



AGENDA

**Regular Meeting of the Lompoc City Council
Tuesday, July 6, 2021
City Hall, 100 Civic Center Plaza, Council Chamber**

The City Council Chamber will be open to the public. The City Council meeting will also be broadcast live on Comcast Channel 23 and the radio at KPEG 100.9 FM, and livestreamed on the internet at www.cityoflompoc.com (Click the “City Council” button, and then “View City Council Meeting Videos”).

If you choose not to attend in-person but wish to make a comment during oral communications or on a specific agenda item, you may call (805) 875-8201 before the close of public comment on the agenda item. You will be provided 3 minutes for your comment.

Alternatively, you may submit comments via email to s_haddon@ci.lompoc.ca.us not later than 4:00pm on Tuesday, July 6, 2021.

Pursuant to State Law, any member of the public may address the City Council concerning any Item on the Agenda. Please be aware that Items on the Consent Calendar are considered to be routine and are normally enacted by one vote of the City Council. If you wish to speak on a Consent Calendar Item, please do so during “Public Comment on Consent Calendar Items”.

“Members of the Public are Advised that all **CELLULAR TELEPHONES and any OTHER COMMUNICATION DEVICES** are to be **turned off** upon entering the City Council Chambers.”

Regular City Council meetings will be videotaped and available for review on the City’s website by the end of the day on the Thursday following the City Council Meeting. **The Agenda and related Staff reports are available on the City’s web site: www.cityoflompoc.com the Friday before Council meetings between 9:00 a.m. and 5:00 p.m.**

Any documents produced by the City and distributed to a majority of the City Council regarding any item on this agenda will be made available the Friday before Council meetings at the City Clerk’s Office at City Hall, 100 Civic Center Plaza, Monday through Friday between 9 a.m. and 5 p.m. and at the Information Desk at the Lompoc Library, 501 E. North Avenue, Lompoc, California, Monday - Thursday between 10 a.m. and 7 p.m. and Friday and Saturday between 1 p.m. and 5 p.m. The City may charge customary photocopying charges for copies of such documents.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, including review of the Agenda and related documents, please contact the City Clerk at (805) 875-8241 as soon as possible prior to the meeting. This will allow time for the City to make reasonable arrangements to ensure accessibility to the meeting.

CLOSED SESSION

OPEN SESSION – 6:00 P.M. – Council Chamber

ROLL CALL: Mayor Jenelle Osborne
Mayor Pro-Tempore Victor Vega
Council Member Gilda Cordova
Council Member Dirk Starbuck
Council Member Jeremy Ball

ORAL COMMUNICATIONS: (maximum of three minutes per speaker, limited to subject of “Closed Session”)

CLOSED SESSION – City Council Conference Room

BUSINESS ITEM:

1. **CONFERENCE WITH LABOR NEGOTIATORS:** Agency designated representatives: Jeff Malawy, City Attorney Unrepresented employee: City Manager
2. **CONFERENCE WITH LABOR NEGOTIATORS:** City Designated Representatives: Dean Albro, Jim Throop, Gabriel Garcia, Jeff Malawy and Che Johnson. Employee Organizations: Lompoc Police Officer’s Association, and International Association of Firefighters Local 1906

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

ROLL CALL: Mayor Jenelle Osborne
Mayor Pro-Tempore Victor Vega
Council Member Gilda Cordova
Council Member Dirk Starbuck
Council Member Jeremy Ball

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

INVOCATION:

PLEDGE OF ALLEGIANCE: Mayor Jenelle Osborne

PRESENTATIONS:

- Presentation by Rincon Consultants regarding Options, Requirements, Timeframe, and Associated Costs to Amend the 2030 General Plan.

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**
 - May 24 - 28, 2021 - \$1,247,822.24
 - May 31, 2021 – June 4, 2021 - \$620,032.46
 - June 7 – 11, 2021 - \$616,439.95
 - Payroll May 28, 2021 - \$1,500,921.96
 - Payroll June 11, 2021 - \$1,511,475.63

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

CONSENT CALENDAR: All items listed under Consent Calendar are considered routine and will be enacted, after one motion, in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the Council vote. Any items withdrawn from the Consent Calendar for separate discussion will be addressed immediately before the second Oral Communications, near the end of the meeting.

