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**LANCASTER  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
MINUTES  
April 28, 2015**

**CALL TO ORDER**

Mayor/Chair Parris called the meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:01 p.m.

**ROLL CALL**

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

**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; Public Works Manager; Parks, Recreation and Arts Director; Finance Director, Economic Development Director, Housing Director; Human Resources Director

**INVOCATION**

Chaplain Jason Knudeson, Maj., USAF

**PLEDGE OF ALLEGIANCE**

Criminal Justice Commissioner Sheldon Carter

**PRESENTATIONS**

1. Recognition of Joe Walker Middle School teacher, Matt Anderson, for being chosen as the Project Lead the Way Gateway Teacher of the Year; Mr. Anderson received a key to the City for his achievement.  
Presenter: Mayor Parris
2. Green California Leadership Award 2015 for Renewable Energy  
Presenter: Deputy City Manager Jason Caudle

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**M 1. MINUTES**

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council/Successor Agency/Financing/Power Authority approved the City Council/Successor Agency/Financing/Power Authority Meeting Minutes of April 14, 2015, by the following vote: 5-0-0-0; AYES: Mann, Smith, Underwood-Jacobs, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

**CONSENT CALENDAR**

Item No.'s CC 5, 7 and 10 were removed for separate discussion.

On a motion by Vice Mayor Crist and seconded by Council Member Smith, the City Council approved the Consent Calendar with the exception of Item No.'s CC 5, 7 and 10 by the following vote: 5-0-0-0; AYES: Mann, Smith, Underwood-Jacobs, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

Addressing the City Council on Item No.'s CC 5 and 10

Michael Rives – congratulated the City Council and staff for providing handicap seating in the Council Chambers; discussed Avenue I and discussed the amount of savings that will be seen as a result of refinancing the loans involved with Item No. CC 10.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council approved Item No.'s CC 5 and 10, by the following vote: 5-0-0-0; AYES: Mann, Smith, Underwood-Jacobs, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

At this time, the Mayor stated he would need to recuse himself from Item No. CC 7 due to property he owns at 30<sup>th</sup> Street West and Avenue K.

Mayor Parris left the dais at this time.

On a motion by Council Member Smith and seconded by Council Member Underwood-Jacobs, the City Council approved Item No. CC 7, by the following vote: 4-0-1-0; AYES: Mann, Smith, Underwood-Jacobs, Crist; NOES: None; RECUSED: Parris; ABSENT: None

Mayor Parris returned to the dais at this time.

**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 29, 2015 through April 11, 2015 in the amount of \$969,439.19.

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**CC 3. INVESTMENT REPORT**

Accepted and approved the March 2015, Monthly Report of Investments as submitted.

**CC 4. UNDERTAKING AGREEMENT**

Approved and accepted an amendment to the Subdivision Undertaking Agreement submitted by Magnolia, LP (the "Subdivider") for Tract No. 53102, located on the southwest corner of Avenue J-8 and 45<sup>th</sup> Street West, extending the date of completion to March 17, 2017.

**CC 5. AVENUE I CORRIDOR IMPROVEMENTS**

Approved a Funding Agreement with the Los Angeles County Metropolitan Transportation Authority (LACMTA) for Local Transportation Funds of the Avenue I Corridor Improvements, 15th Street West to 10th Street West project and authorized the City Manager, or his designee, to sign all documents.

Increased estimated revenues in Account No. 321-3402-100 by \$227,458.00 for Fiscal Year 2014-2015; appropriated \$372,458.00 in LACMTA Local Transportation Funds to Capital Improvement Account No. 321-15ST042-924, and \$372,458.00 in 209 funds to Capital Improvement Account No. 209-15ST042-924 for the Avenue I Corridor Improvements, 15th Street West to 10th Street West Project.

**CC 6. LETTER OF AGREEMENT**

Affirmation of letter of agreement to City of Palmdale that upon completion of the scope of work described in the letter of agreement, the City of Lancaster will pay their jurisdictional share of the pavement rehabilitation activities on Avenue M, between 4<sup>th</sup> Street East and Challenger Way.

