

MINUTES

**Regular Meeting of the Lompoc
City Council and Lompoc Redevelopment Agency
Tuesday, August 17, 2010
City Hall, 100 Civic Center Plaza, Council Chambers**

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

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

Council/Agency Members Absent: Tony Durham

Staff Present: City Administrator/Executive Director Laurel Barcelona, City Attorney/General Counsel Joe Pannone, Acting City Clerk/Secretary Stacey Alvarez, Paralegal Teri Schwab, Recreation Manager JoAnne Plummer, Senior Civil Engineer Michael Luther, Management Services Director Brad Wilkie, Community Development Director Arleen Pelster, Assistant Public Works Director Kevin McCune, and Police Captain Donald Deming.

Others Present: Curt Taylor, Deb Argel-Bastian, Dirk Starbuck, Ashley Costa, John Linn, Bill Mackins, DeWayne Holmdahl, Martin Van Enoo, Will Schuyler, Pat Brady, Frances Milliate, and Ray Leslie.

INVOCATION: Darren Hunt

PLEDGE OF ALLEGIANCE: Mayor Mike Siminski

PRESENTATIONS:

Presentation by Team Leader Curt Taylor on the CAC/Youth Corps Program.

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

City Administrator Laurel Barcelona introduced Community Development Director Arleen Pelster who reported on ongoing and new Economic Development activities.

Council Member Ruhge commended staff for their report and continuing work in economic development for the City of Lompoc.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

CITY 1. Lompoc Aquatic Center Annual Report.

Recreation Manager JoAnne Plummer presented the annual report with a Power Point presentation.

Council Member Lingl thanked staff for this report, and their continued hard work, and suggested staff work with the Chamber of Commerce to promote the Aquatic Center outside the Lompoc Valley. Staff stated that they do work with the Chamber to promote the Center as well as all of the Parks & Recreation Department’s facilities and programs.

Council Member Martner commended staff for reducing the overall expense and subsidy amounts in the operating budget and keeping the annual revenue close to \$300,000.

Council Member Ruhge reiterated Council Member Martner’s comments and asked staff if there will be a six-week closure of the Center this year. Staff answered yes, the Aquatic Center will close on November 29, 2010, and reopen on January 10, 2011.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS AND ANNOUNCEMENTS:

(cont'd)

CITY 2. Code Enforcement Team Update and Request for Council Direction.

Paralegal Teri Schwab presented the staff report and recommendations.

Council Member Lingl asked if staff has addressed the issue of individuals using commercial streets to park several privately owned vehicles. Staff stated that the City must adhere to the State Vehicle Code, thus limiting the City's ability to address specific commercial streets and parking.

Public Comment:

1. Dirk Starbuck, Martin Van Enoo, Ralph Harman, Ashley Costa, Frances Milligan, John Linn, and Bill Mackins spoke about the recommendations and gave suggestions to Council regarding unhitched trailers parked on City streets.
2. DeWayne Holmdahl asked Council to consider assigning the weed and rubbish abatement process to a single department.

After a lengthy discussion, Council directed staff to return at a future date with clear, distinct recommendations on regulating personal property on City streets, and draft ordinances to address the issues of unhitched trailers including fifth wheel and/or semitrailers parked on City streets; and the establishment of an administrative citation system with progressive fines for repeat offenses. Council approved weed and rubbish abatement of residential properties to be conducted under Government Code Sections 39560-39588.

Council Member Martner announced that she participated in the awards ceremony in the Lompoc Sprint Triathlon that was held at the Lompoc Aquatic Center on August 14, 2010, stating that there were 128 adult and 44 child participants.

Council Member Ruhge expressed concern about large corporate businesses conducting temporary or seasonal retail sales inside the City. She encouraged all citizens to shop locally and support the businesses that are here all twelve months of the year.

Council Member Lingl agreed with Council Member Ruhge, spoke about an anonymous letter complaining about a City employee, and then wished his wife a happy anniversary.

Mayor Siminski spoke about the anonymous letter Council Member Lingl mentioned and asked that all complaints be signed with contact information attached. This will ensure that the complaint can be addressed correctly.

ORAL COMMUNICATIONS

1. Dirk Starbuck spoke about the Aquatic Center, suggesting Council set an annual performance goal for the Aquatic Center.
2. Deb Argel-Bastian spoke about the "Honor and Remember" Flag.
3. Ray Leslie asked about the General Plan Update, property annexations, and remarked about the Senior Center.
4. Martin Van Enoo spoke out against ordinances that would restrict parking any vehicles on City streets.
5. Ralph Harman spoke about unhitched trailers, broken trash receptacles, sign ordinances, and economic development.
6. John Linn thanked the CAC/Youth Corps Program for their help with local projects, spoke about shopping locally, and gave Council copies of a suggested sign ordinance as drafted by a Chamber of Commerce committee in 2006.
7. Ashley Costa discussed the Aquatic Center operating budget.

