



## AGENDA

Regular Meeting of the Lompoc City Council  
Tuesday, May 21, 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>

Or internet radio via this link:

<https://www.cityoflompop.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](mailto:s_haddon@ci.lompoc.ca.us) not later than 4:00pm on Tuesday, May 21, 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](http://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.cityoflom poc.com](http://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.

**CLOSED SESSION**

**OPEN SESSION – 4:45P.M. – Council Chamber**

**ROLL CALL:** Mayor Jenelle Osborne  
Mayor Pro Tempore Gilda Cordova  
Council Member Jeremy Ball  
Council Member Dirk Starbuck  
Council Member Victor Vega

**ORAL COMMUNICATIONS:** (maximum of three minutes per speaker, limited to subject of “Closed Session”)

**CLOSED SESSION – City Council Conference Room**

**BUSINESS ITEM:**

1. **LIABILITY CLAIMS:** Claimant: Unspecified pursuant to Government Code section 54961(b); Agency claimed against: City of Lompoc.
2. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One Case.
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** Property: Approximately 82 acres including and adjacent to Ken Adam Park (APN: 095-070-008); City negotiators: City Manager Dean Albro, City Attorney Jeff Malawy; Negotiating parties: Pale Blue Dot Ventures, Inc. and City of Lompoc; Under negotiation: Price and terms of payment.

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 - 6:30 P.M. – Council Chamber**

**ROLL CALL:** Mayor Jenelle Osborne  
Mayor Pro Tempore Gilda Cordova  
Council Member Victor Vega  
Council Member Dirk Starbuck  
Council Member Jeremy Ball

**REPORT ON ACTION TAKEN DURING CLOSED SESSION:**

**INVOCATION:** Keith McLellan

**PLEDGE OF ALLEGIANCE:** Mayor Jenelle Osborne

## **PRESENTATIONS PRESENTED ELSEWHERE:**

### **PRESENTATIONS:**

Mayor Osborne will present proclamations in honor of:

- **Building & Safety Month** and
- **Public Works Week.**

### **CITY MANAGER REPORT:** (Information only)

- **List of City expenditures**
  - April 15 – 19, 2024 - \$3,148,845.95
  - April 22 – 26, 2024 - \$3,899,357.14
  - Payroll April 26, 2024 - \$1,903,877.93

## **PUBLIC COMMENT ON CONSENT CALENDAR ITEMS** (Max of 3 Minutes):

**CONSENT CALENDAR:** All items listed under Consent Calendar are considered to be routine and will be enacted, after one motion, in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the Council vote. Any items withdrawn from the Consent Calendar for separate discussion will be addressed immediately before the second Oral Communications, near the end of the meeting.

1. **Approval of Minutes** of the Lompoc City Council Regular Meeting of February 20, 2024 and March 5, 2024.
2. **Adoption of Resolution No. 6652(24) Authorizing the City Manager or Designee to Execute the Transmission Owner Rate Case Program Agreement with Northern California Power Agency.**

Brad Wilkie, Utility Director  
[b\\_wilkie@ci.lompoc.ca.us](mailto:b_wilkie@ci.lompoc.ca.us)

Recommendation: Council adopt Resolution No. 6652(24), authorizing the City Manager or designee to execute the Transmission Owner Rate Case Program Agreement with Northern California Power Agency.

3. **Adoption of Resolution No. 6653(24) Adding Locations to Electrical Facilities Cost Sharing Agreement with the California Department of Transportation.**

Craig Dierling, P.E., Assistant Public Works Director/City Engineer  
[c\\_dierling@ci.lompoc.ca.us](mailto:c_dierling@ci.lompoc.ca.us)

**CONSENT CALENDAR:** (cont'd)

Item No. 3 – Recommendations

Recommendation: Council adopt Resolution No. 6653(24), approving revised Exhibit A dated March 26, 2024 to Electrical Facilities Cost Sharing Agreement (EFCSA) with the California Department of Transportation (Caltrans) dated October 17, 2001, which supersedes and replaces the original Exhibit A dated October 17, 2001; authorizing the City Manager, Public Works Director, and Assistant Public Works Director to execute and manage all agreements and documents necessary to facilitate and implement the above revision.

