

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JANUARY 28, 2014**

CALL TO ORDER

Vice Mayor/Vice Chair Crist called the regular meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:00 p.m.

ROLL CALL

PRESENT: Council Members/Agency Directors/Authority Members: Mann, Smith, Vice Mayor/Vice Chair Crist

EXCUSED: On a motion by Council Member/Authority Member Smith and seconded by Council Member/Authority Member Mann, the City Council/Authority excused Council Member/Authority Member Johnson and Mayor/Chair Parris from the meeting, by the following vote: 3-0-0-2; AYES: Mann, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Johnson, Parris

ABSENT: Council Member/Authority Member Johnson; Mayor/Chair 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; Parks, Recreation and Arts Director; Finance Director; Economic Development Director, Housing Director; Human Resources Director

INVOCATION

Father Leo Dechant, Father Serra Parish

PLEDGE OF ALLEGIANCE

Council Candidate, Jordan Campbell

PRESENTATIONS

1. S.O.A.R. (Students On Academic Rise) High School Student of the Month – Tyler Williamson. Mr. Williamson also received a \$1,000 Mayor’s Scholarship award.
2. Distinguished Budget Presentation Award FY 13/14 and Certificate of Recognition for Budget Presentation from the Government Finance Officers Association (GFOA)

AGENDA ITEM REMOVED

The City Manager requested that Item No. NB 4 be postponed until the Council meeting of February 11, 2014.

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M 1. MINUTES

On a motion by Council Member/Agency/Authority Member Smith and seconded by Council Member/Agency/Authority Member Mann, the City Council/Agency/Authority approved the City Council/Successor Agency/Financing/Power Authority Regular Meeting minutes of January 14, 2014, by the following vote: 2-0-1-2; AYES: Smith, Crist; NOES: None; ABSTAIN: Mann; ABSENT: Johnson, Parris

CONSENT CALENDAR

Vice Mayor Crist requested that Item Nos. CC 2 and CC 4 be removed for separate discussion and action.

On a motion by Council Member Mann and seconded by Council Member Smith, the City Council approved the Consent Calendar with the exception of Item Nos. CC 2 and CC 4, by the following vote: 3-0-0-2; AYES: Mann, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Johnson, 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

Addressing the City Council on this matter:

Michael Rives – stated his concerns regarding payments for the copier service lease; VIP Parking for events; payment to Kinetic Brewery for an event.

The City Manager explained that the City of Lancaster recently held the “Field of Drafts” event and as was expected, beer vendors participated. He also explained that the Finance Department has done an excellent job of keeping costs low regarding copier services. It is more feasible to lease copiers rather than buy them, as a lease protects the City from additional costs when repairs are needed, in turn saving money for the citizens of Lancaster.

Council Member Smith suggested that if Mr. Rives could find a better deal regarding copier services to please bring it forward for consideration.

Council Member Mann stated that leasing is a cost benefit and staff is doing an excellent job.

On a motion by Council Member Smith and seconded by Council Member Mann, the City Council approved the Check and Wire Registers for December 29, 2013 through January 11, 2014 in the amount of \$919,955.28, by the following vote: 3-0-0-2; AYES: Mann, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Johnson, Parris

CC 3. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the December 2013, Monthly Report of Investments as submitted.

CC 4. PWCP NO. 10-018, AVENUE J MEDIAN IMPROVEMENTS, BETWEEN CHALLENGER WAY AND 20TH STREET EAST

Addressing the City Council regarding this matter:

Michael Rives – stated that he received answers earlier from the Public Works Director and was satisfied with this action.

On a motion by Council Member Smith and seconded by Council Member Mann, the City Council approved the following actions by the following vote: 3-0-0-2; AYES: Mann, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Johnson, Parris

A. Approved Change Orders No. 1, 2, and 3 and increased the total amount of the contract with ANM Construction & Engineering of Lancaster, CA, for **Public Works Construction Project No. 10-018, Avenue J Median Improvements, between Challenger Way and 20th Street East**, HSIPL-5419(032), by \$852.90, for a total revised contract amount of \$494,227.90, plus a 10% contingency.

