

Minutes
Regular Meeting of the Lompoc City Council
Tuesday, February 21, 2017
City Hall, 100 Civic Center Plaza, Council Chamber

CLOSED SESSION

OPEN SESSION – 4:30 P.M. – Council Chamber

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

Staff Present: City Manager Patrick Wiemiller, Economic Development Director/Assistant City Manager Teresa Gallavan, City Clerk Stacey Haddon, and City Attorney Joseph Pannone.

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: Two Matters

Name of Case: VSS International, Inc, v. City of Lompoc/City of Lompoc v. VSS International, Inc., Case No. 16CV01891

Name of Case: *Lopez v. City of Lompoc, et al.*, Case No. 16CV04079
2. **CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION:** Pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One Matter
3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One matter.
4. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** City Manager
5. **PUBLIC EMPLOYEE PERFORMANCE EVALUTAION:** City Attorney

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

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

Staff Present: City Manager Patrick Wiemiller, Economic Development Director/Assistant City Manager Teresa Gallavan, City Clerk Stacey Haddon, City Attorney Joseph Pannone, Management Services Director Brad Wilkie, Accounting and Revenue Manager Dean Albro, and Fire Chief Kurt Latipow.

Others Present: Lynn Rosenberry, Lynn Whitmore, and Allen Eisenbach.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

Mayor Bob Lingl reported the Public Employee Performance Evaluation of the City Manager was successfully concluded, and stated no reportable action was taken on all remaining Closed Session Business Items.

John Doyle gave the invocation and Mayor Bob Lingl led the **Pledge of Allegiance**.

PRESENTATIONS PRESENTED ELSEWHERE:

On Saturday, February 11, 2017, Mayor Lingl presented a Proclamation in honor of **One Billion Rising Against the Exploitation of Women**.

PRESENTATIONS:

Mayor Lingl presented a plaque to former Planning Commissioner Allan Clark in recognition of his years of service to the City of Lompoc and its Citizens.

PRESENTATIONS: (cont'd)

Lynn Rosenberry, Coordinator Education Services for the Lompoc Unified School District gave a brief presentation on the Local Control Funding Formula and the Local Control and Accountability Plan for the School District.

CITY MANAGER REPORT: (Information only)

City Manager Patrick Wiemiller announced the Budget Priority Setting Workshop will be set for Monday, February 27, 2017; acknowledged and thanked all City employees who worked hard during the recent rain storms; and gave a brief presentation on the City's General Fund cash balance.

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

CONSENT CALENDAR:

Management Services Director Brad Wilkie pointed out there is a typographical error on Consent Item No. 3 (exhibit D) and Item No. 4 (exhibit A) Pay Schedules, the exhibits listed are the same for both items and incorrectly list a 5% Compensation for Certification on Category 666 and should be removed from the Pay Schedules.

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

1. Approved the expenditures for:
 - Payroll of January 27, 2017 - \$1,460,434.55
 - Voucher Register of January 27, 2017 - \$853,124.18
 - Voucher Register of January 20, 2017 - \$759,159.94
 - Credit Refunds of January 23, 2017 - \$4,289.02

2. **Adoption of Resolution No. 6092(17) Approving Amendment No. 5 to the Memorandum of Understanding Between the City of Lompoc and the International Brotherhood of Electrical Workers Local Union 1245 Effective January 1, 2015, Through June 30, 2017.**
 - a) Accepted, approved and adopted the Tentative Agreement between the City of Lompoc (City) and the International Brotherhood of Electrical Workers Local Union 1245 (IBEW Local 1245); and
 - b) Accepted, approved and adopted Amendment No. 5 to the Memorandum of Understanding between the City and IBEW Local 1245 Effective January 1, 2015, Through June 30, 2017 (IBEW MOU 2015-17), extending the contract term of the existing IBEW MOU 2015-17 through June 30, 2019; and
 - c) Adopted Resolution No. 6092(17), which:
 - i) Accepted, approved and adopted the Tentative Agreement between the City and IBEW Local 1245;
 - ii) Accepted, approved and adopted Amendment No. 5 to the IBEW MOU 2015-17, extending the contract term of the existing IBEW MOU 2015-17 through June 30, 2019;
 - iii) Approved \$125 per month salary range adjustments as proscribed in the Tentative Agreement and Amendment No. 5 to the IBEW MOU 2015-17, retroactive to December 24, 2016;
 - iv) Approved a 5% salary range adjustment to the Lead Streets Maintenance Worker job classification as proscribed in the Tentative Agreement and Amendment No. 5 to the IBEW MOU 2015-17, retroactive to the payroll period commencing December 24, 2016;
 - v) Approved a 5% salary range adjustment to the Lead Water Distribution Operator job classification as proscribed in the Tentative Agreement and Amendment No. 5 to the IBEW MOU 2015-17, retroactive to the payroll period commencing December 24, 2016;

CONSENT CALENDAR: (cont'd)
Item No. 2

- vi) Amended the City's Compensation Plan/Pay Plan to include the salary range adjustments for the Lead Streets Maintenance Worker job classification and the Lead Water Distribution Operator job classification as proscribed in the Tentative Agreement and Amendment No. 5 to the IBEW MOU 2015-17, retroactive to the payroll period commencing December 24, 2016;
 - vii) Approved the supplemental appropriations to fund the salary range adjustments as proscribed in the Tentative Agreement and Amendment No. 5 to the IBEW MOU 2015-17, for the remainder of Fiscal Year 2016-2017; and
 - viii) Approved the supplemental resources to fund the supplemental appropriations.
3. **Adoption of Resolution No. 6095(17) Approving Amended and Restated Compensation Plans for Management, Supervisory & Confidential and Unrepresented Employees and Approving Supplemental Appropriations and Revenues to Fund the Amended and Restated Compensation Plans**

