



**CITY COUNCIL/SUCCESSOR AGENCY/
HOUSING/FINANCING/POWER AUTHORITY
REGULAR MEETING
AGENDA**

Tuesday

June 28, 2016

Regular Meeting – **5:00 p.m.**

Council Chambers – Lancaster City Hall

The City Clerk/Agency/Authority Secretary hereby declares the agenda was posted
by 5:00 p.m. on Friday, June 24, 2016

at the entrance to the Lancaster City Hall Council Chambers.

44933 Fern Avenue, Lancaster, CA 93534

LEGISLATIVE BODY

City Council/Successor Agency/Financing/Power Authority

Mayor/Chair R. Rex Parris

Vice Mayor/Vice Chair Marvin Crist

Council Member/Agency Director/Authority Member Raj Malhi

Council Member/Agency Director/Authority Member Ken Mann

Council Member/Agency Director/Authority Member Angela Underwood-Jacobs

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AGENDA ITEMS TO BE REMOVED

Sometimes it is necessary to remove items from the agenda. We apologize for any inconvenience this may cause you.

PUBLIC BUSINESS FROM THE FLOOR - AGENDIZED ITEMS

Any person who would like to address the City Council, Successor Agency, and Power/Financing Authorities on any agendized item is requested to complete a speaker card for the City Clerk/Agency/Authority Secretary and identify the agenda item you would like to discuss. Each person will be given an opportunity to address the Legislative Body at the time such item is discussed. Speaker cards are available at the rear of the Council Chambers and your speaker card must be filled out *prior* to the agenda item being called. We respectfully request that you fill the cards out completely and print as clearly as possible. Following this procedure will allow for a smooth and timely process for the meeting and we appreciate your cooperation. *Individual speakers are limited to three (3) minutes each.*

Consent Calendar items under the Legislative Body may be acted upon with one motion, a second and the vote. If you desire to speak on an item or items on the Consent Calendar, you may fill out one speaker card for the Consent Calendar. You will be given three minutes to address your concerns before the Legislative Body takes action on the Consent Calendar.

CALL TO ORDER

City Council/Successor Agency/Financing/Power Authority

ROLL CALL

City Council Members /Agency Directors /Authority Members: Malhi, Mann, Underwood-Jacobs;
Vice Mayor/Vice Chair Crist, Mayor/Chair Parris

INVOCATION

Pastor Dwayne Jones, Living Water Worship Center

PLEDGE OF ALLEGIANCE

PRESENTATION

1. Recognition of Miss Latina AV Community Court
Presenter: Mayor Parris

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COUNCIL ACTIONS

MINUTES

M 1. Approve the City Council/Successor Agency/Financing/ Power Authority Regular Meeting Minutes of June 14, 2016.

CONSENT CALENDAR

CC 1. Waive further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text.)

CC 2. Approve the Check and Wire Registers for May 29, 2106, through June 11, 2016 in the amount of \$2,327,450.03.

At each regular City Council Meeting, the City Council is presented with the financial claims (invoices) against the City for purchase of materials, supplies, services, and capital projects for checks and Automated Clearing House (ACH) payments issued the prior two to three weeks. This process provides the City Council the opportunity to review the expenses of the City. The justifying backup information for each expenditure is available in the Finance Department.

CC 3. Accept and approve the May 2016, Monthly Report of Investments as submitted.

Each month, the Finance Department prepares a report listing the investments for all separate entities under the jurisdiction of the City as identified in the City's Comprehensive Annual Financial Report.

CC 4. Award a professional services agreement with Braun, Blaising, McLaughlin & Smith (BBMS), in the amount of \$220,000.00 for regulatory legal representation for fiscal year 2017 for Lancaster Choice Energy, and authorize the City Manager, or his designee, to sign all documents.

BBMS provides legal services to LCE. These services include representing the City of Lancaster and LCE before the California Public Utilities Commission (CPUC). They advise LCE regarding pending and/or anticipated CPUC matters, rate cases, and CPUC rule changes that may affect LCE's interests. They also assist in the preparation and submission of required filings at the CPUC and the California Energy Commission.

