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**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
July 24, 2012**

CALL TO ORDER

Mayor 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, Vice Mayor/Vice Chair Smith, Mayor/Chair Parris

EXCUSED: On a motion by Vice Mayor/Vice Chair Smith and seconded by Council Member/Authority Member Crist, the City Council/Authority excused Authority Member Mann from the meeting, by the following vote: 4-0-0-1; **AYES:** Crist, Johnson, Smith, Parris; **NOES:** None; **ABSTAIN:** None; **ABSENT:** Mann

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 and Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

Father Leo Dechant, Blessed Junipero Serra Parish

PLEDGE OF ALLEGIANCE

Vice Mayor/Vice Chair Smith

PRESENTATIONS

- 1) Recognition of Section 8 Fraud Investigators; John O'Neal; Alan Mullins; Gary Brody
Mayor Parris discussed the uphill battle of fighting Section 8 fraud; lack of support from the County and housing agencies; these three individuals bravely encountered hostile environments and dangerous Section 8 violators; they went out of their way to help others in need; the system failed them; they were fired and crime escalated. He thanked these men for caring about the residents and neighborhoods; thanked them for all they have endured while trying to make the Antelope Valley a safer place to live.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

Mayor Parris requested that Item No. NB 1 be moved to the beginning of the agenda.

NB 1. PROPOSED AMENDMENT TO THE LANCASTER MUNICIPAL CODE RELATING TO THE USE OF SKATEBOARDS AND OTHER SIMILAR DEVICES (ORDINANCE NO. 980; RESOLUTION NO. 12-56)

The City Attorney presented the staff report regarding this matter.

This ordinance would add Chapter 8.56 to the Lancaster Municipal Code and prohibit the use of skateboards and/or similar devices upon public property that has been designated by resolution of the City Council as a “no skateboarding or roller skating area.” Additionally, the ordinance provides that owners of private property used primarily for business, commercial, retail, office space, business park, religious, multifamily or recreational purposes (including sidewalks, parking lots, alleys, parking facilities, plazas, outdoor sitting areas and courtyards) within a business district may prohibit the use of skateboards and/or similar devices upon their property.

Mayor Parris inquired as to available streets between American Heroes Park and the BLVD.

The City Manager stated there were no streets designated for skateboarding. The boundaries are from Sierra Highway and 10th Street West for the west/east and Kettering on the north side and Milling on the south side.

Mayor Parris requested that one of the side streets be left open and include whatever flexibility can be added.

The City Manager stated that when Council makes a motion for the resolution, they can amend it with this request at that time.

Addressing the City Council regarding this matter:

Sharon Murray – stated that her son works for Pharmacy; he is a good kid; they are all good kids; they are always going to skateboard and if not, they will do other things that are not good – but they are good kids. Skate Parks in Palmdale are not convenient; finds it unbelievable that Council is considering cutting this from the BLVD.

John Tietjen – representing Los Angeles County Parks and Recreation. Stated that the County is currently looking into a feasibility study to have a skate park in Quartz Hill; agrees with the ordinance; skateboarders should follow the same rules/laws as bicyclists.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

NB 1. PROPOSED AMENDMENT TO THE LANCASTER MUNICIPAL CODE RELATING TO THE USE OF SKATEBOARDS AND OTHER SIMILAR DEVICES (ORDINANCE NO. 980; RESOLUTION NO. 12-56) (continued)

Mayor Parris discussed the bike lanes; speed limits on the BLVD and his concern regarding the lack of helmets on skateboarders.

The City Attorney stated that the helmet law is a state law; the City could look into this and find out where the City's authority is in this matter.

Nathan Morris – District Manager of the Pharmacy; from the perspective of the boarders, transportation is a big part of this; understands the concerns when they destroy property; this is not a major problem on BLVD; some are traveling to school; work; skate park topic is valid, however, boarders will not go away; a park gives them opportunities; if the City does not want them on BLVD, give them some place to go.

Mayor Parris stated that he does not have an issue if a private enterprise wants to build a skate park; not sure it should be a function of the City; from the City's perspective, there is a concern regarding the liability. He is not opposed to the concept of private enterprise taking this on; this should be discussed.

