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**LANCASTER
CITY COUNCIL/FINANCING/HOUSING/POWER AUTHORITY
MINUTES
December 13, 2011**

CALL TO ORDER

Mayor/Chairman Parris 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, Mayor/Chairman Parris

ABSENT: None

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; Parks, Recreation & Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

Billy Willis, Lancaster Baptist Church

PLEDGE OF ALLEGIANCE

Girl Scout Troop 2992

PRESENTATIONS

- 1) Recognition of Robert Greene, Parks Recreations & Arts Director for his many years of service and wishing him well in his retirement.
- 2) Introduction of Assistant Fire Chief Gerald Cosey
- 3) Presentation of 2 APWA Awards:
 - Outstanding Project of the Year Award
 - Best Use of Technology Award
- 4) S.O.A.R. (Students On Academic Rise) High School Students of the Month
 - Mera Zakhary – November – received a \$1,000 Mayor’s Scholarship
 - Michael-Christopher Mendelson – December - received a \$1,000 Mayor’s Scholarship

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PRESENTATIONS (continued)

- Athlete of the Month - Mario Lodge - Quartz Hill High School - received a \$1,000 Mayor's Scholarship

Council Member/Authority Member Johnson was excused from the meeting at 5:36 p.m.

RECESS Mayor Parris requested a brief recess at 5:36 p.m.

RECONVENE Mayor Parris reconvened the meeting at 5:43 p.m.

HOUSING AUTHORITY CONSENT CALENDAR

On a motion by Vice Chairman Smith and seconded by Authority Member Crist, the Housing Authority approved the Housing Consent Calendar by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

HA CC 1. APPROPRIATION OF FUNDS FOR CONSULTANT SERVICES

Approved the appropriation of \$12,000.00 for consultant services to perform analyses of mobile home park owners' return on investment for Permissive Rental Adjustment Petitions.

POWER AUTHORITY CONSENT CALENDAR

Addressing the Authority on this matter:
Nicole Parson – opposed to this action.

On a motion by Vice Chairman Smith and seconded by Authority Member Crist, the Power Authority approved the Power Authority Consent Calendar by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

PA CC 1. TWO-YEAR OPTION TO LEASE AGREEMENT

Approved a 2-year Option to Lease Agreement and a 20-year Ground Lease with PsomasFMG, LLC, to reserve approximately 35 acres of land, west of the Lancaster National Soccer Center, to work cooperatively to design and construct a 6.5-megawatt photovoltaic solar generation facility. Authorized the Executive Director to execute all documents and make any non-substantive changes necessary to complete the transaction.

PA NB 1. MASTER SOLAR POWER PURCHASE AND SALE AGREEMENT BETWEEN LANCASTER POWER AUTHORITY AND BEAUTIFUL ENERGY, LLC (BE) TO DEVELOP PHOTOVOLTAIC SOLAR GENERATION FACILITIES

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

On a motion by Vice Mayor Smith and seconded by Authority Member Crist, the Power Authority approved and authorized the Executive Director to execute the Master Solar Power Purchase and Sale Agreement with BE to develop photovoltaic solar generation facilities on various properties throughout the City, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

APPROVAL OF COUNCIL/AUTHORITY MINUTES

Addressing the City Council/Authority on this matter:

Nicole Parson – confused by this action.

Michael Rives – requested the minutes reflect more of his comments.

M 1. MINUTES

On a motion by Council Member/Authority Member Crist and seconded by Council Member/Authority Member Mann, the City Council/Authority approved the City Council/Financing/Housing/Power Authority Regular Meeting minutes of November 8, 2011, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

CITY COUNCIL CONSENT CALENDAR

Addressing the City Council on this matter:

Michael Rives – opposed to actions on Item Nos. CC 12 and CC 15.

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved the Council Consent Calendar by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

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 October 22, 2011 through November 26, 2011 in the amount of \$8,792,086.16.

CC 3. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the October 30, 2011, Monthly Report of Investments as submitted.