1. **Adoption of Resolution No. 6430(21) Approving Amended and Restated Compensation Plans for Management, Supervisory & Confidential, and Unrepresented Employees and Approving Supplemental Appropriations and Revenues to Fund the Amended and Restated Compensation Plans.**

City Manager Jim Throop
j_throop@ci.lompoc.ca.us

Recommendation: Council adopt Resolution No. 6430(21), which will Approve the amended and restated Compensation Plans for Management, Supervisory & Confidential, and Unrepresented employees effective the pay period to include July 1, 2021; and approve the supplemental appropriations, which will fund the proposed salary range adjustments and benefit contribution adjustments included in the amended and restated Compensation Plans for Fiscal Year 2021-22.

2. **Adoption of Resolution No. 6429(21) Approving Amendment No. 2 to the Memorandum of Understanding With Employees Represented by the International Brotherhood of Electrical Workers, Local Union 1245; Amending the City's Compensation Plan/Pay Plan to Reflect the Cost of Living and Other Adjustments as Prescribed in the MOU Amendment; and Approving Supplemental Appropriations to Fund the Amended Compensation Plan**

City Manager Jim Throop
j_throop@ci.lompoc.ca.us

Recommendation: Council adopt Resolution No. 6429(21), which will: Approve Amendment No. 2 to the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local Union 1245 (IBEW 1245) and the City (Amendment), which extends the contract term until midnight on June 30, 2022; Amend the City's Compensation Plan/Pay Plan to include the cost of living adjustment (COLA) as prescribed in the Amendment; approve the supplemental appropriations which will fund the proposed COLA and benefit contribution adjustments for Fiscal Year (FY) 2021-22; and approve the supplemental resources to fund the supplemental appropriations.

CONSENT CALENDAR: (cont'd)

- 3. Approval of Application for Federal Transit Administration 5307 Funds for City of Lompoc Transit and Recommendation to Santa Barbara County Association of Governments To Approve Funding**

Aviation/Transportation Administrator Richard Fernbaugh
r_fernbaugh@ci.lompoc.ca.us

Recommendation: Council approve the attached Federal Transit Administration 5307 application for funding City of Lompoc Transit operating and capital expenses for Fiscal Years 2021-22 through 2023-24; and direct Staff to forward the City Council's approval and recommendation to the Santa Barbara County Association of Governments.

- 4. Award of a Contract Purchase Order to Quinn Company for Purchase of One Landfill Compactor for Approximately \$1,225,000; Adoption of Resolution No. 6436(21) Approving Supplemental Appropriations.**

Purchasing & Materials Manager Ray Ambler
r_ambler@ci.lompoc.ca.us

Recommendation: Council approve the award of a contract to purchase a Caterpillar Landfill Compactor Model 826 K for \$1,223,029.18 to Quinn Company of Santa Maria, California; authorize the Purchasing Manager to issue a contract purchase order in the amount of \$1,223,029.18; and adopt Resolution No. 6436(21), approving Supplemental Appropriation and Estimated Revenues for the Acquisition of a Solid Waste Landfill Compactor Vehicle.

ORAL COMMUNICATIONS (3 Minutes Maximum):

PUBLIC HEARING:

This item will begin at 7pm

- 5. Public Hearing to Receive Input from the Community Regarding District-Based Election Maps for Redistricting Process after 2020 Census; Adoption of Resolution No. 6428(21) Appropriating Funds for Agreement with National Demographics**

City Clerk Stacey Haddon
s_haddon@ci.lompoc.ca.us

Recommendation: Council receive a report from Staff on the re-districting process and permissible criteria to be considered to create district boundaries and conduct a public hearing to receive public input on district boundaries and Adopt Resolution No. 6428(21), appropriating funds for an agreement with National Demographics to act as demographer.

