MINUTES

Regular Meeting of the Lompoc City Council
Tuesday, July 5, 2022
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.cityoflompoc.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 5, 2022.

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.cityoflompoc.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.cityoflompoc.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.

OPEN SESSION – 6:00 P.M. – Council Chamber

Council Members Present: Dirk Starbuck, Gilda Cordova, Jeremy Ball, 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) *Jesus Corrales, et al. v. City of Lompoc, et al.*, U.S. District Court, C.D. Cal. Case No. 2:21-CV-06629-CJC

2. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**: Government Code section 54956.9(d)(1) *City of Lompoc v. Mission Hills Community Services District*, Santa Barbara County Superior Court Case No. 20CV02225

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

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

Staff Present: City Manager Dean Albro, City Clerk Stacey Haddon, City Attorney Jeff Malawy, Human Resources Manager Gabriel Garcia, Management Services Director Christie Donnelly, and Financial Services Manager Robert Cross.

Others Present: Diane Burns and Deb Andrews

REPORT ON ACTION TAKEN DURING CLOSED SESSION:

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

Chaplain Keith McLellen gave the invocation and Mayor Jenelle Osborne led the **Pledge of Allegiance**.

PRESENTATIONS PRESENTED ELSEWHERE: None

PRESENTATIONS:

Mayor Osborne presented a proclamation in honor of **Electrical Line Worker Day.**

CITY MANAGER REPORT: (Information only)

- **List of City expenditures**
  - May 30, 2022 – June 3, 2022 - $1,259,232.45
  - June 6 – 10, 2022 - $299,873.02
  - Payroll June 10, 2022 - $1,606,368.43

City Manager Dean Albro thanked Finance and Purchasing for a successful end to the fiscal year, and commended the Recreation Division for holding a very successful Fourth of July event.

Human Resources Manager Gabriel Garcia stated Item No. 6 is to amend and restate Compensation Plans for Management, Supervisory & Confidential (“MS&C”), and Unrepresented (“UR”) employees effective the beginning of the pay period July 2, 2022; and Item No. 9 is an amendment to the Contract Services Agreements for City Attorney and Successor Agency Legal Services with Aleshire & Wynder, LLP, increasing the hourly rates of compensation.

City Attorney Jeff Malawy announced he would not participate in Item No. 9.

PUBLIC COMMENT ON CONSENT CALENDAR ITEMS (Maximum of 3 Minutes):

1. DaVika Stalling, C.E.O. and Chuck Madson, Board Chair of the Lompoc Chamber of Commerce and Visitor's Bureau, spoke about the continued efforts the Chamber puts forth for the community and encouraged Council to approve Item No. 8

Council Member Starbuck asked Staff to provide the total increase amount to the City if Items 3, 4,5, and 6 are approved. Management Services Director Christie Donnelly stated for fiscal year 2022-23 the cost of living increases for employees represented by the International Brotherhood of Electrical Workers (IBEW) 1245 will be $624,557.00 and the one-time essential worker payment for those same employees will be $486,712.00. The cost of living increases for management, supervisory & confidential, and unrepresented employees for the fiscal year 2022-23 will be $490,255.00 and the one-time essential worker payment for those employees will be $308,415.00. The one-time essential worker payment for employees represented by the International Fire Fighters Association (IAFF) 1906 will be $97,258.00

Mr. Starbuck also asked if an internal loan is likely to be used for the proposed upgrades to the Lompoc Airport runway, as presented in the Staff report for Item No. 7. Ms. Donnelly stated the use of an internal loan depends on the total amount of the budgeted contingency would be used.

Council Member Ball asked Staff to confirm how many employees are affected by the cost of living increases and if that amount is outpacing inflation. Management Services Director Christie Donnelly answered there are about 400 City employees that will receive these increases and these are to help retain employees.

