



## Minutes

**Adjourned Meeting of the Lompoc City Council  
Wednesday, June 3, 2020  
City Hall, 100 Civic Center Plaza, Council Chamber**

On June 2, 2020, in individual separate conversations with the City Manager, three City Council Members (Osborne, Cordova, and Starbuck) notified the City Manager of their desire to postpone the June 2, 2020 Regular City Council Meeting. At 6:30 pm on June 2, 2020, the City Clerk adjourned the Regular Meeting due to lack of a quorum to an Adjourned Regular Meeting on Wednesday, June 3, 2020 at 1:00 P.M.

### **CLOSED SESSION**

#### **OPEN SESSION – 1pm P.M. – Council Chamber**

**Council Members Present:** James Mosby, Dirk Starbuck, Gilda Cordova Victor Vega, 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--ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): One case.

#### **OPEN SESSION – 1:45 P.M. – Council Chamber**

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

**Staff Present:** City Manager Jim Throop, City Clerk Stacey Haddon, City Attorney Jeff Malawy, Planning Manager Brian Halvorson, Library Director Sarah Bleyl, Battalion Fire Chief Dena Paschke, Civil Engineering Associate III Joshua Leard, Recreation Manager Mario Guerrero, and Management Services Director Dean Albro.

**Others Present:** George Bedford, Steve Bridge, Pastor Wiley, and Michael McCormick.

#### **REPORT ON ACTION TAKEN DURING CLOSED SESSION:**

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

Mayor Jenelle Osborne led the **Pledge of Allegiance**.

#### **CITY MANAGER REPORT:**

- **List of City expenditures**
  - May 11-15, 2020 - \$318,639.29
  - May 18-22, 2020 - \$1,134,202.06
  - Payroll May 15, 2020 - \$1,420,677.10
- **Discussion on Revisions to City Hall Lobby to Accommodate Proper Social Distancing During COVID-19 Pandemic.**

**CITY MANAGER REPORT:** (cont'd)

City Manager Jim Throop provided two options of revisions to the City Hall Lobby. Council discussed the matter and provided suggestions to Staff for revisions to the City Hall Lobby.

Council Member Mosby gave Council and Staff a hand-drawn image with his suggestion for revising the Lobby area and motioned for this suggestion to be the one Council adopts. The motion was seconded by Council Member Vega, but died for a lack of a carry vote.

With a general consensus, the Council requested Staff return at a future meeting with more information regarding the reconfiguration of the lobby to include the possible removal of the receptionist desk, installation of security glass throughout the lobby, renovation of the lobby conference room as the receptionist area, and use of new signage throughout the lobby.

- **Discussion of Letter Self-nominating Vandenberg Air Force Base to be Considered for Headquarters for Space Command.**

City Manager Jim Throop stated Staff has received a request to change the contact name and information from City of Lompoc City Manager to Vice President of the Hourglass Project.

Council discussed the information presented, and with a General Consensus, directed Staff to revise the letter to include more historical information about the City, the City's ability to provide utility services to surrounding areas, and add all Council Members' names and signatures to the final letter.

- **Discussion and Ratification of Emergency Proclamation Temporarily Suspending City Regulations that would Prohibit Outdoor Dining during the COVID-19 Pandemic.**

**ACTION:** Motion/Second: Vega/Mayor Osborne. By a 5-0 vote, Council ratified Director of Emergency Services Proclamation No. 3 (2020), Suspending City regulations that would prohibit outdoor dining during the COVID-19 Pandemic.

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

**CONSENT CALENDAR:**

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of April 21, 2020
2. **Approval of the Annual Operations and Maintenance Plan for Fiscal Year 2020-21; Adoption of Resolution No. 6331(20).**

Adopted Resolution No. 6331(20), approving the Annual Operations and Maintenance Plan (AMP), for Fiscal Year 2020-21 and authorizing Staff to submit the Notice of Exemption to the Santa Barbara County Clerk of the Board.

