

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MARCH 26, 2013**

CALL TO ORDER

Mayor Parris called the regular meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:00 p.m.

ROLL CALL

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

ABSENT: None

STAFF

MEMBERS: City Manager/Executive Director; City Attorney/Authority Counsel; Assistant to the City Manager; City Clerk/Authority Secretary; Planning Director; Public Works Director; Senior Operations Manager; Assistant Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

Pastor Chris Johnson, Grace Chapel

PLEDGE OF ALLEGIANCE

Vice Mayor/Vice Chair Crist

PRESENTATIONS

1. Small Business Development Center
Presenter: Ramone Roberts, Business Advisor – Antelope Valley
2. Athlete of the Month Award – Rachael Power, Desert Christian High School. Ms. Power also received a \$1,000 Mayor's Scholarship Award.
3. S.O.A.R. (Students On Academic Rise) High School Student of the Month – Skyler Suchovsky. Mr. Suchovsky also received a \$1,000 Mayor's Scholarship Award.

Vice Mayor Crist stated for the record that the Scholarship Award funds are paid for solely by Mayor Parris, not the City.

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M 1. MINUTES

On a motion by Vice Mayor/Vice Chair 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 March 12, 2013, by the following vote: 4-0-1-0; AYES: Johnson, Mann, Smith, Crist; NOES: None; ABSTAIN: Parris; ABSENT: None

CONSENT CALENDAR

Addressing the City Council regarding the Consent Calendar:

Michael Rives – regarding Item No. CC 5 – stated that he was very displeased with the bike lane on Valley Central and considers it a hazard.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council approved the Consent Calendar, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CC 1. ORDINANCE WAIVER

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

CC 2. WARRANT REGISTER

Approved the Check and Wire Registers for February 24, 2013 through March 9, 2013 in the amount of \$3,037,320.63.

CC 3. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the February 2013, Monthly Report of Investments as submitted.

CC 4. ORDINANCE NO. 988

Adopted **Ordinance No. 988**, an ordinance of the City Council of the City of Lancaster, California, amending Chapter 9.44 of the Lancaster Municipal Code relating to the regulation of registered sex offenders.

CC 5. PWCP NO. 12-003

Accepted the work constructed by C. A. Rasmussen, Inc. for **Public Works Construction Project No. 12-003, Valley Central Way and 25th Street West Resurfacing Project**, and directed the City Clerk to file the Notice of Completion for the project. Retention on this project has been disbursed in accordance with California Public Contract Code.

CC 6. ACCEPTANCE OF TREES FOR MAINTENANCE

Accepted the interior street trees for maintenance by the City for Tract No. 060614, located on the southwest corner of Avenue K-4 and 20th Street East. Owner: KB HOME Coastal Inc.

CC 7. JOINT USE AGREEMENT WITH SCE

Approved the Joint Use Agreement with the Southern California Edison Company (SCE) to provide for the relocation of existing SCE facilities necessitated by the widening of 22nd Street West and authorized the City Manager, or his designee, to sign all documents.

CC 8. MONUMENTATION WORK

Approved the monumentation work for Tract No. 54370-02, located on the northwest corner of Avenue L-4 and 70th Street West. Owner: KB HOME Coastal Inc.

CC 9. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for Tract No. 060614, located on the southwest corner of Avenue K-4 and 20th Street East. Owner: KB HOME Coastal Inc.

PH 1. RESIDENTIAL ZONES UPDATE AND OTHER ZONING CODE AMENDMENTS FOR IMPLEMENTATION OF HOUSING ELEMENT SPECIFIC ACTIONS

Mayor Parris opened the Public Hearing. The Planning Director presented the staff report regarding this matter.

Addressing the City Council on this matter:

Michael Rives – stated that he is opposed to changing the zoning laws and problems with current housing should be addressed first. Focus on existing housing needs; review each detail of the plan closely; opposed to solar being forced on new home buyers.

Marta Golding Brown, representing the BIA and Construction Trades – appreciates the time that City staff and the Planning Commission have put into these amendments. Opposed to the ordinance because certain solar requirements will increase the costs of housing. A solar mandate will force builders to increase the costs of construction; the program has been working well for the City and homebuyers; allow the option of solar; do not make it a requirement, it is cost prohibitive.

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PH 1. RESIDENTIAL ZONES UPDATE AND OTHER ZONING CODE AMENDMENTS FOR IMPLEMENTATION OF HOUSING ELEMENT SPECIFIC ACTIONS (continued)

David Paul – stated his concerns regarding the effects of smoke on solar panels; ash and dust particles are the worst; protect the environment.

Larry Grooms – stated that he supports solar energy; does not support government interference in the private sector; this ordinance will not restore the local economy, it will keep the builders away. Does not see the benefit to the citizens of Lancaster becoming the solar capital of the world.

Jill Furtado – thanked the Planning Director, Planning Commission and staff for their hard work; the teamwork effort of everyone is for the betterment of the community. Regarding Wellness homes, thanked Council for changing the process to a Manager's review, which allows for a more reasonable timeframe.

Andrew Nieto – supports solar energy; always keep in mind the preservation of the desert and Joshua trees; housing industry will continue full steam ahead; he is in support of what the City is doing in general to assist developers to make housing more affordable. If the solar requirement will impede on the City's efforts to bring housing costs down and bring jobs back, then it should be tabled.

Council Member Mann thanked Chair Vose, the Planning Commission and staff for their hard work. There is a lot of flexibility built in for the builders, for example, builders will receive density bonuses. There are many, many positives about these amendments.