4. **Award of a Contract Purchase Order in an Amount not to exceed \$370,000 to Quinn Company for Purchase of a Caterpillar Model 323 Excavator for Lompoc’s Solid Waste Landfill.**

Keith Quinlan, Solid Waste Manager  
[k\\_quinlan@ci.lompoc.ca.us](mailto:k_quinlan@ci.lompoc.ca.us)

Recommendation: Council award a contract purchase order for an amount not to exceed \$370,000 for the purchase of a Caterpillar Model 323 Excavator from Quinn Company to be used at Lompoc’s Solid Waste Landfill.

5. **Adoption of Resolution No. 6654(24) Declaring the City Council’s Intention to Levy Assessments for Fiscal Year 2024-25, Preliminarily Approve an Engineer’s Report, and Provide Notice of a Public Hearing for the Park Maintenance and City Pool Assessment District No. 2002-01.**

Matt Adams, Accounting and Revenue Manager  
[m\\_adams@ci.lompoc.ca.us](mailto:m_adams@ci.lompoc.ca.us)

Recommendation: Council adopt Resolution No. 6654(24), Declaring the City Council’s intention to again levy the annual park and pool assessments for Fiscal Year (FY) 2024-25; preliminarily approve the Engineer’s Report; and provide notice of a public hearing on June 18, 2024, for the proposed continuation of the assessments for the Park Maintenance and City Pool Assessment District No. 2002-01, in order to receive public input on:

- i. The proposed continuation of the assessments;
- ii. The proposed assessment budget for FY 2024-25; and
- iii. The services and improvements of the assessments fund, and any other issues related to the assessments

**CONSENT CALENDAR:** (cont'd)

6. **Award of RFP 3067 – River Park RV Campsites and Installation of Prefabricated Restroom/Shower Building to RCH Construction in the Total Amount of \$979,557; Direct the City Manager to Execute Agreements; Authorize the Community Development Director to Execute Change Orders; Award of a Contract Purchase Order in the amount of \$353,241 to Public Restroom Company for Purchase of a Prefabricated Restroom/Shower Building for the River Park RV Campsite Project.**

Mario Guerrero Jr., Parks and Recreation Manager  
[m\\_guerrero@ci.lompoc.ca.us](mailto:m_guerrero@ci.lompoc.ca.us)

Recommendation: Council award the construction contract for renovation of thirteen River Park RV Campsites and installation of Restroom/showers to RCH Construction, to include the alternative bid for installation of a prefabricated restroom/shower building in the total amount of \$979,557; determine the bid proposal of the lowest bidder, Aventus NV, Inc., to be non-responsive to the requirements in the RFP/Bid Specifications; and direct the City Manager to execute the Construction Contract; authorize the Community Development Director to approve change orders in an aggregate amount that will not cause total project appropriations of \$979,557 to be exceeded; adopt the plans and specifications for the project as required by Section 22039 of the Public Contract Code (copies of Plans and Special Provisions are on file in the Parks & Recreation Office); award a contract purchase order for the purchase of a prefabricated restroom building for River Park from Public Restroom Company through a Sourcewell cooperative purchasing agreement not to exceed \$353,241; and authorize the Purchasing and Materials Manager or their designee to issue a Contract Purchase Order encumbering funds in account number 424CIP - 794020, not to exceed \$353,241.

7. **Authorize the City Manager to sign a Lease Agreement with Willems Aircraft Maintenance for Use of the Maintenance Hangar at Lompoc Airport.**

Richard Fernbaugh, Transit/Airport Administrator  
[r\\_fernbaugh@ci.lompoc.ca.us](mailto:r_fernbaugh@ci.lompoc.ca.us)

Recommendation: Council authorize the City Manager to sign a Lease Agreement, with Willems Aircraft Maintenance for use of the Maintenance Hangar at the Lompoc Airport.

