



MINUTES

Regular Meeting of the Lompoc City Council
Tuesday, July 16, 2024
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.cityoflompop.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, July 16, 2024.

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.cityoflompop.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.cityoflompop.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: Gilda Aiello, 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). Name of case: *City of Lompoc v. Antoun Nameh, et al.*, Santa Barbara County Superior Court Case No. 23CV05070.
2. **CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION:** Government Code section 54956.9(d)(1) Name of case: *City of Lompoc v. Eduardo Chavez Hernandez, et al.*; Santa Barbara County Superior Court Case No. 22CV04770.

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 - 6:33 P.M. – Council Chamber

Council Members Present: Gilda Aiello, 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, Community Development Director Christie Alarcon, Senior Administrative Analyst Steven Valle, and Fire Marshall/Battalion Chief Dena Paschke.

Others Present: Carl Jones, Lauren Sharp, Ian Sharp, Cathy Steiner, Chris Chapa, Karin Haenstein, Stephen Dunne, Whitney Del Real, Carol Burgess, Daryl Burgess, Mack Insch, Susan Insch, Susan Gallacher, Joan Johnson, and Brenda Hauenstein.

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:

Mayor Osborne presented a proclamation in honor of **Park & Recreation Professionals Day**. Community Development Director Christie Alarcon thanked Council for the recognition of Parks & Recreation Staff who work hard every day to help bring and maintain recreation programs and facilities to the community and provided a short video.

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**

- June 10 – 14, 2024 - \$745,990.18
- June 17 – 21, 2024 - \$1,190,228.30
- Payroll June 21, 2024 - \$2,015,895.66

City Manager Dean Albro provided a short presentation highlighting some of the City's current and upcoming events and programming, including the Pioneer Park Playground Ribbon Cutting Ceremony, the City's 4th of July Family Event held at Ryon Park, the upcoming Women's Fire Camp for women and girls between the ages of 15-23, which is to be held at the Allan Hancock College Lompoc Campus, on August 3, 2024, the women's self-defense course being offered to female college bound students hosted by the Lompoc Police Department on August 12, 13, 14, and 15, 2024; the closure of the pickleball courts at Ryon Park while maintenance is being completed; acknowledged the firefighters from all around, including several Lompoc firefighters working to combat the Lake Fire; the work the Electric Division is doing outside and around City Hall and the parking lots installing new light poles light fixtures; and reminded everyone of Old Town Market happening again this Friday on the 100 Block of South H Street.

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

CONSENT CALENDAR:

Council Member Ball asked Staff to provide a quick overview of the grant award listed in Consent Calendar Item No. 3. Steven Valle, Senior Administrative Analyst explained this item is to help provide a stronger connection between the City and Vandenberg Space Force Base (VSFB) and has been something both agencies have been working together on for the last few years, which is designed to have the City to focus on its mission which is to provide services and allow VSFB to focus better on its mission.

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

1. **Adoption of Resolution No. 6683(24) to Approve Purchase Order Change Orders for the Solid Waste Utility's Landfill Stormwater Project.**

Adopted Resolution No. 6683(24), which will: approve additional authority by way of a Purchase Order Change Order under PO No. P230649 for Bosco Constructors for an amount not to exceed \$150,000 for the 20-LF-1 Solid Waste Landfill Stormwater Project (20-LF-1 Project) for construction services; and approve additional authority by way of a Purchase Order Change Order under PO No. P230650 for MNS Engineers, Inc., for an amount not to exceed \$29,000 for the 20-LF-1 Project's construction management services; and approve additional authority by way of a Purchase Order Change Order under PO No. P220411 for Golder Associates USA / WSP USA for an amount not to exceed \$25,000 for the 20-LF-1 Project's planning, design and consulting services for the 20-LF-1 Solid Waste Landfill Stormwater Project.

2. **Hangar and Tie-Down Rental Rate Adjustments at Lompoc Airport; Adoption of Resolution No. 6684(24)**

Richard Fernbaugh, Transit/Airport Administrator
r_fernbaugh@ci.lompoc.ca.us

Adopted Resolution No. 6684(24) amending rates for hangar and tie-down rentals at the Lompoc Airport effective August 1, 2024.

