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LANCASTER
CITY COUNCIL/FINANCING/HOUSING/POWER AUTHORITY
MINUTES
October 25, 2011

CALL TO ORDER

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

ROLL CALL

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

On a motion by Council Member/Authority Member Crist and seconded by Council Member/Authority Member Mann, the City Council/Authority excused Mayor Parris from the meeting by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

ABSENT: Mayor/Chairman Parris

Staff

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

INVOCATION

Father Charles Threewit, St. Andrews Anglican Church

PLEDGE OF ALLEGIANCE

Korean War Veteran, Vernon Fierre

PRESENTATION

3CMA Award of Excellence for the "BOO-LVD"
(City-County-Communications & Marketing Association)
Presenter: Ronda Perez, Operations Manager

AGENDA ITEMS REMOVED

None

PA NB 1. MASTER SOLAR POWER PURCHASE AND SALE AGREEMENT WITH MORGAN SOLAR INC.

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

On a motion by Authority Member Mann and seconded by Authority Member Crist, the Lancaster Power Authority approved the Master Solar Power Purchase and Sale Agreement with Morgan Solar Inc. (Morgan), to develop photovoltaic solar generation facilities on City owned property and authorized the Executive Director to execute all documents, and make any non-substantive changes necessary to complete the transaction, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

APPROVAL OF MINUTES

Addressing the City Council on this matter:

Michael Rives – requested that his extensive comments on several of the items be a part of the record.

M 1. MINUTES

On a motion by Council Member/Authority Member Crist and seconded by Council Member/Authority Member Johnson, the City Council/Authority approved the City Council/Financing/Housing/Power Authority Regular Meeting minutes of October 11, 2011, by the following vote: 3-0-1-1; AYES: Crist, Johnson, Smith; NOES: None; ABSTAIN: Mann; ABSENT: Parris

CITY COUNCIL CONSENT CALENDAR

Council Member Johnson requested that Item No. CC 9 be continued to the next meeting to allow her more time to review the information.

On a motion by Council Member Crist and seconded by Council Member Mann, the City Council approved the Council Consent Calendar with the exception of Item No. CC 9, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

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 September 25, 2011 through October 8, 2011 in the amount of \$2,763,344.33.

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CC 3. ORDINANCE NO. 971

Adopted **Ordinance No. 971**, an ordinance of the City Council of the City of Lancaster, California, amending Titles 5, 11 and 17 of the Lancaster Municipal Code for compliance with Fair Housing and Disability Laws.

CC 4. ACCEPTANCE OF STREET TREES FOR MAINTENANCE

Accepted the interior street trees for maintenance by the City for Tract No. 060811 Phase 2, Lots 5-39, located on the northeast corner of Avenue K-12 and 60th Street West, Owner: KB HOME Coastal, Inc.

CC 5. APPROVAL OF COMPLETED SEWER SYSTEMS

Approved the completed sewer systems installed by the developer for Tract No. 060811 Phase 2, Lots 5-39, located on the northeast corner of Avenue K-12 and 60th Street West, Owner: KB HOME Coastal, Inc.

CC 6. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for Tract No. 54370-01 Phase 2, Lots 23-41, located on the southeast corner of 71st Street West and Hemlock Avenue and Tract No. 060811 Phase 2, Lots 5-39, located on the northeast corner of Avenue K-12 and 60th Street West, Owner: KB HOME Coastal, Inc.

CC 7. APPROVAL OF COMPLETED WATER SYSTEMS

Approved the completed water systems installed by the developer for Tract No. 060811 Phase 2, Lots 5-39, located on the northeast corner of Avenue K-12 and 60th Street West, Owner: KB HOME Coastal, Inc.

CC 8. AWARD OF CONTRACT TO INTELESYS ONE

Awarded contract to Intelesys One for a ShoreTel phone system and infrastructure upgrade in the amount of \$314,781.00 plus an annual hardware/software support fee in the amount of \$14,000.00 (which becomes effective 12 months after installation); awarded contract for internet service to TW Telecom; awarded contract for telephone service to TelePacific Communications; authorized the City Manager, or his designee, to execute the contract. Appropriated \$81,340.00 from Technology Infrastructure Reserve to Account No. 109-4315-751; approved transfer in the amount of \$158,000.00 from Account No. 109-4315-291 to Account No. 109-4315-751.

CC 9. ACCEPTANCE OF WORK BY JOHNSON CONTROLS, INC.

This item was continued to the meeting of November 8, 2011.

NB 1. AMENDMENT TO THE BUILDING STIMULUS PROGRAM FOR 2011/2012

The Public Works Director presented the staff report regarding this matter.

Under the current program, developers building new homes within such CFDs do not receive the same economic incentive provided in other tracts. This amendment will provide an economic incentive within these CFDs by replacing the waiver of 25% of the development impact fees with a waiver of the building permit fees. The full amount of development impact fees will be charged. All other provisions of the current Building Stimulus Program will apply, including the program end date and pre-payment provisions.

