



Regular Meeting of the Lompoc City Council
Tuesday, July 16, 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 LEGAL COUNSEL--EXISTING LITIGATION:** Government Code section 54956.9(d)(1) Alliance for Constitutional Sex Offense Laws, Inc., et al. v. City of Lompoc, et al., Santa Barbara County Superior Court case no. 19CV00887.
2. **CONFERENCE WITH LABOR NEGOTIATORS:** City Designated Representatives: Management Services Director Dean Albro, 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.

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, Utility Director Brad Wilkie, and Electric Utility Manager Tikan Singh.

Others Present: Michael Baker, Keith Feickert, Juan (Unknown Last Name), Susan Gallacher, Patricia Fresh, Steve Franke, Bob Allen, Don Smith, Sue Coupland, Mark Ashamalla, Will Schuyler, Joe Garcia, Darrell Tullis, and John Linn.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

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

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

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**
 - June 10-14, 2019 - \$730,345.49
 - June 17-21, 2019 - \$1,105,292.40
 - Payroll June 14, 2019 - \$1,407,727.24

City Manager Jim Throop announced July 26, 2019, will be the City of Lompoc night at the Lompoc Old Town Market.

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

CONSENT CALENDAR:

City Attorney Jeff Malawy requested Consent Calendar Item No. 5 be removed from the Consent Calendar.

Council Member Mosby requested Section 3 of Resolution No. 6270(19) of Consent Calendar Item No. 3, be read into the record.

City Clerk Stacey Haddon read the following verbiage out loud:

SECTION 3. The City Council’s determination is based on the following findings:

- (a) The record does not contain any evidence demonstrating that (Vitamin and Herb Store) VHS produces liquid waste containing an excessive amount of fat, oil, or grease.
- (b) VHS’s only food production is the production of a small number of salads, sandwiches, and smoothies.
- (c) The record does not contain any evidence that VHS has experienced sewer pipe blockages in the past, whether from excessive grease or from any other cause.
- (d) The record does not contain any evidence that VHS’s operations have ever resulted in wastewater contamination.
- (e) Consequently, the record does not contain sufficient evidence to demonstrate that the installation of a grease trap or interceptor at VHS is “necessary for the protection of the wastewater system from liquid wastes containing excessive amounts of grease.” (LMC 13.16.370(A).)

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

- 1. Approved the Minutes of the Lompoc City Council Special Meeting of June 24, 2019
- 2. **Approve Prepayment of the Fiscal Year 2019-20 Annual Unfunded Actuarial Liability for the Miscellaneous and Safety California Public Employees’ Retirement System Plans.**

Approved the prepayment to California Public Employees’ Retirement System (CalPERS) of the Fiscal Year (FY) 2019-20 annual portion of the City’s Unfunded Actuarial Liability (UAL) for each plan in the total amount of \$5,616,641 (a 3.5% discount realizing a benefit to the City of \$200,042 compared with the total payments of \$5,816,683, if the prepayment being recommended were not made) and authorize the payment of the FY 2019-20 portion of the UAL by July 31, 2019.

- 3. **Adoption of Resolution No. 6270(19), Upholding the Appeal by Vitamin and Herb Store (located at 525 W Central Avenue) of the Utility Director’s Ruling on Request for Reconsideration Regarding Enforcement of Lompoc Municipal Code Section 13.16.370.**

Adopted Resolution No. 6270(19), granting the appeal by the Vitamin and Herb Store of the Utility Director’s Ruling on request for reconsideration regarding enforcement of Lompoc Municipal Code Section 13.16.370.

- 4. **Adoption of Resolution No. 6271(19) Ordering the Levy of Special Taxes for Fiscal Year 2019-20 Within Community Facilities District No. 2018-01 (Summit View Homes).**

Adopted Resolution No. 6271(19), ordering the levy of special taxes for Fiscal Year (FY) 2019-20 within Community Facilities District No. 2018-01 (Summit View Homes).

Item No. 5 was removed from the Consent Calendar to allow City Attorney Jeff Malawy clearly state Staff recommendations and avoid any confusion, stating he thought the Agenda title was a bit vague. The recommendations should be: to adopt Resolution No. 6259(19), introduce Ordinance No. 1665(19), through first reading only with further reading waived, and make findings related to the EIR Addendum prepared pursuant to the California Environmental Quality Act, and already contained in Resolution No. 6259(19) and Ordinance No. 1665(19).

5. Adopt Resolution No. 6259(19) to:

- i. Change the General Plan map designation of one parcel (APN: 085-150-089) at the northwest corner of Seventh Street and Cypress Avenue from Office Commercial (OC) to Mixed Use (MU); and
- ii. Change the General Plan map designation of a portion of one parcel (APN: 085-150-090) at the southwest corner of Seventh Street and Ocean Avenue from OC to to Mixed Use (MU); and

Introduce through first reading by title only with further reading waived, Ordinance No. 1665(19), which will:

- i. Change the Zoning Map designation for one parcel (APN: 085-150-089) at the northwest corner of Seventh Street and Cypress Avenue from Commercial Office (CO) to Mixed Use (MU); and
- ii. Change the Zoning Map designation of a portion of one parcel (APN: 085-150-090) at the southwest corner of Seventh Street and Ocean Avenue from CO to to Mixed Use (MU).