CC 5. Award a professional services agreement with Pacific Energy Advisors (PEA), in the amount of \$275,000.00 for professional services for fiscal year 2017 in support of Lancaster Choice Energy, and authorize the City Manager, or his designee, to sign all documents.

PEA provides support as needed to LCE. These services include Ratesetting, Pro Forma and Budget Assistance, Energy Procurement Assistance, and Regulatory Compliance Support.

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CC 6. Public Works Construction Project No. 11-002, Avenue E-8 Temporary Recycled Water Pump Station

- a. Approve Change Order Nos. 1 – 8, and increase the total amount of the contract with High Desert Contractors, Inc. of Lancaster, California, for Public Works Construction Project No. 11-002, Avenue E-8 Temporary Recycled Water Pump Station, by \$14,088.06, for a total revised contract amount of \$445,732.06, plus a 10% contingency.
- b. Accept the work constructed by High Desert Contractors, Inc. for Public Works Construction Project No. 11-002, Avenue E-8 Temporary Recycled Water Pump Station, and direct 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.

On November 12, 2013, Council awarded Public Works Construction Project No. 11-002, Avenue E-8 Temporary Recycled Water Pump Station, to High Desert Contractors, Inc. The project included the construction of facilities for storage and pumping of recycled water produced at the Lancaster Water Reclamation Plant, as well as minor repairs and improvements to the existing mainline. Construction of the project has been completed to the satisfaction of the Development Services Director.

CC 7. Public Works Construction Project No. 11-023, 20th Street East Storm Drain Extension at Avenue I (REBID)

- a. Approve Change Order Nos. 1 – 19 and increase the total amount of the contract with Cedro Construction, Inc., of Santa Paula, California, for Public Works Construction Project No. 11-023, 20th Street East Storm Drain Extension at Avenue I (REBID), by \$30,710.74, for a total revised contract amount of \$1,163,993.88, plus a 20% contingency.
- b. Accept the work constructed by Cedro Construction, Inc. for Public Works Construction Project No. 11-023, 20th Street East Storm Drain Extension at Avenue I (REBID), and direct 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.

On August 26, 2014, Council awarded Public Works Construction Project No. 11-023, 20th Street East Storm Drain Extension at Avenue I (REBID) to Cedro Construction, Inc. The project included construction of a large box structure through the intersection to allow an outlet for storm water runoff into the existing basin at the northwest corner of 20th Street East and Avenue I. Construction of the project has been completed to the satisfaction of the Development Services Director.

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CC 8. Accept the work constructed by Granite Construction Company for **Public Works Construction Project No. 14-002, Avenue I and 25th Street East Intersection and Traffic Signal Improvements (REBID)**, and direct 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.

On April 28, 2015, Council awarded Public Works Construction Project No. 14-002, Avenue I and 25th Street East Intersection and Traffic Signal Improvements (REBID) to Granite Construction Company. The project included the construction of a new traffic signal for the intersection of Avenue I and 25th Street East, as well as repaving, new striping including crosswalks, and the construction of new box culverts installed to remove water runoff from where vehicles and pedestrians access the intersection. Construction of the project has been completed to the satisfaction of the Development Services Director.

CC 9. Accept the work constructed by Granite Construction Company, of Lancaster, California, for **Public Works Construction Project No. 14-006, Endeavor Middle School Pedestrian Improvements**, and direct 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.