Tyler Edwards – stated that skateboarding is an opportunity for kids to not be harassed, however they are being harassed on the BLVD. There are bicyclists on the BLVD as well and problems with them. Provide an option for kids; give them more of an opportunity so they do not rebel.

Mayor Parris made it very clear that when someone comes up to the podium and threatens that worse things will happen if skateboarding is not allowed, that is not the way to deal with this matter. If someone wants to misbehave and cause worse problems, then law enforcement will step in; this does not solve anything. He stated that Channel 7 was interviewing the skateboarders earlier and a couple of them were flashing gang signs. This reflects poorly on all of them; reflects poorly on the community. The age group of the kids that are out there on their boards should know how to behave; important to get the word out that the bad behavior will not be tolerated; regulations will be approved but would like to consider all the give and take; everyone needs to work together on this.

Virginia Star – stated that she is neutral on this matter; she has been around skateboarders; they love it; they are going to skate no matter what; they hang out at a shop, it is natural. They need to be allowed to skate and hopes something can be worked out.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

NB 1. PROPOSED AMENDMENT TO THE LANCASTER MUNICIPAL CODE RELATING TO THE USE OF SKATEBOARDS AND OTHER SIMILAR DEVICES (ORDINANCE NO. 980; RESOLUTION NO. 12-56) (continued)

Steven Blum – stated that he is a roller skater and uses the BLVD; roller skaters should not be lumped into this ordinance with the skateboarders.

Piper Coolidge – stated that she is a filmmaker; lives on top of the Pharmacy; it has been an interesting experience for her; always felt akin to boarders; but she is not sure this is the right area to live anymore; the transition felt welcoming in the beginning; the environment was perfect for artists. She does not understand why the Pharmacy had to locate to this particular area. The business has brought noise; vandalism; profanity; this is not a good fit for the BLVD.

Mayor Parris stated that the intent of the BLVD and the lofts was for the artists. If this has been compromised, the City needs to deal with this matter. He requested that staff schedule a meeting within the next two weeks; work with the Pharmacy people; does not want to see any business leave; must all work together to figure this out and it will take time.

Stacey Speigle – stated that he is a lofts resident; local musician and artist. It is commendable to work on trying to find a place for skateboarders; however, having the Pharmacy in the downtown/residential area is not right. The elevator at the lofts has been vandalized; there is intimidation all the time. The Pharmacy space was supposed to be gallery space for the artists and it has been taken away.

Mayor Parris stated that this is a democracy and the City cannot tell people how to lease their property as long as they comply with the zoning laws.

Angela Davis – stated that she has been a resident for 15 years; a film maker; she has a problem with creating an ordinance telling people where they can and cannot go. The Pharmacy is not the bad guy; skate parks are needed; her son rides his board to school, using the BLVD; people should be allowed to do what they want.

Murich Chenoweth – stated that she is used to hearing about the skateboarders and their issues; there needs to be a respect level on each side; she is a roller skater and this ordinance will impact her; it impacts many; something needs to be figured out.

Patrik Ryane – stated that he is an artist; resident at the lofts; the space where the Pharmacy is, was supposed to be for the artists to show their work; the gallery is a work in progress; part of the deal for the residents was to be able to show their work; it is part of their rent; skateboarding is not the issue, it is the Pharmacy.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

NB 1. PROPOSED AMENDMENT TO THE LANCASTER MUNICIPAL CODE RELATING TO THE USE OF SKATEBOARDS AND OTHER SIMILAR DEVICES (ORDINANCE NO. 980; RESOLUTION NO. 12-56) (continued)

Susan Moses – discussed the space being used by the Pharmacy; not true that it does not fall into the City’s purview. Outside agencies were involved in the funding of the lofts; the downtown revival; there were tax credits; promises made; artists believed that the City would develop around them and make this about the arts.

Isaac Grajeda – stated that he works on the BLVD; has observed the skateboarders; important to note that these kids are outside being active rather than at home doing nothing. Discussed the high traffic volume during the Farmer’s Market; several side streets will be involved, not just the BLVD; ordinance is too restrictive.

Joseph Yore - discussed the high number of vehicles on the BLVD; skateboarding is a great art; sport and entertainment. Stated that he is the one who invented the skateboard; opposed to the ordinance.

