



Minutes

Regular Meeting of the Lompoc City Council
Tuesday, August 2, 2022
City Hall, 100 Civic Center Plaza, Council Chamber

The City Council meeting will be broadcast live on Comcast Channel 23 and on the radio at KPEG 100.9 FM

Or video livestreamed via this link:

<https://www.cityoflom poc.com/government/committees-boards/city-council/live-webcast>

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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, August 2, 2022.

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".

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.cityoflom poc.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 at least 48 hours prior to the meeting. This will allow time for the City to make reasonable arrangements to ensure accessibility to the meeting. To request a Spanish translator, please call (805) 875-8241 by 4P.M. on the Friday before the Council Meeting, to allow time for the City to coordinate a translator.

De conformidad con la ley estatal, cualquier miembro del público puede dirigirse al Concejo Municipal con respecto a cualquier tema de la agenda. Tenga en cuenta que los elementos del Calendario de consentimiento se consideran de rutina y normalmente se decreta con un voto del Municipio. Si desea hablar sobre un artículo particular del calendario de consentimiento, hágalo durante "Comentarios públicos sobre artículos del calendario de consentimiento".

Las reuniones regulares del Concejo Municipal se grabarán en video y estarán disponibles para su revisión en el sitio web de la Ciudad al final del día del jueves siguiente a la reunión del Concejo Municipal. **La agenda y los informes relacionados del personal están disponibles en el sitio web de la ciudad: www.cityoflom poc.com el viernes antes de las reuniones del consejo entre las 9:00 a.m. y las 5:00 p.m.**

Cualquier documento producido por la ciudad y distribuido a la mayoría del concejo municipal con respecto a cualquier tema en esta agenda estará disponible el viernes antes de las reuniones del concejo en la oficina del Secretario de la Ciudad en el Ayuntamiento, 100 Civic Center Plaza, de lunes a viernes entre las 9 a.m. y 5 p.m. y en el mostrador de información de la biblioteca de Lompoc, 501 E. North Avenue, Lompoc, California, de lunes a jueves de 10 a.m. a 7 p.m. y viernes y sábado entre la 1 p.m. y 5 p.m. La Ciudad puede cobrar los costos habituales de fotocopiado por copias de documentos anteriormente mencionados.

De conformidad con la ley de Estadounidenses con Discapacidades, si necesita asistencia especial para participar en esta reunión, incluyendo la revisión de la agenda y los documentos relacionados, comuníquese con el Secretario de la Ciudad al (805) 875-8241 al menos 48 horas antes de la reunión. Esto le dará tiempo a la Ciudad para hacer arreglos razonables para asegurar la accesibilidad a la reunión. Para solicitar un traductor de español, llame al (805) 875-8241 antes de las 4 p.m. el viernes antes de la reunión del consejo, para dar tiempo a la ciudad para coordinar un traductor.

CLOSED SESSION

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

Council Members Present: Dirk Starbuck, Gilda Cordova, Jeremy Ball, Council Member Vega, and Mayor Jenelle Osborne.

Staff Present: City Manager Dean Albro, 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) *City of Lompoc v. Mission Hills Community Services District*, Santa Barbara County Superior Court Case No. 20CV02225
2. **CONFERENCE WITH LABOR NEGOTIATORS:** City Designated Representatives: Christine Donnelly, Dean Albro, and Gabriel Garcia. Employee Organizations: Represented and unrepresented employees.

OPEN SESSION - 6:33 P.M. – Council Chamber

Council Members Present: Dirk Starbuck, Gilda Cordova, Jeremy Ball, Council Member Vega, and Mayor Jenelle Osborne.

Staff Present: City Manager Dean Albro, City Clerk Stacey Haddon, City Attorney Jeff Malawy, Utility Conservation Coordinator Steven Valle, Solid Waste Superintendent Keith Quinlan, and Management Services Director Christine Donnelly.

Others Present: Dan Petry, Nick Nickelenko, Matt Grant, Colleen Grant, Deb Andrews, Ann McCarty, Rafaela Moreno, Carl Jones, Terry Dabney, Nick Gonzales, and Jim Mosby.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

City Attorney Jeff Malawy reported the Council provided direction to Staff, but no reportable action was taken during the Closed Session.

