

M 1
03/27/12
MVB

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
March 13, 2012**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:03 p.m.

ROLL CALL

PRESENT: Council Members/Authority Members: Crist, Johnson, Mann, Vice Mayor/Vice Chairman Smith, Mayor/Chairman Parris

Staff

Members: City Manager/Executive Director; Deputy City Manager/Deputy Executive Director; City Attorney/Authority Counsel; Assistant to the City Manager; City Clerk/Authority Secretary; Planning Director; Public Works Director; Parks, Recreation & Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Analyst

INVOCATION

Pastor Shane Idleman, Westside Christian Fellowship

PLEDGE OF ALLEGIANCE

Authority Member Szeto

PRESENTATION

Presentations of Local Heroes Awards to the following citizens: Mario Barrera; Tyson Beers; Gale Smith; Gilbert Ibarra; Bleu Tracy; Kem Gaskin; Samuel Nunez; Robert Norton; Alejandro Fabela-Arias

PA NB 1. MASTER SOLAR POWER PURCHASE AND SALE AGREEMENT WITH INSTREAM ENERGY SYSTEMS

The Deputy City Manager presented the staff report regarding this matter.

As a result of the City Council authorizing the establishment of the LPA, City staff has been working diligently to identify and establish relationships with renewable energy developers to advance the construction and development of renewable energy generating facilities in the community. Staff has been actively seeking new opportunities, and in some cases are furthering discussions with developers who are interested in expanding their existing generation capacity in Lancaster. IES is an example of these opportunities and a Memorandum of Understanding between the LPA and IES was signed April 26, 2011.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

**PA NB 1. MASTER SOLAR POWER PURCHASE AND SALE AGREEMENT WITH
INSTREAM ENERGY SYSTEMS (continued)**

Addressing the Power Authority on this matter:

Michael Rives – stated his concerns regarding revenues for this project; opposed to this action.

On a motion by Vice Chairman Smith and seconded by Authority Member Crist, the Power Authority approved and authorized the Executive Director to execute the Master Solar Power Purchase and Sale Agreement with Instream Energy Systems (IES) to develop hydrokinetic generation facilities, by the following vote: 5-0-0-0; AYES: Crist, Johnson, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

SA NB 1. RESCINDING AUTHORIZATION

The City Attorney presented the staff report regarding this matter.

Chairman Parris clarified that this matter is regarding the Chevrolet issue; Palmdale spent millions on a lawsuit and nothing changed.

Agency Director Crist stated that it did change things in regards to two businesses that were sued and had to put out hundreds of thousands of dollars to protect themselves in a lawsuit by the City of Palmdale.

Agency Director Mann stated that this ended up being a very costly expense to some very good businesses in Lancaster; as well as to the City of Lancaster having to defend themselves.

Vice Chairman Smith inquired as to what would happen if the Council did not rescind the action.

The City Attorney explained that it would most likely cause a stiffer order to come forth directing the City to take this action and if that failed, the City could potentially be held in contempt.

Chairman Parris stated that this cost the taxpayers well over a million dollars; people are let off the hook when this is pointed at the City of Palmdale. It was not the City of Palmdale; it was a couple of members of their Council that caused this. It was poorly planned; poorly thought out or maybe not. Maybe it was just a deliberate attempt to harass businesses and cause them to spend an inordinate amount of money and absolutely nothing changed. At some point, does Lancaster start firing back? Should Lancaster start making up lawsuits like Palmdale does? What can Lancaster do to get them to start behaving responsibly and try to protect the interest of their citizens instead of their own personal agendas?

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

SA NB 1. RESCINDING AUTHORIZATION (continued)

Chairman Parris stated this is clearly what happened; Palmdale caused Lancaster businesses to spend hundreds of thousands of dollars, simply because they could. At some point, an action plan must be developed to put an end to this and everyone should be thinking about that because otherwise it is just going to happen again. There is a point where jealousies over Lancaster's success should give way to mature, rational thinking.

