

**CITY COUNCIL/REDEVELOPMENT AGENCY/
POWER / HOUSING / FINANCING AUTHORITY
MINUTES
July 12, 2011**

CALL TO ORDER

Mayor Parris called the regular meeting of the City Council/Redevelopment Agency/Power/Housing/Financing Authority meeting to order at 5:01 p.m.

ROLL CALL

Council Members/Agency Directors/Authority Members: Crist, Mann, Marquez; Vice Mayor/Vice Chairman Smith; Mayor/Chairman Parris

Staff

Members: City Manager/Executive Director; Deputy City Manager/Deputy Executive Director; City Attorney/ Agency/Authority Counsel; Assistant to the City Manager; City Clerk/Agency/Authority Secretary; Planning Director; Public Works Director; Parks, Recreation and Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

Pastor Rich, Calvary Chapel

PLEDGE OF ALLEGIANCE

Council Member/Agency Director Marquez

PRESENTATIONS

Bishop Henry Hearn stated that this was one of the happiest days of his life, to know that this City is in the right place because of the goodness and protection of God. Knowing that everyone can come forward and use his name in the way that is to be is a wonderful thing. He thanked God for this victory of winning the invocation lawsuit; thank God for the City Council in standing fast and not giving up.

AGENDA ITEMS TO BE REMOVED

None

AGENCY ACTIONS

No action required at this time.

APPROVAL OF MINUTES

On a motion by Vice Mayor/Vice Chairman Smith and seconded by Council Member/Agency Director Marquez, the City Council/Redevelopment Agency/Authority approved the City Council/Redevelopment Agency/Power/Housing/Financing Authority Regular Meeting minutes of June 28, 2011, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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M 1. MINUTES

Approved the Special Joint Meeting Minutes of June 22, 2011.

M 2. MINUTES

Approved the City Council/ Redevelopment Agency/ Power/ Financing/ Housing Authority Regular Meeting minutes of June 28, 2011.

PA NB 1. AGREEMENT WITH CRITICAL PATH TRANSMISSION, LLC

The Deputy City Manager presented the staff report regarding this matter.

Addressing the Power Authority on this matter:

Michael Rives – stated that he is confused about the agreement; does not understand the reimbursement process; opposed to the City pursuing any kind of solar agreements at this time.

On a motion by Vice Chairman Smith and seconded by Authority Member Marquez, the Power Authority approved a Confidentiality Agreement and a Reimbursement Agreement with Critical Path Transmission, LLC (Critical Path), to work cooperatively to construct an underground electric transmission line in the Antelope Valley in northern Los Angeles County and southern Kern County, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

PA NB 2. AGREEMENT WITH MORGAN SOLAR

It was the consensus of the Power Authority to waive the presentation of this matter.

Addressing the Power Authority on this matter:

David Grajeda – opposed to this action.

On a motion by Vice Chairman Smith and seconded by Authority Member Mann, the Power Authority approved a Memorandum of Understanding (MOU) and Power Purchase Agreement (PPA) with Morgan Solar Inc. (Morgan) to work cooperatively to design and construct a 140 kilowatt concentrated photovoltaic solar generation facility on City owned property located at the Lancaster National Soccer Center and authorized the City Manager to enter into a 20-year PPA for the electricity produced, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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APPROVAL OF CITY COUNCIL CONSENT CALENDAR

Vice Mayor Smith requested that the following items be pulled from the Consent Calendar for separate discussion and action due to the submittal of speaker cards: Item Nos. CC 2; CC 4; CC 5; CC 6; CC 7; CC 8; CC 9; CC 10; CC 11; CC 13.

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved the Council Consent Calendar, (Item Nos. CC 1; CC 3; CC 12) by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CC 1. ORDINANCE WAIVER

Waived further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text.)

CC 2. WARRANT REGISTER

Approved the Check and Wire Registers for June 12, 2011 through June 25, 2011 in the amount of \$2,847,160.11.

Addressing the City Council on this matter:
David Grajeda – opposed to this action.

CC 3. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the May 31, 2011, Monthly Report of Investments as submitted.

CC 4. ORDINANCE NO. 967

Adopted **Ordinance No. 967**, an ordinance of the City Council of the City of Lancaster, California, amending Section 2.04.040 of the Lancaster Municipal Code relating to filling vacancies on the City Council or in the office of the Mayor.

Addressing the City Council on this matter:
Michael Rives – gave a brief history of his own experience serving on different boards.

David Grajeda – opposed to this action.
Nicole Parson – confused by this action.

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CC 5. ACCEPTANCE OF MAP AND DEDICATIONS

Approved the map and accepted the dedications as offered on the map for Parcel Map No. 71379, located between Date and Beech Avenues and Kettering and Jackman Streets; made findings that this project will not violate any of the provisions of Sections 66473.5, 66474.1, and 66474.6 of the Subdivision Map Act; instructed the City Clerk to endorse on the face of the map the certificate which embodies the approval of said map and the dedications shown thereon.

