



MINUTES

Regular Meeting of the Lompoc City Council
Tuesday, February 7, 2023
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>

Or internet radio via this link:

<https://www.cityoflom poc.com/government/departments/utilities/media-center/kpeg-radio>

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, February 7, 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.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.

The general Oral Communications periods are reserved for persons desiring to address the Lompoc City Council on any subject within the jurisdiction of the City Council. Closed Session and Consent Calendar Oral Communications periods are limited to the subjects of the closed session/consent calendar agenda items.

CLOSED SESSION

OPEN SESSION – 6:00 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.

Others Present: Deb Andrews, Nick Nickelenko, Robin Small, Arlene Lewis, and Melinda Aguirre.

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

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, Planning Manager Brian Halvorson, Management Services Director Christie Donnelly,

ORAL COMMUNICATIONS: None

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

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

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

PRESENTATIONS:

- **Lompoc Districts Library Foundation presented a donation of \$20,025.00 to the Lompoc Public Library.**
- **Mayor Osborne read a proclamation in honor of Black History Month and stated this will be presented in person at the Black History Month Celebration to be held on February 19, 2023, in the Grossman Gallery at the Lompoc Public Library at 2pm.**

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**
 - January 3 – 6, 2023 - \$1,035,369.84
 - January 9 – 13, 2023 - \$2,820,388.00
 - Payroll January 6, 2023 - \$1,801,221.20

City Manager Dean Albro announced the winning designs submitted by local high school students, which were used to design the City's 135th Birthday Logo; acknowledged Lompoc Middle School graphic design students who provided artwork for this year's City of Lompoc water conservation calendars; reminded everyone who may be interested in displaying their artwork at the Lompoc Public Library Grossman Gallery to submit their work by February 16, 2023; congratulated the newly promoted fire department personnel Firefighter Juan Ruiz, Engineer Colby Baldwin, Captain Kevin Crowell, Captain Scott Smith, Battalion Chief Kevin Shay, and Battalion Chief Cody Lee; played a video of a recent news story of the City's current citizens survey regarding the upcoming 2023-2025 Biennial Budget; and stated a budget workshop is tentatively scheduled for March 14, 2023.

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

CONSENT CALENDAR:

Council Member Starbuck commented on Consent Calendar item No. 5, confirming the City conducted an outreach to the forty-three (43) persons who were living on the City-owned parcels and verified only four (4) of those individuals were Lompoc residents. City Manager Dean Albro stated yes and explained City Staff worked diligently to help insure those persons were

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of November 1, 2022 and November 15, 2022.

2. **Adoption of Resolution No. 6556(23) to Reestablish Military Leave Supplemental Salary and Benefits.**

Adopted Resolution No. 6556(23), which will reestablish the provisions of Resolution Nos. 4968(01) and 5065(03) providing salary supplements and payment of the City's share of health, dental, life, and long-term disability insurance premiums for regular City employees called to involuntary active military service with the United States Armed Forces, for up to one year.

3. **Adopt Resolution No. 6557(23) Authorizing the City Manager or Designee to Execute a Third Phase Power Purchase Agreement with Geysers Power Company, LLC.**

Adopted Resolution No. 6557(23), authorizing the City Manager or designee to execute a Third Phase Power Purchase Agreement with Geysers Power Company, LLC.

4. **Approve Lease Agreement Extension for Airport Hangar with John Warner.**

Approved and authorized the City Manager to sign, an extension to the Lease Agreement for Airport hangar with John Warner, which extends the term of the lease to 2036.

5. **Receive Report on Clean-up Efforts of the City-Owned Parcels East of the Airport.**

Received Staff's report.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Deb Andrews requested the City place the beautification and upkeep of the City as a priority; provide toilets and shower services to those who do not have the ability to provide those services for themselves; extend recreational and library services on Sundays; and provide body cameras for all public safety personnel.
2. Nick Nickelenko asked Council to provide funding for body cameras for Police.
3. Via Phone Brett Jarrett, member of the People for Public Banking Central Coast, spoke to advocate for a regional public bank.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS: None

PUBLIC HEARING:

6. **Introduction of Ordinance No. 1702(23) Amending the Lompoc Municipal Code Concerning Accessory Dwelling Units and Junior Accessory Dwelling Units (TA 22-02).**

Brian Halvorson, Planning Manager, presented the Staff report and recommendations.