3. **Adoption of Resolution No. 6685(24), Accepting Grant Award from the Department of Defense's Office of Defense Community Cooperation Military Installation Resilience Program, Authorizing the City Manager to Execute Related Grant Documents, and Approving Budget Amendments and Appropriations For Such Revenues and Expenditures.**

CONSENT CALENDAR: (cont'd)

Item No. 3 - action

Adopted Resolution No. 6685(24), authorizing the City Manager, or designee, to execute all documents necessary to accept a grant award not-to-exceed \$720,483 from the Department of Defense's Office of Defense Community Cooperation Military Installation Resilience program to fund the Vandenberg-Lompoc Resilience Implementation Project outlined in the grant application to further support the long-term resilience and sustainability of missions on Vandenberg Space Force Base and throughout the community of Lompoc, and authorizing up to \$800,537 in supplemental appropriations to account for related expenditures and revenues to fund the Project.

4. **Adoption of Resolution No. 6686(24) Authorizing Receipt of State of California Natural Resources Agency General Fund Specified Grant Subgrant Award from the Community Environmental Council to Fund the Lompoc Groundwater Percolation Basin Feasibility Study as a Component of the Guadalupe-Lompoc Climate Action Initiative; Approval of Supplemental Appropriations.**

Adopted Resolution No. 6686(24), authorizing the City Manager, or his designee, to execute all documents necessary, including the Subcontractor Agreement, to receive and utilize a subgrant award of \$315,000 from the Community Environmental Council through the California Natural Resources Agency General Fund Specified Grant Program to fund the Lompoc Groundwater Percolation Basin Feasibility Study as a component of the Guadalupe-Lompoc Climate Action Initiative and approving supplemental appropriations.

5. **Annual Compliance Report (7/1/2023 – 6/30/2024) Pursuant to the City of Lompoc Sub-Recipient Financial, Programmatic, and Monitoring Reporting Requirement Policy.**

Received the report.

6. **Support for Cierco Energy's Offshore Wind Generation Project.**

Approved the attached letters of support for Cierco Energy's CADEMO Offshore Wind Project and directs the delivery of the support letters to Pacific Gas and Electric's Wholesale Generation Supervisor.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS: None

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Lauren Sharp and Cathy Steiner complained about illegal fireworks in and around the City.
2. Chris Chapa expressed concern about the increased amount of launches from Vandenberg Space Force Base stating he believes these launches have damaged his home located in Vandenberg Village.
3. Carl Jones thanked City Staff for the work being done to help remove weeds and debris from vacant properties.
4. Karin Hauenstein spoke about Public Hearing Item No. 8.

PUBLIC HEARING:

7. Public Hearing Regarding Nuisance Abatement of Weeds, Rubbish, Refuse, and Dirt; Adoption of Resolution No. 6687(24).

Dena Paschke, Fire Marshall/Battalion Chief presented the Staff report and recommendations.

Public Comment:

1. Carl Jones asked Council to consider revising the municipal code to allow for more severe penalties to property owners that habitually ignore City abatement notices.

Council Member Ball asked Staff to clarify how many properties are forced to be abated each year. Fire Marshall/Battalion Chief Dena Paschke stated 3 or 4 per year are sent to forced abatement.

ACTION: Motion/Second: Ball/Aiello By a 5-0 vote, Council held the public hearing to receive comments and information from the public to show cause why nuisance conditions upon subject properties should not be abated; and adopted Resolution No. 6687(24), ordering the Fire Marshal to abate nuisances, as declared on May 7, 2024, by Resolution No. 6648(24), as amended on June 18, 2024, by Resolution No. 6672(24), not otherwise satisfactorily corrected, in the time and manner provided by law.

8. Appeal of Planning Commission Decision to Delete the Condition of Approval Requiring a Minimum Residential Dwelling Size at 1301 E. Hickory Avenue (APN 085-260-047) Within a Previously Approved Parcel Map (LOM 475, AMND 2024-0001, APL 2024-0001).

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

Council thanked Staff for the presentation and briefly discussed the information.

Public Comment:

1. Stephen Dunne, representative for the appellant spoke about the matter and requested Council set aside the Planning Commission decision.
2. Whitney Del Real, representative for the property owner stated the property owner is willing to comply with all architectural review requirements and requested Council deny the appeal.
3. Lori Pearson, the property owner, spoke about the small size of the lot and stated she is looking forward to being able to moving forward with this project.
4. Carol Burgess, Daryl Burgess, Mack Insch, Susan Insch, Susan Gallcher, Joan Johnson, and Brenda Hauenstein asked Council to grant the appeal.

