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**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
December 9, 2014**

CALL TO ORDER

Mayor Parris called the meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:02 p.m.

ROLL CALL

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

On a motion by Council Member Mann and seconded by Council Member Smith, the City Council excused Council Member Johnson by the following vote: 4-0-0-1; AYES: Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

EXCUSED: Council Member Johnson

STAFF

MEMBERS: City Manager/Executive Director; Deputy City Manager/Deputy Executive Director, City Attorney/Agency/Authority Counsel; Assistant to the City Manager; City Clerk/Agency/Authority Secretary; Planning Director; Utility and Maintenance Services Manager; Senior Operations Manager; Finance Director, Economic Development Director, Housing Director; Senior Human Resources Analyst

INVOCATION

Pastor Chris Johnson, Grace Chapel

PLEDGE OF ALLEGIANCE

Boy Scout Troop 111

Council Member Johnson arrived at the meeting at this time.

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It was the consensus of the Council to hear item No. NB 5 at this time.

NB 5. BETTER BUILT HOME PROGRAM

The Planning Director and Lancaster Planning Commission Chairman presented the staff report on this item.

Addressing the City Council at this time:

Marta Golding Brown – supports the program, appreciates the incentives that accompany the program and appreciates the work of city staff.

Discussion among Council included the innovation of programs such as these can compare Lancaster to Disneyland’s “Tomorrowland”; discussion of shifting the cost of power to the homeowner as opposed to tenants as a way to provide incentive to citizens to use energy saving appliances and LED lighting took place as well as discussion of subsurface water on new development. The City Council thanked the Planning Commission and city staff for their outstanding work on this project and all that is being done in the City.

Lancaster Planning Commission Chairman Vose thanked the members of the subcommittee for their hard work in putting this project together.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council adopted **Resolution No. 14-76**, authorizing the implementation of the Better Built Home Program for new home construction and authorized the City Manager or his designee to execute all related documents, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

POWER AUTHORITY CONSENT CALENDAR

The Deputy City Manager presented the staff report on this item.

Mayor Parris requested clarification regarding the length of the lease.

Addressing the City Council on Item No. PA CC 1:

Kurt Boyer – discussed his experience in lighting industrial buildings and the equipment used to light these buildings; offered his services to the City.

Michael Rives – discussed the changes to the original agreement, discussed his experience with leases, objects to not negotiating for a higher rate.

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

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PACC 1. SOLAR ENERGY SITE LEASE AGREEMENT

Approved the Solar Energy Site Lease Agreement with Morgan Lancaster I, LLC, a Delaware limited liability company (Morgan) and authorized the Executive Director to execute all documents and make any non-substantive changes necessary to complete the transaction.

M 1. MINUTES

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council/Successor Agency/Financing/Power Authority approved the City Council/Successor Agency/Financing/Power Authority Meeting minutes of November 12, 2014, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CONSENT CALENDAR

Council Member/Authority Member Smith requested that Item No. CC 4 be pulled for separate discussion and action.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved the Consent Calendar, with the exception of Item Nos. CC 2, 4, 6 and 12, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

Addressing the City Council on Item Nos. CC 2, 6 and 12

Michael Rives – opposed to delegating authority to the City Manager to execute lease agreements because the future person to hold this position is unknown.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council approved Item Nos. CC 2, 6 and CC 12, 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 October 26, 2014 through November 15, 2014 in the amount of \$ 3,724,452.09.

CC 3. INVESTMENT REPORT

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

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CC 4. ORDINANCE 1000

Adopted **Ordinance No. 1000**, amending Title 9 of the Lancaster Municipal Code by amending Chapter 9.24 (Graffiti), relating to the abatement of graffiti and recovery of the City's costs of graffiti abatement, and adopting a "Graffiti Abatement Costs and Expenses" cost model.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council Adopted **Ordinance No. 1000**, amending Title 9 of the Lancaster Municipal Code by amending Chapter 9.24 (Graffiti), relating to the abatement of graffiti and recovery of the City's costs of graffiti abatement, and adopting a "Graffiti Abatement Costs and Expenses" cost model, by the following vote: 4-1-0-0; AYES: Johnson, Mann, Crist, Parris NOES: Smith; ABSTAIN: None; ABSENT: Parris

CC 5. ACCELA AUTOMATION

Awarded contract for Accela Automation to Accela, Inc. in the amount of \$661,810 plus an annual subscription fee in the amount of \$49,460, authorized the City Manager or his designee to execute the contract and appropriate \$434,000 from the IT Reserve Fund to Account No. 101-4315-302.