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CC 4. ORDINANCE NO. 972

Adopted **Ordinance No. 972**, an ordinance of the City Council of the City of Lancaster, California, amending Chapter 12.24 of the Lancaster Municipal Code relating to newsracks.

CC 5. RESOLUTION NO. 11-84

Adopted **Resolution No. 11-84**, a resolution of the City Council of the City of Lancaster, California, approving the form of and authorizing the execution of a property lease with the Lancaster Power Authority.

CC 6. ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS

Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 321, installed for Tract No. 54274, located on the northeast corner of Kettering Street and 20th Street East, by Cambridge Homes, Inc. Appropriated \$3,880.00 from the first year's maintenance cost, that has been paid by the developer, to cover the remaining seven months of the fiscal year into the Landscape Maintenance Operating Account No. 482-4747-402.

CC 7. MONUMENTATION WORK

Approved the monumentation work for Tract No. 53253, located on the northwest corner of 30th Street West and Avenue M-8, Owner: Portabella, L.P.

CC 8. COMPLETED SEWER SYSTEMS

Approved the completed sewer systems installed by the developer of Conditional Use Permit No. 05-23, located on the southwest corner of Lancaster Boulevard and 40th Street East, Owner: Lancaster Baptist Church.

CC 9. SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted the substitution of the Subdivision Undertaking Agreement and securities submitted by KB HOME Coastal, Inc., in place of the Subdivision Undertaking Agreement and securities submitted by Richmond American Homes of Maryland, Inc., for Tract Map No. 060154, Phase 2, located on the southeast corner of Avenue J and 30th Street East.

CC 10. RESOLUTION NO. 11-82

Adopted **Resolution No. 11-82**, approving the application for the City of Lancaster to establish a Certified Community Service Beverage Recycling Collection Center Program; and if selected, approving the execution of a standard agreement and any amendments thereto; any related documents necessary to participate in the CalRecycle Beverage Container Recycling Program within the City of Lancaster. Authorized the City Manager or his designee to execute any documents necessary to register with CalRecycle and to take other actions as needed to facilitate the application, through CalRecycle, in its entirety.

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CC 11. RESOLUTION NO. 11-83

Adopted **Resolution No. 11-83**, approving the application for the City of Lancaster Maintenance Facility to become a Certified Used Oil Collection Center; and if selected, approving the execution of a standard agreement and any amendments thereto; any related documents necessary to participate in the Used Oil Collection Program within the City of Lancaster. Authorized the City Manager or his designee to execute any documents necessary to register with CalRecycle and to take other actions as needed to facilitate the application, through CalRecycle, in its entirety.

CC 12. LETTER OF AGREEMENT

Approved a Letter of Agreement with the Los Angeles Metropolitan Transportation Authority for State Transportation Improvement Program (STIP) funding of the Downtown Lancaster Gateway & Roundabout project. Authorized the City Manager, or his designee, to sign all documents.

CC 13. ANNUAL PERFORMANCE REPORT-SANITARY SEWER SYSTEM

Accepted the Sanitary Sewer Collections System Annual Performance Report for Fiscal Year 2010 – 2011.

CC 14. APPROPRIATION OF FUNDS-HIRSCH VELOCITY SECURITY SYSTEM

Approved the appropriation of \$21,000.00 for upgrades to the Hirsch Velocity Security Access System to Account No. 101-4633-765.

CC 15. FACILITATION OF LAHSA AND WSP

Authorized the City Manager or his designee to facilitate the Los Angeles Homeless Services Authority (LAHSA) Year-Round Shelter Program (YRP) and Winter Shelter Program (WSP) at the Lancaster Community Shelter; and appropriate \$76,479 for the YRP to Account No. 261-4542-771; appropriate \$73,500.00 for the WSP to Account No. 261-4542-770 to fund these programs.

CC 16. APPROPRIATION OF FUNDS-BLOCK WALL CONSTRUCTION

Approved the appropriation of \$9,400.00 to Account No. 227-4631-301 for block wall construction at Whit Carter Park.