Diane Moskowitz – stated that this is a safety situation; pedestrians should not have to be looking out and getting out of the way of the boarders.

Michael Rives – former skateboarder; supports the ordinance; skateboarders are creating a dangerous situation; skateboarders have rights too but something needs to be done regarding the BLVD. Suggested a ramp at the back of the Mayor’s law office which used to be a loading dock; consider turning this area into a skate park.

Ruben Zavala – stated that he is a graphics designer; skateboard design is art; kids want to be free; understands the concerns; there needs to be respect on both sides.

Darleen Peterson – skateboarding is dangerous, especially when the board slips out from under the skaters and goes flying into traffic or pedestrians; skateboarders should not be allowed on the BLVD.

Sergio Coban – skateboarding is a combination of entertainment and sports; Pharmacy should continue to operate; there should be a skate park.

Authority Member Szeto – Council should consider modifications to the ordinance; there are some valid concerns; have restrictions at certain times of the day for the boarders on the BLVD.

Authority Member Harvey – it is important to come to some sort of a compromise; her son is a skateboarder; a safety aspect is involved here.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

NB 1. PROPOSED AMENDMENT TO THE LANCASTER MUNICIPAL CODE RELATING TO THE USE OF SKATEBOARDS AND OTHER SIMILAR DEVICES (ORDINANCE NO. 980; RESOLUTION NO. 12-56) (continued)

Council Member Johnson – it is obvious that skateboarders are passionate about what they do; it is an art form and it is great to see kids outside doing something. It is a huge safety concern; ordinance may need to be revised but definite guidelines must be in place; important to be safe; respect each other; important to find a compromise that everyone will be happy with.

Council Member Crist – pleased that kids are outside being active; the skateboarders need an opportunity to go somewhere; majority of boarders are not respecting business/property owners; they must respect the rights of others.

Vice Mayor Smith – believes in personal liberties; government must step in once in awhile; compared the issue to no smoking in restaurants; no biking on BLVD; no hard water boards at certain beaches - all of this because it is a safety issue. The BLVD is a pedestrian friendly environment; consider restrictions on the BLVD; not necessary to block outside arterials.

Mayor Parris stated that he wants to deal with the lofts and meet with Scott Ehrlich very soon; important to have several people involved and come to a resolution on this matter; include someone from the Pharmacy; the lofts. Redrafting of the ordinance is necessary; important to come to a consensus on this; before he signs off on this, helmets will definitely be a requirement; a curfew should be considered; have this taken care of within 30 days; asked the skateboarders to please not bring their boards to the Farmer's Market, as pedestrian traffic is just too large at that time.

The City Manager stated that he would arrange for a meeting next week.

Council Member Crist requested to be involved in the meeting as well.

RECESS Mayor Parris requested a brief recess at 6:36 p.m.

RECONVENE Mayor Parris reconvened the meeting at 6:47 p.m.

AGENDA ITEMS TO BE REMOVED

None

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

PA CC 1. AMENDMENT TO THE LANCASTER POWER AUTHORITY'S MASTER SOLAR POWER PURCHASE AND SALE AGREEMENT WITH BEAUTIFUL ENERGY, LLC (BE)

It was the consensus of the City Council to waive the presentation of the staff report.

On a motion by Vice Chair Smith and seconded by Authority Member Crist, the Power Authority approved the amendment to the Lancaster Power Authority's Master Solar Power Purchase and Sale Agreement with Beautiful Energy, LLC (BE), by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

The Lancaster Power Authority entered into a Master Solar Power Purchase and Sale Agreement with BE on December 13, 2011 to develop and finance up to 50 MW of solar projects with the intent to sell the power generated on a wholesale basis to other utilities throughout the State of California. Included in this agreement is an "Exclusive Relationship" clause in which the LPA commits not to enter into a prepaid power purchase agreement under similar terms for renewable energy facilities which generate greater than 1 MW in capacity. This amendment merely extends the exclusivity period through May 31, 2013 to allow both parties to continue current discussions with potential offtakers, or clients for the renewable energy generated, as well as to conduct additional marketing and negotiate power purchase agreements.

