



**Minutes of the Lompoc City Council  
Tuesday, March 19, 2019 Regular Meeting  
City Hall, 100 Civic Center Plaza, Council Chamber**

**CLOSED SESSION**

**OPEN SESSION – 5:45 P.M. – Council Chamber**

Council Members Present: 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.

Others Present: Sue Coupland.

**ORAL COMMUNICATIONS:**

1. Sue Coupland expressed concern about the City moving forward with negotiations with Pale Blue Dot Ventures for City-owned property.

**CLOSED SESSION – City Council Conference Room**

**BUSINESS ITEM:**

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: One matter.
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** Government Code Section 54956.8. Property: approximately 82 acres including and adjacent to Ken Adam Park. City Negotiators: City Manager Jim Throop and City Attorney Jeff Malawy. Negotiating Party: Pale Blue Dot Ventures, Inc. Under Negotiation: Price and terms of payment.

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

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

City Attorney Jeff Malawy stated the City Council took no reportable action on either item listed under the Closed Session.

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, Police Captain Deanna Clement, Planning Manager Brian Halvorson, Utility Director Brad Wilkie, Management Services Director Dean Albro,

Others Present: Sue Coupland, Deb Andrews, Andrea Wasland, (Unknown First Name) Silva, Chase Alsberg, Gwynn Smith, Christine Bates, Sabrina (Unknown Last Name), DA Taylor, Jeremy Ball, David Casper, Jane DeWees, Ron Fink, Kathy Howard, Ann Ruhge, Mary Saladino, DeWayne Holmdahl, Ann McCarthy, John Linn, Justin Ruhge, Marie Waldau, Nick Gonzales, Anthony Hudley, Leah Braitman, Will Schuyler, and Brad Wilkie.

Morris Sobhani gave the invocation and Mayor Jenelle Osborne led the **Pledge of Allegiance**.

**PRESENTATIONS:**

Mayor Osborne presented proclamation honoring **Lompoc Cares Week 2019**.

**CITY MANAGER REPORT:** (Information only)

• **List of City expenditures**

- February 11 – 15, 2019 - \$314,571.41
- February 18 – 22, 2019 - \$908,225.07
- Payroll February 22, 2019 - \$1,466,106.18

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

City Manager Jim Throop announced the upcoming Empty Bowls fundraising event will be on March 20, 2019 and the State of the City will be on April 4, 2019 beginning at 11:30 A.M., both events will be held at the DeWees Center at 1120 West Central Avenue, Lompoc. Mr. Throop suggested a Special Budget Workshop be scheduled for April 17, 2019 at 6:30 P.M. in the Council Chamber, with a General Consensus the Council approved the meeting date and time.

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

**CONSENT CALENDAR:**

Council Member Mosby asked Staff to read into the record the City’s Regional Housing Needs Allocation (RHNA).

Planning Manager Brian Halvorson read from the General Plan Annual Report 2018 the following:

In accordance with Government Code section 65584, the Santa Barbara County Association of Governments (SBCAG) adopted the RHNA Plan July 2013. For the eight and three-quarter year period of the plan (January 1, 2014 – September 30, 2022), the City of Lompoc was allocated 525 households in the RHNA Plan. Table 2 provides the housing need allocation for the City, classified by income level, as identified in the RHNA Plan. With the annexation of the Summit View Homes Development, the City accepted an additional two (2) units. Of these two units, one unit would be the very low income category and another unit would be the low income category. This is reflected in Table 2 below.

<b>TABLE 2 – CITY OF LOMPOC RHNA BY INCOME LEVELS 2014-2022</b>				
<b>Total Number of Units</b>	<b>Very-Low Income</b>	<b>Low-Income</b>	<b>Moderate Income</b>	<b>Above-Moderate Income</b>
527*	127	85	95	220

City Attorney Jeff Malawy announced Council Member Mosby has a conflict of interest due to real property interest within 500 feet of Agenda Item No. 2 and must recuse himself from voting on this matter.