CC 6. AUTHORITY TO EXECUTE LEASE AGREEMENTS

Adopted **Resolution No. 14-66**, delegating authority to execute lease agreements to the City Manager.

CC 7. OFFER OF DEDICATION

Adopted **Resolution No. 14-67**, declaring its intention to accept an Offer of Dedication located on 7th Street West and Avenue L-6, east of 10th Street West and declaring the public necessity therefor.

CC 8. MEMORANDUM OF UNDERSTANDING

Adopted **Resolution No. 14-68**, approving the Memorandum of Understanding between the City of Lancaster and Lancaster Code Enforcement Association and authorized the City Manager to execute the MOU.

CC 9. PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING

Approved a professional services agreement with RBF Consulting, a Company of Michael Baker International, of Irvine, California in the amount of \$282,404.00, with a 5% contingency, to develop the project initiation documents (PID) and produce the Project Study Report (PSR) for the **Public Works Construction Project (PWCP) 13-020**, SR-138 (SR-14) and Avenue G Interchange project and authorized the City Manager or his designee to sign all documents.

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CC 10. NOTICE OF COMPLETION

Accepted the work constructed by The Truesdell Corporation of California, Inc. for **Public Works Construction Project No. 12-005**, Bridge Rehabilitation, 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 11. HEARING OFFICER

Adopted **Resolution No. 14-69**, designating an independent hearing officer to hear appeals of Statements of Abatement Costs.

CC 12. MASTER AND PROGRAM SUPPLEMENTAL AGREEMENTS

Adopted **Resolution No. 14-70**, designating the City Manager as the authorized agent to approve all Master and Program Supplemental Agreements pertaining to the implementation and payment of funds for all State funded and Federal Aid transportation projects, and rescinding Resolution No. 00-251 which had designated the Public Works Director as the authorized agent.

CC 13. PROPOSITION A FUND BALANCE

Appropriated \$700,000.00 from Proposition A Fund Balance to Account No. 207-4330991 and increase estimated revenues by \$490,000.00 in Account No. 101-3650101.

CC 14. JUDICIAL FORECLOSURE OF DELINQUENT SPECIAL TAXES

Adopted **Resolution No. 14-71**, ordering judicial foreclosure of delinquent special taxes in Community Facilities District No. 89-1.

CC 15. JUDICIAL FORECLOSURE OF DELINQUENT SPECIAL TAXES

Adopted **Resolution No. 14-72**, ordering judicial foreclosure of delinquent special taxes in Community Facilities District No. 91-2.

CC 16. JUDICIAL FORECLOSURE OF DELINQUENT SPECIAL TAXES

Adopted **Resolution No. 14-73**, ordering judicial foreclosure of delinquent special taxes in Assessment District 93-3.

CC 17. DEL SUR SOLAR FACILITY PROJECT

Authorized the retention of Aspen Environmental Group for the preparation of an Environmental Impact Report (EIR) for the Del Sur Solar Facility project and related development applications on approximately 725 acres generally bounded by 93rd Street West, 105th Street West, Avenue H, and Avenue G.

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CC 18. RENEWABLE GENERATING FACILITY SITE GROUND LEASE

- a) Approved the Renewable Generating Facility Site Ground Lease (“Lease”) for approximately 20 acres west of the Lancaster National Soccer Center with SolarCity Corporation (“SolarCity”) and authorized the City Manager to enter into a written agreement with US Topco Energy Inc. terminating the Revised Option Agreement between the Lancaster Power Authority and US Topco Energy Inc., Revised Renewable Generating Facility Site Ground Lease, and First Amendment to Renewable Generating Facility Site Ground Lease.

- b) Authorized the City Manager to execute all documents and make any non-substantive changes necessary to complete the transaction.

CC 19. PROPERTY ACQUISITION

Approved the acquisition of the subject property and authorized the City Manager or his designee to execute all documents and make any non-substantive changes necessary to complete the transaction.

