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02/12/13
MVB

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JANUARY 22, 2013**

CALL TO ORDER

Mayor/Chair Parris called the regular meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:04 p.m.

ROLL CALL

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

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

EXCUSED: Council Member/Agency/Authority Member: Johnson

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; Assistant Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

Chaplain Wade Little, Los Angeles County Fire Department

PLEDGE OF ALLEGIANCE

Vice Mayor/Vice Chair Crist

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PRESENTATIONS

1. S.O.A.R. (Students On Academic Rise) High School Student of the Month – Gabriel Al-Harbi. Mr. Al-Harbi also received a \$1,000 Mayor’s Scholarship award.
2. Veterans Administration Certificate of Appreciation presented by Tom Dever of the Veteran’s Administration to the City of Lancaster for their sincere ongoing support of our Nation’s Veterans. Specifically for installing a sidewalk on the south side of Avenue I to the Veteran’s Home in Lancaster, thereby providing disabled Veteran’s access to the wonderful City of Lancaster and helping to improve their quality of life.
3. LASD Meritorious Awards Presentation – Captain Bob Jonsen of the Lancaster Sheriff’s Department and Mayor Parris presented numerous certificates and awards to the Lancaster Sheriff’s Robbery Suppression Team and the Lancaster Sheriff’s Community Appreciation Team.

Mayor Parris requested that Item No. CA 1 and Item No. CA 2 be discussed at this time.

CA 1. CONSIDERATION OF NOMINATIONS/RE-APPOINTMENTS BY MAYOR PARRIS TO THE FOLLOWING COMMISSIONS:

Mayor Parris requested consideration of the reappointments of the current Commissioners to their respective Commissions.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council approved the reappointments of the following people to their respective Commissions, by the following vote: 4-0-0-1; AYES: Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

Architectural/Design Planning Commission

Russell Bartholet
April Bartlett
Kathryn Carlson
Amanda Hawse
Andrew Mercy
Timothy Wiley

Lancaster Criminal Justice Commission

Mark Brown
Newton Chelette
Tim Fuller
Sherreé Pickens
Lee Smith
David Vierra

Lancaster Neighborhood Vitalization Commission

Steven Derryberry
Howard Harris
Angela Hearn
Michelle Kiefer
Linda Lawson
Lisa Moulton

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CA 2. CONSIDERATION OF NOMINATIONS/APPOINTMENTS

Mayor Parris requested consideration of the following people to be appointed to Lancaster Museum and Public Art Foundation Board of Directors (LMPAF).

On a motion by Council Member Mann and seconded by Vice Mayor Crist, the City Council approved the nominations and appointments of the following people to the Lancaster Museum and Public Art Foundation Board of Directors (LMPAF), by the following vote: 4-0-0-1; AYES: Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

Lancaster Museum and Public Art Foundation Board of Directors

Nadia Dickinson-Aquino
Jane Frye
Michele Lantz
Ben Maish
Leo Stallworth
Lori Young

At this time, the City Clerk administered the oath of office to Ms. Dickinson-Aquino; Ms. Frye and Mr. Maish. The remaining three appointees will be administered their oath of office at the LMPAF Board meeting in February.

SA NB 1. RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JULY 1, 2013 TO DECEMBER 31, 2013

It was the consensus of the Successor Agency to waive the presentation regarding this matter.

On a motion by Vice Chair Crist and seconded by Agency Director Mann, the Lancaster Successor Agency adopted **Resolution No. SA 02-13**, approving the Recognized Obligation Payment Schedule for the period July 1 to December 31, 2013 and directing staff to bring before the Lancaster Successor Agency Oversight Board for approval, by the following vote: 4-0-0-1; AYES: Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

SA NB 2. SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR JULY 1, 2013 TO DECEMBER 31, 2013

It was the consensus of the Successor Agency to waive the presentation regarding this matter.

On a motion by Vice Chair Crist and seconded by Agency Director Mann, the Lancaster Successor Agency adopted **Resolution No. SA 03-13**, approving the Successor Agency Administrative Budget for the period of July 1 to December 31, 2013 as detailed in Attachment A of the staff report, by the following vote: 4-0-0-1; AYES: Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

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M 1. MINUTES

On a motion by Council Member/Agency/Authority Member Mann and seconded by Vice Mayor/Vice Chair Crist, the City Council/Agency/Authority approved the City Council/Successor Agency/Financing/Power Authority Regular Meeting minutes of January 8, 2013, by the following vote: 4-0-0-1; AYES: Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

CONSENT CALENDAR

Vice Chair Crist requested that Item No. CC 4 be pulled for separate discussion and action.

On a motion by Vice Chair Crist and seconded by Council Member Mann, the City Council approved the Consent Calendar with the exception of Item No. CC 4, by the following vote: 4-0-0-1; AYES: Mann, Smith, Crist, 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 December 9, 2012 through January 5, 2013 in the amount of \$724,649.58.

CC 3. MONTHLY REPORT OF INVESTMENTS

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

CC 4. TRANSFER OF FUNDS FOR UNCLAIMED CHECKS

Addressing the City Council on this matter:
Andrew Nieto – requested clarification regarding this matter.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council approved the transfer of funds for checks issued by the City for individual items less than fifteen dollars (\$15) which have remained unclaimed for the period of one year, by the following vote: 4-0-0-1; AYES: Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

CC 5. ONE-YEAR AGREEMENT EXTENSION WITH CARL WARREN & COMPANY

Approved a one-year agreement extension for Carl Warren & Company as the City's Third Party Administrator for liability claims and authorized the City Manager to execute said agreement.

