



**Regular Meeting of the Lompoc City Council
Tuesday, November 21, 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.cityoflomdoc.com/government/committees-boards/city-council/live-webcast>

Or internet radio via this link:

<https://www.cityoflomdoc.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, November 21, 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 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.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.

CLOSED SESSION

OPEN SESSION – 5:45 P.M. – Council Chamber

Council Members Present: Jeremy Ball, Gilda Cordova, 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-ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): One case.
2. **CONFERENCE WITH LABOR NEGOTIATORS:** City Designated Representatives: Christie Donnelly, Dean Albro, Gabriel Garcia, Jeff Malawy, and Che Johnson. Employee Organization: International Association of Firefighters Local 1903 (IAFF).

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.

OPEN SESSION – Council Chamber – 6:35 P.M.

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

Staff Present: City Manager Dean Albro, City Clerk Stacey Haddon, City Attorney Jeff Malawy, Police Chief Kevin Martin, Parks & Recreation Coordinator Jim Mindoro, Community Development Director Christie Alarcon, Senior Code Enforcement Kenny Agbodike, and Planning Manager Brian Halvorson.

Others Present: Nick Nikelenko, Steve Bridge, and Nicholas Gonzales.

Pastor Greg Nelson gave an invocation and Mayor Jenelle Osborne led the **Pledge of Allegiance**.

PRESENTATIONS:

Mayor Jenelle Osborne presented a proclamation in honor of the 20th Anniversary of the Lompoc Vision Newspaper to Victor Jordan.

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**
 - October 16 – 20, 2023 - \$2,604,937.68
 - October 23 – 27, 2023 - \$1,145,416.28
 - Payroll October 27, 2023 - \$1,862,517.98

City Manager Dean Albro announced the City of Lompoc Children’s Christmas Season Parade will be held on Friday, December 1, 2023 beginning at 6pm on H Street; **Breakfast with Santa** is scheduled for Saturday, December 2, 2023 at the DeWees Center; and showed the video produced by City Staff in celebration of the City of Lompoc’s 135th Birthday Celebration.

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

CONSENT CALENDAR:

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

1. Approved the Minutes of the Lompoc City Council Regular Meetings of August 15, 2023 and September 5, 2023.
2. **Adoption of Resolution No. 6616(23), Approving Lease with Option to Purchase Financing for Replacement Fleet Vehicles and the Budgeted Street Lighting Replacement Project, and Approving Additional Appropriations.**

Adopted Resolution No. 6616(23), authorizing the City Manager and Management Services Director to execute the necessary agreements to finance replacement vehicles and the Street Lighting replacement project scheduled during Fiscal Years (FYs) 2023-2025 with various terms up to 15 years for a total amount up to \$9,369,526; approved related additional appropriations in Solid Waste for \$160,000, and in Electric for \$50,000; and awarding the Municipal Master Financing to Bank of America or other responsive proposers if the City is unable to consummate the process with Bank of America.

3. **Approval of City Council Meeting Calendar for 2024.**

Approved the presented meeting calendar for 2024 with one revision, the cancellation of the November 5, 2024 City Council meeting.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Nick Nikelenko asked Council to provide an update on the use of body cameras by the Lompoc Police Department.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:

- Police Chief Kevin Martin provided a brief presentation on the Lompoc Police Department's annual report for 2022; and proposed to use the City's funding received from nationwide litigation with opioid manufacturers and distributors, to produce an informative and education video to help illustrate what opioids look like and the dangers of illegal use of those drugs, because the monies are not allowed to be used for enforcement needs. Council thanked Chief Martin for the information provided including the return of an annual report, and asked if the Department has an estimation for the installation and use of body cameras for police personnel. Chief Marting stated the Department is working to have the cameras ready for use by January or February of 2024.
- Senior Code Enforcement Officer Kenny Agbodike provided an overview of the Code Enforcement Process for citizens receiving a code enforcement violation notification. Council thanked Staff for this information and asked to confirm the amount of code violation cases the City has opened for 2023 and why the City would send notice of a violation of the California Building Code (CBC). Mr. Agbodike stated the City has received a total of 543 online complaints and of those complaints a total of 273 cases (as of November 21, 2023) had been opened; and then explained the State of California requires the City to enforce the rules and regulations of the CBC.
- Parks & Recreation Projects Coordinator Jim Mindoro provided a status update on active projects at City-owned recreational facilities. Council thanked Staff for this information.

APPOINTMENTS:

4. City Council Appointment to the Lompoc Youth Commission.

ACTION: Motion/Second: Cordova/Ball. By a 5-0 vote, Council appointed Matthew Gordon to the Youth Commission as an adult representative with a term ending January 31, 2025.