CC 20. EMERGENCY WATERSHED GRANT FUNDING

Provided the City Manager or his designee with Delegation of Authority to approve documents in the event that the City is approved for Emergency Watershed Grant Funding.

PH 1. TRACTION SEAL PROGRAM

Mayor Parris opened the Public Hearing. It was the consensus of the City Council to waive 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. 14-74**, approving the Traction Seal Program Fiscal Year 14-15 Budget and authorizing the City Manager to set prices, charges and terms of sale of Excess Asphalt Supply within approved price ranges, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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NB 1. AGREEMENT WITH PACIFIC ENERGY ADVISORS (PEA)

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

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved professional services agreement with Pacific Energy Advisors (PEA) to assist with implementation of Lancaster Choice Energy (LCE) for an amount not to exceed \$150,000 and authorized the City Manager or his designee to execute the agreement, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 2. CLASSIFICATION SCHEDULE FOR NON-REPRESENTED EMPLOYEES

The Finance Director presented the staff report on this item.

Addressing the City Council on NB 2 and NB 3:

Michael Rives – discussed appointed versus elected City Attorney, supports having the City Attorney as an employee.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council adopted **Resolution No. 14-75**, amending Resolution 14-64 establishing a compensation schedule for non-represented employees of the City, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council approved adding one position to work force count, bringing total to 252.25, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 3. AMENDMENT TO AGREEMENT FOR LEGAL SERVICES

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

On a motion by Council Member Johnson and seconded by Council Member Mann, the City Council approved the Amendment to Agreement for Legal Services (“Amendment”) with Stradling Yocca Carlson & Rauth (“SYCR”) and authorized the City Manager, or his designee, to execute the amendment, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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NB 4. LOS ANGELES HOMELESS SERVICES AUTHORITY WINTER SHELTER PROGRAM

The Housing and Neighborhood Revitalization Director presented the staff report on this item.

Addressing the City Council on this item:

Michael Rives – discussed homeless veterans and his attempts to work with Antelope Valley Healthcare District to move the clinic to AV Hospital which may assist with securing an inpatient VA hospital in the City.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council authorized the City Manager or his designee to facilitate the Los Angeles Homeless Services Authority (LAHSA) Winter Shelter Program (WSP) at the Lancaster Community Shelter and appropriated \$73,255 for the WSP to 261-4542-770 to fund these programs, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 6. REPORT ON PROPOSITION 47

The Public Safety Director, the Assistant City Attorney and the Los Angeles County Sheriff Captain presented the report on this item.

Information provided included an overview of various misdemeanor and felony offenses which were impacted by Proposition 47, an overview of AB 109 and deferral sentencing. Proposition 47 changed many offenses from felony offenses to misdemeanor offenses; staff is looking at the City's ability for low level misdemeanors infractions to be handled through a local administrative citation process. The City's approach could be from the monetary point of view in an attempt to persuade criminals from committing crimes in the city; staff will begin drafting an ordinance to address the monetary infractions. The Sheriff's Department continues to treat the violations the same but the criminals are not charged with felonies; drug offenses are now misdemeanor offenses; Captain Nelson discussed the specific drugs which are affected and stated drug addicts typically finance their addictions through theft – these offenses are now reduced and the ability to hold these individuals based on those offenses is reduced. The mandated drug treatment that accompanied Proposition 36 is no long mandatory, space issues in jails translates to individuals remaining free to continue targeting the community.

Discussion among the Council and staff included working with the new Los Angeles County Sheriff to speed up the process for a women's facility at Mira Loma, discussion regarding cuts in personnel which relates to incarceration rate – the lack of funding for personnel directly impacts the number of criminals being held in custody.

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NB 6. REPORT ON PROPOSITION 47 CONTINUED...

Addressing the City Council on this item:

Ed Galindo – discussed Proposition 47 and the margin in which it passed by the voters, discussed codes involved and the title for the Proposition, discussed the existence of felonies on juvenile’s record; supports Proposition 47.

No action necessary; received and filed report on Proposition 47

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

Vice Mayor Crist stated the AVTA Board recently discussed the rate structure as it relates to seniors, veterans and handicapped; this is the only community to allow these citizens to ride for free; additionally the board discussed purchasing diesel buses and electric buses. Council Member Johnson discussed the Board’s past unanimous action regarding purchasing electric buses.