3. **Award of Project No. FY-20-S-1, 2020 Curb Ramp Upgrade Project; Adoption of Resolution No. 6332(20) Appropriating Measure A Funds.**

Adopted the Special Provisions for Project No. FY-0-S-1, 2020 Curb Ramp Upgrade Project (Project), as required by Section 22039 of the Public Contract Code (copies of Special Provisions are on file in the City Engineer's Office); award the Construction Contract in the amount of \$450,737 to JJ Fisher Construction, Inc.; authorized the City Manager to execute the necessary agreements for that Contract; authorize the City Engineer, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed \$70,000; approved a budget for other services and expenses primarily including Materials Testing in the amount of \$16,000; and adopted Resolution No. 6332(20) appropriating Measure A funds for the Project.

**CONSENT CALENDAR:** (cont'd)

4. **Notice of General Municipal Election on November 3, 2020; Request to Board of Supervisors to Consolidate the Election; Adoption of City Council Policy Requiring Payment for Candidate Filing Packets and Deposits for Candidate Statements.**
  - a) Adopted the following Resolutions pertaining to the November 3, 2020, election for Mayor and two Council Members:
    - i. Resolution No. 6333(20), Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 3, 2020, for the election of Mayor and two Council Members
    - ii. Resolution No. 6334(20), Requesting the Board of Supervisors of the County of Santa Barbara (County) to Consolidate a General Municipal Election of the City of Lompoc to be held on November 3, 2020 with services to be provided by the County
    - iii. Resolution No. 6335(20), Adopting Regulations for Candidates for Elective Office, Pertaining to and Costs of the Candidates' Statements for the Consolidated General Municipal Election (each candidate filing a Candidate's Statement will be required to pay a deposit and comply with the 200-word limit on Candidates' Statements of Qualifications); and
  - b) Directed the City Clerk to file one original and seven copies of Resolution No. 6334(20) with the Clerk of the Board Supervisors, requesting consolidation with the County for the November 3, 2020, General Municipal Election, before the August 6, 2020, deadline.

5. **Breeze Transit Service Memorandum of Understanding**

Authorized the Mayor to sign the Memorandum of Understanding between the Cities of Lompoc, and Santa Maria and the County of Santa Barbara to continue the Breeze Route 100 transit service for another five years

**STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:**

Library Director Sarah Bleyl gave a presentation on the upcoming Summer Reading Program.

Mayor Osborne thanked Ms. Bleyl for this information and encouraged all citizens to participate in the programs provided by the Library.

**ORAL COMMUNICATIONS (3 Minutes Maximum):**

1. Steve Bridge suggested the City provide a home loan program to City Public Safety employees.
2. Pastor Wiley thanked Mayor Osborne and the Police Department for how the demonstration was handled by the entire City.

**PUBLIC HEARING:**

6. **Public Hearing and Introduction of Ordinance No. 1674(20) Amending Appeal Provisions in the Lompoc Zoning Code (Lompoc Municipal Code Title 17).**

Planning Manager Brian Halvorson presented the Staff report and recommendations.

Public Comment: None

**ACTION:** Motion/Second: Mosby/Vega. By a 5-0 vote, Council held a public hearing; and introduced, for first reading by title only with further reading waived, Ordinance No. 1674(20) amending the appeal provisions in Title 17 (Zoning) of the Lompoc Municipal Code.

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

7. **Public Hearing Regarding Nuisance Abatement of Weeds, Rubbish, Refuse, and Dirt; Adoption of Resolution No. 6336(20)**

Battalion Chief Dena Paschke presented the Staff report and recommendations and included an updated property list.

Public Comment: None

**ACTION:** Motion/Second: Vega/Mosby. By a 5-0 vote, Council held a public hearing to receive comments and information from the public to show cause why nuisance conditions upon subject properties should not be abated; and adopted Resolution No. 6336(20) ordering the Fire Marshal to abate nuisances, as declared on May 5, 2020, by Resolution No. 6324(20), not otherwise satisfactorily corrected, in the time and manner provided by law.

**UNFINISHED BUSINESS:**

8. **Adoption of City of Lompoc Pedestrian and Bicycle Master Plan, Final May 2020; Adoption of Resolution No. 6337(20).**

Civil Engineering Associate III Joshua Leard presented the Staff report and recommendations.

Council thanked Staff for the information presented and requested Staff provide a link of previous studies to the City's website and to this Plan.

