



CITY COUNCIL/SUCCESSOR AGENCY/FINANCING/  
POWER/CALIFORNIA CHOICE ENERGY AUTHORITY  
REGULAR MEETING  
AGENDA

**Tuesday, February 23, 2021**  
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 PM on February 19, 2021  
at the entrance to the Lancaster City Hall Council Chambers  
44933 Fern Avenue, Lancaster, CA 93534

***LEGISLATIVE BODY***

**City Council/Successor Agency/Financing/Power/California Choice Energy  
Authority**

Mayor/Chair R. Rex Parris

Vice Mayor/Vice Chair Marvin Crist

Council Member/Agency Director/Authority Darrell Dorris

Council Member/Agency Director/Authority Member Raj Malhi

Council Member/Agency Director/Authority Member Ken Mann

***Housing Authority***

Deputy Mayor/Chair Kitty Kit Yee Szeto

Vice Chair Marvin Crist

Deputy Mayor/Authority Member Cassandra Harvey

Authority Member Raj Malhi

Authority Member Ken Mann

**In response to Governor's Executive Order N-29-20, this meeting will be conducted  
telephonically and video streamed live on Channel 28 and the City's website:**

<https://www.cityoflancasterca.org/connect/public-meetings>

***PUBLIC COMMENTS ON AGENDIZED ITEMS MAY BE RECEIVED BY***

***DIALING 1-877-853-5257 USING MEETING ID:924 7620 6923#***

***PASSWORD:605326#.***

**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**

In accordance with Governor’s Order N-29-20, the public may observe this telephonic/ virtual meeting by listening to the live broadcast on local cable channel 28 or live stream on the City’s website (<https://www.cityoflancasterca.org/connect/public-meetings>). The public may participate in the meeting by ***DIALING 1-877-853-5257 USING MEETING ID:924 7620 6923 PASSCODE: 605326#.*** ***Individual comments are limited to three (3) minutes unless a different time limit is announced.***

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, unless a different time limit is announced, to address your concerns before the Legislative Body takes action on the Consent Calendar.

**CALL TO ORDER**

City Council/Successor Agency/Financing/Power/California Choice Energy Authority

**ROLL CALL**

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

**ROLL CALL**

Housing Authority Members: Harvey, Malhi, Mann; Vice Chair Crist, Chair Szeto

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PRESENTATION**

1. Recognition of Dr. John Porter  
Presenter: Mayor R. Rex Parris

## **HOUSING AUTHORITY - CONSENT CALENDAR**

### **HA CC 1. Loan Agreement for No More Lemons, LP**

**Recommendation:**

Approve a revised loan agreement with No More Lemons, LP to fund development impact fees in the amount of \$436,505.00 for the final phase of Kensington Campus.

On November 10, 2020, the Housing Authority approved a loan agreement with No More Lemons, LP in the amount of \$436,505.00 to fund the impact fees for this final phase of Kensington Campus. Since that time, senior lenders on the project have requested additional changes to the loan agreement, which was not executed in its previous form. All proposed changes were acceptable to staff and legal counsel; however, the changes require the approval of the Housing Authority Board. The revised agreement incurs no new financial responsibility beyond what was previously approved and appropriated. The proposed loan agreement would provide \$436,505.00 in funding toward the final phase of the project, equivalent to the amount of development impact fees due. This mirrors previous phases; all impact fees for the project have been either waived or provided via loan agreements such as this. The funds will be sourced from the Housing Authority's Low and Moderate Income Housing Fund. State law requires that at least 30% of these funds be spent on development of rental housing affordable to and occupied by households earning 30% or less of area median income. Kensington Campus qualifies; thus, this expenditure will aid the Authority not only in providing much-needed housing for Lancaster's homeless population but also in meeting the obligations associated with this funding.

## **COUNCIL ACTIONS**

### **MINUTES**

- M1.** Approve the City Council/Successor Agency/Financing/Power/California Choice Energy Authority Regular Meeting Minutes of February 9, 2021

## **EMERGENCY DECLARATION**

### **ED 1. COVID-19 Pandemic Updates and Actions**

**Recommendation:**

1. Receive update from staff and/or deputy mayors regarding COVID-19 pandemic status.
2. Direct staff to take actions in response to updated COVID-19 information.
3. Authorize the City Manager to take actions, execute documents and/or expend funds in response to the COVID-19 pandemic.