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CC 6. AMENDMENT TO SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted an amendment to the Subdivision Undertaking Agreement submitted by Lancaster Spectrum, LLC (“Subdivider”), for Parcel Map No. 061937, located on the southwest corner of Avenue J-8 and 20th Street West, extending the date of completion to March 1, 2014.

NB 1. ADMISSION FEES FOR THE MUSEUM OF ART AND HISTORY (MOAH)

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

Addressing the City Council on this matter:

Andrew Nieto – in favor of this action.

On a motion by Vice Mayor Crist and seconded by Council Member Smith, the City Council adopted **Resolution No. 13-05**, amending Resolution No. 12-20 by eliminating admission fees for the Museum of Art and History (MOAH) and rather implementing a suggested donation for visitors in lieu of established fees; appropriated \$3,400 to Account No. 101-4644-603 from fund balance for annual direct assessments that do not qualify for exemption, by the following vote: 4-0-0-1; AYES: Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

NB 2. PROPOSED AMENDMENT TO CHAPTERS 2.34, 2.30 AND SECTION 2.04.080 OF THE LANCASTER MUNICIPAL CODE

The City Manager presented the staff report regarding this matter.

Addressing the City Council on this matter:

Michael Rives – opposed to this action.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council introduced **Ordinance No. 986**, restating and amending Chapter 2.34 of the Lancaster Municipal Code relating to the Architectural and Design Planning Commission, Chapter 2.30 of the Lancaster Municipal Code relating to the Criminal Justice Commission and Section 2.04.080 of the Lancaster Municipal Code relating to the position of Deputy Mayor, by the following vote: 4-0-0-1; AYES: Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Johnson

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LANCASTER FINANCING AUTHORITY

No action required at this time.

LANCASTER POWER AUTHORITY

No action required at this time.

COUNCIL / AGENCY COMMENTS

Mayor Parris stated as a point of clarification: The Lancaster Neighborhood Vitalization Commission has done a great deal of work regarding consideration of an ordinance relating to landlord liability for dog bites. An ordinance will not be necessary and the City Manager and the Sheriff's Department have been directed to begin the process of notifying the property owners when there is an issue regarding dog bites on their property.

Mayor Parris requested that Deputy Mayor Harvey and Deputy Mayor Szeto select someone to assist and begin the discussion of whether or not the City should be looking at districting the City's elections; the process of whether or not it should go before the voters. This is a matter that should be discussed and he suggested they contact Commissioner Derryberry and see if he is interested in working with them on this matter.

RECESS Mayor Parris recessed the meeting at 5:45 p.m. for the purpose of conducting a Closed Session meeting regarding:

CLOSED SESSION

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

- Waterhouse v. Lancaster – Case No. CV 12-00923 SJO
- Doe v. Lancaster – Case No. “unknown”
- Palmdale v. Lancaster - Case No. BC443280
- Lancaster v. Housing Authority of the County of Los Angeles (HACoLA) Case No. MC023649
- 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)
- 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.

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- 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 Crist reconvened the meeting at 6:11 p.m. and stated that Mayor Parris needed to leave early.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney stated that City Council met in Closed Session regarding the abovementioned items. Direction was given regarding Waterhouse v. Lancaster; Miracle Star Women's Recovering Community; Doe v. Lancaster. No other action was taken.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The Parks, Recreation and Arts Director stated that this past weekend was the Martin Luther King, Jr. Day of Service Program. Over thirty projects were supported throughout the Antelope Valley; over 2,000 volunteers, volunteered their time, energy and efforts to make this event a huge success and the City is very pleased and looks forward to making this event bigger and better next year.

The City Manager stated that a tremendous showing of support was involved in the Martin Luther King, Jr. Day of Service and presented a short video that capsulated one of the best examples of volunteerism – the Lancaster Community Shelter.

CITY CLERK / AGENCY / AUTHORITY SECRETARY ANNOUNCEMENT

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

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PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Michael Rives – stated that he recently attended an AVTA meeting; stated his concerns regarding bus delays and encouraged the City Council to consider shuttle services.

Carl Sundstrom – stated his concerns regarding skateboarding in the streets; specifically in the area of 10th Street West and West Holquin Street, which is the first street north of H-8. The skateboarders do not move out of the way; they build ramps and expect cars to go around; there have been confrontations with the teens to no avail.

Vice Mayor Crist requested that the City Manager have someone look into this as soon as possible.

Michelle Egberts – discussed the sex offender ordinance; requested that Council consider rescinding this ordinance or modifying it.

Teresa Malone – discussed recent curb maintenance on her street; water lines being worked on and once the work was completed, the water tasted like dirt. Waterworks was called; the lines were flushed out and everything was fine. Consider notifying people before work is performed so people know what is coming; consider contacting Waterworks to flush the lines as part of the process.

ADJOURNMENT

Vice Mayor Crist adjourned the meeting at 6:30 p.m. and stated that the next regular meeting would take place on Tuesday, February 12, 2013 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this _____day of _____, 2013, 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)