NB 1. RESOLUTION DECLARING THE NEED FOR A LOCAL HIRING PREFERENCE

The City Manager presented the staff report regarding this matter.

Addressing the City Council on this matter:

Michael Rives – in favor of this action; concerned with language regarding establishment of a residence by a contractor.

NB 1. RESOLUTION DECLARING THE NEED FOR A LOCAL HIRING PREFERENCE (continued)

On a motion by Council Member Crist and seconded by Vice Mayor Smith, the City Council adopted **Resolution No. 11-85**, declaring the need for a local hiring preference in public works contracts, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

NB 2. LEASE AGREEMENT BETWEEN CEDAR PERFORMING ARTS ACADEMY AND THE CITY OF LANCASTER

The Performing Arts Manager presented the staff report regarding this matter.

On a motion by Council Member Crist and seconded by Vice Mayor Smith, the City Council approved the lease agreement with Mitra Licciardi, an individual doing business as Cedar Performing Arts Academy, for 44851 Cedar Avenue, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

NB 3. ENCROACHMENT AGREEMENT WITH LANCASTER PROMENADE III FOR THE START OF THE SMALL INCUBATOR PROGRAM ON THE BLVD

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

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved the Encroachment Agreement with Lancaster Promenade III to provide kiosks along Lancaster BLVD for the City's Start Small Incubator Program and authorize the City Manager to execute the Encroachment Agreement, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

NB 4. AUTHORIZE THE CITY MANAGER AND CITY ATTORNEY TO BEGIN THE FORMATION OF THE CALIFORNIA CLEAN ENERGY AUTHORITY (CCEA)

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

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

On a motion by Council Member Crist and seconded by Vice Mayor Smith, the City Council authorized the City Manager and the City Attorney to begin the formation of the California Clean Energy Authority (CCEA), a statewide Joint Powers Authority, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

CA 1. DISCUSS APPLICATIONS FOR, AND RE-APPOINTMENT OF, CITY COMMISSION MEMBERS

Mayor Parris stated that the re-appointment of commissions would take place at the first meeting in January; he intends to move people around; anyone who is interested in serving on a commission should submit an application before the first of the year if they would like to be considered. All current commissioners who are interested in being re-appointed should apply as well.

CA 2. CONSIDER NOMINATIONS AND APPOINTMENTS OF NURI AMANATULLAH, MARIA ELENA GRADO, AMANDA HAWSE AND LAUREN MERCY AS DIRECTORS TO THE LANCASTER MUSEUM AND PUBLIC ART FOUNDATION BOARD OF DIRECTORS (LMPAF)

Mayor Parris invited Mr. Daniel Venturoli to come forward and present this item. Mr. Venturoli stated that at the Lancaster Museum and Public Art Foundation's (LMPAF) board meeting it was recommended that four individuals be appointed to the Board of Directors.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved Nuri Amanatullah, Maria Elena Grado, Amanda Hawse and Lauren Mercy as Directors to the Lancaster Museum and Public Art Foundation Board of Directors (LMPAF), by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

CR 1. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR THE ANTELOPE VALLEY TRANSIT AUTHORITY

Council Member Crist presented the following information:

- The Board recognized Sherry Marquez for her service as an AVTA Board Member representing Lancaster and welcomed Ken Mann to the Board.
- The Board authorized the release of three RFPs - Disaster Recovery Plan and offsite storage, Third Party Drug and Alcohol Oversight Compliance and Architecture and Engineering Services for the Bus Stop Improvement Program.
- The Board awarded contracts to Golden State Labor Compliance for labor compliance services, Telecom West for bus radio upgrades, Veolia Transportation for continued transportation services except for Dial-A-Ride Paratransit Services, Atkinson, Andelson, Loya, Ruud & Romo for Special Legal Services and a change order to Webb Brothers Construction for the Facility Phase II Construction Project.