CONSENT CALENDAR:

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

1. Approved the Minutes of the Lompoc City Council Regular Meeting of May 3, 2022

2. **Approval of a Sole Source Purchase from DELL to Replace Public Safety Network Storage; Adoption of Resolution No. 6526(22) Approving Supplemental Appropriations.**

   Approved DELL as a sole-source provider for the replacement of the DELL Public Safety network storage equipment; authorizes the Purchasing and Materials Manager to issue Purchase Order to DELL in the amount of $400,411; adopted Resolution No. 6526(22) approving increased Fiscal Year 2022-23 budget appropriations in the amount of $400,411 for the purpose of replacing the DELL Public Safety Network Storage equipment.

3. **Adoption of Resolution No. 6529(22) Approving Amendment No. 1 to the Memorandum of Understanding with the Employees Represented by the International Association of Firefighters, Local 1906, and Approving Supplemental Appropriations.**

   Adopted Resolution No. 6529(22), which will approve Amendment No. 1 to the Memorandum of Understanding to provide a one-time non-pensionable Essential Worker Bonus compensation payment of 5% of the base salary for all employees represented by the International Association of Firefighters, Local 1906 hired prior to June 1, 2022, and other benefits changes described below; and approve the supplemental appropriations which will fund the proposed, one-time essential worker compensation, bilingual pay, sick leave incentive, group basic life insurance, and benefit contribution adjustments as prescribed in the Amendment for Fiscal Year (FY) 2022-23.

CONSENT CALENDAR: (cont'd)

4. **Adoption of Resolution No. 6530(22) Approving Amendment No. 1 to the Memorandum of Understanding with the Employees Represented by the Lompoc Police Officers' Association, and Approving Supplemental Appropriations.**

   Adopted Resolution No. 6530(22) which approved Amendment No. 1 to the Memorandum of Understanding to provide increased group basic life insurance coverage, increased sick leave incentive, and increased bilingual pay for all employees represented by the Lompoc Police Officers' Association.

5. **Adoption of Resolution No. 6522(22) Approving the Tentative Agreement and Memorandum of Understanding with Employees Represented by the International Brotherhood of Electrical Workers, Local Union 1245; Amending the City's Compensation Plan/Pay Plan to Reflect the Cost of Living and Other Adjustments as Prescribed in the MOU Amendment; and Approving Supplemental Appropriations to Fund the Amended Compensation Plan.**

   Adopted Resolution No. 6522(22), which:

   a. Approved the Tentative Agreement between the City and the International Brotherhood of Electrical Workers, Local Union 1245 (IBEW 1245) for a successor Memorandum of Understanding for the period of July 1, 2022, through June 30, 2024 (IBEW MOU 2022-2024);
   b. Approved the IBEW MOU 2022-2024;
   c. Amended the City's Compensation Plan/Pay Plan to include the cost of living adjustment (COLA), equity adjustments for various IBEW classifications, and other adjustments as prescribed in the IBEW MOU 2022-2024;
   d. Approved the supplemental appropriations which will fund the proposed revised salary ranges, one-time non-pensionable essential worker compensation, and benefit contribution adjustments for Fiscal Year (FY) 2022-23 and FY 2023-24 respectively; and
   e. Approved the supplemental resources to fund the supplemental appropriations.

6. **Adoption of Resolution No. 6525(22) Approving Amended and Restated Compensation Plans for Management, Supervisory & Confidential, and Unrepresented Employees and Approving Supplemental Appropriations and Revenues to Fund the Amended and Restated Compensation Plans**

   Adopted Resolution No. 6525(22), which approved the amended and restated Compensation Plans for Management, Supervisory & Confidential ("MS&C"), and Unrepresented ("UR") employees effective the beginning of the pay period July 2, 2022; and approved the supplemental appropriations, which will fund the proposed salary range adjustments, one-time non-pensionable essential worker compensation, and benefit contribution adjustments included in the amended and restated Compensation Plans for Fiscal Year (FY) 2022-23, and FY 2023-24 respectively.

