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**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
July 22, 2014**

CALL TO ORDER

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

ROLL CALL

PRESENT: Council Member/Agency Director/Authority Member: Johnson, Mann, Smith, Vice Mayor/Vice Chair Crist, Mayor/Chair Parris

ABSENT: None

STAFF

MEMBERS: City Manager/Executive Director; City Attorney/Agency/Authority Counsel; Assistant to the City Manager; City Clerk/Agency/Authority Secretary; Planning Director; Development Services Director; Parks, Recreation and Arts Director; Finance Director; Housing Director; Human Resources Director

INVOCATION

Pastor Tim Etherington, Lancaster Evangelical Free Church

PLEDGE OF ALLEGIANCE

Vice Mayor/Vice Chair Crist

PRESENTATIONS

1. Recognition of the 2014 Lancaster Queens
Presenter: Mayor Parris

2. Recognition of the AmeriCorp Vista Members
Presenter: Mayor Parris

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY MINUTES
July 22, 2014

M 1. MINUTES

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council/Agency/Authority approved the City Council/Successor Agency/Financing/Power Authority Meeting minutes of July 8, 2014, by the following vote: 4-0-1-0; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: Mann; ABSENT: None

CONSENT CALENDAR

Addressing the City Council on Item No. CC 13

Michael Rives – discussed the Antelope Valley Healthcare District’s bylaws; and stated he does not want the City to allocate money to the homeless shelter, he believes the shelter should be run by the Antelope Valley Healthcare District.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council approved the Consent Calendar by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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 June 22, 2014 through July 5, 2014 in the amount of \$12,334,449.60.

CC 3. MONTHLY INVESTMENT REPORT

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

CC 4. RESOLUTION NO. 14-46

Adopted **Resolution No. 14-46**, authorizing the renewal of the City’s Insurance for the Property and Public Entity Liability Programs, and Membership in the County Supervisors Association of California Excess Insurance Authority Workers Compensation Program (CSAC) for a one-year term beginning July 1, 2014.

CC 5. PWCP 14-007

Approved a professional services agreement with Penfield & Smith Engineers, Inc. of Lancaster, California in the amount of \$212,501.00, with a 5% contingency, for Design Base Mapping and Traffic Engineering Services for PWCP 14-007, 2015 Pavement Management Program and authorized the City Manager, or his designee to sign all documents. The consultant selection process was made in accordance with Government Codes 4526 and 53060.

CC 6. PWCP 11-024

Awarded Public Works Construction Project 11-024, **Install Solar-Powered LED Stop Signs, HSIPL-5419(040)**, to Traffic Development Services, Inc. of Moorpark, California, in the amount of \$293,955.00 plus a 20% contingency, to install solar-powered signs and install/upgrade striping and markings at thirty-six (36) rural intersections and authorized the City Manager, or his designee, to sign all documents. This contract is awarded to the lowest responsible bidder per California Public Code Section 22038 (b). All intersections are located around existing Lancaster school sites

CC 7. TRANSFER OF FUNDS

Approved the transfer of funds for checks issued by the City for individual items less than fifteen dollars (\$15) which have remained unclaimed for the period of one year.

CC 8. RESOLUTION NO. 14-47

Adopted **Resolution No. 14-47**, approving the application for grant funds from CalRecycle for which the City of Lancaster is eligible; and if selected, approving the execution of a standard agreement and any amendments thereto, and any related documents necessary to participate in all eligible CalRecycle Grants within the City of Lancaster. Authorized the City Manager to execute any documents necessary to receive such funds, and to take other actions as needed to facilitate all eligible grants applied for, through CalRecycle, in their entirety.

CC 9. RESOLUTION NO. 14-48

Adopted **Resolution No. 14-48**, authorizing and providing for the Fiscal Year 2014-2015 levy of a special tax within Community Facilities District No. 89-1, a District established to finance the acquisition and construction of regional water system improvements in various locations in the City.

CC 10. RESOLUTION NO. 14-49

Adopted **Resolution No. 14-49**, authorizing and providing for the Fiscal Year 2014-2015 levy of a special tax within Community Facilities District No. 90-1, a District established to finance the construction of regional street and storm drain improvements in the area of Lancaster Boulevard and 25th Street West.

CC 11. RESOLUTION NO. 14-50

Adopted **Resolution No. 14-50**, authorizing and providing for the Fiscal Year 2014-2015 levy of a special tax within Community Facilities District No. 91-1, a District established to finance the construction of regional water and sewer improvements for Quartz Hill II & III.

CC 12.RESOLUTION NO. 14-51

Adopted **Resolution No. 14-51**, authorizing and providing for the Fiscal Year 2014-2015 levy of a special tax within Community Facilities District No. 91-2, a District established to finance the construction of regional street, sewer and storm drain improvements in the Lancaster Business Park Phase III.

CC 13.AWARDED GRANT FUNDS

Approved the appropriation of \$76,479.00 in awarded grant funds from the Los Angeles Homeless Services Authority (LAHSA) Year Round Emergency Shelter Program (YSP) 2014-2015 to Revenue Account No. 261-3307-100 and corresponding Expense Account No. 261-4542-771.

PH 1. AGREEMENT WITH VIPER ENTERPRISES INC.

Mayor Parris opened the Public Hearing.

The City Manager presented the staff report on this matter.

