



AGENDA

Regular Meeting of the Lompoc City Council
Tuesday, June 16, 2020
City Hall, 100 Civic Center Plaza, Council Chamber

CLOSED SESSION

OPEN SESSION – 5:00 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, and City Attorney Jeff Malawy.

ORAL COMMUNICATIONS: None

CLOSED SESSION – City Council Conference Room

BUSINESS ITEM:

1. **CONFERENCE WITH LABOR NEGOTIATORS:** City Designated Representatives: Gabriel Garcia, Dean Albro, Jeff Malawy, Colin Tanner, and Jim Throop. Employee Organization: Lompoc Police Officer's Association (LPOA) and International Brotherhood of Electrical Workers, Local 1245 (IBEW)
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Initiation of litigation pursuant to Government Code section 54956.9(d)(4): One matter regarding the 2000 Annexation Agreement with Mission Hills Community Services District.
3. **CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): One matter - Claim filed by Elaine Valla regarding driveway access at 1011 E. Olive Avenue.

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, Police Chief Joseph Mariani, Management Services Director Dean Albro, Community Development Program Manager Chanel Ovalle, and Community Development Director Christie Alarcon.

Others Present: Dinah Lockhart, Angel Tamayo, George Bedford, Lillian Street, Brianna Gonzales, Mary Edwards, Shawndel Malcolm, Steven Greenberg, Colonel Michael Hunsberger, Lewis Littleton, Konny LaFave, Trevon Babcock, Orion (Last Name Unknown), Frank Gonzales, Jayde Stamm, Pastor De La Cruz, Sylvia King, Kyung Soon Richardson, Jason Bryson, Alicia Boots, Raelyn Persu, Ron Barrows, Leah Braitman, Fabio Genovese, Keith Joseph, Asara (Last Name Unknown), and Mike McCormick.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

City Attorney Jeff Malawy reported Council took no reportable action on Closed Session Items No. 1 and No. 3; and with a 5-0 vote, authorized the City Attorney's Office to initiate litigation on one matter regarding the Closed Session Item No. 2

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

PRESENTATIONS:

- Steven Greenberg from Bridge View Resources. Lewis Littleton from the Office of Economic Adjustment and Air Force Colonel Michael Hunsberger provided a presentation on the impacts on the City of Lompoc with expected growth of Vandenberg Air Force Base and possible grant opportunities for the City of Lompoc.

Council Member Starbuck asked for clarification of how grants would be used. Mr. Greenberg explained the funding would be used for review of the areas of impact such as emergency services, housing, job force training, and City utilities, and then implement capital improvements as needed in accordance with the Military Resilience program.

CITY MANAGER REPORT: (information only)

- **List of City expenditures**
 - May 25 – 29, 2020 - \$357,027.49
 - June 1 – 5, 2020 - \$654,110.94
 - Payroll May 29, 2020 - \$1,295,599.04

Council Member Mosby asked Staff to comment on how the City is working to decrease or eliminate the use of illegal fireworks inside the City. Police Chief Mariani spoke about the increase of calls received regarding illegal fireworks, stated the Police Department responds to all calls but cannot make arrests or give citations unless an officer sees a person light the firework.

PUBLIC COMMENT ON CONSENT CALENDAR ITEMS (Max of 3 Minutes):

1. Natalie Milliken (via phone) spoke about reallocation of funding from the Police Department to other professional healthcare providers.

CONSENT CALENDAR:

Council Member Mosby asked Staff to confirm the City will be reimbursed the Park Impact Fee revenues by the State from the Prop 68 Per Capita Program as stated in the Staff Report for Consent Calendar Item No. 5. Community Development Director Christie Alarcon answered yes, the Park Impact Fee revenues will be reimbursed.

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of May 5, 2020.
2. **Approval of Response to the 2019-20 Santa Barbara County Grand Jury Report – “Cyber Attacks Threaten Santa Barbara County”**

Reviewed the Santa Barbara County Grand Jury report entitled **Cyber Attacks Threaten Santa Barbara County** and approved the proposed response letter presented on behalf of the City, pursuant to California Penal Code Sections 933(c) and 933.05(a), (b) and (c)
3. **Renewal of Agreement with County of Santa Barbara for Animal Control Services for Fiscal Year 2020-21.**

Authorized the City Manager to execute a one-year Ninth Amendment to Agreement for Animal Control Services for Fiscal Year (FY) 2020-21 with County of Santa Barbara in the total amount of \$334,984.
4. **Adoption of Ordinance No. 1674(20) Amending Appeal Provisions in the Lompoc Zoning Code (Lompoc Municipal Code Title 17).**

Adopted for second reading by title only with further reading waived, Ordinance No. 1674(20) amending the appeal provisions in Title 17 (Zoning) of the Lompoc Municipal Code.

