

RESOLUTION NO. 13-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, ADOPTING THE PROPOSED CITY OF LANCASTER FISCAL YEAR 2013/14 GENERAL FUND OPERATING BUDGET, SPECIAL FUNDS BUDGET, AND CAPITAL IMPROVEMENTS BUDGET, AS SPECIFIED IN THE STAFF REPORT AND BUDGET DOCUMENT

WHEREAS, the City Council has reviewed the proposed Fiscal Year 2013-14 Budget, and held a Public Hearing regarding the adoption of the budget on June 11, 2013, as amended in Attachment A, and listed below:

City Council	\$ 140,530
City Manager's Office	1,295,065
Administrative Services	7,318,825
Public Safety Administration	904,740
Public Safety Operations	23,906,255
City Attorney	400,000
City Clerk	676,800
Human Resources & Risk Mgmt	1,978,470
Finance	4,360,530
Parks, Recreation & Arts	11,961,415
Housing & Neighborhood Revitalization	5,408,781
Public Works/Development Svcs	<u>26,297,000</u>
Operations Budget	\$ 84,648,411
Capital Improvement Projects	<u>22,139,222</u>
Total City of Lancaster Budget	<u>\$106,787,633</u>
General Fund	\$52,320,911
Special Revenue Funds	26,406,832
Maintenance Districts	12,057,601
Capital Replacement Fund	109,435
Special Reserves	1,595,210
Lancaster Performing Arts Center	1,749,400
Lancaster Community Services Foundation	78,250
Developer Fee Funds	6,095,966
Lancaster Housing Authority	2,580,218
Lancaster Power Authority	<u>3,793,810</u>
Total City of Lancaster Budget	<u>\$ 106,787,633</u>

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER AS FOLLOWS:

Section 1. The City of Lancaster Fiscal Year 2013-14 General Fund Operating Budget, Special Funds Budget, and Capital Improvements Budget, as specified in the Staff Report and Budget Document are hereby adopted, as amended in Attachment A.

Section 2. Interfund transfers, are hereby approved and incorporated into the Fiscal Year 2013-14 budget.

Section 3. Workforce Analysis is approved, establishing position counts for fiscal year 2013-14, as amended on Attachment A.

Section 4. Unused appropriations at the end of Fiscal Year 2012-13 for capital projects, special projects, and grant programs for programs and projects that are unfinished and continuing into Fiscal Year 2013-14 shall be carried forward and become part of the Fiscal Year 2013-14 budget.

Section 5. The Mayor and the City Manager are authorized and directed to enter into any agreements and to execute any documents as may be necessary or advisable to implement the provisions of this budget.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Resolution No. 13-29, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____.

(seal)

FY 2013/14 Proposed Budget Adjustments

REVENUES:

101	3409200	After School Grant	(80,000.00)	Increase for CARES Grant
261	3301100	Ave L &Challenger Roundabout	(19,000.00)	County Reimbursement
261	3308100	LA County Arts Commission Grant	(1,700.00)	Free Concerts in Public Places Grant
361	3380100	CDBG Grant	(18,375.00)	Increase to match grant allocation

EXPENDITURES:

101	4670112	Temporary Salaries	80,000.00	Increase for CARES Grant
101	4820354	Sheriff Contract	234,130.00	Adjust to final contract
101	4820357	Contract Liability	9,365.00	Adjust to final contract
261	4680770	LA County Arts Commission Grant	1,700.00	Free Concerts in Public Places Grant
261	16ST003924	Ave L &Challenger Roundabout	19,000.00	County Reimbursement
306	4542101	Salaries	24,968.00	Reallocate Staff Costs
361	4541101	Salaries	(24,968.00)	Reallocate Staff Costs
361	4541773	ADA Emergency Access. Grant	21,672.00	Increase to match action plan
361	4541774	Veteran's Rehabilitation Grant	21,671.00	Increase to match action plan
480	4755101	Salaries	132,160.00	Reallocate Staff Costs
480	4755121	Other Benefits	2,280.00	Reallocate Staff Costs
480	4755122	PERS	31,085.00	Reallocate Staff Costs
480	4755124	Health Benefits	31,000.00	Reallocate Staff Costs
480	4755125	Worker's Comp	4,700.00	Reallocate Staff Costs
480	4755129	Deferred Comp	(1,970.00)	Reallocate Staff Costs
482	4747101	Salaries	13,816.00	Reallocate Staff Costs
482	4747121	Other Benefits	710.00	Reallocate Staff Costs
482	4747122	PERS	3,470.00	Reallocate Staff Costs
482	4747124	Health Benefits	(995.00)	Reallocate Staff Costs
482	4747125	Worker's Comp	525.00	Reallocate Staff Costs
482	4747129	Deferred Comp	7,125.00	Reallocate Staff Costs
484	4743101	Salaries	(145,975.00)	Reallocate Staff Costs
484	4743121	Other Benefits	(5,750.00)	Reallocate Staff Costs
484	4743122	PERS	(34,555.00)	Reallocate Staff Costs
484	4743124	Health Benefits	(30,005.00)	Reallocate Staff Costs
484	4743125	Worker's Comp	(5,225.00)	Reallocate Staff Costs
484	4743129	Deferred Comp	(5,155.00)	Reallocate Staff Costs