Public Comment: None

**ACTION:** Motion/Second: Mayor Osborne/Vega. By a 5-0 vote, Council reviewed the attached public and stakeholder input received on the City of Lompoc Pedestrian and Bicycle Master Plan, Draft May 2020; reviewed the attached City of Lompoc Pedestrian and Bicycle Master Plan, Final May 2020 (Plan); and adopted Resolution No. 6337(20) adopting the plan.

9. **Discussion of Potential Postponement or Other Modification of the 2020 Fourth of July Fireworks Show Due to the COVID-19 Pandemic.**

Recreation Manager Mario Guerrero presented the Staff report and recommendations.

Council discussed this matter at length.

Fire Chief Gerald Kuras and Police Chief Joseph Mariani expressed concern about the congregation of large crowds for an event such as this without adequate public safety personnel available to help with crowd and traffic control.

Public Comment:

1. Ann McCarty spoke in favor of the postponement of the 2020 Fourth of July Fireworks show.

Council continued to discuss the matter.

Council Member Starbuck requested Staff review the agreements between the City of Lompoc and the Safe & Sane Fireworks wholesalers.

Council Member Vega asked Staff to continue to possibly secure the north-west soccer field at Lompoc High or some part of the Lompoc Airport for any future City-sponsored fireworks show.

**ACTION:** Motion/Second: Mosby/Vega. By a 5-0 vote, Council reviewed the Staff report; and directed Staff to postpone the 2020 Fourth of July Fireworks Show and review the agreements between the City and all Safe & Sane Fireworks wholesalers and the agreements between the City and local non-profits who operate the retail Safe & Sane Fireworks booths.

**NEW BUSINESS:**

- Fiscal Year 2020-21 Request for City Council Discussion and Direction on Supplemental Appropriation to the Biennial Budget Fiscal Years 2019-21 for New Sales Tax Revenues, Including Appropriations for Payment to CalPERS of City’s Unfunded Accrued Liabilities; Adoption of Resolution No. 6338(20), Approving Budget Adjustments and Supplemental Appropriations Related to New Sales Tax Revenues**

Management Services Director Dean Albro presented the Staff report and recommendations.

Council discussed the matter.

Public Comment: None

Council Member Mosby motioned to accept analysis for the Biennial Budget Fiscal Years (FY) 2019-21 to include supplemental appropriations for FY 2020-21 related to the new sales tax; and adopt Resolution No. 6338(20) approving budget adjustments and supplemental appropriations with revisions to Resolution No. 6338(20) as shown below:

**WHEREAS**, the City Council desires to add appropriations to *contractually commit to pay down California Public Employees’ Retirement System (CalPERS) Unfunded Accrued Liability (UAL) from the current payment schedule to implement a more aggressive 15-year payment schedule (“fresh-start”) and allocate professional service cost associated to those payments from all other funds (Misc. \$406,417, Safety \$599,985, revenues for allocating professional services \$114,981); and*

**SECTION 4.**

*To contractually commit to a “fresh-start” more aggressive 15-year payment schedule for both Miscellaneous and Safety Plans, and approve budget adjustments to revise budgeted appropriations for FY 2020-21 for additional payments to CalPERS UAL from the current payment plan to the contractually committed “fresh-start” more aggressive 15-year payment schedule for both Miscellaneous and Safety Plans.*

~~*To approve budget adjustments to revise budgeted appropriations for FY 2020-21 for additional payments to CalPERS UAL from the current payment plan to a “fresh start” more aggressive 15-year payment schedule for both Miscellaneous and Safety Plans.*~~

Council Member Cordova provided a substitution motion, requesting Council adopt an internal policy that allows for higher payments to CalPERS if the City has funding available and direct Staff to return with a future budget which includes funding for an official ‘fresh-start’ with CalPERS. The motion was seconded by Mayor Osborne and defeated by a 2-3 vote of the entire Council with Council Members Mosby, Starbuck, and Vega voting no.

