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05/22/12
MVB

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
May 8, 2012**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:03 p.m.

ADMINISTER OATH OF OFFICE TO NEW MAYOR ELECT

At this time, the City Clerk administered the Oath of Office to Mayor Elect Parris

ROLL CALL

PRESENT: Council Members/Authority Members: Crist, Johnson, Vice Mayor/Vice Chair Smith, Mayor/Chair Parris

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

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

Pastor Jim Roberts, Grace Evangelical Church

PLEDGE OF ALLEGIANCE

Vice Mayor/Vice Chair Smith

PRESENTATIONS

1) Recognition of the Antelope Valley Children's Choir
Presenter: Mayor Parris

2) Louis V. Bozigian Gift of the Arts Award – Kara Slocum
Presenter: Vice Mayor Smith

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RECESS: Mayor Parris requested a brief recess at 5:19 p.m.

RECONVENE: Mayor Parris reconvened the meeting at 5:25 p.m.

ITEMS TO BE REMOVED

None

M 1. MINUTES

On a motion by Council Member/Authority Member Crist and seconded by Council Member/Authority Member Johnson, the City Council/Authority voted on the City Council/Financing/Power Authority Regular Meeting minutes of April 24, 2012, by the following vote: 2-0-2-1; AYES: Crist, Johnson; NOES: None; ABSTAIN: Smith, Parris; ABSENT: Mann

The motion did not pass and it was the consensus of the City Council/Authority, to continue the minutes to the meeting of May 22, 2012.

CONSENT CALENDAR

Addressing the City Council on the Consent Calendar:

Michael Rives – suggested a running draft agenda be available to the public before it is finalized. Regarding Item No. CC 2 – stated his concerns regarding payment of dues to two unions and requested clarification.

The City Manager stated that this issue has been discussed with Mr. Rives in the past. Union dues are collected from those employees who are a part of a Union; dues are then sent to their Unions. The City does not pay these dues; they are collecting them and transferring them to the Unions.

Council Member/Authority Member Johnson stated that she would need to recuse herself from Item No. CC 2, due to the fact that the City paid the University of Antelope Valley \$49.00 for CPR classes and she has a financial interest in the University.

Item No. CC 2 was pulled for separate action.

On a motion by Council Member/Authority Member Crist and seconded by Vice Mayor/Vice Chair Smith, the City Council approved the Consent Calendar, with the exception of Item No. CC 2, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

CC 1. ORDINANCE WAIVER

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

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At this time, Council Member/Authority Member Johnson left the dais.

CC 2. WARRANT REGISTER

This item was continued from the meeting of April 24, 2012.

On a motion by Council Member/Authority Member Crist and seconded by Vice Mayor/Vice Chair Smith, the City Council approved the Check and Wire Registers for March 11, 2012 through April 7, 2012 in the amount of \$5,039,737.60, by the following vote: 3-0-1-1; AYES: Crist, Smith, Parris; NOES: None; RECUSED: Johnson; ABSENT: Mann

At this time, Council Member/Authority Member Johnson returned to the dais.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers for April 8, 2012 through April 21, 2012 in the amount of \$4,294,852.93.

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 4. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the March, 2012, Monthly Report of Investments as submitted.

Each month, the Finance Department prepares a report listing the investments for all the separate entities under jurisdiction of the City as identified in the City's Comprehensive Annual Financial Report. These component units include: the City of Lancaster, the former Lancaster Redevelopment Agency, and the Lancaster Housing Authority.

CC 5. ACCEPTANCE OF MAP AND DEDICATIONS

Approved the map and accepted the dedications as offered on the map; Parcel Map No. 71248, located on the northwest corner of 57th Street West and Avenue L-8, owned by the Yvonne Lane; 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; and 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 Final Map is in substantial conformance with the approved tentative map. Parcel Map No. 71248 has been examined by the City Engineer and is ready for Council approval.

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CC 6. APPROPRIATION OF GRANT FUNDS

Approved the additional appropriation of \$10,613.78 in Grant Funds from the Cycle 15 California Integrated Waste Management Board Used Oil Grant to Revenue Account No. 331-3306-778 and corresponding Expense Account No. 331-4740-778.