M 1. MINUTES

On a motion by Council Member/Authority Member Crist and seconded by Council Member/Authority Member Johnson, the City Council/Authority approved the City Council/Successor Agency/Financing/Power Authority Regular Meeting minutes of July 10, 2012, by the following vote: 3-0-1-1; AYES: Crist, Johnson, Parris; NOES: None; ABSTAIN: Smith; ABSENT: Mann

CONSENT CALENDAR

Council Member Crist requested that Item No. CC 16 be pulled for separate discussion and action.

Mayor Parris requested that Item Nos. 4; 7; 12 and 17 be pulled for separate discussion and action.

On a motion by Council Member Johnson and seconded by Council Member Crist, the City Council approved the Consent Calendar, with the exception of Item Nos. 4; 7; 12; 16; 17, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

CC 1. ORDINANCE WAIVER

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

CC 2. WARRANT REGISTER

Approved the Check and Wire Registers for June 24, 2012 through July 7, 2012 in the amount of \$5,818,144.61.

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. AGREEMENT WITH CDCR

Approved the agreement with the California Department of Corrections & Rehabilitation (CDCR) Contract No. 5600003246 for inmate community service work crews and authorize the City Manager, or his designee, to sign all documents.

The City of Lancaster has contracted with the California Department of Corrections and Rehabilitation in the past for extension of work force labor. These crews perform essential tasks such as weed abatement, graffiti removal, litter removal, painting, pruning trees and shrubs, and miscellaneous landscaping work. The California State Prison, Los Angeles (CSPLA) work crews also assist staff efforts in maintaining the sweeper dump transfer site by conducting daily cleanup and wash down support. This agreement will provide for one (1) crew with six (6) to ten (10) members, five days per week, 200 days each year until June 30, 2015.

CC 4. ACCEPTANCE OF COMPLETED SEWER SYSTEM – SITE PLAN REVIEW NO. 05-07; LOCATED ON THE SOUTHWEST CORNER OF AVENUE L-14 AND 12TH STREET WEST.

Addressing the City Council on this matter:

Tyson Southworth – discussed a broken main in this area; company needs to come back and clean up the street.

It was the consensus of the City Council to continue this matter until the next meeting so that this issue can be taken care of.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

CC 5. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for Site Plan Review No. 05-07, located on the southwest corner of Avenue L-14 and 12th Street West. Owner: Robert Stephens.

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.

CC 6. AMENDMENT TO EXISTING SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted an amendment to the existing Subdivision Undertaking Agreement, extending the date of completion to July 24, 2013, submitted by Robert Matta (“Subdivider”) for Tract Map No. 39910, located on the southeast corner of Avenue L and 57th Street West, lots 47-52 and 62-66.

On June 15, 2010, the City and Subdivider entered into a Subdivision Undertaking Agreement to complete the required improvements for Tract Map No. 39910. The agreement expired June 15, 2012. On June 21, 2012, the City Engineer received a letter from the Subdivider requesting an extension. Staff recommends that the Council approve an Amendment to the existing Subdivision Undertaking Agreement, extending the completion date to July 24, 2013, submitted by Robert Matta for Tract Map No. 39910.

CC 7. PWCP NO. 11-010

Addressing the City Council on this matter:

Patricia Jacobs – project is a good idea; inquired as to the timeline for improvements on her street.

The Public Works Director stated that he would be meeting with the contractor and will get in touch with Ms. Jacobs and let her know the timeline.

On a motion by Council Member Crist and seconded by Council Member Johnson, the City Council awarded **Public Works Construction Project No. 11-010, Citywide Traffic Calming**, HSIPL-5419 (029), to C. A. Rasmussen, Inc. of Valencia, California, in the amount of \$379,522.50, plus a 10% contingency and authorized the City Manager or his designee, to sign all documents, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

This contract is awarded to the lowest responsible bidder per California Public Contract Code Section 22038(b). C. A. Rasmussen, Inc. was the sole bidder on the project. This project is federally funded under Cycle 3 of the Highway Safety Improvement Program. It will install speed humps in residential neighborhood streets citywide and implement road diets and add bike lanes on Valley Central Way from Avenue J to Lancaster Blvd., and on 25th Street West from Avenue J to Lancaster Blvd.