The speaker from the audience waived his right to speak on this matter.

CC 6. RESOLUTION NO. 11-49

Adopted **Resolution No. 11-49**, approving an agreement to exchange real property between the City of Lancaster and JAT & Associates, LLC.

The speaker from the audience waived his right to speak on this matter.

CC 7. RATIFICATION OF LEASE AGREEMENT

Ratified the Lease Agreement and Operational Agreement between the Lancaster Redevelopment Agency and Grace Resources Incorporated.

Addressing the City Council on this matter:

Michael Rives – feels that this partnership will be a burden on the city; opposed to this action.

David Grajeda – opposed to this action.

CC 8. ACQUISITION OF REAL PROPERTY

Approved agreement for acquisition of real property between the City of Lancaster and Federal National Mortgage Association for property located at 451 East Avenue J-4, as part of the approved Neighborhood Stabilization Program (NSP).

Addressing the City Council on this matter:

David Grajeda – opposed to this action.

CC 9. ACQUISITION OF REAL PROPERTY

Approved agreement for acquisition of real property between the City of Lancaster and Federal National Mortgage Association for property located at 550 East Avenue J-4, as part of the approved Neighborhood Stabilization Program (NSP).

Addressing the City Council on this matter:

David Grajeda – opposed to this action.

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CC 10. ACQUISITION OF REAL PROPERTY

Approved agreement for acquisition of real property between the City of Lancaster and Federal Home Loan Mortgage Corporation for property located at 607 E. Ivesbrook Street, as part of the approved Neighborhood Stabilization Program (NSP).

Addressing the City Council on this matter:
David Grajeda – opposed to this action.

CC 11. ACQUISITION OF REAL PROPERTY

Approved agreement for acquisition of real property between the City of Lancaster and LSF7 NPL IV Trust for property located at 732 East Avenue J-4, as part of the approved Neighborhood Stabilization Program (NSP).

Addressing the City Council on this matter:
David Grajeda – opposed to this action.

CC 12. ACQUISITION OF REAL PROPERTY

Approved agreement for acquisition of real property between the City of Lancaster and Federal National Mortgage Association for property located at 44504 Watford Avenue, as part of the approved Neighborhood Stabilization Program (NSP).

CC 13. RESOLUTION NO. 11-54

Adopted **Resolution No. 11-54**, authorizing the renewal of the City's Insurance for the Property and Public Entity Liability Programs and membership in the County Supervisors Association of California Excess Insurance Authority Workers Compensation Program (CSAC) for a one-year term beginning July 1, 2011.

Addressing the City Council on this matter:
David Grajeda – opposed to this action.
Nicole Parson – confused by this action.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council approved the Council Consent Calendar, (Item Nos. CC 2; CC 4; CC 5; CC 6; CC 7; CC 8; CC 9; CC 10; CC 11; CC 13), by the following vote:
5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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**PH 1. LANCASTER DRAINAGE BENEFIT ASSESSMENT DISTRICT,
LANCASTER LANDSCAPE MAINTENANCE DISTRICT NO. 1, FOX
FIELD INDUSTRIAL CORRIDOR LANDSCAPE DISTRICT, AND
LANCASTER LIGHTING MAINTENANCE DISTRICT LEVY OF
ANNUAL ASSESSMENT FOR FISCAL YEAR 2011/2012**

Mayor Parris opened the Public Hearing. It was the consensus of the City Council to waive the presentation of this matter.

Hearing no further testimony, Mayor Parris closed the Public Hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted the following resolutions by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

- a. Adopted **Resolution No. 11-50**, confirming the diagram and assessment and ordering the levying of an assessment in **Lancaster Drainage Benefit Assessment District** for Fiscal Year 2011-2012.
- b. Adopted **Resolution No. 11-51**, confirming the diagram and assessment and ordering the levying of an assessment in **Lancaster Landscape Maintenance District No. 1** and **Fox Field Industrial Corridor Landscape Maintenance District** for Fiscal Year 2011-2012.
- c. Adopted **Resolution No. 11-52**, confirming the diagram and assessment and ordering the levying of an assessment in **Lancaster Lighting Maintenance District** for Fiscal Year 2011-2012.

**NB 1. JOINT POWERS AGREEMENT ESTABLISHING THE HIGH DESERT
POWER AUTHORITY**

It was the consensus of the City Council to waive the presentation of this matter.

Addressing the City Council on this matter:
David Grajeda – opposed to this action.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted **Resolution No. 11-53**, a resolution of the City of Lancaster, California, approving a Joint Powers Agreement (JPA) between the City of Lancaster (Lancaster) and the City of Pittsburg (Pittsburg), for the establishment of the High Desert Power Authority (HDPA), a Joint Powers Authority; approved the Memorandum of Understanding (MOU) between Lancaster and Pittsburg; authorized the Executive Director to execute all documents necessary to complete the transaction, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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CA 1. DISCUSSION AND POSSIBLE ACTION OF COUNCIL POLICY REGARDING LOCAL VENDOR PREFERENCE POLICIES BY AGENCIES OF WHICH THE CITY IS A MEMBER.

