



**Regular Meeting of the Lompoc City Council Minutes
Tuesday, February 20, 2018 – 6:30 P.M.
City Hall, 100 Civic Center Plaza, Council Chamber**

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

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

Others Present: Deb Andrews, Richard Zellers, John Linn, Rob Traylor, Todd Mitchell, and DeWayne Holmdahl.

Catalina McIssaac gave the invocation and Mayor Bob Lingl led the **Pledge of Allegiance**.

PRESENTATIONS PRESENTED ELSEWHERE:

On February 10, 2018, Mayor Lingl presented a proclamation in honor of **One Billion Rising – to End Violence Against Women and Children**; and on February 17, 2018 he presented a proclamation honoring the **Lompoc Filipino American Club on their 50th Anniversary**.

CITY MANAGER REPORT: (Information only)

Interim City Manager Teresa Gallavan reported the City is on track to begin providing Commercial Cannabis Use License Applications on March 1, 2018; and announced the City will be hosting a public workshop in the Council Chamber on March 5, 2018 regarding the Commercial Cannabis Use License Application process.

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

CONSENT CALENDAR:

Council Member Osborne the draft minutes of the September 5, 2017 Council Meeting have the vote for Agenda Item No. 9 written incorrectly and should be shown as **ACTION** – Motion/Second: Mosby/Starbuck. By a 3-2 vote (Council Member Osborne and Mayor Lingl voted No).

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

ACTION: Motion/Second: Vega/Osborne. By a 5-0 vote, Council approved Consent Calendar Items 1, 2, 4, and 5.

1. Approved the Minutes of the Lompoc City Council Regular Meeting of September 5, 2017 – with the correction to Agenda Item No. 9 to be revised as written here : **ACTION** – Motion/Second: Mosby/Starbuck. By a 3-2 vote (Council Member Osborne and Mayor Lingl voted No)
2. Approved the expenditures for:
Payroll of 01/26/2018 - \$1,449,600.78
Voucher Register of 01/16/2018 – 01/19/2018 -\$483,528.26
Voucher Register of 01/22/2018 – 01/26/2018 - \$877,726.33
4. **Adoption of Resolution No. 6160(18), to Obtain State of Good Repair Program Funds.**

Adopted Resolution No. 6160(18), authorizing the City Manager, Interim City Manager, Economic Development Director/Assistant City Manager, Public Works Director, Assistant Public Works Director or the Aviation/Transportation Administrator to execute and file the necessary documents for the purpose of obtaining State Transit Assistance State of Good Repair funds provided by the California Department of Transportation and to approve the supplemental revenues and related supplemental appropriation of funds due from the State of Good Repair Program.

CONSENT CALENDAR: (cont'd)

5. **Adoption of Resolution No. 6162(18), to Rescind and Correct Prior Resolution No. 6111(17), Proposition 1B California Transit Security Grant Program Application for 2016-2017.**

Adopted Resolution No. 6162(18), which rescinds resolution no. 6111(17) and makes minor typographical changes.

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

3. **Adoption of Ordinance No. 1645(18) Amending Section 9.36.020 of the Lompoc Municipal Code Regarding Commercial Cannabis Activity in Lompoc.**

Adopted Ordinance No. 1645(18), Amending Sections 9.36.020 and 9.36.090 of the Lompoc Municipal Code Regarding Commercial Cannabis Activity in the City of Lompoc.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

Interim City Manager Teresa Gallavan presented an update on City Negotiations with the Motorsports Park Committee.

Council Member Vega asked if the landing area use by Skydive Santa Barbara is part of a certified map. Interim City Manager Teresa Gallavan stated this is a practical use area and is not attached to the land lease agreement.

Council Member Starbuck asked if the landing area will be assessed a rent value and if that will be charged to the current user.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Deb Andrews asked Council to place the City checking register online for public review, expressed concern the City will become a socialist society.
2. Richard Zellers stated he has encountered several homeless individuals on his property who have threatened and frightened himself and his family, and is requesting the City help make the riverbed area safe again.
3. John Linn announced the Fallen Warriors memorial project at Beattie Park is beginning construction and is accepting any and all donations; and asked for Council to discuss the Comprehensive Annual Financial Report (CAFR) at a future Council Meeting.

COUNCIL REQUESTS:

6. **Introduction of Ordinance No. 1646(18) Amending Lompoc Municipal Code subdivision 9.36.090 A. to Permit Commercial Cannabis Dispensaries in the Old Town Commercial District.**

City Attorney Joseph W. Pannone presented the Staff report, the most current buffer maps, and Staff recommendations.

Council Member Starbuck asked why a dance studio is considered a youth center. City Attorney Joseph Pannone stated that Staff is relying on the California State definition of a youth center, which is "any public or private facility that is primarily use to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities."

Public Comment:

1. Rob Traylor complained about City Staff and what he believes is a lack a transparency of information regarding the City's rules and regulations for commercial cannabis use licensing, and spoke in favor of the proposed ordinance to all cannabis dispensaries in the Old Town Commercial District.

