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MVB

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
February 28, 2012**

CALL TO ORDER

Vice Mayor/Vice Chairman Smith called the regular meeting of the City Council/Successor Agency/Financing/Housing/Power Authority to order at 5:03 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 Mann and seconded by Council Member/Authority Member Crist, the City Council/Authority excused Mayor/Chairman Parris from the meeting by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

EXCUSED: Mayor/Chairman Parris

Staff

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

INVOCATION

Joanna DiGiovanna - Spiritual Assembly of the Baha'is of Lancaster

PLEDGE OF ALLEGIANCE

Authority Member Harvey

PRESENTATIONS

- 1) Presentation to Los Angeles County Sheriff Deputy Michael Kuper on his retirement
- 2) S.O.A.R. (Students On Academic Rise) High School Student of the Month – Emani Stanford
- 3) Athlete of the Month – Scott Acton – Desert Christian High School

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PA CC 1. APPROPRIATION OF FUNDS RELATED TO THE LANCASTER POWER AUTHORITY

On a motion by Authority Member Crist and seconded by Authority Member Mann, the Power Authority appropriated \$20,000.00 to Expense Account No. 486-4770-301, \$7,500.00 to Expense Account No. 486-4770-205, and \$2,500.00 to Expense Account No. 486-4770-308 to fund expenses related to Lancaster Power Authority activities, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

These expenditures will be offset by previously budgeted Power Purchase Agreement revenues.

SA NB 1. AMEND FINAL ENFORCEABLE OBLIGATION PAYMENT SCHEDULE AND ADOPT DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE

It was the consensus of the Successor Agency to waive the reading of the staff report regarding this matter.

On a motion by Agency Director Mann and seconded by Agency Director Johnson, the Successor Agency adopted the amended Final Enforceable Obligation Payment Schedule and adopted the Draft Recognized Obligation Payment Schedule for the period February 1, 2012 – June 30, 2012 by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

The Successor Agency is tasked with taking several actions through-out the fiscal year, including adoption of the Final Enforceable Obligation Payment Schedule and Draft Recognized Obligation Payment Schedule. These schedules provide detail of the enforceable obligations of the Lancaster Redevelopment Agency, and as a result of the dissolution, those that have been taken by the Lancaster Successor Agency.

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/Power Authority Regular Meeting minutes of February 14, 2012, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

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CITY COUNCIL CONSENT CALENDAR

Addressing the City Council regarding the Consent Calendar:

Michael Rives – concerns regarding the salaries paid under Item No. CC 4.

On a motion by Council Member Crist and seconded by Council Member Johnson, the City Council approved the Council Consent Calendar 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 January 27, 2012 through February 11, 2012 in the amount of \$2,339,980.04.

At each regular City Council Meeting, the City Council is presented with the financial claims (invoices) against the City for purchase of materials, supplies, services, and capital projects for checks and wires issued the prior two to three weeks. This process provides the City Council the opportunity to review the expenses of the City. The justifying backup for each expenditure is available in the Finance Department.

CC 3. ORDINANCE NO. 976

Adopted **Ordinance No. 976**, an ordinance of the City Council of the City of Lancaster, California, amending Chapter 3.32 of the Lancaster Municipal Code relating to a Purchasing System.

The purpose of the update to the current Purchasing Ordinance is to reflect modern best procurement practices, improve accountability, clarify and establish procurement policy, and implement changes in the law since the adoption of the last Purchasing Ordinance.

CC 4. RESOLUTION NO. 12-13

Adopted **Resolution No. 12-13**, amending Resolution No. 10-47 creating and adding the classifications of Senior Projects Coordinator, Projects Coordinator, and Projects Assistant to the compensation schedule.

With the abolition of the Lancaster Redevelopment Agency, the titles of Senior Redevelopment Projects Coordinator, Redevelopment Projects Coordinator, and Redevelopment Assistant should be changed to Senior Projects Coordinator, Projects Coordinator, and Projects Assistant respectively.

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CC 5. APPROPRIATION OF GRANT FUNDS

Approved the appropriation of \$301,531.00 in grant funds from the California Integrated Waste Management Board 2011/12 Illegal Disposal Sites Abatement Grant Program to Revenue Account No. 330-3304-300 and corresponding Expense Account No. 330-4755-770.

The City of Lancaster was awarded \$301,531.00 in grant funds from the California Integrated Waste Management Board (CIWMB) from 2012 to 2015 to fund an Illegal Disposal Sites Abatement program. These funds will be used for illegal dumping activities to respond to and remove illegally dumped material.

CC 6. DELEGATE APPOINTMENTS FOR SCAG GENERAL ASSEMBLY

Approved Mayor Parris as the voting delegate and Vice Mayor Smith as the voting alternate to represent the City at the Southern California Association of Government (SCAG)'s General Assembly April 4-5, 2012 in Los Angeles, CA.

CC 7. RESOLUTION NO. 12-14

Adopted **Resolution No. 12-14**, amending Resolution No. 83-10 by incorporating fact-finding as an impasse resolution process mandated by AB 646.

On October 9, 2011, Governor Brown signed AB 646 into law. This statute amends the MMBA (Meyers-Milias-Brown Act) by mandating fact-finding as an impasse resolution process.

JNB 1. GENERAL FUND BUDGET AND LANCASTER SUCCESSOR AGENCY BUDGET FOR THE PERIOD OF 02/01/12-06/30/12

The Assistant Finance Director presented the staff report regarding this matter.