ADJUSTMENT TO WORKFORCE

Housing & Neighborhood Revitalization:

Sr. Code Enforcement Officer	-1
Code Enforcement Officer II	+1

RESOLUTION NO. 13-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LANCASTER, CALIFORNIA, ESTABLISHING THE ANNUAL
APPROPRIATIONS LIMIT FOR FISCAL YEAR 2013/14

WHEREAS, the voters of California, on November 6, 1979, added Article XIII B to the State Constitution placing various limitations on the appropriations of the state and local governments; and

WHEREAS, Article XIII B provides that the appropriations limit for the Fiscal Year 2013-14 is to be calculated by adjusting the appropriations limit of the previous fiscal year for changes in the cost of living and population; and

WHEREAS, the information necessary for making these adjustments is found in Exhibit "A", attached hereto and made a part hereof by reference; and

WHEREAS, the City of Lancaster has complied with all the provisions of Article XIII B in determining the appropriations limit for Fiscal Year 2013-14.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER AS FOLLOWS:

Section 1. The appropriations subject to limitation for the City of Lancaster in Fiscal Year 2013/14 shall be \$163,613,543.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Resolution No. 13-30, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)

EXHIBIT "A"

Resolution No. 13-30

**CALCULATIONS FOR DETERMINING THE CITY OF LANCASTER
APPROPRIATIONS LIMIT FOR FISCAL YEAR 2013-2014**

Appropriations Limit Fiscal 2011-2012 (population 152,014)	\$ 148,401,994
Change in California Per-Capita Income	3.77%
Change in population for the City of Lancaster (152,792/152,014)	0.51%
Calculation Factor (1.0377 X 1.0325)	<u>1.043010896</u>
APPROPRIATIONS SUBJECT TO LIMIT FISCAL YEAR 2012-2013	<u>\$ 154,784,897</u>

Appropriations Limit Fiscal 2012-2013 (population 153,717*)	\$ 154,784,897
Change in California Per-Capita Income	5.12%
Change in population for the City of Lancaster (*153,717/152,868)	0.56%
Calculation Factor (1.0377 X 1.0051)	<u>1.057038166</u>
APPROPRIATIONS SUBJECT TO LIMIT FISCAL YEAR 2013-2014	<u>\$ 163,613,543</u>

* Annual Population Minus Exclusions

January 1, 2012 157,826-4958=152,868 based on DOF estimate

January 1, 2013 158,630-4913=153,717 based on DOF estimate

RESOLUTION NO. 13-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING RESOLUTION 12-37 BY ESTABLISHING A COMPENSATION SCHEDULE FOR VARIOUS CLASSIFICATIONS OF EMPLOYEES OF THE CITY.

WHEREAS, the City Council is desirous of amending the Compensation Schedule for various classifications of employees of the City.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER DOES HEREBY RESOLVE, DETERMINE AND FIND AS FOLLOWS;

Section 1. A Compensation Schedule is hereby established for employees of the City of Lancaster in any of the adopted Classifications.