**CC 7. PUBLIC WORKS CONSTRUCTION PROJECT 13-023**

Accepted the road easement, approved the right-of-way contract, authorized payment for easement, and authorized the City Manager, or his designee, to sign all documents including but not limited to the right-of-way contract, Escrow Instructions, Addition and/or Amendment to Escrow Instructions, and Estimated Buyers Statement, for the Right-of-Way Acquisition, Antelope Valley College **Public Works Construction Project No. 13-023 - Avenue K and 30th Street West and Avenue I and 10<sup>th</sup> Street West Intersection Improvements, HSIPL-5419(041).**

**CC 8. PUBLIC WORKS CONSTRUCTION PROJECT 14-002**

Awarded **Public Works Construction Project No. 14-002 (Rebid), Avenue I and 25th Street East Intersection and Traffic Signal Improvements** to Granite Construction, Inc. of Lancaster, California, in the amount of \$582,284.00, 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. This contract is awarded to the lowest responsible bidder per California Public Contract Code Section 22038 (b).

Appropriated \$100,000.00 in Signal Impact Fees Fund Balance to Capital Improvement Budget Account No. 217-16TS009-924.

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**CC 9. ADMINISTRATIVE POLICY LCE-004**

Approved Administrative Policy LCE-004

**CC 10. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Adopted **Resolution No. 15-16**, authorizing participation in the United States Department of Housing and Urban Development (HUD) Public Offering scheduled for May 28, 2015 to refinance the existing Section 108 Loan note B-02-MC-0558 (Mental Health Association).

Adopted **Resolution No. 15-17**, authorizing participation in the United States Department of Housing and Urban Development (HUD) Public Offering scheduled for May 28, 2015 to refinance the existing Section 108 Loan note B-02-MC-06-0553-A (Children's Center of the Antelope Valley).

**NB 1. WATER CONSERVATION MEASURES - NEW DEVELOPMENT**

The Planning Director and the Planning Commission Chairman presented this item.

Information from the Planning Commission included: suggestion to adopt a policy encouraging new projects to use recycled water from the City's system whenever feasible; continue to follow the availability of gray water recycling systems for new developments and revisit mandating these systems when they are more readily available to the development community. The Planning Commission suggests the City not mandate dual plumbing systems at this time; these products are currently being developed and as products come on the market, the dual plumbing requirement can be revisited. As recycled water systems are developed and installed in new developments, recycled water can be used as irrigation; therefore mandating zero turf for new developments is not recommended as the recycled water would be ideal to irrigate landscape; zero turf requirements for new development may prove to be a deterrent to installing recycled water systems.

Discussion among City Council and staff included discussion of water usage for new homes and existing homes. Additionally the City's current 'Better Built Home' program was discussed. Long-term vs. short-term job creation was discussed as was the impact of new housing on sales tax and revenue. Continuity between the City and Los Angeles County with regard to water is needed; Council requested that staff work with the County in this regard. Further discussion took place regarding the City's recycled water system and staff clarified the City is the purveyor of recycled water in this community.

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**NB 1. WATER CONSERVATION MEASURES - NEW DEVELOPMENT CONTINUED**

Addressing the City Council on this item:

Michael Rives – thanked the Planning Commission for their work on this issue; discussed long term analysis for the State water issue and discussed offering incentives to consumers in the form of a cash payment from the City.

David Paul – discussed the water issues, suggests the City get involved with water wasting in the City; need to get the message out to the community.

Christine Rangel – representing the Building Industry Association, LA County; opposed to proposed water conservation measures.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council received and filed the report and directed the Planning Commission to return with a report as soon as applicable, by the following vote: 5-0-0-0; AYES: Mann, Smith, Underwood-Jacobs, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

**NB 2. ENHANCEMENTS TO THE CURRENT CASH FOR GRASS REBATE PROGRAM**

The City Manager presented the staff report on this item.

Information provided to the Council included working with different agencies to control water; most efficient way to reduce water usage is through voluntary compliance and ‘Cash for Grass’ rebate programs. The City Manager provided an overview of LA County Water District’s programs for drought tolerant landscaping which included the rebates being offered; the City suggests increasing the amount of the rebates offered to consumers. The process for obtaining reimbursement from LA County Water Districts was discussed; the City suggests the Water District consider utilizing a preapproved contractor process which prevents consumers from having out of pocket expenses; the contractor receives payment from the water agency directly. The City Manager stated reimbursement from the County is not guaranteed due to funding limits and discussed the tax consequences associated with the rebates. Additionally, the City Manager discussed the rate change consumers may receive if they participate in the rebate program; the Water District may charge the consumer a higher rate even if water usage is reduced.