**ACTION:** Motion/Second: Vega/Mosby. By a 5-0 vote on Consent Agenda Items 1, 3, 4, 5, and 6, and with a 4-0-1 vote on Consent Agenda Item No. 2, (Council Member Mosby abstained) Council:

1. Approved the Minutes of the Lompoc City Council Regular Meeting of February 19, 2019 and March 5, 2019 and the Special Meeting of March 9, 2019.
2. Adopted Ordinance No. 1663(19), to change the Zoning Map designation of 25 parcels west of A Street from CO to Planned Commercial Development.
3. Adopted Ordinance No. 1664(19) to change the Zoning Map designation of 36 parcels east of A Street from Commercial Office to Planned Commercial Development.
4. Adopted Ordinance No. 1666(19), to Prohibit Overnight Parking on Cordoba Avenue and Aviation Drive.
5. **Acceptance of the General Plan Annual Report 2018.**

Accepted the General Plan Annual Report 2018 and direct the Planning Staff to file it with the Office of Planning and Research and the Department of Housing and Community Development.

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

6. **Adoption of Resolution No. 6244(19) Attestation of the 2017 Power Source Disclosure Report.**

Adopted Resolution No. 6244(19), to attest the veracity of the 2017 Power Source Disclosure Report.

**STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:**

- **Police Department Staff Provided a Presentation on the City's Current Partnership with Private Businesses for Use of Video Recordings.** (Requested by Council Member Mosby)

Police Captain Deanna Clement gave a brief summary of the current volunteer program that would allow private businesses and citizens to formally register their security recording systems with the Police Department and instances allow the Police Department to view recordings remotely. Council Member Vega asked if the Police Department provides recommendations for specific types of security systems or recording systems. Captain Clement stated the City does not make such recommendations. Council Member Mosby thanked Staff for this information.

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

1. Deb Andrews stated she cannot locate the Council videos on the City's updated website.
2. Sue Coupland expressed her concern regarding Closed Session Item No. 2, property negotiations with Pale Blue Dot Ventures, LLC, stating she believes the City should have posted a request for quotes for this City-owned property.
3. Andrea Wasland spoke about the recent March 4, 2019 shooting and death of a local teenager, thanked the City for the recent rehabilitation of Ryon Park, asked Council to help bring more opportunities to the area for youth, and expressed her dismay in the rejection by voters of the school bond.
4. Sanjuancito Silva, expressed her concern about the increased violence in Lompoc, stated her son was shot on January 22, 2019, and survived, said thank you to the Police Department for working with the public for the use of video recordings, and stated she does not want the City to raise taxes.
5. Chase Alsberg, a volunteer with the Lompoc Theater Project, asked Council and the City to help eradicate the feral pigeons in the local area with a sterilization program.
6. DA Taylor stated the City must adopt Public Safety as its number one priority.
7. Gwynn Smith, Sabrina (Last name unknown), Jeremy Ball, David Casper, Jane DeWees, Ron Fink, Kathy Howard, and Ann Ruhge spoke about the City's need for fully staffed Public Safety Departments and suggested Council place an item on a future ballot to allow the citizens to vote on a sales tax measure.
8. Christine Bates and (Name not Given), complained City Staff was not processing the Commercial Cannabis Use License applications in a timely manner.

**APPOINTMENTS:**

7. Council Appointment to the Public Safety Commission.

**ACTION:** Motion/Second: Cordova/Starbuck. By a 5-0 vote, Council appointed Ed Braxton to the Public Safety Commission with a term ending December 2020.

**NEW BUSINESS:**

**8. Fiscal Years 2018-19 Mid-Year Budget Update and Request for Council Discussion and Direction on Development of the Fiscal Years 2019-21 Biennial Budget.**

Management Services Director Dean Albro gave a presentation on the City's current and projected future budget totals and suggested Council direct Staff to prepare the 2019-2021 Biennial Budget with a sales tax measure to be placed on the March 2020 Ballot for voter consideration.

Council Member Mosby spoke out against preparing a budget with a possible sales tax that has not been placed on a ballot and approved by the voters, thinks a sales tax would cause an increase in unemployment in the City, and stated his belief that upper management in the City have received excessive pay raises in recent years.

Council Member Vega asked if there is money in the General Fund to finance the cost of placing an item on a ballot and expressed his concern about any increase to the City's employee force. City Manager James Throop stated the estimated cost of a stand-alone special election is \$150,000 and would require the use of General Fund Reserves, but Staff recommends waiting for a regular election date that would allow the City to consolidate with the County Elections Office.

