



MINUTES

Regular Meeting of the Lompoc City Council
Tuesday, April 6, 2021
City Hall, 100 Civic Center Plaza, Council Chamber

THE COUNTY OF SANTA BARBARA HAS DETERMINED THAT IN-PERSON PUBLIC ATTENDANCE AT A CITY COUNCIL MEETING IS ALLOWED BECAUSE THE COUNTY HAS ENTERED THE STATE-DESIGNATED "RED" TIER FOR COVID-19 RISK, PROVIDED **ALL ATTENDEES MUST WEAR MASKS AND OBSERVE 6-FOOT SOCIAL DISTANCING FROM OTHER ATTENDEES. SEATING WILL BE LIMITED.**

The City Council meeting will be broadcast live on Comcast Channel 23 and the radio at KPEG 100.9 FM, and livestreamed on the internet at www.cityoflom poc.com (Click the "City Council" button, and then "View City Council Meeting Videos").

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, April 6, 2021.

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".

"Members of the Public are Advised that all **CELLULAR TELEPHONES and any OTHER COMMUNICATION DEVICES** are to be **turned off** upon entering the City Council Chambers."

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 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.

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

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

Staff Present: City Manager Jim Throop, City Clerk Stacey Haddon, City Attorney Jeff Malawy, Utilities Director CJ Berry, Principal Civil Engineer Christos, Assistant Public Works Director/City Engineer Craig Dierling, Management Services Director Dean Albro, Accounting and Revenue Manager Christie Donnelly.

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

City Attorney Jeff Malawy requested Council hold a Closed Session at the end of this regular meeting for discussion of a significant matter, which was brought forward after the Agenda, was posted. Council Member Cordova motioned to add a Closed Session at the end of this regular meeting. Council Member Ball seconded the motion and the motion was approved with a unanimous 5-0 vote of the entire Council.

PRESENTATIONS:

- Mayor Osborne read a proclamation in honor of **Electric Lineworker Appreciation Day.**

City of Lompoc Utilities Director CJ Berry thanked Council for the recognition and commended all electrical lineworkers.

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**
 - February 22 – 26, 2021 - \$1,336,318.19
 - March 1 – 5, 2021 - \$748,746.60
 - March 8 – 12, 2021 - \$677,567.00
 - Payroll March 5, 2021 - \$1,474,344.62

City Manager Jim Throop reported TAPTV has completed installation of its upgraded broadcast equipment, which will help stabilize the City’s streaming of Council Meetings; and announced Tuesday, April 6, 2021 is **National Library Workers Day** and **National Library Week** is April 4 – 10, 2021.

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

Utility Director CJ Berry briefly spoke about Consent Item No. 3 and thanked all City utility employees for their continued hard work.

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 March 2, 2021
2. **Adoption of Resolution No. 6391(21) Authorizing the City Manager or Designee to Execute a Base Resource Contract with the Western Area Power Administration.**

Adopted Resolution No. 6391(21), authorizing the City Manager or designee to execute a base resource contract with the Western Area Power Administration (WAPA).
3. **Recognize the Electric Division and Supporting Staff for Earning the Reliable Public Power Provider (RP3)[®] Diamond Designation.**

Received this report for informational purposes only; and recognize the Electric Division and supporting Staff for Earning the Reliable Public Power Provider (RP₃)[®] Diamond Designation.
4. **Adoption of Ordinance No. 1678(21), Amending Chapter 8.28 of the Lompoc Municipal Code to Revise Provisions Related to Enforcement of Fireworks Violations.**

Adopted Ordinance No. 1678(21) that will make revisions to the Lompoc Municipal Code to revise provisions related to enforcement of fireworks violations.

CONSENT CALENDAR: (cont'd)

5. **Approval of a Third Amendment to the Memorandum of Understanding with Pale Blue Dot Ventures, Inc., for Potential Sale of Approximately 82 acres of City-owned Property, Including and Adjacent to Ken Adam Park, for Development of a Space Center.**

Approved the proposed Third Amendment to the Memorandum of Understanding with Pale Blue Dot Ventures Inc. (Third Amendment), which would extend the timelines established by the MOU due to the COVID-19 crisis. If the Third Amendment is approved, the proof of completing seed funding and the Concept & Feasibility Study and Experience Design Plan will be due on December 8, 2021, instead of May 12, 2021, and the exclusive negotiations period will end on June 6, 2022, instead of November 8, 2021.

6. **Authorize the Purchase of Five Transit Buses from A to Z Bus Sales for \$759,054.42; Adoption of Resolution No. 6392(21).**

Aviation/Transportation Administrator Richard Fernbaugh
r_fernbaugh@ci.lompoc.ca.us

Authorized the purchase of five transit buses from A to Z Bus Sales for \$759,054.42; authorize the Purchasing and Materials Manager to issue a Purchase Order for the purchase; and adopted Resolution No. 6392(21) approving supplemental appropriations for the purchase.

7. **Adoption of Resolution No. 6393(21), Authorizing the Filing of a Transportation Development Act Claim for Fiscal Year 2021-22**

Adopted Resolution No. 6393(21), which sets forth expenditures for California Transportation Development Act (TDA) Local Transportation Funds and State Transit Assistance Fund in Fiscal Year 2021-22, and authorizes the filing of TDA claim package with the Santa Barbara County Association of Governments.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Ann McCarty, Executive Director of the North County Rape Crisis & Child Protection Center, spoke about child abuse in the Lompoc region and asked everyone to be aware of signs of abuse and report problems quickly.
2. Shawndel Malcolm requested Council provide funding for body worn cameras to all Police officers.

