



**Regular Meeting of the Lompoc City Council
Tuesday, January 17, 2023
City Hall, 100 Civic Center Plaza, Council Chamber**

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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, January 17, 2023

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.cityoflomdoc.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.

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.cityoflomdoc.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.

OPEN SESSION – 5:15 P.M. – Council Chamber

Council Members Present: Gilda Cordova, Jeremy Ball, Dirk Starbuck, Victor 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 LEGAL COUNSEL--EXISTING LITIGATION:** Government Code section 54956.9(d)(1) *Dionne Espinoza, et al. v. City of Lompoc, et al.*, U.S. District Court, C.D. Cal., Case No. 2:21-CV-08563-TJH (AGR)
3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** City Manager Annual Review as Required by City Manager’s Employment Agreement

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

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

Staff Present: City Manager Dean Albro, City Clerk Stacey Haddon, City Attorney Jeff Malawy, Fire Chief Brian Fallon, Management Services Director Christie Donnelly, and Senior Administrative Analyst Erin Keller.

OTHERS PRESENT: Will Schuyler, Nickolas Gonzales, Kathy Howard, Jill Anderson, Jean Silva, Sarah Aguilar, Deb Andrews, Kenny Agbodike, Dinah Lockhart, Maria Aguiniga, Christina Robles, and Ryan Domino.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

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

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

PRESENTATIONS PRESENTED ELSEWHERE:

Mayor Osborne reported she presented a proclamation in honor of Martin Luther King Day on January 16, 2023 at the Dick DeWees Community and Senior Center.

PRESENTATIONS:

- City Clerk Stacey Haddon gave the Oath of Office to newly appointed Fire Chief Brian Fallon
- Mayor Osborne presented a proclamation in honor of **Human Trafficking Awareness Month** to the Assistant Director of Northern California Rape Crisis Center Allison Wales.
- Management Services Director Christie Donnelly and Ryan Domino, partner at LSL (CPAs and Advisors), provided a presentation of the City’s Annual Comprehensive Financial Report (ACFR), and FY 2021/2022 financial audit.

Council thanked Ms. Donnelly and Mr. Domino for the information presented and briefly discussed the presentation.

CITY MANAGER REPORT: (Information only)

• **List of City expenditures**

- November 28, 2022 – December 2, 2022 - \$1,028,144.85
- December 5 – 9, 2022 - \$2,036,645.95
- December 12 – 16, 2022 - \$705,526.93
- December 19 – 23, 2022 - \$838,099.40
- Payroll December 9, 2022 - \$1,806,072.96
- Payroll December 23, 2022 - \$1,887,952.94

City Manager Dean Albro thanked Management Services Director Christie Donnelly for the presentation on the Annual Comprehensive Financial Report and the audit report; welcomed Brian Fallon as the new Fire Department Chief; announced Kevin Martin has been appointed the interim Police Department Chief; reminded all to stay out of and away from the Santa Ynez River during this storm and all upcoming storms; stated the City is currently replacing lights at City Hall to more energy efficient lights; and reminded all of the upcoming Santa Barbara County Local Agency Formation Commission meeting scheduled for February 2, 2023 where the City of Lompoc’s application for a revision to its sphere of influence will be reviewed.

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

CONSENT CALENDAR:

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of October 18, 2022.
2. **First Amendment to Agricultural Lease Agreement with Rancho Laguna Farms, Inc. to Add APNs: 093-051-014 and 093-051-012/013 to the Lease Agreement and Related Amendments.**

Approved of the First Amendment to agricultural Lease Agreement of City-owned property to Rancho Laguna Farms, Inc., and granted the City Manager authority to sign the amendment.

- Successor Agency
3. **Adoption of Resolution No. SA07(23) Approving the Administrative Budget and Adoption of Resolution No. SA08(23) Approving the Recognized Obligation Payment Schedule for July 1, 2023, to June 30, 2024.**

Successor Agency adopted Resolution No. SA07(23) approving the Successor Agency’s Administrative Budget for Fiscal Year (FY) 2023-24; and adopted Resolution No. SA08(23) approving the Recognized Obligation Payment Schedule (ROPS) for the period July 1, 2023, to June 30, 2024, pursuant to Health and Safety Code subdivisions 34177(l).

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS: None

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Deb Andrews expressed her concerns regarding the National Economic Security and Recovery Act.
2. Via Phone – Timothy Mahoney a representative of SoCal Gas Company spoke about the increases in costs of natural gas.
3. Kenny Agbodike requested the City review the total percentage of sales non-profits are required to pay to the City for selling safe & sane fireworks and suggested that percentage of be lowered.
4. Dinah Lockhart, Deputy Director of the Santa Barbara County Housing & Community Development, stated the County is requesting volunteers to help with the upcoming Point in Time Count, scheduled for January 25, 2023.
5. Maria Aguiniga and Christina Robles spoke in favor of Agenda Item No. 9

APPOINTMENTS:

4. Appointments or Affirmations of Council Member Appointments to External Agencies for Calendar Year 2023.

ACTION: Motion/Second: Mayor Osborne/Ball. By a 5-0 vote, Council made the following appointments of City Council Members as official City representatives to the external agencies as shown below:

Community	Council Member Ball
Lompoc Chamber of Commerce	Council Member Vega
Northern California Power Agency (NCPA)	Mayor Osborne
NCPA Alternates	Council Member Ball
	City Manager Dean Albro
	Utility Director Charles Berry
Transmission Agency of Northern California (TANC)	Mayor Osborne
TANC Alternates	Council Member Ball
	City Manager Dean Albro
	Utility Director Charles Berry
Santa Barbara County Air Pollution Control District (APCD)	Council Member Cordova
Alternate	Mayor Osborne
Santa Barbara County Association of Governments (SBCAG)	Mayor Osborne
Alternate	Council Member Cordova
Breeze Political Advisory Committee (PAC)	Council Member Vega
Multi Jurisdictional Solid Waste Task Group	Council Member Starbuck
Alternate	Council Member Cordova
Home for Good	Council Member Ball
Alternate	Council Member Cordova
Western Area of the Santa Ynez River Valley Groundwater Basin	Council Member Ball
Alternate	City of Lompoc Water Utility Senior Administrative Analyst Kristin Worthley
Central Coast Commission for Senior Citizens	
Area Agency on Aging	Council Member Ball
Alternate	Council Member Starbuck
California Municipal Utilities Association (CMUA)	Mayor Osborne
Alternate	Council Member Ball
Santa Barbara County City Selection Committee	Mayor Osborne

Mayor Osborne requested Staff to add the Lompoc Community Benefit Foundation to the **City Council Member Appointments to External Agencies** and return at a future meeting with an item to allow Council to vote on annual City representation to that Foundation. The request was seconded by Council Member Ball and carried by Council Member Cordova.

5. Mayor Pro-Tempore Appointment for Calendar Year 2023

ACTION: Motion/Second: Cordova/Vega: By a 5-0 vote, Council appointed Council Member Dirk Starbuck as the Mayor Pro-Tempore for the Calendar Year 2023.

APPOINTMENTS: (con't)

6. **Council Appointments to City Boards, Commissions, and Committees.**

ACTION: Motion/Second: Vega/Mayor Osborne: By a 5-0 vote, Council appointed Lee Weir as an out of district member of the Beautification Commission for District 2 for a term ending December 31, 2026 or until an in-district representative is appointed.

ACTION: Motion/Second: Mayor Osborne/Ball. By a 5-0 vote, Council appointed Paul Hill to the Human Services Commission for District 2 for a term ending December 31, 2026; and appointed Nemesio Balcena to the Human Services Commission as the Mayor's at-large appointment for a term ending December 31, 2024.

ACTION: Motion/Second: Mayor Osborne/Ball. By a 5-0 vote, Council appointed Luella Knowles and Molly Gerald as at-large members of the Library Commission with terms ending January 31, 2025; and Maricela Tenado and Mary-Michelle Moore as at-large members of the Library Commission with terms ending January 31, 2026.

ACTION: Motion/Second: Mayor Osborne/Ball. By a 5-0 vote, Council appointed Stephanie Saucedo to the Parks & Recreation Commission for District 3 for a term ending December 31, 2026; Ila Thatcher-Geis to the Parks & Recreation Commission for District 2 for a term ending December 31, 2026; and Dave Baker as the Mayor's at-large appointment to the Parks & Recreation Commission for a term ending December 31, 2024.

ACTION: Motion/Second: Mayor Osborne/Ball. By a 5-0 vote, Council appointed Brianna Gonzales to the Planning Commission for District 3 for a term ending December 31, 2026; Dan Badertscher to the Planning Commission for District 2 for a term ending December 31, 2026; and Fedrico Cioni as the Mayor's at-large appointment to the Planning Commission for a term ending December 31, 2024.

ACTION: Motion/Second: Vega/Mayor Osborne: By a 5-0 vote, Council appointed Roberta Badertscher as a member of the Public Safety Commission for District 2 for a term ending December 31, 2026.

ACTION: Motion/Second: Starbuck/Cordova: By a 5-0 vote, Council appointed Robert Holloway as an out of district member of the Utility Commission for District 3 for a term ending December 31, 2026 or until an in-district representative is appointed.

PUBLIC HEARING:

7. **Application for Certificate of Public Convenience and Necessity and Taxicab Owner's Permit by Jose De La Cruz III dba 805 Transportation, LLC, To Operate A Taxicab Service in the City of Lompoc.**

City of Attorney Jeff Malawy presented the Staff report and recommendations.

Public Comment: None

ACTION: Motion/Second: Cordova/Vega: By a 5-0 vote, Council took the following actions pursuant to Sections 5.36.290 and 5.36.300 of the Lompoc Municipal Code (LMC): conducted a public hearing and received testimony concerning the application by Jose De La Cruz III dba 805 Transportation, LLC, for a Certificate of Public Convenience and Necessity (Certificate); determined the public convenience and necessity require the operation of passenger transportation by Jose De La Cruz III dba 805 Transportation, LLC, and the applicant is fit, willing, and able to provide taxi services; and directed Staff to issue a Certificate to Jose De La Cruz III dba 805 Transportation, LLC, to operate a taxicab service in Lompoc.