(Public Comment)

PUBLIC HEARING: (cont'd)

6. **Public Hearing to Consider the Ordering of Services and Improvements, the Continuation of the Assessments for Fiscal Year 2021-22 for the Park Maintenance and City Pool Assessment District No. 2002-01; Adoption of Resolution No. 6427(22) Approving the Engineer's Report, Confirming the Diagram and Assessment, and Ordering the Continuation of Assessments for Fiscal Year 2021-22.**

Accounting & Revenue Manager Christie Donnelly
c_donnelly@ci.lompoc.ca.us

Recommendation: Council hold 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) 2021-22 and the services and improvements funded by the assessments fund, and any other issues related to the assessments; and upon the conclusion of the public hearing, consider the ordering of improvements and maintenance services, and the continuation of the assessments for FY 2021-22; and adopt Resolution No. 6427(21), approving the Engineer's Report, and confirming the diagram and assessments for FY 2021-22 for the District; or provide alternate direction.

(Public Comment)

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

- **Utility Department Staff to Present an Overview of the City of Lompoc Water Operations and Conservation Efforts in Response to Statewide Drought Concerns.**

UNFINISHED BUSINESS:

7. **Form Nonprofit Lompoc Community Foundation and Adopt Articles of Incorporation and Bylaws**

City Manager Jim Throop
j_throop@ci.lompoc.ca.us

City Attorney Jeff Malawy
jmalawy@awattorneys.com

UNFINISHED BUSINESS: (cont'd)

Item No. 7 - Recommendations

Recommendation: Council: Review the draft articles of incorporation and bylaws ; direct the City Manager to execute the articles of incorporation, to adopt the bylaws, and to take all other necessary actions to form and start operation of the nonprofit corporation, including applying for tax exemptions and complying with all other regulatory requirements; appoint a City Council Member to serve on the board of the directors of the nonprofit corporation; request the Chairpersons of the Public Safety, Beautification and Appearance, Library, and Parks and Recreation Commissions either inform the City Manager of their willingness to serve on the board of directors of the nonprofit corporation, or, if they are unwilling to serve, place an item on the agenda of the next meeting of the relevant commissions for those commissions to nominate a commissioner to serve on the board of directors; establish an application process and timeline for members of the Lompoc business community who wish to serve on the board of directors; authorize and direct the City Manager to serve as the executive director of the nonprofit corporation in accordance with the bylaws; or decide not to form a nonprofit organization; or provide staff with other direction.

(Public Comment)

NEW BUSINESS:

8. **Adoption of Resolution No. 6431(21) Accepting Grant Award from the Santa Barbara County Air Pollution Control District's Clean Air Infrastructure Program to Partially Fund Solar-Powered Publicly-Accessible Charging for Electric Vehicles at the Lompoc Valley Medical Center (LVMC); Purchase of Two EV ARC Chargers; Approve Memorandum of Understanding with LVMC for Placement of Charging Stations in Parking Lot at 1515 East Ocean Avenue.**

Utility Conservation Coordinator

s_valle@ci.lompoc.ca.us

Recommendation: Council approve the purchase and installation of two (2) Electric Vehicle Autonomous Renewable Charger (EV ARC) solar-powered electric vehicle charging stations (Project) and authorize the City Manager to execute any documents necessary to make the purchase; adopt Resolution No. 6431(21), which will:

- a. Accept the Clean Air Infrastructure Grant award from the Santa Barbara County Air Pollution Control District to fund a portion of the Project;
- b. Grant the City Manager, or his designee, authority to execute any and all necessary grant documents related to the Clean Air Infrastructure Grant Program;
- c. Grant the City Manager authority to offer publicly accessible electric vehicle charging at both EV ARC stations at no cost to station users;

NEW BUSINESS: (cont'd)

Item No. 8 – Recommendations

- d. Approve supplemental revenue and appropriations to allow for the receipt of the grant and acquisition and installation of the Project as follows:
 - i. Supplemental revenue of \$100,000 recognizing the Santa Barbara County Air Pollution Control District Clean Air Infrastructure Grant Program award;
 - ii. Supplemental appropriations of \$75,000 of Electric Public Benefit Fund's investment in renewable energy sources to fund the City's share of the Project;
 - iii. Supplemental appropriation of \$175,000 for the acquisition and installation of the Project;
- e. Approve the payment of the \$75,000 City contribution from the Electric Public Benefit Fund to the Electric Utility Fund to provide for the acquisition and installation of the Project from the Electric Utility Capital Outlay – EV Charging Stations account;

Approve placing both EV ARC electric vehicle charging stations within the Lompoc Valley Medical Center's (LVMC) parking lot located at 1515 East Ocean Avenue; and authorize the City Manager, or designee, to execute a Memorandum of Understanding with LVMC; or provide alternate direction.

