreation.
2. Upon approval by the City Council of the recommendations of the Commission relative to a program of community recreation, the Commission may establish rules of conduct governing such a program and the organization, management and control thereof.
3. The City Council may by resolution or amendment of the LMC regularly passed, grant to the Commission such additional powers and duties as seem expedient and necessary to carry out the purpose of the LMC.
4. The Commission shall be an advisory to the City Council on the subject of City parks and community recreation, concerning the organization, management, promotion and conduct of programs for community recreation and for the development and maintenance of parks.

Upon approval by the City Council of the recommendations of the Commission, the Commission may adopt such rules and regulations, as it may deem necessary to carry out its functions and without the need for such approval may take actions at public meetings to fulfill its duties.

Membership:

Five members appointed by the City Council. Each member is to serve a concurrent term with that of the nominating Council Member. All members must be City residents.

One member of the Parks and Recreation Commission shall be appointed as a member of the Citizens Committee to Oversee the Park Maintenance and City Pool Assessment District (No. 2002-01).

Meetings:

Second Tuesday of each month at ~~6:30~~**7:00** p.m. in the Council Chamber at Lompoc City Hall, 100 Civic Center Plaza, Lompoc, CA.

Time Involved:

Averages three to five hours per month.

References:

LMC Chapters 2.52, 12.08 [Ordinance Nos. 998(76), 1386(93), 1424(97), 1504(04), and 1629(16)].

SENIOR COMMISSION

General Functions:

The Senior Commission shall advise the City Council in the following areas:

1. Defining senior needs and engaging in community planning for the development of needed services.
2. Locating and publicizing resources not already available.
3. Identifying problems affecting seniors and recommending solutions to such problems.
4. Researching and providing recommendations concerning the prevention of problems.
5. Submitting recommendations to the City Council in matters of senior citizen legislation and general legislation affecting senior citizens.
6. Serving upon request as a consultant to other agencies concerned with the problems of senior citizens.
7. Serving as a medium through which organizations can exchange information.

The Committee may adopt such rules and regulations as it may deem necessary to carry out its functions.

Membership:

Five members to be appointed by the City Council to serve four-year overlapping terms. All members must be City residents.

~~One member of the Senior Commission shall be appointed as a member of the Citizens Committee to Oversee the Park Maintenance and City Pool Assessment District (No. 2002-01). Two members of the Senior Commission shall be appointed as members of the Mobilehome Rent Stabilization Board.~~

Meetings:

The Senior Commission meets every other month on the fourth Wednesday at 11:00 a.m. of February, April, June, August, October, and December, Dick DeWees Senior and Community Center, 1120 W. Ocean Avenue, Lompoc CA.

References:

Resolution Nos. 4300(93), 5818(13), and 5916(14).

YOUTH COMMISSION

General Functions:

The Youth Commission shall advise the City Council in the following areas:

1. To solicit community input on youth service needs.
2. To identify, and recommend effective solutions to youth needs and problems.
3. Initiation of various projects that will further the opportunities available to youth.
4. To represent the viewpoint of the youth by taking their suggestions, ideas, and opinions and offering them to the City Council.

The Committee may adopt such rules and regulations as it may deem necessary to carry out its functions.

Membership:

The Youth Commission shall consist of five members whose age is between 15 and 21 and who live within the Lompoc Unified School District boundaries; two members with no age restrictions who must be City residents; and four additional associate members who will have all the same responsibilities as regular members, except they will only be called upon to participate as part of a quorum and vote when needed to create a quorum. The associate members, on a rotating basis will vote when a regular member is absent and the associate member is needed to make a quorum of five. At no time shall the majority of the Commission reside outside the city limits. All members are appointed by the City Council to serve two-year overlapping terms. All adult members (18 years or older) will be required to submit to Live Scan (fingerprinting) for the purpose of conducting a background check as required by California Law (Public Resources Code Sec. 5164 and Penal Code Sec. 11105.3).

~~One member of the Youth Commission shall be appointed as a member of the Citizens Committee to Oversee the Park Maintenance and City Pool Assessment District (No. 2002-04)~~

Meetings:

The Youth Commission meets the fourth Monday of each month (excluding June and July, no meetings will be held during these two months) at 7:00 p.m. at the Anderson Recreation Center, 125 W. Walnut Avenue, Lompoc, CA. Special meetings may be called by the Chairperson of the Commission, or by a majority of its members.

References:

Resolution Nos. 4299(93), 4391(94), 4492(96), 4797(99), 5214(04), and 5818(13), and 6075(16); and 02/21/2012 Minute Order.



City Council Agenda Item

City Council Meeting Date: April 3, 2018

TO: Honorable Mayor and Council Members

FROM: Joseph W. Pannone, City Attorney
jpannone@awattorneys.com

SUBJECT: Adoption of Resolution No. 6170(18) Reestablishing Fees, Charges and Deposits for Processing, Reviewing and Auditing Applications for Commercial Cannabis Activities and Rescinding Resolution No. 6148(17)

Recommendation:

Staff recommends the City Council:

1. Adopt Resolution No. 6170(18) regarding regulations and fees for commercial cannabis activities (Attachment 1) or
2. Provide other direction.

Background/Discussion:

At your December 5, 2017, meeting you adopted Resolution No. 6148(17), which established fees for commercial cannabis activities. In again reviewing that Resolution, the City Attorney realized it would require the City to return to an applicant the remainder of the fee deposited with an application for a commercial cannabis use license if the license were to be issued and the City's costs for the issuance were less than the deposit. In rethinking that provision, it seems more reasonable for the City to retain the excess deposit if a license is issued. That retained deposit could then be used to cover additional costs the City would incur during the operation of the cannabis business. Based on that, the City Attorney is recommending the City Council delete that provision from the commercial cannabis use license fee regulations. That change is noted with the stricken language in Section 4. on page 2 of Attachment 2. Resolution No. 6170(18) would still require the City to return any excess deposit if the license were denied, revoked, or surrendered. The individual holding the commercial cannabis use license would still be required to deposit an additional \$8,000 any time the balance of the deposit is reduced to less than \$2,000, if that license remained in effect.

April 3, 2018

Adoption of Resolution No. 6170(18) Reestablishing Fees for Cannabis Use In Lompoc

Page 2 of 2

Fiscal Impact:

As with Resolution No. 6148(17), the adoption of Resolution No. 6170(18) would recover 100% of the direct and indirect costs related to the processing and review of applications for authorized commercial cannabis activities and the subsequent auditing of those activities.

Again as with Resolution No. 6148(17), Resolution No. 6170(18) would not recover costs related to the ongoing activities of approved commercial cannabis activities beyond the charges recovered from the regulatory activities authorized under Ordinance No. 1640(17) and Resolution No. 6148(17). The potential financial impacts that could result if the cannabis businesses thrive in Lompoc are discussed in the staff report provided to the City Council for the August 1, 2017, meeting and are included as Attachment 3.

Conclusion:

The City Council is requested to adopt Resolution No. 6170(18).

Respectfully submitted,

Joseph W. Pannone, City Attorney

- Attachments: 1) Resolution No. 6170(18)
2) Resolution No. 6148(17) with changes highlighted
3) Fiscal Impact section of the August 1, 2017 Staff Report on Cannabis Uses in Lompoc

RESOLUTION NO. 6170(18)

A Resolution of the City Council of the City of Lompoc, County of Santa Barbara, State of California, Rescinding Resolution No. 6148(17) and Amending the Master Schedule of Fees and Charges for City Services

WHEREAS, the City Council of the City of Lompoc (City) established a Master Schedule of Fees and Charges for City Services by the adoption of Resolution No. 6009(16) on January 5, 2016; and

WHEREAS, the City Council adopted Ordinance No. 1640(17) on November 7, 2017, amending Chapter 9.36 of the Lompoc Municipal Code (LMC) to provide for the City's issuance of commercial cannabis use licenses for operations of commercial cannabis activities except for outdoor cultivation; and

WHEREAS, LMC section 9.36.040 recognizes every person conducting either or both commercial cannabis activity or personal cannabis cultivation must comply with the terms, spirit, and intent of all State laws, as defined in LMC section 9.36.020; and

WHEREAS, LMC subdivision 9.36.080 E. 4. provides all commercial cannabis uses must comply with all the requirements of LMC Chapter 9.36 and the rules and regulations established by Resolution of the City Council, including payment of fees and filing a complete cannabis application, which requirements and fees shall be recommended to the City Council by the City Manager after consultation with the Chief of Police, Fire Chief and Economic Development Director/Assistant City Manager, Management Services Director or their designees (Applicable Employees); and

WHEREAS, at the City Council meeting of December 5, 2017, the Applicable Employees provided the City Council their recommendations for fees for cannabis uses within the City; and

WHEREAS, at its meeting of December 5, 2017, the City Council considered those recommendations and public comments, and, based thereon, adopted Resolution No. 6148(17); and

WHEREAS, the City Council's intention is to recover 100% of the direct and indirect costs of providing services related to the processing, review and auditing of applications and commercial cannabis use licenses for each operation of a commercial cannabis activity allowed pursuant to LMC chapter 9.36; and

WHEREAS, this Resolution incorporates and amends Resolution No. 6009(17) to provide for the necessary fees, charges and deposits for implementation of the City's cannabis licensing processes.

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

SECTION 1. Resolution No. 6148(17) is hereby rescinded.

SECTION 2. Each applicant shall pay all personnel and related direct and indirect costs, including payment to City's third party consultants, for the review, processing and auditing of the application and ongoing operation of the subject commercial cannabis use. A deposit for such payment, as

designated in Section 3., below, shall be made at the time the subject application is submitted (Deposit).

SECTION 3. Direct costs include, but are not limited to, such things as staff payroll and outside consultant costs for (i) processing and review of the application for completeness and compliance with the LMC by all applicable City departments and divisions, (ii) telephone and written communications with the applicant/property owner and each of their representatives, (iii) noticing, (iv) outside consultants, (v) preparation of staff reports, (vi) attendance by staff at public hearings, (vii) ongoing review of those operations, and (viii) auditing of those operations. Indirect costs, include, but are not limited to, fully allocated overhead cost based on the then current Lompoc Cost Allocation Plan applied to those direct costs.

SECTION 4. The Deposit paid at the time of application are estimates based on the typical amount of staff time and other costs required to process an application. In the event the deposit is not sufficient to reimburse the City for processing the application, the applicant shall provide additional deposits to the City sufficient to complete the processing of the application. If, at any time, the remaining Deposit retained by the City is below \$2,000.00 after deductions for the fees incurred to date, then, within 15 days after receipt of written notice from the City of that fact, the applicant/licensee shall deposit an additional \$8,000.00 with the City. Other than those services required to ensure public safety and compliance with all laws and regulations, the City shall not perform any further review of the application for commercial cannabis activity until the applicant/business operator submits the Deposit or the required increase to the Deposit. No interest shall accrue on amounts deposited. Any unused portion of the Deposit will be returned to the applicant/business operator within 60 days following the denial of the license, the revocation of the commercial cannabis use license, or the surrender of the commercial cannabis use license to the City's City Manager.

SECTION 5. The Deposit, at the time an application is filed, is hereby established as \$11,900 per application, plus \$1,100 per applicant and each person with a financial interest in the subject commercial cannabis activity.

SECTION 6. Effective Date. The effective date of this Resolution is upon the date it is adopted.

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 3, 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

RESOLUTION NO. ~~6148(17)~~6170(18)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Rescinding Resolution No. 6148(17) and
Amending the Master Schedule of Fees and Charges for City Services**

WHEREAS, the City Council of the City of Lompoc (City) established a Master Schedule of Fees and Charges for City Services by the adoption of Resolution No. 6009(16) on January 5, 2016; and

WHEREAS, the City Council ~~of the City~~ adopted Ordinance No. 1640(17) on November 7, 2017, amending Chapter 9.36 of the Lompoc Municipal Code (LMC) to provide for the City's issuance of commercial cannabis use licenses for operations of commercial cannabis activities except for outdoor cultivation; and

WHEREAS, LMC section 9.36.040 recognizes every person conducting either or both commercial cannabis activity or personal cannabis cultivation must comply with the terms, spirit, and intent of all State laws, as defined in LMC section 9.36.020; and

WHEREAS, LMC subdivision 9.36.080 E. 4. provides all commercial cannabis uses must comply with all the requirements of LMC Chapter 9.36 and the rules and regulations established by Resolution of the City Council, including payment of fees and filing a complete cannabis application, which requirements and fees shall be recommended to the City Council by the City Manager after consultation with the Chief of Police, Fire Chief and Economic Development Director/Assistant City Manager, Management Services Director or their designees (Applicable Employees); and

WHEREAS, at the City Council meeting of December 5, 2017, the Applicable Employees provided the City Council their recommendations for fees for cannabis uses within the City; and

WHEREAS, at its meeting of December 5, 2017, the City Council considered those recommendations and public comments, and, based thereon, adopted ~~this~~ Resolution No. 6148(17); and

WHEREAS, the City Council's intention is to recover 100% of the direct and indirect costs of providing services related to the processing, review and auditing of applications and commercial cannabis use licenses for each operation of a commercial cannabis activity allowed pursuant to LMC chapter 9.36; and

WHEREAS, ~~the attached~~this resolution incorporates and amends Resolution No. 6009(17) to provide for the necessary fees, charges and deposits for implementation of the City's cannabis licensing processes.

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

SECTION 1. Resolution No. 6148(17) is hereby rescinded.

SECTION 2. Each applicant shall pay all personnel and related direct and indirect costs, including payment to City's third party consultants, for the review, processing and auditing of the application and ongoing operation of the subject commercial cannabis use. A deposit for such payment, as designated in Section 3., below, shall be made at the time the subject application is submitted (Deposit).

SECTION 32. Direct costs include, but are not limited to, such things as staff payroll and outside consultant costs for (i) processing and review of the application for completeness and compliance with the LMC by all applicable City departments and divisions, (ii) telephone and written communications with the applicant/property owner and each of their representatives, (iii) noticing, (iv) outside consultants, (v) preparation of staff reports, (vi) attendance by staff at public hearings, (vii) ongoing review of those operations, and (viii) auditing of those operations. Indirect costs, include, but are not limited to, fully allocated overhead cost based on the then current Lompoc Cost Allocation Plan applied to those direct costs.