4. Authorize and/or direct the City Attorney, with the concurrence of the City Manager, to take actions, execute documents and expend funds in response to legal issues pertaining to the COVID-19 pandemic.

Staff and/or the Deputy Mayors will provide an update regarding the COVID-19 pandemic and its current impact in the City and the Antelope Valley. The Council will be asked to take action(s) and/or give direction(s) based upon the most up-to-date data available.

## **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.** Check Registers – January 24, 2021 through February 6, 2021

Recommendation:

Approve the Check and Wire Registers for January 24, 2021 through February 6, 2021 in the amount of \$6,325,699.81 as presented.

At each regular City Council Meeting, the City Council is presented with check and ACH/wire registers listing the financial claims (invoices) against the City for purchase of materials, supplies, services, and capital projects issued the prior three to four weeks. This process provides the City Council the opportunity to review the expenditures of the City. Claims are paid via checks, Automated Clearing House (ACH) payments, or federal wires. The justifying backup information for each expenditure is available in the Finance Department.

**CC 3.** Monthly Report of Investments – January 2021

Recommendation:

Accept and approve the January 2021 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.** Final Map Approval – Parcel Map No. 82768 (Located at the southeast corner of Trevor Avenue and Avenue H-6)

Recommendation:

Approve the map and accept the dedications as offered on Parcel Map No. 82768, located at the southeast corner of Trevor Avenue and Avenue H-6; make findings that this project will not violate any of the provisions of Sections 66473.5, 66474.1 and 66474.6 of the Subdivision Map Act; and instruct the City Clerk to endorse on the face of the map, the certificate which embodies the approval of said map, and the dedications shown thereon.

On October 23, 2019, the Planning Commission approved Tentative Parcel Map No. 82768 (revised on May 14, 2018). The Final Map is in substantial conformance with the approved

tentative map. Parcel Map No. 82768 has been examined by the City Surveyor. The map is in substantial conformance with the approved tentative map, and is ready for Council approval.

The securities for this map will be in the form of an Undertaking Agreement (Agreement), as part of Conditional Use Permits 17-17 and 17-18, which will guarantee and secure the performance of all the grading, public improvements, impact fees and public agency fees. The Agreement satisfies the security requirements of the Undertaking Agreement as an authorized form of security, in accordance with the Subdivision Map Act and the City's Municipal Code.

- CC 5.** Amendment of Chapter 9.48 of the Lancaster Municipal Code relating to Administrative Diversion for Misdemeanor Offenses; Amendment to Chapter 1.16 and 17.42 of the Lancaster Municipal Code relating to Appeal Procedures for Administrative Citations.

Recommendation:

Adopt **Ordinance No. 1079**, amending Title 9 of the Lancaster Municipal Code by repealing and replacing Chapter 9.48 (Administrative Diversion for Misdemeanor Offenses), relating to the imposition of administrative penalties against persons who commit certain state and local offenses in the City of Lancaster through the issuance of administrative citations, and by amending Chapters 1.16 (Administrative Remedies) and 17.42 (Alcoholic Beverage Establishments), relating to appeal procedures of administrative citations.

- CC 6.** Application for Statewide Park Development and Community Revitalization Program Grant Funds

Recommendation:

Adopt **Resolution No. 21-02**, approving the application for Statewide Park Development and Community Revitalization Program grant funds.

The California Department of Parks and Recreation has been delegated responsibility for the administration and establishment of necessary procedures to apply for grant funds from the Statewide Park Development and Community Revitalization Grant Program. The Program procedures require the applicant to certify by resolution the approval of the application before submission of the application to the State. Adoption of this resolution will approve the submittal of an application for the El Dorado Park Renovation projects

## **PUBLIC HEARING**

- PH 1.** Adoption of Resolution Establishing Fees for the Retrieval and Daily Storage of Shopping Carts

Recommendation:

Adopt **Resolution No. 21-03**, establishing fees for the retrieval and daily storage of shopping carts located off of the cart owner's premises.

This Resolution establishes the fees for City staff to retrieve a cart and take it to the City's maintenance yard, as well as the fee for the City's cart retrieval contractor to do so. It further establishes the daily impoundment fee for storing the cart at the yard.

**PH 2.** Establish a Fee for the Issuance of a Temporary Certificate of Occupancy

Recommendation:

Adopt **Resolution No. 21-04** to establish a fee for the issuance of a Temporary Certificate of Occupancy.