(Public Comment)

- 9. **Discussion and Direction Regarding Rescheduling the Special Municipal Election set for August 31, 2021, for Possible Changes to the Commercial Cannabis Taxes Imposed by the City of Lompoc; Consideration of Adoption of Resolutions to Place before City Voters, at Either a Separate Municipal Election on November 2, 2021, or a Municipal Election Consolidated with the Statewide Primary Election on June 7, 2022, a Ballot Measure Changing City's Tax on Cannabis Manufacturing and Distribution Operators and Other Cannabis Tax Definitions/Regulations; Declaration of Fiscal Emergency; Call of Election; Direction for Impartial Analysis and Ballot Arguments for Measure; Appropriation of Funds to Pay for the Election.**

City Manager Jim Throop
j_throop@ci.lompoc.ca.us

City Attorney Jeff Malawy
jmalawy@awattorneys.com

NEW BUSINESS: (cont'd)
Item No. 9 – Recommendations

Recommendation: Council reschedule, from August 31, 2021, to November 2, 2021, or June 7, 2022, a special municipal election for the voters to decide whether to approve proposed changes to the City’s cannabis tax regulations, and then: adopt Resolution No. 6432(21), declaring a fiscal emergency, pursuant to article XIII C section 2(B) of the California Constitution and rescinding Resolution No. 6414(21); and if Resolution No. 6432(21) is adopted by an affirmative vote of all five Council Members, then also adopt Resolution No. 6433(21) (by a vote of at least four Council Members), which:

- a) rescinds Resolution No. 6415(21), and proposes and orders the submission to the qualified electorate of the City of Lompoc a tiered tax structure on cannabis manufacturing and distribution operators for General Fund purposes and changes to other cannabis tax regulations/definitions (Measure) at a special municipal election to be held on November 2, 2021, or June 7, 2022;
- b) calls that special municipal election for November 2, 2021, or June 7, 2022;
- c) requests the Santa Barbara County Board of Supervisors to direct the County Elections Department to conduct that election for the City;
- d) authorizes City payment for elections services rendered by the County needed to conduct that election; and

If Resolution No. 6433 is adopted, then adopt Resolution No. 6434(21), rescinding Resolution No. 6417(21), directing the City Attorney to draft the impartial analysis and setting ballot arguments; and if Resolution No. 6433(21) is adopted, then adopt Resolution No. 6435(21), rescinding Resolution No. 6418(21), appropriating funds to pay for the special municipal election to be held on November 2, 2021, or June 7, 2022; and finally, if Resolution No. 6433(21) is adopted, then Staff recommends the City Attorney read aloud the title of the Measure at the City Council meeting, and Council waive further reading of the ordinance.

(Public Comment)

COUNCIL REQUESTS:

- 10. **Consider Issuing Business Cards to City Commissioners Upon Request.** (Council Member Vega)

City Manager Jim Throop
j_throop@ci.lompoc.ca.us

Recommendation: Council consider whether to issue business cards to members of City commissions upon request, with the following two suggestions: business cards with only the name of the commission, the email address and phone number for the department responsible for the commission, or Business cards with the commissioner’s name and personal email and phone number.

(Public Comment)

COUNCIL REQUESTS: (cont'd)

11. **Adoption of Urgency Ordinance to Permit Outdoor Dining Until December 31, 2021.** (Mayor Osborne)

City Attorney Jeff Malawy
jmalawy@awattorneys.com

Recommendation: Council adopt an urgency ordinance to allow outdoor dining at City restaurants and food service establishments, under certain conditions, until December 31, 2021.

(Public Comment)

WRITTEN COMMUNICATIONS:

ORAL COMMUNICATIONS (2 Minutes Maximum):

COUNCIL COMMENTS AND MEETING REPORTS:

ADJOURNMENT:

Lompoc City Council will adjourn to a Regular Meeting at 6:30 P.M. on July 20, 2021.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting. Dated this 2nd day of July 2021

/Stacey Haddon/
Stacey Haddon, City Clerk
By: Shannon Marrs