



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

Tuesday, September 28, 2021
Regular Meeting – 5:00 PM

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

UPDATED MEETING PROCEDURE:

To ensure public safety measures while maintaining transparency and public access, members of the public may participate in one of the following ways:

o In person at Council Chamber:

➤ Consistent with public health officer's order, each member of the public wishing to attend the meeting in person are asked to wear a mask regardless of vaccination status.

o Virtual Platform [Zoom]:

➤ In response to Governor's Executive Order N-08-21, this meeting will also be conducted telephonically and video streamed live on Channel 28 and the City's website:

<https://www.cityoflancasterca.org/our-city/departments-services/city-clerk/meetings-agendas-and-minutes/public-meetings-web-streaming>

➤ **PUBLIC COMMENTS ON AGENDIZED ITEMS MAY BE RECEIVED BY DIALING
1-877-853-5257 USING MEETING ID:875 8684 8156# PASSWORD:677447#**

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 Legislative Bodies 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.*

In accordance with Governor's Order N-08-21, 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/our-city/departments-services/city-clerk/meetings-agendas-and-minutes/public-meetings-web-streaming> The public may participate in the meeting by ***DIALING 1-877-853-5257 USING MEETING ID: 875 8684 8156# PASSCODE: 677447#.*** *Individual speakers are limited to three (3) minutes each 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

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATION

1. Summer Catch Up Program
Presented by: Sonya Patterson, Director of Parks, Arts, Recreation & Community Services

COUNCIL ACTIONS

MINUTES

- M1.** Approve the City Council/Successor Agency/Financing/Power/California Choice Energy Authority Regular Meeting Minutes of September 14, 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.

ED 2. Vaccination Report

Recommendation:

Receive an update from the City Manager regarding vaccination efforts.

ED 3. Resolution Confirming the Continued Existence of a Local Emergency

Recommendation:

Adopt **Resolution No. 21-50**, a resolution of the City Council of the City of Lancaster, California, confirming the continued existence of a local emergency in the City of Lancaster, California.

The number of COVID-19 cases in Los Angeles County recently surged with the appearance of the Delta variant. The County has also reported several cases of the new Mu variant. The percentage of residents in the Antelope Valley who have received vaccinations has still not yet reached a level that is expected to create “herd immunity,” and as a result, the local public health emergency caused by the COVID-19 pandemic remains in effect, and the virus and its variants

continue to pose a threat to the health and safety of residents in the City of Lancaster. Staff recommends that City Council adopt **Resolution No. 21-50**, to again confirm the continued existence of the local emergency, as required by the California Emergency Services Act (the “Act,” set forth at Cal. Gov’t. Code §§8550-8668), and, in accordance with the Act, to regularly review the need for continuing the local emergency.

CONSENT CALENDAR

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

CC 2. Check Registers – August 22, 2021 through September 11, 2021

Recommendation:

Approve the Check and Wire Registers for August 22, 2021 through September 11, 2021 in the amount of \$5,186,144.48 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 – August 2021

Recommendation:

Accept and approve the August 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. Lancaster Choice Energy – 2020 Power Content Label and Attestation

Recommendation:

Provide the attestation specified under California’s Power Source Disclosure (PSD) Program, which requires the governing council of a public agency providing retail electric service to endorse the accuracy of each annual report and power content label, as submitted to the California Energy Commission, for the previous year. In the case of Lancaster Choice Energy (LCE), such attestations will be based on the California Choice Energy Authority’s (CalChoice) technical review and will address the 2020 Annual Reports and Power Content Labels (PCL) prepared for the LCE community choice aggregation (CCA) program.

California Public Utilities Code requires all retail sellers of electric energy, including LCE to disclose “accurate, reliable, and simple-to-understand information on sources of energy” that are

delivered to their respective customers via an annual Power Content Label (PCL). The PCL is analogous to a nutrition label, conveying information regarding the various power sources/products that are procured on behalf of each retail electricity customer. California's retail electricity sellers, including LCE, will each have unique PCLs based on internally adopted procurement policies and related power purchases that were completed during the reporting year. The PCL format is highly prescriptive, offering little flexibility to retail sellers when presenting such information to customers – the CEC administers these requirements under California's Power Source Disclosure Program.

CC 5. RFP No. 741-21 - Hand Work and Protected Bike Lane Sweeping Services

Recommendation:

Award a one-year contract, with an option of five (5), one-year extensions to CleanStreet, Inc., for RFP No. 741-21 - Hand Work and Protected Bike Lane Sweeping Services, and authorize the City Manager, or his designee, to sign all documents.

