



MINUTES

Regular Meeting of the Lompoc City Council
Tuesday, November 5, 2019
City Hall, 100 Civic Center Plaza, Council Chamber
CLOSED SESSION

OPEN SESSION – 5:45 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, Assistant City Attorney Colin Tanner, City Attorney Jeff Malawy and City Manager Jim Throop, Employee Organizations: Lompoc Police Officer's Association.
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--EXISTING LITIGATION/CLAIM:** Government Code Section 54956.9(d)(1) Name of case: Claim of Diane Long filed August 9, 2019; City of Lompoc Claim Number 2272(19).

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, Library Director Sarah Bleyl, and Utility Director Brad Wilkie.

Others Present: Lance Armstrong, Diane Long, Nicholas Gonzales, Darrell Tullis, Deb Andrews, Maria Aguiniga, Jerome White, John (Unknown Last Name), Steve Bridge, Matthew Barron, Augustin Arias, Marlene (Unknown Last Name), and John Linn.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

City Attorney Jeff Malawy stated the Council discussed Closed Session items 1 and 3, with no reportable action taken.

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

PRESENTATIONS:

Representatives from the Lompoc District Libraries Foundation presented a check for \$192,000 to the Lompoc Public Library for maintenance and upkeep of the Bookmobile.

CITY MANAGER REPORT: (Information only)

• **List of City expenditures**

- September 10, 2019 - \$3,218.18
- September 9 - 13, 2019 - \$641,168.22
- September 16 – 20, 2019 -\$699,955.71
- September 23 – 27, 2019 - \$205,434.76
- Payroll September 20, 2019 - \$1,468,904.33
- September 30-October 4, 2019- \$938,694.74
- October 7- 11, 2019 - \$1,201,262.77
- Payroll October 4, 2019 - \$1,414,456.32

City Manager Jim Throop reminded all of the Special City Council Meeting scheduled for November 7, 2019, the upcoming City Hall Closure on November 11, 2019, in observance of Veteran’s Day; and thanked all 312 persons who volunteered for the annual **Make a Difference Day**.

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

CONSENT CALENDAR:

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of October 15, 2019.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS: None

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Deb Andrews encouraged Council to include invocations at City Council Meetings.
2. Maria Aguiniga provided Council with a copy of the South Coast Youth Safety Partnership 2020-2024 Strategic Work Plan, stating she attended the recent forum and believes this is valuable information.
3. Jerome White expressed his concern about cars traveling at high rates of speed on City streets; asked for Council to provide a code enforcement program to address abandoned vehicles inside the City; and asked for City provided safe places for homeless persons.
4. John (Unknown Last Name) stated he was pleased to see the donation to the Library and expressed concern about the City’s youth stating the public needs to become involved in helping the youth become responsible caring humans.
5. Steve Bridge suggested the City provide a homeownership assistance program for new public safety personnel.
6. Matthew Barron spoke about the great turnout for **Make a Difference Day**, and expressed his concern about the lower income multi-family unit areas inside the City.
7. Augustin Arias expressed his concern about the adversity between the City Council and Lompoc Police Department and asked Council to be supportive of the hard working persons working in the City’s Police Department.

PUBLIC HEARING:

City Attorney Jeff Malawy stated Council Member Mosby does not need to recuse himself from this matter, even though he owns real property within 500 feet of the project being discussed, because there is no change in value to Council Member Mosby’s property if the appeal is approved or denied.

PUBLIC HEARING: (cont'd)

2. **Authorize Staff to Submit to the Central Coast Regional Water Quality Control Board the City Council-Proposed Amendments to Certain Sections of Chapter 13.16 of the Lompoc Municipal Code Relating to Wastewater from Dialysis Operations; Authorize the Continuation of the Currently Effective Stay of the Kidney Center's Appeal; and Direct Staff to Return with an Ordinance, for First Reading, that May Be Recommended by the Board**

Utility Director Brad Wilkie presented the Staff report and recommended another revision to the Lompoc Municipal Code that does not appear in the Staff report or draft Ordinance, a change in the Director's discretion to require a permit to only users that discharge wastewater into the City's treatment system in excess of 25,000 gallons per day.

Council Member Mosby asked Staff why the word operate was added to Section 13.16.320 Water Softening Waste. City Attorney Jeff Malawy stated the word was added for clarification, but sees no legal reason why it could not be removed.

Council Member Vega spoke about his understanding of the Federal guidelines for the discharge of wastewater into the City's sewer system and suggested the Lompoc Municipal Code be revised to allow for an increase from 10,000 gallons per day to 25,000 gallons per day.

Ian Guthrie, representative of the Kidney Center, requested the Kidney Center be given a medical facility exception to the requirement to obtain a permit as an industrial discharger.

Council continued to discuss this matter.