CC 8. PWCP NO. 12-003

Awarded **Public Works Construction Project No. 12-003, Valley Central Way and 25th Street West Resurfacing Project**, to C. A. Rasmussen, Inc. of Valencia, California, in the amount of \$802,180.00, plus Additive Alternate Nos. 1 and 2 in the amount of \$330,935.00, to bring the award total to \$1,133,115.00, plus a 10% contingency and authorize 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). The determination of the lowest bid was the lowest total of the Base Bid Amount plus Additive Alternate Nos. 1 and 2.

This project is designed to repair and resurface Valley Central Way, from Avenue J to Lancaster Boulevard, and 25th Street West, from Avenue J to Lancaster Boulevard, with a new asphalt concrete pavement surface, sidewalk, pedestrian curb ramps, and curb and gutter improvements.

CC 9. DESIGNATION OF VOTING DELEGATE AND ALTERNATE

Approved Mayor Parris as the voting delegate and Vice Mayor Smith as the voting alternate to represent the City at the League of California Cities Annual Business Meeting, Friday, September 7, 2012.

The League of California Cities' Annual Conference will be held in San Diego, CA on September 5-7, 2012. Each year the League introduces resolutions for the General Assembly to consider at its Annual Business Meeting. The League requires each City to designate a voting delegate and up to two alternates by City Council action to allow the delegate to vote on any such resolutions sponsored by the League.

CC 10. RESOLUTION NO. 12-47

Adopted **Resolution No. 12-47**, authorizing the renewal of the City's Insurance for the Property and Public Entity Liability Programs, and membership in the County Supervisors Association of California Excess Insurance Authority Workers Compensation Program (CSAC) for a one-year term beginning July 1, 2012.

The City of Lancaster purchases commercial insurance policies to cover the risk of loss to City property and to transfer losses resulting from claims made by third parties against the City. The property program covers City owned property and includes coverage for earthquake and flood events. The liability program covers claims against the City for losses incurred by third parties and includes coverage for the museum collections and loaned exhibits. In addition, the City has self-insured its workers compensation coverage for the past six years as a member of CSAC. CSAC is the largest insurance pool program for public entities in the United States. Of the 58 California counties, all but four are members of CSAC. Members of CSAC do not pay insurance premiums. Instead, each member contributes to the pool based on the size of its payroll, loss experience, and specific loss exposures.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

CC 11. RESOLUTION NO. 12-48

Adopted **Resolution No. 12-48**, authorizing and providing for the Fiscal Year 2012-2013 levy of a special tax within Community Facilities District No. 89-1, a District established to finance the acquisition and construction of regional water system improvements in various locations in the City.

CFD 89-1, otherwise known as Hillside Residential, was established to finance the construction of regional water system improvements primarily on the east side of Lancaster. On October 16, 1989, the City Council adopted Ordinance No. 518, authorizing the levy of the special tax for CFD 89-1. The levy of the special tax on an annual basis is required since the rate and method for special tax apportionment differentiates between developed property and undeveloped property. As homes are completed and sold by the developer, the property changes from undeveloped to developed status which carries a different tax rate for the homebuyer. As required by Ordinance No. 518, authorizing the levy of a special tax for CFD 89-1, the City Council is required to adopt by Resolution, the special tax levy in accordance with previously adopted "Rate and Method of Special Tax Apportionment".

CC 12. RESOLUTION NO. 12-49

Addressing the City Council on this matter:

Nancy Acosta – stated her concerns regarding the landscaping/special tax. She was never informed of this but also admitted she had not looked through all of her paperwork.

The City Attorney explained that this is not a landscaping tax. The bonds will mature in 2015 for 89-1. He stated that sellers are required to disclose this information when a home is being purchased; she should have received written notification.

On a motion by Council Member Crist and seconded by Council Member Johnson, the City Council adopted **Resolution No. 12-49**, authorizing and providing for the Fiscal Year 2012-2013 levy of a special tax within Community Facilities District No. 90-1, a District established to finance the construction of regional street and storm drain improvements in the area of Lancaster Boulevard and 25th Street West, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

The levy of the special tax on an annual basis is required since the rate and method for special tax apportionment differentiates between developed property and undeveloped property. As homes are completed and sold by the developer, the property changes from undeveloped to developed status which carries a different tax rate for the homebuyer. As required by Ordinance No. 547, authorizing the levy of a special tax for CFD 90-1, the City Council is required to adopt, by Resolution, the special tax levy in accordance with previously adopted "Rate and Method of Special Tax Apportionment".