Section 2. The pay rates for the following General classes in the competitive service are established in the Compensation Schedule as follows:

<u>Classification</u>	Range	Approximate Monthly Salary	
		Effective 07/13	Effective 07/14
Human Resources Assistant*	44	4,277-5,752	4,383-5,895
Claims Assistant	44	4,277-5752	4,383-5,895

Section 3. The following General classes in the competitive service are hereby removed from the Compensation Schedule as follows:

<u>Classification</u>	Range	Approximate Monthly Salary	
		Effective 07/13	Effective 07/14
General Services Aide	29	2,953-3,971	3,027-4,071
Maintenance Worker II	35	3,424-4,605	3,510-4,721

Section 4. The pay rate for the following Professional/Supervisory class in the competitive service is established in the Compensation Schedule as follows:

<u>Classification</u>	Range	Approximate Monthly Salary	
		Effective 07/13	Effective 07/14
Environmental Compliance Officer	52	5,211-7,008	5,341-7,183

Section 5. The following Professional/Supervisory classes in the competitive service are hereby removed from the Compensation Schedule as follows:

<u>Classification</u>	Range	Approximate Monthly Salary	
		Effective 07/13	Effective 07/14
Neighborhood Community Bldg Technician	44	4,277-5,752	4,383-5,895
Human Resources Technician*	44	4,277-5,752	4,383-5,895

Section 6. The pay rate for the following Mid-Management classes is established in the Compensation Schedule as follows:

<u>Classification</u>	Approximate Monthly Salary	
	Effective 07/13	Effective 07/14
Assistant Parks, Recreation & Arts Director	7,552-10,7950	7,741-11,224

Section 7. The following Mid-Management class in the competitive service is hereby removed from the Compensation Schedule as follows:

<u>Classification</u>	Approximate Monthly Salary	
	Effective 07/13	Effective 07/14
Loss Control Analyst	5,345-7,483	5,478-7,670
Neighborhood Community Building Manager	6,353-8,894	6,512-9,117

Section 8. Continuation of Basic Benefits. All other existing benefits for General, Professional/Supervisory, Mid-Management and Executive Management employees not conflicting with the above changes shall remain in effect until changed by the City through appropriate City Council action.

Section 9. Any Resolutions in conflict with provisions stated herein shall be considered superseded by the provisions contained within this Resolution.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Resolution No. 13-31, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)

RESOLUTION NO. 13-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE FINAL BUDGET FOR FISCAL YEAR 2012/2013

WHEREAS, the budget for fiscal year 2012/2013 was adopted by Resolution 12-35 on June 26 2012; and

WHEREAS, it is appropriate to amend the adopted budget, in accordance with proper governmental accounting and financial reporting practices; and

WHEREAS, funds are available, as designated in the requested action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER AS FOLLOWS:

Section 1. The fiscal year 2012-2013 adopted budget is amended as detailed in Attachment A.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Resolution No. 13-32, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)

**Year End Budget Adjustments
FY 2012/13**

EXPENDITURE ADJUSTMENTS:

101	4320260	Insurance Expense	100,000.00	Update to actual Insurance costs
101	4330998	Other Financing Uses	352,251.08	Record Loans from City to Successor Agency
101	4400303	Attorney Fees	500,000.00	Adjust to Current Estimate
101	4545303	Attorney Fees	300,000.00	Adjust for Code Enforcement Activity
101	4547902	Lanc Business Park	90,000.00	Record Lancaster Business Park Maint. Costs
104	4631763	Replace Equipment	9,265.70	Replacement of Pump
106	4999101	Transfers out to GF	31,000.00	Transfer Funds for Marketing
206	4999206	Transfers out to Gas Tax	289,400.00	Adjust to Actual Road Maint Costs
207	4634112	Salaries	8,000.00	Adjust for actual Transfer Station Maint
207	4634402	Maintenance Svcs	7,000.00	Adjust for actual Transfer Station Maint
217	4999261	Transfers Out	4,649.00	Fund Ave N & 30th @ Signal Shortfall
227	4999215	Transfers out	338,481.64	Fund project shortfall
227	4999219	Transfers Out	33,793.47	Clear Negative Fund Balance
227	4999263	Transfers Out	153,360.00	Fund PDW Pavilion
227	4999320	Transfers Out	6,388.98	Fund PDW Pavilion
251	4712101	Salaries	83,000.00	Adjust to actual salary costs
261	4680770	LA County Arts Comm	1,100.00	Budget LA County Arts Comm Grant
261	4999217	Transfers Out	206,382.63	Correct Split for K & 45th W Signal
302	4999301	Transfers Out	40,506.36	Adjust to actual transfers
306	4542409	Desert Sand MHP Ops	500,000.00	Budget Desert Sand MHP Ops.
306	4542903	Relocation Costs	10,000.00	Adjust to actual relocation expenses
306	4999992	Transfer to Debt Svc	300,000.00	Adjust to actual debt service transfer
315	4634770	Private Tree Grant	367.65	Budget expenses for Private Tree Grant
324	4824770	OTS Grant - Sobriety Check	59,662.45	Budget for OTS Grant
363	4542101	Salaries	102,000.00	Budget NSP Grant Salary Expenses
363	4542771	NSP 3 Expense	4,300.00	Budget NSP 3 Grant Expenses
363	4542772	NSP 3.1 Acq & Rehab Exp	20,000.00	Budget NSP 3.1 Acq & Rehab Exp
363	4542773	NSP 3.2 Acq & Rehab	9,000.00	Budget NSP 3.2 Acq & Rehab Exp
363	4542774	NSP 3.3 Admin /Plang	4,400.00	Budget NSP 3.3 Admin/Plng Exp
363	4542780	NSP Program Expenses	115,000.00	Budget NSP Grant Program Expenses
399	4999252	Transfers Out - CIP	950.86	Correct Funding for CIP
402	4650101	Salaries	142,000.00	Adjust LPAC Salaries to Actual
480	4755260	Insurance Expense	86,310.00	Adjust for Sewer Line Ins Policy
484	4743101	Salaries	50,000.00	Adjust Salaries to Actual Costs
485	4750101	Salaries	4,000.00	Adjust Salaries to Actual Costs
485	4999150	Transfer Out to CIP	1,000.00	Adjust to actual CIP Transfer
486	4770260	Insurance Expense	95,000.00	Adjust for Solar Insurance Exp
486	4770301	Professional Services	175,000.00	Close out Payment for School Project
486	4770301	Professional Services	120,000.00	Budget Professional Studies for Solar

486	4770303	Legal Expenses	25,000.00	Budget for Solar Legal Exp
701	4999991	Transfers Out	583,611.12	Budget for Reserve Transfer

REVENUE ADJUSTMENTS:

101	3990106	Transfers In	31,000.00	For City Marketing Materials
101	3102150	Contract Fees - AB939	6,000,000.00	Adjust for Contract Fee
101	3105100	Property Transfer Tax	70,000.00	Increase Revenue Estimate
101	3203100	Planning & Zoning Fees	70,000.00	Increase Revenue Estimate
101	3401900	Poppy Festival Revenue	30,000.00	Increase Revenue Estimate
101	3402960	Stadium Utility Fees	60,000.00	Increase Revenue Estimate
101	3411100	MHP - Permit/Lot/Inspect	37,825.00	Increase Revenue Estimate
101	3301100	Homeland Security Grant	55,085.00	Increase for Grant
101	3470100	City Store Revenue	5,155.00	Increase Revenue Estimate
101	3470102	Entrepreneur Training	9,940.00	Increase Revenue Estimate
101	3601100	Miscellaneous	665,000.00	Increase Revenue Estimate
101	3604400	Lancaster Business Park	92,000.00	Increase Revenue Estimate
101	3610100	Nuisance Assessments	6,700.00	Increase Revenue Estimate
101	3610300	Note Payments	51,000.00	Increase Revenue Estimate
101	3616200	eWaste Recycling	50,000.00	Increase Revenue Estimate
101	3650101	Other Fin sources	214,000.00	Increase Revenue Estimate
203	3990206	Transfers In	289,400.00	Adjust to actual Road Maint Costs
207	3314100	Prop A 1/2% Tax Revenue	325,000.00	Increase Revenue Estimate
208	3313100	TDA Art 3 Bikeway Funds	130,000.00	Increase Revenue Estimate
209	3315100	Prop C 1/2% Tax Revenue	225,000.00	Increase Revenue Estimate
209	3501100	Interest Income	20,000.00	Increase Revenue Estimate
210	3315100	Measure R Tax Revenue	165,000.00	Increase Revenue Estimate
210	3501100	Interest Income	20,000.00	Increase Revenue Estimate
215	3990227	Transfers In	338,481.64	Fund project shortfall
213	3208100	Dwelling Unit Fees	10,000.00	Increase Revenue Estimate
217	3100100	Developer Signal Fees	70,000.00	Increase Revenue Estimate
217	3990261	Transfers In	206,382.63	Correct Split for K & 45th W Signal
219	3311100	State Park Bond Act	101,067.02	Adjust for Grant
219	3990227	Transfers In	33,793.47	Clear Negative Fund Balance
220	3200100	Developer Drainage Fees	10,000.00	Increase Revenue Estimate
220	3501100	Interest Income	6,000.00	Increase Revenue Estimate
224	3201100	Biological Impact Fee	260,000.00	Increase Revenue Estimate
224	3501100	Interest Income	2,500.00	Increase Revenue Estimate
227	3201100	USP - Parks Fees	(100,000.00)	Decrease Revenue Estimate
232	3216100	Traffic Impact Fee	140,000.00	Increase Revenue Estimate
248	3104100	Misc Court Fines	(150,000.00)	Decrease Revenue Estimate
248	3310100	Vehicle Code Fines	(200,000.00)	Decrease Revenue Estimate
251	3201120	Engineering Fees - Permit	110,000.00	Increase Revenue Estimate

