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MVB

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

CALL TO ORDER

Vice Mayor/Vice Chair Smith 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/Agency Directors/Authority Members: Crist, Johnson, Mann, Vice Mayor/Vice Chair Smith

Mayor/Chair Parris arrived at 5:11 p.m.

STAFF MEMBERS: City Manager/Executive Director; Deputy City Manager/Deputy 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

Pastor Carlos Souza, Salvation Army Antelope Valley Corps

PLEDGE OF ALLEGIANCE

Council Member/Agency/Authority Member Crist

PRESENTATIONS

1. Recognition of the University of Antelope Valley Students for the Community Appreciation Dinner and all of their many contributions to the City.

2. Not-In-Our Town Proclamations
The City of Lancaster and the Tapestry Commission dedicated the month of November, 2012 to honoring those that are doing great works in preventing bullying and encouraging acceptance in the community. Involved in these community efforts and the signing of the Proclamations were: The City of Lancaster; Antelope Valley High School District; Eastside School District; Westside School District; Lancaster School District.

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PRESENTATIONS (continued)

Mayor Parris recognized Sue Dell for her tremendous efforts with the Tapestry Commission and making it something truly wonderful. She has made many strides in getting the community to focus on the fact that if Lancaster is going to have a thriving, wonderful place to raise families, it will largely be determined by how we all choose to treat each other. He stated that he likes the approach that has been taken with, not caring how a person might think or feel but focusing on and caring more about how people behave and treat one another.

3. S.O.A.R. (Students On Academic Rise) High School Student of the Month – Ms. Gladis Xiloj. Ms. Xiloj also received a \$1,000 Mayor’s Scholarship.
4. Presentation to Vice Mayor Ron Smith. Vice Mayor Smith was recently elected to the State Assembly and was recognized for his many years of service to the City of Lancaster.

At this time, Mayor Parris requested that Item No. NB 1 be discussed to allow Vice Mayor Smith to be a part of the process for this program.

NB 1. LANCASTER READS! PROGRAM

The Parks, Recreation and Arts Director presented the staff report regarding this matter.

Vice Mayor Smith stated that reading and bringing in more information to your mind is very important and it brings the community together.

Mayor Parris stated that he does not have a high school education; many degrees were achieved after high school, but statistically, he shouldn’t be where he is today. Reading is so important and once a person learns to read, they read to learn. Unfortunately, so many children do not have this basic foundation and become adrift. It is important to bridge this gap; make it a priority in this community that all the children can read well. Once they have this ability, this is America and anything can happen for them.

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved the implementation of the Lancaster Reads! Program designed to promote reading and literacy as well as foster a sense of community through the shared experiences of reading and talking together, by the following vote: 5-0-0-0; AYES: Crist, Johnson, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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NB 1. LANCASTER READS! PROGRAM (continued)

As directed by the City Council at its October 23, 2012 meeting, staff proposed that the City of Lancaster join a growing nationwide reading program, which adopts the idea of a localized book discussion club and expands it citywide. The idea that originated in Seattle in 1998 has quickly spread across the United States and is currently present in at least 35 different cities.

RECESS Mayor Parris requested a brief recess at 5:50 p.m. to allow for a reception in honor of Vice Mayor Smith.

Vice Mayor Smith was excused from the meeting at 5:50 p.m.

RECONVENE Mayor Parris reconvened the meeting at 6:06 p.m.

M 1. MINUTES

On a motion by Council Member/Agency/Authority Member Crist and seconded by Council Member/Agency/Authority Member Johnson, the City Council/Agency/Authority approved the City Council / Successor Agency/Financing/Power Authority Regular Meeting minutes of October 23, 2012, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

CONSENT CALENDAR

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

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 October 8, 2012 through October 27, 2012 in the amount of \$4,350,999.19.

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 information for each expenditure is available in the Finance Department.

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CC 3. ORDINANCE NO. 983

Adopted **Ordinance No. 983**, an ordinance of the City Council of the City of Lancaster, California, rezoning the subject properties, known as Zone Change No. 12-02, from a combination of R-7,000 (Single Family Residential, one dwelling unit per 7,000 square feet) and R-10,000 (Single Family Residential, one dwelling unit per 10,000 square feet) to RR-2.5 (Rural Residential, one dwelling unit per 2.5 acres)

This ordinance rezones the subject properties that were approved by the City Council on October 23, 2012. The subject properties have zoning classifications of R-7,000 (Single Family Residential, minimum lot size 7,000 square feet) and R-10,000 (Single Family Residential, minimum lot size 10,000 square feet). These designations do not allow for the development of solar facilities but would allow for the development of tract-style, urban residential housing on smaller lots. Therefore, rezoning of the sites to RR-2.5 is necessary to allow the proposed solar projects to move forward.