On a motion by Agency Director Crist and seconded by Agency Director Mann, the Successor Agency rescinded authorization given August 10, 2010 to the Lancaster Redevelopment Agency's Executive Director to execute an agreement, and any related documents with 7Jays, LLC and Antelope Valley Chevrolet, Inc. as required by court order, by the following vote: 4-0-1-0; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: Parris; ABSENT: None

M 1. MINUTES

On a motion by Council Member/Authority Member Crist and seconded by Council Member/Authority Member Mann, the City Council/Authority approved the City Council/Financing/Power Authority Regular Meeting minutes of February 28, 2012, by the following vote: 4-0-1-0; AYES: Crist, Johnson, Mann, Smith; NOES: None; ABSTAIN: Parris; ABSENT: None

CITY COUNCIL CONSENT CALENDAR

Addressing the City Council regarding items on the Consent Calendar:

Michael Rives – Regarding Item No. CC 14 – he stated that the way the staff report is written, he cannot tell who the people are, that are involved in this project; this is his neighborhood and he would like more information.

It was the consensus of the City Council to continue Item No. CC 14 to the City Council meeting on March 27, 2012.

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved the Council Consent Calendar, with the exception of Item No. CC 14, by the following vote: 5-0-0-0; AYES: Crist, Johnson, Mann, Smith, 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.)

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

CC 2. WARRANT REGISTER

Approved the Check and Wire Registers for February 12, 2012 through February 25, 2012 in the amount of \$5,335,310.33.

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 wires 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 for each expenditure is available in the Finance Department.

CC 3. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the January, 2012, Monthly Report of Investments as submitted.

Each month, the Finance Department prepares a report listing the investments for all the separate entities under jurisdiction of the City as identified in the City's Comprehensive Annual Financial Report. These component units include: the City of Lancaster, the Lancaster Redevelopment Agency, and the Lancaster Housing Authority.

CC 4. APPROVAL OF MONUMENTATION WORK

Approved the monumentation work for Parcel Map No. 71630, located on the southwest corner of Avenue J-2 and 10th Street West, Owner: Kern Equities, LLC.

The monumentation work on the listed project has been completed by the Surveyor of Record for the subject subdivision map, inspected, and found to be satisfactory to the City Engineer. Evidence of payment to the Surveyor of Record for completion of the monumentation work has been received.

CC 5. APPROVAL AND ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for Conditional Use Permit No. 10-24, located on the southwest corner of Avenue L and 30th Street West, Owner: Nikiforos Valaskantjis.

The streets have been constructed and completed by the developer according to the approved plans and specifications. The work has been inspected and found to be satisfactory to the Director of Public Works.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

CC 6. APPROVAL OF COMPLETED WATER SYSTEMS

Approved the completed water systems installed by the developer for Conditional Use Permit No. 10-24, located on the southwest corner of Avenue L and 30th Street West, Owner: Nikiforos Valaskantjis.

The water system on this project has been constructed and completed to the satisfaction of the local water purveyor, Quartz Hill Water District, and is constructed according to the approved plans and specifications. Additionally, the work has been inspected and found to be satisfactory to the Director of Public Works.

CC 7. AMENDMENT TO SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted an amendment to the existing Subdivision Undertaking Agreement, extending the date of completion to March 13, 2014, submitted by AVE K 22, LLC (“Developer”), for Tract Map No. 061542, located on the south side of Avenue J-12 approximately 296 feet west of 56th Street West.

In the undertaking agreement, the Developer agrees to complete the improvements under which the Project was conditioned. These improvements usually consist of curbs, gutters, sidewalks, asphalt pavement, drainage basins, storm drains, water and sewer systems, landscaping, and street lighting systems. On July 10, 2010, the City and Developer entered into that certain undertaking agreement to complete the required improvements for Tract Map No. 061542. The agreement expired March 1, 2012. On February 9, 2012, the City Engineer received a letter from the Developer requesting an extension.

CC 8. INFORMAL BID NO. 1104

Accepted the work constructed by Universal Coatings, Inc. for **Informal Bid No. 1104, Transportation Building Roof Repair**; directed the City Clerk to file the Notice of Completion for the project; authorized payment of retention, provided no stop notices, as provided by law, have been filed.

Construction of the project has been completed to the satisfaction of the Director of Public Works. The project was substantially completed on December 22, 2011, which was within the time permitted in the contract. The construction quantities and the amount of payment have been approved by the Contractor and the Director of Public Works.