The City Manager requested that City Council give direction to staff to aggressively work with the County to make changes to their ‘Cash for Grass’ program.

Discussion among City Council and staff included the need to get all parties in the same room. Additionally, discussion of setting water rates that encourage water conservation and discourage water wasting and discussion of increasing the rebate amount and not including a ‘Rate Adjustment Mechanism’ (RAM) charge took place. The City Council requested the City Manager work with AVEK, the Water District and the Supervisors Office.

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**NB 2. ENHANCEMENTS TO THE CURRENT CASH FOR GRASS REBATE PROGRAM CONTINUED...**

Addressing the City Council on this item:

David Paul – discussed his yard, discussed the City backing him in his choice to reduce his water usage; stated he is in a difficult position to not water his lawn to save water, but may receive a ticket for a brown lawn.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council received and filed the report regarding enhancements to the current Cash for Grass Rebate Program, by the following vote: 5-0-0-0; AYES: Mann, Smith, Underwood-Jacobs, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

**NB 3. WATER CONSERVATION IN LANCASTER**

The Public Works Manager, the Utilities Division Manager and the Parks, Recreation and Arts Director presented this item.

The Public Works Manager stated the Governor's mandate to reduce water usage will fall on the water purveyors (AVEK and LA County Water District); the City will need to work closely with these entities to affect change; the mandate includes a 25% reduction in water usage. Information provided to the City Council included information regarding ornamental turf and recreation/athletic turf and water conservation measures which have been in place in Lancaster for many years. Discussion included the current customer base for the City's recycled water program and discussion of making the program available to more customers through the use of grant funding. The City will continue to maintain its facilities for citizens' enjoyment while following the Governor's mandate for reduced water usage; plans for reducing the City's usage while continuing to properly maintain city facilities include replacing landscape in specific areas with drought tolerant plants.

No action necessary.

**NB 4. MAYOR'S HEALTH AND WELLNESS COUNCIL**

The Assistant to the City Manager presented the staff report on this item.

On a motion by Vice Mayor Crist and seconded by Council Member Underwood-Jacobs, the City Council approved the sponsorship funding appropriation for the Mayor's Health & Wellness Council and Mayor's Health Academy Program; approved the transfer of \$20,000 from General Fund Balance (101-4999106) to Lancaster Community Services Foundation (106-3900101); appropriated \$80,000 to Account No. 106-4330-201 and increased estimated revenues in Account No. 106-3230110 by \$80,000, by the following vote: 5-0-0-0; AYES: Mann, Smith, Underwood-Jacobs, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

The Mayor requested a brief recess at this time.

The Mayor reconvened the meeting at 6:29 p.m.

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**NB 5. PURCHASE OF BUS STOP AMENITIES**

The Capital Program Manager presented the staff report on this item.

Discussion among City Council and staff included clarification regarding advertising, the time frame for installing the new amenities, and discussion regarding battery backup.

Addressing the City Council on this item:

Michael Rives – thanked the city for this project; suggests numbering the shelters.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council authorized the purchase of bus stop amenities from Tolar Manufacturing Company, Inc. of Corona, California in the amount of \$686,700.00, plus a 5% contingency, for shelters equipped with solar LED lighting and benches, by the following vote: 5-0-0-0; AYES: Mann, Smith, Underwood-Jacobs, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

**NB 6. MEASURE R FUNDED SR-138 (SR-14) CAPACITY ENHANCEMENT PROJECTS**

It was the consensus of the Council to waive the staff report for this item.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council authorized the City Manager, or his designee, to approve and sign all Funding Agreements and any other documents pertaining to the implementation and payment of funds for all Los Angeles County Metropolitan Transportation Authority (LACMTA) Measure R funded SR-138 (SR-14) Capacity Enhancement projects, by the following vote: 5-0-0-0; AYES: Mann, Smith, Underwood-Jacobs, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

**CA 1. DISCUSS AND CONSIDER APPOINTING COUNCIL MEMBER UNDERWOOD-JACOBS TO THE ANTELOPE VALLEY TRANSIT AUTHORITY BOARD OF DIRECTORS**

Mayor Parris requested consideration of the nomination and appointment of Angela Underwood-Jacobs to the Antelope Valley Transit Authority Board of Directors

Addressing the City Council on this item:

Michael Rives – discussed proposed service changes from the AVTA which were discussed at a meeting he recently attended.

