



MINUTES

Regular Meeting of the Lompoc City Council
Tuesday, July 2, 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.lompop.ca.us not later than 4:00pm on Tuesday, July 2, 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 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.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 – 5:45 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 LABOR NEGOTIATORS:** City Designated Representatives: Christie Donnelly, Dean Albro, Gabriel Garcia, Che Johnson. Employee Organization: International Association of Firefighters Local 1906 (IAFF).
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.
3. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One Case.

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 - 6:35 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.

Others Present: Carl Jones, and person who did not provide name.

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 proclamations in honor of:
 - Electric Distribution Conversion Project Completion;
 - Electric Lineworker Recognition Day; and
 - Parks & Recreation Month

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**
 - May 27-31, 2024 - \$1,073,521.54
 - June 3-7, 2024 - \$1,503,481.32
 - Payroll June 7, 2024 - \$1,929,869.90

City Manager Dean Albro gave a brief presentation on current happenings in the City, including the grand opening of the new inclusive playground and outdoor fitness stations at Pioneer Park, the upcoming 4th of July Family Fun Day to be held at Ryon Park beginning at noon, with a patriotic bike parade from the Lompoc Veterans Memorial Building to Ryon Park at 11:30 A.M., the sale of Safe & Sane fireworks now through July 4th, the closure of the most City facilities in observance of July 4th, the completion of the City's Electric Division's 4kV to 12kV project, the start of the Old Town Market season beginning on Friday, July 5, 2024 on the 100 block of South H Street every Friday from 5pm to 8pm until August 9, 2024; and thanked everyone who joined the City in celebrating the Flower Festival and came out to enjoy the parade.

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

CONSENT CALENDAR:

City Attorney Jeff Malawy stated he has recused himself from participating in Consent Calendar Item No. 4 and Consent Calendar Item No. 5.

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of May 7, 2024
2. **Approval of Lompoc Police Department Back Lot Sublease from Santa Barbara County; Adoption of Resolution No. 6682(24) Appropriating Funds for Up-Front Costs to be Reimbursed by a Grant From Homeland Security.**

Approved the lease agreement, with the County of Santa Barbara to sublease the parking lot directly behind the Police Department (401 E. Cypress, Lompoc) in a form approved by the City Attorney; and adopt Resolution No. 6682(24) approving appropriations and supplemental revenues to install fencing and gates around the parking lot, with the understanding that Homeland Security funds will reimburse the City for those costs.

3. **Approval of Letter of Support for the Housing Authority of the County of Santa Barbara's Disposition Application for their Administrative Office, Garage, and Warehouse (815, 817, 825 West Ocean Avenue)**

Directed the Mayor to sign a letter of support for the Housing Authority of the County of Santa Barbara's Disposition Application for their Administrative Office, Garage, and Warehouse located at 815, 817, 825 West Ocean Avenue, Lompoc.

4. **Approval of Legal Services Agreement for Legal Representation by Lewis Brisbois Bisgaard & Smith LLP in Police-Related Civil Litigation Defense.**

Approved and authorized the City Manager to sign the attached Engagement Letter with Lewis Brisbois Bisgaard & Smith LLP.

CONSENT CALENDAR: (cont'd)

5. **Approval of Amendment to Contract Services Agreements for City Attorney and Successor Agency Legal Services with Aleshire & Wynder, LLP.**

Approved and authorized the City Manager to execute Amendments to the Contract Services Agreements for City Attorney and Successor Agency Legal Services with Aleshire & Wynder, LLP increasing the hourly rates of compensation as described in this memo.

6. **Adoption of Resolution No. 6677(24) Authorizing Staff to Apply for Low Carbon Transit Operations Program Funds from Caltrans, for Purchase of solar-powered off-grid vehicle charging systems for the City's fleet of electric vehicles and Approving Related Budget Appropriations.**

Adopted Resolution No. 6677(24), authorizing the City Manager, Public Works Director, Assistant Public Works Director, or the Transit/Airport Administrator to execute and file the necessary documents for the purpose of obtaining Low Carbon Transit Operations Program funds provided by the California Department of Transportation for the purchase of solar-powered off-grid vehicle charging systems for the city's fleet of electric vehicles and making related budget appropriations.

7. **Award of Project No. FY-24-S-2, 2024 Street Pavement Digout Project.**

Adopted the Special Provisions for Project No. FY-24-S-2, 2024 Street Pavement Digout 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); awarded the Construction Contract in the amount of \$1,829,458.50 to Main Line Engineering Construction, Inc., (Main Line); 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 \$190,000; awarded the Consulting Contract for Construction Engineering Support, Materials Testing, and Supplemental Inspection Services in the amount of \$72,420 to Pavement Engineering, Inc.; authorized the City Manager to execute the necessary agreements for that Contract; and authorize the City Engineer to approve contract change orders in an amount not to exceed \$15,000.00.

