



Minutes

Regular Meeting of the Lompoc City Council
Tuesday, November 20, 2018
City Hall, 100 Civic Center Plaza, Council Chamber

CLOSED SESSION

OPEN SESSION – 5:00 P.M. – Council Chamber

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

Staff Present: City Manager Jim Throop, City Clerk Stacey Haddon, and Assistant City Attorney Jeff Malawy.

ORAL COMMUNICATIONS: None

CLOSED SESSION – City Council Conference Room

BUSINESS ITEM:

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
Paragraph (1) of subdivision (d) of Section 54956.9 Name of Case: Joel Alcox v. The City of Lompoc, et al.
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One matter regarding an agreement to provide landscaped screening at 1050 North D Street, Lompoc, CA.
3. **CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to Government Code 54956.9(d)(4): One case.
4. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case.
5. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** City Manager

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

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

Staff Present: City Manager Jim Throop, City Clerk Stacey Haddon, Assistant City Attorney Jeff Malawy, Safety Officer Jo Cavanaugh, Management Services Director Brad Wilkie, and Police Chief Pat Walsh.

Others Present: Chris Coulter, Blair Aas, Andy Caldwell, Deb Andrews, Ellen Thermos, George Bedford, Rob Traylor, and Ryan Brigman.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

Assistant City Attorney Jeff Malawy stated the Council discussed all Closed Session Business Items and took no reportable action.

Pastor Darren Hunt gave the invocation and Mayor Bob Lingl led the **Pledge of Allegiance**.

CITY MANAGER REPORT: (Information only)

City Manager Jim Throop reported the City's efforts to clean up the Santa Ynez Riverbed is at approximately 60% complete and stated 30 tons of trash has been removed from the Riverbed; Mr. Troop invited the public to the upcoming budget review workshop on December 8, 2018 in the Council Chamber beginning at 9am; announced the Planning Commission has completed its review of the Zoning Ordinance update and Staff will bring forward to Council for review in January or February 2019; reported the City's phone numbers are being spoofed and advised all to be careful when providing sensitive personal information to anyone, especially on a phone call; asked Council to provide direction to Staff regarding the letter from the Irish Wolfhound Association of the West Coast which asks for the City to provide a rehabilitation of the grass areas at Ryon Park; and introduced Chris Coulter of SCI Consulting Group, who spoke about the City's application review process for commercial cannabis use licenses and the State's current process to issue temporary commercial cannabis use licenses.

Council discussed the letter and request from the Wolfhound Association of the West Coast and with a motion from Council Member Starbuck, a second from Council Member Vega and carried by Council Member Osborne, directed Staff to return at a later date with a Staff report on the cost and time-frame for rehabilitation of Ryon Park.

Council approved to schedule a Special City Council Meeting for November 26, 2018 beginning at 6:30 P.M. in the Council Chamber, at City Hall at 100 Civic Center Plaza, for discussion and possible action on the City providing current Commercial Cannabis Use License applicants a letter of authorization to be used to apply for a temporary State Commercial Cannabis License.

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

CONSENT CALENDAR:

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of June 5, 2018
2. **Approval of Agreement for Operation of a County-Wide Library System.**
Approved and authorized the City Manager to execute, the Agreement for Operation of a County-Wide Library System between the County of Santa Barbara, and the cities of Santa Barbara, Lompoc, Santa Maria, and Goleta for the Fiscal Year 2018-19, on behalf of the City of Lompoc.
3. **Authorization to Issue a Purchase Order for Fuel Services of Approximately \$650,000 Annually for a 5-year Period.**
Authorized the issuance of a purchase order to J.B. Dewar, Inc. of San Luis Obispo for a period of five years for fleet fuels for approximately \$650,000 annually initially; and authorize the Purchasing and Materials Manager to issue that purchase order.
4. **Adoption of Resolution No. 6223(18) Approving Vacation of a Public Service Easements at 801 East Ocean Avenue – Conserv Fuel.**
Adopted Resolution No. 6223(18), vacating a public service easements at 801 East Ocean Avenue – Conserv Fuel.
5. **Approval of the Second Amendment to the Legal Services Agreement with Aleshire & Wynder, LLP, to Appoint Jeff Malawy as City Attorney.**
Approved the Second Amendment to the Legal Services Agreement with Aleshire & Wynder, LLP, to appoint Jeff Malawy as City Attorney, effective January 1, 2019 ; or provide other direction.