SECTION 43. The Deposit paid at the time of application are estimates based on the typical amount of staff time and other costs required to process an application. In the event the deposit is not sufficient to reimburse the City for processing the application, the applicant shall provide additional deposits to the City sufficient to complete the processing of the application. If, at any time, the remaining Deposit retained by the City is below \$2,000.00 after deductions for the fees incurred to date, then, within 15 days after receipt of written notice from the City of that fact, the applicant/licensee shall deposit an additional \$8,000.00 with the City. Other than those services required to ensure public safety and compliance with all laws and regulations, the City shall not perform any further review of the application or commercial cannabis activity until the applicant/business operator submits the Deposit or the required increase to the Deposit. No interest shall accrue on amounts deposited. Any unused portion of the Deposit will be returned to the applicant/business operator within 60 days following ~~the issuance of the commercial cannabis use license,~~ the denial of the license, the revocation of the commercial cannabis use license or the surrender of the commercial cannabis use license to the City's City Manager.

SECTION 54. The Deposit, at the time an application is filed, is hereby established as \$11,900 per application, plus \$1,100 per applicant and each person with a financial interest in the subject commercial cannabis activity.

Resolution No. ~~6148(17)~~6170(18)
Page 3 of 3

SECTION 65. Effective Date. The effective date of this Resolution is upon the ~~effective date~~ it is adopted. ~~of Ordinance No, 1640(17).~~

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 ~~December 5, 2017~~ April 3, 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

Fiscal Impact:

Staff time will be expended to review and approve permit applications. However, these impacts may be mitigated through the imposition of a permit processing fee to be established at a later date. Proposition 26, passed by voters in 2010, regulating fees provides for the recovery of costs of services such as the processing and issuance of permit applications. The fees and charges would need to be established in accordance with Proposition 26 and be equal or less than the cost of providing the applicable service. If fees and charges are imposed to review and approve permit applications in the amount less than the cost of providing the applicable service, then the cost not recovered through fees and charges would be subsidized by the City's General Fund. If such a subsidy were to be established, then fewer resources would be available from existing revenues for other activities such as Public Safety, Parks, and Streets.

It is uncertain what taxes will be generated by commercial marijuana operations. It is also unclear what additional public safety services will be needed to monitor those operations. Other than the direct cost of processing applications for services included in fees and charges in accordance with Proposition 26, general public safety services cannot be recovered from fees and charges imposed to recovery cost of permit applications. Taxes, if imposed on commercial operations, would be available to pay for additional costs related to the impacts of marijuana commercial operations.

Below is some information from other cities that have approved and estimated the taxes to be generated in their communities from taxing marijuana commercial operations:

Palm Springs – tax rate 10% gross receipts (up to 15% tax approved) for six permitted dispensaries; population 46,000; Estimated Annual Revenue: \$1.14 Million.

Desert Hot Springs (population 28,000) – tax rate 10% gross receipts with three dispensaries approved; Estimated Annual Revenue: \$200,000.

Santa Ana (population 335,000) – tax rate up to 10% gross receipts, starts at 5%; 20 allowed dispensaries; Estimated Annual Revenue:\$1.5 Million.

San Jose (population 1,000,000) – tax rate 10% gross receipts on 16 permitted dispensaries; Estimated Annual Revenue: \$4.5 Million.

City of Grover Beach (population 13,000) – voters approved marijuana taxes. 5% tax on gross receipts of medical marijuana businesses. 10% tax on gross receipts of recreational marijuana businesses. \$25 per square foot of canopy on the first 5,000 square feet and \$10 per square foot thereafter on marijuana cultivation; Estimated Annual Revenue: \$1-2 Million annually.

King City (population 14,000) – projected future marijuana tax revenues \$1-2 Million annually.

City of Gonzales (population 8,400) – proposed marijuana taxes projected to reach \$1.6 Million.

On a per capita basis, the above estimated tax revenue ranges from a low of \$4.50 per person per year in Santa Ana and San Jose, \$150 per person in Grover Beach and King City, to a high of \$190 per person per year in Gonzales. Due to the significant variance in estimated revenues, the above numbers will obviously need to be adjusted due to the City's population size and other local factors, were a marijuana tax proposal added to the City's next general election in November 2018. If a marijuana gross receipts tax proposal is provided by the City Council, included in the general election in November 2018, and passed by the voters, then the tax would likely generate revenues beginning in April 2019. Based on the average revenue estimates from the cities above and their average populations, an estimated \$400,000 to \$500,000 of tax revenue annually may be generated for City services. For the Biennial Budget Fiscal Years (FY) 2017-2019, additional revenues may be between \$100,000 and \$125,000 through June 30, 2019.

Proposition 64 also imposes a new statewide excise tax of 15% on purchasers of marijuana as well as a statewide cultivation tax. There will be limited local return revenues available to certain cities "to assist with law enforcement, fire protection, or other local programs addressing public health and safety associated with the implementation of the Control, Regulate and Tax Adult Use of Marijuana Act." [Revenue & Taxation Code subsection 34019(f)(3)(c)]. However, there will be no "grants to local governments which have banned the cultivation, including personal cultivation... or retail sale of marijuana or marijuana products..." [Revenue & Taxation Code subsection 34019(f)(3)(c)].

The State Legislative Analyst's Office estimates State and local revenues from marijuana taxes will annually be anywhere from a few million dollars to \$1 Billion. The grants available to cities constitute about 6.5% of the State tax revenue remaining after substantial sums are disbursed to fixed costs (anywhere from near \$75 Million to over \$150 Million in fixed costs) and one time implementation costs. If half of California's cities are eligible for grants constituting about 7% of approximately \$200-\$400 Million in State revenue annually (a reasonable estimate after fixed allocations are made), then the average city share would be within a rough range from \$60,000 to \$125,000 annually. Those amounts, of course, could increase if greater revenues are generated. Implementation of the possible distributions to eligible cities would likely occur in the budget year after the State determines their costs related to the taxes collected. It is unknown when the State will fully implement the components but it is beginning implementation during FY 2017-2018. Full distribution to cities eligible for distributions will likely not occur until FY 2019-2020 although partial distributions may occur during FY 2018-2019.



City Council Agenda Item

City Council Meeting Date: April 3, 2018

TO: Teresa Gallavan, Interim City Manager

FROM: Laura Dubbels, Deputy City Manager
l_dubbels@ci.lompoc.ca.us

SUBJECT: Proposition 69 Support Letter and Coalition Endorsement and Opposing the Repeal of the Transportation Funding Established by Senate Bill 1

Recommendation:

Staff recommends the City Council authorize a support letter (Attachment 1) and endorsement (Attachment 2), as a member of the Coalition to Protect Local Transportation Improvements (Coalition), a diverse coalition of local government, business labor, transportation, and other organizations throughout the state, in support of Proposition 69 and to oppose the repeal of Senate Bill 1 (SB 1), which was signed into law on April 28, 2017.

Background:

The League of California Cities (League) has reached out to all cities in California with information regarding Proposition 69 that will be on the upcoming June 2018 ballot and the initiative to repeal SB 1 that will be on the November 2018 ballot, along with the effects these ballot measures will have on cities.

As put forth by the League:

“California cities, counties and transportation agencies need dedicated funding to support transportation infrastructure road safety improvements, fill potholes, and repair local streets, highways, freeways, bridges and overpasses. There is a statewide backlog of over \$130 billion in needed road repairs, including \$73 billion needed for local streets and roads. Last year’s ‘Road Repair and Accountability Act’ (SB 1 – Beall) will raise \$5 billion annually in long-term, dedicated transportation funding to make road safety improvements, fill potholes and repair local streets, highways, bridges and overpasses, with the revenues split equally between state and local government projects. These transportation revenues should have additional Constitutional protections to ensure funds are used only for transportation purposes and Proposition 69 on the June 2018 ballot would add another layer of accountability by preventing the State Legislature from diverting or raiding any new transportation revenues for non-transportation improvement purposes.”

As a result of the passage of SB 1 and the funding it generates through the Road Maintenance and Rehabilitation Account (RMRA), cities and counties have already identified 4,000 local projects for funding in Fiscal Year (FY) 2017-18 and into the future.

On September 19, 2017, the City Council adopted Resolution No. 6136(17) (Attachment 3), which outlined a list of projects planned to be funded with RMRA revenues and amended the adopted Biennial Budget Fiscal Years 2017-19 (Budget). The list of projects are as follows:

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

Discussion:

Upon adoption of Resolution No. 6136(17), the SB 1 revenue amounts projected for the City of Lompoc (City) originally were \$249,260 for FY 2017-18 and \$747,735 for FY 2018-19. However, new projections are now \$301,248 for FY 2017-18 and \$781,432 for FY 2018-19, with \$12,345,310 projected for a ten-year total. The total of the City's other road funding sources is presently just enough to fund the current reduced level of street related operations, without providing funding for the capital projects necessary to maintain the function of street pavement and other street infrastructure. Because the City's other road funding sources are limited and are not keeping up with inflation, within several years additional reductions in street related operations will be necessary without funding from SB 1 or a similar additional funding source. With the addition of SB 1 revenue, which is projected to provide to the City over \$1 Million annually from FY 2019-20 onward, the City estimates it will be able to utilize up to \$1 Million annually to fund capital projects during the next five years.

That is a substantial funding source for the City and needs to be protected from being redirected. The Coalition has formed to support the June 2018 constitutional amendment to protect those funds from being diverted (Proposition 69) and to oppose the November 2018 measure to repeal transportation funds generated by SB 1 (Attachment 4).

By signing a letter of support from our City Council and joining the Coalition, it shows the importance of these initiatives to our community in preserving our share of these much needed revenues. It also informs the electorate of the issues at hand and the resources that may be lost without their votes. A presentation will also be shown to assist in decision making (Attachment 5).

Fiscal Impact:

As noted above, the fiscal impact will be huge at a projected loss of \$12,345,310 over ten years if the City loses the funding SB 1 will generate. The missed opportunity to keep and secure this funding will have destructive consequences on the City's ability to perform much needed street maintenance and transit projects that are already in the works.

Conclusion:

The City Council's vote to join the Coalition to support Proposition 69 and oppose the repeal of SB 1 is needed to make voters aware of what will be on the upcoming ballots and the vital need to secure those revenues for the City. Staff is requesting the City Council vote to support these efforts.

Respectfully submitted,

Laura Dubbels, Deputy City Manager

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Teresa Gallavan, Interim City Manager

- Attachments: 1) Proposition 69 Support Letter
2) Coalition Endorsement Sign Up Form
3) Resolution No. 6136(17)
4) SB 1 Road Repair and Accountability Act of 2017 – New Local Streets & Roads Funding – Ten Year Projections
5) Presentation Slides for Public Education



April 3, 2018

Kyle Griffith
Coalition to Protect Local Transportation Improvements Campaign
Email: kgriffith@bcfpublicaffairs.com

Dear Mr. Griffith:

The City Council of the City of Lompoc is writing this letter to endorse the Coalition's efforts in supporting Proposition 69 on the June 2018 ballot to prevent the State Legislature from diverting or raiding any new transportation revenues for non-transportation improvement purposes. Those transportation revenues should have additional Constitutional protections to ensure funds are used only for transportation purposes. Proposition 69 would add another layer of accountability by preventing the State Legislature from diverting or raiding any new transportation revenues for non-transportation improvement purposes.

California's cities, counties and transportation agencies need dedicated funding to support transportation infrastructure road safety improvements, fill potholes, and repair local streets, highways, freeways, bridges and overpasses. There is a statewide backlog of over \$130 Billion in needed road repairs, including \$73 Billion needed for local streets and roads. With the passage of last year's "Road Repair and Accountability Act" (SB 1 – Beall), \$5 Billion will be raised annually in long-term, dedicated transportation funding to make road safety improvements, fill potholes and repair local streets, highways, bridges and overpasses, with the revenues split equally between state and local government projects. We support those revenues being protected for those purposes and oppose the repeal of SB 1 if brought forward on any future ballot. We will rely heavily on this funding to be able to accomplish some of our own local deferred transportation projects.

We support the Coalition and can be listed as a member of the Coalition to Protect Local Transportation Improvements, a diverse coalition of local government, business, labor, transportation and other organizations throughout the state, in support of Proposition 69.

Sincerely,

Bob Lingl
Mayor

Jenelle Osborne
Mayor Pro Tem

Dirk Starbuck
Councilmember

Victor Vega
Councilmember

Jim Mosby
Councilmember

c: Teresa Gallavan, Interim City Manager
Laura Dubbels, Deputy City Manager



YES!

I Support Safer Roads and Protecting Local Transportation Improvements

Please check one or both boxes:

I/we **SUPPORT Prop 69**, a June 2018 ballot measure to prevent the state Legislature from diverting transportation funds for other purposes or redirecting funds for non-transportation projects. You may list me/my organization in formal **SUPPORT** of this constitutional amendment in your coalition materials.

I/we **OPPOSE** the November ballot measure that would repeal the “Road Repair and Accountability Act” (SB 1) and rob our communities of vital road safety and transportation improvement funds. You may list me/my organization in formal **OPPOSITION** to the repeal effort in your coalition materials.

Please select a category:

Organization

Individual

Please complete the following information:

Organization/Company (if applicable)

Date

Authorized Signature

Name

Title

Street Address

City

State

Zip

Phone

FAX

E-Mail Address (if public official, please include personal e-mail)

Please complete this form and return it to: Coalition to Protect Local Transportation Improvements

If faxing: (916) 442-3510

If e-mailing: Kyle Griffith | kgriffith@bcfpublicaffairs.com

For more information, please call (916) 443-0872

Paid for by the Coalition to Protect Local Transportation Improvements, sponsored by business, labor, local governments, transportation advocates and taxpayers

Committee Major Funding from

California Alliance for Jobs

Funding details at www.fppc.ca.gov

CERTIFIED COPY

RESOLUTION NO. 6136(17)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Amending the Biennial Budget Fiscal Years 2017-2019
to Incorporate 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 include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City budget, 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 \$249,260 in RMRA funding in Fiscal Year 2017-2018 from SB 1; 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 staff 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. The adopted Biennial Budget Fiscal Years 2017-2019 (Budget) is hereby amended to incorporate the following list of projects planned to be funded with 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. The adopted Budget is amended as follows:

Program 22300 – Gas Tax – RMRA Street Maintenance is approved for the accounting and tracking of RMRA projects described in Section 1. Program 22300 will generally have objects similar to Program 16000 – Street Maintenance. Total Program supplemental appropriations in Program 22300 are set as follows:

Fiscal Year 2017-18	\$249,260
Fiscal Year 2018-19	747,735

SECTION 3. The Management Services Director, in conjunction with the Public Works Director are authorized to allocate Program appropriations within the account/object structure of Program 22300 based on the anticipated resources to be used for the projects identified in Section 1 utilizing the procedures authorized in the Lompoc Municipal Code Section 3.24.060. For the purpose of setting up individual budget line items, RMRA revenues are considered unanticipated revenues for the 2017-2019 budget cycle.