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

CC 13. RESOLUTION NO. 12-50

Adopted **Resolution No. 12-50**, authorizing and providing for the Fiscal Year 2012-2013 levy of a special tax within Community Facilities District No. 91-1, a District established to finance the construction of regional water and sewer improvements for Quartz Hill II & III.

CFD 91-1, otherwise known as Kaufman and Broad Quartz Hill II and III, was established to finance the construction of regional water and sewer improvements on the west side of Lancaster. On September 3, 1991, the City Council adopted Ordinance No. 574, authorizing the levy of the special tax for CFD 91-1. The levy of the special tax on an annual basis is required since the rate and method for special tax apportionment differentiates between developed property and undeveloped property. As homes are completed and sold by the developer, the property changes from undeveloped to developed status, which carries a different tax rate for the homebuyer. As required by Ordinance No. 574, authorizing the levy of a special tax for CFD 91-1, the City Council is required to adopt, by Resolution, the special tax levy in accordance with previously adopted "Rate and Method of Special Tax Apportionment".

CC 14. RESOLUTION NO. 12-51

Adopted **Resolution No. 12-51**, authorizing and providing for the Fiscal Year 2012-2013 levy of a special tax within Community Facilities District No. 91-2, a District established to finance the construction of regional street, sewer and storm drain improvements in the Lancaster Business Park Phase III.

CFD 91-2, otherwise known as Lancaster Business Park, Phase III, was established to finance the construction of regional street, sewer and storm drain improvements. On November 4, 1991, the City Council adopted Ordinance No. 575, authorizing the levy of the special tax for CFD 91-2. As required by Ordinance No. 575, authorizing the levy of a special tax for CFD 91-2, the City Council is required to adopt, by Resolution, the special tax levy in accordance with previously adopted "Rate and Method of Special Tax Apportionment".

CC 15. RESOLUTION NO. 12-52

Adopted **Resolution No. 12-52**, amending Resolution No. 10-12 by removing the Temporary Classification of Administrative Aide; update the titles from Stage Assistant Intern to Stage Assistant Trainee and Administrative Intern to Administrative Trainee.

These changes clarify titles to bring them in line with recently released regulations.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

CC 16. RESOLUTION NO. 12-53

Council Member Crist inquired of the City Attorney, why the City has this process.

The City Attorney stated that the City has a Council approved records retention policy/schedule and when records have fulfilled their administrative function and usefulness, the records are disposed of.

On a motion by Council Member Crist and seconded by Council Member Johnson, the City Council adopted **Resolution No. 12-53**, authorizing the destruction of certain records (Recruitment Files, City Property Damage Claims, Claims Against the City, Risk Management Agendas, Telephone Accounts, Summer Day Camp, CARES Program, Sports, Registration-Recreation Programs, Refunds-Recreation Programs, Recreation-City Facility Use, Repetitive Maintenance Reports, Special Events, Poppy Festival, Special Classes-Enrichment Centers, Antelope Valley Film Office, Accident/Incident/Damage Reports, Door Access Code Printouts, Grants, Key Inventory Log, Correspondence, Accounts Payable, Accounts Receivable, Business License Files, Banking Records, Financial Reports, Payroll, State & Federal Income Tax, Payroll-Registers, W-2, Payroll-Employee Files, PERS Reports, Purchase Orders, Parking Citations, Home Occupation Permits, Violations of Municipal Codes, Mobilehome Park Rent Arbitration Board, Housing Loan Program Files, Housing Grant Program, Community Development Block Grant Program, Insurance-City as Insured, Insurance-City as Additional Insured, Appeals, Commissions, Nomination Papers-Successful Candidates, Nomination Papers-Unsuccessful Candidates, Statement of Economic Interest-Elected Officials/Appointees, Statement of Economic Interest-Designated Employees, Public Records Requests, Records Center Documentation, Subpoenas, Closed Session, Affidavits of Publication, Speaker Cards, Campaign Statements-Unsuccessful Candidates, Statement of Economic Interest-Copies), by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

