

City of
LOMPOC
MINUTES

Regular Meeting of the Lompoc City Council
Tuesday, September 3, 2019
City Hall, 100 Civic Center Plaza, Council Chamber

CLOSED SESSION

OPEN SESSION – 5:00 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 LABOR NEGOTIATORS:** City Designated Representatives: Management Services Director Dean Albro, Financial Services Manager Melinda Wall, Human Resources Manager Gabriel Garcia, City Attorney Jeff Malawy and City Manager Jim Throop. Employee Organizations: Lompoc Police Officer's Association, and International Brotherhood of Electrical Workers.
2. **CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION:** Government Code Section 54956.9(d)(1) Name of case: Kannegeiser v. City of Lompoc, Santa Barbara County Superior Court Case No. 18CV04351.
3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9.: One matter regarding the **2000** Annexation Agreement with Mission Hills Community Services District.
4. **CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): One case.

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, Safety Officer Jo Cavanaugh, Library Director Sarah Bleyl, and Utilities Director Brad Wilkie.

Others Present: Deb Andrews, Michael Baker, John Linn, Ian Guthrie, Thomas Allyn, Kim Coy, and Marlene.

Council Member Cordova announced she will be leaving the City Council Meeting before the Public Hearing Item begins.

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**.

PRESENTATIONS PRESENTED ELSEWHERE:

On August 21, 2019, Mayor Osborne presented **Certificates of Recognition** to Frank Young and Kathleen McCullough at the Annual Veteran’s Breakfast hosted by US Congressman Salud Carbajal at the Veteran’s Memorial Building in Lompoc; and

Also on August 21, 2019, at the Lompoc Chamber of Commerce and Visitor’s Bureau’s Annual Awards Dinner, she presented **Certificates of Recognition** to Tina Mercer in honor of being named Volunteer of the Year and to Southside Coffee in honor of receiving the Small Business Excellence Award; and proclamations to **Man of the Year** Donald Ramirez and **Woman of the Year** Lucy Thoms-Harrington.

CITY MANAGER REPORT: (Information only)

City Manager Jim Throop announced the Rancho Purisima Chapter of the Daughters of the American Revolution have completed the restoration of the World War I monument at the Lompoc Museum and is inviting the public to the rededication ceremony to be held on Saturday, September 7, 2019, at 11am at the Museum; stated the Lompoc Aquatic Center re-opened after the 11 day closure that allowed Staff to perform needed preventative maintenance on the facility; and reported Purisima Hills also known as Summit View Homes, has submitted plans to the City for the first few homes in the new development on Purisima Road and Harris Grade Road, Lompoc.

Council Member Mosby asked Staff to attach the letter from the City to the Santa Barbara County Long Range Planning Division, regarding the City’s annexation application, to this Agenda on the City’s website.

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

CONSENT CALENDAR:

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

1. Approved the minutes of the Lompoc City Council Regular Meeting of August 7, 2018.
2. **Adoption of Resolution No. 6275(19), Granting the Appeal by Subway Restaurant Regarding the Enforcement of Lompoc Municipal Code Section 13.16.370 Grease Trap/Interceptor Required (1206 W. Ocean Avenue)**

Adopted Resolution No. 6275(19), granting the appeal by Subway Restaurant regarding the installation of a grease interceptor at 1206 W. Ocean Avenue.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

Safety Officer Jo Cavanaugh presented the list of the **Above & Beyond Awards** for the Fourth Quarter of the 2018-2019 Year.

Library Director Sarah Bleyl gave a presentation highlighting the Lompoc Library’s **Summer Reading Program** and September 2019 **Library Sign-up Month**.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Deb Andrews expressed her gratitude to Council for listening to the Citizens and then requested the Council bring back the invocation.
2. Michael Baker, CEO of the United Boys & Girls Club of Santa Barbara County, spoke about the Lompoc Club and reminded everyone of the scholarships available to any child who wishes to join the Club, and thanked Council for their continued support of these programs.
3. John Linn offered to provide help with the invocation.

Council Member Cordova stepped down from the dais and exited the Council Chamber.