CONSENT CALENDAR: (cont'd)

6. **Adoption of Resolution No. 6228(18) Authorizing an Application Submittal for the California Department of Transportation Sustainable Communities Competitive Grant.**

Adopted Resolution No. 6228(18), authorizing the Acting Economic & Community Development Director to submit an application to the California Department of Transportation for its Sustainable Communities Competitive Grant.

7. **Adoption of Ordinance No. 1654(18) Amending the Effective Date of Ordinance No. 1647(18), and Approval of a Payment In-Lieu of Taxes Agreement.**

Adopted Ordinance No. 1654(18), amending the effective date of Ordinance No. 1647(18).

8. **Review of the Need for Continuing the Local Emergency Proclaimed by the City Council on October 2, 2018, Relating to the Clean-up of the Santa Ynez Riverbed.**

Reviewed, received and filed, this Staff report regarding the need for continuing the local emergency proclaimed by the City Council on October 2, 2018, relating to the clean-up of the Santa Ynez riverbed and confirm the City Council undertook such review on or before November 15, 2018.

9. **Adoption of Resolution No. 6222(18) to Close City Hall and Suspend Certain Field Operations on December 26, 27, 28, and 31, 2018.**

Adopted Resolution No. 6222(18), permitting the closing of City Hall, Library, and suspending certain City field operations on December 26, 27, 28, and 31, 2018.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

Safety Officer Jo Cavanaugh announced the recipients of the 2018/2019 1st Quarter Above and Beyond Awards – Pete Almada, Solid Waste Collections – Jose Valdez and Saul Salazar, Water Division – Dan Zucker, Solid Waste Collections.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Andy Caldwell expressed his concerns about how the City of Lompoc is treated and regarded by the County of Santa Barbara and suggested the Council reach out to the County.
2. Deb Andrews spoke in support of the City of Lompoc Public Safety Commission.
3. Ellen Thermos spoke out against the Council's previous decision to allow chickens be kept as pets in residential areas inside the City Limits.
4. George Bedford requested Council promote the City of Lompoc in a positive light.

APPOINTMENTS:

10. **Council Appointments to the Economic Development Committee and the Senior and Youth Commissions.**

ACTION: Motion/Second: Osborne/Starbuck. By a 5-0 vote, Council appointed Carlos Laurencio to the Economic Development Committee for an Associate Position with a term ending February 2022.

ACTION: Motion/Second: Osborne/Starbuck. By a 5-0 vote, Council appointed Amber Richmond to the Senior Commission with a term ending January 2020.

APPOINTMENTS: (cont'd)

Item No. 10

ACTION: Motion/Second: Mayor Lingl/Starbuck. By a 5-0 vote, Council appointed Isabel Hapil to a Youth position on the Youth Commission with a term ending on January 2021.

ACTION: Motion/Second: Mayor Lingl/Starbuck. By a 5-0 vote, Council appointed Tyler Evangelista to an Associate position on the Youth Commission with a term ending on January 2020.

PUBLIC HEARING:

11. **Public Hearing and Formation of Community Facilities District No. 2018-01 (Summit View Homes) to Fund Certain Public Services and Authorize Certain Related Actions; Adoption of Resolutions No. 6224(18), 6225(18), and 6226(18); Introduction of Ordinance No. 1656(18), all Relating to the District.**

Management Services Director Brad Wilkie introduced Blair Aas of SCI Consulting. Mr. Aas explained the process of the Public Hearing and the election process.

Public Comment: None

ACTION: Motion/Second: Osborne/Vega. By a 5-0 vote, Council held the public hearing, requested public testimony on proposed Community Facilities District No. 2018-01 (CFD No. 2018-01); and adopted Resolution No. 6224(18) forming CFD No. 2018-01.

ACTION: Motion/Second: Osborne/Vega. By a 5-0 vote, Council adopted Resolution No. 6225(18) calling a special election of the qualified electors of the territory to be included in the formation of CFD No. 2018-01; and Conduct a Special Election on the formation of CFD No. 2018-01 during which the City Clerk opened the ballots, tallied the vote, and announced the results of the special election; the City Council approved the Canvass and finds it shall be a permanent part of the record of its proceedings for CFD No. 2018-01. Pursuant to the Canvass and Statement of Results of Election, the ballot proposition presented at the special election was approved by the qualified electors of CFD No. 2018-01 by more than two-thirds of the votes cast at the special election; and the City Clerk is hereby directed, pursuant to the provisions of the Elections Code of the State of California, to enter in the minutes the results of the election as set forth in the Canvass and Statement of Results of Election.