PUBLIC HEARING: (cont'd)

Council discussed the information presented.

Public Comment:

1. (Name not Provided), stated he believes the planning process in the City of Lompoc is too difficult and cumbersome.

ACTION: Motion/Second: Vega/Ball. By a 5-0 vote, Council held the public hearing; and introduced, for first reading by title only with further reading waived, Ordinance No. 1702(23) adopting Zoning Code Amendments pertaining to Accessory Dwelling Units and Junior Accessory Dwelling Units (TA 22-02).

- CEQA: Exempt per Public Resources Code 21080.17

COUNCIL REQUESTS:

7. **Adoption of Resolution No. 6561(23), Establishing a Rotating Schedule for City Council Members to Serve on the Board of Directors of the Lompoc Community Benefit Foundation; Appointment/Replacement of City Council Member Representative.**

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

Mayor Osborne thanked City Attorney Jeff Malawy for the report and stated her intent with her previous request, was to have the Lompoc Community Benefit Foundation placed onto the Council's list of Appointments to External Agencies; which will then allow for the Council to appoint a member to this body each year.

ACTION: Motion/Second: Cordova/Starbuck. By a 5-0 vote, Council appointed Mayor Osborne to serve on the Board of Directors of the Lompoc Community Benefit Foundation for the 2023 calendar year; and place the Lompoc Community Benefit Foundation onto the Council's list of Appointments to External Agencies for future Council appointments.

UNFINISHED BUSINESS:

8. **Consideration of Whether to Prepare an Ordinance that Would Allow Cannabis Distribution in the Planned Commercial Development Zone.**

Brian Halvorson, Planning Manager presented the Staff report and recommendations.

Council discussed the matter at length.

Public Comment:

1. (Name not Provided), spoke in favor of the cannabis industry and suggested allowing a cannabis based restaurant in the City.
2. Carl Jones spoke against allowing any distribution center in the City's retail areas, stating these are incompatible business models.

Council continued a brief discussion of this matter and with a unanimous vote, decided to take no further action on this item.

NEW BUSINESS:

- 9. **Adoption of Resolution No. 6558(23) to Transfer Unassigned General Fund Reserve from Unrestricted Operating Cash to Restricted Economic Uncertainty Restricted Cash; and Adoption of Resolution No. 6559(23) to Transfer Capital Improvement Program Funding from General Fund Unassigned Fund Balance to Capital Development Fund Committed Fund Balance.**

Christie Donnelly, Management Services Director presented the Staff report and recommendations.

Council discussed the matter and thanked Staff for the provided information.

Public Comment: None

ACTION: Motion/Second: Vega/Cordova. By a 5-0 vote, Council adopted Resolution No. 6558(23) to set aside a total of \$6.8 million from General Fund unassigned fund balance as General Fund reserve and to transfer \$4.8 million from General Fund operating cash to General Fund restricted cash account titled Economic Uncertainty Restricted Cash, making the total in the Economic Uncertainty Restricted Cash Account \$6.8 million; and adopted Resolution No. 6559(23) to approve the transfer of \$8.0 million from General Fund unassigned fund balance reserves to the Capital Development Special Revenue Fund; and assigned 50% of that \$8.0 million, or \$4.0 million, specifically for building replacement reserve; and assigned the same \$8.0 million to the respective restricted cash accounts within the designated Capital Development Special Revenue Funds.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL COMMENTS AND MEETING REPORTS:

Mayor Osborne announced CommUnify will be hosting an event at the DeWees Community & Senior Center on February 11, 2023 from 10am – 2pm.

Council Member Cordova reported she took part in the 2023 Point in Time survey; and asked City Manager Dean Albro to confirm Staff is working to bring forward an item to Council regarding recreational vehicle parking on City-owned streets. Mr. Albro answered yes, and stated Council should receive that report within the next couple of months.

Council Member Vega suggested the Council have a future discussion regarding the City's boards, commissions, and committees.

Council Member Ball invited all persons to attend the upcoming CommUnify 211 event, and the celebration of Black History Month to be held at the Grossman Gallery at the Lompoc Public Library on February 22, 2023; and expressed his appreciation to the Lompoc Police Department for their recent kindness outreach to local elementary, junior high, and high schools.

ADJOURNMENT: At 8:28 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on February 21, 2023 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review on March 30, 2023 by: _____
Stacey Haddon, City Clerk