B. Accepted the work constructed by ANM Construction & Engineering for **Public Works Construction Project No. 10-018, Avenue J Median Improvements, between Challenger Way and 20th Street East**, HSIPL-5419(032), and directed the City Clerk to file the Notice of Completion for the project. Retention on this project has been disbursed in accordance with California Public Contract Code.

CC 5. ACCEPTANCE OF DRAINAGE IMPROVEMENTS

Approved and accepted for maintenance the work and materials for the drainage improvements for Parcel Map No. 061937 installed by the developer, Lancaster Spectrum, LLC for Drainage Benefit Assessment District Annexation No. 05-101 located on the southwest corner of Avenue J-8 and 20th Street West; appropriated \$5,275.00 from the first year's maintenance cost that has been paid by the developer to cover the remaining six (6) months of the fiscal year into Drainage Maintenance Operating Account No. 484-4743-404.

CC 6. ACCEPTANCE OF SANITARY SEWER

Approved the developer installed sanitary sewer and accepted the sewer for maintenance by the City and for public use for Parcel Map No. 061937, Private Contract No. 05-29, located on the southwest corner of Avenue J-8 and 20th Street West; Owner: Lancaster Spectrum, LLC.

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CC 7. ACCEPTANCE OF STREETS

Approved the developer constructed streets and accepted the streets for maintenance by the City for Tract No. 061937, located on the southwest corner of Avenue J-8 and 20th Street West; Owner: Lancaster Spectrum, LLC.

CC 8. COMPLETED WATER SYSTEM

Approved the completed water system installed by the developer for Parcel Map No. 061937, located on the southwest corner of Avenue J-8 and 20th Street West; Owner: Lancaster Spectrum, LLC.

NB 1. CAPITAL IMPROVEMENT PROGRAM UPDATE

The Public Works Director presented a brief update regarding this matter. The Senior Civil Engineer for Public Works presented additional information regarding the CIP projects; Grant opportunities; funding sources; statistics on numerous improvements; priority of creating safer routes to school; paving the way to a sustainable future for Lancaster.

Council Member Smith stated that 99% of this and all of the projects is about safety for the citizens of Lancaster, including the beautification of different areas. Improvements to center dividers are not just about beautification but also about making it safe for cars and slowing the traffic down. This is one of the best CIP programs he has seen. The most amazing thing about these projects is that zero funding was used from the General Fund and the funding is from so many different grant opportunities.

Council Member Mann commended Vice Mayor Crist for all his efforts. He and Vice Mayor Crist sit on the NCTC Board and he was very instrumental in negotiating the \$55 million the City is going to enjoy and use. This will make a big difference in the year to come and 4 or 5 years after that. This is just the tip of the iceberg and the Vice Mayor is working on another pot of money and making sure Lancaster receives its fair share.

On a motion by Council Member Mann and seconded by Council Member Smith, the City Council received the Capital Improvement Program Update, by the following vote: 3-0-0-2; AYES: Mann, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Johnson, Parris

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NB 2. FY 2013/14 MIDYEAR BUDGET

Addressing the City Council regarding this matter:

Michael Rives – discussed funding for the homeless situation, stating that it would behoove the City to partner with a mission and let them take control of these problems.

Council Member Mann stated that he worked with United Way for over fifteen years. They do an extensive amount of work with the homeless and he encouraged Mr. Rives to sit down with the people of United Way to gain the education and knowledge of exactly what they are doing regarding the homeless issue and many other issues.

The Finance Director presented the staff report regarding this matter. The City Manager presented information regarding unemployment and Antelope Valley jobs. The Management Analyst for the Finance Department presented information regarding the economic climate; data; trends; interest rates; federal rates; unemployment rates; local labor market.

Vice Mayor Crist commended the entire City staff for their hard work on the budget.

Council Member Smith agreed and stated that Lancaster takes to heart, the expression of “don’t count your chickens before they are hatched”. Lancaster does not factor grant funding into the budget until the funds have actually been awarded and staff is to be commended for this.