ACTION: Motion/Second: Osborne/Vega. By a 5-0 vote, Council adopted Resolution No. 6226(18) declaring results of special tax election, determining validity of prior proceedings, and directing recording of Notice of Special Tax Lien.

ACTION: Motion/Second: Vega/Starbuck. By a 5-0 vote, Council introduced Ordinance No. 1656(18) for first reading by title only with further reading waived, levying special taxes within CFD No. 2018-01.

NEW BUSINESS:

12. **Adoption of Resolution No. 6227(18) to Amend the Classification and Compensation Plans to Effect the Various Job Classifications and Salary Ranges Authorized in Biennial Budget Fiscal Years 2017-19.**

Human Resources Manager Gabriel Garcia presented the Staff report and recommendations.

Council discussed the information provided.

Public Comment: None

NEW BUSINESS: (cont'd)

Item No. 12

ACTION: Motion/Second: Mosby/Vega. By a 5-0 vote, Council adopted Resolution No. 6227(18);

- a) Approving the new classification of Electric Regulatory Compliance Coordinator, and amend the Classification Plan to include the new classification effective upon approval; and
- b) Approving the revised Electric Utility Manager job title, and amend the Classification Plan to include the revised classification, effective upon approval; and
- c) Approving the revised Electric Utility Engineer job title, and amend the Classification Plan to include the revised classification, effective upon approval; and
- d) Approving the new salary range for the Electric Regulatory Compliance Coordinator job class, and amend the Compensation Plan to include the new salary range effective upon approval; and
- e) Approving the salary adjustment to all the classifications of the Water Treatment Plant Operator series, and amend the Compensation Plan to include the revised salary ranges, effective retroactive to July 1, 2018; and
- f) Approving the salary adjustment to all the classifications of the Tree Trimmer series, and amend the Compensation Plan to include the revised salary ranges, effective retroactive to July 1, 2018.

13. **Introduction of Ordinance No. 1657(18) Regarding Administrative Fines for Illegal Cannabis Cultivation.**

Police Chief Pat Walsh presented the Staff report and recommendations.

Council briefly discussed the presented information.

Public Comment:

1. Rob Traylor suggested Council allow a grace period before a fine is given to anyone who is found with an illegal cannabis cultivation.
2. (Name not Given) spoke about the illegal cannabis market that continues to operate everywhere.
3. Ryan Brigman suggested Council speed up the process for approving Commercial Cannabis Use Licenses, stating he believes this will help lower the local unemployment rates.

ACTION: Motion/Second: Osborne/Starbuck. By a 4-1 vote (Mayor Lingl voted No), Council directed Staff to return at the December 4, 2018 Regular City Council Meeting with a revised ordinance with the addition of a five-day grace period to correct the first violation and higher administrative fines.

NEW BUSINESS:

14. **Introduction of Ordinance No. 1658(18) and Adoption of Urgency Ordinance No. 1659(18) to Prohibit Overnight Parking on Cordoba Avenue and Aviation Drive, and to Create an Exception to the Safe Parking Ordinance to Comply with *Martin v. City of Boise***

Assistant City Attorney Jeff Malawy presented the Staff report and recommendations.

Council discussed the presented information.

ACTION: Motion/Second: Osborne/Starbuck. By a 3-2 vote (Council Member Osborne and Mayor Lingl voted No), Council directed Staff to return this matter to Council for discussion and possible at a future date with the addition of a permit process for merchants of that area.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:

Council Member Osborne reported she attended several meetings, and requested Staff return at a future meeting with an ordinance revising Ordinance No. 1640, to allow commercial cannabis testing businesses inside industrial areas inside the City Limits. The request was seconded by Council Member Starbuck and carried by Council Member Mosby.

Mayor Lingl announced he attended a Northern California Power Agency Meeting on October 24 & 25, 2018.

ADJOURNMENT: At 8:30 P.M. Mayor Lingl adjourned the Lompoc City Council to a Regular Meeting at 6:30 P.M. on December 4, 2018, in the Council Chamber at Lompoc City Hall.

Respectfully, submitted to Council for review on June 6, 2019 by: /Stacey Haddon/
Stacey Haddon, City Clerk