263	3990227	Transfers In	153,360.00	Fund PDW Pavilion
261	3301100	LA County Reimb	190,000.00	Increase for reimbursement
261	3306100	Winter Shelter Grant	(73,500.00)	Adjust to Actual Grant
261	3307100	Year-Round Shelter Grant	(80,000.00)	Adjust to Actual Grant
261	3990217	Transfers In	4,649.00	Fund Ave N & 30th @ Signal Shortfall
261	3308100	LA County Arts Comm Grant	1,100.00	Budget Grant Revenue
301	3990302	Transfers In	40,500.00	Increase for transfer
302	3501100	Interest Income	25,000.00	Increase Revenue Estimate
306	3101100	MRB Revenues	100,000.00	Increase Revenue Estimate
315	3643100	Edison Grant	5,000.00	Adjust for Grant Amount
320	3990227	Transfers In	6,388.98	Fund PDW Pavilion
321	3401100	Ave I & Hwy 14 Grant	1,700,000.00	Adjust to Grant Amount
324	3306100	OTS - Sobriety Checkpoint	17,000.00	Adjust to Grant Amount
324	3306200	OTS - DUI Enforcement	22,000.00	Adjust to Grant Amount
324	3307100	OTS - STEP PT135	11,000.00	Adjust to Grant Amount
331	3306778	Used Oil Grant UBG15	11,510.00	Adjust to Grant Amount
331	3306782	Used Oil Grant OPP3	45,000.00	Adjust to Grant Amount
363	3100100	Neighborhood Stabilization	98,000.00	Adjust to actual revenue

RESOLUTION NO. 13-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA ESTABLISHING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A PROMISSORY NOTE IN FAVOR OF THE GENERAL FUND OF THE CITY OF LANCASTER FOR THE DISTRIBUTION OF FUNDS TO THE BUILDING FEES FUND

WHEREAS, the economic downturn and slow down in building activity has resulted in expenditures exceeding revenues in the Building Fees Fund; and

WHEREAS, beginning in fiscal year 2008-09, loans from the General Fund to the Building Fees Fund were necessary to subsidize costs of building and safety and development engineering activities; and

WHEREAS, the general fund has advanced \$4,284,921 through fiscal year 2011-12 with another \$1,726,905 expected for fiscal years 2012-13 and 2013-14 to the Building Fees Fund; and

WHEREAS, it is anticipated that the Building Fees Fund will generate sufficient revenues to begin repaying the general fund for these loans beginning in fiscal year 2016-17; and

WHEREAS, City desires to formalize this debt obligation of the Building Fees Fund; and

WHEREAS, interest shall accrue on the outstanding amount at the average annual portfolio investment yield.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council hereby authorizes and directs the execution of the Promissory Note and to take whatever actions are required to formalize the loan between the General Fund and the Building Fees Fund.

