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05/13/14
MVB

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
April 22, 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 5:01 p.m.

ROLL CALL

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

Vice Mayor/Vice Chair Crist stated that Mayor/Chair Parris would be arriving shortly.

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

ABSENT: Council Member/Authority Member Mann, Mayor 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; Housing Director; Human Resources Director

INVOCATION

Pastor Tim Stroup, Crosswind Community Church

PLEDGE OF ALLEGIANCE

Council Member Johnson

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RECESS

Vice Mayor Crist recessed the meeting at 5:06 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.
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. Lancaster v. Housing Authority of the County of Los Angeles (HACoLA) Case No. MC023649
7. Rubin v. Lancaster - United States District Court Case No. CV 10-4046 DSF (JCx)
8. Save Our Neighborhood Group v. City of Lancaster, et al. Los Angeles Superior Court Case No. BS 121501.
9. Shabazz v. Parris, USDC, Central Case No. CV12-5803 SVW (JEM)
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

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RECONVENE

Mayor Parris arrived at the meeting at 5:37 p.m.

Mayor Parris reconvened the meeting at 5:37 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced the City Council met in Closed Session and discussed two matters of potential litigation listed under Item No. 1 and discussed Item No. 10. No reportable actions.

PRESENTATION TO THE CITY

1) OFFICIAL CANVASS OF THE APRIL 8, 2014 GENERAL MUNICIPAL ELECTION

The City Clerk presented the official canvass of the General Municipal Election.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council adopted **Resolution No. 14-13**, reciting the facts of the General Municipal Election held on Tuesday, April 8, 2014, declaring the results and such other matters as provided by law regarding the election of two Council Members, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

ADMINISTER OATH OF OFFICE TO NEW COUNCIL MEMBERS ELECT

At this time, the City Clerk administered the Oath of Office to re-elected Council Members Crist and Smith, each for a four-year term of office.

SANB 1.

UPDATE ON ACTIONS BY THE STATE OF CALIFORNIA DEPARTMENT OF FINANCE REGARDING THE LANCASTER SUCCESSOR AGENCY

It was the consensus of the Successor Agency to waive the presentation regarding this matter. No action necessary on this item.

M 1.

MINUTES

On a motion by Vice Mayor/Vice Chair Crist and seconded by Council Member/Agency/Authority Member Smith, the City Council/Agency/Authority approved the City Council/Successor Agency/Financing/Power Authority Regular Meeting minutes of March 25, 2014, by the following vote: 3-0-1-1; AYES: Johnson, Smith, Crist; NOES: None; ABSTAIN: Parris; ABSENT: Mann

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CONSENT CALENDAR

On a motion by Vice Mayor Crist and seconded by Council Member Smith, the City Council approved the Consent Calendar by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, 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.)

CC 2.

WARRANT REGISTER

Approved the Check and Wire Registers for March 23, 2014 through April 5, 2014 in the amount of \$1,623,035.00.

CC 3.

MONTHLY REPORT OF INVESTMENTS

Accepted and approved the March 2014, Monthly Report of Investments as submitted.

CC 4.

AMENDMENT TO SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted an amendment to the Subdivision Undertaking Agreement submitted by AV Three Homes, LLC (“Subdivider”) for Tract Map No. 060779, located on the northwest corner of Avenue J-8 and 32nd Street West, extending the date of completion to February 14, 2015.

CC 5.

PWCP NO. 10-008

Accepted the work constructed by Tejon Constructors, Inc., of Palmdale, California, for **Public Works Construction Project No. 10-008, City Park Recycled Water Conversion** 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 6.

RESOLUTION NO. 14-14

Adopted **Resolution No. 14-14**, a resolution of the City Council of the City of Lancaster, California, declaring its intention to accept an Offer of Dedication located on 57th Street West and Avenue L-8, and declaring the public necessity therefor.

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CC 7.

ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for Site Plan Review 12-01, located on the northeast corner of Avenue K and 10th Street West. Owner: Intertex.

CC 8.

AUTHORIZATION OF PURCHASE OF MECHANICAL SWEEPER

Authorized the purchase of one Schwarze Model M6000TE Avalanche Mechanical High-Dump Sweeper in the amount of \$263,386.51 from Atlantic Machinery, Inc. who was awarded a cooperative contract for sweeping equipment competitively bid through the National Joint Powers Alliance (NJPA) Contract No. 031710-AMI and authorized the City Manager, or his designee, to sign all documents. The regional distributor for Atlantic Machinery, Inc. is Municipal Maintenance Equipment located in Sacramento, California.

CC 9.

RESOLUTION NO. 14-15

Adopted **Resolution No. 14-15**, amending Resolution 12-37 establishing a compensation and salary schedule for the various classifications.

CC 10.

Adopted **Resolution No. 14-16**, authorizing the City Manager, or his designee, to apply for funds available to the City of Lancaster, from the Los Angeles County Metropolitan Transportation Authority, allocated for street and road improvements for the Fiscal Year 2013-2014 in the amount of \$3,638,022.