CONSENT CALENDAR: (cont'd)

5. **Award of Project No. 100391-01-05 – Design–Build of Playground and Fitness Area at Beattie Park.**

Awarded the Design/Build Project No. 100391-01-05 – Playground and Fitness Area at Beattie Park to Great Western Installations, Inc., in the amount of \$739,853.47; authorized the City Manager to execute the necessary agreements for the Project; and authorized the Community Development Director to approve change orders in an aggregate amount not to exceed ten percent.

6. **Amendment to the Five Year Consolidated Plan Period from 2021-2025 to 2020-2024; Adoption of Resolution No. 6340(20).**

Adopted Resolution No. 6340(20), which will amend the Five Year Consolidated Plan Period from 2021-2025 to 2020-2024; and authorized the City Manager, or his designee, to sign any required agreements or certifications.

7. **Award of Consultant Service Agreement, Project No. CS-20-AP-01, Lompoc Airport Airfield Electrical Upgrade and Pavement Rehabilitation; Adoption of Resolution No. 6341(20) Approving Budget Adjustments and Associated Appropriations for the Project.**

Adopted Resolution No. 6341(20) approving the adjustments to the adopted budget to reflect revenue and expenditure appropriations as shown in Table 2 – Project Supplemental Appropriations Summary on Page 3; awarded the consulting services agreement to Kimley-Horn & Associates, Inc. in the amount of \$259,937.00 for providing Architectural/Engineering consulting services and preparing construction documents to upgrade the airfield lighting systems and to rehabilitate the runway, north taxiway and associated taxiway connector pavements at the Lompoc Airport; authorized the City Manager to execute the Consulting Services Agreement; and authorize the City Engineer to execute Contract Amendments for an aggregate amount not to exceed \$36,063.00

8. **Purchase of Two Sewer Jet Vacuum Trucks in the Amount of \$889,963.10; Adoption of Resolution No. 6345(20) Approving Supplemental Appropriations.**

Awarded a contract for two Sewer Jet Vacuum Trucks from Haaker Equipment Company in the amount of \$889,963.10 and authorized the Purchasing and Materials Manager to issue a purchase order in that amount; and adopt Resolution No. 6345(20) approving supplemental appropriations.

9. **Award of Project No. FY-20-S-4, 2020 Alley Pavement Rehabilitation Project; Adoption of Resolution No. 6346(20) Approving Supplemental Appropriations.**

Adopted the Special Provisions for Project No. FY-20-S-4, 2020 Alley Pavement Rehabilitation Project (Project), as required by Section 22039 of the Public Contract Code (Special Provisions are on file in the City Engineer's Office); awarded the Construction Contract in the amount of \$680,494 to Granite Construction, Inc. (Granite);

- i. authorized the City Manager to execute the necessary agreements for that Contract;
- ii. authorized the City Engineer, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed \$90,000;

Awarded the Consulting Contract for Construction Engineering Support, Materials Testing, and Supplemental Inspection Services in the amount of \$89,230 to Pavement Engineering, Inc.;

- i. Authorized the City Manager to execute the necessary agreements for that Contract; and

CONSENT CALENDAR: (cont'd)

Item No. 9 – recommendations

- ii. Authorized the City Engineer to approve contract change orders in an amount not to exceed \$5,000; and

Adopted Resolution No. 6346(20) approving supplemental appropriations for the Project.

10. **Adoption of Resolution No. 6347(20) Federal Aviation Administration CARES Act Grant Offer.**

Adopted Resolution No. 6347(20), authorizing the City Manager, Public Works Director, Assistant Public Works Director or the Aviation/Transportation Administrator to execute and file the necessary documents for the purpose of obtaining financial assistance provided by the Federal Aviation Administration through the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

11. **Amendments to the Unrepresented Employees Compensation Plan and MS&C Compensation Plan Regarding Employee Cost Sharing; Adoption of Resolution Nos. 6349(20) and 6350(20).**

Adopted Resolution No. 6349(20) approving an amendment to the Unrepresented Employees (UR) Compensation Plan; and adopted Resolution No. 6350(20) approving an amendment to the Management, Supervisory and Confidential Employees (MS&C) Compensation Plan.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

Police Chief Mariani gave a presentation on Current Police Department Policies.