APPOINTMENTS:

8. **Council Appointments to the Beautification & Appearance Commission, the Parks & Recreation Commission, the Planning Commission, the Public Safety Commission, and the Utility Commission for terms ending 12/2022 and 12/2024.**

ACTION: Motion/Second: Vega/Ball. By a 5-0 vote, Council appointed Dan Badertscher to the Planning Commission for a term ending on December 31, 2022

ACTION: Motion/Second: Mayor Osborne/Ball. By a 5-0 vote, Council appointed Fedrico Cioni to the Planning Commission for a term ending on December 31, 2022

ACTION: Motion/Second: Mayor Osborne/Ball. By a 5-0 vote, Council appointed Lillian Street to the Public Safety Commission for a term ending on December 31, 2022

ACTION: Motion/Second: Vega/Ball. By a 5-0 vote, Council appointed Roberta Badertscher to the Public Safety Commission for a term ending on December 31, 2022

ACTION: Motion/Second: Starbuck/Ball. By a 5-0 vote, Council appointed Johnny Hudson to the Public Safety Commission for a term ending on December 31, 2022

APPOINTMENTS: (cont'd)

Item No. 8

ACTION: Motion/Second: Mayor Osborne/Vega. By a 5-0 vote, Council appointed Robert Holloway to the Utility Commission for a term ending on December 31, 2022

9. **Council Appointments for At-Large Terms to the Airport Commission, and the Library Commission.**

ACTION: Motion/Second: Cordova/Ball. By a 5-0 vote, Council appointed Donald “Jeff” Palmer to the Airport Commission for an at-large term ending on January 31, 2024

ACTION: Motion/Second: Cordova/Ball. By a 5-0 vote, Council appointed Mary-Michelle Moore to the Library Commission for an at-large term ending on January 31, 2023

PUBLIC HEARING:

10. **Public Hearing to Consider Measure A Five-Year Local Program of Projects for Fiscal Years 2022-26; Adoption of Resolution No. 6388(21).**

Assistant Public Works Director/City Engineer Craig Dierling, presented the Staff report and recommendations.

Council discussed this matter briefly, including current revenues available to rehabilitate streets and alleys.

Public Comment: None

ACTION: Motion/Second: Cordova/Ball. By a 5-0 vote, Council held the Public Hearing and invited public input on Measure A Five-Year Local Program of Projects (LPP) for Fiscal Years (FYs) 2022-26; adopted Resolution No. 6388(21), approving the LPP for FYs 2022-26.

NEW BUSINESS:

11. **Adoption of Resolution No. 6394(21), Adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Floradale Crossing Sewer Line Directional Drill Project and Approving the Project.**

Principal Civil Engineer Christos Stoyos presented the Staff report and recommendations.

Public Comment:

1. Joe Barget, General Manager of the Vandenberg Village Community Services District (via phone), spoke in support of this matter and encouraged Council to approve the project.

ACTION: Motion/Second: Ball/Vega. By a 5-0 vote, Council received and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the proposed Floradale Crossing Sewer Line Directional Drill Project (Proposed Project); and adopted Resolution No. 6394(21) for the Mitigated Negative Declaration and Mitigation Monitoring Program circulated to the State Clearinghouse (SCH No. 2021020258) prepared for the Proposed Project, pursuant to the requirements of the California Environmental Quality Act; and approved the Floradale Crossing Sewer Line Directional Drill Project (Project) and directed Staff to Implement the Project and return to City Council for approval of Project construction agreements and other items needing City Council approval.

NEW BUSINESS: (cont'd)

12. **Award of a Professional Services Agreement for Annual Financial Auditing Services to Lance, Soll & Lunghard, LLP, for the City of Lompoc and the Successor Agency Private-Purpose Trust Fund.**

Accounting and Revenue Manager Christie Donnelly presented the Staff report and recommendations.

Public Comment:

1. (Name not provided), spoke about the City's ranking by the State as the 19th highest City regarding financial uncertainty and suggested Council direct it's auditing service consultant to review this matter.

Council discussed this matter briefly.

ACTION: Motion/Second: Cordova/Vega. By a 5-0 vote, Council directed Staff to award a Professional Services Agreement with the highest ranked proposer, Lance, Soll & Lunghard, LLP, for a total agreement amount not to exceed \$148,384 for three years with two optional years not to exceed \$103,935; and authorized the City Manager to execute the agreement in a form approved by the City Attorney, and authorized the Management Services Director to execute other such documents necessary to complete the audits on an annual basis.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum):

1. (Name not provided), expressed concern about the City's financial health and encouraged the Council to be vigilant in its fiscal planning and spending.

COUNCIL COMMENTS AND MEETING REPORTS:

Mayor Osborne reported she attended several meetings and events, including the ribbon cutting for the newly renovated sports field and track at Hyuck Stadium at Lompoc Senior High School; the Northern California Power Agency (NCPA), the Transmission Agency of Northern California (TANC), Santa Barbara County Association of Governments (SBCAG), Santa Barbara Air Pollution Control District (SB APCD) monthly meetings as well as the on-going County Legislative meetings.

At 8:45 P.M., Council Member Cordova motioned to waive the requirement to begin the Closed Session at 9:00 P.M. The motion was seconded by Council Member Vega and approved by a unanimous vote of the entire Council.

CLOSED SESSION

8:47 P.M. – Council Chamber

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

Staff Present: City Manager Jim Throop, 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.

At 9:17 P.M. – All Council Members returned to the Council Chamber from Closed Session.

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

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

ADJOURNMENT: At 9:18 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on April 20, 2021 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review on July 16, 2021 by:

Stacey Haddon, City Clerk