PUBLIC HEARING:

5. Consideration of Planning Commission Recommendations for Approval of the Lompoc Housing Element Update of the 2030 General Plan for the 2023-2031 Housing 6th Cycle (GP 21-02); Adoption of Resolution No. 6617(23) Adopting the Housing Element Update.

City Attorney Jeff Malawy stated all Council Members except Council Member Vega, have a conflict of interest with this item. Mayor Osborne has a conflict on anything related to the R2 zone (she owns property within 500 feet of R2); Council Member Cordova also has a conflict on the R2 zone (source of income adjacent to an R2 parcel); Council Member Ball has a conflict on R2, R3, and sites inventory list sites 3, 4, 55, and 56 (within 500 feet of his leasehold property interest); Council Member Starbuck has a conflict on Old Town Commercial (OTC), Mixed Use (MU), R2, R3, and sites inventory list sites near College & I St (43, 75, 77), in downtown (8, 9, 12, 13, 14, 36, 40, 41, 70), and site 21. There will be separate discussions of the Ball sites, the Starbuck sites, the OTC & MU zones, the R3 zone, the R2 zone, and then everything else in the Housing Element.

PUBLIC HEARING: (cont'd)

Item No. 5

Planning Manager Brian Halvorson provided a brief introduction to this item and introduced Ryan Lester from Mintier Harnish, who then provided a presentation of the Housing Element Update.

City Attorney Jeff Malawy stated the update has a typographical error that needs to be corrected, the citation to the law on page 1-26 should be corrected to read "... **in compliance with Government Code Section 65583.2(c)(h) and (i), ...**"

Council briefly discussed the information provided, including the need for a Housing Element that is compliant with the State requirements and the need for residential units for Vandenberg Space Force Base (VSFB) personnel as well as private contractors who work at VSFB.

City Manager Dean Albro asked Fred Meurer, who is a consultant to the City of Lompoc for the City's Office of Local Defense Community Cooperation (OLDCC) grant, a retired US Army Colonel and the former city manager for the City of Monterey, CA., to speak about the Vandenberg Space Force Base needs for housing. Mr. Meurer thanked Council for the opportunity to speak on this subject, explained the importance of a healthy relationship between the City of Lompoc and VSFB, stating there is a substantial need for housing for VSFB personnel and for employees of private contractors, and explained the City is low in workforce housing such as condominiums and townhomes stated an approved Housing Element is crucial in being able provide this type of housing for its own citizens and the workforce at VSFB. Mr. Meurer recommended the Housing Element Update, as proposed by Staff be approved and adopted to help the City retain control of its zoning and building requirements and to ensure future funding of upcoming and future projects remains available to the City.

Public Comment:

1. Steve Bridge asked if there are any regulations governing property which is rezoned and no development of that property is begun in two cycles of the Housing Element Update requirements.

City Clerk Stacey Haddon reported one written comment was received from Ron Fink.

City Attorney Jeff Malawy explained due to the conflict of interests stated at the beginning of this item, the Council discussion and vote will be conducted in several steps, the first discussion will be of the sites in which Council Member Starbuck is the sole Member with a conflict of interest, and further explained when the discussion of the R2 zone is brought forward, Mr. Malawy will randomly choose a business card of Council Member Cordova, Starbuck, or Mayor Osborne, to choose the Member that will remain on the dais and participate in that discussion with Council Members Ball and Vega. Mr. Malawy also stated the State allows for developers to possibly build a housing project inconsistent with local zoning and land use requirements if the City does not have a compliant Housing Element Update, or if a site is listed on the Housing Element Update to meet the Regional Housing Needs Allocation (RHNA) numbers and development of that site does not happen within two Housing Element Update cycles, a total of (16) sixteen years, and the project is at least 20% low-income housing.

PUBLIC HEARING: (cont'd)
Item No. 5

Council Member Starbuck recused himself from the discussion of the sites near College & I St (43, 75, 77), in downtown (8, 9, 12, 13, 14, 36, 40, 41, 70), site 21, Old Town Commercial (OTC), Mixed Use (MU), and the R3 zone, due to ownership of real property within 500 feet of these listed sites, and stepped down from the dais.

Council discussed this matter at great length, including discussing the recommendations from the Planning Commission, and directed Staff to included sites 43, 75, 77, 8, 9, 12, 13, 14, 36, 40, 41, 70, and site 21 remain on the housing site inventory list; in the Old Town Commercial (OTC) zone regarding H-A.16, allow up to 75 percent residential floor area, and a maximum of residential floor area ratio (FAR) of 2.0, allow up to 75 percent residential floor area and a maximum FAR for residential uses of 1.5 in the Mixed Use (MU) zone, and revise the development standards in the R3 zone to increase lot coverage and retain the maximum height requirements to two story.