In May 2021, the City advertised a Request for Proposals for Hand Work and Protected Bike Lane Sweeping Services. The scope of service included the weekly cleaning of drainage basin driveways, hand work locations, protected bike lanes, dead ends, narrow cul-de-sacs, and an additional 100 cleaning requests on an as needed basis.

CC 6. Award of Bid – PWCP 21-010 - 2021 Fall Pavement Management Program

Recommendation:

Award PWCP 21-010 - 2021 Fall Pavement Management Program, to C.A. Rasmussen, Inc. of Valencia, California, in the amount of \$ 5,625,859.40 plus a 10% contingency, to repair and resurface approximately twenty-one (21) lane-miles of streets, as part of the City's Pavement Management Program (PMP). Authorize 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).

The proposed project will be the eighth project funded, in part, with road bond funds in addition to TDA Article 8 funds and Proposition C funds. The proposed project will include approximately 21 lane-miles of roadway repair and rehabilitation in the following project areas: (1) NBH 1 – bound by Avenue J to Avenue J-8, and Sierra Hwy to 10th Street West; (2) NBH 2 – bound by Avenue J-8 to Avenue K, and 10th Street West to 15th Street West, also including 13th Street West from Avenue J-5 to Avenue J-8.

CC 7. Acceptance of Public Works Construction Project No. 20-010 -2020 Sidewalk, Curb & Gutter Repairs

Recommendation:

Accept the work constructed by C.S. Legacy Construction, Inc., for Public Works Construction Project No. 20-010, 2020 Sidewalk, Curb & Gutter Repairs, and direct the City Clerk to file the Notice of Completion for the project. Retention on this project shall be disbursed in accordance with California Contract Code.

In 2017, the City of Lancaster launched the Summer of Sidewalks program aimed to alleviate some of the backlog of concrete repair projects needed throughout the City. The overall success

of the project led to the creation of an annual concrete repair program to address future concrete improvements needed throughout the City. As an extension of that program, the 2020 Sidewalk, Curb & Gutter Repairs project repaired or replaced approximately 4,706 Square Feet (SF) of sidewalk, 1,135 SF of cross gutters and spandrels, 860 linear feet of curb and gutter, and 42 curb ramps. The project also provided trimming of 9 trees and removing 2 trees. These improvements coincided with repairs that residents had requested through the Comcate Service Request system, as well as with future Pavement Management Program (PMP) project locations, providing required ADA improvements in advance of these projects. The project was funded through the road bond.

CC 8. Professional Services Agreement for the Creation and Management of a Biotech Incubator

Recommendation:

Approve the Professional Services Agreement with LLC2 Inc. dba Lab Launch for the project management related to the creation and operation of a biotech incubator, and authorize the City Manager, or his designee, to finalize and execute all documents related to the Professional Services Agreement.

The creation of the biotech incubator within the City of Lancaster is the first step to fostering a biotech industry cluster that could in turn lead to additional firms locating in the City. We believe that by investing in an incubator, start-up companies, scientists, and entrepreneurs looking to develop their ideas will be able to grow and expand with access to affordable and high-quality facilities, equipment, and a like-minded business community.

CC 9. Parron Hall Furniture Purchase City Hall Renovation and Modernization

Recommendation:

Approve Furniture Purchase Order with Parron Hall for the City Hall Renovation and Modernization in the amount of \$2,209,965.16 plus a 5% contingency to improve the infrastructure of City Hall. Authorize the City Manager, or his designee, to sign all documents. Pricing is based on Allsteel's OMNIA Partners contract #R191802.

Since 1947, Parron Hall has been specializing in office and ancillary furniture, architectural walls and doors, technology integration and acoustical control solutions. With 65+ years of experience, Parron Hall combines progressive furniture and architectural products with design expertise to create customized work environments that foster collaboration, communication and productivity. Parron Hall's product divisions work together seamlessly with a complete service division to deliver a workspace from concept through occupancy. The result is a space that supports how people think and move, a space that captures where the City of Lancaster is now and can adapt to who we will become in the future.

PUBLIC HEARING

PH 1. Appeal of the Planning Commission's Approval of Conditional Use Permit No. 20-02 / Tentative Parcel Map No. 82243

Recommendation(s):

Adopt **Resolution No. 21-51**, upholding the Planning Commission’s decision by denying the appeal for Conditional Use Permit No. 20-02 / Tentative Parcel Map No. 82243 to allow for the development of a 392-unit multi-family apartment complex with 78 affordable units, and 12,750 square feet of neighborhood serving retail/commercial uses in the Mixed Use-Commercial (MU-C) zone, and to subdivide the subject property into four parcels at the southwest corner of Avenue I and 20th Street West (APN 3121-034-025); and adopting a Mitigated Negative Declaration.