CC 9. PWCP NO. 09-008

Accepted the work constructed by Superior Construction Specialties, Inc. for **Public Works Construction Project No. 09-008, American Heroes Park**; 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.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

CC 9. PWCP NO. 09-008 (continued)

Construction of the project has been completed to the satisfaction of the Director of Public Works. The project was substantially completed on March 23, 2011, which was within the time permitted in the contract. The construction quantities and the amount of payment have been approved by the Contractor and the Director of Public Works.

CC 10. PWCP NO. 09-030

Accepted the work constructed by Hanes and Associates, Inc. for **Public Works Construction Project No. 09-030, “The BLVD Transformation”**; 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.

Construction of the project has been completed to the satisfaction of the Director of Public Works. The project was substantially completed on December 12, 2011, which was within the time permitted in the contract. The construction quantities and the amount of payment have been approved by the Contractor and the Director of Public Works.

CC 11. PWCP NO. 10-002

Accepted the work constructed by H & H General Contractors, Inc. for **Public Works Construction Project No. 10-002, Avenue M Drainage Improvements, 30th Street West to 32nd Street West**; 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.

Construction of the project has been completed to the satisfaction of the Director of Public Works. The project was substantially completed on January 12, 2012, which was within the time permitted in the contract. The construction quantities and the amount of payment have been approved by the Contractor and the Director of Public Works.

CC 12. HNRCP NO. 11-HNRD203

Awarded **Housing and Neighborhood Revitalization Construction Project No. 11-HNRD203, El Dorado Park Neighborhood Improvement Project**, to Micon Construction, Inc. of Placentia, California, in the amount of \$189,000.00, for the rehabilitation of the existing park equipment and the upgrade of the existing exercise path 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).

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

CC 12. HNRCP NO. 11-HNRD203 (continued)

On May 10, 2011, the City Council approved the Action Plan for the annual CDBG entitlement grant for developing viable urban communities that encompasses decent housing and a suitable living environment for low- and moderate-income persons which included Neighborhood Rehabilitation & Improvements for neighborhood revitalization projects in several eligible neighborhoods, including the El Dorado neighborhood. The El Dorado neighborhood is bounded by Avenue J, Lancaster Boulevard, Division Street, and Challenger Way (10th Street East).

CC 13. TRANSFER OF FUNDS

Approved the transfer of \$113,923.89 in residual funds from the American Heroes Park Capital Improvement Budget (11GS004) to the Lancaster Museum Art Gallery Capital Improvement Budget (11BS001) to provide sufficient funds for the completion of construction and relocation costs for the Museum of Art and History.

American Heroes Park has been completed and the final project came in under budget. However, there have been additional and unexpected expenses associated with the completion and relocation of the Museum of Art and History and the transfer of these funds will cover these costs.

CC 14. ACCEPTANCE OF MAP AND DEDICATIONS

This item was continued to the meeting of March 27, 2012, by consensus of the City Council.

Map and Dedications as offered on the map for Parcel Map No. 71763, located on the northwest corner of 15th Street West and Avenue J-5; 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; 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.

The Final Map is in substantial conformance with the approved tentative map. Parcel Map No. 71763 has been checked by the City Engineer and is ready for Council approval.

CC 15. ACCEPTANCE OF LIGHTING IMPROVEMENTS FOR MAINTENANCE

Approved and accepted for maintenance, the work and materials for the lighting improvements for Lancaster Lighting Maintenance District, Annexation No. 890, Conditional Use Permit No. 07-08, installed by Lean Mean Fighting Machine, located in the area bounded by Lancaster Boulevard, Elm, Milling, and Fig Avenues. Appropriate \$880.80 from the first year's maintenance cost, that has been paid by the developer, to cover the remaining five (5) months of the fiscal year into the Lancaster Lighting Maintenance Operating Account No. 483-4725-660.

The lighting improvements for this tract have been installed by the developer, according to the approved plans and specifications, and have been completed to the satisfaction of the Director of Public Works.

NB 1. REPEAL OF ORDINANCE NO. 934 AND CHAPTER 5.50 OF THE LANCASTER MUNICIPAL CODE

The City Attorney presented the staff report regarding this matter.

