



MINUTES

Regular Meeting of the Lompoc City Council
Tuesday, May 5, 2020
City Hall, 100 Civic Center Plaza, Council Chamber

CLOSED SESSION

OPEN SESSION – 6:00 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.

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) Name of Case: Eric Nesby, et al. v. City of Lompoc, et al. Workers' Compensation Appeals Board (WCAB) Santa Barbara Claim No. 17 COL 0041, 18 COL 0015.
2. **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: 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, Battalion Chief – Fire Marshall Dena Paschke, Financial Services Manager Melinda Wall, Aviation/Transportation Administrator Richard Fernbaugh, and Community Development Director Christie Alarcon.

Others Present: Dallas White, Phil Gallanders, and John Linn.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

City Attorney Jeff Malawy announced the City Council took no reportable action during the Closed Session.

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

CITY MANAGER REPORT:

- **Discussion of Extension of Cancellation of Commission, Committee, and Board Meetings, With the Exception of the Planning Commission.**

Council discussed this matter at length and with a General Consensus, approved all City Commission, Committee, and Board Meetings to resume with in-person meetings, telephonic meetings, or a combination of the two types of meetings.

CITY MANAGER REPORT: (cont'd)

- **List of City expenditures**

- March 30, 2020 – April 3, 2020 - \$946,917.00
- April 6 - 10, 2020 - \$266,601.50
- April 13 – 17, 2020 - \$523,632.39
- April 20 – 24, 2020 - \$205,809.31
- Payroll April 3, 2020 - \$1,371,061.79
- Payroll April 17, 2020 - \$1,378,812.28

City Manager Jim Throop encouraged all citizens to complete the census; announced the Santa Barbara County Public Health Department will be opening community COVID-19 testing centers in Santa Barbara, Santa Maria, and Lompoc; and thanked all City Staff for their continued hard work during this public health crisis.

Mayor Osborne announced the Santa Barbara County Health Department is the agency in charge of these testing centers, appointments are required, and you can contact the Health Department to arrange an appointment at <https://lhi.care/covidtesting> or 1-888-634-1123.

Council Member Cordova asked Staff to provide a list of the furloughed positions to Council. Mr. Throop stated he will provide that information to Council on May 6, 2020.

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

CONSENT CALENDAR:

City Attorney Jeff Malawy reported Staff has provided a new updated property list for Consent Calendar Item No. 4. Council Member Mosby requested the updated Exhibit A from Consent Calendar Item No. 4 be dated and attached to Resolution No. 6323(20)

Council Member Cordova requested Staff revise the March 27, 2020 Minutes to stated Ms. Cordova was recused from Agenda Item No. 1 at the March 27, 2020 Meeting and not absent. City Clerk Stacey Haddon explained it is customary to note absent and not recused when a Council Member steps down from the dais and exits the Council Chamber for a vote.

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

1. Approved the Minutes of the Lompoc City Council Special Meeting of March 27, 2020.
2. **Appointment of a City of Lompoc Representative to the County Library Advisory Committee.**

Approved the reappointment of Lompoc resident Alice Down to the Santa Barbara County Library Advisory Committee (LAC), with a term expiration of June 30, 2021.
3. **Adoption of Resolution No. 6323(20) Declaring the Council’s Intention to Levy Assessments for Fiscal Year 2020-2021, Preliminarily Approving an Engineer’s Report and Providing Notice of a Public Hearing for the Park Maintenance and City Pool Assessment District No. 2002-01.**

Adopted Resolution No. 6323(20), declaring the City Council’s intention to again levy the annual park and pool assessments for Fiscal Year (FY) 2020-2021 and schedule public hearing for the same; preliminarily approving the Engineer’s Report; and providing notice of a public hearing on June 16, 2020, for the proposed continuation of the assessments for the Park Maintenance and City Pool Assessment District No. 2002-01, in order to receive public input on:

- i. The proposed continuation of the assessments;
- ii. The proposed assessment budget for FY 2020-2021; and
- iii. The services and improvements of the assessments fund, and any other issues related to the assessments.

CONSENT CALENDAR: (cont'd)

4. **Adoption of Resolution No. 6324(20) Approving a Declaration of Nuisance and Abatement Order for Weeds and Debris.**

Adopted Resolution No. 6324(20), declaring certain parcels of property as public nuisances by virtue of weed growth or by the accumulation of rubbish, refuse and dirt, pursuant to Government Code Sections 39560-39588; or provide alternate direction.