8. **Award of Project No. FY-24-S-1, 2024 Curb Ramp Upgrade Project; Adoption of Resolution No. 6655(24) Approving Supplemental Appropriations.**

Steffen Meyer, Senior Civil Engineer  
[s\\_meyer@ci.lompoc.ca.us](mailto:s_meyer@ci.lompoc.ca.us)

**CONSENT CALENDAR:** (cont'd)

Item No. 8 – Recommendations

Recommendation: Council adopt the Special Provisions for Project No. FY-24-S-1, 2024 Curb Ramp Upgrade Project (Project), as required by Section 22039 of the Public Contract Code (copies of Special Provisions are on file in the City Engineer's Office); award the Construction Contract in the amount of \$1,076,902 to JJ Fisher Construction, Inc.; authorize the City Manager to execute the necessary agreements for that Contract; authorize the City Engineer, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed \$110,000; approve a budget for other services and expenses primarily including Materials Testing in the amount of \$30,000; and adopt Resolution No. 6655(24) approving supplemental appropriations for the Project.

**Successor Agency** 9. **Adoption of Resolution No. SA12(24) Approving a Preliminary Official Statement Related to the 2024 Tax Allocation Refunding Bonds.**

Christie Donnelly, Management Services Director  
(Acting as Chief Financial Officer of the Successor Agency)  
[c\\_donnelly@ci.lompoc.ca.us](mailto:c_donnelly@ci.lompoc.ca.us)

Recommendation: Successor Agency Board adopt Resolution No. SA12(24) of the Successor Agency to the Dissolved Lompoc Redevelopment Agency Approving a Preliminary Official Statement and Providing for Other Matters Properly Relating Thereto.

**STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:**

**ORAL COMMUNICATIONS (3 Minutes Maximum):**

**UNFINISHED BUSINESS:**

10. **Review and Discussion of Administrative Procedures Manual Chapter 45: Sub-recipient Financial, Programmatic, and Monitoring Reporting Requirements Policy.**

Jeff Malawy, City Attorney  
[jmalawy@awattorneys.com](mailto:jmalawy@awattorneys.com)

Christie Alarcon, Community Development Director  
[c\\_alarcon@ci.lompoc.ca.us](mailto:c_alarcon@ci.lompoc.ca.us)

Recommendation: Council review and discuss Chapter 45 – Issue 1 of the City's Administrative Procedures Manual: Sub-Recipient Financial, Programmatic, and Monitoring Reporting Requirement Policy.

(Public Comment)

**NEW BUSINESS:**

11. **Approval of Response to the 2024 Santa Barbara County Grand Jury Report – *Lompoc Tourism Improvement District Management Agreement 2019-2028.***

Christie Donnelly, Management Services Director  
[c\\_donnelly@ci.lompoc.ca.us](mailto:c_donnelly@ci.lompoc.ca.us)

Recommendation: Council review the Santa Barbara County Grand Jury (Grand Jury) report entitled ***Lompoc Tourism Improvement District Management Agreement 2019-2028*** and approve the proposed response letter presented on behalf of the City, pursuant to California Penal Code Sections 933 and 933.05.

(Public Comment)

12. **Approval of a Long-Term Ground Lease and Operating Agreement with Conditional Option for Disposition and Project Development, with Pale Blue Dot Ventures, Inc., Relating to a Proposed Development of a Space Center Project on Approximately 82 Acres of City-Owned Land Including and Adjacent to Ken Adam Park (APN 095-070-008); Approval of a Deposit and Reimbursement Agreement with Pale Blue Dot Ventures, Inc.**

Jeff Malawy, City Attorney  
[jmalawy@awattorneys.com](mailto:jmalawy@awattorneys.com)

Recommendation: Council consider whether to approve the Long-Term Ground Lease and Operating Agreement with Conditional Option for Disposition and Project Development and the Deposit and Reimbursement Agreement with Pale Blue Dot Ventures, Inc., and authorize the City Attorney to make minor non-substantive changes as needed prior to execution.