8. **Adopting Plans and Special Provisions, Awarding the Contracts for Construction and Construction Management for Project No. FY-24-W-1 – 2024 Waterline and Valve Replacement Project.**

Adopted the Plans and Special Provisions for Project No. FY-24-W-1, 2024 Waterline and Valve Replacement Project (Project), as required by Section 22039 of the Public Contract Code (copies of Plans and Special Provisions are on file in the City Engineer's Office); awarded the Construction Contract in the amount of \$2,020,308 to Main Line Engineering Construction, Inc.; authorized the City Manager, or designee, to execute the necessary agreements for that Contract; authorize the Water Utility Manager, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed \$200,000; awarded the consulting contract for construction management, inspection, and construction materials testing services (Construction Management Contract) in the amount of \$336,648.90 to Filippin Engineering; authorized the City Manager to execute the necessary agreements for the Construction Management Contract; and authorize the Water Utility Manager, or designee, to approve additional costs and consulting contract change orders in an amount not to exceed \$50,000.

STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS: None

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Carl Jones expressed concern regarding property on Laurel Avenue that has accumulated a lot of trash and debris which includes tents and mattresses.

NEW BUSINESS:

6. **Receive Certification of Results of Citizen Initiative Petition Entitled “An Initiative Measure to Discontinue the Public Park Use of Approximately 82 Acres of City-Owned Land Including Ken Adam Park, To Allow For Other Educational and Recreational Uses and/or Open Space Uses, Including a Potential Sale of the Property for a Space-Themed Educational Center” (“Citizen Measure”) and then: 1) Submit the Measure to the Qualified Voters of the City at the November 5, 2024, General Municipal Election, or 2) Adopt the Measure, or 3) Order a Report on the Effects of the Proposed Measure; Withdraw the City-Initiated Measure, Ordinance No. 1709(24), from the November 5, 2024, Election; Approve Revised Reimbursement Agreement with Pale Blue Dot Ventures, Inc.**

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

Council discussed the information presented.

Public Comment:

1. (Name not provided), spoke in favor of the proposed space-themed museum project.

ACTION: Motion/Second: Ball/Vega. By a 5-0 vote, Council adopted Resolution No. 6678(24), which orders the submission to the qualified electorate of the City of Lompoc at the November 5, 2024, General Municipal Election, the Citizen Measure, which would discontinue the public park use of approximately 82 acres of City-owned land including Ken Adam Park (APN 095-070-008) (Site) in order to allow for other educational and recreational uses and/or open space uses, including a potential sale of the Site for a space-themed educational center;

ACTION: Motion/Second: Vega/Ball. By a 5-0 vote, Council adopted Resolution No. 6679(24) which requests that the County of Santa Barbara consolidate the Citizen Measure election 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 authorizes City payment for such consolidated elections services;

ACTION: Motion/Second: Vega/Mayor Osborne. By a 4-1 vote (Council Member Starbuck voted No), Council adopted Resolution No. 6680(24), directing the City Attorney to draft the impartial analysis and setting ballot arguments; allowing rebuttal arguments and allow the Mayor to submit and argument against the Citizen Measure.

ACTION: Motion/Second: Vega/Ball. By a 5-0 vote, Council approved the revised reimbursement agreement with Pale Blue Dot Ventures, Inc.; and directed Staff to reach out to the proponents of this Citizen Initiative Petition to confirm if they would prefer to have this measure or the City measure removed from the ballot and provide that information to the Council as soon as possible.

Council held off deciding whether to adopt Resolution No. 6681(24), to withdraw the separate City Measure (Ordinance No. 1709(24)) from the November 5, 2024, election.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL COMMENTS AND MEETING REPORTS:

Council Member Ball congratulated the Lompoc Festival Association for a wonderful Flower Festival this year; and requested Staff return at a future meeting with a review of the Supreme Court decision regarding homeless camping from June 28, 2024, which states the **Eight Amendment does not prohibit cities from enforcing public-camping laws against homeless individuals**, the request was supported by Council Member Vega and carried by Council Member Starbuck.

Council Member Aiello requested a review of the City's weed abatement process and if the City can have different levels of enforcement for property owners who regularly do not clear their property of weeds and or debris until several notices have been delivered. The request was seconded by Council Member Ball and carried by Council Member Vega.

Mayor Osborn reported she attended several meetings and events, including the Santa Barbara Area of Governments (SBCAG) regular meeting, the California Association of Councils Governments (CalCOG) regular quarterly meeting, the Northern California Power Agency (NCPA) regular meeting, the Juneteenth Event, the ribbon cutting at Pioneer Park, and announced the upcoming Bike Parade on the 4th of July beginning at the Lompoc Veterans Memorial Building at 11:30 A.M.; reminded all citizens of the Lompoc Police App that will allow you to report any illegal fireworks in the City; and thanked the Flower Festival Association for the wonderful Flower Festival including the parade and thanked the Council Members that could participate in the parade float.

ADJOURNMENT: At 7:29 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on July 16, 2024 at 6:30 P.M., in City of Lompoc Council Chamber.

Approved by Council action on September 3, 2024:

/Stacey Haddon/
Stacey Haddon, City Clerk