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

The foregoing Resolution was proposed by Council Member Mosby, seconded by Council Member Vega, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on September 19, 2017, by the following vote:

AYES: Council Member(s): James Mosby, Victor Vega, Jenelle Osborne, Dirk Starbuck, and Mayor Bob Lingl.

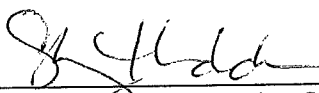
NOES: Council Member(s): None

ABSENT: Council Member(s): None



Bob Lingl, Mayor
City of Lompoc

ATTEST:



Stacey Haddon, City Clerk
City of Lompoc

I HEREBY CERTIFY THAT THE

foregoing instrument is a true and correct copy of the original on file in the Lompoc City Clerk's Department.

ATTEST: 

SB 1 Road Repair and Accountability Act of 2017 - New Local Streets & Roads Funding - Ten Year Projections

	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	Ten yr Total
<u>San Luis Obispo County</u>											
Arroyo Grande	\$ 121,315	\$ 314,688	\$ 445,758	\$ 504,303	\$ 534,231	\$ 558,294	\$ 583,032	\$ 609,993	\$ 636,344	\$ 663,581	\$ 4,971,539
Atascadero	\$ 211,357	\$ 548,255	\$ 776,607	\$ 878,606	\$ 930,747	\$ 972,671	\$ 1,015,769	\$ 1,062,741	\$ 1,108,650	\$ 1,156,104	\$ 8,661,507
El Paso De Robles	\$ 217,136	\$ 563,248	\$ 797,845	\$ 902,632	\$ 956,200	\$ 999,270	\$ 1,043,546	\$ 1,091,803	\$ 1,138,968	\$ 1,187,719	\$ 8,898,367
Grover Beach	\$ 91,916	\$ 238,429	\$ 337,736	\$ 382,094	\$ 404,770	\$ 423,002	\$ 441,744	\$ 462,172	\$ 482,137	\$ 502,774	\$ 3,766,774
Morro Bay	\$ 73,612	\$ 190,949	\$ 270,481	\$ 306,005	\$ 324,165	\$ 338,766	\$ 353,777	\$ 370,137	\$ 386,126	\$ 402,653	\$ 3,016,671
Pismo Beach	\$ 56,410	\$ 146,325	\$ 207,271	\$ 234,494	\$ 248,410	\$ 259,599	\$ 271,102	\$ 283,638	\$ 295,891	\$ 308,556	\$ 2,311,696
San Luis Obispo	\$ 319,593	\$ 829,018	\$ 1,174,311	\$ 1,328,543	\$ 1,407,386	\$ 1,470,779	\$ 1,535,948	\$ 1,606,975	\$ 1,676,394	\$ 1,748,148	\$ 13,097,095
County of SLO	\$ 2,673,964	\$ 6,936,211	\$ 9,970,000	\$ 11,180,000	\$ 11,820,000	\$ 12,330,000	\$ 12,860,000	\$ 13,430,000	\$ 13,980,000	\$ 14,560,000	\$ 109,740,175
Cities & Co. of San Luis Obispo	\$ 3,765,303	\$ 9,767,123	\$ 13,980,009	\$ 15,716,677	\$ 16,625,909	\$ 17,352,381	\$ 18,104,918	\$ 18,917,459	\$ 19,704,510	\$ 20,529,535	\$ 154,463,824
<u>Santa Barbara County</u>											
Buellton	\$ 35,082	\$ 91,003	\$ 128,907	\$ 145,837	\$ 154,492	\$ 161,451	\$ 168,605	\$ 176,401	\$ 184,022	\$ 191,898	\$ 1,437,698
Carpinteria	\$ 95,370	\$ 247,389	\$ 350,428	\$ 396,453	\$ 419,981	\$ 438,898	\$ 458,345	\$ 479,541	\$ 500,256	\$ 521,668	\$ 3,908,329
Goleta	\$ 217,239	\$ 563,514	\$ 798,222	\$ 903,059	\$ 956,651	\$ 999,742	\$ 1,044,040	\$ 1,092,319	\$ 1,139,506	\$ 1,188,280	\$ 8,902,572
Guadalupe	\$ 50,712	\$ 131,546	\$ 186,335	\$ 210,809	\$ 223,319	\$ 233,378	\$ 243,719	\$ 254,989	\$ 266,004	\$ 277,390	\$ 2,078,201
Lompoc	\$ 301,248	\$ 781,432	\$ 1,106,904	\$ 1,252,283	\$ 1,326,601	\$ 1,386,355	\$ 1,447,783	\$ 1,514,733	\$ 1,580,168	\$ 1,647,803	\$ 12,345,310
Santa Barbara	\$ 636,553	\$ 1,651,205	\$ 2,338,945	\$ 2,646,139	\$ 2,803,175	\$ 2,929,439	\$ 3,059,240	\$ 3,200,709	\$ 3,338,975	\$ 3,481,892	\$ 26,086,272
Santa Maria	\$ 726,957	\$ 1,885,713	\$ 2,671,127	\$ 3,021,949	\$ 3,201,288	\$ 3,345,484	\$ 3,493,719	\$ 3,655,280	\$ 3,813,183	\$ 3,976,398	\$ 29,791,098
Solvang	\$ 38,256	\$ 99,236	\$ 140,568	\$ 159,031	\$ 168,468	\$ 176,057	\$ 183,857	\$ 192,360	\$ 200,669	\$ 209,259	\$ 1,567,761
County of Santa Barbara	\$ 2,700,841	\$ 7,005,929	\$ 10,210,000	\$ 11,580,000	\$ 12,270,000	\$ 12,820,000	\$ 13,400,000	\$ 14,010,000	\$ 14,620,000	\$ 15,260,000	\$ 113,876,770
Cities & Co. of Santa Barbara	\$ 4,802,258	\$ 12,456,967	\$ 17,931,436	\$ 20,315,560	\$ 21,523,975	\$ 22,490,804	\$ 23,499,308	\$ 24,576,332	\$ 25,642,783	\$ 26,754,588	\$ 199,994,011
<u>Ventura County</u>											
Camarillo	\$ 476,223	\$ 1,235,312	\$ 1,749,830	\$ 1,979,650	\$ 2,097,133	\$ 2,191,594	\$ 2,288,702	\$ 2,394,539	\$ 2,497,980	\$ 2,604,900	\$ 19,515,863
Fillmore	\$ 107,272	\$ 278,262	\$ 394,160	\$ 445,928	\$ 472,392	\$ 493,670	\$ 515,544	\$ 539,384	\$ 562,685	\$ 586,769	\$ 4,396,066
Moorpark	\$ 251,904	\$ 653,435	\$ 925,595	\$ 1,047,162	\$ 1,109,306	\$ 1,159,273	\$ 1,210,639	\$ 1,266,623	\$ 1,321,339	\$ 1,377,896	\$ 10,323,172
Ojai	\$ 51,663	\$ 134,012	\$ 189,829	\$ 214,761	\$ 227,506	\$ 237,753	\$ 248,288	\$ 259,770	\$ 270,991	\$ 282,591	\$ 2,117,164
Oxnard	\$ 1,421,164	\$ 3,686,473	\$ 5,221,918	\$ 5,907,757	\$ 6,258,355	\$ 6,540,252	\$ 6,830,044	\$ 7,145,887	\$ 7,454,580	\$ 7,773,656	\$ 58,240,086
Port Hueneme	\$ 156,007	\$ 404,680	\$ 573,232	\$ 648,519	\$ 687,006	\$ 717,951	\$ 749,762	\$ 784,434	\$ 818,320	\$ 853,347	\$ 6,393,258
San Buenaventura	\$ 747,443	\$ 1,938,853	\$ 2,746,400	\$ 3,107,109	\$ 3,291,501	\$ 3,439,761	\$ 3,592,173	\$ 3,758,287	\$ 3,920,640	\$ 4,088,454	\$ 30,630,621
Santa Paula	\$ 209,674	\$ 543,890	\$ 770,425	\$ 871,611	\$ 923,337	\$ 964,927	\$ 1,007,682	\$ 1,054,281	\$ 1,099,824	\$ 1,146,900	\$ 8,592,551
Simi Valley	\$ 870,796	\$ 2,258,828	\$ 3,199,647	\$ 3,619,885	\$ 3,834,708	\$ 4,007,435	\$ 4,185,001	\$ 4,378,529	\$ 4,567,676	\$ 4,763,185	\$ 35,685,690
Thousand Oaks	\$ 899,168	\$ 2,332,425	\$ 3,303,899	\$ 3,737,828	\$ 3,959,651	\$ 4,138,006	\$ 4,321,357	\$ 4,521,191	\$ 4,716,500	\$ 4,918,379	\$ 36,848,404
County of Ventura	\$ 4,425,427	\$ 11,479,472	\$ 16,550,000	\$ 18,850,000	\$ 20,010,000	\$ 20,930,000	\$ 21,890,000	\$ 22,940,000	\$ 23,950,000	\$ 25,010,000	\$ 186,034,899
Cities & Co. of Ventura	\$ 9,616,741	\$ 24,945,642	\$ 35,624,935	\$ 40,430,210	\$ 42,870,895	\$ 44,820,622	\$ 46,839,192	\$ 49,042,925	\$ 51,180,535	\$ 53,406,077	\$ 398,777,774



PROPOSITION 69

and



REPEAL OF SB 1

Laura Dubbels, Deputy City Manager

April 3, 2018



PROPOSITION 69 (JUNE 2018 BALLOT)



- This June 2018 Ballot Measure will protect new revenues generated by SB 1 by prohibiting the legislature from diverting new transportation funds.
- Ensures the new revenues can only be used for transportation projects.
- Will not raise taxes and protects transportation taxes and fees we already pay.



PROPOSITION 69 (JUNE 2018 BALLOT)



- What is SB 1?
 - SB 1 (Senate Bill 1) REBUILDING CALIFORNIA – the Road Repair and Accountability Act of 2017, was signed into law on April 28, 2017.
 - Known as the gas tax, with an increase of \$0.12 per gallon that began on November 1, 2017, it invests \$54 billion over the next decade to fix roads, freeways and bridges throughout California.
 - Cities are using these dollars to fill pot holes, resurface streets, fix bridges, improve sidewalks, expand bike lanes, complete street projects, traffic signals, and perform drainage improvements.



PROPOSITION 69 (JUNE 2018 BALLOT)



Santa Barbara County

Buellton	\$ 35,082	\$ 91,003	\$ 128,907	\$ 145,837	\$ 154,492	\$ 161,451	\$ 168,605	\$ 176,401	\$ 184,022	\$ 191,898	\$ 1,437,698
Carpinteria	\$ 95,370	\$ 247,389	\$ 350,428	\$ 396,453	\$ 419,981	\$ 438,898	\$ 458,345	\$ 479,541	\$ 500,256	\$ 521,668	\$ 3,908,329
Goleta	\$ 217,239	\$ 563,514	\$ 798,222	\$ 903,059	\$ 956,651	\$ 999,742	\$ 1,044,040	\$ 1,092,319	\$ 1,139,506	\$ 1,188,280	\$ 8,902,572
Guadalupe	\$ 50,712	\$ 131,546	\$ 186,335	\$ 210,809	\$ 223,319	\$ 233,378	\$ 243,719	\$ 254,989	\$ 266,004	\$ 277,390	\$ 2,078,201
Lompoc	\$ 301,248	\$ 781,432	\$ 1,106,904	\$ 1,252,283	\$ 1,326,601	\$ 1,386,355	\$ 1,447,783	\$ 1,514,733	\$ 1,580,168	\$ 1,647,803	\$ 12,345,310
Santa Barbara	\$ 636,553	\$ 1,651,205	\$ 2,338,945	\$ 2,646,139	\$ 2,803,175	\$ 2,929,439	\$ 3,059,240	\$ 3,200,709	\$ 3,338,975	\$ 3,481,892	\$ 26,086,272
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Solvang	\$ 38,256	\$ 99,236	\$ 140,568	\$ 159,031	\$ 168,468	\$ 176,057	\$ 183,857	\$ 192,360	\$ 200,669	\$ 209,259	\$ 1,567,761
County of Santa Barbara	\$ 2,700,841	\$ 7,005,929	\$ 10,210,000	\$ 11,580,000	\$ 12,270,000	\$ 12,820,000	\$ 13,400,000	\$ 14,010,000	\$ 14,620,000	\$ 15,260,000	\$ 113,876,770
Cities & Co. of Santa Barbara	\$ 4,802,258	\$ 12,456,967	\$ 17,931,436	\$ 20,315,560	\$ 21,523,975	\$ 22,490,804	\$ 23,499,308	\$ 24,576,332	\$ 25,642,783	\$ 26,754,588	\$ 199,994,011



PROPOSITION 69 (JUNE 2018 BALLOT)



- What does this mean for Lompoc?

On September 19, 2017, the City Council adopted Resolution No. 6136(17), which outlined a list of projects planned to be funded with SB 1 revenues and amended the adopted Biennial Budget Fiscal Years 2017-19 (Budget). The list of projects are as follows:

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



PROPOSITION 69 (JUNE 2018 BALLOT)



- According to a study by the American Road & Transportation Builders Association (ARTBA):
 - SB 1 will have a total economic impact of \$182.6 billion over 10 years.
 - It will fund an average of 68,000 jobs annually, generating \$3.3 billion in salaries for California workers each year.
 - Safer roads with improved conditions will make driving less expensive with drivers saving an average of \$818 million per year in operating costs.
 - There is an economic impact to the safety benefits of SB 1 investments estimated at \$584 million of additional safety benefits over 10 years.



REPEAL OF SB 1 (FUTURE BALLOT)



- A Future Ballot Measure to Repeal SB 1 will:
 - Jeopardize public safety - poor roadways were a contributing factor in more than half of the 3,623 roadway fatalities on California roads in 2016.
 - Stop 4,000 transportation improvement projects already underway in every community.
 - Make traffic congestion worse when our California freeways and major thoroughfares are among the most congested in the nation already.
 - Cost drivers and taxpayers more money in the long-run. The average driver spends \$739 per year on car repairs because of bad roads and bridges.
 - Hurt job creation and our economy. Reliable transportation infrastructure is critical to get Californians to work, move goods and services to the market, and support our economy.