Council Member Starbuck asked Staff if the Citizens Academy will be reinstated in the future. Chief Mariani stated he is looking forward to a time when the Police Department is fully staffed and a community services division of the Police Department can be re-installed.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Mary Edwards, Trevon Babcock, and Frank Gonzales spoke about the negative impact illegal fireworks has had on the entire Lompoc area.
2. Shawndel Malcolm, Lillian Street, Konny LaFave, Orion (Unknown Last Name), Jayde Stamm, Jason Bryson, Alicia Boots, Kyung Soon Richardson, Raelyn Persu, (Name not Provided), and Fabio Genovese spoke in support of reallocation of funding from the Police Department to other City divisions or departments that will provide opportunities for youth and provide mental health support and help for the community.
3. Pastor De La Cruz asked for the community to work together to affect real change and stated he consistently has received support from the Police Chief.
4. Sylvia King, Ron Barrows, and Angel Tamayo spoke in favor of increasing funding to the Police Department to allow for the addition of body cameras and added officers.
5. Raelyn Persu and Kenny Agobodike spoke in favor of a citizen’s board to work with the Police Department to help ensure the community remains involved in the safety of the City and its citizens.
6. Leah Braitman encouraged everyone to vote in the upcoming November election.
7. (Name Unknown) via phone, spoke about the increased violence in town and suggested Council authorize an independent review of crime in the local area.
8. Asara (Last name unknown), spoke about personal negative racially charged experiences she has experienced while hanging out with friends here in Lompoc.

BREAK:

At 8:38 P.M. Mayor Osborne announced a break. At 8:51 P.M., the meeting reconvened with all Council Members present.

PUBLIC HEARING:

12. **Adoption of the Fiscal Year 2020-21 Gann Appropriation Limitation; Adoption of Resolution No. 6344(20)**

Management Services Director Dean Albro presented the Staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Mosby/Vega. By a 5-0 vote, Council adopted Resolution No. 6344(20), setting the Fiscal Year (FY) 2020-21 appropriation limit at \$48,558,845.

13. **Public Hearing to Consider the Ordering of Services and Improvements, the Continuation of the Assessments for Fiscal Year 2020-21 for the Park Maintenance and City Pool Assessment District No. 2002-01; Adoption of Resolution No. 6343(20) Approving the Engineer's Report, Confirming the Diagram and Assessment, and Ordering the Continuation of Assessments for Fiscal Year 2020-21.**

Management Services Director Dean Albro presented the Staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Vega/Starbuck. By a 5-0 vote, Council held a public hearing for the proposed continuation of the assessments for the Park Maintenance and City Pool Assessment District No. 2002-01 (the District), in order to receive any public input on the proposed continuation of the assessments, approve the proposed assessment budget for Fiscal Year (FY) 2020-21 and the services and improvements funded by the assessments fund, and any other issues related to the assessments; considered the ordering of improvements and maintenance services, and the continuation of the assessments for FY 2020-21; and adopted Resolution No. 6343(20), approving the Engineer's Report and confirming the diagram and assessments for FY 2020-21 for the District.

14. **Amendments to Approved Fiscal Years 2019-21 Annual Action Plans for Community Development Block Grant Coronavirus Funding: Adoption of Resolution No. 6339(20).**

Community Development Program Manager Chanel Ovalle provided the Staff report and recommendations.

Council Member Vega asked Staff to confirm this item is specifically for a utility assistance program. Community Development Program Manager Chanel Ovalle answered yes.

Public Comment: None

ACTION: Motion/Second: Cordova/Vega. By a 5-0 vote, Council held a public hearing, adopted Resolution No. 6339(20) which will: amend Fiscal Year (FY) 2019-20 and FY 2020-21 Annual Action Plan Budgets to move Community Development Block Grant Coronavirus Funding (CDBG-CV) from FY 2020-21 to FY 2019-20; amend the COVID-19 Utility Grant Assistance Program to utilize the CDBG-CV funds from FY 2019-20; authorized the City Manager or designee to sign any agreements or certifications that authorize the City to receive the funds; and authorized submission of the amended FY 2019-20 and FY 2020-21 Action Plans to the U.S. Department of Housing and Urban Development at the conclusion of the seven business day public comment period.