Addressing the City Council on PH 1 and PH 2:

Michael Rives – agrees with assisting Fiat dealer and has concerns with assisting the Chevrolet dealership and discussed concerns with Limited Liability Companies.

Hearing no further testimony Mayor Parris closed the Public Hearing.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council adopted **Resolution No. 14-52**, approving a Disposition and Development Agreement by and between the City of Lancaster and Viper Enterprises, Inc., a California Corporation, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

PH 2. AGREEMENT WITH 7 JAYS, LLC

Mayor Parris opened the Public Hearing.

The City Manager presented the staff report on this matter.

Hearing no further testimony Mayor Parris closed the Public Hearing.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council adopted **Resolution No. 14-53**, approving a Disposition and Development Agreement by and between the City of Lancaster and 7 Jays LLC , a California Limited Liability Company, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 1. USED OIL COMPETITIVE GRANT PROGRAM

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

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved the appropriation of \$210,936.00 in grant funds from the California Department of Resources Recycling and Recovery 2013-2014 Used Oil Competitive Grant Program to Revenue Account No. 331-3306-200 and the following expense accounts: \$101,899.20 to Personnel Expense Account No. 331-4780-101, \$8,588.50 to Education Expense Account No. 331-4780-205, \$33,489.40 to Upgrade/Expansion (Satellite Centers) Expense Account No. 331-4780-754, and \$66,958.90 to Equipment Expense Account No. 331-4780-752, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 2. FARM AND RANCH SOLID WASTE CLEANUP AND ABATEMENT GRANT

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

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved the appropriation of \$99,402.00 in grant funds from the California Department of Resources Recycling and Recovery 2013-2014 Farm and Ranch Solid Waste Cleanup and Abatement Grant Program to Revenue Account No. 330-3304-401, and the following expense accounts: \$33,092 to Admin/Personnel Expense Account No. 330-4780-101, \$40,362 to Disposal Expense Account No. 330-4780-657, \$1,375 to Materials Expense Account No. 330-4780-251, and \$24,573 to the Use of Equipment Expense Account No. 330-4999-101, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 3. NEIGHBORHOOD STABILIZATION PROGRAM 1

The Housing Director presented the staff report regarding this item.

Addressing the City Council on this matter:

Michael Rives – stated the Antelope Valley is not out of the housing crisis; discussed vacant houses in the Antelope Valley.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved the Third Substantial Amendment for the Neighborhood Stabilization Program 1 (NSP 1) to the Community Development Block Grant (CDBG) Consolidated Annual Action Plan for the 2008-09 Program Year to be submitted to the U.S. Department of Housing and Urban Development. The amendment will expand the target areas in which foreclosed homes can be acquired, rehabilitated and sold by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CR 1. ACTIVITIES OF THE BOARD OF DIRECTORS FOR THE ANTELOPE VALLEY TRANSIT AUTHORITY

Vice Mayor Crist presented the report for the Antelope Valley Transit Authority; specifically, Vice Mayor Crist stated two BYD buses are currently being tested and drivers for those buses are being trained; the AVTA is applying for grants for an additional 20 buses.

Addressing the Council on this matter:

Nancy Acosta – discussed her recent experiences with the Dial-A-Ride program and stated the drivers indicated they had not been paid in more than a month.

Vice Mayor Crist stated the drivers have not been paid because the AVTA Board has not had the quorum needed to approve the contract for the company paying the drivers. Additionally, Council discussed AVTA's outsourcing this contract and the City's liability related to the JPA. Discussion of the recent change in companies also took place.

CR 2. COUNCIL REPORTS

Council Member Mann provided an update regarding the Sanitation District; he provided details related to the local office which was recently closed.

LANCASTER HOUSING AUTHORITY

No action required at this time.

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 invited the community to enjoy the weekly Farmers Market; he stated the event is not simply about purchasing fruits and vegetables, it is also an opportunity to enjoy an evening out with family at the various businesses on the Boulevard.

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.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Michael Rives – discussed recently built hotels and stated hospitals are emphasizing patients and working away from bureaucracy.

George Beatty - discussed repairs at a bus stop in Lancaster and reversing the directions of bicycle lanes.

David Paul – stated Council Member Johnson has been missed and stated he enjoys attending Council meetings and seeing government in action; appreciates the work the Council does to help the less fortunate.

COUNCIL / AGENCY COMMENTS

Council Member Johnson thanked everyone for the many cards, e-mails and prayers she received during her recovery.

The City Manager discussed a records request submitted by the City to the Los Angeles Homeless Services Authority.

Mayor Parris stated at a future Council meeting he will be appointing Steven Derryberry as Chairman of the Commission created to address the issues related to homelessness, veteran homelessness and other social services.

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RECESS

Mayor Parris recessed the meeting at 5:58 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) - three 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 reconvened the meeting at 6:18 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced the City Council met in Closed Session and discussed 3 items of anticipated litigation listed under Item No. 1 and discussed Item No. 5; no reportable action.

ADJOURNMENT

Mayor Parris adjourned the meeting at 6:18 p.m. and stated the next meeting would take place on Tuesday, August 12, 2014 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this _____day of _____, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

BRITT AVRIT, CMC
CITY CLERK
AGENCY/AUTHORITY
SECRETARY

R. REX PARRIS
MAYOR/CHAIRMAN

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)