City Attorney Jeff Malawy shuffled business cards from Council Members Cordova and Starbuck, and Mayor Osborne randomly picking Mayor Osborne's. Council Member Cordova herself from the discussion of the R2 zone and stepped down from the dais, Council Member Starbuck remained recused from this matter, Mayor Osborne was allowed to remain on the dais and participate in the discussion along with Council Members Vega and Ball. After a brief discussion, the Council directed Staff to revise the development standards in the R2 zone to increase lot coverage and retain the maximum height requirements to two story.

Council Members Cordova and Starbuck returned to the dais and discussed the recommendations provided by the Planning Commission and Staff.

PUBLIC HEARING: (cont'd)

Item No. 5 - Action

ACTION: Motion/Second: Vega/Ball. By a 4-1 vote (Council Members Starbuck voted No), Council received and considered the Planning Commission recommendations; hold a public hearing; review the Draft General Plan Housing Element Update; adopt Resolution No. 6617(23), adopting the Housing Element Update of the 2030 General Plan for the 2023-2031 Housing 6th Cycle approving the correction to a typographical error the citation to the law on page 1-26 should be corrected to read "... **in compliance with Government Code Section 65583.2(c)(h) and (i)**, ..."; and approved the amendments shown below:

- i. Revise Program H-A.8 Municipal Code Updates to include the following revised text under the column entitled "Timing":

"By February 15, 2025~~6~~"
- ii. Revise the listed actions/objectives in Program H-A.11 Affirmatively Furthering Fair Housing to the following:
 - "Adopt an anti-displacement strategy for underutilized Housing Element sites with existing residential uses; the strategy shall may include ~~"just case" eviction protections and first right of return for existing residents~~ be consistent with State Law."
- iii. Revise Program H-A.16 Place based-Strategies to reflect the following revised text:
 - ~~"increase maximum allowed density in the OTC to 75 dwelling units per acre and In the OTC zone,~~ allow up to 75 percent residential floor area, and a maximum residential floor area ratio (FAR) of 2.0; and
 - Allow up to 75 percent residential floor area and a maximum FAR for residential uses of 1.5 in the MU, R-2, and R-3 zones; ~~and~~
 - ~~increase maximum height requirements to allow three story residential developments in the R-2 and R-3 zones."~~
- iv. Do not remove site 36 (122, 136 North H Street) and site 40 (200, 204, 208, 216 West Ocean Avenue) from the identified vacant and underutilized sites inventory; and
- v. Do not add 1220 West Ocean Avenue to the housing sites inventory and rezone this property from PCD to MU/PD;
- vi. Revise Program H-A.20(c) - Available Sites Inventory to include the following revised text under the column entitled "Actions/Objectives":

"Rezone parcels to increase residential capacity, as identified within the sites inventory analysis in the Housing Needs Assessment including 10 acres to Mixed Use (14.5-44 du/ac) and 2.9 acres from Business Park (BP) to R3; ..."

and certify an Addendum to the 2030 General Plan Final Environmental Impact Report.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum):

1. Nickolas Gonzales suggested the Council revise its process of accepting public comment on complicated business items.

COUNCIL COMMENTS AND MEETING REPORTS:

Council Member Ball spoke about the upcoming Lompoc Childrens Christmas Season Parade on December 1, 2023 beginning at 6pm at H Street and Pine Avenue.

Mayor Osborne provided a brief reporting of the many of the meetings and events she attended, including the REACH Regional Roundtable, the Library Commission regular meeting, the Lompoc Unified School District marching bands community performance, the memorandum of understanding meeting between Vandenberg Space Force Base and REACH, the local Veteran's Day Event, and the Lompoc Community Benefit Foundation regular meeting; announced several upcoming events and meetings; the free caregiver information session to be held at the DeWees Community Center on November 29, 2023, the Children's Christmas Season Parade scheduled for December 1, 2023, the City Council Special Meeting on December 6, 2023; and stated the Lompoc Valley Festival Association is accepting queen candidate applications for the 2024 Flower Festival, and nominations for the Lompoc Beautification & Appearance Commission annual lights & decorations contest are now being accepted with judging scheduled to take place on December 6, 2023.

ADJOURNMENT: At 10:12 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on December 5, 2023 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review on February 15, 2024 by: /Stacey Haddon/
Stacey Haddon, City Clerk