The City of Lancaster is awarded Used Oil Grant Funds on an annual basis from the California Integrated Waste Management Board (CIWMB) to fund education and awareness programs for the proper disposal of used oil and to provide opportunities for citizens to dispose of their used oil at certified collection centers. In 2010, the City did not expend the full grant amount it was awarded. This has resulted in \$10,613.78 in grant funding available to the City. The appropriation of this funding will allow the City to expend the remainder of our awarded grant funding towards eligible oil recycling activities in accordance with the guidelines set forth by CIWMB.

CC 7. SUB-RECIPIENT AGREEMENT WITH THE HOUSING RIGHTS CENTER

Approved the Sub-Recipient Agreement between the City of Lancaster and the Housing Rights Center to provide fair housing services to the residents of Lancaster for the 2012 Community Development Block Grant (CDBG) Program Year.

The City's existing Sub-Recipient Agreement ("Agreement") with the Housing Rights Center stipulates under Section 9 that the Agreement can be renewed on an annual basis (July 1 through June 30), by the mutual written consent of both parties. As a result, a letter was received from the Executive Director of the Housing Rights Center, dated February 13, 2012, stating their desire to continue to provide fair housing services to the City of Lancaster.

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PH 1. GENERAL PLAN AMENDMENT 12-01 AND ZONE CHANGE 12-01, A TOTAL OF 64± GROSS ACRES, AS FOLLOWS: 9± GROSS ACRES AT THE NORTHEAST CORNER OF 3RD STREET EAST AND KETTERING STREET (SITE 1); 55± GROSS ACRES AT THE SOUTHEAST CORNER OF DIVISION STREET AND AVENUE H-8 (SITE 2).

Mayor Parris opened the Public Hearing. The Planning Director presented the staff report regarding this matter.

Addressing the City Council on this matter:

Michael Rives – concerns for public health and welfare; suggested that Council look at alternative sites.

Nicole Parson – opposed to this action; discussed Avenue I issues; property taxes; industrial zones; soil erosion; offered new alternatives.

Gary Burgess – in favor of solar power; suggested that Council consider building the panels in the same fashion as the panels at City Hall; this will allow the land beneath them to be open and used for parking in the future; do not waste the land space.

Council Member Johnson stated her concerns regarding the vision of the property; how it will look and requested further information from Brian Glidden, representing Arrow Engineering and U.S. TOPCO

Mr. Glidden stated that there will be a ten-foot landscape strip all the way around; wrought iron and metal fencing will be included to screen the panels and the panels will be ground-mounted, close to the ground.

Council Member Johnson inquired as to any danger regarding the panels and natural sun.

Mr. Glidden stated that he could not comment on this but that he had not heard of any issues/dangers regarding this matter.

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

On a motion by Council Member Johnson and seconded by Vice Mayor Smith, the City Council adopted **Resolution No. 12-21**, amending the General Plan land use designation on the subject properties from a combination of UR (Urban Residential, 2.1 to 6.5 dwelling units per acre), O (Open Space), C (Commercial), and OP (Office Professional), to P (Public Use) and UR (Urban Residential), by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

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PH 1. GENERAL PLAN AMENDMENT 12-01 AND ZONE CHANGE 12-01, A TOTAL OF 64± GROSS ACRES, AS FOLLOWS: 9± GROSS ACRES AT THE NORTHEAST CORNER OF 3RD STREET EAST AND KETTERING STREET (SITE 1); 55± GROSS ACRES AT THE SOUTHEAST CORNER OF DIVISION STREET AND AVENUE H-8 (SITE 2) (continued)

On a motion by Council Member Johnson and seconded by Vice Mayor Smith, the City Council introduced **Ordinance No. 978**, rezoning the subject properties from a combination of R-7,000 (single family residential, one dwelling unit per 7,000 square feet), PK (Park), CPD (Commercial Planned Development), S (School), and OP (Office Professional), to P (Public Use) and R-7,000, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

The Lancaster Power Authority (LPA) entered into a Master Solar Power Purchase and Sale Agreement with US Topco Energy, LLC, on June 28, 2011, to produce up to 200 MW of solar energy. As part of this agreement, these two sites, owned by the City of Lancaster, were identified for consideration. Site 1 is a vacant site, approximately 9 acres, located at the northeast corner of Kettering Street and 3rd Street East. Site 2 is approximately 16 acres, located at the southeast corner of Division Street and Avenue H-8, and is a portion of the former fairgrounds.