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

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**
 - June 27, 2022 - July 1, 2022 - \$1,143,791.88
 - July 4 – 8, 2022 - \$1,999,426.50
 - Payroll July 8, 2022 - \$2,051,070.54

City Manager Dean Albro thanked the City Parks Division and Facilities Maintenance Division for all the recent work at in and outside of City Hall; and reported the Lompoc Public Library Summer Reading Challenge was very successful, exceeding its goal of 100,000 minutes with a total of 155,915 minutes read, 2181 books read, all with 347 people participating.

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

CONSENT CALENDAR:

Council Member Starbuck asked Staff to confirm if the Right of Way (ROW) Maintenance fund listed in the fiscal impact in the Staff report on Consent Calendar Item No. 3, is also known as the utility reimbursement fund. City Manager Dean Albro answered yes, the ROW Maintenance fund and the utility remittance fund are the same and explained the funds are a payment from the City utilities to help pay for damage City streets have incurred by use from the City Utility Department.

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of June 7, 2022 and the Special Meeting of June 14, 2022.
2. **Adoption of Resolution No. 6534(22) Authorizing the City Manager, Public Works Director, Assistant Public Works Director, Utility Director, and Wastewater Superintendent, or Their Designees, to Approve and Execute Agreements and Related Documents with the California Department of Fish and Wildlife for the Completion of the Vandenberg Village Community Services District Interceptor Sewer Siphon Relocation at Floradale Avenue, FY-21-WW-1.**

Adopted Resolution No. 6534(22), authorizing the City Manager, Public Works Director, Assistant Public Works Director, Utility Director, and Wastewater Superintendent, or their designees, to approve and execute agreements and related documents with the California Department of Fish and Wildlife which are necessary for the completion of the Vandenberg Village Community Services District Interceptor Sewer Siphon Relocation at Floradale Avenue, City Project No. FY-21-WW-1

3. **Award of Project No. FY-22-S-2, 2022 Street Pavement Digout Project; Adoption of Resolution No. 6535(22) Approving Supplemental Appropriations.**

Adopted the Special Provisions for Project No. FY-22-S-2, 2022 Street Pavement Digout Project, as required by Section 22039 of the Public Contract Code (copies of Special Provisions are on file in the City Engineer's Office); award the Construction Contract including Additive/Alternate 1 in the amount of \$1,916,715.70 to V. Lopez Jr. & Sons, General Engineering Contractors, Inc.; authorized the City Manager to execute the necessary agreements for that Contract; authorized the City Engineer, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed \$200,000; awarded the Consulting Contract for Construction Engineering Support, Materials Testing, and Supplemental Inspection Services in the amount of \$86,440 to Pavement Engineering, Inc.; authorized the City Manager to execute the necessary agreements for that Contract; and authorize the City Engineer to approve contract change orders in an amount not to exceed \$15,000.00; adopted Resolution No. 6535(22) approving supplemental appropriations for the Project.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Dan Petry spoke about a traumatic event he experienced earlier in his life and his distrust of law enforcement.
2. Nick Nikelenko asked for specialized units in the Police Department and expressed concern over what he sees as an increase in crime in the city.
3. Matt and Colleen Grant, representatives of Sleep in Heavenly Peace, introduced themselves and their non-profit organization.

ORAL COMMUNICATIONS: (cont'd)

4. Deb Andrews complimented the work being accomplished at City Hall, and urged Council to open the Lompoc Public Library on Sundays.
5. Ann McCarty, Executive Director of the North County Rape Crisis and Child Protection Service, thanked all who participated in welcoming the Pedal the Pacific bike riders.
6. Rafaela Moreno requested Council to work to install a motorsports park in the city to help prevent kids from speeding and racing on City streets.
7. Carl Jones suggested all citizens take an active part in cleaning up their neighborhoods and reminded everyone of the **Make a Difference Day** that will be held in October.
8. Terry Dabney thanked Council for their continued service to Lompoc and stated she believes the Police Department needs more support.