Addressing the City Council on this matter:

Michael Rives – opposed to this action; not in favor of giving anyone any breaks in this economy; the builder should have to apply and justify getting a waiver of these fees.

On a motion by Council Member Crist and seconded by Council Member Mann, the City Council adopted **Resolution No. 11-69**, approving an amendment to the Building Stimulus Program for 2011-2012, as it applies to new home construction within a Community Facilities District (CFD), which provides for payment of City development impact fees, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

NB 2. AMENDMENT TO APPROVED VOLUNTARY SEPARATION INCENTIVE PROGRAM (VSIP)

The City Manager presented the staff report regarding this matter.

Addressing the City Council on this matter:

Michael Rives – opposed to this action; rules are in place for a reason; feels this sets a precedent and staff will continue to bring this forth and change this again in six months; employees should stick around until it is their time to retire.

Council Member Mann stated that he was a little disappointed; he appreciates someone from the audience coming in and speaking but clearly this is a win for the employees and a win for the City. He is proud to say that in his length of time here, Lancaster has not had to lay anyone off. It is not uncommon to open up the newspaper and read that cities have to cut fifty percent of their staff. Lancaster has people volunteering to take an early out and with the City Manager's leadership, create a work-out agreement. This was best for everyone, both for the employees and the City and for the citizens of Lancaster.

Vice Mayor Smith stated that by this action it will save money in the budget so that no one will be laid off; it is a win-win situation.

Council Member Johnson agreed and stated that it creates positive energy all the way around.

NB 2. AMENDMENT TO APPROVE VOLUNTARY SEPARATION INCENTIVE PROGRAM (VSIP) (continued)

On a motion by Council Member Crist and seconded by Council Member Johnson, the City Council adopted **Resolution No. 11-71**, authorizing the City Manager to amend the approved Voluntary Separation Incentive Program (VSIP) for employees within twenty-four months of City retirement eligibility, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

NB 3. RESOLUTION UPDATING A POLICY FOR THE INVESTMENT OF PUBLIC FUNDS

The Finance Director presented the staff report regarding this matter.

Addressing the City Council on this matter:

Michael Rives – opposed to this action; commented on the City engaging with outside investment advisors and inquired as to how these people are chosen; discussed the different investment funds.

The City Manager stated that every month the City provides a report on the investments; where the money is invested; what the returns are compared to the market and much more. This report has been available every month for many, many years on the agenda.

On a motion by Council Member Mann and seconded by Council Member Johnson, the City Council adopted **Resolution No. 11-70**, rescinding Resolution No. 11-14 in its entirety, and establishing a policy for the investment of public funds for the City of Lancaster, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

COUNCIL REPORTS

None

LANCASTER FINANCING AUTHORITY

No action required at this time.

LANCASTER HOUSING AUTHORITY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated that he was pleased to announce that a reporter recently drove the entire Route 6 this past summer, over 3,000 miles, visiting different cities and giving her opinion. Lancaster BLVD was voted one of the Top Ten coolest, prettiest and most charming main streets in the United States. The reporter stated: “Feathery foliage; parking nooks; cool restaurants; a playground; shops and soon-to-be opened – the Art and History Museum have rendered Lancaster’s newly renovated main street as a pedestrian friendly hangout. If you haven’t been to this commuter town in awhile, you will be shocked.” The City is happy to see this article and Lancaster is in good company with other cities.

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:

David Paul – stated that he has been coming to the Council meetings for years; it is not about the cameras; it is about interacting with the Council to get the most positive results. The main reason to turn cameras back on is to hear the people who make sense and have genuine concerns; it gives the people a voice.

Michael Rives – presented information on the refund policy regarding the Sanitation District; important that the public is aware of this; discussed the process for requesting the rebate.

Louise Pfau – stated her concerns for public safety in the Sunrise East Garden Townhouse area; there are people who have become disruptive; throwing rocks into the pool; destruction of property by individuals; trespassing; many disturbances.

The Public Safety Manager stated that his staff is very aware of this situation and they are looking into it.

Susan Plunkett – stated her concerns for the same area as Ms. Pfau; they have a Neighborhood Watch but the Captain is not responsive; she has called staff on several occasions but no one is getting back to her.

Vice Mayor Smith stated that the City Manager and the Public Safety Manager would be looking into this.

David Abber – stated that he is opposed to the cameras being shut off during public comment and requested this matter be placed on a future agenda for discussion.

Darleen Peterson – stated that citizens have the right to participate in City business; not televising the meeting is wrong; feels that several rules by the City Council are used to squeeze citizens out.

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COUNCIL / AGENCY COMMENTS

None

CLOSED SESSION

None

ADJOURNMENT

Vice Mayor Smith adjourned the meeting at 5:48 p.m. and stated that the next meeting of the City Council would take place on Tuesday, November 8, 2011 at 5:00 p.m.

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)
