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LANCASTER
CITY COUNCIL/FINANCING/HOUSING/POWER AUTHORITY
MINUTES
September 27, 2011

CALL TO ORDER

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

ROLL CALL

PRESENT: Council Members/Authority Members: Crist, Mann, Vice Mayor/Vice Chairman Smith; Mayor/Chairman Parris

ABSENT: None

Staff

Members: City Manager/Executive Director; Deputy City Manager/Deputy Executive Director; Deputy City Attorney/Authority Counsel; Assistant to the City Manager; City Clerk/Authority Secretary; Planning Director; Public Works Director; Senior Operations Manager; Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

Pastor John Meadors, Christian Life Assembly

PLEDGE OF ALLEGIANCE

Council/Authority Member Mann

PRESENTATIONS

Jacob Hefter Foundation Presentation

Presenter: Mayor Parris

Recognition of Paul Finley, City employee

Presenter: Mayor Parris

Squadron 418 at Edwards Air Force Base celebrating 20 years of C-17 flight testing

Presenter: Mayor Parris

APPROVAL OF MINUTES

M 1. MINUTES

On a motion by Council Member/Authority Member Mann and seconded by Council Member/Authority Member Crist, the City Council approved the City Council/Financing Authority Regular Meeting minutes of September 13, 2011, by the following vote: 4-0-0-0; Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CITY COUNCIL CONSENT CALENDAR

Addressing the City Council on the Consent Calendar:
Michael Rives – opposed to Items Nos. 1; 3; 8; 9; 10.
David Grajeda – opposed to Item No. 2

Council Member Crist requested clarification regarding the difference between professional service contracts and other contracts.

The City Manager stated that with professional service contracts there is more latitude with the selection of the firm based on the criteria and the quality/scope of their work; not looking for low bidder in these instances.

The City Attorney stated that the Public Contracts Code does require the legislative body to accept the bid from the lowest most responsive bidder unless there is some sort of defect in the bid, in which case the bid could be rejected. In this case there are no defects and it is his recommendation that the lowest most responsive bidder be accepted.

On a motion by Council / Authority Member Mann and seconded by Vice Mayor/Vice Chairman Smith, the City Council approved the Council Consent Calendar by the following vote: 4-0-0-0; AYES: Crist, Mann, 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 August 28, 2011 through September 10, 2011 in the amount of \$1,283,140.31.

CC 3. COMPLETED SEWER SYSTEMS

Approved the completed sewer systems installed by the developer of Site Plan Review No. 06-02, located on the west side of 16th Street West, south of Norberry Street, Owner: 16th Street Builders, LLC.

CC 4. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for Site Plan Review No. 06-02, located on the west side of 16th Street West, south of Norberry Street, Owner: 16th Street Builders, LLC.

CC 5. COMPLETED WATER SYSTEMS

Approved the completed water systems installed by the developer of Site Plan Review No. 06-02, located on the west side of 16th Street West, south of Norberry Street, Owner: 16th Street Builders, LLC.

CC 6. JOINT USE AGREEMENT WITH SCE

Approved the Joint Use Agreement with Southern California Edison Company (SCE) to provide for the relocation of existing SCE facilities necessitated by the widening of 20th Street East.

CC 7. APPROVAL OF MAP AND ACCEPTANCE OF DEDICATIONS

Approved the map and accepted the dedications as offered on the map for Parcel Map 69587, located on the southeast corner of Jackman Street and 10th Street West; 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.

CC 8. INFORMAL BID NO. 1104

Awarded **Informal Bid No. 1104, Transportation Building Roof Repair**, to Universal Coatings, Inc., of Fresno, California, in the amount of \$168,600.00, plus a 10% contingency for roof repair and interior ductwork improvements on the Transportation Maintenance Building and authorized the City Manager, or his designee, to sign all documents. This contract is awarded to the lowest responsible bidder per California Public Code Section 22038 (b).

CC 9. CHANGE ORDER NO. 1 – PWCP NO. 11-011

Approved Change Order No. 1 and increased the total amount of the contract with C.A. Rasmussen, Inc., of Valencia, California, for **Public Works Construction Project No. 11-011, 2011 Pavement Management Program**, by \$538,294.00, plus a 10% contingency, for a total revised contract amount of \$3,674,396.00. The scope of work for Change Order No. 1 includes the resurfacing of 15th Street West from Avenue K-8 to Avenue L.

CC 10. AGREEMENT WITH PENFIELD & SMITH

Approved a professional services agreement with Penfield & Smith of Lancaster, California, in the amount of \$294,675.00, with a 5% contingency, for Civil, Landscaping, and Electrical design services for the Downtown Roundabout and authorized the City Manager, or his designee, to sign all documents.

CC 11. PURCHASE OF SEWER CLEANING TRUCK

Awarded the contract for the purchase of one Sewer Cleaning Truck, Vactor 2115PD Combination Sewer Cleaner, in the amount of \$362,578.00 to Maryland Industrial Trucks, Inc. and authorized the City Manager, or his designee, to sign all documents. The Finance Department would accrue and remit the sales tax, \$31,725.58, directly to the State.

NB 1. PARKING MANAGEMENT STRATEGY

A detailed presentation was given by the City Manager; Planning Director and the Public Works Director regarding this matter.