City Attorney Jeff Malawy stated this property is within 500ft of property owned by Council Member Mosby, but does not cause a conflict of interest because no financial gains or losses to Council Member Mosby's property could be realized by the any decision on this matter.

PUBLIC HEARING:

3. **Decision and Direction Regarding the Appeal by the Lompoc Artificial Kidney Center, LLC, of Waste Discharge Permit I-0013 and Utility Director's Revised and Reissued Ruling on Request for Reconsideration in Accordance with Lompoc Municipal Code Sections 1.32.010 and 13.16.130.**

Utilities Director Brad Wilkie presented the Staff report and recommendations, and reminded everyone this item is for Council to decide if the business is required to process a wastewater permit as an industrial user.

Council Member Starbuck asked if a code violation complaint was filed against this business by a citizen or by City Staff and if the City is working to limit the amount of salt outside agencies, specifically the Vandenberg Village Community Service District, are allowing to flow into the City's water. Utilities Director Brad Wilkie stated the City received a signed complaint from a citizen; and explained the City is working with outside service districts to ensure the water sent to the City's water treatment plant is from those districts, is in accordance of the requirements of the City's permit.

Representatives from the Lompoc Artificial Kidney Center, LLC, Ian Gutherie and Dr. Thomas Allyn presented a Power Point Presentation and requested the Council uphold the appeal.

Public Comment:

1. John Linn stated he believes the Lompoc Artificial Kidney Center, should be considered a residential user of wastewater and provided a handout of unaudited information regarding the City's water quality.
2. (Name not Given), spoke in favor of allowing the Lompoc Artificial Kidney Center and expressed her gratitude for how the Center has helped her to continue to live a fulfilling life.
3. Marlene (Last Name Not Given), spoke the quality of care provided at the Lompoc Artificial Kidney Center and large number of patients who receive dialysis care in this facility.
4. Kim Coy spoke about the importance of a dialysis center and how her family has benefitted from quality dialysis care given to her own mother.

Council discussed this matter at great length.

At 8:12 P.M. Mayor Osborne called a brief recess. At 8:22 P.M. the meeting was called back in session with all Council Members present, excluding Council Member Cordova.

Council continued the discussion.

ACTION: Motion/Second: Vega/Starbuck. By a 4-0-1 vote (Council Member Cordova was absent), Council Stay the appeal; and directed Staff to return at a future date with a City Ordinance to amend the LMC to allow the following: use of water softeners for industrial use with an efficiency rating of no less than 4,000 grains of hardness removed per pound of salt used in regeneration, subject to compliance with salt limitations for all operations; redefine hazardous waste to exclude dialysate (waste from dialysis operations); include a change to domestic discharge to include dialysate; amend definition of industrial waste to state does not include anything defined as domestic wastewater; and seek formal approval from the Regional Water Quality Control Board for the foregoing amendments to the City of Lompoc Municipal Code.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL COMMENTS AND MEETING REPORTS:

Council Member Mosby requested Staff draft a letter to the California Fish & Wildlife requesting public access and fishing in the marine preserve at Surf Beach and draft a letter to the County of Santa Barbara requesting the lagoon at Ocean Park be re-opened for public recreation and return at future date for Council's review; and asked Staff to draft regulations regarding needle exchange and or give away programs inside the City. All requests were seconded by Council Member Vega and carried by Council Member Starbuck.

Mayor Osborne stated she attended several events, including the Lompoc Chamber of Commerce and Visitor's Bureau Annual Dinner, and the Lompoc Youth Football League opening ceremonies; reminded the public of the upcoming WWI Memorial Re-dedication ceremony happening on September 7, 2019 at the Lompoc Museum and requested Staff return at a future meeting with a Staff report on the discussion of hiring a consultant to help review and evaluate the City's municipal code and ordinances regarding wastewater. The request was seconded by Council Member Mosby and carried by Council Member Starbuck.

ADJOURNMENT: At 8:44 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on September 17, 2019 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on October 1, 2019:

Stacey Haddon, City Clerk