**Public Comment:**

1. Mary Saladino thanked Staff for the presentation and asked several questions about adding a sales tax and what a sales tax could do for the City's budget.
2. Deb Andrews thanked all the Council Members who continue to push back on any new taxes, suggested Council find how each dollar is spent, and stated that public safety issues can be helped from keeping the town clean.
3. Kathy Howard, DeWayne Holmdahl, Ann McCarty, (Name not Given), Marie Waldau, Justin Ruhge, Jeremy Ball, and Leah Braitman spoke in favor of a sales tax measure being placed on the March 2020 Ballot.
4. D.A. Taylor gave Council suggestions on other ways to increase revenues such as enter into an agreement with AirBNB for taxes on short term rentals, stating she believes a sales tax measure will be difficult to get passed.
5. John Linn spoke about several budget items.
6. Nicholas Gonzales stated he is in favor of public safety and wants to see a budget balance without an added sales tax measure.
7. Anthony Hudley, President of the International Fire Fighters Association Local #1906, explained the budget numbers presented on the Fire Department's overtime expense does not take into account the money received by the City from outside agencies when Lompoc Fire Department is sent out to fire events outside the City, and invited anyone to contact the Fire Department or stop by Station 1 to ask questions.
8. Augustin Arias, President of the Lompoc Officers Association, explained his position as a police officer is personal and stated he believes Lompoc is a great place to live and challenged the Council to bring in more businesses and jobs and build more houses.

Council Member Cordova stated she wants responsible budget created without an estimated sales tax, expressed her respect for the Police and Fire Departments, and explained she believes everyone needs to be responsible with current funding and not rely on estimated future revenues.

Mayor Osborne expressed she wants to go forward with placing a tax measure on the March 2020 Ballot to allow the citizens to make a choice.

Council Member Mosby expressed his concern about previous raises to upper management in the City and the problems with California Public Employees Retirement System (CalPERS) and the burden placed on many California cities by the CalPERS investments.

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

Item No. 8

Council began a discussion on Transient Occupancy Tax and Council Member Cordova recused herself from the discussion and exited the Council Chamber.

Council Member Mosby stated he believes an increase in the Transient Occupancy Tax (TOT) will hurt the local economy.

Council Member Cordova returned to the dais.

Council Member Starbuck stated the sales tax being proposed is a general tax, not a specific tax, believes the City is spending more than it has and should reduce its spending, thinks only City Hall employees are those who are doing well, does not see the public approving a tax measure, thinks the City will grow and thrive if new homes and an increase in tourism could be realized, and would like to see previous management raises be reduced.

Council Member Vega stated he does not want to move forward with a budget that includes hypothetical numbers for a sales tax that has not been approved, and asked Staff to confirm how the Council could move forward on a possible future sales tax measure for a 2020 Ballot.

City Attorney Jeff Malawy explained the Council would need to approve placing a general tax on a general election ballot with at least 4 Members voting in favor and then that measure would require a simple majority (50% plus 1) of the registered voters to vote in favor to approve the measure. A specific tax or a special election, requires a unanimous vote (all 5 members) in favor and a 2/3 vote of the registered voters to vote in favor to approve the measure.

Council Member Cordova wants to focus on the current budget not a proposed tax measure.

Mayor Osborne suggested direct Staff to return with a Biennial Budget for 2019-2021 balanced with reductions and a future agenda item with information on a sales tax measure options which will include a general tax, a specific tax, special election, and a general election, to be brought forward at a future meeting after a balanced budget has been proposed.

Council Member Vega disagreed with bringing any sales tax measures back for discussion.

Council Member Cordova stated she wants to see a budget that shows ways the City and City Staff are working towards increasing revenues and not just reductions.

**ACTION:** Motion/Second: Mosby/Vega. By a 3-2 vote (Council Member Cordova and Mayor Osborne voted No), Council directed Staff to return with a draft Biennial Budget for the 2019-2021 without the inclusion of presumed revenues from any new taxes.

**BREAK:**

At 9:27P.M. Mayor Osborne announced a break.  
At 9:40P.M., the meeting reconvened with all Council Members present.

**COUNCIL REQUESTS:**

9. **Discussion Concerning Formation of a Nonprofit Organization to Fund City Projects.**

City Manager Jim Throop presented the Staff report and recommendations.

Council discussed the information presented.