RECESS:

At 9:07 P.M. Mayor/Chair Siminski announced a break. At 9:17 P.M., the meeting reconvened with Council Members Lingl, Rughe, Mayor Pro Tem Martner, and Mayor Siminski.

CONSENT CALENDAR:

ACTION: Motion/Second: Ruhge/Lingl. By a 4 to 0 vote (*Council/Agency Member Durham ABSENT*), the City Council/Agency

CITY/RDA 3. **Approved the Minutes** of the Lompoc City Council and Lompoc Redevelopment Agency Regular Meeting of August 3, 2010.

CITY 4. **Approved expenditures for:**

- Payroll of 08/04/2010 - \$1,073,884.87
- Voucher Register of 07/29/2010 - \$703,965.70
- Voucher Register of 07/30/2010 - \$394,913.83
- Voucher Register of 08/05/2010 - \$143,847.27
- Voucher Register of 08/06/2010 - \$581,965.11
- Credit Refunds of 08/03/2010 - \$1,606.02

CITY 5. **Adopted Ordinance 1565(10) Amending the City Zoning Map Designation for A .96 Acre Site From One High Density Residential, Planned Development (R-3, PD) Designation to another High Density Residential, Planned Development (R-3, PD) Designation Located at 109 South Third Street Assessor Parcel Number 85-150-47). (Planning Division File No. ZC 09-02).**

CITY 6. **Approved Mutual Aid Reimbursement for Jesusita Fire.**

CITY 7. **Approved Fiscal Year 2010-2011 Agreement for Operation of a Countywide Free Library System.**

CITY 8. **Approved Memorandum of Understanding with Employees represented by Lompoc Police Officers Association.**

APPOINTMENTS:

CITY 9. **Human Services Commission, one unexpired term ending 12/2010.**

ACTION: Motion/Second: Siminski/Lingl. By a 4 to 0 vote, (*Council/Agency Member Durham ABSENT*), the City Council appointed Joshua Craig to the Human Services Commission for one term ending 12/2010.

NEW BUSINESS:

CITY 10. **Award of Project No. FY-08-P-2 the Richard L. DeWees Senior Community Center 1120 West Ocean Avenue.**

Senior Civil Engineer Michael Luther gave the staff report and recommendations.

Public Comment:

1. Will Schuyler and Pat Brady gave name suggestions for the new community senior center.

Council Member Martner and Ruhge supported Pat Brady’s name suggestion of the Dick DeWees Community and Senior Center. Council Member Ruhge also pointed out that the project award amount is \$742,000 less than the estimate given by the architect.

NEW BUSINESS: (cont'd)

Item No. 10

Council Member Lingl requested a monthly update on this project and asked staff to clarify the approximate starting and completion dates, who is ultimately responsible to keep this project on time and on budget, and what determines the change order amounts. Staff stated that the project is on a 300 calendar day schedule, staff is ultimately responsible for keeping the project on time and on budget, and that an update report will be given to Council on a monthly basis. Staff further explained how the change order amounts were determined.

Council Member Ruhge also requested a monthly report on this project.

Mayor Siminski announced that the ground breaking ceremony for this project is scheduled for September 24, 2010 at 4:00 p.m.

ACTION: Motion/Second: Lingl/Martner. By a 4 to 0 vote (*Council Member Durham ABSENT*), the City Council:

- A) Adopted the Plans and Specifications for Project No. FY-08-P-2, as required by Section 22039 of the Public Contract Code. Copies of plans and specifications are on file in the City Engineer's Office; and
- B) Awarded the Construction Contract in the amount of \$3,591,911.00 to AWI Builders, Vernon, CA, and authorized the Mayor to execute the necessary agreements for this Contract; and
- C) Authorized the City Engineer to approve Construction Contract Change Orders in an amount not to exceed \$574,000.00; and
- D) Awarded the Construction Management Contract in the amount of \$224,500.00 to Harris and Associates, and authorized the Mayor to execute the necessary agreements for this Contract; and
- E) Authorized the City Engineer to approve Construction Management Contract Change Orders in an amount not to exceed \$34,000.00; and
- F) Adopted "Dick DeWees Community and Senior Center" as the official name of the new senior community center; and
- G) Revised the allocation of Community Development Block Grant (CDBG) funding for the new senior community center to \$1,034,942.00; and
- H) Directed staff to provide Council with a monthly update report on the progress of the project.