On a motion by Council Member Mann and seconded by Council Member Smith, the City Council approved the proposed Fiscal Year 2013/14 Mid-Year Budget Revenue and Expenditure Adjustments as summarized in the report, by the following vote:

3-0-0-2; AYES: Mann, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Johnson, Parris

NB 3. SUBORDINATION AGREEMENT AND AMENDED AND RESTATED ADMINISTRATION AGREEMENT IN CONNECTION WITH THE DEFEASANCE OF THE CITY'S MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (WILLOWS APARTMENTS PROJECT) SERIES 2002

The Housing Director presented the staff report regarding this matter.

Addressing the City Council regarding this matter:

Michael Rives – stated that too much time and money is put into reviewing amended agreements time after time.

Vice Mayor Crist stated that it is the job of the City Council to serve the public. By receiving and reviewing amended agreements, the City is continuously trying to make the City a better place to live.

Council Member Mann stated that this is a win-win situation. The City will benefit from this and the developer will benefit as well. This is part of the process under best business practices; the public will benefit; the business receives a reduction in interest rates and this is just one example of why Lancaster has been named the most Business Friendly City.

On a motion by Council Member Smith and seconded by Council Member Mann, the City Council adopted **Resolution No. 14-03**, approving a Subordination Agreement and an Amended and Restated Administration Agreement in connection with the defeasance of the City's Multifamily Housing Revenue Refunding Bonds (Willows Apartments Project) Series 2002 and taking certain other actions in connection therewith, by the following vote: 3-0-0-2; AYES: Mann, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Johnson, Parris

NB 4. SCHOOL DISTRICT SOLAR SAVINGS UPDATE

This item was postponed until the City Council meeting of February 11, 2014.

NB 5. MARCH 2014 AIR SHOW UPDATE

The City Manager presented the update regarding this matter. The Parks, Recreation and Arts Director presented information regarding this event and J.D. Kennedy, representing the Air Show, presented a brief video presentation and update regarding the City of Lancaster's participation in the March 2014 Air Show to be held at William J. Fox Airfield, Friday & Saturday, March 21 & 22, 2014.

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LANCASTER FINANCING AUTHORITY

No action required at this time.

LANCASTER POWER AUTHORITY

No action required at this time.

LANCASTER SUCCESSOR AGENCY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated that the Martin Luther King, Jr. Day of Service took place two weeks ago. It was a very good event with many projects taking place. He worked with Vice Mayor Crist and Council Member Mann to clean up desert areas and paint different areas.

The City Manager stated that at the last City Council meeting, the Mayor and Council directed staff to look into a policy regarding impound vehicles. This matter will go before the Criminal Justice Commission in February to begin discussions.

The City Manager stated that Vice Mayor Crist will be giving an update on AVTA and stated that the Vice Mayor was the person who was able to negotiate a deal. The Vice Mayor and Council Member Smith fought very hard today for this deal to help support local businesses.

The City Manager stated there was a very nice article in the Planning Report. Mayor Parris gave a lengthy interview regarding Lancaster and much of what the City is doing and this will be sent out on Lancaster e-News.

CITY CLERK /AGENCY/AUTHORITY SECRETARY ANNOUNCEMENT

The City Clerk provided the public with the procedure to address the City Council/Successor Agency regarding non-agendized items.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Dana Moffat – thanked the City Council, City staff for making this a wonderful City. Everything is clean; banner tribute to the servicemen is wonderful; the Council has done a great job.

David Paul – discussed his longtime friendship with Sheriff Lee Baca and encouraged the City to consider inviting him to a meeting in the future to receive recognition.

Michael Rives – commended the City for the job workshop that will take place on January 29, 2014 for the employees of Starwood. Also stated as he looks around town, he sees empty store fronts; people washing themselves in public; there is a breakdown somewhere; the streets are full of potholes; important to keep retail businesses intact.

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COUNCIL / AGENCY COMMENTS

Council Member Mann requested with the consensus of the Council, the Planning Director and his staff to work on a sensible sign and banner ordinance. It has been several years since this matter has been discussed and he feels there are some new opportunities for this.

Vice Mayor Crist stated that many acres will be graded off for the air show in March and with the drought conditions that are being experienced, what is the plan to keep the dust under control once this event is over.

J.D. Kennedy, the representative for the air show, stated that he is currently working with the Executive Director for this event, along with the City to make sure a process is in place and is up to code.