NB 1. APPROVAL OF AVTA AMENDED AND RESTATED JPA

The Management Analyst for the City presented the staff report.

Addressing the City Council on this matter:

Nicole Parson – concerns regarding AVTA budget; concerns regarding voting powers; discussed travel routes.

Michael Rives – opposed to this action; concerns regarding the Board of Directors; discussed shuttle fleets.

On a motion by Council Member Crist and seconded by Council Member Johnson, the City Council approve the Antelope Valley Transit Authority (AVTA) Amended and Restated Joint Exercise of Powers Agreement between the County of Los Angeles, the City of Palmdale, and the City of Lancaster creating an agency to be known as the Antelope Valley Transit Authority and authorized the City Manager or his designee to sign the agreement, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

This action is to amend and restate the original agreement to be in compliance with State law by designating the member jurisdiction whose statutory mode applies to the AVTA, to revise provisions regarding the Executive Director's spending limit authority, and to eliminate provisions allowing for the involuntary termination of a member by the other members.

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NB 2. COUNCIL MEMBER COMMITTEE ASSIGNMENTS

It was the consensus of the City Council to continue this matter to the meeting of May 22, 2012.

As part of the reorganization of the City Council, there are legislative bodies that require by statute or by agreement (i.e. JPA) appointments to committees and/or organizations by the Council.

CA 1. DISCUSSION OF PLANNING COMMISSION APPOINTMENTS AND COUNCIL POSITION NOMINATIONS

Mayor Parris stated that it would be his intent to nominate and appoint six of the current seven Planning Commissioners at the meeting of May 22, 2012. He also stated that due to the fact that Dan Jacobs has stated that he will be unable to continue as a Planning Commissioner, he would be nominating Sandy Smith as a Planning Commissioner as well.

CA 2. DISCUSSION OF HIGH DESERT POWER AUTHORITY'S BOARD OF DIRECTOR'S APPOINTMENTS

Mayor Parris requested clarification from the City Manager on this matter. The Deputy City Manager stated that the HDPa was formed as a partnership between the City of Pittsburg and the City of Lancaster. There are rotating three appointments and two appointments. The City of Pittsburg appointed three and the City of Lancaster is to appoint two; this will reverse next year.

Mayor Parris stated that he intends to nominate Kitty Szeto and Brett Hawse to the High Desert Power Authority Board at the meeting of May 22, 2012.

CR 1. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR DISTRICT NO. 14 OF THE COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY – MARCH 22, 2012 MEETING

Vice Mayor Smith presented the following information:

- At the March 22, 2012, special meeting, Sanitation District staff gave the Board of Directors and members of the public a guided tour of the newly constructed facilities at the Lancaster Water Reclamation Plant. The Plant is scheduled to commence operations in three-four months time. The Board meeting followed the tour and the Board of Directors considered the following agenda items:

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CR 1. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR DISTRICT NO. 14 OF THE COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY – MARCH 22, 2012 MEETING (continued)