Section 34090 of the Government Code provides a procedure whereby any City record, which has served its purpose and is no longer required, may be destroyed. After a thorough review of the Records Retention Schedule, which was adopted by the City Council on September 12, 2000, it has been determined that certain records for Human Resources, Administration, Parks Recreation & Arts, Finance, Planning, Housing & Neighborhood Revitalization and City Clerk, are ready for destruction.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

CC 17. RESOLUTION NO. 12-54

Michael Rives – discussed shelter housing rates; concerns for putting animals down too soon before the owners have a chance to find them.

On a motion by Council Member Crist and seconded by Council Member Johnson, the City Council adopted **Resolution No. 12-54**, amending Resolution No. 10-03 revising animal control fees for Fiscal Year 2012/2013 and approved the Service Level Agreement between Los Angeles County Department of Animal Care and Control and the City of Lancaster, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

The City contracts with the County of Los Angeles for animal control services. The City received a letter from the County of Los Angeles Department of Animal Care and Control revising the contract city billing rates for Fiscal Year 2012/2013.

Although there are some increases to individual service rates the City would realize an overall savings if the number of animals, days, and services remained the same as the first eight months of Fiscal Year 2011/2012.

PH 1. CONGESTION MANAGEMENT PROGRAM

Mayor Parris opened the Public Hearing. It was the consensus of the City Council to waive the presentation of the staff report.

Hearing no further testimony, Mayor Parris closed the Public Hearing.

On a motion by Council Member Crist and seconded by Council Member Johnson, the City Council adopted **Resolution No. 12-55**, a resolution of the City Council of the City of Lancaster, California, finding the City to be in conformance with the Congestion Management Program (CMP) and adopting the 2012 CMP Local Development Report (LDR), in accordance with California Government Code Section 65089, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

The requirements for the Congestion Management Program (CMP) were enacted with the passage of Assembly Bill 471 (1989) and became effective upon voter approval of Proposition 111 in June of 1990. Proposition 111 provided for a nine-cent increase in the state gas tax over a five year period. Cities and Los Angeles County must comply with the Los Angeles County Metropolitan Transportation Authority (LACMTA) adopted 2010 CMP as a condition for receiving Proposition 111 gas tax subventions along with other state and federal transportation funds.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

CA 1. APPROVE THE NOMINATION AND APPOINTMENT OF MARVIN CRIST AS VICE MAYOR AFTER THE NOVEMBER 6, 2012 ELECTION

Addressing the City Council on this matter:

Michael Rives – stated that Council Member Crist will do a great job, however, the Council should postpone this action until after the November election; wait for a new member to be appointed to the Council before confirming the appointment of Council Member Crist as Vice Mayor.

On a motion by Mayor Parris and seconded by Council Member Johnson, the City Council approved the nomination and appointment of Council Member Crist as Vice Mayor – to take effect after the November, 2012 election, upon Vice Mayor Smith's resignation when he wins the Assembly seat, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

CA 2. DISCUSSION AND POSSIBLE DIRECTION REGARDING REGULATION OF VICIOUS AND POTENTIALLY DANGEROUS DOGS IN RENTAL HOUSING UNITS

Mayor Parris inquired as to the status of this matter.

The City Manager stated that staff is discussing an ordinance; several options; recommended that the Lancaster Neighborhood Vitalization Commission be involved in this process. This ordinance will pertain to holding landlords accountable when they rent to tenants with vicious dogs and staff will bring this forward in 60 days.

The City Attorney stated that state law does not allow for breed specific ordinances; this will be looked at further.

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

Council Member Crist presented information regarding the following: Fixed Route Services; Paratransit Services; LA Metro Discussion of Transit Access Pass (TAP) Capabilities; Contracts; Finance & Grants; Internal Procedures; Advertising Business Model; Intelligent Transportation System (ITS) Update; Audit Issues; Proposed Cost Allocation Plans; FY 2012/13 Draft Business Plan and Five-Year Capital Program; Public Hearings; Legislative Issues; AVTA's 20th Anniversary.

