



## MINUTES

Regular Meeting of the Lompoc City Council  
Tuesday, April 3, 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, City Attorney Joseph Pannone, Financial Services Manager Melinda Wall, Development Programs Specialist Jasmine McGinty, Deputy City Manager Laura Dubbels, and Accounting and Revenue Manager Dean Albro.

Others Present: John Linn, Deb Andrews, Nicholas Gonzales, Jimmy Wall, Melissa Sorongon, Stacy Brennan, Cynthia McDuff, Shelby Wuitshick, Todd Mitchell, Teresa Wuitshick, Gary Wuitshick, Ana (Unknown last name), Michelle Heatherby, Angela Mills, Mason Mills, Mark Ashamalla, and Kaitlyn Chui.

Chaplain Dale Willis gave the invocation and Mayor Bob Lingl led the **Pledge of Allegiance**.

### **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 presented a music video of her singing a reworded version of the song **Big L**.

Mayor Lingl will presented proclamations in honor of:

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

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

Interim City Manager Teresa Gallavan reported to the Council, Staff will be sending a copy of the letter sent to the Santa Barbara County Fourth District Supervisor requesting an investigation of possible funding to reopen McLaughlin Road, to Joan Hartmann, the Third District Supervisor.

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

1. John Linn encouraged Council to approve Consent Calendar Item No. 6 and not approve Consent Calendar Item No. 8

Council Member Starbuck pulled Consent Calendar Item No. 8 for further discussion.

### **CONSENT CALENDAR:**

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of October 17, 2017
2. Approved the 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

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

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.**

Adopted Resolution No. 6169(18) approving a Utility Service Agreement with the Lompoc Cemetery District.

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

Approved and authorized the Mayor to sign a land lease with Jeff Thomas for the purpose of hangar construction and aircraft storage at the Lompoc Airport.

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.**

Adopted 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).**

Adopted 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).**

Adopted 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.

This item was pulled by Council Member Starbuck for further discussion.

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](mailto:jpannone@awattorneys.com)

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

**STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:**

- Development Programs Specialist Jasmine McGinty confirmed with Council May 21, 2018 from 9am-2pm is the approved date for the City Council Joint Meeting/Workshop with the Economic Development Committee and City Council.
- Financial Services Manager Melinda Wall provided an update on the Financial System Upgrade.
- Interim City Manager Teresa Gallavan, Management Services Manager Brad Wilkie, and Accounting and Revenue Manager Dean Albro presented a review of the Fiscal Years 2017/2019 Budget; and announced Staff will return in June 2018 with a MidCycle Budget Adjustment for Council's review, discussion, and possible action.

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

1. Deb Andrews expressed her concern about California becoming a communist State, stated she is opposed to California Senate Bill 827 and advocated for local affordable housing.
2. Nicholas Gonzales spoke about the Federal Government's determination of fiscally challenged cities.
3. Jimmy Wall spoke in opposition to allowing cannabis businesses near dance studios, and suggested a full audit of all current City Council Members be conducted to reveal any conflicts of interest regarding this matter.
4. Melissa Sorongon and Stacy Brennan spoke in favor of allowing dance studios remain defined as youth centers.

**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 presented the Staff report and Staff recommendations.

Public Comment: None

Council discussed this matter briefly.

**ACTION:** Motion/Second: Osborne/Vega. By a 4-1 vote (Council Member Mosby voted No), Council authorized 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 directed Staff to remove language or comments regarding California SB 1 and to ensure the letter reflects the City Council vote on this matter.

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

City Attorney Joseph Pannone presented the Staff report and recommendations.

Mayor Lingl moved to direct Staff not to create a policy for the release of City documents. The motion was seconded by Council Member Osborne.

Council Member Mosby made a substitution motion to direct Staff to create a policy for the release of City documents. The motion was seconded by Council Member Starbuck.

With a vote of 3-2 (Council Member Osborne and Mayor Lingl voted No), the Council approved to place the substitution motion as the first motion.

**ACTION:** Motion/Second: Mosby/Starbuck. By a 3-2 vote (Council Member Osborne and Mayor Lingl voted No), Council directed Staff to create a policy for the release of City documents and revise the City's retention policy to allow an individual to request release of a document that is to be destroyed.

After further discussion, Council approved with a general consensus the formation of a Council Ad-hoc Committee to discuss the details of a policy for the release of City documents and appointed Council Members Mosby and Vega on that Committee.

**BREAK:**

At 8:38P.M. Mayor Lingl announced a break. At 8:46P.M., the meeting reconvened with all Council Members present.

**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 Pannone presented a brief summary of the item.

**Public Comment:**

1. Cynthia McDuff, Stan Chang, Shelby Wuitschick, Teresa Wuitshick, Gary Wuitschick, Angela Mills, and Mason Mills spoke in favor of allowing dance studios to remain to be accepted as youth centers in regards to commercial cannabis uses.
2. Todd Mitchell requested Council reduce the buffer zone to allow for cannabis use businesses inside other parts of the City and still protect the sensitive use businesses.
3. (Name not given) spoke against dance studios being designated as youth centers.
4. Ana (Unknown last name) stated she believes parents need to be responsible for keeping their children safe.
5. Michelle Heatherby expressed concern of the Department of Justice becoming involved in the cannabis industry here in the City if dance studios are not designated as youth centers and a commercial cannabis business is then sued.
6. (Name not given) spoke about the extensive security measures required of all commercial cannabis use businesses and suggested the City is over-reaching to define dance studios as youth centers.
7. Mark Ashamalla stated the City allows youth centers and dance studios near wineries and liquor stores.

Police Chief Pat Walsh expressed his concern about possible crimes in the areas around and near to youth centers.

Council continued to discuss this matter at great length.

Council Member Vega requested Staff adjust buffer zones from 600 feet to 400 feet and return with a revised map illustrating the requested change. The motion died for a lack of a second.

**ACTION:** Motion/Second: Mosby/Starbuck. By a 3-2 vote (Council Member Osborne and Mayor Lingl voted No), Council determined dance studios should not be considered youth centers for purposes of buffer zones near cannabis uses, and directed Staff to revise the map removing buffer zones around any and all dance studios inside the City of Lompoc.

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

**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 Pannone presented the Staff report and recommendations.

**Public Comment:**

1. Todd Mitchell explained he has turned in commercial cannabis use applications in several municipalities and all other agencies have returned deposits when the application process is completed.
2. John Linn spoke against Staff recommendations and advocated for returning deposits.

Council discussed this matter.