Council continued to discuss the matter and thanked all who have participated in this matter.

Council Member Starbuck moved to adopt Resolution No. 6688(24) and grant the appeal and maintain the minimum residential dwelling size condition of approval on LOM 475.

Council Member Aiello made a substitution motion to adopt Resolution No. 6689(24) and deny the appeal and delete the minimum residential dwelling size condition of approval on LOM 475.

The substitution motion was voted on first.

ACTION: Motion/Second: Aiello/Vega By a 3-2 vote (Council Members Ball and Starbuck voted No), Council adopted Resolution No. 6689(24), Denying the Appeal and Deleting the Minimum Residential Dwelling Size Condition of Approval on LOM 475.

NEW BUSINESS:

- 9. **Approval of Additional National Opioid Settlement with Kroger; Adoption of Resolution No. 6690(24) Authorizing the City Manager to Execute the Settlement Documents.**

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

Council Member Aiello asked Staff if a plan has been setup for use of these funds by the City. Police Chief Kevin Martin stated Staff is working to use the funds locally.

Public Comment:

- 1. Ian Sharp suggested using the funds for educational and preventative measures including Narcan distribution.

Council Member Aiello asked for confirmation of when the City received the first payment of funds. Management Services Director Christie Donnelly stated it was in 2022.

ACTION: Motion/Second: Mayor Osborne/Aiello By a 5-0 vote, Council approve Settlement Participation Form for the City’s participation in the National Opioid Settlement Agreement with Kroger; and approved the Proposed California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds relating to the National Opioid Settlement Agreements with Kroger; and adopted Resolution No. 6690(24) approving and authorizing the City Manager to carry out all necessary acts such that the City can participate in the National Opioid Settlement with Kroger, including signing necessary documents and transmittal thereof as necessary; and choose to receive Lompoc’s share of the settlement funds directly by Lompoc; and directed Staff to return not later than three years after the date of the first settlement payment was received by the City to provide a full plan for the use of the funds.

- 10. **Adoption of Resolution No. 6691(24) Withdrawing the City-Initiated Ballot Measure, Entitled the Ken Adam Park Measure (Ordinance 1709(24)), from the General Municipal Election to be Held on November 5, 2024, and Leaving the Separate Citizen-Initiated Measure to Remain on the November 5, 2024, Ballot.**

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

Public Comment: None

ACTION: Motion/Second: Aiello/Mayor Osborne by a 3-2 vote, (Council Members Ball and Starbuck voted No), Resolution No. 6691(24) was not adopted and the City-Initiated Ballot Measure, entitled the Ken Adam Park Measure (Ordinance 1709(24)), was not removed from the General Municipal Election to be held on November 5, 2024, and also leave the separate Citizen-Initiated Measure to remain on the November 5, 2024, ballot.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum):

- 1. Carl Jones announced the Lompoc Botanic and Horticultural Society will be holding a workday at the Burton Mesa Chaparral Garden, which is located on the north side of the Allan Hancock Lompoc Campus, on August 3, 2024, and invited all to participate.

COUNCIL COMMENTS, AND MEETING REPORTS:

Council Member Ball thanked the Police Department and all who were involved in a recent tense event in his neighborhood, commending the officers for their work and ability to solve this and many other matters peacefully.

Mayor Osborne reported she attended several events and meetings, including the regular Northern California Power Agency (NCPA) meeting and Lompoc Community Benefit Foundation Meeting, the Old Town Market, the 4th of July Bike Parade and Family Fun Event at Ryon Park, toured the Lompoc Boys and Girls Club and relayed a request from the organization of the need for donations to the Club for recreational items such as a fooseball table or pool table, and attended a reception for the **Pedal the Pacific** riders; and made a Council request for a Staff report on the City’s responses to illegal fireworks and possible revisions that can be made to the municipal code to help curtail this type of illegal activity. The request was seconded by Council Member Ball and carried by Council Member Aiello.

ADJOURNMENT: At 8:42 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on August 6, 2024 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review by:

/Stacey Haddon/

Stacey Haddon, City Clerk

DRAFT