

MINUTES

Regular Meeting of the Lompoc  
City Council and Lompoc Redevelopment Agency  
Tuesday, April 20, 2010  
City Hall, 100 Civic Center Plaza, Council Chambers

CLOSED SESSION

**OPEN SESSION - 6:30 P.M. – Council Chambers**

Council Members Present: Tony Durham, Bob Lingl, Ann Ruhge, Mayor Pro Tempore Cecilia Martner, and Mayor Mike Siminski.

Staff Present: City Administrator Laurel Barcelona, City Attorney Joe Pannone, and City Clerk Donna Terrones.

**ORAL COMMUNICATIONS:** None

**CLOSED SESSION – Utility Conference Room**

**BUSINESS ITEM:**

1. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (2 Matters)

**OPEN SESSION - 7:00 P.M. – Council Chambers**

Council/Agency Members Present: Bob Lingl, Ann Ruhge, Tony Durham, Mayor Pro Tempore/Vice Chair Cecilia Martner, and Mayor/Chair Siminski.

Staff Present: City Administrator/Executive Director Laurel Barcelona, City Attorney/General Counsel Joe Pannone, City Clerk/Secretary Donna Terrones, Assistant Public Works Director/City Engineer Kevin McCune, Police Chief Timothy Dabney, Parks, Recreation & Urban Forestry Director Dan McCaffrey, Community Development Director Arleen Pelster, and Aviation/Transportation Administrator Richard Fernbaugh.

Others Present: Pat Brady, Elizabeth Elizalde, DeWayne Holmdahl, Joyce Howerton, John Spooner, Paul Rasso, John Linn, Harry Keim, Dave Pierce, David Grill, Ralph Harman, Charles Blar, Bob Hamilton, Al Thompson, Pamela Kelly, Thomas Kelly, Chris Smith, Will Schuyler, Rob Strong, Mary Lou Parks, Noel Lossing, Ella Gale, Shirley Garcia, Cadman Owens, Bob Holloway, Tom Parks, and Johan Scharin.

Council Member Lingl gave the invocation and Mayor Mike Siminski led the Pledge of Allegiance.

**REPORT ON ACTION TAKEN IN CLOSED SESSION:**

Mayor Siminski stated that no reportable action was taken.

**PRESENTATIONS PRESENTED ELSEWHERE:**

On April 7, 2010 a proclamation was received by Hugh Thompson, Ambassador, “One Legacy,” from the City of Lompoc for “**DMV/Donate Life California Month,**” April 2010.

On April 9, 2010, Mayor Siminski presented a proclamation to a representative of Montecito Union School for “**Montecito Union School Day in Lompoc,**” April 9, 2010, at Mission La Purisima.

On April 15, 2010 Mayor Siminski presented the following proclamations at the Lompoc Elks Lodge to:

Mauricio Calderon, “**Honoring Him as the Lompoc Elks Police Officer of the Year 2010.**”

**PRESENTATIONS PRESENTED ELSEWHERE:** (cont’d)

Ryan Ortiz, “Honoring Him as the Lompoc Elks Firefighter of the Year 2010.”

And for “Elks Lodge Award for Valor” to:

Agent Joseph Stetz  
Officer David Lamar  
Officer Mark Powell

On April 20, 2010, Mayor Siminski presented a proclamation to the Lompoc Healthcare District Volunteers for “National Healthcare Volunteer Week,” April 18 - 24, 2010.

**PRESENTATIONS:**

Mayor Siminski presented a proclamation to Pat Brady, Board Member, Good Samaritan Shelter Services for “Celebrating the KCOY 2010 Spring Food Drive.”

Mayor Siminski presented a proclamation to Jerry McBeth, Deputy District Attorney (and) Sylvia Lazos, Victim Witness Program advocate, for “National Crime Victims’ Rights Week,” April 18 - 24, 2010.

**CITY ADMINISTRATOR/EXECUTIVE DIRECTOR’S STATUS REPORT:** (distributed as an informational report).

**STAFF REQUESTS AND ANNOUNCEMENTS:**

City Administrator Laurel Barcelona briefly noted the status reports submitted by the City Clerk’s Office and the Fire Department. She announced that the Fire Department will be sending out weed abatement notices to property owners and those who are not in compliance will be agendized for the May 18, 2010 meeting.

**COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:**

Council/Agency Member Martner announced that Allan Hancock College and the Lompoc Valley Chamber of Commerce will be hosting the “Salute to the Arts” event at the Lompoc Valley Center, on April 22, 2010. She noted that the Vintner’s Festival on April 17, 2010, was a success and acknowledged the City for the transportation that was provided by COLT.

Council/Agency Member Ruhge announced a meeting she attended and requested that the issue of the Invocation relating to the Council Handbook be moved to the May 18, 2010 Meeting. Council concurred.

Council/Agency Member Durham announced fundraisers that will be hosted by various Relay for Life teams. He noted that he would be in attendance at the Special Olympics held at St. Joseph High School on Saturday, April 25, 2010.

Council/Agency Member Lingl announced the celebrity softball fundraiser held by the Food Bank was a success. He commented on the candidates running for District Attorney.

Mayor/Chair Siminski announced a meeting he attended and the retirement party of Colonel Buck, 30<sup>th</sup> Space Wing, held at Vandenberg Air Force Base.

**ORAL COMMUNICATIONS:**

1. Pat Brady thanked those who participated in the Food Bank’s celebrity softball fundraiser.
2. Elizabeth Elizalde commented on fiberoptic poles that are being put up in her neighborhood by the City.
3. DeWayne Holmdahl commented on the Vintner’s Festival and encouraged the Council to support keeping the festival in Lompoc.

**ORAL COMMUNICATIONS:** (cont'd)

4. Joyce Howerton invited Council and the public to the North County Rape Crisis and Child Protection Center's open house on April 21, 2010.
5. John Spooner commented on the First Amendment.

Mayor Siminski asked Staff for a report on the utility poles being installed and suggested the Economic Development Department prepare a Resolution in support of the Vintner's Festival.

**CONSENT CALENDAR:**

**ACTION:** Motion/Second: Lingl/Ruhge. By a 5 to 0 vote, the City Council/Agency:

- CITY/RDA 1. Approved Minutes of the Lompoc City Council and Lompoc Redevelopment Agency Regular Meeting of April 6, 2010.
- CITY 2. Approved expenditures for:  
  
Payroll of 3/31/10 - \$1,063,275.38  
Voucher Register of 4/9/10 - \$502,535.81  
Voucher Register of 4/2/10 - \$575,448.68
- CITY 3. Adopted Ordinance No. 1563(10) Amending Procurement Code to Adjust Sealed Bid thresholds, to Improve Bid and Protest Procedures for Purchasing and Public Works, and to Delegate Authority to the City Administrator to Award Contract up to \$125,000.
- CITY 4. Approved the March 4, 2010 MOU by and between the Santa Barbara County Water Agency (County) and a group of local governmental agencies, special districts, and non-governmental organizations (NGOs), qualified under 501(c) (3,4, or 5), within Santa Barbara County, known as cooperating Partners, to continue participating in the State-wide Proposition 84 process and to revise IRWMP in Santa Barbara County, authorized payment of \$12,194 to the County for the City of Lompoc's contribution to revise the IRWMP and to participate in the Proposition 84 process, and charge this to Account #51000-53313 (Water, Professional Services Engineering), and authorized the Mayor to sign the MOU on behalf of the City of Lompoc.

**APPOINTMENTS:**

- CITY 5. **Public Safety Commission, one unexpired term ending 12/2012.**

**ACTION:** Motion/Second: Lingl/Ruhge. By a 5 to 0 vote, the City Council appointed Chris Braxton to the Public Safety Commission for one unexpired term ending 12/2012.

Mayor Siminski turned the meeting over to Mayor Pro Tempore Cecilia Martner.

**PUBLIC HEARING:**

- CITY 6. **Hearing to Consider Measure "A" Local Program of Projects for the Fiscal Years 2010-2011 through 2014-2015.**

Assistant Public Works Director/City Engineer Kevin McCune presented the staff report and recommendations.

Council voiced concern with the amount of funds being budgeted for future years. Staff explained that what's budgeted is for current and ongoing projects, and that Staff will come back every year, based on a five-year budget.

**PUBLIC HEARING:** (cont'd)

Public Comment:

1. Paul Rasso spoke in opposition to staff's recommendations and suggested contracting out some of the City projects.
2. John Linn commented on funding policies and project priorities.
3. Harry Keim commented on work being done to streets.
4. Dave Pierce commented on the traffic increasing, alternative transportation, and maintenance of streets.
5. David Grill suggested extending the Riverbend bike trail for holding events to attract tourists to bring in revenue.