At the completion of a commercial, industrial, tenant improvement, multifamily or residential project a Certificate of Occupancy or a Certificate of Completion is issued. Owners, builders and developers who may have some outstanding requirements to complete their projects have requested that we issue a Temporary Certificate. The Temporary Certificate can be for 30 days, 60 days, 90 days, 180 days, or another time period acceptable to the City. The City is only proposing a fee for the 90-day or 180-day Temporary Certificates. The issuance of these Certificates adds additional costs in the form of time to review, issue and monitor the progress of the project. This Resolution establishes the fees for City staff to recoup actual cost associated with the issuance of a Temporary Certificate of Occupancy or a Temporary Certificate of Completion.

**PH 3.** Update “Graffiti Abatement Costs and Expenses” Cost Model as Required

Recommendation:

Adopt **Resolution No. 21-05**, approving and adopting a revised “Graffiti Abatement Costs and Expenses” cost model.

In accordance with state law in connection with the graffiti program, the City of Lancaster reviews and updates its cost recovery of graffiti abatement through the juvenile courts every three years. “The City of Lancaster Graffiti Removal Costs” cost model, attached to the Resolution as Attachment A, includes labor, equipment and materials costs associated with graffiti abatement, and average costs for a range of sizes, from graffiti less than ten (10) square feet up to five hundred (500) square feet.

**PH 4.** Amendment to the Adopted Budget and Capital Improvement Program for Fiscal Year 2020-2021, Amendment to the Classification and Compensation Schedule for Represented and Non-Represented Full Time Employees and Temporary Employees, and Amend the Lancaster Choice Energy Customer Power Generation Rate Schedule.

Recommendation:

A. Adopt **Resolution No. 21-06**, authorizing an amendment to the adopted Budget and Capital Improvement Program for Fiscal Year 2020-2021;

B. Adopt **Resolution No. 21-07** amending the Classification and Compensation Schedule for Represented and Non-Represented Full Time Employees and Temporary Employees;

C. Adopt **Resolution No. 21-08**, amending Resolution No. 20-043 amending customer power generation rates for Lancaster Choice Energy effective March 1, 2021.

Since adoption of the Budget and Capital Improvement Program for Fiscal Year 2020-2021 in June 2020, staff has identified some recommended adjustments to revenues and expenditures. The recommended modifications consider changing area conditions, including Sales and Use Taxes, Public Safety, COVID, and Lancaster Choice Energy. The recommended adjustments are in accordance with proper governmental accounting and financial reporting practices. The proposed adjustments in Attachment A are detailed by fund, division and object category. The

total adjustments recommended result in an overall increase in revenue totaling \$4,213,767 and an increase in appropriated expenditures totaling \$2,090,975. Lancaster Choice Energy (“LCE”) has been serving customers since 2015. An essential part of LCE’s operation is rate setting. A fundamental requirement in setting rates is to ensure sufficient revenue to cover LCE’s operating expenses and provide for reserves. The proposed rate change is needed to ensure sufficient revenue is generated to cover operational costs, including the cost of buying the electricity, and funding operational reserves. The proposed rates are set to keep pace with the market price of energy. Recently the cost of energy has been increasing, particularly during the hot summer months. By adjusting rates, Lancaster can ensure it has sufficient reserves to address price spikes that may occur. In addition, Lancaster has set a goal of achieving a 20% operating reserve, which provides financial stability as well as improving LCE’s credit rating in the eyes of energy suppliers. The proposed rate schedule supports these goals.

**PH 5.** Adoption of the City of Lancaster Impact Fee Study and the Development Impact Fee Schedule; Approval of the Impact Fee Reduction Program; Implementation of the Consumer Price Index (CPI) Adjustment; Establish Participation in the Bond Opportunities for Land Development Program (BOLD); Approve the City Services Costs Analysis and the Rate and Apportionment Method for the Development of a Community Services Community Facilities District; and to Approve the Outer Core Development Policy

Recommendation:

1. Open the public hearing and invite any interested members of the public to provide testimony regarding proposed Resolution No. 21-09, Resolution No. 21-10 and Resolution No. 21-11
2. Adopt **Resolution No. 21-09** to amend existing development impact fees and authorizing and establishing the City of Lancaster Impact Fee Reduction Program.
3. Direct the City Manager to implement the Consumer Price Index (CPI) adjustment approved by Council through Resolution 15-29 for fiscal years 2018-2019 and 2019-2020.
4. Adopt **Resolution No. 21-10** to authorize the City of Lancaster to join the Statewide Community Infrastructure Program (SCIP), authorize the California Statewide Communities Development Authority to accept applications from property owners, conduct special assessment proceedings and levy assessments within the territory of the City, to approve acquisition agreement for use when applicable, and to authorize related actions.
5. Adopt **Resolution No. 21-11** to authorize the use of Bond Opportunities for Land Development (BOLD) program, authorizing the California Municipal Finance Authority (CMFA) to accept applications from property owners, conduct proceedings and levy special taxes within the territory of the City of Lancaster pursuant to the Mello-Roos Community Facilities Act of 1982 as amended, and to authorize related actions.
6. Approve the City Services Costs Analysis and the Rate and Apportionment Method, in order to establish a Community Facilities District (CFD) proposed to be named “Citywide Community Facilities District of the City of Lancaster” for future development.
7. Approve the Outer Core Development Policy for new residential development construction to include private streets and private landscaping within the scope of the “Outer Core” boundaries.

In an effort to support development in Lancaster, City staff reviewed existing development policies and practices. Through this review staff identified new programs and activities which

have the potential to encourage growth in the City, while continuing to ensure that development pays its fair share of costs to provide new services.

**PH 6.** Amendment to Chapter 5.04 of the Lancaster Municipal Code relating to Sidewalk Vendors and Food Truck Operators

Recommendation:

Introduce **Ordinance No. 1080**, amending Chapter 5.04 of the Lancaster Municipal Code (“Business Licenses Generally”) by adding new Article V (Sidewalk Vendors) and Article VI (Food Truck Operators), establishing licensing requirements and operational regulations on these types of business operators.

City staff believes that the regulations set forth in Articles V and VI will allow sidewalk vendors and food truck operators to engage in meaningful commercial activity in the City while protecting public health, safety and welfare.

**COUNCIL REPORTS**

**CR1.** Summary of the January 26, 2021, Board of Directors for the Antelope Valley Transit Authority (AVTA)

**CR2.** Council Reports

**CALIFORNIA CHOICE ENERGY 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

## CITY COUNCIL / AGENCY/ AUTHORITY COMMENTS

## 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) - two potential cases.
3. Conference with Legal Counsel - Anticipated Litigation: consideration of initiation of litigation pursuant to Government Code Section 54956.9(d) (4) - two potential cases.
4. Desert-Candle, LP v. Frontier Homes, LLC, LASC Case No. 20STCV05178
5. Kappler v. Lancaster, LASC 18STCVO4990
6. Antelope Valley Groundwater Cases Included Action:  
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
7. Ramos v Patino, LASC Case No. MC027974
8. Lozoya v. City of Lancaster, LASC Case No. 19AVCV00714

9. Johnson v. City of Lancaster, LASC Case No. 19AVCV00824
10. Rahier v. City of Lancaster, LASC Case No. 19AVCV00163
11. Brisa Mahoney, et al. v. City of Lancaster, et al., LASC Case No. 20STCV02556
12. Conference with Real Property Negotiators:  
Property: APNs 3124-012-007&012  
City negotiators: Mike Livingston, Allison Burns  
Negotiating parties: Elassaad Walid  
Under negotiation: price and terms of payment  
Property: APNs 3124-012-008&009  
City negotiators: Mike Livingston, Allison Burns  
Negotiating parties: Ann Hiramoto  
Under negotiation: price and terms of payment
13. Manzo v. Beazer Homes Holdings, LLC et al., LASC Case No. 20AVCV00297
14. Hernandez v. County of Los Angeles, et al., LASC Case No. 20AVCV00318
15. Romines v. City of Lancaster, et al., LASC Case No. 20AVCV00345
16. Mahoney v. City of Lancaster et al, LASC Case No. 20AVCV00199
17. Moujan v. City of Lancaster et al., LASC Case No. 20AVCV00205
18. Davis v. State of California, LASC Case No. 19AVCV00805
19. Lancaster v. Netflix, et al., LASC 21STCV01881
20. Lancaster v. Rives
21. Butts v. Lancaster, LASC 21STCP00389

**ADJOURNMENT**

Next Regular Meeting:

March 9, 2021 at 5:00 PM

**MEETING ASSISTANCE INFORMATION**

In compliance with the Americans with Disabilities Act and Executive Order N-29-20, the City has implemented a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility. If you need special assistance to participate in this telephonic meeting, please contact the City Clerk at (661)723-6020 or via email at [aaalexander@cityoflancasterca.org](mailto:aaalexander@cityoflancasterca.org). 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.