CR 1. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR THE ANTELOPE VALLEY TRANSIT AUTHORITY (continued)

- The Board awarded the Dial-A-Ride Paratransit Services to American Logistics Company (ALC). The ALC model was established with the goal of providing high quality transportation for special needs passengers in a cost-effective and efficient demand responsive transportation by contracting with local transport service providers. This is a complete shift from the typical Paratransit services and could potentially be revolutionary for Los Angeles County. AVTA expects this change will result in annual savings ranging from \$300,000 to \$500,000. Since the contract sets billing per trip, ALC has an automatic incentive to increase passengers per hour and to build routes with fewer miles which will benefit the customers utilizing these services. AVTA notified the press, sent approximately 5,000 letters to customers, spoke with the Senior Center staff, and performed other outreach to inform current and potential Dial-A-Ride customers of the new services beginning January 1, 2012.
- The AVTA Executive Director gave a comprehensive presentation on funding sources that are available to the AVTA, how they are calculated, their allowable uses and how the revenues are currently being used by the AVTA.
- A Marketing Update was presented to the Board. There have been many press releases and outreach events over the last couple months including participating in the Senior Expo with attendance of approximately 5,000 seniors. Local vendors participated in a vendor fair held at the AVTA office in October, and AVTA staff visited a Preschool where the children were able to sit on the bus and learn about public transportation.
- At the Boards' direction, staff presented for discussion a Bus Advertising Model that included an analysis for using in-house staff compared to using an outside agency for advertising. There was active discussion from the Board surrounding wanting to keep the costs down, but still get the best product as quickly as possible. Also discussed was staff's recommendation for revenue generating banners on AVTA's 73 buses (48 local transit and 25 commuter). The Board discussed wanting to be sure the banners were not cost prohibitive for local businesses and have a duration that would allow target marketing such as for limited time promotional offers. Smaller banners that can be changed frequently might be a good solution. The Board asked for this item to be brought back in January for further discussion.

SANITATION DISTRICT UPDATE

Vice Mayor Smith presented the following update regarding the Sanitation District meetings:

Two meetings ago, the Sanitation District started having their meetings in the Council Chambers at Lancaster City Hall. There is a joint management agreement with 22 other districts and the meetings have always been held in Whittier. Over the last year and a half, a number of the meetings have been held in Lancaster. He made a motion that the meetings be moved to Lancaster City Hall permanently but Palmdale Mayor Ledford refused to make them permanent. Mayor Ledford stated that it was going to cost too much money to have the meetings moved. Vice Mayor Smith had staff do a budgetary analysis and it was determined that it would cost approximately \$200 to have the Secretary come here from Whittier and \$200 from the other district as well. Vice Mayor Smith placed on the agenda that the board waive their stipend to pay for this service but Mayor Ledford would not second the motion. The meetings will not be here permanently but on the dates that the City does host the meetings, the Sanitation District is going to pay the City of Lancaster to film the meeting so that it can be on the air. It is a local agency and the local people deserve to be able to see the meetings here.

The stipend is \$125 per meeting and the board is also paid mileage and this mileage would not be paid if the meetings took place in Lancaster.

Council Member Crist requested clarification regarding the Sanitation District organization and Chairman.

Vice Mayor Smith stated that Mayor Ledford is the Chairman and that is the way it has always been.

Council Member Mann commented that it is not a majority share; it is not balanced; Lancaster has a greater amount.

Vice Mayor Smith stated that Lancaster actually has 85% of the revenue and 85% of the area for the Sanitation District. Palmdale has a very small portion; the County has a small portion and Lancaster only gets one vote. There are sections in the Health and Safety Code that explain how all these things work and there are some glitches with the process. The most important thing is to have the meetings here in Lancaster. There have been a lot of business owners that have attended the meetings here.

Further discussion took place regarding revenues and taxes surrounding the Sanitation District and the reason for having the meeting in Whittier is due to the joint management.

Mayor Parris requested that on the next agenda, an item be placed to discuss how to ensure that the Lancaster Representative acts as the Chairman of the Sanitation District in Lancaster. He requested that the City Attorney look into this matter.