On May 12, 2015, Council awarded Public Works Construction Project No. 14-006, Endeavor Middle School Pedestrian Improvements, to Granite Construction Company. The project included construction of gap closure, roadway improvements on the south side of Avenue J-12, between 45th Street West and 46th Street West, including a school bus turn-out; bulb-outs on Avenue J-12, west of 45th Street West, to calm traffic and shorten crossing distances; a new crosswalk and ramp on Avenue J-12, east of 46th Street West, to improve pedestrian visibility and ADA access; double ramp bulb-outs on 45th Street West, south of Avenue J-10, with Rectangular Rapid Flash Beacons to calm traffic, shorten crossing distances, improve pedestrian visibility and ADA accessibility; road diet restriping on 45th Street West, from Avenue J-8 to Avenue K, to provide for continuous bike lanes, calm traffic, and right-size the street; minor storm drain improvements on 45th Street West, south of Avenue J-12; and curb ramp upgrades to meet current ADA standards. Construction of the project has been completed to the satisfaction of the Development Services Director.

CC 10. Accept the work constructed by High Desert Contractors, Inc., of Lancaster, California, for **Public Works Construction Project No. 14-012, Division Street Recycled Water Main Modification and Valve Replacement**, and direct 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.

On July 14, 2015, Council awarded Public Works Construction Project No. 14-012, Division Street Recycled Water Main Modification and Valve Replacement, to High Desert Contractors, Inc. The project construction included replacement of five (5) existing valves along the Division Street recycled water main, between Avenue H-8 and Lancaster Boulevard. Construction of the project has been completed to the satisfaction of the Development Services Director.

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CC 11. Accept the work constructed by Medallion Contracting, Inc., of Palmdale, California, for **Public Works Construction Project No. 15-011, Maintenance Yard Storage Building, Phase II**, and direct 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.

On December 8, 2015, Council awarded Public Works Construction Project No. 15-011, Maintenance Yard Storage Building, Phase II, to Medallion Contracting, Inc. The project included construction of a five (5) bay, 50' by 100' storage building at the City's maintenance yard, including extension of electrical appurtenances for the Hazardous Waste Building to the south of the new Maintenance Yard Storage Building. Construction of the project has been completed to the satisfaction of the Development Services Director.

CC 12. Award **Bid No. 642-16, Emulsified Asphalt Materials**, to VSS Emultech in support of the City's Revive 25 Pavement Management Program.

In 2012, the City implemented a program for pavement preservation within the Pavement Management Program. Over the last year, the City developed the Revive 25 Campaign, which works in collaboration with the ongoing pavement preservation efforts. Utilizing existing staff, the Public Works Division will utilize pavement preservation techniques to double the number of lane miles identified in the Pavement Management Program. The City will realize an increase in lane miles treated and reduced costs over conventional reconstruction methods. This procurement includes the delivery and application of the emulsified asphalt.

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CONTINUED BUSINESS

CB 1. Adoption of the First Year and Approval of the Second Year of the Fiscal Years 2016-17 and 2017-18 Biennial Budget and Related Resolutions

Recommendations:

- a. Adopt **Resolution No. 16-34**, adopting the first year and approving the second year of the proposed City of Lancaster Fiscal Years 2016-17 and 2017-18 General Fund Operating Budget, Special Funds Budget, and Capital Improvements Budget, as specified in the Budget Document, and as amended in Attachment A.
- b. Adopt **Resolution No. 16-35**, establishing the annual Appropriations Limit for Fiscal Year 2016-17.
- c. Adopt **Resolution No. 16-36**, amending Resolution No. 15-29 establishing the citywide fee schedule related to cost of services.
- d. Adopt **Resolution No. 16-37**, authorizing an amendment to the final budget for Fiscal Year 2015-16 and authorizing the write off of two accounts receivables, pursuant to Administrative Policy and Procedure No 200-10, Accounts Receivable Recognition and Write Off Policy.
- e. Adopt **Resolution No. 16-38**, amending Resolution No. 14-64 establishing a compensation schedule for various classifications for employees of the City.

The City is required to adopt a budget by July 1 of each year that establishes appropriations and estimated revenues for the upcoming fiscal year or two fiscal years. The proposed budget is a culmination of many months of work by the City Council and staff in reviewing priorities and evaluating programs to meet those priorities. A Public Hearing to review the budget was held on June 14, 2016.