References

- The full ARTBA study can be located at: https://www.artba.org/wp-content/uploads/2018/02/ARTBA_California_Report_Feb_2018.pdf
- The National Highway Traffic Safety Administration reference can be located at: <https://fixcaroads.com/no-repeal-sb-1/>

QUESTIONS?



City Council Agenda Item

City Council Meeting Date: April 3, 2017

TO: Honorable Mayor and Council Members

FROM: Stacey Haddon, City Clerk
s_haddon@ci.lompoc.ca.us

Joseph W. Pannone, City Attorney
jpannone@awattorneys.com

SUBJECT: Discussion and Direction Regarding Policy for Release of Documents

Recommendation:

Staff recommends the City Council:

1. Provide direction on the following topics regarding a policy for release of documents, which would otherwise be destroyed:
 - a. Does the City Council want to adopt such a policy?
 - b. Would the policy be to change the City's retention policy to prohibit destruction of certain documents or to allow someone to request release of a document that is to be destroyed?
 - c. If the decision is to adopt such a policy, then:
 - (1) What type of documents would be covered by in the policy?
 - (2) Whether and how the policy should be advertised (webpage, newspaper, utility bill stuffer)?
 - (3) What length of time would be required for each advertisement?
 - (4) What would the time period be for someone to request release of such documents?
 - (5) If more than one person desires a document, then how will the decision be made as to whom would be given that document?
 - (6) Will there be a fee for providing that document?
2. Or provide other direction.

Background:

Pursuant to Government Code (GC) section 34090, the City must retain, indefinitely, the following records:

- Records affecting the title to real property or liens thereon.
- Court records.
- Records required to be kept by statute.
- Records less than two years old.
- The minutes, ordinances, or resolutions of the City Council and each of its boards and commissions

Pursuant to GC section 34090.5, any City records, including those listed above, may be destroyed if legible electronic copies are made, which are also accessible to the public.

On May 3, 2016, the City adopted a records retention policy and schedules (Attachment 1). Pursuant to that policy and to assist the City with space management, the City Clerk periodically presents a resolution for the Council to approve destruction of City records for which copies have not been made.

Pursuant to the Public Records Act (PRA) (GC section 6250 *et seq.*), any person may request a copy of any City record and receive a copy, unless it is specifically exempted from disclosure by statute, including the PRA, or case law. Based on that, if a City record is to be destroyed, a person may request and receive a copy of that record before it is destroyed, unless it is exempted from disclosure.

Discussion:

At your March 6, 2018, meeting a consensus was reached to request City staff to bring this matter to the City Council for consideration and action. During that discussion, Council Member Mosby indicated he is aware of certain documents in City Hall that are to be destroyed and the originals of those records should be made available to someone who wants them. He stated such records can be of historical significance and future use and allowing someone to obtain that document would avoid the costs the City would incur for that destruction.

The City Clerk and City Attorney are not aware of any other city that has any policy similar to what is being discussed, so are not able to provide any sample policies.

To assist the City Council with its deliberations about this potential policy, below are the questions to provide staff with direction regarding this topic, with staff suggestions for consideration:

- a. *Does the Council want to adopt such a policy?*

If the decision is no, then nothing further is needed for discussion. If the decision is yes, then direction on the following would be needed.

April 3, 2018

Discussion and Direction Regarding Policy for Release of Documents

Page 3 of 5

- b. *Would the policy be to change the City's retention policy to prohibit destruction of certain documents or to allow someone to request release of a document that is to be destroyed?*

Staff would be very concerned if the policy were to prohibit destruction of certain records due to the impact on storage space and the likely need for additional space in the future.

- c.(1) *What type of documents would be covered by the policy?*

If the policy covers all documents, then that would add to the City's administrative costs and efforts each time records are to be destroyed. If the policy will address certain documents, then the Council will need to be specific as to the type of documents to be covered by the policy so going forward there would be no misunderstandings by staff or those who may be interested in receiving the documents.

- c.(2) *Whether and how the policy should be advertised (webpage, newspaper, utility bill stuffer)?*

The purpose of the advertisement is to provide the entire community with the opportunity to decide whether to get a copy of a record set for destruction. That will avoid the appearance of preference being given to anyone. The advertisement should include a brief description of the document being destroyed and that it could be requested. Depending on the advertisement used, the City would incur additional costs above the current cost of the process.

- c.(3) *What length of time would be required for each advertisement?*

Staff recommends the City Council select a reasonable length of time to allow sufficient notice to the public, but not too long so as not to slow down the "clean up" process to be served by the retention policy.

- C.(4) *What would the time period be for someone to request release of such documents?*

Staff recommends the City Council select a reasonable length of time to allow someone to consider whether to request a document, but not too long so as not to slow down the "clean up" process to be served by the retention policy.

- C.(5) *If more than one person desires a document, then how will the decision be made as to whom would be given that document?*

Staff recommends the City Council select an objective criteria for that selection, lottery, drawing names out of a "hat" or "first come/first served," although the latter

April 3, 2018

Discussion and Direction Regarding Policy for Release of Documents

Page 4 of 5

approach could result in a perception of “insider information” depending on whom was first.

C.(6) Will there be a fee for providing that document?

Staff recommends a fee or a charge be established to recover the City’s full actual costs, plus overhead, for implementing the policy. Depending upon the course of action taken by the City Council, there are administrative and possible storage costs associated with each of the sections (B, C.(1) to C.(5) above) after the decision to create a policy regarding the release of original documents after legible electronic copies are made of the original documents. The course of action decided upon could create significant additional administrative and storage costs and also could create insignificant additional administrative costs and possibly no incremental storage costs. If such a policy were to be implemented, the policy should be clear about the procedures to accomplish B, and C.(1) to C.(5) above in order to be able to provide enough data to determine the cost of supporting the policy and implementation of the release of documents in accordance with the policy.

Fiscal Impact:

In order for original documents to be provided upon request, staff will need to review each page of each document to remove any “staff notes” that may exist. In addition, as with all public record requests, the documents will have to be reviewed to determine whether any of the information should be redacted. This time spent reduces the availability of resources available for other services provided by the City and should be fully recovered by the department or division providing the service. If a requested document is something that had already been shared with the public, then that latter review would not be necessary.

If a cost recovery approach is used and such an approach is recommended, then any costs required to review the document to identify “staff notes” or words required to be redacted, even if minimal, would need to be tracked and then fully reimbursed so no General Fund resources would be used to provide the document as provided for by the policy. While full cost reimbursement would provide cost recovery for the process, it will not recover the time staff would expend on implementing the process, which would result in time not available for other matters and reduce the availability of the services provided for by the staff assigned to the process.

Conclusion:

If the decision is proceed with a policy, then once specific direction is provided, staff will return to the City Council, as soon as possible, with a resolution to memorialize the policy.

April 3, 2018

Discussion and Direction Regarding Policy for Release of Documents

Page 5 of 5

Respectfully submitted,

Stacey Haddon, City Clerk

Joseph W. Pannone, City Attorney

Attachment: Resolution No. 6034(16) with Retention Policy and Schedules

RESOLUTION NO. 6034(16)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Adopting a Citywide Records Retention Schedule**

WHEREAS, the destruction of certain public records is authorized by State law in Government Code sections 34090, *et seq.*; and

WHEREAS, a system for the retention and schedule for the destruction of records and working papers that are no longer needed for administrative, legal, fiscal, historical, or research purposes is deemed appropriate; and

WHEREAS, on December 17, 1991, pursuant to Resolution No. 4104(91), the City Council adopted records retention schedules for the then existing City divisions (Administration, City Attorney, City Clerk, Finance, Fire, Personnel, Police, Public Works, and Treasury); and

WHEREAS, it is now necessary and desirable to adopt updated Citywide records retention schedules; and

WHEREAS, the City Attorney has reviewed and approved the proposed records retention schedules.

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

SECTION 1 Resolution No. 4104(91) is hereby repealed.

SECTION 2. The City Council hereby authorizes records destruction in accordance with departmental retention schedules, attached hereto and incorporated herein by reference as Exhibits A through J, subject to the written approval of the City Attorney and City Council prior to any proposed destruction as required by Government Code section 34090.

SECTION 3. 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 May 3, 2016, 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: Pertinent Government Code Requirements
- Exhibit B: Definitions for All Schedules
- Exhibit C: City Attorney's Office Schedule
- Exhibit D: City Manager's Office Schedule (Including City Clerk and Human Resources)
- Exhibit E: Economic Development Schedule
- Exhibit F: Fire Department Schedule (Including Building Safety)
- Exhibit G: Library Schedule
- Exhibit H: Management Services-City Treasurer
- Exhibit I: Schedule Public Works Schedule
- Exhibit J: Police Department Schedule
- Exhibit K: Utilities Division Schedule

**Exhibit A
City of Lompoc
Records Retention Schedule**

The following information pertains to all City of Lompoc records:

**DESTRUCTION OF CITY RECORDS IS
GOVERNED BY THE CALIFORNIA
GOVERNMENT CODE**

BEFORE DESTROYING RECORDS:

Government Code section 34090 requires:

City Attorney approval and City Council Resolution must be *first* obtained.

* * *

HOWEVER:

Government Code section 34090.5 provides:

For records digitized and stored electronically, the hard copy or original may be destroyed without City Attorney approval and City Council Resolution – that section applies to any category once records are digitized and stored electronically. Caution is recommended to ascertain digital copy is accessible before destroying hard copy.

* * *

PLEASE:

Contact the City Clerk or City Attorney's Office *before* destroying records.

Exhibit B City of Lompoc Records Retention Schedule

DEFINITIONS

THE FOLLOWING DEFINITIONS PERTAIN TO ALL CITY OF LOMPOC RECORDS RETENTION SCHEDULES

C=Current
C+(number)=years in addition to Current
CCP=Code of Civil Procedure
CCR=California Code of Regulations
CFC=California Fire Code
CFR=Code of Federal Regulations
CVC=California Vehicle Code
DoA=Duration of Apparatus
EC=Elections Code
EVC=Evidence Code
FPPC=Fair Political Practices Commission Regulations
GC=Government Code
H&S=Health & Safety Code
HSC=Health & Safety Code
LMC=Lompoc Municipal Code
LoB=Life of Building
P=Permanent
PC=Penal Code
TER**=Upon employee termination file to be transferred to HR.
TER*=Paid
TER=Terminate; Terminated; Termination
VC=Vehicle Code

Codes referenced that set retention times are listed below.

California Code of Regulations, Title 19 Section 2573.2	TER + 30 Years
California Fire Code Section 103.3.4	3 Years
California Fire Code Section 104.3.2	3 Years
California Government Code Section 3105, 6250	TER +30 Years
California Penal Code Section 799	Permanent
California Penal Code Section 800	6 Years
Code of Federal Regulations 29 CFR 1602	1 Year
Code of Federal Regulations 29 CFR 1627.3	3 Years
Code of Federal Regulations 29 CFR 1910.1020	30 Years
Code of Federal Regulations 45 CFR 160-164	6 years

Exhibit C City of Lompoc Records Retention Schedule

CITY ATTORNEY'S OFFICE

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
General Correspondence	C+2*	GC 34090	Email messages related to a current project or a policy-making decision should be retained along with related records
SUBJECT FILES			
General Info/Subject Files	C+2	GC 34090	Restricted access to any files may contain confidential documents. Keep files until subject matter is no longer active. Required to keep until reasonable threat of legal action has passed.
Mural Society	Life of Mural		
BOARDS/COMMISSIONS			
Mobilehome Rent Stabilization Board a) Agenda/Staff Reports b) Minutes of all meetings c) General Correspondence	C+2 P C+2	GC 34090	b) Approved minutes sent to webmaster electronically
Annual Registration Statements and Notice of Planned Rent Increase	P	LMC 5.60.100	Department Opinion
SPECIALIZED FILES			
Claims	C+5		Permanent historic database maintained electronically
Code Enforcement	C	GC 34090.5	Duplicate of Planning Division (maintained electronically)
Collection for Damage to City Property	C+5 after collection completed or written off		
DFEH Grievances	C+5, unless litigated		
Litigation	C+5 after litigation completed		Department Opinion
LMC Violations (Infractions and Misdemeanors) Citations and/or Complaints	C+5 after litigation completed		Other than Code Enforcement
Pitchess Motions	C+2 after litigation completed	GC 34090	
Transient Occupancy Tax Past Due Collection	C+5 after collection completed or written off		Department Opinion
Union Grievances	C+5 unless litigated		

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit D City of Lompoc Records Retention Schedule

CITY MANAGER'S OFFICE

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
General Correspondence	C+2*	GC 34090	Email messages related to a current project or a policy-making decision should be retained along with related records
Legislative Letters	C+2		
Supervisor Files regarding employee	TER**		**Upon employee termination file to be transferred to HR
SUBJECT FILES			
Files established pertaining to various subjects, Project files, Chronological Files	C+2		
SPECIALIZED FILES			
Administrative Procedures Manual	P		

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit D City of Lompoc Records Retention Schedule

CITY CLERK

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
General Correspondence	C+2*	GC 34090	Email messages related to a current project or a policy-making decision should be retained along with related records
Public Records Requests – Requests, responses and log.	C+2	GC 34090	
SUBJECT FILES			
All subject files included, unless specifically set forth elsewhere.	C+2	GC 34090	
Contracts	P	CCP 337	Department Opinion
Director's Hearing Appeals – Planning and Community Environment Director	TER+2		Department Opinion
Franchises and Licenses	P		
Legal Advertising	C+4	CCP 337 ; 54960.1(c)(1) ;	Includes public hearing notices, legal publications
Northern California Power Agency – Agreements including Transmission Agency of Northern California	P		
Sister Cities	P		Department Opinion
Water Rights – Agreements	P		
CITY COUNCIL			
a) Agenda/Staff Reports	C+2	GC 34090	b) Approved minutes sent to webmaster electronically
b) Minutes of all meetings	P	GC 34090(e)	
c) General Correspondence	C+2	GC 34090	
Ordinances	P	GC 34090(e)	
Proclamations	C+2	GC 34090	Proclamations not Assigned a Resolution or Ordinance Number
Resolutions	P	GC 34090(e)	
BOARDS/COMMISSIONS			
Boards & Commissions			
a) Applications & Appointments	TER+5	GC 34090	
I. Appointed	C+2		
II. Not Appointed	TER+2		
b) Letters of Appointment	TER+2		
c) Notices of Termination	C+2		
d) General Correspondence	C+2		
SPECIALIZED FILES			
Elections/Political Reform Act			
AB1234 Ethics Training –	C+5	GC 53235.2(2)b	

