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**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
September 25, 2012**

CALL TO ORDER

Mayor/Chair Parris called the regular meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:01 p.m.

ROLL CALL

PRESENT: Council Members/Agency Directors/Authority Members: Crist, Mann, Vice Mayor/Vice Chair Smith, Mayor/Chair Parris

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

STAFF MEMBERS: City Manager/Executive Director; City Attorney/Authority Counsel; Assistant to the City Manager; City Clerk/Agency/Authority Secretary; Planning Director; Public Works Director; Parks, Recreation and Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

Assistant Pastor Jon Guy - Lancaster Baptist Church

PLEDGE OF ALLEGIANCE

Council Member/Authority Member Mann

PRESENTATIONS

Athlete of the Month Award – Brenden Baker, Desert Christian High School. Mr. Baker also received a \$1,000 Mayor’s Scholarship.

Antelope Valley High School Principal Matt Anderson and Assistant Principal Chris Grado thanked the City for all the support they have given to Antelope Valley High School. Discussed the neighborhood impact projects; the positive impact this has had on the school and the students. The boost of this project has driven the beginning of the school year and truly connected the students with what is going on in the City and the community. With the coordination of the City, on October 12-13, 2012 the school will celebrate its centennial and the school will be bringing back an old tradition of a homecoming parade on the BLVD and invited

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PRESENTATIONS (continued)

the Council and staff, if interested, to contact the school for further information to be on one of the homecoming floats.

Mayor Parris stated that the leadership of Antelope Valley High School has turned the school around and it is phenomenal what is happening with the school. Many people didn't give the school a chance at all and it is very impressive what has taken place and grade point averages have gone way up.

M 1. MINUTES

On a motion by Council Member/Authority Member Crist and seconded by Council Member/Authority Member Mann, the City Council/Agency/Authority approved the City Council /Successor Agency/Financing/Power Authority Regular Meeting minutes of September 11, 2012, by the following vote: 3-0-1-1; AYES: Crist, Mann, Smith; NOES: None; ABSTAIN: Parris; ABSENT: Johnson

CONSENT CALENDAR

On a motion by Council Member Crist and seconded by Vice Mayor Smith, the City Council approved the Consent Calendar by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

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 August 24, 2012 through September 8, 2012 in the amount of \$2,969,175.02.

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. PURCHASE OF EQUIPMENT

Authorized the purchase of two (2) pieces of equipment from VT LeeBoy, and two (2) pieces of equipment from Quinn Cat who were each awarded a contract competitively bid through the National Joint Powers Alliance (NJPA) for heavy construction equipment. The regional distributor for VT LeeBoy will be Nixon-Egli Equipment Company located in Ontario, California. Quinn Cat is located in Lancaster, CA.

CC 3. PURCHASE OF EQUIPMENT (continued)

As presented to City Council on August 14, 2012, the Department of Public Works is implementing a shift to Pavement Preservation within the Pavement Management Program. These four (4) pieces of equipment are essential to the Maintenance Services Division's role in Pavement Preservation. Utilizing existing staff and with selective material purchase agreements, to be presented to Council at a later date, the Maintenance Services Division will treat twice as many roads targeted in the Pavement Management Program for pavement preservation. The City will realize increased lane miles treated and reduced costs over conventional methods.

CC 4. APPROPRIATION OF FUNDS

Approved appropriations in the amount of \$24,000.00 to Account No. 104-4662762 for the replacement of vehicle #EQ5602 and increased estimated revenues in Account No. 104-3602100 in the amount of \$13,432.00 for insurance reimbursement.

Vehicle #EQ5602 was involved in an accident resulting in the vehicle being considered a total loss. The vehicle is necessary for the Park Ranger operations and the City received an insurance reimbursement for a portion of the anticipated cost of the vehicle. The balance will be funded through the Capital Replacement Fund.

CC 5. RESOLUTION NO. 12-69

Adopted **Resolution No. 12-69**, a resolution of the City Council of the City of Lancaster, California, approving a disposition strategy for the sale of single-family residences acquired under the approved Neighborhood Stabilization Program III (NSP3).

The City of Lancaster purchased and rehabilitated eleven properties under the NSP3 program. These properties will be marketed and sold to potential homeowners who agree to purchase the properties for appraised value and agree to the recording of Declaration of Covenants, Conditions, and Restrictions. The Affordability Covenants, Conditions, and Restrictions contain affordability requirements and restrict the resale of the property to be owner occupied for forty-five years. The properties will be listed and sold through the Greater Antelope Valley Association of Realtors members via the local area Multiple Listing Service to qualified homebuyers.