Addressing the City Council on this matter:
Michael Rives – opposed to this action.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved the appropriation of \$75,000.00 from the Traffic Impact fees fund balance to Capital Improvement Budget Account No. 232-13AC001-924 for a Downtown Parking Strategy Study, by the following vote: 4-0-0-0; Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CA 1. CONSIDER NOMINATIONS AND APPOINTMENT OF ONE OF THE FOLLOWING INDIVIDUALS TO FILL THE VACANT SEAT ON THE CITY COUNCIL THROUGH THE REMAINDER OF THE TERM, UNTIL APRIL 24, 2012: CASSANDRA HARVEY; SANDRA JOHNSON; SANDRA SMITH

Addressing the City Council on this matter:
Elizabeth Helm – encouraged diversity on the Council.
David Paul – important to choose someone who supports the City; wants the City to move forward; all three nominees have exemplary records.
Michael Rives – campaigned for himself to be selected.
David Abber – voiced his disappointment in the selection process.
David Grajeda – supported Michael Rives to fill the seat.

Mayor Parris stated that he has narrowed the selection to the three people listed on the agenda; he asked for public input and received none this evening but over the past two weeks he has received a considerable amount of public comment. All three women are extremely qualified and he would be proud to sit with any one of them. Two of them do not seem to have the time requirements to sit and have indicated that they would like to be reconsidered to sit on the Council at another time but right now, due to job commitments they are unable to give the amount of energy that is required to be a City Council Member.

Mayor Parris stated that he would like to nominate Cassandra Harvey to the Redevelopment Agency and this matter would be taken up for consideration at the City Council meeting of October 11, 2011.

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CA 1. CONSIDER NOMINATIONS AND APPOINTMENT OF ONE OF THE FOLLOWING INDIVIDUALS TO FILL THE VACANT SEAT ON THE CITY COUNCIL THROUGH THE REMAINDER OF THE TERM, UNTIL APRIL 24, 2012: CASSANDRA HARVEY; SANDRA JOHNSON; SANDRA SMITH (continued)

Mayor Parris stated that he would like to nominate Sandra Johnson to the City Council seat.

Council Member Crist stated that he received background information on Michael Rives; Gary Burgess; Andy Visokey and several other people. He feels that Sandra Johnson is a perfect match for this City Council; she will add value; many people are qualified but Ms. Johnson is the perfect fit.

Vice Mayor Smith stated that Sandra Johnson has a proven track record of being a successful business woman and when it comes to economic growth and creating jobs, she is a good fit.

Council Member Mann stated that it would have been difficult to find three better candidates than the ones the Mayor has selected. When he decided to run for office in 2008, he asked Sandra Smith to run with him. He thought she was qualified then and still thinks she is qualified.

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved the nomination and appointment of Sandra Johnson to the Lancaster City Council to fill the seat through the remainder of the term, until April 24, 2011, by the following vote: 4-0-0-0; Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

LANCASTER FINANCING AUTHORITY

No action required at this time.

LANCASTER HOUSING AUTHORITY

No action required at this time.

LANCASTER POWER AUTHORITY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated that a couple of the speakers complimented the efforts of staff. This is very nice to hear; however this only works if the staff and Council are on the same page. This City has seen what can happen when that doesn't work. He stated there is no distinction between the role of Council and the role of staff. We sink or swim together and we appreciate the leadership the Council shows in that regard.

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CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS (continued)

The City Manager invited the public to two events that would be coming up before the next Council meeting. The first event is Bark at the Park on Saturday, October 1, 2011 at Lancaster City Park. The second event is the Streets of Lancaster, October 7-9, 2011. There were 35,000 people in attendance last year and the City hopes to break that record this year and looks forward to seeing everyone out there.

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:

Maggie Campbell – stated that she is running for Mayor of Palmdale; encouraged by what she has observed and what the City has accomplished.

David Paul – stated that diversity is very important; appreciates the City's commitment to look toward the future. It is important to have a team that likes each other; important to work together; present ideas in a kind manner, people will be more accepting.

Maria Paesano – stated her concerns regarding no jobs; no housing; increase in crime; most areas are not safe for anyone.

Isaac Grajeda – stated that he was upset at the treatment of his brother.

Tom Miller – discussed the parking issue; recently visited different cities and they have a trolley cars driving around. If parking availability is not right up front, consider a trolley or a shuttle, this will help the image of the City.

Mark Pierson – stated that he has seen many changes in the City for the better; crime is decreasing; discussed growth; housing; vacant properties; problems with vandalism; squatters; this is a concern and he will be meeting with the City Manager, to discuss these issues.

Mayor Parris excused himself from the dais at 6:36 p.m. and turned the meeting over to Vice Mayor Smith.

David Abber – stated that the Mayor should resign.

David Grajeda – stated his frustration with the City.

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COUNCIL / AGENCY COMMENTS

Council Member Crist stated that on October 2, 2011 there will be a Fallen Heroes Ride that starts at Harley Davidson and supports the Sheriff's; CHP; County Firefighters; Correctional Officers and the Forest Service. If anyone is interested in participating in this, it begins at 10 a.m.

Vice Mayor Smith stated that at a Sanitation meeting, he had proposed that if it is just perfunctory to do a few actions, then save it until the next meeting, saving the taxpayers money, therefore the last Sanitation District meeting was cancelled.

RECESS

Vice Mayor Smith recessed the City Council meeting at 6:43 p.m. for the purpose of conducting a Closed Session meeting regarding:

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

- Government Code Section 54956.9(a)
Rubin v. Lancaster - United States District Court Case No. CV 10-4046 DSF (JCx)

RECONVENE

Mayor Parris reconvened the City Council meeting at 6:59 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced that City Council met in Closed Session regarding the aforementioned matter and gave direction to legal counsel in the handling of appeal regarding this case.

ADJOURNMENT

Mayor/Chairman Parris adjourned the meeting at 7:00 p.m. and stated that the next meeting of the City Council would take place on Tuesday, October 11, 2011 at 5:00 p.m.

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PASSED, APPROVED and ADOPTED this _____day of _____, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

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

R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

CERTIFICATION OF MINUTES
CITY COUNCIL/FINANCING AUTHORITY

I, _____, _____ of the City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original City Council/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)