Vice Mayor Crist stated that the AVAQMD has given a \$4500 incentive to buy alternative fuel vehicles. The numbers have gone from 4 or 5 per year to 75 per month. So it will go from \$4500 to \$2500. It has been exceptional and if a citizen is going to buy an electric vehicle, now is the time.

Vice Mayor Crist stated that electric buses cost about twice the amount as diesel buses. The City's diesel buses cost approximately \$444,000 a year and an electric bus costs approximately \$850-\$900,000. BYD stepped up, gave the same price but has agreed to spread it out over a twelve year period so that it is affordable and AVTA can step up to promote electric vehicles. It will be a new financing system for the buses and allows the community to step up. There are no more excuses not to go to the electric buses and budgeting will be more consistent. Sometimes, fuel costs increase by 50% in one year so electric buses are a good thing and it is local businesses and local jobs that react to this endeavor. It was a very good meeting at the AVTA; it was a good day for the entire Antelope Valley and he thanked the City of Palmdale and Los Angeles County for joining in this decision.

RECESS Vice Mayor Crist recessed the meeting at 6:25 p.m. for the purpose of conducting a Closed Session meeting regarding the following matters:

CLOSED SESSION

1. Conference with Legal Counsel – Anticipated Litigation: significant exposure to litigation pursuant to Government Code Section 54956.9(d) (2) - four potential cases.
2. Conference with Legal Counsel – Anticipated Litigation: consideration of initiation of litigation pursuant to Government Code Section 54956.9(d) (4) - one potential case.

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3. Conference with Legal Counsel--Existing Litigation - Government Code Section 54956.9(d) (1)
4. Coalition for Open Government v. City of Lancaster, Case No. BC499047
5. Quartz Hill Cares v. City of Lancaster, Case No. BS 122336
6. Palmdale v. Lancaster - Case No. BC443280
7. Lancaster v. Housing Authority of the County of Los Angeles (HACoLA) Case No. MC023649
8. Rubin v. Lancaster - United States District Court Case No. CV 10-4046 DSF (JCx)
9. Save Our Neighborhood Group v. City of Lancaster, et al. Los Angeles Superior Court Case No. BS 121501.

10. 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 District
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

11. Shabazz v. Parris, USDC, Central Case No. CV12-5803 SVW (JEM)

RECONVENE Vice Mayor Crist reconvened the meeting at 6:50 p.m.

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CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced that City Council met in Closed Session and gave legal counsel direction regarding one item of potential authorization of litigation and three items of anticipated litigation.

Vice Mayor Crist stated that Council also gave direction to legal counsel to look into the legal options in regards to the homeless population; inequities that are happening within SPA 1. SPA 1 is the provider area and Lancaster receives \$276 per individual; SPA 4 which is downtown Los Angeles receives \$4,329 per individual. Lancaster has 6900 homeless; an increase of 393%; 12% of the homeless in Los Angeles County and 2% of the funding. Legal options need to be looked into because LASA is not representing this area. There is a big difference between the homeless of Los Angeles and the homeless of Lancaster. When a homeless person gets cold in Los Angeles it is about 45 degrees. A homeless person living outside here in Lancaster in the cold endures temperatures of 8 degrees and they could die and it is time to do something about this.

ADJOURNMENT

Vice Mayor Crist adjourned the meeting at 6:53 p.m. and stated the next Regular Meeting would take place on Tuesday, February 11, 2014 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this 11th day of February, 2014, by the following vote:


AYES: **Council Members: Johnson, Mann, Smith, Vice Mayor Crist**

NOES: **None**

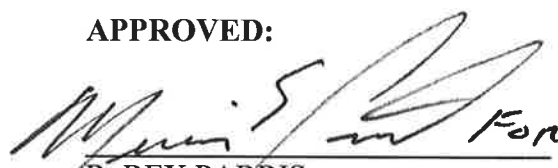
ABSTAIN: **Mayor Parris**

ABSENT: **None**

ATTEST:


GERI K. BRYAN, CMC
CITY CLERK/
AUTHORITY SECRETARY
Lancaster, CA

APPROVED:


R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

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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)