Public Comment:

1. Matthew Barron spoke in favor of allowing the Kidney Center to be granted an exemption as a medical facility.
2. Marlene (Last Name Unknown), stated she is the head nurse at the Kidney Center and spoke about the pride she feels about working in the facility and the help this facility provides to hundreds of people.
3. Deb Andrews spoke in favor of lesser rules and regulations.
4. John Linn suggested Council direct Staff to remove the word operate from the first sentence of Section 13.16.320 Water Softening Waste, of the Lompoc Municipal Code and increase the total discharge amount into the City's sewer system from 10,000 gallons per day to 25,000 gallons per day.
5. Nicholas Gonzales encouraged Council and City Staff to be more flexible and not just embrace the letter of the law.

Council continued discussion of this matter including the possibility of allowing for exceptions for medical facilities.

ACTION: Motion/Second: Vega/Mosby. By a 3-2 vote (Council Member Starbuck and Mayor Osborne voted No), Council authorized the City Attorney's Office to submit to the Central Coast Regional Water Quality Control Board amendments to certain sections of Chapter 13.16 of the Lompoc Municipal Code relating to wastewater from dialysis operations; authorized the continuation of the stay on the appeal by the Lompoc Artificial Kidney Center until either (i) the Kidney Center withdraws the appeal or (ii) the City receives notice from the Board of its outright rejection of the proposed changes to certain sections of Chapter 13.16 of the LMC set forth in the draft ordinance; directed Staff to return to the City Council with the attached ordinance with the removal of the word **operate** from the first sentence of Section 13.16.320 Water Softening Waste, of the Lompoc Municipal Code, add a revision to the Lompoc Municipal Code to change the Director's discretion to require a permit to only users that discharge wastewater into the City's treatment system in excess of 25,000 gallons per day, and provide an exception for medical facilities, for first reading, at the next available regular City Council meeting following confirmation by the Board of that ordinance, with changes the Board may indicate.

PUBLIC HEARING: (cont'd)

3. **Adoption of Resolution No. 6277(19) Amending the Development Impact Fees to be Assessed Against Projects for Accessory Dwelling Units**

City Attorney Jeff Malawy presented the Staff report and recommendations.

Public Comment:

1. Lance Armstrong spoke in favor the City adopting guidelines for impact fee assessment for accessory dwelling unit projects inside the City of Lompoc.
2. Diane Long requested the City publish impact fee amounts and provide that information clearly.
3. Nicholas Gonzales stated the State has allowed for what is considered junior accessory dwelling units along with an accessory dwelling unit on a single property.
4. Darrell Tullis asked if there is a limit to the number of accessory dwelling units that would be allowed on a single property and if the City could provide not just percentage amounts but also total dollar amounts of what any impact fee would be for an accessory dwelling unit.

Council discussed the information provided.

ACTION: Motion/Second: Mayor Osborne/Mosby. By a 5-0 vote, Council held a Public Hearing regarding the imposition of Development Impact Fees to projects for Accessory Dwelling Units (ADUs); and adopted Resolution No. 6277(19) amending the method for Development Impact Fees to be assessed against projects for ADUs.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL COMMENTS AND MEETING REPORTS:

Council Member Mosby reported he attended the Santa Barbara Air Pollution Control Board and Santa Barbara County Association of Governments meetings, stated the County has pushed forward the rehabilitation of the Robinson Bridge to begin in 2026; and requested a future Council discussion on a homebuyer assistance program for new hired public safety employees. The request was seconded by Council Member Vega and carried by Council Member Starbuck.

Council Member Starbuck requested a future report be brought forward regarding refunding previous impact fees that have been collected for accessory dwelling unit projects completed or begun inside the City of Lompoc. The request was seconded by Mayor Osborne and carried by Council Member Cordova.

Council Member Vega expressed his dismay about Staff's difficulty in bringing forward Council Requests quickly, and suggested Staff presents reports. City Manager Jim Throop suggested the list of Council requests be brought to a Council Meeting to allow the Council to review and place all Council requests in order of priority.

Council Member Cordova announced she attended the October 24, 2019 Vandenberg Air Force Base Quarterly Awards; and met with City Staff to begin discussions of how the City could partner with Vandenberg Air Force Base and local businesses for a rocket launch event scheduled for December 2020.

Mayor Osborne reported she attended the League of California Cities Annual Conference held on October 16 – 18, 2019 in Long Beach CA.; participated in the Lompoc Make a Difference Day, attended the 50th Anniversary Celebration for the Lompoc Grace Temple Missionary Church, and the Santa Barbara County Homeless and Housing Issue meetings; and requested Staff provide a report on battery storage and generators for the City, and requested Planning Staff be directed to research the City of Encinitas' permit ready program for accessory dwelling units. The first request was seconded by Council Member Cordova and carried by Council Member Starbuck. The second request was seconded by Council Member Vega and carried by Council Member Cordova.

ADJOURNMENT: At 8:34 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on November 19, 2019 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review on December 31, 2019 by: _____
Stacey Haddon, City Clerk