The NSP3 program helps to eliminate blight in the neighborhoods and it assists the community by providing much needed affordable homeownership for families. Sale of the rehabilitated properties to homeowners will also help provide a better balance of homeowner to investor in the neighborhoods. By encouraging homeownership, the value attributed to the land as a resource increases, as the conditions of physical deterioration and blight due to poor use of the property, squatting and illegal dumping have been removed. The rejuvenation of these properties is further bolstered with the real potential of providing long-term affordable homeownership.

CC 6. APPROPRIATION OF FUNDS

Approved the appropriation in the amount of \$54,000.00 to Account No. 324-4821771 for the Selective Traffic Enforcement Program Grant and increased estimated revenues in Account No. 324-3307110 by the same amount.

Lancaster has been awarded \$54,000.00 from the Office of Traffic Safety for the Selective Traffic Enforcement Program (STEP) Grant. Funds can be used for special operations targeting reduction of the number of persons killed and injured in crashes involving alcohol, speed, red light running and other collision factors. The program may include DUI checkpoints, speed, aggressive driving, seat belt enforcement, intersection operations with disproportionate numbers of traffic crashes and special enforcement operations encouraging motorcycle safety.

NB 1. GRAFFITI ABATEMENT VOLUNTEER PROGRAM

The Public Works Director presented the staff report regarding this matter. Additional staff presented a PowerPoint, facts, statistics regarding graffiti and the process to become a volunteer to assist with graffiti cleanup.

Grffiti is a challenge for the City, as it creates an eyesore and can negatively impact the quality of life in a community and affects people's perceptions about safety. Graffiti vandalism continues to be one of the more challenging problems that the Public Works Department is facing.

Residents interested in participating in this volunteer effort are asked to contact the Public Works Department through the graffiti hotline. Upon completion of a Volunteer Interest & Information Sheet, they will be contacted to participate in training pertaining to the most common ways of removing graffiti based on the type of surface and substrate to be removed. Once trained, they will be given graffiti removal supplies color matched to the location they have chosen to adopt. Volunteers are asked to adopt a location for a minimum of three (3) months.

Staff believes that actively involving the community in graffiti prevention and removal will improve awareness and be instrumental in promptly removing graffiti thus creating a graffiti free community.

Captain Jonsen of the Lancaster Sheriff's Station discussed the fine line between gang related graffiti and tagging crews; graffiti enforcement; how much graffiti can take place in just a 24-hour period. The incidences have gone up and with the realignment of the TOP team; enforcement will be back on track. Parents of the offenders know their children are involved; important to change the rules of the house, rules of the road and get parents more involved in what their children are doing.

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NB 1. GRAFFITI ABATEMENT VOLUNTEER PROGRAM (continued)

Mayor Parris inquired as to the enforcement of the sales regarding spray paint; consider having this enforcement transferred to Code Enforcement; requested additional statistics on this matter within the next 30 days.

The City Council received the report and on a motion by Council Member Crist and seconded by Council Member Mann, the City Council approved the implementation of a Graffiti Abatement Volunteer Program, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

NB 2. INTERNATIONAL ENERGY GLOBE AWARD PRIZE

The City Manager and Council Member Mann presented the staff report regarding this matter. Council Member Mann represented the City at the World Energy Awards in Austria. Council Member Mann stated that there were several thousand people that attended this awards conference; he was very impressed with everything that he saw. He explained the process conducted by the Board to determine the eliminations and the winners. There were 800 entries for the awards; the Board was very impressed that government could cut through red tape and make a difference. They were very impressed with the Solar Lancaster and KB Home project and amazed at what government set out to accomplish, do what it takes and to do what they say they are going to do. Council Member Mann was able to meet with some incredible people, made some incredible contacts for Lancaster.

The City of Lancaster was recently honored for its groundbreaking initiatives in alternative energy with an International Energy Globe Award. The awards program, which is sponsored by Energy Globe founder Wolfgang Neumann, aims “to safeguard the future of the planet and the right of future generations everywhere to live healthy and fulfilling lives.” In recognition of its ongoing renewable energy efforts which contribute to achieving this goal, Lancaster was awarded first place, worldwide in the “Fire” category and third place, worldwide overall. Program categories include Earth, Air, Fire, Water, and Youth.

Two pioneering projects garnered Lancaster this prestigious recognition: the “Home of the Future” and the Solar Lancaster Program. Both emphasize the immense value of public-private partnerships in developing sustainable energy projects as Lancaster continues its quest to become the Alternative Energy Capital of the World.