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit D City of Lompoc Records Retention Schedule

CITY CLERK

Description	Retention Period	Statutory Reference	Remarks
Proof of training attendance			
Campaign Disclosure Statements-			
a) Elected Members & Log of Filers (paper)	P	GC 81009(b)(g)	
b) Non-elected members (paper)	C+5 C+7	GC 81009(b) GC 81009(c)	
c) Others – Committees, Supporting/Opposing Measures (paper)	C+4	GC 81009(f)	
d) Copies received (e.g. Form 410) (paper)	C+10	GC 84615(i)	
e) Electronically filed			
Council Member –			
a) Oaths of Office	P		Department Opinion
b) Official Group Photo	P		
FPPC Agency Forms			
a) Gift to Agency Report – Form 801	C+7	FPPC 18944	
b) Behested Payment Report Form 803	C+7	GC 82015	
b) 804 New Positions – Form 804	C+4 C+4	FPPC 18734 FPPC 18734	
c) Consultants – Form 805	C+2	FPPC 18705.5	
d) Public Official Appointments – Form 806		GC 34090	
Nominations/Candidates		EC 17100	
a) Elected	P		Department Opinion
b) Non-elected	TER+2		<i>TER = Certification of elections results date or failure date</i>
Oaths Of Office	TER+2		Department Opinion
a) Elected Council Member	P		<i>TER = Leaving Office date</i> Department Opinion
Petitions, Initiatives, Referendum, Recall & Charter Amendments	TER+1	EC 17200 EC 17400 GC 6253.5	RESTRICTED ACCESS <i>TER = Certification of election results date or failure date</i> Department Opinion
Statement Of Economic Interest – Form 700 (Designated Filers) & Log of Filers	C+7	GC 81009(e)(g)	
Statement Of Economic Interest – Form 700 (GC 87200 Filers) & Log of Filers	C+4	GC 81009(d)(g)	
Real Property			
Annexations/Acquisitions	P	GC 34090a	

Exhibit D City of Lompoc Records Retention Schedule

CITY CLERK

Description	Retention Period	Statutory Reference	Remarks
Binding Instruments a) Land – Deeds, Easement, Deeds of Trust b) Easement Vacations, Leases & Purchases c) Encroachments, Agreements & Conveyance d) Liens, Condemnation	P	GC 34090a	
Performance, Security and Payment Bonds	C+2 after purpose of bond fulfilled		
Community Development Block Grants (CDBG) a) Deeds of Trust b) Promissory Notes	P	GC 34090a	
Subdivision Agreements	P	GC 65864 & 65869.5	

Exhibit D City of Lompoc Records Retention Schedule

HUMAN RESOURCES

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
General Correspondence	C+2*		Email messages related to a current project or a policy-making decision should be retained along with related records
Standards – Policies, Rules, & Regulations	C+2		Personnel Rules
SUBJECT FILES			
Subject Files (Any)	C+2		
BOARDS/COMMISSIONS			
Affirmative Action Committee a) Agenda/Staff Reports b) Minutes of all meetings c) General Correspondence	C+2 P C+2	GC 34090 GC 34090(e) GC 34090	b) Approved minutes sent to webmaster electronically
Central Safety Committee – a) Agenda/Staff Reports b) Minutes of all meetings c) General Correspondence	C+2 P C+2	GC 34090 GC 34090(e) GC 34090	b) Approved minutes sent to webmaster electronically
SPECIALIZED FILES			
Benefits			
Employee Benefit Files – DCCAP (dependent care), Deferred Compensation, Dental, EAP, Life, Medical, Vision/LTD Claim Applications, Leave Domestic Partner Reimbursement; Sick Leave; Vacation; Bilingual Pay; Education Incentive; Tuition Reimbursement	C+3	29 CFR Section 1627.3	Restricted Access EAP = Employee Assistance Program LTD = Long Term Disability
Flexible Spending Account	C+3		
Retirement Cal-PERS	TER+1	29 CFR Section 1627.3	TER = Termination of Plan
Employee Relations			
Compensation – Mgmt. Salary History Sheets, Job Descriptions, Salary Surveys, Compensation Plans	C+7		Department Opinion
Discrimination Complaints	C+3	29 CFR 1602.15	
Grievances – Arbitration, Grievances Reports, IBEW, IAFF, LPOA, Window Period Requests, Sexual Harassment & Discrimination	C+7	29 CFR Section 1602.21 (h)	Restricted Access

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit D City of Lompoc Records Retention Schedule

HUMAN RESOURCES

Description	Retention Period	Statutory Reference	Remarks
Negotiations – Notes, Notebooks, Correspondence, Contracts, & Memorandum of Agreement (MOA)	C+10	29 USC Sections 211(c), 203(m), 207(g)	Restricted Access
Employment			
Affirmative Action Plans	P		
Affirmative Action Training	C+10		
Classification: Requests for reclassification, PDO's, Job Descriptions, Desk Audits	C+2	Labor Code Section 1197.5(d)	
EE04 Reports	P		
Personnel Files: (a) Regular Status Budgeted Employees	TER+15	29 CFR Section 1627.3 Labor Relations Section 1174	Restricted Access
(b) Special Categories of Employees: Water Quality Control Plant – Senior Chemist, Chemist, Laboratory Tech, Senior Industrial Waste Investigator, Industrial Waste Investigator, Senior Mechanic, Mechanic, Senior Operator, Wastewater Plant Operators I/II/III, Industrial Waste Inspectors, Electricians, Wastewater Plant Operations Supervisor; Wastewater Collection Supervisor; Manager, Laboratory Services*	TER+30	29 CFR 1910.1020; Cal OSHA 8 Cal Code Regs 3204	Restricted Access *There may be other employees in safety-sensitive positions in other locations with same extended retention schedule
(c) Part-Time Non-Budgeted Employees	TER+5	29 CFR Section 1627.3 Labor Relations Section 1174	Restricted Access
(d) Volunteers; Auxiliary Firefighters	TER+5		Restricted Access
Recruitment – Applications, Resumes, Alternate Lists, Testing, Eligibility Lists, Requisitions	C+3	49 USC Sections 2000e-8; 2000e-12; 29 CFR Section 1602.12 and 1602.14	Restricted Access
Retirement – Public Employee Retirement System	TER+4	29 USC Section 1001 – 1381	Restricted Access
Human Resources Development			
Training – Program Lists, Instructor Lists, Class Rosters, & Evaluations, LCW Training	C+4		Department Opinion
Workers' Compensation			
Workers' Compensation Claim Files	TER+5 (after claim is inactive)	Labor Code Section 5410	Restricted Access

Exhibit D City of Lompoc Records Retention Schedule

HUMAN RESOURCES

Description	Retention Period	Statutory Reference	Remarks
SUB-DEPARTMENT			
Safety & Risk Management			
DOT Drug and Alcohol Testing Program Records –	C+5 C+3 *TER+2 C+5 C+1	49 CFR Section 193-9 49 CFR 382 and 655	Restricted Access
a) Records of Alcohol Tests with >0.02; Records of Verified Positive Drug Test Results; Documented Refusals to take required or substituted tests; SAP Reports; Follow-up Tests; Copies of Annual Calendar Year Summary			
b) Information received from previous employers;			
c) Records Related to education and training of supervisors and drivers;			
d) Calibration documentation of EBTs			
e) Negative drug or alcohol test results			*TER = Until the individual employee no longer performs the functions which require the training
Safety Reports:			
a) Investigation Reports	TER+5		
b) Hearing Tests	C+4		
Safety Training Certificates	C+1		
Vicious Dog Hearings	C+5		
Environmental Health and Safety			
Agency Inspection Records	C+5	40 CFR, CCR Title 22, 23, 25, 27	
Air Pollution Control District requirements	C+5	Local APCD rules - citation numbers are dependent on the district	
Asbestos survey records	Life of the building	40 CFR, Part 763	
Biennial Report	C+3	Title 22, CCR § 66262.40(b)	
CalOHSAs Forms and Reports	C+5	T8 CCR 14300.33	
Confined Space Entry Permits	C+1	CCR Title 8 §5157(e)(6)	
CPR Training Records	C+1	CSU Best Practice	
Defensive Driver Training	C+4		
Employee "pull" notices (DMV Reports)	C+4	CVC 1808.1 (CSUF)	Only if employee has violation.
Employee Exposure Records	TER+30	T8 CCR 3204	
Employee Medical Records	TER+30*	T8 CCR 3204	*The medical records of employees who worked less than 1 year need not be retained past TER date if they are provided to the employee.

Exhibit D City of Lompoc Records Retention Schedule

HUMAN RESOURCES

Description	Retention Period	Statutory Reference	Remarks
Employee Tenant Asbestos Notifications (annual notification)	As Long as the Asbestos Containing Material is in the building	CCR Title 8 §1529(n)(6)	
Employee training records, excluding hazardous waste training records	C+3	CCR Title 8	
Employer Pull Notice; Exposure Determinations; Exposure Measurements	TER+30	T8 CCR 5217(o)(2); T8 CCR 5217(o)(1)	
Environmental Remediation Records	C+10	40 CFR, CCR Title 22, 23, 25, 27 (CSUF)	
Exposure Monitoring Data	P	CCR Title 8 §3204 (b)(2) & (d)(1)(b)	
First Aid training records	C+3	29 CFR 1910.1030	
Hazardous Materials Shipping Papers - Receiver requirements	C+1	49 CFR §§ 172.201(e), 174.24, 176.24, 177.817(f)	
Hazardous Materials Shipping Papers - Shipper requirements	C+2	49 CFR §§ 172.201(e), 174.24, 176.24, 177.817(f)	
Hazardous Waste Exception Report	C+3	Title 22, CCR § 66262.40(b)	
Hazardous Waste Facility Inspections	C+3	22 CCR 66364.15 (d) (CSUF)	
Hazardous Waste Manifests	C+3	CCR Title 22 §66262.40(a) and 66264.71(b)(6)	
Hazardous Waste Shipping papers	C+3	22 CCR 66262.40(9), 66264.71 (b) (6) (CSUF)49 CFR §§ 172.201(e), 174.24, 176.24, 177.817(f)	
Hazardous waste training records	TER+3	CCR Title 22 §66264.16 (e)	
IH Equipment Records: purchase, repair, and calibration	Purchase and Repair Records - Duration of Equipment. Calibration Records - Permanent	CSU Best Practice	
IIPP periodic inspection records	C+1	CCR, Title 8, 3202 (b)(1)	
Injury Reports (OSHA 300, 301, 300A)	5 years following the end of the calendar year the records cover	CCR Title 8 §14300.33(a)	
Injury Reports reported to Police	C+7	Best Practice	
Laboratory analysis results for hazardous waste determinations	C+3	Title 22, CCR § 66262.40(c)	
Lead inspection/risk assessment records	C+3 or life of the building	CCR, Title 17, 36000 (b)	

Exhibit D City of Lompoc Records Retention Schedule

HUMAN RESOURCES

Description	Retention Period	Statutory Reference	Remarks
Material Safety Data Sheets	TER+30	T8 CCR 5194 (?); 3204(c)(5)(D)	
Medical Monitoring, such as those required for the hearing conservation program, respiratory protection, and asbestos and lead specific requirements. Typically comes as a confirmation/permission from a doctor.	TER+30	CCR Title 8 §3204 (d)(1)(a)	
Medical Waste Generator Records - Large Quantity Generators	C+3	CA HSC 117975	
Medical Waste Generator Records - Small Quantity Generators	C+2	CA HSC 117975	
Noise Exposure – a) Noise exposure measurement records; b) Audiometric test records	C+2 TER	T8 CCR 5100	
Personal Exposure Monitoring (Associated with employee exposure to toxic substances or harmful physical agents).	TER+30	CCR Title 8 §3204 (d)(1)(b)	
Pesticide Monthly Use Reports	C+2	CCR Title 3 §6624 (f)	
Radiation & Dosimetry Exposure Reports. Typically comes as a confirmation/permission from a doctor.	TER+30	10 CFR 20.2106	
Radioactive Material historical inventories; storage and use locations	Originals 3 Years after the transfer or disposal of the radioactive source	17 CCR 30293	
Radioactive Material License and Amendments	Originals 30 Days after expiration	17 CCR 30194	
Radioactive Material, Laser, and Controlled Substance Use Authorizations	P	ANSI Z 136.1	
Regulatory Agency permits	C+3	Title 25: 40510 & 44344; Title 22, 23, 27 (CSUF)	
Regulatory Agency required plans	C+3	40 CFR, CCR Title 22, 23, 25, 27 (CSUF)	
Respirator Fit Test Records	Until next fit test is administered. Fit tests are required annually.	CCR Title 8 §5144(m)(2)(B)	
Student training records	C+3	Best Practice	

**Exhibit D
City of Lompoc
Records Retention Schedule**

HUMAN RESOURCES

Description	Retention Period	Statutory Reference	Remarks
Water quality data under Regional Water Quality Control Board Orders	C	Waste Discharge Order No. R3-2003-035	
Water quality data under Sanitary Sewer Permit	C+3		

Exhibit E City of Lompoc Records Retention Schedule

ECONOMIC DEVELOPMENT

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
Accounting – Sales Receipts, Deposits, Sales Logs, Ledgers, Fees/Fines, Bills & Transit Books	C+2*		Department Opinion Duplicate of Purchasing
Contracts (Duplicate only)	C	While Useful	Duplicate of City Clerk (original lives in Clerk's Office)
General Correspondence	C+2	GC 34090	Email messages related to a current project or a policy-making decision should be retained along with related records
Policy – Policies, Procedures & Forms	C		
Supervisor Files	TER**		**Upon employee termination file to be transferred to HR
Volunteer Records	TER+2		
SUBJECT FILES			
General Subject Files (Any)	C+2		
BOARDS/COMMISSIONS			
Economic Development Committee			
a) Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
Human Services Commission			
a) Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
Oversight Board to the Successor Agency of the Dissolved Lompoc Redevelopment Agency			
a) Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
Parks and Recreation Commission			
a) Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
Planning Commission; Administrative Hearings			
a) Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit E City of Lompoc Records Retention Schedule