PASSED, APPROVED and ADOPTED this ___ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Resolution No. 13-33, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)

EXHIBIT "A"

PROMISSORY NOTE

Amount
\$6,011,826

Lancaster, California
June 25, 2013

1. Promise to Pay. The Building Fees Fund, for value received, hereby promises to pay to the General Fund the principal due pursuant to the terms of this Note. This Note is being executed to evidence the monetary obligations of the Building Fees Fund to the General Fund arising from loans beginning in Fiscal Year 2008-09.
2. Interest Rate. Interest rate shall be charged by General Fund for this Note equal to the amount of interest the City would have otherwise received from the average annual portfolio investment yield.
3. Principal and Interest Payments. Payments will begin in the fiscal year that revenues exceed expenditures in the Building Fees Fund.
4. Application of Payments. Both principal and interest hereof are payable in lawful money of the United States of America.

IN WITNESS WHEREOF, the parties hereto have executed this Promissory Note as of the date first set forth in this Promissory Note.

ATTEST:

CITY OF LANCASTER

By: _____
City Clerk

By: _____
City Manager

**AMENDED
AGREEMENT FOR LEGAL SERVICES**

This amendment (“Amendment”) is made and entered into this ____ day of _____, 2013 by the CITY OF LANCASTER (“City”), LANCASTER SUCCESSOR AGENCY (“Agency”), LANCASTER FINANCING AUTHORITY (“Financing Authority”), LANCASTER POWER AUTHORITY (“Power Authority”), LANCASTER HOUSING AUTHORITY (“Housing Authority”), and STRADLING YOCCA CARLSON & RAUTH, a profession corporation (“Counsel”);

RECITALS

WHEREAS, the City and Counsel have previously entered into an Agreement for City Attorney Service (the “City Agreement”), dated February 2, 1987 as amended July 3, 1989, June 22, 1999 and July 1, 2011; and

WHEREAS, Agency and Counsel have previously entered into a Special Counsel and Bond Counsel Agreement (the “Agreement”) dated March 5, 1979 as Amended on June 2, 1980, January 18, 1988, July 3, 1989, June 22, 1999, July 8, 2003 and July 1, 2011.

WHEREAS, Counsel has provided and desires to continue to provide legal services to City, Agency, Financing Authority, Power Authority and Housing Authority as set forth in this Amendment and City and Agency desire to employ Counsel for such services.

NOW, THEREFORE, the parties do hereby agree as follows:

Section 1. City Attorney.

(a) City hereby retains Counsel to provide and Counsel agrees to provide legal services as City Attorney. The services to be provided shall be in the following categories:

(1) **“Regular Services”** shall include the following:

- (i) Attendance at all regular meetings of the City Council;
- (ii) Supervision of Assistant City Attorney;
- (iii) Manage litigation matters handled by firms other than Stradling Yocca Carlson & Rauth; and
- (iv) Review of all Agenda reports in connection with City Council meetings.

(2) **“Extraordinary Services”** shall include the following:

- (i) All representation of the City in litigation matters;

Section 2. Additional Services.

The parties recognize and agree that from time to time additional services may be requested of Counsel. To the extent that such services are not covered by this Agreement, they may be provided in accordance with a letter approved by the City Manager and describing the scope of the services and the fee for such services. The parties also recognize and agree that it may be necessary to create a new entity as provided by statute to exercise additional powers in connection with the economic revitalization and development of the City and Counsel agrees that the services to be provided hereunder may be assigned to such entity without further amendment of this Agreement.

Section 3. Reimbursement For Expenses.

In addition to the above fees, Counsel will be reimbursed for out-of-pocket expenses incurred in connection with long distance telephone calls, telegrams, outside messenger service, document production and reproduction, travel at the Agency's or City's request, parking and toll charges and similar items.

Section 4. Termination.

This Agreement may be cancelled upon thirty (30) days prior written notice.

Section 5. Bond Counsel.

Bond Counsel services shall be governed by separate agreement among the Parties.

The parties hereto have caused this Agreement to be executed as of the day and year first above written.

CITY OF LANCASTER

Mayor

LANCASTER SUCCESSOR AGENCY

Chairman

LANCASTER POWER AUTHORITY

Chairman

LANCASTER FINANCING AUTHORITY

Chairman

LANCASTER HOUSING AUTHORITY

Chairman

ATTEST:

City Clerk and Secretary

STRADLING YOCCA CARLSON & RAUTH, a
Professional Corporation

Allison E. Burns, Esq.