Council Member Lingl questioned the maintenance of streets in the City. Staff stated that due to shortage of funds, high traffic streets are the priority.

Mayor Pro Tempore Martner would like streets scheduled for repair published in order to inform the public. She encouraged the public to get involved with community projects.

Council Member Ruhge commented on Mr. Rasso's comment on contracting out some of the City projects and asked Staff to explain. Staff stated that they bid the capital projects but that some projects are done in house.

Council Member Durham and Mayor Siminski spoke in support of staff's recommendations.

ACTION: Motion/Second: Durham/Ruhge. By a 5 to 0 vote, the City Council adopted Resolution No. 5627 (10), adopting the Measure "A" Local Program of Projects for Fiscal Year 2010-2011 through 2014-2015.

**RECESS:** At 8:20 P.M. Mayor Pro Tempore Martner announced a break. At 8:30 P.M., the meeting reconvened with all Council Members present.

UNFINISHED BUSINESS:

CITY 7. *Continued from April 6, 2010 City Council meeting (Council request).*

**Application Approval for California Department of Parks and Recreation, Off-Highway Vehicle Grant Resolution.**

Police Chief Timothy Dabney presented the staff report and recommendations.

Council Member Ruhge stated that the City Attorney had given the Council information on a previous request regarding the City permitting Off-Road Vehicles. The City Attorney stated that the City and the County have full authority to allow or prohibit off-road vehicles in designated areas.

Public Comment:

1. Ralph Harman commended Staff for a concise report and spoke in support of staff's recommendations.
2. David Grill, Harry Keim, Barry Weaver, Charles Blar, Bob Hamilton, Al Thompson, Pamela Kelly, Thomas Kelly, Dave Pierce, and Joyce Howerton spoke in support of staff's recommendations.

**UNFINISHED BUSINESS:**

Item No. 7

Public Comment: (cont'd)

3. Chris Smith commented on an application submitted by the Police Department for a grant for off-road highway vehicles.
4. John Linn commented on easement prescription and feels the wording in the grant should be restructured to help the City or non-profits construct an off-road area.
5. Will Schuyler read a letter from Mrs. Susan Lyon in opposition to staff's recommendations. He also opposed.

Council Member Ruhge stated there are two issues at hand, one is to find an off-road vehicle area and the other is the approval to submit an application for the grant. She supports staff's recommendations.

Council Member Durham spoke in support of staff's recommendations and announced various areas for off-road vehicles.

Council Member Lingl questioned the comment made by Mr. Smith. Staff stated that the application submitted was a pre-application approval for submittal of a Grant from the City Council.

Mayor Siminski pointed out that Mr. Weaver had provided additional pictures to the Council. He disclosed that emails were also received by the Council.

Mayor Pro Tempore Martner spoke in support of staff's recommendations.

ACTION: Motion/Second: Ruhge/Mayor Siminski. By a 5 to 0 vote, the City Council:

- A) Adopted Resolution No. 5625(10) approving a grant application submitted by the Lompoc Police Department to the California Department of Parks and Recreation in the amount of \$164,252 to enhance public education, crime prevention and enforcement of laws related to off-highway vehicle use on the City of Lompoc Riverbend Multi-purpose Bike Trail and other City property in the Santa Ynez Riverbed; and
- B) Authorized the City Administrator and Chief of Police or his designee to accept and administer the California Department of Parks and Recreation Grant if awarded.

CITY 8. **Authorization to Proceed with the Richard L. DeWees Senior Community Center and Lompoc Aquatic Center Dehumidification Projects.**

Parks, Recreation & Urban Forestry Director Dan McCaffrey presented the staff report and recommendations and introduced Todd Jespersen, Architect, who explained the design and costs of the new facility.

Public Comment:

1. Rob Strong, Mary Lou Parks, Noel Lossing, Ella Gale, Shirley Garcia, Pat Brady, Cadman Owens, Joyce Howerton, and Johan Scharin spoke in support of staff's recommendations.
2. Paul Rosso opposes the financing but supports the need for a Senior Community Center and a dehumidification system.

**UNFINISHED BUSINESS:**

Public Comment: (cont'd)

3. John Linn commented on the review of the Redevelopment Agency's Bond, roof of the old hospital building, construction cost, dehumidification system, and to seek alternative locations. He suggested the Lompoc Masonic Lodge as a potential site for the new Senior Community Center.
4. Tom Parks opposed Mr. Linn's suggestion to use the Lompoc Masonic Lodge as a potential site for the new Senior Community Center.
5. Ralph Harman spoke in support of a new dehumidification system for the Aquatic Center.