Addressing the City Council on this matter:

Ron Teidel – opposed to this action; encouraged Council to keep Ordinance No. 934 on the books; gave a brief history of actions and statements made by the City Council at past meetings; comment on the legal status of Council Member Mann's relatives; the State is wrong on this matter; the Federal law has always been voluntary; the wrong message is being sent by repealing the ordinance.

Council Member Mann clarified that his wife's parents are citizens of the United States. As a business consultant in the restaurant industry, it is still his position, even though the State has made it difficult for the City to keep this law on the books, it is still his position to recommend to restaurant owners in California that he consults with, as best practices, to use E-Verify. Unfortunately, the Federal Government does enforce the law and he has seen historically in his 42 year career that raids in the restaurant industry by the Feds, cause restaurant owners to pay heavy fines. It is unfortunate that the State took this position; this vote is purely symbolic as far as he is concerned; he will continue to encourage restaurant owners to use E-Verify.

Council Member Crist inquired as to whether a benefit could be given to different business owners that utilize E-Verify in contracts or bids if it is not against State law?

The City Attorney stated that there may be something the City can do as an incentive to use E-Verify. More research would need to be done on this; need to flesh this out to make sure the City is not missing a provision that would otherwise stop the incentive. Under this law, it would be a voluntary step and may work. The law prohibits the City from requiring businesses to use E-Verify as a condition of obtaining a government contract; a business license. This needs to be looked at carefully; analyzed carefully to make sure the City can do this.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

**NB 1. REPEAL OF ORDINANCE NO. 934 AND CHAPTER 5.50 OF THE
LANCASTER MUNICIPAL CODE (continued)**

The City Attorney stated that he will look into this and come back to a future meeting with further information.

Vice Mayor Smith stated that when the City initiated this, it was to do the City's part to make sure people were following the law the way they were supposed to, when it comes to illegal aliens working in Lancaster. The legislature has this illogical law that they passed, it makes big brother put the onus on little brother to be doing what is responsible for the community. He does not feel it should be repealed but there might be things in the works that can actually keep it on the books and overturn it. This is the same legislature that just passed legislation to give scholarship dollars to illegal aliens. Feels that Lancaster should stand fast; does not mean the City can enforce it at this time but it should be kept on the books and looked at in the future.

Council Member Johnson stated that her family came from Chile; worked very hard to come here; very proud to say they came here legally. Supports everyone here working legally and that this country's tax dollars are being respected. It is important to follow the law, whatever that may be, whether it is at a State level or Federal level. If the City can become creative as Council Member Crist was suggesting; if there is some way to keep an eye on this process; that would be amazing.

Mayor Parris stated that it strikes him as ironic that the City would be debating whether or not undocumented workers should follow the law, when we are unwilling to following the law, which is State law, which tells us to repeal this. We either follow it or we don't and if for no other reason, he stated that he would vote to repeal it, based on that. He is becoming increasingly concerned about a division that seems to be occurring in the country and the City, and that is of picking out groups to blame problems on. No one in this room is doing that, but there are fringe elements that attach themselves to issues like this. This City welcomes people; supports people. Initially, this is an employer problem and it should not be taken out on the employees who are essentially just trying to take care of their families. Other avenues should be looked at in regards to making certain that the preference for employment goes to citizens. After that, whoever wants the job should get it. It is delusional to think people are just going to go back to their original countries, it is just not going to happen and therefore, no one should be acting like it is. This City should follow the State law and repeal the ordinance.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

NB 1. REPEAL OF ORDINANCE NO. 934 AND CHAPTER 5.50 OF THE LANCASTER MUNICIPAL CODE (continued)

On a motion by Council Member Mann and seconded by Mayor Parris, the City Council introduced **Ordinance No. 975**, repealing Ordinance No. 934 and Chapter 5.50 of the Lancaster Municipal Code relating to the employment of undocumented workers based on Assembly Bill 1236 (the "Employment Acceleration Act of 2011"), which prohibits the state, or a city, county, city and county, or special district, from requiring an employer to use an electronic employment verification system except when required by federal law or as a condition of receiving federal funds, by the following vote: 3-2-0-0; AYES: Johnson, Mann, Parris; NOES: Crist, Smith; ABSTAIN: None; ABSENT: None

NB 2. AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT WITH ANTELOPE VALLEY TRANSIT AUTHORITY

The Management Analyst presented the staff report regarding this matter.