5. **Approve Reimbursement Agreement with Vandenberg Village Community Services District for Floradale Sewer Pipe Relocation.**

Approved reimbursement agreement and authorized the City Manager to execute the reimbursement agreement.

6. **Extension of the Proclamation of Local Emergency Caused By COVID-19 and Extension of Moratorium on Utility Service Disconnections for Non-Payment and Waiver of Late Fees and Penalties on Utility Accounts.**

Adopted Resolution No. 6328(20), renewing and extending the proclamation of a local emergency due to COVID-19, declared on March 17, 2020, and extending the moratorium on utility service disconnections for non-payment and the waiver of late fees and penalties on commercial and residential utility accounts.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Dallas White, Phil Gallanders, and John Linn spoke about the on-going business closures and encouraged Council to help move the City to re-open up soon.
2. (Name Not Given), via phone, advocated for continued precautions during the COVID-19 pandemic crisis.
3. (Name Not Given), via phone, spoke about financial losses felt by the entire community during this crisis, asked Council to safely open the City.
4. Leah Braitman, via phone, suggested a slow and methodical re-opening of the City to avoid a relapse.

PUBLIC HEARING:

7. **Adoption of Resolution No. 6325(20) Related to Assessment of Charges for 2019 Weed Abatement Against Properties at 413 South O Street and 1416 East Walnut Avenue.**

Battalion Chief – Fire Marshal Dena Paschke presented the Staff report and recommendations.

Council Member Vega asked Staff if property owners had been located and contacted for the listed properties. Battalion Chief – Fire Marshall Dena Paschke stated she has been unsuccessful in contacting the property owners but will continue to try to find those responsible parties.

Public Comment: None

ACTION: Motion/Second: Vega/Cordova. By a 5-0 vote, Council held a public hearing to hear objections to the assessment of weed abatement charges against the property owners of 413 South O Place and 1416 East Walnut; adopted Resolution No. 6325(20) assessing those charges as a lien and special municipal tax; and directed the City Clerk to forward the assessments to the County Tax Collector's Office for inclusion on the next cycle of property tax collection.

COUNCIL REQUEST:

8. **Council Request – Draft Letter to REACH (formerly HourGlass) on Possible Use of Prison Property for Vandenberg Air Force Business Expansion Zone.** (Requested by Council Member Mosby)

City Manager Jim Throop presented the Staff report and recommendations.

Council discussed the matter at length.

Public Comment:

1. John Linn suggested the letter include mention of the City's ability to provide electricity, water, solid waste, and sewer services.

Council discussion continued on this matter.

Mayor Osborne motioned to direct Staff to revise the draft letter which will first state the City's ability to provide utility services and support to any plan from Vandenberg Air Force Base (VAFB) to 'move back the fence' and build facilities for industries to have better access to launch areas on VAFB, and also state there are available property(ies) inside the City Limits of Lompoc for these types of facilities, including approximately 350 acres near the Federal Bureau of Prisons Lompoc Complex property, that is already owned by VAFB. The motion was seconded by Council Member Cordova.

Council Member Mosby motioned for a substitute motion that would direct Staff to revise the draft letter to identify the property owned by Vandenberg Air Force Base near the Federal Bureau of Prisons Lompoc Complex, point out the City of Lompoc is a full service utility city and define what full service is regarding utilities, and provide notice to the warden at the Federal Bureau of Prisons Lompoc Complex of this correspondence between the City and Vandenberg Air Force Base. The substitute motion died for a lack of a second.

Council Member Starbuck suggested to remove the third sentence of the draft letter and move the focus of the letter from Vandenberg Air Force Base to any agency or organization which may be interested in finding a location for their operation.

Council Member Mosby stated his agreement with Council Member Starbuck's suggested revision and asked the Mayor to further revise her motion to include a mention of the approximate 350 acres owned by Vandenberg Air Force Base near the Federal Bureau of Prisons Lompoc Complex, and define what full service means in regards to the City of Lompoc utilities.