On a motion by Mayor Parris and seconded by Vice Mayor Crist, the City Council approved the nomination and appointment of Angela Underwood-Jacobs to the Antelope Valley Transit Authority Board of Directors, by the following vote: 5-0-0-0; AYES: Mann, Smith, Underwood-Jacobs, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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**CA 2. GOVERNING BOARD ALTERNATES**

Mayor Parris requested the Council discuss and confirm the update to the Council procedure regarding alternates' participation in governing boards of various entities of which the City is a member so that each City Council Member, excluding the Mayor, shall serve as an alternate to each such entity's Board of Director's and shall participate at such entity's meetings at the request of the designated Council Member or, in the event of the incapacity of such Council Member, at the request of the Mayor.

Discussion included excluding the Mayor and discussion of other options if this item isn't approved. The Mayor stated he can attend meetings if necessary in order to provide information without having to be an alternate on the governing board.

On a motion by Council Member Mann and seconded by Council Member Smith, the City Council confirmed the update to the Council procedure regarding alternates' participation in governing boards of various entities of which the City is a member so that each City Council Member, excluding the Mayor, shall serve as an alternate to each such entity's Board of Director's and shall participate at such entity's meetings at the request of the designated Council Member or, in the event of the incapacity of such Council Member, at the request of the Mayor, by the following vote: 4-1-0-0; AYES: Mann, Smith, Underwood-Jacobs, Parris; NOES: Crist; ABSTAIN: None; ABSENT: None

**CR 1. COUNCIL REPORTS**

Vice Mayor Crist stated AVTA is recruiting for an Executive Director; stated the budget process for AVTA is continuing; AVTA will move forward with seeking funding for 46 electric buses and discussed a proposed bill which impacts grant funding for AVTA.

Vice Mayor Crist stated the Antelope Valley Air Quality Management District is working to acquire tractors to replace aging farm equipment.

**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.

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**CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENT**

The City Manager discussed BYD's recent award of buses from Long Beach Transit, Anaheim Transportation and Gardena Bus Line and stated Fire Safety Day will take place on May 9, 2015. The Deputy City Manager discussed the Poppy Festival and thanked staff for their hard work at the event.

**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:

Marlene Moreno – concerned with children crossing the street at 17<sup>th</sup> Street East and Avenue I; requesting help from the Council to help the children when crossing the street; discussed the speed limit in the area; requested a light be installed near Friendly Village at 17<sup>th</sup> Street East.

Sandra Johnson – thanked the Council for their understanding when she stepped down; discussed the recent Color Me Rad event and thanked staff for supporting the event; discussed several upcoming events which support the Marco and Sandra Foundation including the Johnson Smooth Jazz Festival taking place Mother's Day weekend, the 5K Electric Run taking place on The Blvd in July, the Dirty Dash occurring in October and a country concert taking place in November.

Fran Sereseres – discussed building a new Senior Center in Lancaster; discussed a story in the newspaper regarding a silver and gold mine and discussed an alcohol permit given to the market on The BLVD.

David Paul – welcomed Council Member Underwood-Jacobs and discussed a quote from a book he read; discussed a meeting he attended recently.

Bryan Simms – discussed his business and his plans regarding future development for his business.

Michael Rives – discussed the recent earthquake in Nepal and the impact of a large earthquake on the Antelope Valley; discussed his idea for numbering the new bus shelters.

Wally Melendez – stated speed limits are too high in the city, stated the buses are dirty and discussed his visit to Florida and his experience with riding buses in Florida; suggests having a city representative at the County Supervisor's meetings.

**COUNCIL / AGENCY COMMENTS**

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**RECESS**

Mayor Parris recessed the meeting at 7:21 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. Tapola v. City of Lancaster, LASC Case No. MC 024672
9. Gerardo v. City of Lancaster, LASC Case No. BC517255
10. City of Lancaster v. Van Dam, LASC Case No. MC 024810
11. 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

**RECONVENE**

Mayor Parris reconvened the meeting at 8:10 p.m.

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**CITY ATTORNEY ANNOUNCEMENT**

The City Attorney announced the City Council met in Closed Session and discussed item number one - one potential case and gave direction to Counsel; discussed item number nine and unanimously approved a settlement; discussed item number 10 and gave direction to Counsel; no further reportable action.

**ADJOURNMENT**

Mayor Parris adjourned the meeting at 8:11 p.m. and stated the next meeting would take place on Tuesday, May 12, 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)

\_\_\_\_\_