7. **Adoption of Resolution No. 6527(22) Adopting the Plans and Special Provisions for Project No. FY-20-AP-1, Airfield Electrical Upgrade and Runway Rehabilitation Project, Authorizing Agreements for Grant Funds from the Federal Aviation Administration and State Department of Transportation, Awarding the Construction Contract to Granite Construction Company, Awarding the Consultant Services Contract for Construction Management, Inspection, and Construction Materials Testing to Kimley-Horn and Associates, and Approving Supplemental Appropriations.**

Adopted Resolution No. 6527(22), adopting the Plans and Special Provisions for Project No. FY-20-AP-1, Airfield Electrical Upgrade and Runway Rehabilitation 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); authorizing the City Manager, Public Works Director, Assistant Public Works Director, or the Aviation/Transportation Administrator to execute and file the necessary documents for the purpose of obtaining financial assistance provided by the Federal Aviation Administration for the Project; authorizing the City Manager, Public Works Director, Assistant Public Works Director, or Aviation/Transportation Administrator to execute and file the necessary documents for the purpose of obtaining financial assistance provided by the California Department of Transportation for matching funds for the Project; awarding the Construction Contract in the amount of $5,189,795.95 to Granite Construction Company, but not awarding Additive / Alternates 1, 2, or 3;

a. authorizing the City Manager to execute the necessary agreements for that Contract;
b. authorizing the City Engineer, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed $518,900;

Awarded the Consultant Services Contract for Construction Management, Inspection, and Construction Materials Testing for a fee not to exceed $297,770 to Kimley-Horn and Associates, Inc.;

a. authorizing the City Manager to execute the necessary agreements for that contract;
b. authorizing the City Engineer, or designee, to approve additional consulting costs and contract change orders in an amount not to exceed $29,770; and

Approved supplemental appropriations for the Project.

8. **Extension of Agreement with the Lompoc Valley Chamber of Commerce for Economic Development and Business Assistance Services.**

Extended the agreement between the City and the Lompoc Valley Chamber of Commerce for economic development and business assistance service for an additional year, to June 30, 2023, for the same compensation previously paid which is $108,000/year, bringing the contract total to $324,000 in total, for the three-year agreement period, and authorized the City Manager to sign it.

9. **Approval of Amendment to Contract Services Agreements for City Attorney and Successor Agency Legal Services with Aleshire & Wynder, LLP; Adoption of Resolution No. 6528(22) Supplemental Appropriations.**

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 Staff report; and adopted Resolution No. 6528(22) providing supplemental appropriations for the Biennial Budget Fiscal Years 2021-23.

ORAL COMMUNICATIONS (3 Minutes Maximum):

1. Deb Andrews commended Council for the upgraded drinking fountain in the lobby of City Hall and suggested all employees be required to live inside the City Limits of Lompoc and that timeclocks be utilized.

2. Diane Burns spoke about the recent removal of trees on the multipurpose trail on A and Central Avenue and provided a list of names of persons who wish to stop the cutting down of those trees.

NEW BUSINESS:

10. **Approval of Modifications to the Winter Averaging Billing Method for Wastewater Charges; Adoption of Resolution No. 6524(22)**

Robert Cross, Financial Services Manager presented the Staff report and recommendations.

Council discussed this matter at length.

Public Comment: None

***ACTION*:** Motion/Second: Cordova/Vega. By a 5-0 vote, Council adopted Resolution No. 6524(22), approving the modification of the winter averaging component of charges for Wastewater services, and clarifying language of Resolution Nos. 5858(13) and 6002(15), to align with the available billing options available to the City.

WRITTEN COMMUNICATIONS: None

ORAL COMMUNICATIONS (2 Minutes Maximum): None

COUNCIL COMMENTS, AND MEETING REPORTS:

Council Member Ball announced his son Theodore Ball was born on July 1, 2022 and congratulated everyone involved in the successful Fourth of July event.

Council Member Cordova requested Staff work to bring forward a discussion on Utility Commission meetings and when those can be expected to resume, as was requested in May 2022.

Council Member Vega thanked everyone who attends and or participates City meetings and inviting anyone interested in helping the City move forward to volunteer to be appointed to a City Board or Commission.

Mayor Osborne reported she attended several meetings and events including meetings for the Northern California Power Agency (NCPA) and the Santa Barbara County Association of Governments (SBCAG); and announced the upcoming Empty Bowls event at the DeWees Community and Senior Center on July 27, 2022.

ADJOURNMENT: At 7:21 P.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on July 19, 2022 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review on September 1, 2022 by: _____

Stacey Haddon, City Clerk