Addressing the City Council/Successor Agency on this matter:
Michael Rives – concerns regarding salaries within the budget.

On a motion by Council Member Mann and seconded by Council Member Johnson, the City Council adopted the General Fund budget for the period 02/01/12-06/30/12 as shown in the attachment to the staff report, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

Sufficient revenues are being generated by the Lancaster Business Park and Incubator building rent to fund the proposed general fund expenditures.

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JNB 1. GENERAL FUND BUDGET AND LANCASTER SUCCESSOR AGENCY BUDGET FOR THE PERIOD OF 02/01/12-06/30/12 (continued)

On a motion by Agency Director Mann and seconded by Agency Director Johnson, the Successor Agency adopted the Lancaster Successor Agency Budget for the period 02/01/12-06/30/12 as shown in the attachment to the staff report, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

Sufficient funds are available from Property Tax Revenues and Lancaster Redevelopment Agency Fund Balance to fund the proposed Successor Agency expenditures. With the Supreme Court decision to uphold AB x1 26, effective 02/01/12 the Lancaster Redevelopment Agency is no longer in existence. This creates the need to adopt a budget for the Lancaster Successor Agency to fund operations through 06/30/2012.

NB 1. LANCASTER PERFORMING ARTS CENTER FOUNDATION – BYLAW CHANGES

The Parks, Recreation and Arts Director 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 Mann and seconded by Council Member Johnson, the City Council approved the recommended changes to the Bylaws for the Lancaster Performing Arts Center Foundation, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

At their meeting on January 18, 2012, the Directors of the Lancaster Performing Arts Center Foundation unanimously approved the proposed revisions to the Foundation's Bylaws. The recommended changes modify the manner in which the Directors and the Officers of the Board are appointed as well as their term of office.

CA 1. APPOINTMENTS OF CASSANDRA HARVEY AND ELIZABETH BRUBAKER TO THE SUCCESSOR AGENCY OVERSIGHT BOARD

Vice Mayor Smith stated that this item is on the agenda at the request of Mayor Parris.

On a motion by Council Member Crist and seconded by Council Member Mann, the City Council approved the appointments of Cassandra Harvey and Elizabeth Brubaker to the Oversight Board by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

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CA 2. APPOINTMENT OF DIANA COOK TO THE LANCASTER PLANNING COMMISSION

Vice Mayor Smith stated that this item is on the agenda at the request of Mayor Parris.

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved the appointment of Diana Cook to the Lancaster Planning Commission, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

CA 3. APPOINTMENT OF LINDA LAWSON TO THE LANCASTER NEIGHBORHOOD VITALIZATION COMMISSION

Vice Mayor Smith stated that this item is on the agenda at the request of Mayor Parris.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved the appointment of Linda Lawson to the Lancaster Neighborhood Vitalization Commission, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: None; ABSENT: Parris

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:

David Paul – Stated that he enjoyed the Board of Trade Luncheon; enjoyed conversing with many different leaders within the community; thanked Deputy Kuper for his service to the community; looking forward to the future.

COUNCIL / AGENCY COMMENTS

None

RECESS Vice Mayor Smith recessed the meeting at 5:38 p.m. for the purpose of conducting a Closed Session regarding the following matter (s):

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CLOSED SESSION

Conference with legal counsel--existing litigation (Government Code Section 54956.9(a))

- Sinn v. County of Los Angeles, the City of Lancaster, et al. (Los Angeles Superior court Case No. MC 022152)
- CSCNAACP v. City of Lancaster, California Case Number: 09-11-0954-8
- Mongols Nation Motorcycle Club v. City of Lancaster, et al. Case No. BC439791
- Miracle Star Women's Recovering Community, Inc. et al. v. City of Lancaster, et al. LASC Case No. MC 020079
- Antelope Valley Allied Arts Association et al v. Lancaster et al, Los Angeles Superior Court Case No. BC45017
- Rubin v. Lancaster - United States District Court Case No. CV 10-4046 DSF (JCx) Government Code Section 54956.9(a)

- **ANTELOPE VALLEY GROUNDWATER CASES**

Included Actions:

Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.
Superior Court of California, County of Los Angeles, Case No. BC325201;

Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.
Superior Court of California, County of Kern, Case No. S-1500-CV-254-348

Wm. Bolthouse Farms, Inc. v. City of Lancaster, Diamond Farming Co. v. City of Lancaster, Diamond Farming Co. v. Palmdale Water Dist.,
Superior Court of California County of Riverside, consolidated actions;
Case Nos. RIC 353 840, RIC 344 436, RIC 344 668

Santa Clara Case No. 1-05-CV 049053

RECONVENE Vice Mayor Smith reconvened the meeting at 5:54 p.m.

CITY ATTORNEY ANNOUNCEMENT

The Deputy City Attorney announced that the City Council met in Closed Session regarding the aforementioned matter (s) and gave direction to legal counsel regarding this matter. A settlement has been reached regarding Sinn v. County of Los Angeles, the City of Lancaster, et al. (Los Angeles Superior Court Case No. MC 022152).

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ADJOURNMENT

Vice Mayor Smith adjourned the meeting at 5:55 p.m. and stated that the next regular meeting would take place on Tuesday, March 13, 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/
SECRETARY
Lancaster, CA

R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

CERTIFICATION OF MINUTES

CITY COUNCIL/SUCCESSOR AGENCY/FINANCING/POWER AUTHORITY

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