Council Member Lingl spoke in support of the dehumidification system. He voiced concern with long delay and cost of the proposed new Senior Community Center. He supports the project but feels the project has taken too long and the costs have risen. He stated he will be discussing the matter with the City Administrator to identify where things may have been mismanaged so as to ensure this doesn't happen again.

Council Member Ruhge spoke in support of staff's recommendations and does not support the suggested site by Mr. Linn of the Lompoc Masonic Lodge.

Council Member Durham feels it wasn't staff's responsibility for the rise in cost or the delay of construction for the new center. He supports staff's recommendations.

Mayor Siminski spoke in support of staff's recommendations.

Mayor Pro Tempore Martner spoke in support of staff's recommendations. She feels that the project was mismanaged, which caused an impact to the community, and that Council should direct staff to be efficient when working a project from beginning to end.

**ACTION:** Motion/Second: Mayor Siminski/Ruhge. By a 5 to 0 vote, the City Council:

- A) Directed staff to proceed with steps necessary to issue a Redevelopment Agency Tax Allocation bond which includes sufficient funds for the Richard L. DeWees Senior Community Center and Lompoc Aquatic Center Dehumidification System projects; and
- B) To allocate \$1,500,000 from the Community Development Block Grant (CDBG) for construction of the Richard L. DeWees Senior Community Center; and
- C) Directed staff to solicit bids for the construction of the Richard L. DeWees Senior Community Center and the Dehumidification System at the Lompoc Aquatic Center.

**RECESS:** At 10:25 P.M. Mayor Pro Tempore Martner announced a break. At 10:35 P.M., the meeting reconvened with all Council Members present.

**NEW BUSINESS:**

CITY 9. **Approval of Resolution No. 5628(10) Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance (1128 North “A” Street).**

Community Development Director Arleen Pelster presented the staff report and recommendations.

Public Comment: None

Council Member Lingl complimented Staff on putting together the report.

Mayor Pro Tempore Martner acknowledged Staff’s efforts.

ACTION: Motion/Second: Ruhge/Lingl. By a 5 to 0 vote, the City Council adopted Resolution No. 5628(10) Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance and authorized Notice of a Public Hearing to be held on May 18, 2010.

CITY 10. **Transportation Development Act (TDA) Claim for Fiscal Year 2010-2011.**

Aviation/Transportation Administrator Richard Fernbaugh presented the staff report and recommendations.

Public Comment:

1. Dave Pierce spoke in support of staff’s recommendation but feels that the monies for the street maintenance should go to transportation.

Council Member Lingl questioned if the City provides flexible transportation or door-to-door service. Staff stated that the City does provide door-to-door service and that the County has a flexible transportation service, that if the County wanted to partner with the City we could do that. Council Member Lingl would like staff to look into the flexible transportation service for next year.

Mayor Siminski noted the fare box ratio that the City has to meet. Staff stated that the City has to meet a 20% fare box ratio and at this time the City is at 14%.

ACTION: Motion/Second: Durham/Ruhge. By a 5 to 0 vote, the City Council adopted Resolution No. 5626(10), which sets forth expenditures for Local Transportation Funds in the Fiscal Year 2010/2011 and authorizes the filing of the claim package.

**WRITTEN COMMUNICATIONS:**

City Clerk Donna Terrones announced that 147 letters were received in support of the New Senior Community Center.

Mayor Pro Tempore Martner noted pictures received by Barry Weaver.

**ORAL COMMUNICATIONS:**

1. Dave Pierce commented on the TDA funds and bicycle path extension and suggested using the funds towards more transportation.

**COUNCIL/REDEVELOPMENT AGENCY REQUESTS, COMMENTS, AND MEETING REPORTS:** None

**ADJOURNMENT:**

At 10:50 P.M. Mayor Pro Tempore Martner adjourned the Lompoc City Council/Redevelopment Agency to a Regular Meeting at 7:00 P.M. on Tuesday, May 4, 2010.

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Cecilia Martner  
Mayor Pro Tempore/Vice Chair  
City of Lompoc

ATTEST:

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Donna N. Terrones, CMC  
City Clerk  
Date: May 7, 2010