**COUNCIL REQUESTS:** (cont'd)

Item No. 9

Public Comment:

1. John Linn suggested the City partner with the Lompoc Valley Park, Recreation & Pool Foundation.
2. Will Schuyler asked why the City needs a non-profit organization.
3. Brad Wilkie spoke about his personal experience with working with a non-profit organization and City government in a previous agency, where an individual granted that agency an endowment and a non-profit was created to accept the donation and help oversee the annual payments and uses of those funds.

**ACTION:** Motion/Second: Mayor Osborne/Cordova. By a 4-1 vote (Council Member Vega voted No), Council directed Staff to return at a future date with information on the legal costs of forming a California nonprofit organization to fund City projects.

10. **Options Related to Potential Amendments to the 2030 General Plan.**  
(Requested by Council Member Vega)

Planning Manager Brian Halvorson presented a summary report which included estimated costs for possible amendments, and stated the City has no current budget to fund these potential costs.

Council Member Vega expressed his concern about restrictions in the current General Plan and wants to move forward with amendments that will encourage development and growth for the City.

Council Members Mosby and Starbuck agreed with Council Member Vega.

Public Comment:

1. Sue Coupland stated she is in favor a public workshop on this matter.
2. John Linn spoke in favor of making amendments to the General Plan that will encourage development and growth.

Management Services Director Dean Albro explained the City secured a loan to fund the 2030 General Plan update, and those funds have been exhausted.

**ACTION:** Motion/Second: Mayor Osborne/Vega. By a 5-0 vote, Council approved the establishment of a City Council Ad-hoc Committee to review the Land Use Element of the 2030 General Plan and appointed Council Member Vega and Council Member Starbuck to that Committee.

**COUNCIL REQUESTS:** (cont'd)

11. **Discussion of Medical Facility Exemption from Water Softener Requirements.**  
(Requested by Council Member Vega)

Utility Director Brad Wilkie presented the Staff report.

Council discussed this matter and the information presented.

City Attorney Jeff Malawy reminded Council to keep the discussion in general terms and not discuss any specific business that may have an upcoming code violation appeal.

Public Comment:

1. John Linn distributed copies of excerpts of reports he believes shows the City has not violated its waste water permit.

No Council action taken.

**WRITTEN COMMUNICATIONS:** None

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

1. Nicholas Gonzales requested the City's code enforcement policy should be revised, stating he believes there is an abuse of the confidential reporting system.
2. Sue Coupland spoke about the previous Exclusive Negotiating Agreement between the City of Lompoc and California Space Center, stated she believes that Agreement was not honored by the City, and wants the City to issue a Request for Qualifications for the City-owned land adjacent to Allan Hancock College Lompoc Campus.
3. Mary Saladino suggested a private industry provide soft water services to the medical businesses inside the City.

**COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:**

Council Member Vega asked for a Staff report on the commercial cannabis use license application process and a future agenda item with Council discussion and action on the First Time Homebuyer Assistance Program. Both requests were seconded by Council Member Starbuck and carried by Council Member Mosby.

At 10:55 P.M. Council Member Starbuck motioned to extend the meeting by 15minutes. The motion was seconded by Mayor Osborne and approved by a unanimous vote of the entire Council.

Council Member Cordova reported she attended the Economic Alliance meeting on high speed internet advancement the County is working to move forward.

Council Member Mosby stated he attended the Santa Barbara County Association of Governments (SBCAG) meeting and asked City Manager James Throop to provide a help letter to commercial cannabis use license applicants that will provide direction and information to business owners on how to navigate the processes to open a commercial cannabis use business inside the City of Lompoc.

Mayor Osborne announced she attended the Community Action Commission Board Meeting, the Joint Chamber Luncheon and the Leadership Lompoc Valley Local Government Day; and reminded all about the Foodbank of Santa Barbara County Empty Bowls fundraising event to be held on March 20, 2019 at the DeWees Community and Senior Center at 1120 W. Ocean Avenue, Lompoc and the Lompoc Firefighters Foundation fundraising event Fire & Ice Hoedown 2019 to be held on March 23, 2019 at the Anderson Recreation Center at 125 W. Walnut Avenue, Lompoc.

**ADJOURNMENT:** At 11:03 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on April 2, 2019 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on December 3, 2019:

*Stacey Haddon*  
Stacey Haddon, City Clerk