

**RESOLUTION NO. 6630(24)**

**A Resolution of the City Council of the City of Lompoc,  
County of Santa Barbara, State of California,  
Authorizing the First Amendment To Central Valley  
Project Corporation Membership Agreement and  
Authorizing the City to Execute the Amendment**

**WHEREAS**, The City of Lompoc (City) receives a power entitlement from the Central Valley Project (CVP) administered by the Western Area Power Administration (WAPA) under the 2025 WAPA Base Resource Contract; and

**WHEREAS**, the City approved its entry into the Central Valley Project Corporation (CVP Corp) Membership Agreement (Agreement) as a Participant dated effective August 8, 2003 through December 31, 2024, with the adoption of Resolution No. 5106(03) on August 5, 2003; and

**WHEREAS**, CVP Corp was formed for the benefit of, and to carry out the purposes of, the Participants by helping them achieve cost savings and efficiencies; facilitating customer involvement, and conducting joint actions as directed by the Participants; and

**WHEREAS**, the United States of America, Department of Energy, Western Area Power Administration (WAPA) and CVP Corp entered into Contract 03-SNR-00583 ("Funding Contract") on June 25, 2003; and

**WHEREAS**, each Participant has entered into a 2025 Base Resource Contract with WAPA for a percentage of WAPA's Base Resource power for deliveries beginning January 1, 2025, for a maximum term of 30 years; and

**WHEREAS**, the Participants now desire to amend the Agreement to extend the term of the Agreement for an additional 10-year period from the original expiration date of December 31, 2024, to a new date of December 31, 2034, and

**WHEREAS**, the Parties (the Participants and the CVP Corp) have agreed to modify the Agreement as set forth above; and

**WHEREAS**, in accordance with Section k), Paragraph e) of the Agreement, all changes to the Agreement must be in writing and signed by CVP Corp and the Participants who desire to extend the term of the Agreement.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The City Council approves the First Amendment To Central Valley Project Corporation Membership Agreement, attached hereto as Exhibit A.

**SECTION 2.** The Mayor, the City Manager or the Utility Director are authorized to execute the First Amendment To Central Valley Project Corporation Membership Agreement. Future extensions of the Agreement term are authorized to be executed by the City Manager or their designee.

**SECTION 2. Effective Date.** This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on January 16, 2024, by the following vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

\_\_\_\_\_  
Jenelle Osborne, Mayor  
City of Lompoc

ATTEST:

\_\_\_\_\_  
Stacey Haddon, City Clerk  
City of Lompoc

Attachment: Exhibit A: First Amendment To Central Valley Project Corporation Membership Agreement

## FIRST AMENDMENT TO CENTRAL VALLEY PROJECT CORPORATION MEMBERSHIP AGREEMENT

This First Amendment (“Amendment”) to Central Valley Project Corporation Membership Agreement is entered into by and between the Central Valley Project Corporation, a California nonprofit public benefit corporation (“CVP Corp”) and the City of Lompoc, a California municipal corporation (individually a “Participant”), and each undersigned participant collectively referred to as “the Participants”. The CVP Corp and any of the Participants individually are called “Party” and collectively are called “Parties.”

WHEREAS, the City of Lompoc entered into the Central Valley Project Corporation Membership Agreement dated effective August 8, 2003 (the “Agreement”); and

WHEREAS, CVP Corp is formed for the benefit of, and to carry out the purposes of, the Participants by helping the Participants achieve cost savings and efficiencies; facilitating customer involvement, and conducting joint actions as directed by the Participants; and

WHEREAS, the United States of America, Department of Energy, Western Area Power Administration (WAPA) and CVP Corp entered into Contract 03-SNR-00583 (“Funding Contract”) on June 25, 2003; and

WHEREAS, each Participant has entered into a 2025 Base Resource Contract with WAPA for a percentage of WAPA’s Base Resource power for deliveries beginning January 1, 2025, for a maximum term of thirty years; and

WHEREAS, the Parties now desire to amend the Agreement to extend the term of the Agreement for an additional ten-year period from the original expiration date of December 31, 2024, to a new date of December 31, 2034, and

WHEREAS, the Parties have agreed to modify the Agreement as set forth above; and

WHEREAS, in accordance with Section k), Paragraph e), all changes to the Agreement must be in writing and signed by CVP Corp and the Participants who desire to extend the term of the Agreement; and

NOW, THEREFORE, the Parties agree as follows:

1. **Section j —Term of the Agreement; Termination.** The first sentence of this section of the Agreement is amended and restated to extend the term of the Agreement as follows:

This Agreement shall become effective upon execution by the CVP Corp and upon the signature of a sufficient number of Participants as determined by the CVP Corp Board of Directors and, unless earlier terminated, shall remain in effect until December 31, 2034.

The remainder of Section j of the Agreement is unchanged.

2. This Amendment in no way alters the terms and conditions of the Agreement except as specifically set forth herein.

Date: \_\_\_\_\_

CENTRAL VALLEY PROJECT  
CORPORATION

\_\_\_\_\_  
**RANDY S. HOWARD**  
**Chair, Board of Directors**

Approved as to Form:

\_\_\_\_\_  
Jane E. Luckhardt, General Counsel

Date: \_\_\_\_\_

CITY OF LOMPOC, a municipal corporation

By: \_\_\_\_\_  
**Dean Albro, City Manager**  
**City Manager**

Attest:

By: \_\_\_\_\_  
Stacey Haddon, City Clerk

Approved as to form:

By: \_\_\_\_\_  
Jeff Malawy, City Attorney