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NB 2. INTERNATIONAL ENERGY GLOBE AWARD PRIZE (continued)

Mayor Parris stated that the City should develop a program that would allow for more people to attend the World Awards because the City truly is changing the world. This has a global impact when everyone can see what is being accomplished. It is only limited by the imagination and all of the stuff that is thrown at the City, those are obstacles and this City overcomes those obstacles very quickly. He would like to find a way to work on outside funding so that staff and citizens would be able to attend and see what actually is happening. When other cities see what Lancaster is doing; when they see the possibilities, it creates a huge impact. He stated that he is incredibly proud of the staff for making this happen.

On a motion by Council Member Mann and seconded by Vice Mayor Smith, the City Council appropriated the \$10,000.00 prize awarded to the City of Lancaster as a winner of the 2012 International Energy Globe Award to Account No. 486-4770-201 and Account No. 486-4770-205, with \$5,000.00 allotted to each, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

CA 1. DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF RESOLUTION NO. 12-70, TO AVERT FEDERAL SEQUESTRATION CUTS

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council adopted Resolution No. 12-70, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

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

Council Member Crist presented the following information:

Twenty-one new buses have been purchased; the AVTA is fiscally sound.

Staff presented a comparison analysis of the KPIs for fixed routes and Dial-a-Ride for fiscal years 2010/11 and 2011/12. The Board discussed the farebox recovery rate for local transit, overall system performance goals, and the data that can be retrieved from the proposed Intelligent Transportation System. The Board directed staff to compare AVTA's local transit fare policy with other transit agencies.

AVTA's "Bringing You Home" ad campaign won first place in the small operator's division for print advertising promotions.

The Board approved contracts with CSI Fullmer; Webb Brothers Construction. Information was given on bids; grants; bylaws and internal procedures.

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LANCASTER SUCCESSOR AGENCY

No action required at this time.

LANCASTER FINANCING AUTHORITY

No action required at this time.

LANCASTER POWER AUTHORITY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated that he hopes everyone will have the opportunity to attend some of the Antelope Valley High School festivities on October 12-14, 2012. Antelope Valley High School has done a remarkable job of becoming an asset to the community. It is up to the community to support Antelope Valley High School, especially at the parade on October 12.

The City Manager showed a brief video on the Streets of Lancaster event. He stated that he was so impressed with City staff for the work they did for the Streets of Lancaster event; it was by far the smoothest, most organized event to take place.

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:

Gary Burgess – stated his concerns regarding the kiosks on the BLVD; the BLVD is a pleasant scene except for the kiosks; fears it will start to look like third world countries selling their wares if the City is not careful. Remove the kiosks and provide handicapped parking for the citizens. He discussed his volunteer duties with the Sheriff's Department and the challenge of removing signs throughout the City, which is another type of graffiti.

Dawn Dykehouse – stated her concerns regarding solar fields in Antelope Acres; concerned with the number of solar farms being installed in this area; there are 33 sites; 4 of the sites surround Del Sur School; help Antelope Acres to preserve the way of life, they have all longed for.

Vee Friss – stated her concerns with the bus service and her experiences; takes a very long time for her to travel to her destinations.

Council Member Crist asked Representative Hickling to please discuss this with Ms. Friss.

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COUNCIL / AGENCY COMMENTS

None

RECESS

Mayor Parris recessed the meeting at 6:04 p.m. for the purposes of conducting a Closed Session meeting regarding the following matters:

CLOSED SESSION

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

- The Community Action League v. City of Lancaster - United States District Court Case No. 11-CV-4817-ODW-VBK
- CSCNAACP v. City of Lancaster, California Case Number: 09-11-0954-8
- GOVERNMENT CODE SECTION 54956.9 (a) - Pending Litigation-Palmdale v. Lancaster - Case Number BC443280
- Antelope Valley Allied Arts Association et al v. Lancaster et al, Los Angeles Superior Court Case No. BC488907
- Rubin v. Lancaster - United States District Court Case No. CV 10-4046 DSF (JCx)
- 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
- Save Our Neighborhood Group v. City of Lancaster, et al. Los Angeles Superior court Case No. BS 121501
- 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

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RECONVENE

Mayor Parris reconvened the meeting at 6:43 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney stated that the City Council met in Closed Session under the aforementioned matters; gave direction to legal counsel regarding TCAL.

The City Attorney stated that the City of Palmdale has filed an appeal; Council has requested that staff invite Council Member Hofbauer and Council Member Dispenza of Palmdale to meet with Mayor Parris and Council Member Crist regarding this matter.

The City Attorney stated that regarding Rubin v. Lancaster, oral arguments have been set for November 8, 2012 in the 9th Circuit Court of Appeals.

ADJOURNMENT

Mayor Parris adjourned the meeting at 6:45 p.m. and stated that the next regular meeting would take place on Tuesday, October 9, 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/
AUTHORITY SECRETARY
Lancaster, CA

R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

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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)