ACTION: Motion/Second: Mayor Osborne/Cordova. By a 5-0 vote, Council reviewed the draft letter to REACH and advise Staff to revise the letter with greater emphasis on the City's ability to provide utility services and support to any plan from Vandenberg Air Force Base (VAFB) to 'move back the fence' and build facilities for industries to have better access to launch areas on VAFB; remove the third sentence of the draft letter to place a greater focus on the City's ability to help and support any agency or organization looking to possibly locate its operations in or near Lompoc; state there are available property(ies) inside the City Limits of Lompoc for these types of facilities, including approximately 350 acres near the Federal Bureau of Prisons Lompoc Complex property, that is already owned by VAFB; provide notification to the Warden at the Federal Bureau of Prisons Lompoc Complex of this letter; and return at a future meeting with a revised letter for Council to review, discuss, and take action.

UNFINISHED BUSINESS:

9. **Payment Options and Additional Assistance for City Utility Customers During the COVID-19 State of Emergency.**

Financial Services Manager Melinda Wall provided the Staff report and recommendations.

Council Member Starbuck suggested the City provide a one-time rebate to City of Lompoc electric utility customers with the use of greenhouse gas allowance reserves, commonly known as carbon credits.

UNFINISHED BUSINESS: (cont'd)

Item No. 9

Council discussed the information presented at great length.

Public Comment:

1. (Name not Given), via phone, asked how can the City remove Council Member Vega.

Council Member Mosby spoke about the recent rebates provided by other California cities to their electric utility customers.

ACTION: Motion/Second: Mosby/Starbuck. By a 5-0 vote, Council received and considered the information contained in this report concerning options for payments and payment arrangements during the COVID-19 State of Emergency; directed Staff to return as soon as possible at a future Council Meeting with an item to allow Council discussion and possible action that would provide a one-time \$150.00 rebate to all City of Lompoc electric utility customers by utilizing the City's greenhouse gas allowance reserves.

ACTION: Motion/Second: Mayor Osborne/Starbuck. By a 5-0 vote, Council directed Staff to continue to utilize and expand the utility account payment agreements already in place or modify them to meet utility customers' needs; and continue those measures for six additional months after state shelter-in-place restrictions are lifted would allow Utility customers time to restore their employment and income.

NEW BUSINESS:

10. **Purchase of Semi-Tractor and Trailer Using Transportation Development Act Funding; Adoption of Resolution No. 6326(20) Approving Related Budget Appropriations Adjustments**

Aviation/Transportation Administrator Richard Fernbaugh provided the Staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Cordova/Mayor Osborne. By a 5-0 vote, Council authorized the purchase of a Semi-tractor and trailer in an amount not to exceed \$210,000; and adopted Resolution No. 6326(20) approving the appropriation adjustments for the purchase.

11. **Approval of Onetime Change Order Limit Increase for City Building Division Services with California Code Check, Inc. for the Fiscal Year 2019-20; Adoption of Resolution No. 6327(20) Approving Supplemental Budget Appropriations for the Change Order Limit Increase.**

Community Development Director Christie Alarcon presented the Staff report and recommendations; and encouraged the public to reach out to the Community Development Department with any questions regarding this matter or any Building Division matter.

Council thanked Staff for the information provided.

Public Comment:

1. (Name not Given), complimented Community Development Director Christie Alarcon, and Building Official Eric Hagen for their work on changing the public face of the Building Division.

ACTION: Motion/Second: Vega/Starbuck. By a 5-0 vote, Council authorized the City Manager to execute the First Amendment to Professional Services Agreement with California Code Check, Inc. increasing the not-to-exceed amount from \$125,000 to \$375,000 for Fiscal Year (FY) 2019-20; and adopt Resolution No. 6327(20), approving supplemental appropriations of \$250,000 to fund those additional services.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum):

1. Teresa Dabney, via phone, encouraged the City and Council to support the Police Department.

COUNCIL COMMENTS AND MEETING REPORTS:

Council Member Vega stated his is in support of the City re-opening in a sensible and safe way, to help support all businesses in the City.

Mayor Osborne announced the City of Lompoc does have a webpage dedicated to information regarding COVID-19 at www.cityoflompoc.com , and a telephone hotline available at (805) 875-8071.

ADJOURNMENT: At 9:12 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on May 19, 2020 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on June 16, 2020:

Stacey Haddon
Stacey Haddon, City Clerk