COUNCIL REQUESTS: (cont'd)

Item No. 6

Public Comment:

2. Todd Mitchell requested Council not adopt the proposed new buffer zone map.
3. Rob Bishof requested Council reject the newly proposed buffer zone map stating he believes dance studios do not meet the criteria for Youth Center.
4. Mark Ashamalla expressed concern about current businesses in the City which cater to youth and if those businesses are in compliance with Health and Safety requirements.
5. (Name not Given), read the State definition of youth centers and stated he believes dance studios do not meet the criteria of a youth center.
6. John Linn suggested Staff provide a list of all businesses which have triggered a buffer zone and requested the newly proposed buffer zone map not be approved.

Council Member Mosby asked Staff if a list of addresses of the businesses at the center of each buffer zone area can be published. City Attorney Joseph Pannone stated the provided updated buffer zone map is not being adopted by the City Council, the map is for information only, he explained Staff decided publishing addresses and actual use of a particular address was not in the best interest of the public so that information was removed from all buffer zone maps. Mr. Pannone clarified the dance studios added to the buffer zone map was due to the Council decision to allow cannabis dispensaries inside the Old Town Commercial District and Staff concluded dance studios meet the youth center criteria, and Council has the ability to interpret what a youth center is or is not, but Council Member Starbuck must recuse himself due to real property interest within 500 feet of the Old Town Commercial District.

Council Member Vega asked if Staff has reviewed other cities commercial cannabis use license process and specifically what businesses have been determined to be youth centers. Mr. Pannone answered he has not reviewed any other city's process of determining any business as a youth center.

Mr. Pannone reminded Council to hold off on discussing this matter further while Council Member Starbuck is in attendance.

Council Member Starbuck recused himself from the discussion and exited the Council Chamber.

Council Member Vega stated he is concerned about children and stated he is concerned dance studios may not meet the criteria of the definition of youth center because those studios are not open full time and do have adult customers. Mr. Pannone explained the Council has the power to state youth centers do not include dance studios.

Council Member Starbuck returned to the dais.

ACTION: Motion/Second: Osborne/Mosby. By a 4-1 vote (Mayor Lingl voted No), Council introduced, through first reading by title only with further reading waived, Ordinance No. 1646(18), Amending Subdivision 9.36.090 A. of the Lompoc Municipal Code Regarding Commercial Cannabis Dispensaries within the Old Town Commercial District; or provide other direction.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum):

1. Rob Traylor requested Council define what type of businesses are considered youth centers.
2. Todd Mitchell suggested Council allow Staff to issue temporary commercial cannabis use licenses.
3. (Name not given), spoke about a new Federal tax opportunity for lower/lesser income areas named Opportunity Zones.
4. DeWayne Holmdahl expressed concern Council has not decided to place a cannabis use tax measure on the November ballot.

COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:

Council Member Vega asked Staff to clarify if Council Member Starbuck will need to recuse himself from any discussion regarding the definition of youth centers and if a dance studio fits into that definition. City Attorney Joe Pannone answered yes, if Council wants to discuss scheduling a future agenda item to discuss Council's interpretation of youth center and if a dance studio would fit into that definition or interpretation.

Council Member Starbuck recused himself from this discussion and exited the Council Chamber.

Council Member Vega motioned to bring forward an agenda item at the March 6, 2018 Regular City Council Meeting, for discussion and possible action regarding the definition of youth center regarding commercial cannabis use. The motion was seconded by Council Member Osborne and carried by Council Member Mosby.

Council Member Starbuck returned to the dais.

Council Member Mosby suggested a single Staff member be responsible for finding, reviewing, and maintaining grants for Public Safety; requested Staff bring forward a future item that analyzes the possible installation of lights at Riverbend Park, the request was seconded by Council Member Starbuck and carried by Council Member Vega; asked Council to draft a letter for a future agenda, requesting Santa Barbara County repair road crossing at McLaughlin Road, the request was seconded by Council Member Starbuck and carried by Council Member Vega; stated he believes the approved 2017/2019 Biennial Budget included the Old Pool demolition loan of \$750,000 twice; and reported he attended the Santa Barbara County Associations of Governments and the Santa Barbara County Air Pollution Control District meetings.

Council Member Starbuck announced the Sub-Recipient Financial, Programmatic, and Monitoring Report has been completed and is available on the City's website at www.cityoflomdoc.com

Council Member Osborne announced she attended the Human Services Commission and Parks & Recreation Commission Meetings, met with United Way and Home for Good, and reminded everyone the Chamber of Commerce's Restaurant Week is this week and invited everyone to participate.

Mayor Lingl reported he attended the City of Lompoc Youth Commission Teaching Our Teens As Leaders (TOTAL) Conference at the DeWees Senior and Community Center, Lompoc, on February 12, 2018, the Mayors and City Managers Meeting in Solvang, CA, on February 16, 2018, and requested Council bring forward a Code of Conduct for City Council at a future City Council Meeting, the request was seconded by Council Member Osborne, but died for a lack of a third.

ADJOURNMENT: At 7:52 P.M. Mayor Lingl adjourned the Lompoc City Council to a Regular Meeting on March 6, 2018 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on August 7, 2018:

/Stacey Haddon/
Stacey Haddon, City Clerk