UNFINISHED BUSINESS:

8. Animal Services Update and Consideration of Alternatives to Contracting with the County.

Erin Keller, Senior Administrative Analyst presented the Staff report and recommendations.

Council thanked Staff for this presentation and the continued work on this matter, asked about current service levels at the Lompoc Animal Shelter, the cost to the City for animal services, and how cost to each City is determined. Santa Barbara County Animal Services Director Sarah Aguilar thanked City Staff and Council for working with the Animal Services Department and stated the County is working hard to provide full services to the City of Lompoc at the Lompoc Shelter, and suggested the County Finance Division provide a future presentation on the formula used for cost allocations for animal services.

Public Comment:

1. Jean Silva, a representative of the Animal Services Advisory Council stated she believes the Lompoc Shelter is integral to the success of the County's animal service model and recommends the Lompoc Shelter be fully re-opened.
2. Via Phone – Lee Heller thanked Staff for their very cooperative work on this matter.
3. Jill Anderson, a representative of Shadow's Fund spoke about the work done by Sarah Aguilar to ensure the Lompoc Shelter re-opened and is in support of continuing to have the City and County work together.

ACTION: Motion/Second: Mayor Osborne/Cordova: By a 5-0 vote, Council directed Staff to continue to work with the County of Santa Barbara (County) on improved animal services while they remain under contract; setup a citizens survey regarding animal services inside the City; request a future financial presentation from the County of Santa Barbara on the cost allocations for animal services; County Animal Services Department to provide detailed information on the proposed phases for animal services to be provided at the Lompoc Shelter; and Staff to reach out to the City of Santa Maria and request a copy of the official request for proposals the City of Santa Maria recently published for animal services, which should include any responses received in response to that request for proposals.

City Attorney Jeff Malawy stated Council Member Cordova will recuse herself from Agenda Item No. 9. Ms. Cordova stepped off the dais and exited the Chamber.

9. Update Regarding Pale Blue Dot Ventures' Compliance with MOU Fundraising Requirement; Review and Comment on Pale Blue Dot's Concept & Feasibility Study and Experience Design Plan for Proposed Development of a Space Center Project on Approximately 82 Acres Including and Adjacent to Ken Adam Park

City Attorney Jeff Malawy presented the Staff report and recommendations, and stated City Departments/Divisions are reviewing the information provided by Pale Blue Dot Ventures and comments are due to the applicant by February 27, 2023, but no analysis has been completed as of today.

Mayor Osborne suggested this matter be moved forward to the February 21, 2023 City Council meeting.

Public Comment:

1. John Thermos, Nicholas Gonzales, and Kathy Howard spoke in favor of the proposed space center project.
2. Via Phone – Dorine Fabing stated a sports complex in this location would be a more favorable project for the City.
3. Via Phone – Will Schuyler and (Unknown Name), spoke in favor of the proposed space center project.

Council took no action on this matter.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum):

1. Nicholas Gonzales expressed concern about the possibility of the City increasing utility rates.
2. Jose De La Cruz thanked Council for approving his application for a Certificate of Necessity for a taxicab service in Lompoc.

COUNCIL COMMENTS, AND MEETING REPORTS:

Council Member Vega thanked all who attended this meeting and all who participated and said hello to his mother.

Council Member Starbuck expressed his appreciation to the City's Public Works Division and employees for their work to help ensure the erosion of the Santa Ynez Riverbed has been held to a minimum during these winter storms; and requested Staff provide a report on the stone pines on South H Street at a future meeting. The request was seconded by Mayor Osborne and carried by Council Member Ball.

Council Member Ball announced he attended the Martin Luther King Day celebration at the Dick DeWees Community and Senior Center on January 16, 2023; and thanked all City public safety, personnel for working hard to keep the public safe especially during this current storm.

Mayor Osborne thanked all City public safety, urban forestry, public works, and recreation personnel for the proactive and continued maintenance work done throughout the City before the winter storms, as well as for working with the County to watch and monitor water levels and waterflow in the river; reported she attended the Martin Luther King Day celebration at the Dick DeWees Community Center on January 16, 2023; announced tickets for the upcoming February 3, 4, and 5, 2023 Parks & Recreation Father-Daughter Dance are now on sale; applications for the ability for non-profit organizations to sell safe & sane fireworks are now available through the Lompoc Fire Department; CommUnify is hosting an event on February 11, 2023 at the Dick DeWees Community Center; reminded all the Lompoc Animal Shelter is open to the public on Fridays, Saturdays, Sundays, and Mondays; and announced the **State of the Base** luncheon will be held on March 15, 2023.

ADJOURNMENT: At 9:14 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on February 7, 2023 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review on March 15, 2023 by: /Stacey Haddon/
Stacey Haddon, City Clerk