Mayor Parris stated that at the last meeting, the Council discussed using local vendors with the different agencies that the City belongs to. He stated that if the City is part of any Joint Powers Agreement, then the City should be insisting that local vendors be selected whenever possible.

Council Member Crist stated that he has been fighting for local vendors on the AVTA but Mayor Ledford (Palmdale), stated that it was unconstitutional and what do we have to do – hold their hands? He made this statement when the bidding took place for the auditing services for the AVTA. So the decision was made to give the business to a firm in Long Beach when it was said that none of the local firms qualified. These agencies should be awarding contracts to local vendors whenever possible.

Vice Mayor Smith agreed with Council Member Crist. Stated that when he was on the AVTA, there was an incident where the financial officer had sent out RFP's to insurance companies all in Orange County – companies she had been affiliated with. None of the local companies were able to put anything in, therefore losing out on the bidding. There are times when there is not a local company that can do a particular job - that is understandable. When there is someone local that is competitive, someone that can offer the services, then there should be a policy in place similar to the City's own policy and get those agencies to go along with this also.

Mayor Parris requested that this matter be placed on the next agenda to direct Council Members sitting on the various agencies to put this matter on their agency agendas and vote on it.

Vice Mayor Smith requested the exact verbiage be submitted to Council to get a clear understanding of the action.

LANCASTER FINANCING AUTHORITY

No action required at this time.

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CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated that one of the events that gets some coverage but people may not be aware of, is the Lan-Coaster Bike Ride which is the second Wednesday of every month. It is a great evening ride; encouraged people to come out; meet at City Hall; the information is on the website.

The City Manager was pleased to announce that the City will have its inaugural Farmers Market on Thursday, July 14, 2011 from 3-8 p.m. The Farmers Market will be every Thursday and additionally, this Thursday will also showcase the Sierra Toyota Concert Series. The City is looking forward to these events and watching them grow and become successful.

RECESS: Mayor Parris requested a brief recess at 5:48 p.m.

RECONVENE: Mayor Parris reconvened the meeting at 5:52 p.m.

CITY CLERK /AGENCY/AUTHORITY SECRETARY ANNOUNCEMENT

The City Clerk provided the public with the procedure to address the City Council/Redevelopment Agency regarding non-agendized items.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Maria Gutierrez – discussed mental health facilities; mental health programs; mental health shelters.

Martha Tarlton – opposed to the proposed round-about; importance of upgrading baseball fields for the children; encouraged Council to name the upgraded fields after Richard Macias for his commitment to the children of this community.

Howard Coleman – concerned about the closure of the access between the city parking lot and the senior complex; would like to see that access opened up earlier in the day.

The City Manager stated that he would discuss this with Mr. Coleman and staff.

Lee Weisman – advocate for medical marijuana and customer of a cooperative in an industrial area; feels that some are against this facility because of their own agenda to start their own cooperative.

Robert Long – shared his concerns regarding the horse-drawn carriage business.

Lyle Talbot – discussed his concerns regarding green waste operations.

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PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS (continued)

Melanie Coker – discussed the location of her medical marijuana facility; discussed a complaint that was brought forward by someone at a past City Council meeting.

Michael Rives – discussed the issue of parking spaces on and off of the BLVD.

David Grajeda – opposed to actions taken by Council.

David Paul – congratulated the City for the victory regarding the invocation lawsuit; thanked Mayor Parris for recommending the book – Flourish; encouraged people to look for what is right instead of what is wrong.

COUNCIL / AGENCY COMMENTS

Council Member Crist thanked staff for the 4th of July event held at the fairgrounds, it was a great job, great event.

CLOSED SESSION

None

ADJOURNMENT

Mayor Parris adjourned the meeting at 6:29 p.m. and stated that the next meeting of the City Council/Redevelopment Agency/Power/Housing/Financing Authority would take place on Tuesday, July 26, 2011 at 5:00 p.m.

By earlier action, Mayor/Chairman Parris resigned from the Redevelopment Agency, thereby disqualifying himself from the vote on the minutes of July 12, 2011.

PASSED, APPROVED and ADOPTED this 26th day of July, 2011, by the following vote:

AYES: Council Members: Crist, Mann, Vice Mayor Smith

NOES: None

ABSTAIN: None

ABSENT: Council Member: Marquez

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
CITY CLERK/AGENCY/
AUTHORITY SECRETARY
Lancaster, CA

RONALD SMITH
VICE MAYOR/VICE CHAIRMAN
Lancaster, CA

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**CERTIFICATION OF MINUTES
CITY COUNCIL/REDEVELOPMENT AGENCY/
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I, _____, _____ of the City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original City Council/Redevelopment Agency/Housing/Power/Financing Authority minutes, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, CA on this _____ day of _____, _____.

(seal)