Addressing the City Council on this matter:

Michael Rives – stated his concerns for empty buses being driven around; consider a different schedule as to not waste fuel and money; consider smaller shuttle buses.

Council Member Crist stated that the buses are indeed very full; sometimes packed; eight buses per hour are scheduled; some are standing room only; many routes are quite full.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

LANCASTER SUCCESSOR AGENCY

No action required at this time.

LANCASTER FINANCING AUTHORITY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated that the State is considering suspension of a portion of the Brown Act which requires agencies to post their agendas 72 hours ahead of the meeting. The City of Lancaster plans to continue with the 72 hour posting requirement.

Mayor Parris stated that the agenda should be on the Internet and not necessarily posted outside the Chambers; not necessary.

The City Manager stated that all agendas are on the Internet and staff will continue with the procedures they have always followed.

The City Manager requested an update from Captain Jonsen of the Los Angeles Sheriff's Department.

Captain Jonsen stated that robberies are on the rise throughout the county. Robberies of electronic items are up, such as cell phones; iPods; iPads. Encouraged people to be aware of their surroundings. If they are walking around on their cell phone, someone can very easily come up and take it from you. As it was explained to him by a suspect: by stealing a wallet or purse there is a 50/50 chance there may be money in it. By taking an electronic device, there is a 100% chance of selling it for \$30 or \$40. The Sheriff's Department is beginning a PSA campaign with more in-depth details regarding this issue.

CITY CLERK /AGENCY/AUTHORITY SECRETARY ANNOUNCEMENT

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

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

South Benald Neighborhood Watch – several representatives discussed the problem of foot traffic on their properties; problems with a very low fence that people congregate at and climb over; they have met with deputies; held several meetings; the problem is getting worse. They have been told the fence is the responsibility of the property owners; they feel it is a City fence.

The City Manager stated that he will have staff look into this.

Mayor Parris requested updates of this issue and if it takes private money to help with this fence, to please let him know; would like to see the wall built in the next 30 days.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

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

David Paul – stated that he always learns something new by attending these meetings; pleased that the cameras are back on during the public comment portion of the agenda; this evening he enjoyed the dialog between the citizens and the Council regarding the skateboard issue. He had the pleasure of presenting his human accountability plan to the Lancaster Criminal Justice Commission.

Nancy Acosta – stated that the new Lancaster Recycling Center is great and thanked the City for this.

COUNCIL / AGENCY COMMENTS

None

RECESS

Mayor Parris recessed the meeting at 7:33 p.m. for the purposes of conducting a Closed Session meeting regarding the following matters:

CLOSED SESSION

Conference with Legal Counsel—Initiation of Litigation (Government Code Section 54956.9(c)
(One Case)

Conference with Legal Counsel--Existing Litigation (Government Code Section 54956.9(a))

1. The Community Action League v. City of Lancaster - United States District Court Case No. 11-CV-4817-ODW-VBK
2. CSCNAACP v. City of Lancaster, California Case Number: 09-11-0954-8
3. Antelope Valley Allied Arts Association et al v. Lancaster et al, Los Angeles Superior Court Case No. BC45017
4. Rubin v. Lancaster - United States District Court Case No. CV 10-4046 DSF (JCx)
5. Mongols Nation Motorcycle Club v. City of Lancaster, et al. Case No. BC439791
6. Miracle Star Women's Recovering Community, Inc. et al. v. City of Lancaster, et al. LASC Case No. MC 020079
7. Save Our Neighborhood Group v. City of Lancaster, et al. Los Angeles Superior court Case No. BS 121501

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

8. 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

Mayor Parris reconvened the meeting at 8:11 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney stated that the City Council met in Closed Session under the aforementioned matters; gave direction; no further action was taken.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JULY 24, 2012

ADJOURNMENT

Mayor Parris adjourned the meeting at 8:13 p.m. and stated that the next regular meeting would take place on Tuesday, August 14, 2012. The meeting was adjourned in memory of Mark McQueen, a young man who passed away at the young age of 18, due to a vehicle accident. Mr. McQueen was a City of Lancaster employee who was bright and energetic; a “go-to” guy in the Parks, Recreation & Arts Department and he will be deeply missed by all.

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

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
CITY CLERK/
AUTHORITY 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)