(Public Comment)

13. **Approval of a Tenth Amendment to the Memorandum of Understanding with Pale Blue Dot, Inc. to Extend the Exclusive Negotiating Period, for a Proposed Development of a Space Center Project on Approximately 82 Acres Including and Adjacent to Ken Adam Park.**

Jeff Malawy, City Attorney  
[jmalawy@awattorneys.com](mailto:jmalawy@awattorneys.com)

Recommendation: If the Lease / Disposition and Development Agreement is continued to a later meeting, Council consider whether to approve a Tenth Amendment to the Memorandum of Understanding (MOU) with Pale Blue Dot to extend the exclusive negotiating period under the MOU, which currently expires on May 21, 2024, to a future date.

(Public Comment)



**PUBLIC HEARING:**

14. **Protest Hearing on Whether to Submit the Question of Discontinuing the Public Park Use of Approximately 82 Acres Including Ken Adam Park (APN 095-070-008) to City Voters, in Order to Allow for Other Educational and Recreational Uses, or Open Space Uses, or Both; Adoption of Ordinance No. 1708(24) to Place that Measure before City Voters at the November 5, 2024, General Municipal Election, and Adopting a CEQA Negative Declaration; Adoption of Resolution No. 6656(24) Requesting Consolidation of the Measure with the Statewide General Election; Adoption of Resolution No. 6657(24) Directing Preparation of the Impartial Analysis and Setting Ballot Arguments for the Measure.**

Jeff Malawy, City Attorney  
[jmalawy@awattorneys.com](mailto:jmalawy@awattorneys.com)

Recommendation: Council take the following actions:

- a) Conduct a protest hearing on whether to submit to City voters the question of discontinuing the public park use of approximately 82 acres including Ken Adam Park (“Site”), in order to allow for other educational and recreational uses, or open space uses, or both.  
*\*Any protests must be filed in writing with the City Clerk prior to the start of the protest hearing. A two-thirds vote of the City Council (four out of five Council Members) is needed to overrule any protest. Overruling all protests is a condition precedent to all other actions on this item.*

If all protests are overruled, Staff recommends the City Council consider whether to:

- b) Adopt Ordinance No. 1708(24), which:
- i. Orders the submission to the qualified electorate of the City of Lompoc a measure, entitled the Ken Adam Park Measure (“Measure”), which would discontinue the public park use of the Site in order to allow for other educational and recreational uses, or open space uses, or both, and
  - ii. Adopts a Negative Declaration for the Ken Adam Park Measure, pursuant to the California Environmental Quality Act;
- c) Adopt Resolution No. 6656(24), which:
- i. Requests that the County of Santa Barbara consolidate the Measure with the Statewide General Election to be held on Tuesday, November 5, 2024, and directs the County Elections Department to conduct the election on the City's behalf, and
  - ii. Authorizes City payment for such consolidated elections services;

*\*City Council to give direction on ballot label language not to exceed 75 words for this resolution;*

**PUBLIC HEARING:** (cont'd)  
Item No. 14 - Recommendations

- d) Adopt Resolution No. 6657(24), directing the City Attorney to draft the impartial analysis and setting ballot arguments;  
*\*City Council to determine whether rebuttal arguments should be authorized or not.*  
*\*\*City Council to determine whether to designate up to two Council Member authors for ballot arguments, or not; and*
- e) Finally, if all protests are overruled, Ordinance No. 1708(24) is adopted, and both resolutions are adopted, then Staff recommends the City Attorney read aloud the title of the Ken Adam Park Measure at the City Council meeting, and the City Council make a motion to waive further reading of the Measure.

(Public Comment)

**WRITTEN COMMUNICATIONS:**

**ORAL COMMUNICATIONS (2 Minutes Maximum):**

**COUNCIL COMMENTS, AND MEETING REPORTS:**

**ADJOURNMENT:**

Lompoc City Council will adjourn to a Regular Meeting at 6:30 P.M. on June 4, 2024.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting. Dated this 17th day of May 2024.

*/Stacey Haddon/*  
Stacey Haddon, City Clerk