CLOSED SESSION

OPEN SESSION – 5:30 P.M. – Council Chamber

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

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

ORAL COMMUNICATIONS: None

CLOSED SESSION – City Council Conference Room

BUSINESS ITEM:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: Government Code section 54956.9(d)(1) Joel Alcox v. City of Lompoc, et al., U.S. District Court, C.D. Cal., Case No. SACV 17-00507 JVS.

2. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): Two cases.

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

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

Staff Present: City Manager Jim Throop, City Clerk Stacey Haddon, City Attorney Jeff Malawy, Interim Utilities Director George Morrow, Management Services Director Dean Albro, Financial Services Manager Melinda Wall, and Senior Administrative Analyst Jasmine McGinty.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

City Attorney Jeff Malawy announced there was no reportable action taken during the Closed Session.

Mayor Jenelle Osborne led the Pledge of Allegiance.

CITY MANAGER REPORT: (Information only)

- List of City expenditures
  - February 24 - 28, 2020 - $3,820,212.78
  - March 2 – 6, 2020 - $742,373.60
  - March 9 – 13, 2020 - $935,512.82
  - Payroll March 6, 2020 - $1,606,125.54

City Manager Jim Throop emphasized the importance of all citizens participating in the Census; and announced the City’s COVID-19 Hotline at (805) 875-8071 is available Monday – Friday 9am-5pm and all COVID-19 updated information is available on the City’s website; stated the City’s newly updated Zoning Code Update has been codified and is also available on the City’s website; there is a blood-drive scheduled for April 18, 2020 inside the Anderson Recreation Center at 125 West Walnut, Lompoc, with social distancing being observed; and the City’s Planning Division currently has 59 projects working through the planning process.
Council Member Mosby asked how the Planning Division is working with contractors and other professionals who need to meet in person with City Staff. Community Development Director Christie Alarcon, explained the Planning Division, Building Division, and several other Departments and Divisions are available to meet with appointments and proper safety measures.

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

CONSENT CALENDAR:

Council Member Cordova recused herself from voting on Consent Item No. 3.

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


2. Legal Representation by Little & Karzai LLP as Insurance Coverage Counsel in Alcox v. City of Lompoc, et al.

   Approved the attached Letter of Engagement with Little & Karzai LLP and direct the City Manager to execute it.

ACTION: Motion/Second: Mosby/Vega. By a 4-0-1 vote (Council Member Cordova abstained), Council:

3. Consideration of Request from Visit Lompoc, LLC, dba Explore Lompoc, for Waiver of Late Fees and Interest for Tourism Improvement District Assessments; Adoption of Resolution No. 6316(20).

   Adopted Resolution No. 6316(20), waiving late fees and interest until June 30, 2020 for late TBID assessments assessed on lodging businesses in the City for February 2020 and March 2020 lodging services, which waiver shall only apply for any lodging business that is current on TBID assessments as of January 1, 2020.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

- Interim Utilities Director George Morrow provided an update on the PG&E bankruptcy process.

Council thanked Staff for the information. Mr. Morrow stated he will bring forward rate comparisons of the City of Lompoc electric service rates and PG&E electric service rates at a future meeting.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Ann McCarty (via phone), Executive Director of the North County Rape Crisis Center, thanked the Council for providing a proclamation in honor of April 2020 named Child Abuse Awareness Month, and reminded the public the Center continues to be open by phone and email.

UNFINISHED BUSINESS:

Management Services Director Dean Albro provided an update on the City of Lompoc 2019/2021 Biennial Budget.

Council Member Mosby asked about Council approved City Staff salary increases from previous Biennial Budgets. Mr. Albro stated he provided the same information regarding the City's long-term liabilities to the California Public Employees Retirement System, before those increases were approved, as he has provided now.
UNFINISHED BUSINESS: (cont’d)

Via Zoom, Mike Meyer of NHA Advisors provided a presentation to Council with Power Point slides on cost management and alternative repayment strategies for the City’s California Public Employees Retirement System (CalPERS) costs.


Council thanked NHA Advisors for the information presented.

Council Member Mosby asked Mr. Meyer about the Section 115 Trust and what guarantees would there be to ensure the CalPERS long-term liabilities are paid with those funds. Mr. Meyer explained any funds in a Section 115 Trust must be used to pay for retirement liabilities, and stated the Council could set policies regarding payments.