CC 4. APPROPRIATION OF GRANT FUNDS

Approved the appropriation of \$10,422.24 in awarded grant funds from the California Emergency Management Agency (Cal-EMA) Hazardous Management Preparedness Planning Grant (HMEP) to Revenue Account No. 399-3305-100 and corresponding Expense Account No. 399-4999-101.

The City was awarded grant funds from Cal-EMA to document and evaluate the HazMat uses and transportation activities within the City, in order to improve public safety. Funding will be used for emergency planning purposes, emergency route identification, and response measures to aid first responding agencies in identifying potential problems and to predict future emergency actions. The data collected will be used to design and conduct a simulated HazMat transportation emergency response scenario in coordination with our Emergency Operations Center (EOC), assigned staff, and Community Emergency Response Teams (CERT) volunteers.

CC 5. PWCP NO. 12-004

Awarded **Public Works Construction Project No. 12-004, Avenue I and 40th Street West Turn Pocket**, HSIPL 5419(025), to ANM Construction and Engineering of Lancaster, California, in the amount of \$138,821.00, plus Additive Alternate A1 in the amount of \$36,265.00, to bring the award total to \$175,086.00, plus a 10% contingency and authorized the City Manager, or his designee, to sign all documents. This contract is awarded to the lowest responsible bidder per California Public Code Section 22038 (b). The determination of the lowest bid was the lowest total of the Base Bid Amount plus Additive Alternate A1.

On June 23, 2008, the City was informed that they were successful in obtaining a HSIP grant for the Avenue I and 40th Street West Turn Pocket Project and that this project would be added to the 2009 FTIP. As a measure to improve vehicular safety along this major thoroughfare, the City proposed adding a dedicated left turn pocket for traffic heading west along Avenue I and 40th Street West.

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CC 6. APPROPRIATION OF GRANT FUNDS

Appropriated \$100,000.00 in CalRecycle Waste Tire Cleanup grant funds to expenditure accounts shown below, and estimate revenue in the same amount to Account No. 330-3304-204.

<u>Distribution</u>	<u>Description</u>	<u>Amount</u>
330-4542101-137	Salaries and Benefits	\$27,545.00
330-4545101-137	Salaries and Benefits	61,250.00
330-4545301	Professional Services	10,800.00
330-4545295	Material and Supplies	405.00

The CalRecycle Waste Tire Cleanup Grant will allow for the removal of waste tires on public and private property for cases meeting specific criteria. The intent of the Waste Tire Program is to directly increase services to our citizens and the community as a whole, and enhance efforts to remove waste tires that are a health and safety hazard and a source of blight within the City.

PH 1. FACILITY RENTAL FEES FOR AMERICAN HEROES PARK AND THE MUSEUM OF ART AND HISTORY (MOAH)

Mayor Parris opened the Public Hearing. It was the consensus of the City Council to waive the presentation regarding this matter.

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. 12-67**, amending Resolution No. 05-233 by adding facility rental fees for American Heroes Park and revising rental fees for the Museum of Art and History (MOAH), by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

The newly renovated Community Building at American Heroes Park will soon be available for public use. The new facility has exceptional space for receptions, meetings, and special events that will greatly enhance the City of Lancaster's facility rental options. Additionally, it is appropriate to revise the rental fees previously established for MOAH to more accurately reflect the Museum's actual operating costs.

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NB 1. LANCASTER READS! PROGRAM

This item was discussed at the beginning of the meeting.

NB 2. SPICE UP LANCASTER LOAN PROGRAM

The Assistant to the City Manager presented the staff report regarding this matter.

Council Member Johnson clarified that this would be for businesses that have been in the area for at least 10 years.

Council Member Crist requested clarification as to why this matter needs to be brought back to the City Council.

The Assistant to the City Manager stated that because this is a loan program, it is important that the City Council has the opportunity to approve those loans. The City does have a loan committee that will review the loan documents first, then make a recommendation to the City Council. Staff feels the approvals should be at a Council/Authority level rather than a staff level.

Council Member Crist was concerned about the appearance of favoritism.