The applicant, Investment Concepts, LLC, filed Conditional Use Permit No. 20-02 and Tentative Parcel Map No. 82243 for the development of the subject property into a 392-unit apartment complex with 78 affordable units; 12,750 square feet of neighborhood serving retail/commercial uses; and to subdivide the subject property into four parcels. During a special Planning Commission meeting on July 26, 2021, the appellant submitted another comment letter on the project, which was similar in scope and detail to the first letter. The letter was received minutes before the meeting, and a copy of the letter was provided to the Commissioners who ultimately voted to approve the project (4-0-0-3). On August 9, 2021, the appellant filed the appeal and attached the same letter which was provided to the Commission on July 26, 2021.

- PH 2.** Public Hearing for City Council consideration to receive comments and file the 2020-2021 Consolidated Annual Performance and Evaluation Report to the United States Department of Housing and Urban Development

Recommendation(s):

1. Conduct a public hearing for the Consolidated Annual Performance and Evaluation Report (CAPER) prepared for the U.S. Department of Housing & Urban Development to report on specific Federal housing assistance and community development activities undertaken by the City of Lancaster during Fiscal Year 2020-2021; and
2. Authorize the City Manager to execute any documents necessary to submit the CAPER, along with any comments received during the public hearing and public comment period, to the Department of Housing & Urban Development.

Federal regulations require the City of Lancaster to prepare an annual report called the Consolidated Annual Performance and Evaluation Report (CAPER). The 2020-2021 CAPER is a federally mandated informational assessment report of activities implemented with Community Development Block Grant and HOME Investment Partnerships grant funds to address the needs of low- and moderate-income residents. Additionally, the CAPER provides a summary of outcomes associated with HUD funding allocated through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Through this Act, the City received \$1,744,394 in additional CDBG funds specifically earmarked to respond to the effects of the COVID-19 pandemic.

COUNCIL AGENDA

- CA1.** Youth Sports Assistance Program

Recommendation:

Accept and approve the Youth Sports Assistance Program.

COUNCIL REPORTS

CR1. Report on the Activities of the Board of Directors for District No. 14 of the County Sanitation Districts of Los Angeles County

CR2. Council Reports

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 Legislative Bodies on any item ***NOT ON THE AGENDA*** regarding City/Agency/Authority 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/Authority 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 meeting and we appreciate your cooperation.

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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. 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
5. Ramos v Patino, LASC Case No. MC027974
6. Lozoya v. City of Lancaster, LASC Case No. 19AVCV00714
7. Johnson v. City of Lancaster, LASC Case No. 19AVCV00824
8. Rahier v. City of Lancaster, LASC Case No. 19AVCV00163
9. Brisa Mahoney, et al. v. City of Lancaster, et al., LASC Case No. 20STCV02556
10. Conference with Real Property Negotiators:
Property: APNs 3124-012-008&009
City negotiators: Mike Livingston, Allison Burns
Negotiating parties: Ann Hiramoto; Tina Yoke
Under negotiation: price and terms of payment
11. Manzo v. Beazer Homes Holdings, LLC et al., LASC Case No. 20AVCV00297
12. Hernandez v. County of Los Angeles, et al., LASC Case No. 20AVCV00318
13. Romines v. City of Lancaster, et al., LASC Case No. 20AVCV00345

14. Moujan v. City of Lancaster et al., LASC Case No. 20AVCV00205
15. Davis v. State of California, LASC Case No. 19AVCV00805
16. Lancaster v. Netflix, et al., LASC 21STCV01881
17. Butts v. Lancaster, LASC 21STCP00389
18. Lancaster v. Rives
19. Myesha Lopez, et al. v. County of Los Angeles, et al. CDCA Case No. 5:21-cv-00290-JGB(SHKx)
20. Ortiz v. Lancaster, LASC Case No. 21AVCV00001
21. Aijala v. Lancaster, LASC Case No. 21STCV07841
22. Gardner v. Dominoids, LASC Case No. 21AVCV00186
23. Evans v. Lancaster, LASC Case No. 21AVCV00145
24. Bojorquez v. Lancaster, LASC Case No. 20AVCV00894
25. Arkey v. Lancaster, LASC Case No.20AVCV00816
26. Perez v. Lancaster, LASC Case No. 20AVCV00589

ADJOURNMENT

Next Regular Meeting:

October 12, 2021 at 5:00 PM

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](tel:6617236020). 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](tel:6617236020).

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](tel:6617236020).

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