Public Comment: None

Council Member Starbuck motioned to continue this discussion to the April 21, 2020 Regular City Council Meeting. The motion was seconded by Council Member Mosby.

Council continued to discuss the matter.

ACTION: Motion/Second: Starbuck/Mosby. By a 4-1 vote (Mayor Osborne voted No), Council took no action on this item and continued the matter to the April 21, 2020 Regular City Council Meeting.

5. Status Report on Utility Shutoff Moratorium, Waiver of Delinquent Utility Fees, and Closure of Civic Center Lobby for Bill Payments, Due to COVID-19 Pandemic; City Council Consideration of Any Additional Assistance to Utility Rate Payers.

Financial Services Manager Melinda Wall presented the Staff report and recommendations.

Council thanked Staff for their continued work during this crisis and discussed current City policies regarding repayment plans for utility account holders who are behind in utility payments, possible future credits to utility account holders, current notices mailed to utility account holders in arrears, bill payment options, and the current waiver of late fees.

Public Comment: Phone calls only – no in person comments received.

1. Robin Ginn, City of Lompoc Treasury employee, explained the current yellow notices delivered to utility account holders who are in arrears are reminders and not termination notices, and stated the City has been working with all customers who request a payment plan for delinquent accounts.

2. (Name not given), asked about possible waiver of City utility bills.

ACTION: Motion/Second: Vega/Starbuck. By a 5-0 vote, Council received the information contained in this Staff report concerning the Treasury / Utility Billing Division; continued with the measures in place by maintaining the closed lobby door for the Civic Center and the Treasury / Utility Billing Division; and directed Staff to continue to provide informational inserts in the regular utility billing mailings, change the color of the delinquent reminder notices and revise the verbiage to be more informational; and return at a future Council Meeting with options for customers, on payment of delinquent utility accounts and provide information regarding Community Development Block Grant funding that might be used to help utility customers with delinquent accounts.
NEW BUSINESS:

6. Designation of City’s Agents in Applying for Reimbursement from the California Governor’s Office of Emergency Services (Cal OES).

Senior Administrative Analyst Jasmine McGinty presented the Staff report and recommendations.

Public Comment: None

Council discussed the matter at length.

Council Member Vega motioned to adopt Resolution No. 6313(20), authorizing the City Manager, or designee, to take all necessary actions to apply for reimbursement of eligible City costs resulting from the COVID-19 pandemic; and to revise the Designation of Applicant’s Agent Resolution for Non-State Agencies as shown below:

Please check the appropriate box below:

☐ This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

☒ This is a disaster specific resolution and is effective for only disaster number(s) ______________________

The motion was seconded by Council Member Mosby.

Mayor Osborne put forward a substitute motion to adopt Resolution No. 6313(20), approving the Designation of Applicant’s Agent Resolution and authorizing the City Manager, or designee, to take all necessary actions to apply for reimbursement of eligible City costs resulting from the COVID-19 pandemic. The substitute motion was seconded by Council Member Cordova and with a 4 – 1 vote, (Council Member Vega voted No), the substitute motion was approved.

Mayor Osborne requested Council vote to allow an emergency Agenda item be placed on this Agenda to Discuss the Format of Future City Council Meetings During the COVID-19 Crisis. The request was seconded by Council Member Cordova and with a vote of 3-2 (Council Members Mosby, Starbuck, and Vega voted No), the request was denied.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL COMMENTS AND MEETING REPORTS:

Council Member Vega thanked everyone for the updates and information provided regarding COVID-19.

Council Member Mosby requested Council allow the City Manager to begin the recruitment process for the 3 vacant Police Department and the 1.75 vacant Parks Maintenance positions. The request was seconded by Mayor Osborne and carried by Council Member Starbuck. Council Member Mosby also requested Council direct Staff to return at a later date with an updated contract with the Lompoc Chamber of Commerce and Visitor’s Bureau to include funding for economic development support and activities; this request was seconded by Council Member Starbuck and carried by Council Member Vega.

Mayor Osborne encouraged all to be safe and kind to one another during this crisis.

ADJOURNMENT: At 9:29 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on April 21, 2020 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on May 19, 2020: __________________________

Stacey Haddon, City Clerk