ACTION: Motion/Second: Starbuck/Vega. By a 4-1 vote (Council Member Cordova voted No), Council adopted Resolution No. 6259(19), introduced Ordinance No. 1665(19), through first reading only with further reading waived make findings related to the EIR Addendum prepared pursuant to the California Environmental Quality Act, contained in Resolution No. 6259(19) and Ordinance No. 1665(19).

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

- Utility Director Brad Wilkie introduced newly hired Administrative Analyst Kristin Worthly and Utility Conservation Representative Frances Gonzales.
- Electric Utility Manager Tikan Singh gave an update on the impact of Pacific Gas & Electric's Public Safety Power Shutoff program to the City of Lompoc.

Council thanked Staff for the information presented and suggested the City look into obtaining a backup generators for the City's radio station and providing this information to citizens with a mailer inserted into utility bills and provide tips on what to do if an power shutdown happens.

Electric Utility Manager Tikan Singh stated the Electric Division is offering to pay for the building permit for residential or business customers who install a generator to their property. Council Member Mosby requested Staff return at a later date with a report for discussion and action on allowing the Electric Division to pay for building permit for residential or business customers who install a generator to their property. The request was seconded by Council Member Vega, but died without a third and carrying vote.

Mayor Osborne asked Staff to provide Council with an update if a large number of building permits are issued for the installation of generators.

ORAL COMMUNICATIONS (3 Minutes Maximum):

- 1. Michael Baker, Boys & Girls Club of Santa Barbara County C.E.O., invited everyone to an upcoming free celebration of the Re-Opening of Camp Whittier in Santa Ynez, CA., from 10am – 4pm
- 2. Keith Fieckert thanked the City and everyone involved in the 35th Annual Piper Cub Fly-in held at the Lompoc Airport on July 12-14, 2019. Asked the Council to help provide relief to local lessor/renter of Lompoc Airport hangars.
- 3. Juan (Unknown last name), requested Council not sign the Memorandum of Understanding with Pale Blue Dot Ventures, LLC.

ORAL COMMUNICATIONS (cont'd)

4. Don Smith asked if the City is able to connect to the power station located on Vandenberg Air Force Base.
5. Sue Coupland spoke about fundraising events she and Eva Blaisdell of Lady Rocket Enterprises, and asked the Council to delay signing the Memorandum of Understanding with Pale Blue Dot Ventures, LLC.

APPOINTMENTS:

6. **Council Appointment of City of Lompoc Administrative Analyst Kristin Worthley as Alternate Representative for the Western Area of the Santa Ynez River Valley Groundwater Basin.**

ACTION: Motion/Second: Starbuck/Cordova. By a 5-0 vote, Council appointed Kristin Worthley as Alternate Representative for the Western Area of the Santa Ynez River Valley Groundwater Basin.

NEW BUSINESS:

7. **Approval of a Memorandum of Understanding with Pale Blue Dot Ventures, LLC, for Potential Sale of Approximately 82 acres of City-owned Property, Including and Adjacent to Ken Adam Park, for Development of a Space Center.**

City Attorney Jeff Malawy presented the Staff report and recommendations and introduced Steve Franke and Bob Allen from Pale Blue Dot Ventures, LLC. Mr. Franke and Allen provided a power point presentation regarding this proposed project.

Public Comment:

1. Keith Fiekert, Susan Gallacher, Patricia Fresh, Mark Ashamalla, Joe Garcia, and John Linn spoke in favor of Council signing the Memorandum of Understanding with Pale Blue Dot Ventures, LLC.
2. Will Schuyler stated this proposed project has great interest, but he has concerns about what part of the land will be sold.
3. Darrell Tullis expressed his desire to ensure this project is beneficial to local area youth and this provides real educational opportunities.

ACTION: Motion/Second: Mosby/Cordova. By a 5-0 vote Council approved the Memorandum of Understanding with Pale Blue Dot Ventures, LLC to explore the potential sale of the approximately 82 acres of City-owned property next to and including Ken Adam Park for the development of space center facilities.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:

Council Member Cordova reported she attended the City's Utility Commission, and the Parks & Recreation Commission Meetings, and was at Vandenberg Air Force Base for Vice-President Mike Pence's visit and speech on July 10, 2019.

Council Member Mosby announced the approved 2019-2021 City of Lompoc Biennial Budget Book is complete and available and expressed his concern about recent furniture purchases in City Departments.

COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS: (cont'd)

Mayor Osborne reported she attended several events and meetings, including the Annual Fourth of July Fireworks Spectacular event, Vice-President Mike Pence's visit and speech on July 10, 2019 at Vandenberg Air Force Base, the Santa Barbara County Local Agency Formation Commission (LAFCO) meeting of July 11, 2019, in Santa Barbara, CA; and the Change of Command Ceremony on July 12, 2019 also at Vandenberg Air Force Base. Mayor Osborne reminded everyone, the Aquatic Center will be closed to the public on July 20 - 21, 2019 for a swim meet hosted by the Lompoc Tsunami Aquatics.

ADJOURNMENT: At 8:03 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on August 6, 2019 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review on January 17, 2020 by: /Stacey Haddon/
Stacey Haddon, City Clerk