Council Member Crist stated that he agrees they should have some kind of representation and the County needs to participate in this matter.

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SANITATION DISTRICT UPDATE (continued)

Vice Mayor Smith stated that it is interesting the way all the agencies work on this. For example, with one day - 12 agencies represented, they will run through the calendar very quickly with the Board of Supervisor that is present; no public is there and it just happens so quickly and doesn't seem right. The meetings are not as open or transparent as they could be and since having the meetings in Lancaster, none of the Supervisors have attended the meetings.

Further discussion took place regarding the Sanitation District Board; not being able to agree on a meeting location; the Sanitation Plant and costs involved in the building of this using taxpayer's money. The District has a \$100 million budget but they don't want to spend the \$200 to have the meetings in Lancaster.

Council Member Crist inquired as to how to withdraw from the district and form a separate district.

Vice Mayor Smith explained that it is all set by the Health and Safety Code; must go through the Board of Supervisors and presented the background and history of how the district was formed.

Mayor Parris stated that Mr. Ledford should remove himself from the Chairmanship and allow Lancaster to chart its own course.

Mayor Parris requested that the City Manager contact the Chairman of the Sanitation District and invite him to attend the next City Council meeting and report to this Council as to the current status of the Sanitation District.

Mayor Parris requested that on the next agenda, there be an item to discuss that the Sanitation District meetings take place at Lancaster City Hall and that these meetings take place on the same day as the City Council meetings so that he will be able to sit on the Sanitation District Board. It seems ludicrous that he would take the Vice Mayor off of the Sanitation District given that he is very knowledgeable and has a full and complete understanding of this matter, but would like to have himself involved.

RECESS Mayor Parris recessed the meeting at 6:21 p.m. for the purpose of conducting a Closed Session meeting regarding the following matter:

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

(Section 54956.9(a))

CSCNAACP v. City of Lancaster, California

Case Number: 09-11-0954-8

RECONVENE

Mayor Parris reconvened the meeting at 7:05 p.m.

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CITY ATTORNEY ANNOUNCEMENT

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

LANCASTER FINANCING AUTHORITY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

None

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:

Vernon Fierre – pleased with the progress of the current Council; Council must gather information from staff; make difficult decisions. The citizens have a right to disagree with Council decisions but should not portray themselves as disagreeable; wished everyone a very merry Christmas and happy new year.

Reneé Vines – discussed a matter involving his daughter in 2010 at Eastside High School; the school has refused to meet with him and did nothing to help; the issue was swept under the rug; feels there is much hatred in this city and it's not right. Mr. Willington at Eastside High should be fired; he has acted inappropriately. Stated that he will continue to come to these meetings until something is done to resolve this matter.

Mayor Parris explained to Mr. Vines that he and the Council have no authority over the schools or the school districts. He can make a suggestion to Mr. Vierra but truly, his hands are tied, he has no authority.

Darleen Peterson – thanked the City for the Magical BLVD event, she enjoyed it. Related a story of when her son was little and the importance of getting his wish list to Santa Claus.

Jim Barletta – stated his concerns regarding chloramines in the water; importance that Council take a position on this matter.

Further discussion took place and Vice Mayor Smith presented facts regarding this matter.

Michael Rives – stated that difficult times call for protecting citizens; discussed the homeless situation; prisoners being sent to Lancaster; water rates being increased; sanitation fees; measures should be taken to keep fees stable.

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COUNCIL / AGENCY COMMENTS

The City Council wished everyone a Merry Christmas and a Happy New Year.

ADJOURNMENT

Mayor Parris stated that pursuant to action taken by the City Council/ Redevelopment Agency/ Authority on August 9, 2011, there will not be a City Council//Redevelopment Agency/Authority meeting on December 27, 2011.

Mayor Parris adjourned the meeting at 7:32 p.m. and stated that the next regular meeting would take place on Tuesday, January 10, 2012.

PASSED, APPROVED and ADOPTED this _____day of _____, 2012, 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)