NEW BUSINESS:

4. **Adoption of Urgency Ordinance No. 1697(22) Amending Lompoc Municipal Code 13.04.060 to Prohibit the Use of Potable Water for the Irrigation of Non-Functional Turf at Commercial, Industrial, and Institutional Sites, and to Clarify that Administrative Enforcement of Prohibitions and Restrictions on the Use of Water Is Authorized**

Utility Conservation Coordinator Steven Valle presented the Staff report and recommendations.

Council discussed this matter at length and asked Staff why this proposed ordinance is presented as an urgency ordinance. Utility Conservation Coordinator Steven Valle explained the State has approved an emergency requirement for this matter and the City is required to align its rules with the State.

Public Comment:

1. Deb Andrews suggested the Council refuse this State mandate.

Council Member Ball motioned to approve Staff recommendations, the motion was seconded by Mayor Osborne, by a 2-3 vote (Council Members Cordova, Starbuck, and Vega voted No), the motion was declared lost.

ACTION: Motion/Second: Cordova/Mayor Osborne. By a 4-1 vote (Council Member Vega voted No), Council directed Staff to return at a future Council meeting with a revised ordinance which will include a six (6) month education period and delay of any administrative enforcement of prohibitions and restrictions on the use of water.

5. **Consideration of Solid Waste Rate Adjustments; Schedule and Notice a Public Hearing for September 20, 2022 for Proposed Solid Waste Rate Adjustments, in accordance with Proposition 218**

Management Services Director Christie Donnelly presented a brief introduction of the item and introduced Dave Davis of MSW Consultants who presented the report and recommendations.

Council thanked Staff for the presented information and discussed this matter at length and asked Staff to speak about the additional operational costs the City's Solid Waste operations. Solid Waste Superintendent Keith Quinlan explained the continued requirements for improvements to the landfill, which include improvements to address State stormwater violations as well as new State unfunded mandates specific for landfill operations are the basis for the need to increase collection rates.

NEW BUSINESS: (cont'd)

Item No. 5

Public Comment:

1. Deb Andrews suggested Council not approve the proposed rate adjustments
2. Phone Call – Name Unknown – Suggested the rate adjustments be revised for a more gradual increase.

ACTION: Motion/Second: Cordova/Starbuck. By a 5-0 vote Council directed Staff to return at a later date with a revised proposal for an increase in rates that will lessen the first year increase and still meet the requirements for the City to fully fund its solid waste operations.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum):

1. Nick Gonzales requested a presentation of the City's cost of services and cost allocations.
2. Jim Mosby stated he believes the City's Utility Commission is the City's body to regulate utility operations and rates.

COUNCIL COMMENTS AND MEETING REPORTS:

Council Member Ball reported he attended the get-together to welcome the Pedal the Pacific bike riders who were trying to spotlight the issue of human trafficking; and announced the upcoming Lompoc Police Department (LPD) car cruise to be held during the August 5, 2022 Old Town Market and the (LPD) car show scheduled for August 6, 2022 at Ryon Park, and the Lompoc Recreation Division's Annual Skate Park competition to be held on August 20, 2022 at College Park.

Council Member Vega thanked all who attend Council meetings and are engaged in the processes of the City.

Mayor Osborne reported she attended several meetings and events including the Civil Air Patrol Citizens Program at the Vandenberg Space Force Base (VSFB), as well as the retirement ceremony for Ron Cortopassi, Space Launch Delta 30 executive director, also held at VSFB; participated in the Northern California Power Agency (NCPA) meeting held in Murphys CA; the Pedal for the Pacific bike riders welcome reception; the Lompoc Open Bowls event held on July 27, 2022 at the DeWees Community and Senior Center; and the celebration of life for former Lompoc Police Chief Gerald Kuras. Mayor Osborne also announced several matters including the fall funding cycle by the Fund for Santa Barbara is now open and all application information is available at fundforsantabarbara.org; and the City of Lompoc District 2 and District 3 Council Members and the Mayor seat are to be on the ballot for the November 8, 2022 General Election, the nomination period for these three elected positions began on July 18, 2022 and closes on August 12, 2022; and congratulated Anya Gallardo for her appointment to the Fund of Santa Barbara Youth Making Change Project.

ADJOURNMENT: At 9:17 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on August 16, 2022 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review on October 13, 2022 by: *Stacey Haddon*
Stacey Haddon, City Clerk