Vice Mayor Smith inquired as to the spending limit of the Executive Director, which is currently \$5,000.

Vice Mayor Smith stated that they would like to be allowed to change this with the Board rather than going back to the different agencies and the cities are still on the hook for whatever it is changed to.

Council Member Crist stated that it is \$5,000 and the Bylaws state it is \$25,000. It is limited to the \$25,000.

Vice Mayor Smith stated that it can be increased with a vote of the Board, which Lancaster only has two votes on. As is the history with the Sanitation Districts, he stated he does not like being on the hook with another agency when the City does not have a majority vote.

Council Member Crist discussed costs; necessity for new bus engines; maintenance and it still must go to the Board for approval.

Further discussion took place regarding bus engines; approvals to have engines replaced; maintained, as an example.

Council Member Mann stated that his thought process was, it was more of an administrative issue; having buses out of service, making it difficult for the transit authority to operate. He thought this was administrative as to not bog down the Agency. It was only recently that the Agency Director stumbled upon the fact that there has not been an updated agreement in 6 or 8 years; so it was operating inconsistently with the three jurisdictions.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

NB 2. AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT WITH ANTELOPE VALLEY TRANSIT AUTHORITY (continued)

Council Member Mann stated that in the last three years, a rat's nest has opened up and it was found that an Agency Director was remiss in many different areas. This is just one more area where it is an administrative function to do some housekeeping.

Council Member Crist stated that the City fights for a lot; discussed spending limits; funding; millions of dollars do go into the Transit Agency; they are going to follow the contract of Lancaster; the County follows the City; he has total trust in the people at the County; is very comfortable with the \$25,000 limit.

Vice Mayor Smith agreed with the spending limit; it's changing the specificity of how it is raised from the Agency to the JPA voting on it, to the Agency itself; disagrees with that part of the Bylaws. The City should still have control over the taxpayer's money.

Mayor Parris suggested amending this so they could not raise it with the Bylaws.

Council Member Crist explained how long the process has taken to this point; AVTA is in better shape than ever; with the management that is there now, it is exceptional. He is certain that the City of Palmdale is not going to like following the contract of Lancaster.

Council Member Mann discussed his reaction when he first saw and found out what was going on at AVTA, he was appalled at what he saw; applauds Council Member Crist and former Council Member Marquez for uncovering so many issues; he is comfortable with everything now and agrees with Council Member Crist.

Mayor Parris inquired as to whether this is in perpetuity; can a cap be placed on this; can this be revisited in the future (the spending limit). He does not want to put the City in a "forever" position.

Council Member Crist stated that he does not have a problem putting a limit on this and having it go back to the Board, regarding the spending limit.

The City Manager stated that an expenditure can only be approved if it is in the budget that the Board approved.

Vice Mayor Smith stated that even if a cap is placed on it, it still must come back for a vote by the three cities in the jurisdictions. If they are given the power of the Bylaw change, the Agency would have to come back; it takes a very long time to get the JPA Agreement back.

NB 2. AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT WITH ANTELOPE VALLEY TRANSIT AUTHORITY (continued)

Mayor Parris suggested that the Board be given 60 days to have this come back to the City; this matter should be tabled until then; important to have a cap on the spending limit; important that the cap cannot be changed by the Bylaws.

The recommended action was to adopt the Antelope Valley Transit Authority (AVTA) Amended and Restated Joint Exercise of Powers Agreement between the County of Los Angeles, The City of Palmdale, and the City of Lancaster creating an agency to be known as the Antelope Valley Transit Authority and authorize staff to sign the agreement.

The Antelope Valley Transit Authority (AVTA) Amended and Restated agreement was adopted by the AVTA Board of Directors on June 22, 2010. On November 22, 2011, the Board directed staff to resubmit this document to member jurisdictions for adoption by their respective governing boards.

This matter was continued for 60 days.

CA 1. NOMINATION AND APPOINTMENT OF MARVIN CRIST AS CHAIRMAN OF THE LANCASTER HOUSING AUTHORITY

Mayor Parris desired to nominate and appoint Council Member Crist as the Chairman of the Lancaster Housing Authority. Council Member Crist stated that his plate is very full and he would need to decline the nomination.