**ACTION:** Motion/Second: Mosby/Starbuck. By a 3-2 vote (Council Member Cordova and Mayor Osborne voted No), Council accepted analysis for the Biennial Budget Fiscal Years (FY) 2019-21 to include supplemental appropriations for FY 2020-21 related to the new sales tax; and adopted Resolution No. 6338(20) approving budget adjustments and supplemental appropriations with revisions to Resolution No. 6338(20) as shown below:

**WHEREAS**, the City Council desires to add appropriations to *contractually commit to pay down California Public Employees’ Retirement System (CalPERS) Unfunded Accrued Liability (UAL) from the current payment schedule to implement a more aggressive 15-year payment schedule (“fresh-start”) and allocate professional service cost associated to those payments from all other funds (Misc. \$406,417, Safety \$599,985, revenues for allocating professional services \$114,981); and*

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*To contractually commit to a “fresh-start” more aggressive 15-year payment schedule for both Miscellaneous and Safety Plans, and approve budget adjustments to revise budgeted appropriations for FY 2020-21 for additional payments to CalPERS UAL from the current payment plan to the contractually committed “fresh-start” more aggressive 15-year payment schedule for both Miscellaneous and Safety Plans.*

~~*To approve budget adjustments to revise budgeted appropriations for FY 2020-21 for additional payments to CalPERS UAL from the current payment plan to a “fresh start” more aggressive 15-year payment schedule for both Miscellaneous and Safety Plans.*~~

**NEW BUSINESS:** (cont'd)

11. **Consideration of Community Benefit Agreement Proposed by Strauss Wind, LLC in connection with a 100-Megawatt Wind Energy Project to be Located on Private Land Southwest of the City.**

City Manager Jim Throop introduced this item and provided a brief background on the matter.

City Attorney Jeff Malawy presented the Staff report and recommendations.

Council discussed the agreement as well as the wind energy project.

**Public Comment:**

1. George Bedford spoke in opposition to the wind project as well as the proposed community benefit agreement, stating he believes the agreement does not provide enough benefit to the City.
2. (Phone Call – Name not provided), expressed concern if the proposed agreement would provide enough funding to pay for Staff time if any damage occurs during the construction of the wind project.

Council continued to discuss the matter.

City Manager James Throop and City Attorney Jeff Malawy suggested Staff work with the applicant and return at a later date, possibly at the June 16, 2020 City Council Meeting with a revised agreement for Council review.

No Council action was taken on this matter.

**WRITTEN COMMUNICATIONS:** None

**ORAL COMMUNICATIONS (2 Minutes Maximum):**

1. (Phone Call – Name not provided), thanked Lompoc Police for helping making the Black Lives Matter demonstration and suggested the City set a special Council Meeting regarding Police relations with the citizens of Lompoc.

**COUNCIL COMMENTS AND MEETING REPORTS:**

Council Member Vega thanked all who participated in the peaceful protest in honor of Black Lives Matter on June 2, 2020.

Council Member Mosby asked if the Police Chief to return at a future meeting to provide a presentation on the City of Lompoc Police Department's policies. City Manager Jim Throop stated he has already spoken to Chief Mariani regarding this matter and will bring forward a presentation to Council as soon as possible. Council Member Mosby reported he attended the Santa Barbara County Association of Governments, Santa Barbara Air Pollution Control District, and the Western Management Area Groundwater Sustainability Agency meetings as a City of Lompoc Council representative.

Council Member Cordova expressed her admiration for all who participated in the peaceful protest held in Lompoc on June 2, 2020; and announced she attended Economic Recovery and Resilience Town Hall Meeting sponsored by the Hourglass Project.

**COUNCIL COMMENTS AND MEETING REPORTS:** (cont'd)

Mayor Osborne announced the Lompoc Valley Community Health Organization is working with local seniors who need assistance with grocery and or prescription deliveries, and transportation, stating if you are a senior who needs help, please contact 211 or Karen Ortiz at (805) 875-8868; Hancock College is offering a tuition free career academy summer program and all information is available online at [www.hancockcollege.edu](http://www.hancockcollege.edu); Imerys was granted an extension and variance by the Santa Barbara Air Pollution Control District to continue to process cell pure; Santa Barbara County Health Department reported 1,875 businesses have completed the self-certified with COVID-19 health requirements to re-open or remain open; and expressed her appreciation to all who were involved in the June 2, 2020 protest and to all who supported the event.

**ADJOURNMENT:** At 5:56 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on June 16, 2020 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on August 18, 2020

/Stacey Haddon  
Stacey Haddon, City Clerk