ECONOMIC DEVELOPMENT

Description	Retention Period	Statutory Reference	Remarks
Senior Commission			
a) Action Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
Youth Commission			
a) Action Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
SUB-DEPARTMENTS			
Planning			
Department Administration Department Procedures, Budget Preparation	C+2		
Discretionary Planning Entitlements a) Applications b) Maps-Zoning, Tentative Subdivision, Preliminary Parcel, General Plan Land Use, et al c) Permit Extensions d) Record of Land Use Actions e) CEQA-EIR-Negative Declarations, including Mitigation and Monitoring Programs for private and public projects. f) NEPA Documentation for private and public projects.	P		
General Plan And Amendments	P		
Historic and Cultural Resource Inventory, Documents, Reports, and Records Cultural Artifacts	P or other agency archive		
Plans a) Approved b) Superseded	P C+2		Digital Format
Regional Agencies	C+2		
Code Enforcement			
Case Files	P		Historically relevant (stored electronically on Trakt)
Recreation			
Anderson Recreation Center	LoB		
Program Files	C+2		
Use Permits – Fields, Parks,	C+2		

Exhibit E City of Lompoc Records Retention Schedule

ECONOMIC DEVELOPMENT

Description	Retention Period	Statutory Reference	Remarks
Courts, Certificates of Insurance, Facilities Applications & Logs and Group Agreements			
Waivers, Cancellation/Transfer Forms	C+2		
Housing			
Community Development Block Grants (CDBG) a) Project Files b) Deeds of Trust and Promissory Notes c) Loan Agreements and Documents d) Payment Information	C+4 TER+5	24 CFR 570.502(a)(16); 24 CFR Part 85.42(b & c); OMB Cir. A-102,133; HUD Regulations	State of California Duplicate of City Clerk
Community Development Block Grants (CDBG) Program Reference Forms, Procedures and Brochures	TER+5		
Deeds/Promissory Notes	P		
Grants	As Required by Funding Source		
HOME Investment Partnerships Program (Borrower files, project files, loan agreements and documents, and payment information)	TER+5	24 CFR Part 92.508	
Lompoc Affordable Housing Trust Fund	TER+2		TER=Fund permanent dissolved.
Project Files	TER+2		TER=Project no longer exists.
Successor Agency			
a) Project Files b) Deeds of Trust and Promissory Notes c) Loan Agreements and Documents d) Payment Information	C+4 TER+5	24 CFR 570.502(a)(16); 24 CFR Part 85.42(b & c); OMB Cir. A-102,133; HUD Regulations	State of California Duplicate of City Clerk
Program Reference Forms, Procedures and Brochures	TER+5		
Housing Successor Agency			
a) Project Files b) Deeds of Trust and Promissory Notes c) Loan Agreements and Documents d) Payment Information	C+4 TER+5	24 CFR 570.502(a)(16); 24 CFR Part 85.42(b & c); OMB Cir. A-102,133; HUD Regulations	State of California Duplicate of City Clerk
Program Reference Forms, Procedures and Brochures	TER+5		

Exhibit E City of Lompoc Records Retention Schedule

ECONOMIC DEVELOPMENT

Description	Retention Period	Statutory Reference	Remarks
Storm Water			
City generated Storm Water Pollution Prevention Plans for City-owned projects.	C+3	(40 C.F.R. §122.41(j)(2).)	
Documents Required to be Submitted to State or Regional Boards	C+3	(40 C.F.R. §122.41(j)(2).)	
Lab Sampling Results	C+3	(40 C.F.R. §122.41(j)(2).)	
Regional Board Appeal Documentation	C+3	(40 C.F.R. §122.41(j)(2).)	
Water Discharge Form	C+5		Annual Report for Public Works Storm Water Department

Exhibit E City of Lompoc Records Retention Schedule

ECONOMIC DEVELOPMENT

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
Accounting – Sales Receipts, Deposits, Sales Logs, Ledgers, Fees/Fines, Bills & Transit Books	C+2*		Department Opinion Duplicate of Purchasing
Contracts (Duplicate only)	C	While Useful	Duplicate of City Clerk (original lives in Clerk's Office)
General Correspondence	C+2	GC 34090	Email messages related to a current project or a policy-making decision should be retained along with related records
Policy – Policies, Procedures & Forms	C		
Supervisor Files	TER**		**Upon employee termination file to be transferred to HR
Volunteer Records	TER+2		
SUBJECT FILES			
General Subject Files (Any)	C+2		
BOARDS/COMMISSIONS			
Economic Development Committee			
a) Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
Human Services Commission			
a) Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
Oversight Board to the Successor Agency of the Dissolved Lompoc Redevelopment Agency			
a) Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
Parks and Recreation Commission			
a) Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
Planning Commission; Administrative Hearings			
a) Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit E City of Lompoc Records Retention Schedule

ECONOMIC DEVELOPMENT

Description	Retention Period	Statutory Reference	Remarks
Senior Commission			
a) Action Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
Youth Commission			
a) Action Agenda	C+2	GC 34090	
b) Minutes of all meetings	P	GC 34090(e)	b) Minutes sent to webmaster electronically
c) General Correspondence	C+2	GC 34090	
SUB-DEPARTMENTS			
Planning			
Department Administration Department Procedures, Budget Preparation	C+2		
Discretionary Planning Entitlements a) Applications b) Maps-Zoning, Tentative Subdivision, Preliminary Parcel, General Plan Land Use, et al c) Permit Extensions d) Record of Land Use Actions e) CEQA-EIR-Negative Declarations, including Mitigation and Monitoring Programs for private and public projects. f) NEPA Documentation for private and public projects.	P		
General Plan And Amendments	P		
Historic and Cultural Resource Inventory, Documents, Reports, and Records Cultural Artifacts	P P or other agency archive		
Plans a) Approved b) Superseded	P C+2		Digital Format
Regional Agencies	C+2		
Code Enforcement			
Case Files	P		Historically relevant (stored electronically on Trakt)
Recreation			
Anderson Recreation Center	LoB		
Program Files	C+2		
Use Permits – Fields, Parks,	C+2		

Exhibit E City of Lompoc Records Retention Schedule

ECONOMIC DEVELOPMENT

Description	Retention Period	Statutory Reference	Remarks
Courts, Certificates of Insurance, Facilities Applications & Logs and Group Agreements			
Waivers, Cancellation/Transfer Forms	C+2		
Housing			
Community Development Block Grants (CDBG) a) Project Files b) Deeds of Trust and Promissory Notes c) Loan Agreements and Documents d) Payment Information	C+4 TER+5	24 CFR 570.502(a)(16); 24 CFR Part 85.42(b & c); OMB Cir. A-102,133; HUD Regulations	State of California Duplicate of City Clerk
Community Development Block Grants (CDBG) Program Reference Forms, Procedures and Brochures	TER+5		
Deeds/Promissory Notes	P		
Grants	As Required by Funding Source		
HOME Investment Partnerships Program (Borrower files, project files, loan agreements and documents, and payment information)	TER+5	24 CFR Part 92.508	
Lompoc Affordable Housing Trust Fund	TER+2		TER=Fund permanent dissolved.
Project Files	TER+2		TER=Project no longer exists.
Successor Agency			
a) Project Files b) Deeds of Trust and Promissory Notes c) Loan Agreements and Documents d) Payment Information	C+4 TER+5	24 CFR 570.502(a)(16); 24 CFR Part 85.42(b & c); OMB Cir. A-102,133; HUD Regulations	State of California Duplicate of City Clerk
Program Reference Forms, Procedures and Brochures	TER+5		
Housing Successor Agency			
a) Project Files b) Deeds of Trust and Promissory Notes c) Loan Agreements and Documents d) Payment Information	C+4 TER+5	24 CFR 570.502(a)(16); 24 CFR Part 85.42(b & c); OMB Cir. A-102,133; HUD Regulations	State of California Duplicate of City Clerk
Program Reference Forms, Procedures and Brochures	TER+5		

Exhibit E City of Lompoc Records Retention Schedule

ECONOMIC DEVELOPMENT

Description	Retention Period	Statutory Reference	Remarks
Storm Water			
City generated Storm Water Pollution Prevention Plans for City-owned projects.	C+3	(40 C.F.R. §122.41(j)(2).)	
Documents Required to be Submitted to State or Regional Boards	C+3	(40 C.F.R. §122.41(j)(2).)	
Lab Sampling Results	C+3	(40 C.F.R. §122.41(j)(2).)	
Regional Board Appeal Documentation	C+3	(40 C.F.R. §122.41(j)(2).)	
Water Discharge Form	C+5		Annual Report for Public Works Storm Water Department

Exhibit F City of Lompoc Records Retention Schedule

FIRE DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
Accident Reports	C+2 after no longer useful*		Department Discretion
Code Books	P		California Fire Code , PAMC amendments , etc.
Contracts and Accounting Reports, Purchase Orders, Deposits, Receipts	While useful to Department		Duplicate of City Clerk, Finance, Purchasing
Correspondence, Memos, Emails, Press Releases	C+2	GC 34090	Email messages related to a current project or a policy-making decision should be retained along with related records
Dispatch and daily logs	P		Historic
DMV Driver Tests and records related to employee	TER**		**Upon employee termination file to be transferred to HR
Employee Exposure Reports	P		Transfer to HR upon employee termination.
Employee Memorandum of Agreements	While Useful		Duplicate of HR/City Clerk
Individual and summary statistics	P		Stored Electronically
Policies and Procedures	C+2 after no longer useful to Department		
Public Records Requests	C+2 after no longer useful to Department		
Special studies, community relations	C+2 after no longer useful to Department		
Staffing Roster	C+2 after no longer useful to Department		
Strategic Plans/Master Planning Documents	C+2 after no longer useful to Department		
Supervisor Files	TER**		**Upon employee termination file to be transferred to HR
Timecards, Leave Reports	C+2 after no longer useful to Department		Duplicate of Payroll
Training Records, Certificates	TER**		**Upon employee termination file to be transferred to HR
Waivers of Liability for Ride-Alongs	C+5		
SUBJECT FILES			
ENGINE/TRUCK EQUIPMENT			
Annual Special Equipment Testing Records	DoA		
Daily & Monthly Pre-Trip Inspection Logs	DoA		
Hose Test	DoA (hose)		

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit F City of Lompoc Records Retention Schedule

FIRE DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
Ladder Truck Maintenance Reports	DoA		
PROGRAMS			
Special Programs: Strike Teams and Mutual Aid Response Invoices	Payment+5		Department Discretion
BOARDS/COMMISSIONS			
Public Safety Commission: a) Action Agenda b) Minutes of all meetings c) General Correspondence	C+2 P C+2	GC 34090 GC 34090(e) GC 34090	b) Minutes sent to webmaster electronically
SUB-DEPARTMENT			
Life Safety Division			
Alternate means & methods	P		CFC 104.6.4
Annual Fire (Cfc) Permits	P		Stored Electronically
Building Projects	LoB		Records of City-owned buildings are stored by City Clerk
Complaints	C+2 after no longer useful to Department		
Fire Incident and other Field Reports; arson related	P	CFC 104.3.2 ; PC 801	Electronically stored
Fire Inspections (Bureau and Engine Company inspections)	LoB	CFC 103.3.4	Department Opinion Electronically stored in Firehouse Program
Fire Investigation Reports & Photos (Arson)	C+6	CFC 104.3.2 ; PC 801	
Fire Prevention: Code Enforcement actions	P	CFC 104.6	Other than general code enforcement in Planning Division
Fire/Homicide Investigation Reports & Photos	P	PC 799	
Flame Resistance	LoB or Life of Project		
Juvenile Firesetter Suspects	6 Years Following Age of Majority	CFC 104.3.2 ; PC 801	
New Construction & Tenant Improvement Projects, including Underground tank installations and repairs	LoB or Life of Project		
Plan review comments	LoB		Electronically stored in TRAKiT
Pre-Citation letters, Notice of Violation letters.	While useful to Department		Electronically stored permanently in TRAKiT
Records of Inspection; routine, special, new construction & tenant improvement related.	LoB or Life of Project		Electronically stored in TRAKiT

Exhibit F City of Lompoc Records Retention Schedule

FIRE DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
Requests for Service (non-emergency)	While useful to Department		Electronically stored permanently in Firehouse Program
Sprinklers & Fire Suppression Systems	LoB		Pertains to real property. May include blueprints, reports, inspection results, permits
Use and Occupancy Certificate	P		Electronically stored
Building & Safety Services			
Approved Plans	LoB	H&S 19850	
Building Inspection Records	LoB		Electronically Stored in TRAKIT
Permit Records Address changes, Permit applications, Building Use & Occupancy applications and certificates	LoB		Electronically Stored in Geographic Information System (GIS) or TRAKIT
SPECIALIZED FILES			
Disaster Response Recovery Plan	C (Until Updated)		
Emergency Operations Center	C (Until Updated)		
FEMA Hazard Mitigation Plan	C (Until Updated)		

Exhibit G City of Lompoc Records Retention Schedule

LIBRARY SERVICES

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
Agreements/Contracts/MOUs	While Useful to Department		Duplicate permanently with City Clerk
Budget	C+4*		Duplicate permanently with City Clerk
Community Relations, Public Relations, Marketing	C+2		
Fines and Fees Schedule	While useful to Department		Duplicate permanently with City Clerk
General Correspondence & Reports; Working Files	C+2		Email messages related to a current project or a policy-making decision should be retained along with related records
Press Releases	C+2		
Projects	C+2		
Receipt Books: Lost Items, Donations, Etc.	C+4		
Staff Development and Training; Org. Chart	C+2		
Standards, Department Policies and Procedures, Strategic Plan, Safety/Security Manual, Disaster Plan	Until Superseded		
Supervisor Files	TER**		**Upon employee termination file to be transferred to HR
Surveys	C+2		May be Conducted by Black/Gold
Volunteer Records, Volunteer Timesheets	C+2		
SUBJECT FILES			
Bylaws	P		Historic
California State Library: Public Library Survey, Reports, Printouts Reimbursement Forms, Statistics	C+2		
Collection Development Records	C+2		Records documenting the selection and acquisition of new materials for the Library's collections.
Other Government Documents, State, County	While Useful		

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit G City of Lompoc Records Retention Schedule

LIBRARY SERVICES

Description	Retention Period	Statutory Reference	Remarks
Grants & Donations: Applications, Awards, Non-Monetary Donations, Grant Reimbursements	C+5 after receipt of grant/donation		Department Opinion
History of Lompoc Library	P		Department Opinion; Historic Significance
Library Databases: Customers, Inventory	C+2	GC34090	Registration and circulation records are exempt from Public Records Act under certain conditions (see GC6254(j) , GC6254.5 , GC6255 , GC6267)
Operational Reports: Daily Log, Debt Collection Management, Incident Reports	C+2	GC 34090	
Public Programming:	C+2	GC 34090	Development and Administration of Programs for the Public (children, students, adults)
Publicity/Publications: Promotional Materials	C+2	GC 34090	
BOARDS/COMMISSIONS			
Library Commission a) Agendas/Staff Reports b) Minutes of Meetings c) General Correspondence	C+2 P C+2	GC 34090 GC 34090(e) GC 34090	b) Minutes sent to webmaster electronically
Library Board of Trustees (all records) (superseded by Library Commission)	P	Department Opinion	Historic Significance