CR 2. REPORT ON ACTIVITIES OF THE BOARD OF DIRECTORS FOR THE DISTRICT NO. 14 OF THE SANITATION DISTRICT OF THE LOS ANGELES COUNTY

Council Member Mann stated the Board recently voted to direct \$3 billion in reserve funds for the upcoming year to be placed in Freddie Mac and Fannie May.

Discussion among the Council included discussion of remortgaging the existing Sanitation District bonds or eliminating the debt using reserve funds.

LANCASTER HOUSING AUTHORITY

No action required at this time.

LANCASTER FINANCING AUTHORITY

No action required at this time.

LANCASTER SUCCESSOR AGENCY

No action required at this time.

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CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager discussed the grand opening of the City's newest dog park at American Hero's Park and reminded the community about the Magical BLVD Christmas event occurring on December 13th. Mr. Bozigian discussed the work being done by The BLVD Association including increased security and cleaning crews on the Blvd and encouraged citizens to support these businesses. Additionally the City Manager stated the changes to the Metrolink Station are due to the Mayor's and City Council's hard work and bringing the issues into the public view; statistics for individuals who were issued citations on the Metrolink for a 2-week period were discussed.

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 item.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Rosemarie Ianni – discussed an idea regarding utilizing plastic liners in addition to sand bags to divert water and assist with flooding issues; suggested requesting assistance from the Fire Department and Cal Trans.

Wally Melendez – discussed speed limits in the city, discussed reducing the speed limit throughout the city to 35 MPH, discussed California City's state of the art duplexes and his hope to find them in Lancaster.

Kurt Boyer – thanked the Mayor for his assistance in his clinic's recognition by the City, discussed his work with the homeless, offered the City his services.

Corbin Ingram – discussed his involvement in grants and research projects, discussed his research program that takes mammal hair and turns it into wall insulation, requested the City's support in the form of a letter for research; the project creates white and blue collar jobs.

Fran Sereseres – thanked the City Manager's office for facilitating a meeting at the senior center regarding the roundabout; also discussed a recent Board of Supervisors meeting at which she requested a new senior center building to be handled as a partnership with the Board of Supervisors and the City of Lancaster.

Discussion took place regarding using an existing vacant building as opposed to building a new building

David Paul – expressed his gratitude to the City, feels joy in being a part of the city, discussed the work between the Council and city staff and the positive impact it has on the community, discussed a class he is taking regarding science and philosophy; discussed the new dog park, thanked the Chamber of Commerce for allowing his son to pass out programs at the recent Lancaster Christmas Parade.

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COUNCIL / AGENCY COMMENTS

Council Member Johnson recognized friends who are attending the Council meeting this evening in memory of her father and discussed the University of Antelope Valley's upcoming Caring for the Community event at which hot meals will be provided to the needy. Council Member Johnson thanked the local businesses for their support of the event.

RECESS

Mayor Parris recessed the meeting at 6:38 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) - four potential cases.
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. Save Our Neighborhood Group v. City of Lancaster, et al. Los Angeles Superior Court Case No. BS 121501.
8. Shabazz v. Parris, USDC, Central Case No. CV12-5803 SVW (JEM)
9. Manriquez v. City of Lancaster, LASC Case No. MC 024 127
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

Vice Mayor Crist reconvened the meeting at 7:01 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced the City Council met in Closed Session and discussed one item of potential litigation under item number one, discussed item number nine and gave direction to staff and counsel on both items with no reportable action.

ADJOURNMENT

Pursuant to action taken by the City Council/Successor Agency/Financing/Housing/Power Authority on September 10, 2013, there will not be a City Council/Successor Agency/Financing/Housing/Power Authority meeting on December 23, 2014 due to the holidays.

Mayor Parris adjourned the meeting at 7:02 p.m. and stated the next meeting would take place on Tuesday, January 13, 2015 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this _____day of _____, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

BRITT AVRIT, CMC
CITY CLERK
AGENCY/AUTHORITY SECRETARY

R. REX PARRIS
MAYOR/CHAIRMAN

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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)