PH 1.

TEFRA HEARING/APPROVAL OF MULTIFAMILY HOUSING REVENUE BONDS FOR DESERT SANDS ESTATES MOBILE HOME PARK, FRIENDLY VILLAGE MOBILE HOME PARK AND HACIENDA MOBILE ESTATES

Mayor Parris opened the Public Hearing. It was the consensus of the City Council to waive the presentation regarding this matter.

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

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council adopted **Resolution No. 14-17**, pursuant to Section 147(f) of the Internal Revenue Code of 1986 approving the issuance of housing revenue bonds (the "Housing Revenue Bonds") by the California Municipal Finance Authority ("CMFA") in an aggregate principal amount not to exceed \$70,000,000 (of which approximately \$4,000,000 will be applied to finance the acquisition and improvement of a mobile home park located in the City of Lancaster (the "City") and \$5,000,000 will be applied to the refinancing of mobile home parks owned by the Borrower in the City), by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

NB 1.

AWARD OF BID - PWCP NO. 14-002, AVENUE I AND 25TH STREET EAST INTERSECTION AND TRAFFIC SIGNAL IMPROVEMENTS

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

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council awarded **Public Works Construction Project No. 14-002, Avenue I and 25th Street East Intersection and Traffic Signal Improvements** to Cooley Construction, Inc. of Hesperia, California, in the amount of \$537,288.00, plus a 10% contingency, for installation of traffic signal, drainage and road improvements and authorized the City Manager, or his designee, to sign all documents, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

This contract is awarded to the lowest responsible bidder per California Public Contract Code Section 22038 (b).

CA 1.

DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF VICE MAYOR

On a motion by Mayor Parris and seconded by Council Member Smith, the City Council approved the nomination and re-appointment of Marvin Crist as Vice Mayor for the City of Lancaster, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

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CR 1.

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

Vice Mayor Crist presented the following information:

The Board received a legislative update on several matters; discussed AB 1720 which concerns bus axle weight; received information on schedule and service changes to the TRANSPORTER; approved Change Order No. 2 with Avail Technologies, Inc.; received a report regarding efforts by the cities of Lancaster and Palmdale and the County of Los Angeles to assist the Antelope Valley's veterans. Full report is available in the City Clerk Department.

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 thanked City Clerk staff and the City Attorneys for all their work on the General Municipal Election.

The City Manager presented a brief video regarding the S-Power Press Conference.

Mayor Parris commended the Communications Manager for a job well done and requested further review of the City's public access station, stating it offers many possibilities and opportunities for people.

The City Manager announced the California Poppy Festival would take place this weekend – April 26-27, 2014 and encouraged citizens to come out for a great weekend.

Council Member Johnson encouraged people to attend the Poppy Festival on the 27th and take part in an attempt to break the Guinness Book of World Records for largest dessert decorating. 2000 people are needed; it will be located at the northwestern portion of the park by the stage from 3-4:30 p.m.

CITY CLERK /AGENCY/AUTHORITY SECRETARY ANNOUNCEMENT

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

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PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Ed Galindo – discussed a recent orientation for small business owners which was presented in Spanish and appreciates the City’s involvement to assist the Latino community.

Heather Brown – discussed contaminants in the water; problems with ill/dying animals in her neighborhood and feels the common denominator is the water.

The City Manager and the Public Works Director stated they would contact the different agencies involved regarding compliance and ask for the reports of the analysis.

Joanne Granai – invited the City Council to attend the Sunset Prayer & Candlelight Vigil on April 23, 2014 – 6:45 p.m. at the Antonovich Courthouse to pray with others as a community to stop Christopher Hubbart from being released into the Antelope Valley.

David Paul – discussed the problems of certain elements of society being released to the Antelope Valley; discussed public access opportunities; congratulated Vice Mayor Crist and Council Member Smith for their re-election; thanked the City Clerk for her work with the City.

COUNCIL / AGENCY COMMENTS

Council Member Smith stated he recently visited China with Supervisor Antonovich; spoke at business conferences; talked with several companies who are very anxious in following the lead of BYD.

Mayor Parris announced that it is time to appoint/re-appoint commission members and requested anyone who is interested, to fill out an application and submit it to the City Clerk. Asked that all current commission members re-apply as well, stating if an application is not received he will take this to mean they are not interested in continuing their service.

Council Member Johnson congratulated Vice Mayor Crist and Council Member Smith for their re-election.

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ADJOURNMENT

Mayor Parris adjourned the meeting at 6:21 p.m. in memory of Paul Porteus, manager and senior loan officer of Prospect Mortgage. He was very popular throughout the local business community and heavily involved in the Lancaster Chamber of Commerce. He will be sorely missed by family and friends alike.

The next Regular Meeting will take place on Tuesday, May 13, 2014 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this _____day of _____, 2014, 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)