Exhibit H City of Lompoc Records Retention Schedule

MANAGEMENT SERVICES/CITY TREASURER

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
General Correspondence	C+2*		Email messages related to a current project or a policy-making decision should be retained along with related records
Gifts to the City (financial)	C+2		
Staff Meetings	C+2		
Supervisor Files	TER**		**Upon employee termination file to be transferred to HR
SUBJECT FILES			
Subject Files (Any)	C+2		
BOARDS/COMMISSIONS			
Citizens Committee to Oversee Park Maintenance & City Pool Assessment District a) Agenda/Staff Reports b) Minutes of all meetings c) General Correspondence	C+2 P C+2	GC 34090 GC 34090(e) GC 34090	b) Approved minutes sent to webmaster electronically
Compliance Committee (for the Sub-Recipient Financial, Programmatic, and Monitoring Reporting Requirement Policy) a) Agenda/Staff Reports b) Minutes of all meetings c) General Correspondence	C+2 P C+2	GC 34090 GC 34090(e) GC 34090	b) Approved minutes sent to webmaster electronically
SPECIALIZED FILES			
APPROVED BUDGET a) Final Budget, b) CIP Plan c) Budget Amendments d) Budget Adjustments e) Worksheets f) Cost Plans g) Long Range Plans h) Long Range Studies, Reports, Measurements, Forecasts & Projections	C+2 C+2 C+2 C+2 C+2 C+2 C+2		Duplicate of City Clerk
Fee Schedule	TER+2		
Leases	While Useful to Department		Duplicate permanently with City Clerk

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit H City of Lompoc Records Retention Schedule

MANAGEMENT SERVICES/CITY TREASURER

Description	Retention Period	Statutory Reference	Remarks
SUB-DEPARTMENT			
Finance			
Accounts Payable (A/P)			
A/P + Utility Check Registers (Warrants)	C+3		
Cancelled/Voided Warrants. Check Void Forms + Backup	C+1		
General Warrant Copies With Backup For A/P, Utility Refunds, 3 rd Party And Wire Transfers.	C+3	Federal Requirement for Audit	Stored Electronically
Capital Projects- Project Files, Street Reports, & Community Development Block Grant (CDBG) Billings	TER+3	Federal Requirement for Audit	Stored Electronically
Annual Public Improvement Corporation-State Controllers Report	C+7		
Authorizing Signature Forms	TER+2		
State Controllers Report	P		Department Opinion
Tax Records – Sales Tax Filings, 1099 Tax Filings & Registers	C+12		
Accounts Receivable			
Invoices, Facility and Revenue Collections Cash Receipts, Cash Receipt Journals	C+4	CCP 337	
General Ledger			
Fixed Assets – Cost Reports, Reconciliation, Resume of Activity & Journal Entries	TER+3		Department Opinion
Utilities- a) Loan Reconciliation Work Papers, Bonds, Banking, Adjustments	TER+3		Department Opinion
b) Receipts	C+2		
Payroll			
CalPers Reporting	C+7		IRS Requirement
Copies of PSO PAF	C+7		
Direct Deposit/W4 changes	C+7		
Employee Work Folder	TER+10		Department Opinion
Garnishment orders	C+7		
Payroll Journals	C+7		
Payroll Quarterly Tax Reports	C+7		
Payroll Reports	C+7		
Third Party Reporting	C+7		
Timesheets	C+7		

Exhibit H City of Lompoc Records Retention Schedule

MANAGEMENT SERVICES/CITY TREASURER

Description	Retention Period	Statutory Reference	Remarks
W2 Copies	C+4		IRS Requirement
Enterprise Accounting			
Backup for invoices created (Airport; Wastewater Treatment VV & VAFB; CDBG Billings; Monthly Reports; Grants)	C+3		Auditor's Opinion
Electronic Work Orders/Hotels (TOT Tax Returns; Worksheets)	C+12		State Recommendation
General Ledger Audit backup & Journal entries backup	C+3		
Invoices	TER*+2		
Lease Payments	TER*+3		
Loan reconciliations and backup	TER*+3		
Receipts/stubs from the daily utility payments process (batch detail)	C+3		
Utility cash receipts	TER+2		Stored electronically
Year End Reports			
a) Budget-to-Actual	C+3		Department and Auditors Opinion
b) Comprehensive Annual Financial Report	P		Department and Auditors Opinion
c) General Ledger, Encumbrance Report	C+3		Department and Auditors Opinion
d) Management Benefits Transactions, Accruals	C+3		Department and Auditors Opinion
e) Audit Work Papers & Journal Entries	C+3		Department and Auditors Opinion
Purchasing			
a) Council Approved Contracts, Solicitations & Documents	C+4	While Useful	Duplicate of City Clerk
b) Service Contracts, Purchase Orders, Blanket Purchase Orders & Solicitations & Documents i. Purchase Orders/Blanket Orders ii. Service Order Contracts iii. Council Approved	TER+3 TER+5 TER+7	While Useful	All Open Service Contracts, Purchase Orders, Blanket Purchase Orders & Solicitations & Documents
c) Bids Unawarded Solicitations & Documents	C+2		Department Opinion vital while orders are open
Internal Vendors – (Stores & Print Shop) Reports, Orders, Returns, Disposal Forms Journal & Requisitions	C+4		Department and Auditors Opinion

Exhibit H City of Lompoc Records Retention Schedule

MANAGEMENT SERVICES/CITY TREASURER

Description	Retention Period	Statutory Reference	Remarks
Inventory Printouts/Receipts	C+3		
Treasury			
Debt Management			
Revenue Bonds	C+3		
Bond Insurance	P	CCP337, 343	
Investment Management			
Investment Reports	C+7		Stored Electronically
Security Purchases, Sales	P		Department Opinion
Revenue Collection			
Collection Records – Delinquent Accounts, Reconciliation	C+5		Department Opinion
Deposit Documentation	C+2		
Transient Occupancy Tax	C+12		
Utility Receipt Stubs	C+3		
Utility Billing			
48-Hour Reports	C+2		
Bankruptcy	C+2		State Recommendation
Cash Advancement Sheets	C+3		
Credit Bureau – Final Notice Report; Letter Service Report; Invoices	C+2		
Check Reads	C+3		
Closing Reports	C+3		
Credit Balance Refunds	C+3		
Customer Correspondence	C+3		
Direct Debit	C		
Disconnect Lists	C+2		
Dropbox Reports	C+2		
Duplicate Meters in Staging File	C		
Electronic Consumer Payments-Blue Bar	C		
Electric Consumption History	C+2 after useful to Department		
Electric Meter Determined Vacancy Rate	C+2 after useful to Department		
Electric Zero Consumption	C+1		
Expenditure General Ledger	C+2		
Group Billing Reports	C+3		
Heap Papers	C+3		
Letter Reports	C+2		
Medical Eligibility	C		
Meter Change Out Papers	C+3		
Meter Count List	C+2 after useful to Department		
Meter Route Manager – Clen	C+2		

Exhibit H City of Lompoc Records Retention Schedule

MANAGEMENT SERVICES/CITY TREASURER

Description	Retention Period	Statutory Reference	Remarks
Meter Route Manager – Efren	C+3		
Misc. Slips and Reconnects	C+3		
No Allowances Outside of City	C+2 after useful to Department		
Outstanding Deposit Listing	C+3		
Reconnect Receipts	C+2		
Refuse Changes	C+3		
Service Order Tickets	C+3		
Special Hauls	C+3		
Staging Meter Count Control Report	C+2 after useful to Department		
State Entry Resource Conservation	C+1		
Turn On Account List	C+2 after useful to Department		
Utility Applications; Work Orders; Deposit Receipts	C+3		
Water Meter Count List	C+2 after useful to Department		
Water Shop Cards	C		
Water Zero Consumption	C+2		
Information Systems			
Bank Transfers	C+3		Auditor's Opinion
Check Lists	C+3		Auditor's Opinion
Emails	C+2		Outside Server Storage
Financial System Data Backup	C+7		
Fire Permits	P		
Service Desk Tickets	C+2		IT Service Desk Tickets

Exhibit I City of Lompoc Records Retention Schedule

PUBLIC WORKS DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
General Correspondence	C+2*		Email messages related to a current project or a policy-making decision should be retained along with related records
Supervisor Files	TER**		**Upon employee termination file to be transferred to HR
SUBJECT FILES			
Subject Files (Any)	C+2		
BOARDS/COMMISSIONS			
Airport Commission a) Agendas/Staff Reports b) Minutes of Meetings c) General Correspondence	C+2 P C+2	GC 34090 GC 34090(e) GC 34090	b) Minutes sent to webmaster electronically
Beautification and Appearance Commission a) Agendas/Staff Reports b) Minutes of Meetings c) General Correspondence	C+2 P C+2	GC 34090 GC 34090(e) GC 34090	b) Minutes sent to webmaster electronically
SUB-DEPARTMENT			
Engineering			
Annual Report to DOT	C+5		Department of Transportation
Assessment District Boundaries & Rolls	P		(Coming Soon)
Benchmark Data Horizontal, Vertical & Control	P		Department Opinion
Capital Improvements a) Project Files, Work Orders, Schedules, Bidders List, Correspondence, Change Order b) Specifications, Reports Plans, Contracts and Subdivisions c) Street Reports	P		Life of Structure
Encroachment Permits (License Agreements) a) Permanent b) Temporary	P C+2		Recorded
Flood Zone Elevation Certificates & Letter Of Map Amendments	P		
Maps – Annexations, Tract, & Block Surveys	P		On record with County

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit I

City of Lompoc

Records Retention Schedule

PUBLIC WORKS DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
Private Development Project Files	P		May be duplicate of Planning Division
Traffic Studies; Site Distance Speed	C+5		
Airport			
Agreements/Contracts	While useful to Department		Duplicate permanently with City Clerk
Capital Improvements Reports or ??	C+2 after useful to Department		
Grants Applications Awards	P		
Month to Month Leases	C+3		
Permits	C+3		
Reports	C+3		
Transit			
Grants; RFPs; Contracts (copies)	C+2 years after life of Grant		Contracts duplicate of City Clerk
Security Videos	As permitted by device	GC 34090.6	Automated self-recycled/re-use technology
Streets			
Daily Reports Operator Assignments & Equipment Status	C+2		
Storm Drain Work Orders	C+2		
Work Orders Streets, Sidewalk, Signs, Sweeping, Trees	C+2		
Facilities, Fleet and Park Maintenance			
Air Pollution Control District Reporting	C+5		
Asset Files – Titles, Registration, Plans	Life of Asset		
Approved Budget, Capital Improvements, Outlays, Program Changes, Expenditure Detail	C+5		Duplicate of City Clerk
California Air Resource Board Reporting	C+5		
Capital Improvements a) Project Files, Work Orders, schedules, Bidders List, Change Orders & Correspondence b) Specifications, Reports, Calculations, Plans, & Subdivision, Contracts	P P	CCP 337.15	Department Opinion

Exhibit I

City of Lompoc

Records Retention Schedule

PUBLIC WORKS DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
DOT Terminal Inspection Reports	C+5		
Expenditures – Boots, Travel, Meals, Petty Cash, Credit Card	C+3		Duplicate of Treasury
Fuel – Invoices, Receipts, Transactions, Correspondence	C+3		
Fuel Transactional Reporting	C+2		
General Informational Reporting	C+3		
Inventory Reporting	C+3		
Maintenance Requests	C+3		
MSDA	C+2		
OSHA 300 Log	C+2		
OSHA Posters, Regulations and Updates	C+2		
Projects, Permits, Bids, Schematics, Specifications, Scopes, Quotes	C+3		
Purchase Orders/Change Orders/Partial Payments	C+5		Duplicate of Purchasing
Quarterly and Annual Maintenance Reporting	C+5		
Repair Orders	Life of Equipment		
Reports Quarterly Summary of maintenance labor and material costs for Parking Lots	C+2		
Storm Water Reporting	C+5		
Timesheets, Leave Requests, Vacation Forecasting	C+3		Timesheets are duplicate of Payroll
Transactions – Parts, Fuel, and Gas Tags	C+2		
Transit Annual Reporting	C+5		
Union Board Notices	C		
Vehicle Accident/Incident Reports	C+3		
Vehicle Inspection Cards	C+3	DOT	DOT Commercial Mandatory 3 months
Vehicle Registrations & DMV Correspondence	Life of Vehicle	VC 4000	DMV Requirement
Work Requests Labor and Material Tracking Key Requests Service Calls	C+2		
Urban Forestry			
Applications	C+3		
Daily Worksheets	C+3		

Exhibit I City of Lompoc Records Retention Schedule

PUBLIC WORKS DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
Electrical Line Clearance	C+3		Duplicate of HR
Pesticide Reports	C+2	DPR	Audit
Reports	C+3		
Campground			
Campground Reports, Daily Inspection Sheets	C+3		
Payment Envelopes	C+3		Audit

Exhibit J City of Lompoc Records Retention Schedule

POLICE DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
Background Investigations	TER+2*		Includes paperwork authorizing fingerprinting and background checks for City employment applicants, all license and permit applicants and volunteer applicants
Booking Jackets	C+2		
Citations	C+5		
General Correspondence	C+2		Email messages related to a current project or a policy-making decision should be retained along with related records
Internal Affairs Investigations	C+5	PC 832.5 , EVC 1045 , PC 801.5 , PC 803(c) , VC 2547	Provided documents are not evidence in any claim filed or pending litigation exists.
Leave Slips; Overtime Slips	C+2		
LPD Policy Manual	C+2		Living Document
Officer Bill of Rights	C+2	GC3300-3313	
Personnel Training	TER**		**Upon employee termination file to be transferred to HR
Statistical Reports	While Useful to Department, but at least for 2 years after creation	DOJ mandates crime stats	
Supervisor Files	TER**		**Upon employee termination file to be transferred to HR
Surveys (Survey Monkey)	While Useful to Department, but at least for 2 years after creation		
Volunteer Files	TER+2		Volunteer identification, contact information
SUBJECT FILES			
Subject Files (Any)	C+2		
BOARDS/COMMISSIONS			
Public Safety Commission a) Agenda/Staff Reports b) Minutes of all meetings c) General Correspondence	C+2 P C+2	GC 34090 GC 34090(e) GC 34090	b) Approved minutes sent to webmaster electronically