NEW BUSINESS:

15. **City Participation in Santa Barbara County Permanent Local Housing Allocation (PLHA) Partnership to Apply for State Permanent Local Housing Allocation Funds; Adoption of Resolution No. 6348(20).**

Community Development Program Manager Chanel Ovalle introduced Dinah Lockhart the Santa Barbara County Deputy Director of Housing Development. Ms. Lockhart presented a Power Point Presentation regarding this matter.

Council discussed the information presented and expressed concern this proposed partnership would not be beneficial for the City.

Public Comment:

1. (Name not given), Angel Tamayo, George Bedford, and (Name not given) via phone, all spoke against approving this proposed partnership.
2. Lillian Street encouraged the Council to approve the proposed partnership.

ACTION: Motion/Second: Vega/Mosby. By a 3-2 (Council Member Cordova and Mayor Osborne voted No) vote, denied to authorize the City Manager or designee to enter into a Consortium Agreement with the County of Santa Barbara (County), that authorizes the County to submit funding applications to the State of California on the City's behalf for the City's allocation of State Permanent Local Housing Allocation (PLHA) program funds, and authorizes the County to administer the funds in accordance with State requirements and in accordance with the Consortium Agreement; rejected the adoption Resolution No. 6348(20) authorizing the County to submit PLHA program applications to the State on behalf of the City; and direct Staff to apply for State Permanent Local Housing Allocation program funds when there is sufficient City Staff available to administer this program.

UNFINISHED BUSINESS:

16. **Consideration of Community Benefit Agreement Proposed by Strauss Wind, LLC in connection with a 100-Megawatt Wind Energy Project to be Located on Private Land Southwest of the City.**

City Attorney Jeff Malawy presented the Staff report and recommendations.

Strauss Wind, LLC representative Mike McCormick spoke about the proposed Community Benefit Agreement and encouraged Council to approve the Agreement.

At 10:40 P.M., Mayor Osborne motioned to extend the meeting past the 11:00 P.M. deadline by 30 minutes to 11:30 P.M., the motion was seconded by Council Member Starbuck and approved by a unanimous vote.

Council discussed the information provided.

Public Comment:

1. (Name not given) and Angel Tamayo expressed concern about City roads becoming degraded at a much faster rate because of this project.
2. (Name not given) spoke against the proposed agreement.
3. George Bedford stated he is against the entire wind energy project and is concerned about the damage Lompoc will see and will need to repair due to the large trucks required to transport the oversized equipment for this project.
4. Leah Braitman, via phone, spoke in favor of green energy projects and suggested the project owners provide a million dollars to the City of Lompoc as a community benefit.

UNFINISHED BUSINESS: (cont'd)

Item No. 16

Council continued brief discussion about this matter.

ACTION: Motion/Second: Cordova/Mosby. By a 5-0 vote, Council consider revisions to the community benefit agreement proposed by Strauss Wind, LLC; and directed Staff to further negotiation with Strauss Wind and return at a later date with an updated revised agreement for Council to discuss and take possible action.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum):

1. Brianna Gonzales asked for Council to allow more time to receive call in comments.
2. (Name not given), via phone, encouraged Council to defund the Police and reallocate funding to other community health services.
3. (Name not given), via phone, asked if the City will be receiving any energy from the Strauss Wind Project and what agency will be responsible to provide emergency services to this project and how will those services be funded.

COUNCIL COMMENTS AND MEETING REPORTS:

Council Member Vega requested Staff return at a future meeting to allow Council to discuss and take possible action on revisions to the Handbook for Commissions, Committees, and Boards regarding how to add an agenda item and how to cancel a meeting. The request was seconded by Council Member Starbuck and carried by Council Member Mosby.

Council Member Mosby thanked the public for participating in this meeting, thanked Staff for the presentations, requested a Staff reports be provided to Council on illegal fireworks with a five year history and a report on the possible addition of body cameras for use by the City of Lompoc Police Department. The first request was seconded by Council Member Cordova and carried by Council Member Starbuck. The second request was seconded by Mayor Jenelle Osborne and carried by Council Member Cordova.

At 11:25 P.M., Mayor Osborne motioned to 11:40 P.M., the motion was seconded by Council Member Starbuck and approved by a unanimous vote.

Council Member Cordova thanked the public for their participation and action.

Mayor Osborne reported the Summer Food Program will continue to operate with the Lompoc School District's support; reminded all citizens to complete the census and information can be found at census2020.org

ADJOURNMENT: At 11:29 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on July 7, 2020 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on September 1, 2020:

Stacey Haddon
Stacey Haddon, City Clerk