CITY 11. **Resolution No. 5665(10) Modifying Eligibility Criteria for Electric Utility Rate Schedule A-13.**

Management Services Director Brad Wilkie presented the staff report and recommendations.

Council Member Martner asked staff to explain why there is a requirement of five new full time employees, and why the area for eligibility was expanded. Staff explained that this program is designed to encourage larger companies to do business in the City and that the expansion of the area may also help qualify more participants into the program.

NEW BUSINESS: (cont'd)

Item No. 11

Public Comment:

1. Martin Van Enoo asked about the current kilowatt rate in a commercial location.

ACTION: Motion/Second: Lingl/Martner. By a 4 to 0 vote (*Council Member Durham ABSENT*), the City Council adopted Resolution No. 5665(10) modifying Electric Utility Rate Schedules A-13.

CITY 12. **Award the Construction Contract for the Allan Hancock Bike Path.**

Senior Civil Engineer Michael Luther presented the staff report and recommendations.

Council Member Ruhge asked staff if the Bike Path will be fenced. Staff explained that the Federal Bureau of Prisons has required an eight foot high fence on the west side starting from Ken Adam Park to Hwy 1.

Mayor Siminski asked staff if this bid was a line item bid. Staff stated yes, this project was bid as a line item project.

Public Comment: None

ACTION: Motion/Second: Martner/Ruhge. By a 4 to 0 vote (*Council Member Durham ABSENT*), the City Council:

- A) Adopted the Plans and Specifications for Project No. FY-99-S-3, as required by Section 22039 of the Public Contract Code. Copies of plans and specifications are on file in the City Engineer's Office; and
- B) Awarded the Construction Contract for a total contract amount of \$1,026,646.55 to V. Lopez Jr. & Sons General Engineering Contractors, Inc., and authorized the Mayor to execute the necessary agreements for this Contract; and
- C) Authorized the City Engineer to approve quantity increases and Construction Contract Change Orders in an amount not to exceed \$154,000.00; and
- D) Approved the budget adjustments and new appropriations as shown on the Project Funding Summary (Exhibit 1).

CITY/RDA 13. **Award of Project No. FY-07-P-1b Dehumidification Equipment Purchase for the Aquatic Center Dehumidification Project.**

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

Public Comment: None

ACTION: Motion/Second: Lingl/Martner. By a 4 to 0 vote (*Council Member Durham ABSENT*), the City Council:

- A) Adopted the Plans and Specifications for Project No. FY-07-P-1b. Copies of plans and specifications are on file in the City Engineer's Office; and

NEW BUSINESS: (cont'd)

Item No. 13

- B) Awarded the Dehumidification Equipment Contract in the amount of \$473,822.66 to Desert Air Corporation, of Germantown, WI, and authorized the Purchasing Agent to issue a Purchase Order; and
- C) Authorized the City Engineer to approve Contract Change Orders in an amount not to exceed \$60,000.00.

ACTION: Motion/Second: Lingl/Martner. By a 4 to 0 vote (*Board Member Durham ABSENT*), the Board:

- A) For the above purchase and as reflected in the Agency's recently adopted budget, authorized the expenditure of up to \$533,822.66 of the \$1,872,500.00 the Agency received for the recently issued tax allocation bonds; and
- B) Authorized staff to transfer up to \$533,822.66 from the appropriate Agency budget account to the appropriate City budget account, when and as needed.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum):

1. Will Schuyler thanked the Council for approving the Bike Path and Dehumidification projects.

COUNCIL/REDEVELOPMENT AGENCY REQUESTS, COMMENTS, AND MEETING REPORTS:

Mayor Siminski advised that the General Plan Update will be presented at the September 7, 2010 City Council Meeting. He then spoke about and expressed his condolences for City employee Doug Adams who lost his battle with cancer.

Council Member Lingl stated he would like to discuss flying the "Honor and Remember" flag at City Hall, at a future date and would also like a Proclamation prepared for the "Honor and Remember" event to be held at the Elks Lodge on September 11, 2010.

Council Member Ruhge spoke about the Lompoc Police Department's Cruise Night in conjunction with the Chamber of Commerce's Olde Town Market on September 3, 2010, and the Lompoc Police Department's Special Olympics Car Show to be held at Ryon Park on September 4, 2010.

ADJOURNMENT:

Lompoc City Council/Redevelopment Agency will adjourn to a Joint Meeting with the Utility Commission at 6:30 P.M. on Tuesday, September 7, 2010.

Michael A. Siminski, Mayor/Chair
City of Lompoc

ATTEST:

Stacey Alvarez
Acting City Clerk