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit J City of Lompoc Records Retention Schedule

POLICE DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
SPECIALIZED FILES			
Communication Records			
a) 911 Recordings b) Other Phone Recordings, not on 911 lines	C+1 C+1	GC 34090.6 PC 1054	Exception: Recordings used as evidence in a criminal prosecution or claim filed or litigation or potential claims and litigation shall be preserved for 100 days after conclusion of the court action
In Car Video Records DAR – Digital Audio Recordings	C+26 months	GC 34090.6 PC 1054	Exception: Recordings used as evidence in a criminal prosecution or claim filed or litigation or potential claims and litigation shall be preserved for 100 days after conclusion of the court action
Interior Video Recordings Booking/AIB or Investigative Services Division (ISD) when initiated	C+26 months	GC 34090.6 PC 1054	Exception: Recordings used as evidence in a criminal prosecution or claim filed or litigation or potential claims and litigation shall be preserved for 100 days after conclusion of the court action
Routine Perimeter Security Video	As permitted by device	GC 34090.6	Automated self-recycled/re-use technology
Investigative Records			
Arrest/Conviction HS Section 11357 (b), (c), (d), (e) or H&S Section 11360 (b) violations – Occurring after January 1, 1996	Mandatory destruction from date of conviction or date of arrest with no conviction C+2	HS 11361.5	Applicable to convictions occurring after 1-1-1996 or arrests not followed by a conviction occurring after 1-1-1996; Exception: H&S 11357(e), the record shall be retained until a juvenile offender attains 18 years of age – then destroyed pursuant to 11361.5
FI Cards – Field interview Cards	C+2		RMS
Police Reports	P	PC 800 ; PC 801 ; PC 799	Stored electronically
Registrants – Sex, Arson, Narcotics	P	DOJ Guidelines	Fingerprint Card, Photo and info forwarded to DOJ
Traffic Collision Reports	P		Stored electronically
Miscellaneous Reports and Documents			
Equipment Records – PAS Records and Radar Calibration Logs, Weapons	Life of Apparatus + 2		Retained until termination of equipment use; Manuals, instructions, procedures, assignments, maintenance

Exhibit J City of Lompoc Records Retention Schedule

POLICE DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
License/Permits	C+2		Parade, Noise Exemption, Special Events, Block Party, Taxi, Masseur, Second Hand Dealer, Street Closure, Cabare.
NCIC Validations	C+1		Copies sent monthly to DOJ
Records requests, correspondence, no record	C+2		
Sealed – Adult/Factual Innocent	Mandatory Destruction upon and pursuant to Court Order	PC 851.8	Does not include letter of finding send to the defendant for grants/denials
Traffic and Parking Citations (copies)	C+2		Original is forwarded to court. Agency copy kept for processing. Parking Citations forwarded to collection.

** The destruction of felony, misdemeanor, and infraction Crime/Supplemental Reports is permitted providing:

- (1) Not related to an un-adjudicated arrest except for eligible HS 11357 or HS 11360 violations;
- (2) Not related to un-served warrants;
- (3) They do not involve identifiable items which have not been recovered;
- (4) Not related to PC 290, PC 457.1, or HS 11590 Registrants;
- (5) Not related relate to violations listed in PC Sections 799 and PC 800;
- (6) The cases are not presently involved in either a known civil or criminal litigation/Evidence

Exhibit K City of Lompoc Records Retention Schedule

UTILITY DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
ADMINISTRATIVE RECORDS			
General Correspondence	C+2*	GC 34090	Email messages related to a current project or a policy-making decision should be retained along with related records
Master Plans	P		Historic
Supervisor Files	TER**		**Upon employee termination file to be transferred to HR
Safety Training And Accident Reports; Routine Tailgate Topics	TER** C+4		**Upon employee termination file to be transferred to HR
SUBJECT FILES			
Abandonments	Per State Code		
Employee Files: Drivers License Records; Medical; Certificates; Testing	TER**		**Upon employee termination file to be transferred to HR
Equipment Records	Life of Equip+2		Other than Fleet
Policies, Procedures, Standards	C+2		Department Opinion
Project Files	C+2		Department Opinion (Keep longer if useful)
Resource Plans: Long-term Electric Acquisition Plan, Water Integrated Resource Plan	C+7		
Subject Files (Any)	C+2	GC 34090	
BOARDS/COMMISSIONS			
Utility Commission a) Agenda/Staff Reports b) Minutes of all meetings c) General Correspondence	C+2 P C+2	GC 34090 GC 34090(e) GC 34090	b) Approved minutes sent to webmaster electronically
SPECIALIZED FILES			
Contracts (**All Contracts to be duplicates of City Clerk**)			
Bilateral Commodity and/or related service agreements	TER+7		Duplicate of City Clerk
Electric and Water Meter	TER+7		Duplicate of City Clerk
Renewable Energy Certificate Master Agreement	TER+7		Duplicate of City Clerk
Unaccepted Bids	C+2		Duplicate of City Clerk
Construction			
Acquisitions, Easement, Design, Drawings, Specifications, Photos, Permits, Soil Reports, Correspondence, Quotes, Payments & Schedules	P		Historical

* See Exhibit B – Definitions – for definitions of terms and abbreviations.

Exhibit K City of Lompoc Records Retention Schedule

UTILITY DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
ICOMMM Lateral Work Orders ACP Forms	C+5 C+5		Department Opinion
Work Orders As-Built Maps Valve Cards	P		Department of Transportation
Regulatory Records			
Paradigm Data Sheets Cathodic Work Orders Cathodic Protection with Gas Distribution Map Steel Pipeline Tapping Coupon Records Emergency Response Plan	P P P P TER+5 C+5		Department of Transportation
Permanent Records			
General Information Regulating Specifications & Testing AOC Odorant & Oil Dip	P		
SUB-DEPARTMENT			
Water			
Abandoned Pipe: Work Orders, As-Built Maps	P		Department Opinion
Employee Certifications	C+3**	Per State Requirements	**Transfer to HR upon employee termination
Flow and Discharge Data & Reports	P	Per State Requirements	Stored Electronically
Maintenance Flow Strip charts, Instrument Calibrations, Operations, Maintenance & Laboratory Records	C+4		Current Records are Stored Electronically (Paper Records Previously)
NPDES (National Pollution Discharge Elimination System) – Permits and Reports	P		Department Opinion
Operational Records; Log Books	P		Department Opinion (Historic)
Permits Pressurized Vessels, Air	C+4		
Valve Cards; Valve Cards of Abandoned Valve	P		Stored on GIS

Exhibit K City of Lompoc Records Retention Schedule

UTILITY DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
Water Quality -Water Sources: <ul style="list-style-type: none"> ▪ Testing ▪ Ground Water Elevation ▪ Bacteriologic Analysis ▪ Chemical Analysis ▪ Reservoirs, Wells & Rainfall Gauge Water Maintenance Records Water Discharge Form	C+10	Title 22 CCR 66261.24(a)(7)	State
Wastewater			
Backflow Annual Certifications	C+3		State
Collection Line Map	P		
Discharger permits and permit support documents	Permit expiration or facility closure + 3 years	40CFR	Federal Pretreatment Regulations
Ops Dailies Ops Stand-by/Call Out Time Report	C+2		Department Opinion
Other discharger data and records	C+2	40CFR	Federal Pretreatment Regulations
Sanitary Sewer Overflow (SSO) Reports	C+5		State Water Resources Control Board
Septic & Reclaimed Water Permits, Fees, Billings	C+4		Department Opinion
Electric			
Compliance/Inspection/Locating *Field Switch/Man on Line Logs *Overhead/Underground Compliance Records *Underground Service Alert Notices a) Completed Work Orders	P P C+5		
Electric – Circuit Map, Electric Distribution, Street Light Block, Maps: Electric Distribution, Distribution Layer, Street Light Layer, Hardwire and Coax, Overhead and Underground Facility Layers	C+2		GIS
Engineering Job Orders; Field Orders	P		Historical
Joint Pole Applications	C+2		Department Opinion
Property and Asset Acquisitions, Design, Drawings, Specs, Permits, CIP/Construction	P		

Exhibit K City of Lompoc Records Retention Schedule

UTILITY DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
Reports to Federal Register U.S. Dept of Energy PG&E State Regulatory Agencies (e.g., Public Utilities Commission) California Energy Commission California Air Resource Board	C+2		For reports required on a period basis, retain for two report cycles
Safety/Security *Daily Worksite Safety Tailboard Check List	C+5	OSHA	
Street Lights/Traffic Signal/Fiber	C+5		
Street Lights: Lighting, Program Materials	C+2		
Substation Equipment: Transformers, switches, breakers, capacitors & relays; Specifications; Inspection; Inventory; Replacement; Disposal	Life of Equip +2		
Substation Operations and Maintenance Records	C+5	18 CFR Sections 125.3(23) & 125.3(26)	
Substation Relay and Fuse Curves, Fault Current, Calculations, Supervisory Control, Automation and Distribution Automation and Control Information	C+5		
Switching Orders	C+2		
Voluntary Certification and Verification Reports to certifying and verifying agencies such as The Climate Registry for GHG inventory and for Carbon Neutral Plan (Electric Power Sector) Various Reports from certifying agencies	C+5		
Northern California Power Agency (NCPA)			
Electric Portfolio Models: Electricity Load and Resource Balances, Supply Costs, Transmission Costs, TANC/NCPA Costs, Regulatory Costs	C+5		
Power Supply Invoices, Payment Records	C+20		

Exhibit K City of Lompoc Records Retention Schedule

UTILITY DEPARTMENT

Description	Retention Period	Statutory Reference	Remarks
R&D Program PET Projects related documentation	C+6		
Solid Waste			
Landfill Daily Log Operator assignments and Maintenance activities	C+5		
Landfill Reports & Records	P		
Sludge and Biosolids Tonnage	C+2		
Uniform Hazardous Waste Manifest & Reports	P		OMB No. 2050-0039
Conservation			
Program Development	P		Department Opinion
Public Outreach Program marketing materials Customer Workshops	C+6 C+2		Department Opinion
Solar Interconnection Agreements	While Useful to Department		Duplicate permanently with City Clerk
Utility Conservation Rebate Program Applications	C+2	GC 34090	
Water Leak Detection Agreements	C+2		



City Council Agenda Item

City Council Meeting Date: April 3, 2018

TO: Honorable Mayor and Council Members

FROM: Joseph W. Pannone, City Attorney
jpannone@awattorneys.com

SUBJECT: Further Discussion and Direction Whether Dance Studios Are to Be Considered Youth Centers for Buffer Zones Near Cannabis Uses

Recommendation:

Staff requests the City Council again determine whether dance studios should be considered youth centers for purposes of buffer zones near cannabis uses.

Background/Discussion:

At your March 20, 2018, meeting a consensus of Council Members directed this matter to be returned for further discussion. Because nothing has changed since the previous direction was given on March 6, 2018, regarding this matter, to save staff time and City expenses, the staff report for March 6th meeting is being included.

Fiscal Impact:

Please see the included March 6th report.

Conclusion:

The City Council is requested to discuss the above matter and provide direction as deemed appropriate.

Respectfully submitted,

Joseph W. Pannone, City Attorney

Attachment: March 6, 2018, Staff Report



City Council Agenda Item

City Council Meeting Date: March 6, 2018

TO: Honorable Mayor and Council Members

FROM: Joseph W. Pannone, City Attorney
jpannone@awattorneys.com

SUBJECT: Discussion and Direction Whether Dance Studios Are to Be Considered Youth Centers for Buffer Zones Near Cannabis Uses

Recommendation:

Staff recommends the City Council determine whether dance studios should be considered youth centers for purposes of buffer zones near cannabis uses and receive and file the attached buffer map.

Background/Discussion:

At your February 20, 2018, meeting you introduced Ordinance No. 1646(18) to allow cannabis dispensaries to locate within the Old Town Commercial (OTC) District. During the discussion of that matter, the issue of whether dance studios should be considered youth centers was also discussed. That discussion ensued because State law prohibits cannabis business to be located within 600 feet from a youth center and the City Attorney had provided a map (Attachment 1) showing those and other buffer zones, which included a 600-foot radius around four dance studios. Those dance studios were included as youth centers because the City Attorney's Office's research had indicated those dance studios were private facilities primarily used to host recreational or social activities for those who are 18 years of age or younger. Based on that discussion, you requested this matter be brought back for further discussion at the March 6th City Council meeting. (See Attachment 2 for the buffer map without the dance studios included.)

The City Attorney's Office called each of the five studios and asked what percentage of its business was for minors and for adults. The results of that information is below:

March 6, 2018

Discussion and Direction Regarding Whether Dance Studios Are to Be Considered Youth Centers for Buffer Zones near Cannabis Uses

Page 2 of 2

Dance Studio	Clientele	
Lompoc School of Dance (311 North F Street)	98% minors	2% adults
Classical Dance School of Ballet (124 South J Street)	90% minors	10% adults
Garcia Dance Studio (1006 North H Street)	80% minors	20% adults
The Alley Project (118 North I Street)	95% minors	5% adults
Valley Dance and Arts Alliance / Boscutti Ballet Theater (1100 West Ocean) ¹	95% minors	5% adults

Based on the above, the City Attorney believes all five of those dance studios meet the definition of youth center. However, the Council can determine otherwise.

Fiscal Impact:

Removing the buffer zones around dance studios may increase the number of cannabis dispensaries that may locate within the OTC District, which may increase tax revenue. The potential increase in tax revenues is unknown at this time and would depend on a considerable number of parameters including the type of sales in any potential dispensaries in the OTC District, as well as voter approval of those taxes specifically applicable to cannabis operations. It is also unknown what additional public safety services will be needed to monitor any additional operations.

Conclusion:

The City Council is requested to discuss the above matter and provide direction as deemed appropriate.

Respectfully submitted,

Joseph W. Pannone, City Attorney

- Attachments: 1) [Buffer Map Including Dance Studios](#)
2) [Buffer Map Without Dance Studios](#)

¹ As to this Dance Studio, the boundaries of its buffer zone are completely within the boundaries of buffer zones for other protected uses.

Locations for Permitted Commercial Cannabis Activity

600 ft away from: Schools, Daycare, Youth Centers

Legend

- 600 ft distance buffer
 - I - Industrial
 - CO - Commercial Office
 - CC - Convenience Center
 - BP - Business Park
 - PCD - Planned Commercial Development
 - MU - Mixed Use
 - OTC - Old Town Commercial
- Dispensaries of less than 5,000 sq. ft