Adopted Resolution No. 6095(17), which:

- a) Approved the amended and restated Compensation Plans for Management, Supervisory & Confidential and Unrepresented employees effective the first full pay period after adoption of the Resolution; and
 - b) Approved the supplemental appropriations which will fund the proposed salary range adjustments included the amended and restated Compensation Plans for the remainder of Fiscal Year (FY) 2016-2017; and
 - c) Approved the supplemental resources to fund the supplemental appropriations to fund the compensation adjustments included the amended and restated Compensation Plans for the remainder of Fiscal Year (FY) 2016-2017.
4. **Adoption of Resolution No. 6096(17) Affirming and Adopting a Master Pay Schedule as Required by California Public Employees' Retirement System**

Adopted Resolution No. 6096(17), creating and affirming the City of Lompoc's master pay schedule for all represented employee classifications and all unrepresented employees covered by a Compensation Plan so that the City is in compliance with the requirements of the California Code of Regulations section 570.5 and the California Public Employees' Retirement System (CalPERS) relating to publically available pay schedules for purposes of determining the amount of "compensation earnable" pursuant to Government Code Sections 20630, 20636, and 20636.1.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

Management Services Director Brad Wilkie presented the Monthly Update on the Financial Management System Upgrade.

ORAL COMMUNICATIONS (3 Minutes Maximum):

- 1. Lynn Whittemore thanked Council for providing help with the code enforcement cases against his property.

APPOINTMENTS:

5. **Appointment of Council Nominee to the Utility Commission.**

By a unanimous vote, the City Council approved the following appointment (term to expire 12/2018):

Applicant
Bob Holloway

Nominated by:
Victor Vega

NEW BUSINESS:

6. **Introduction of Ordinance No. 1634(17) Amending Chapter 1.08 of the Lompoc Municipal Code Relating to the City Seal and City Logo.**

City Attorney Joseph W. Pannone presented the Staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Mosby/Vega. By a 5-0 vote Council introduced, by reading of the title only, and waiving further reading, Ordinance No. 1634(17), amending Chapter 1.08 of the Lompoc Municipal Code to rename that Chapter and prohibit the unauthorized use of the City of Lompoc’s (City) Seal and Logo.

NEW BUSINESS:

7. **Introduction of Ordinance Nos. 1632(17) and 1633(17) for the Adoption of the 2016 California Fire Code and Building Codes.**

Fire Chief Kurt Latipow presented the Staff report and recommendations, and explained a minor typographical error on page 2 of Ordinance No. 1632(17) – as shown below:

SECTION 2. Section 15.12.010 of the Lompoc Municipal Code (LMC) is hereby amended, in its entirety, to read as follows:

15.12.010 California Fire Code Adopted.

Those codes known as the “California Fire Code,” 2016 Edition, including Appendix Chapter 4, Appendixes A, B, C, D, H, I, J, and N with necessary California amendments and standards, also known or referred to as the ~~2013~~ **2016** California Fire Code of the California Code of Regulations, Title 24, Part 9, which are promulgated and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hill, IL 60478, are hereby adopted and made a part of this Chapter by reference with the same force and effect as if fully set forth herein, except such provisions as are hereinafter added, deleted or amended.

Public Comment: None

ACTION: Motion/Second: Osborne/Starbuck. By a 5-0 vote Council introduced, by reading of the title only, and waiving further reading, Ordinance Nos. 1632(17) and 1633(17), with the stated correction to Ordinance No. 1632(17), to adopt by reference, as required by State law, the 2016 California Fire Code and California Building Codes with amendments, as part of the Lompoc Municipal Code and set a public hearing on March 21, 2017, for adoption of the California Fire Code and California Building Codes, by reference.

8. **Acceptance of Comprehensive Annual Financial Report, Single Audit Report and the Report on Agreed-Upon Procedures for Article XIIIB Appropriations Limitations for Fiscal Year 2015-2016.**

Management Services Director Brad Wilkie presented the Staff report, thanked his Staff for their dedicated work on this matter, and introduced Allen Eschenbach of Glenn Burdette. Mr. Eschenbach stated this Comprehensive Annual Financial Report was a great accomplishment for the City.

NEW BUSINESS: (cont'd)
Item No. 8

Council thanked Staff for their work on this matter, as well as continued work to upgrade the City's financial accounting system.

Public Comment: None

ACTION: Motion/Second: Mosby/Starbuck. By a 5-0 vote, Council accepted the Comprehensive Annual Financial Report (CAFR), together with the Independent Auditor's Report, and the separate Single Audit Report, for Fiscal Year (FY) 2015-2016, and the separate Report on Applying Agreed-Upon Procedures affirming the City's compliance with the requirements of Section 1.5 of Article XIII B – Appropriations Limitations (GANN limit) for FY 2015-2016.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:

Council Member Vega briefly reported on the City Council Ad-hoc Committee Meeting Regarding Marijuana Regulations and thanked all who attended and participated.

Council Member Osborne also thanked all who participated in the Ad-hoc Committee meeting Regarding Marijuana Regulations, and stated the next Meeting will be held in March or April 2017, with notification to be posted as soon as a date is approved.

Council Member Mosby stated he attended two Santa Barbara County Association of Governments meetings.

Mayor Lingl reported he attended several meetings throughout the Lompoc Valley, including the Black History Month Celebration at Pioneer Park, Lompoc.

ADJOURNMENT: At 8:07 P.M. Mayor Lingl adjourned the Lompoc City Council to a Regular Meeting on March 7, 2017 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully submitted to Council for review on March 29, 2017 by: _____
Stacey Haddon, City Clerk