The Assistant to the City Manager stated that this was not necessarily true. Staff would go through all of the criteria and look at the strengths of the locations; the synergy, to avoid having multiple sandwich shops for instance, in the same area, to create more diversity in those areas.

Council Member Johnson stated that the restaurant industry is brutal; it is very difficult, and for the City of Lancaster to be able to help in this manner is without a doubt, very helpful to the entrepreneurs.

On a motion by Council Member Crist and seconded by Council Member Mann, the City Council approved the Spice Up Lancaster Loan Program in an effort to fill existing commercial vacancies, assist small local businesses and build the City's sales tax revenue base; appropriated \$100,000.00 from the General Fund balance to Account No. 101-4330-813 to fund the program, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

The Spice Up Lancaster Loan Program will provide a new resource to help well-established businesses overcome this obstacle. Under the program, locally-owned restaurants that have been operating in the Antelope Valley for 10 years or more may apply for low-interest loan funding of up to \$25,000.00 to expand to a new location in Lancaster. In addition to providing assistance for small local businesses, the program aims to build the synergy of various commercial areas by creating additional dining options; enhance the atmosphere and stability of these areas with long-established and well-known local restaurants; and build the City's sales tax base by providing local businesses with opportunities for expansion.

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NB 3. LANCASTER TOURISM BUSINESS IMPROVEMENT DISTRICT (LTBID)

It was the consensus of the City Council to waive the presentation regarding this matter.

On a motion by Council Member Crist and seconded by Council Member Mann, the City Council adopted **Resolution No. 12-68**, declaring the City Council's intention to establish the Lancaster Tourism Business Improvement District (LTBID) and establishing the time and place of a public meeting and a public hearing thereon and giving notice thereof, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

The City of Lancaster has been working in conjunction with Destination Lancaster and local hotels to establish a new Lancaster Business Tourism Improvement District (LTBID). The LTBID is a benefit assessment district proposed to help fund marketing and sales promotion efforts for Lancaster lodging businesses. The hospitality industry in the Antelope Valley relies heavily on government contracts from Edwards Air Force Base and Plant 42. With federal contracts drying up, government per diems flat, and an uncertain military and defense contracting future, the TBID's marketing programs will help Lancaster lodging businesses customize a diversified market mix that will expand their revenue-generating capacity and help protect and grow occupancy and average daily rates.

NB 4. ACQUISITION OF OPERATING COVENANT AND RESTRICTIVE COVENANT WITH ANTELOPE VALLEY CHEVROLET IN THE LANCASTER AUTO MALL

The City Manager presented the staff report regarding this matter.

On a motion by Council Member Mann and seconded by Council Member Johnson, the City Council approved the acquisition of the Operating Covenant and Restrictive Covenant with Antelope Valley Chevrolet in the Lancaster Auto Mall; authorized the City Manager or his designee to execute all required agreements and documents; appropriated \$300,000 from the General Fund Balance to Account No. 101-4540-308, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

Funds shall be provided to Antelope Valley Chevrolet for the purpose of acquisition of an Operating Covenant and Restrictive Covenant.

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CA 1. NOMINATION AND CONSIDERATION/APPOINTMENT OF CASSANDRA HARVEY TO FILL CITY COUNCIL VACANCY.

Mayor Parris requested Council consideration of the nomination and appointment of Cassandra Harvey to the City Council.

On a motion by Council Member Mann and seconded by Council Member Crist, Cassandra Harvey was appointed to fill the City Council vacancy until the election in April, 2014, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

Ms. Harvey will be administered the oath of office and take her seat on the City Council, on December 11, 2012.

CA 2. NOMINATION AND CONSIDERATION/APPOINTMENT OF SANDY SMITH TO THE LANCASTER SUCCESSOR AGENCY OVERSIGHT BOARD.

Mayor Paris requested consideration of the nomination and appointment of Sandy Smith to the Lancaster Successor Agency Oversight Board.

On a motion by Council Member Mann and seconded by Council Member Crist, the City Council approved the appointment of Sandy Smith to the Lancaster Successor Agency Oversight Board, by the following vote: 4-0-0-1; AYES: Crist, Johnson, Mann, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

Ms. Smith will be administered the oath of office at a special meeting of the Lancaster Successor Agency Oversight Board on December 10, 2012.