Mayor Parris requested the nomination of Authority Member Szeto as the Chair.

On a motion by Mayor Parris and seconded by Council Member Crist, the City Council appointed Authority Member Szeto as the Housing Authority Chair, by the following vote: 5-0-0-0; AYES: Crist, Johnson, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CA 2. DISCUSSION OF INADEQUATE CELL PHONE SERVICE IN THE ANTELOPE VALLEY

Mayor Parris inquired if something could be done regarding the cell phone service in the Antelope Valley. He stated that he can be 500 miles from civilization and get better service than he does in the Antelope Valley.

CA 2. DISCUSSION OF INADEQUATE CELL PHONE SERVICE IN THE ANTELOPE VALLEY (continued)

The City Manager stated there are 56 cell towers in Lancaster; staff works actively to co-locate the different carriers on the same cell. Staff will engage the 3 or 4 cell carriers that the City is currently working with, for a goal of making the cell service better.

Mayor Parris requested that a plan be put in place in the next 60 days, approaching these companies, see what can be done. The service is deplorable; this is not new science, they just don't want to invest their money in the City.

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

Council Member Crist report the following information:

- **Fixed Route Services.** The Veolia Transportation Regional Maintenance Director reported AVTA and Veolia staff successfully coordinated efforts to facilitate a smooth transition for fixed route services.
- **Paratransit Services.** This year, AVTA hired American Logistics Company (ALC) Paratransit Services to replace the Dial-A-Ride program run by AVTA which reduced costs while also providing better service for residents. The ALC Project Manager reported the transition has been smooth with no complaints. They use an innovative operational model with local transportation companies such as Platinum Care, West Cost, Antelope Valley Shuttle and Tours, and Southland Taxi. The average on time performance is about 98% and the average hold time for customer calls is currently less than 24 seconds.
- **Modify and rename Route 1 to Route 10.** The Board held an Open Public Hearing for Consideration of Local Transit Route Modification on the Route 1 Express. Due to the lower than anticipated ridership on the Route 1 Express implemented November 7, 2010, AVTA staff proposed rerouting and renaming the Route 1 Express to Route 10. It would better serve Route 1 which continues to experience heavy ridership and delays. It will continue to serve the University of the Antelope Valley (UAV), Lancaster City Park (LCP), and the Palmdale Transportation Center (PTC), but adds service to the Los Angeles County Courthouse and one additional major transfer point at 47th Street East and Avenue S. It will eliminate the need for passengers to pay double fare when transferring from Route 1 to Route 1 Express to get to 47th East and Avenue S. The Antelope Valley Mall will continue to be served by Routes 1, 2 and 3. AVTA is conducting outreach efforts to inform the public of these changes.
- **Bus Stop Improvement Program Contract.** The Board approved a contract award with Arrow Engineering Services Inc. for Architecture and Engineering Services for the Bus Stop Improvement Program Phase II. The program is budgeted using Federal Transit Authority 5307 funding. The procedures for evaluating the responses to the RFP were explained.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

CR 2. REPORT ON THE SANITATION DISTRICT

Vice Mayor Smith reported the following information:

The main issue has been that restaurants were paying exorbitant taxes on their sanitation bills. Some of the restaurants went from \$2,000 to \$13,000 a year. They were basing this on a 1978 report. He pushed forward for another study to be done and find out what is the equitable amount they should be paying based on what they are doing now. They came back with the report and now those restaurants are going to have their taxes lowered by 33%. It is what was fair, but like a typical bureaucracy, they were using a 1978 report. There will be a tour of the plant coming up, he believes on March 22, 2012 and everyone can come out and see where their tax dollars are going.

Council Member Mann stated that there were approximately fifteen restaurant owners at the meeting and they all left the room happy. As an example, there were at least four restaurant owners that were in the meeting and their annual sanitation bill was in excess of \$30,000. A 33% reduction is almost a \$1,000 per month savings.

LANCASTER FINANCING AUTHORITY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated that the Hometown Heroes Banner Program has been very important here on the BLVD. There are 52 banners up currently, honoring those that served from this community; from this valley and served for this country. Nine of those people died in service to their country; they were honored today at an event; it was very moving. The Banner Program has exceeded everyone's expectations and it has just been phenomenal. Thanked the Mayor and Council for pushing this program and also recognized several staff members who have given their all to the program: Brian Bailey; Luke Duncan; Nicole Allen and Nicole Nutt.