- Approved a Recycled Water and Lease Agreement with Progress Farms for Agricultural Reuse of Recycled Water in Accordance with all Applicable Regulations and Requirements on 2,880 acres of Sanitation District Property at the Lancaster Water Reclamation Plant (WRP) Eastern Agricultural Site (EAS). The District released the RFP to approximately 40 local entities and received six proposals, with Progress Farms having submitted the highest ranking proposal overall. Progress Farms proposed to pay the District, on an annual basis, \$145 per acre of leased land and, per the RFP, \$35 per acre-foot of recycled water to cover delivery costs. The proposed Agreement provides for a lease term of July 1, 2012 through October 31, 2017, for Progress Farms who, during this time, will provide the District with approximately \$4.25 million.
- The Board authorized issuance of Purchase Order to Cascade Earth Sciences in amount of approximately \$764,000 to Provide Agricultural Consulting Services and Vadose Zone Monitoring System Maintenance at Lancaster and Palmdale Water Reclamation Plants (WRPs) Agricultural Reuse Sites and Storage Reservoirs. The California Regional Water Quality Control Board, Lahontan Region permits require that moisture in the soil above the groundwater table (vadose zone) be monitored at the Lancaster and Palmdale WRPs' agricultural reuse sites and storage reservoirs.
- In addition, the Regional Board requires the Districts to develop a program to manage agricultural operations near the Lancaster and Palmdale WRPs in a manner that assures application of recycled water is at or below agronomic rates, and to conduct monitoring and reporting by a qualified agricultural expert to demonstrate compliance with the permit requirements. Proposals for these tasks were solicited from seven firms and two proposals were received. Cascade Earth Sciences was ranked as the most qualified to provide the required services and provided a cost-effective proposal. The total cost of approximately \$764,000 is required to provide these services from April 1, 2012 through December 31, 2014. The cost will be apportioned as follows: (1) District No. 14 approximately \$301,000 and (2) District No. 20 approximately \$463,000.
- The Board approved Change Order No. 41 to Contract No. 4328 with Taisei-T&K Joint Venture, for Construction of Lancaster Water Reclamation Plant Stage Five Plant Expansion–Phase I, Resulting in Payment of \$228,600 for Extra Work. The original bid for the plant expansion was \$143M. Change orders for this project have totaled \$2M so far.

CR 2. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR DISTRICT NO. 14 OF THE COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY – APRIL 19, 2012 MEETING

Vice Mayor Smith presented the following information:

- Approved warrants in the amount of \$273,168.99. The warrants issued by the District are for costs incurred for operation and maintenance, such as electricity, water, telephone, and chemicals, and for relatively small capital projects. Expenditures are made in accordance with the guidelines established by the budget procedure and the purchasing policy that has been adopted by the Board.
- Approved a departmental invoice in the amount of \$981,000.49. The invoice is an internal document that transfers each District's proportionate share of expenditures made by District No. 2, the administrative District, on behalf of the participating Districts in accordance with the authority granted through the approved annual budget and applicable joint powers agreement.
- Awarded the contract for construction of the 55th Street West Relief Trunk Sewer, Section I to Downing Construction, Inc., the low bidder, in the amount of \$651,234. The engineer's estimate was \$1,000,000. This sewer line will run from approximately Avenue L-8 to Avenue M.
- The Board deferred to another date the order of a wastewater service charge report containing a description of each parcel and amount of proposed wastewater service charges for fiscal year 2012-2013, for each parcel. A public hearing on the report, proposed rates, and the proposed collection amounts on the County tax roll will be scheduled next month.

Addressing the City Council on Sanitation District issues:

Michael Rives – praised Vice Mayor Smith for his hard work on the Sanitation District Board; the City should mitigate the fees to the homeowners; discussed water usage.

Nicole Parson – discussed business office zones; buffer zones; business zones should be exempt from the taxes; discussed rent stabilization; submitted documents with her concerns.

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LANCASTER SUCCESSOR AGENCY

No action required at this time.

LANCASTER FINANCING 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 there is a fire between the 14 Freeway and Via Princessa/Agua Dulce, therefore Metrolink service is suspended and they are conducting bus services for the people on the train.

The City Manager stated that cards were given on behalf of the Indian Sage Impact Home stating that they prayed for everyone concerned and it is much appreciated; prayer works.

Discussed the Grand Opening of Lancaster's Museum of Art and History (MOAH); the community deserves the credit; so much needed to be completed immediately after the Poppy Festival and MOAH was nowhere near ready to open. The Foundation was incredible and staff performed two months of work in five days; it was a spectacular event; a great evening and a brief video was shown regarding the event.

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 – Congratulated Mayor Parris on his victory in the election; thanked him for officiating the meetings; it is exciting to live here and participate in local government issues.

COUNCIL / AGENCY COMMENTS

Council Member Crist stated that the Antelope Valley Transit Authority tentatively reached an agreement and service/work stoppage should not be happening after all.

CLOSED SESSION

None

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ADJOURNMENT

Mayor Parris adjourned the meeting at 6:11 p.m. and stated that the next regular meeting would take place on Tuesday, May 22, 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/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)