CA 3. DISCUSSION OF CITY COUNCIL MEETING REORGANIZATION

Council Member Crist stated that with all of the changes that have taken place with Redevelopment and the State, he has learned a lot from Authority Member Harvey and Deputy Mayor/Authority Chair Szeto. He requested consideration to have someone from the Planning Commission attend City Council meetings, that the City Council can direct questions to for clarification on matters that come before the City Council and in that way receive direct representation. Council Member Crist feels that more discussion on certain matters is important and Council should always have the ability to tap into the resources and the expertise that is available. This person would not be a voting member but their expertise would be invaluable.

Mayor Parris clarified that who would be on the dais would be the Council; Deputy Mayor/Housing Chair and a designee from the Planning Commission.

CR 1. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR DISTRICT NO. 14 OF THE COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY – OCTOBER 18, 2012 MEETING

Council Member Mann presented the following information:

- Approved warrants in the amount of \$416,138.58. The warrants issued by the District are for costs incurred for operation and maintenance. Expenditures are made in accordance with the guidelines established by the budget procedure and the purchasing policy that has been adopted by the Board.
- Approved a departmental invoice in the amount of \$2,592,875.29. The invoice is an internal document that transfers each District's proportionate share of expenditures made by District No. 2.
- Considered the Environmental Document and adopted resolution making application to Local Agency Formation Commission for reorganization and amendment to Sphere of Influence.
- Approved and ordered executed agreement in form of Joint Resolution with County of Los Angeles, County Sanitation District No. 20 of Los Angeles County, Antelope Valley Mosquito & Vector Control District, Antelope valley Resource Conservation District, City of Palmdale, and Antelope Valley – East Kern Water Agency, approving and accepting negotiated exchange of property tax revenues resulting from reorganization.

CR 2. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR THE ANTELOPE VALLEY TRANSIT AUTHORITY

Council Member Crist presented the following information:

- FY2012-13 first quarter report was presented to the Board by Windes and McClaughry.
- A Request for Qualifications for Information Technology Assessment was approved by the Board.
- The Board approved change order #7 in the amount of \$56,849 to the Phase II Facility Construction Contract with Webb Brothers Construction for errors and omissions including adding flex connections, relocation of electrical conduit, devices to comply with Fire Marshall Requirements, and IDF cabinets.
- MJS Construction, a local contractor, was awarded a contract for the Los Angeles County Bus Stop Improvements. Altogether there were 20 firms that registered and downloaded the IFB. Five of these were local.
- Staff invited the Board and public to AVTA's vendor fair taking place on November 8th at Larry Chimbole Cultural Center.
- AVTA received the American Public Transportation Association (APTA) marketing award for outstanding print media.
- AVTA received the 2012 Small Operator Transit Excellence Award. This award is given by the California Transit Association (CTA).

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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 commended Brenda Gamlowski, one of the City's Management Analysts for all her work with the Tapestry Commission over the past year and a half. It's been a true joy to work with people that push you and get you to realize even the things you didn't know about your own beliefs and the possibilities.

The City Manager stated that regarding "shop more" in Lancaster, email blasts and billboards will appear very soon and will expand even further after that. Work is also being done with the downtown business association to encourage shopping in the downtown during Christmas.

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:

Anita Smith – Discussed unfair business practices by Twins Auto; feels that she has been scammed and the company is not ethical.

Mayor Parris directed the City Manager to have staff look into this.

Jennifer Faux – Discussed her concerns regarding what she felt was the inappropriate way that the American Flag was hung during the Veteran's Day Parade.

COUNCIL / AGENCY COMMENTS

None

CLOSED SESSION

No action required at this time.

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CITY ATTORNEY ANNOUNCEMENT

The City Attorney stated that the Deputy City Attorney, Allison Burns did a magnificent job of defending the City at the 9th Circuit Court of Appeals regarding Rubin v. Lancaster. The Panel was well prepared for the oral argument which is sometimes rare on a court of appeals and the link to hear the oral arguments will be placed on the City's website; it is very interesting to listen to and a determination on the case will be made sometime in the future.

ADJOURNMENT

Mayor Parris adjourned the meeting at 6:48 p.m. and stated that the next regular meeting would take place on Tuesday, December 11, 2012 at 5:00 p.m.

Pursuant to action taken by the City Council/Successor Agency/Financing, Housing & Power Authority on August 28, 2012, there will not be a City Council/Successor Agency/Financing, Housing & Power Authority meeting on Tuesday, November 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/
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)