NEW BUSINESS

NB 1. Climate Action Plan

Recommendation:

Receive and file Climate Action Plan presentation

In order to meet the State greenhouse gas (GHG) emission reduction target established through Assembly Bill (AB) 32, staff has prepared a project-based Draft Climate Action Plan documenting the City's progress in reducing greenhouse gas emissions. The City's emissions inventory was prepared with the help of a consultant utilizing a 2010 baseline and a current year of 2015. Staff then identified approximately 60 potential projects, which would improve the quality of life within the City while at the same time reducing the City's greenhouse gas emissions.

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NB 2. Zero Net Energy (ZNE) Home

Recommendation:

Direct the Planning Commission to explore the feasibility of implementing the 2016 California Green Building Standard's voluntary zero net energy (ZNE) tier for newly constructed residential buildings as a mandatory requirement in Lancaster.

There are many benefits to adopting the ZNE tier most notably for residents who would no longer have the burden of an electric bill. Additionally, because the use of renewable energy is encouraged in the State, home builders can take advantage of various subsidies that are available for the installation of solar PV systems and energy efficient products. Finally, adopting this ordinance would support the City's goal of becoming a Net Zero city.

NB 3. Marijuana Initiatives Update

Recommendation:

Receive Update on possible California Marijuana Initiatives

COUNCIL AGENDA

CA 1. Update and possible action regarding potential City Parcel Tax
Presenter: Vice Mayor Crist

COUNCIL REPORTS

CR 1. Report on the Activities of the Board of Directors for the Antelope Valley Transit Authority

Presenter: Vice Mayor Crist

CR 2. Report on the Activities of the Board of Directors for District No. 14 of the County Sanitation Districts of Los Angeles County

Presenter: Council Member Mann

CR 3. Council Reports

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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

CITY CLERK / AGENCY / AUTHORITY SECRETARY ANNOUNCEMENT

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

This portion of the agenda allows an individual the opportunity to address the City Council/Successor Agency on any item ***NOT ON THE AGENDA*** regarding City/Agency business and speaker cards must be submitted ***prior*** to the beginning of this portion of the Agenda. Please complete a speaker card for the City Clerk/Agency Secretary and identify the subject you would like to address. We respectfully request that you fill the cards out completely and print as clearly as possible. Following this procedure will allow for a smooth and timely process for the City Council/Successor Agency meeting and we appreciate your cooperation. State law prohibits the City Council/Successor Agency from taking action on items not on the agenda and your matter will be referred to the City Manager/Executive Director. ***Individual speakers are limited to three (3) minutes each.***

COUNCIL / AGENCY COMMENTS

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CLOSED SESSION

1. Conference with Legal Counsel – Anticipated Litigation: significant exposure to litigation pursuant to Government Code Section 54956.9(d) (2) – two 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. Patton v. City of Lancaster, LASC Case No. MC 025064
5. Estarella v. City of Lancaster, LASC Case No. BC527749
6. Wilson v. City of Lancaster, LASC MC025201
7. 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

ADJOURNMENT

Next Regular Meeting:

Tuesday, July 12, 2016 - 5:00 p.m.

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MEETING ASSISTANCE INFORMATION

In compliance with the Americans with Disabilities Act, this meeting will be held at a location accessible to persons with disabilities; if you need special assistance to participate in this meeting, please contact the City Clerk at (661)723-6020. Services such as American Sign Language interpreters, a reader during the meeting, and/or large print copies of the agenda are available. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting/event you wish to attend. Due to difficulties in securing sign language interpreters, five or more business days notice is strongly recommended. For additional information, please contact the City Clerk at (661)723-6020.

AGENDA ADDENDUM INFORMATION

On occasion items may be added after the agenda has been mailed to subscribers. Copies of the agenda addendum item will be available at the City Clerk Department and are posted with the agenda on the windows of the City Council Chambers. For more information, please call the City Clerk Department at (661) 723-6020.

All documents available for public review are on file with the City Clerk Department.