CITY CLERK / AGENCY / AUTHORITY SECRETARY ANNOUNCEMENT

The City Clerk provided the public with the procedure to address the City Council/ Agency/ Authority regarding non-agendized items.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Michael Rives stated that he submitted speaker cards for Item Nos. NB 2 and CA 1 and was not called.

After further discussion, it was concluded that the appointment (Item No. CA 1) of Ms. Szeto as the Housing Authority Chair should be rescinded due to the fact that this particular action was not on the agenda. It was the consensus of the Council to rescind the appointment and have this matter placed on the agenda for March 27, 2012.

Item No. NB 2 was continued for 60 days; Mr. Rives agreed to hold his comments until then.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS (continued)

Michael Rives – encouraged the Council to consider amending the Charter to include Council Districts; elected positions of the City Attorney and City Clerk.

Kristyn Trejo – Educator in Lancaster School District; owner of Antelope Valley BMX; she is new to operating a track; there are many benefits to the sport; encourages physical fitness; creates strong self-esteem in youth and adults; desires to build a strong tie with the Antelope Valley and build a positive outlet for youth; several obstacles to get over; requested assistance.

Mayor Parris stated that this is a definite attraction for tourism; helps to promote the City; goes along with the vision for the City; requested staff assist her in any way that they can.

Council Member Johnson commended Ms. Trejo for providing a safe place for the youth of the community to go.

Council Member Crist suggested Ms. Trejo also get in touch with the Antelope Valley Fair Board; there will be thousands of people attending the 4th of July event; maybe she can hold an event prior to the fireworks.

COUNCIL / AGENCY COMMENTS

At this time, the Hometown Heroes Video was shown.

RECESS Mayor Parris recessed the meeting at 6:23 p.m. for the purpose of conducting a Closed Session regarding the following matter (s):

CLOSED SESSION

Conference with legal counsel--existing litigation (Government Code Section 54956.9(a))

- Save Our Neighborhood Group v. City of Lancaster, et al. (Los Angeles Superior court Case No. BS 121501)
- CSCNAACP v. City of Lancaster, California Case Number: 09-11-0954-8
- Mongols Nation Motorcycle Club v. City of Lancaster, et al. Case No. BC439791
- Miracle Star Women's Recovering Community, Inc. et al. v. City of Lancaster, et al. LASC Case No. MC 020079
- Antelope Valley Allied Arts Association et al v. Lancaster et al, Los Angeles Superior Court Case No. BC45017
- Rubin v. Lancaster - United States District Court Case No. CV 10-4046 DSF (JCx) Government Code Section 54956.9(a)

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

- 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 Dist.,
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 Vice Mayor Smith stated that Mayor Parris needed to leave and reconvened the meeting at 6:46 p.m.

CITY ATTORNEY ANNOUNCEMENT

- The City Attorney announced that the City Council met in Closed Session regarding Government Code Section 54956.9 (a) in regards to existing litigation.

The item that was discussed was: CSCNAACP v. City of Lancaster, California Case Number: 09-11-0954-8. No discussion took place regarding the other matters listed and direction was given regarding this one case.

Vice Mayor Smith stated that the City of Lancaster will be filing a complaint with the Federal HUD Agency. The complaint is against the County of Los Angeles Housing Authority and the County of Los Angeles. The following discriminatory practices have allegedly occurred or will likely occur by them: discriminatory refusal to rent; racial stirring; deny or make housing available; discriminatory provisions of services or facilities in connection with the rental of a dwelling.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 13, 2012

ADJOURNMENT

Vice Mayor Smith adjourned the meeting at 6:48 p.m. in memory of three individuals who lost their lives in tragic vehicular accidents: Kyle Brooks, Tyler Lynch and Leonard Rohaley II.

Vice Mayor Smith stated that the next regular meeting would take place on Tuesday, March 27, 2012.

PASSED, APPROVED and ADOPTED this _____day of _____, 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
CITY CLERK/
SECRETARY
Lancaster, CA

R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

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)