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

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council introduced **Ordinance No. 989**, approving the comprehensive revision of the Residential Zoning Ordinance, Title 17, Chapter 8 of the Lancaster Municipal Code, and other zoning code amendments for implementation of Housing Element specific actions, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

Mayor Parris stated that in regards to receiving the title of solar capital of the world, he and several others have literally been traveling around the world; giving speeches about how we are the solar capital of the world. Many benefits have come to fruition because of this and would not have been possible if the Council/staff had not embraced the concept of alternative energy.

PH 1. RESIDENTIAL ZONES UPDATE AND OTHER ZONING CODE AMENDMENTS FOR IMPLEMENTATION OF HOUSING ELEMENT SPECIFIC ACTIONS (continued)

The City Manager stated that BYD would not have happened without the City going out, specifically, the Mayor, and talking about alternative energy and Lancaster becoming the solar capital of the world. There would not be a Lancaster Power Authority which generates revenue for the City and saves the school districts \$400,000 per year. The City also would not have some of the projects that were approved two months ago and will generate over \$100,000 a year for twenty years for the City. Being the solar capital of the world has put Lancaster on the map and given the City an identity. Identity and branding are key to the success of the City.

NB 1. PROPOSED AMENDMENTS TO THE VISITOR'S BUREAU OF LANCASTER (DESTINATION LANCASTER) BYLAWS

The Assistant to the City Manager and the Senior Projects Coordinator presented the staff report regarding this matter.

Addressing the City Council on this matter:

Michael Rives – stated that the key to promoting the City is a good transportation system. There must be a shuttle bus system in place; there are empty buses and shuttles would solve this issue.

Vice Mayor Crist stated that shuttle buses have been tried in the past and they just did not work. AVTA has increased its ridership by 35%; there have been many hearings on this subject, with little or no complaints and ridership is up.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved proposed amendments to the Visitor's Bureau of Lancaster (Destination Lancaster) Bylaws, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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

The following information was presented:

The Board received reports outlining the proposed changes to local transit routes 1, 6, 10, 14, Lake L.A. Express and commuter routes 785, 786, 787 and 790 and the FY12/13 Second Quarter Key Performance Indicators Report. The Board approved Change Order #8 to the Webb Brothers Construction contract for Phase II AVTA facility construction for replacement of the transformer for AVTA's solar power. Staff presented the AVTA Procurement Outreach Program that outlines the commitment to promote and foster business diversity and inclusiveness when providing open, competitive procurement and contracting opportunities within the Antelope Valley. The Board approved the proposed Dial-A-Ride Policy Changes that reduce the reservation window for Dial-A-Ride trips from three days to two days; reduce the number of trips that can be made in a single day by a client from four to three and increase enforcement of this policy; and change the application of suspension for "no shows" from three per month to three in a rolling 30-day period. The Executive Director reported: A letter was sent to the Mayors of Lancaster and Palmdale requesting support for safety/fare evasion. AVTA is joining a consortium to develop a bus specification for commuter busses that should help with consistency and costs. The AVTA Deputy is now riding on the busses, which has been received well by the passengers. Full report is available in the City Clerk Department.

Additionally, Council Member Johnson stated that she was an alternate on the Board at the last meeting; it was a great experience and the focus was on whether or not to keep or remove a specific route. During the discussion it was realized that there were many Spanish speaking individuals working in the community that are in need of the transportation. They were there to express this need and to speak on this matter. Fortunately, there were translators present and it worked out very well. Many of the people in attendance have family members who were able to go to the hospital for monthly visits through the transportation system. It was an honor to be there and to be able to translate and speak for them on their behalf to express the needs of these people to be able to use the transportation system.

Addressing the City Council on this matter:

Michael Rives – discussed statistics in an article regarding ridership; feels that the location of the transportation hub in Palmdale is a terrible idea.

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LANCASTER FINANCING AUTHORITY

No action required at this time.

LANCASTER HOUSING AUTHORITY

No action required at this time.

LANCASTER POWER AUTHORITY

No action required at this time.

LANCASTER SUCCESSOR AGENCY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager presented a brief report on BYD. Discussed what took place at the Long Beach Transit Authority and how important this was. The Long Beach Transit Authority went through a six month RFP and evaluation process. They involved the FTA, hired consultants and inspectors. They awarded the largest electric bus (10 buses) contract in the nation, to BYD. BYD provides the best electric buses in America. They are a Los Angeles based company that is willing to invest in manufacturing in California when not many companies are. This is a very big deal and BYD has secured two properties here in Lancaster. It is an even bigger deal for California because California gets an electric bus industry started here. It is starting here because of the efforts of Lancaster. If it had not been for the efforts of Mayor Parris and the assistance of Supervisor Antonovich, BYD would not have received that contract, would not be in Lancaster and would not be in California. There are a hundred different things that Mayor Parris has been doing since 2009 to court Chinese businesses and this City owes a debt of gratitude to Mayor Parris.

Mayor Parris stated that he and the City Manager and staff would travel with him to Beijing and Hong Kong and other areas and each and every time they put on a tremendous presentation and Lancaster is going to see the benefits of this for the next two or three decades. It truly is astonishing what is coming and it really was because of the hard work from the staff and how they just dived in to this and also thanked to the Council who supported this. This really is a great group to work with.

For the record it was stated that Mayor Parris paid for his travel arrangements and the travel arrangements for Deputy Mayor Szeto.

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CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS (continued)

The City Manager presented two videos at this time.

The first video was "The Walking School Bus". The Walking School Bus promotes healthy active life styles for children and their families; teaches safe routes to school; the children were very excited to do this and it was a great time for the children to exercise and bond with their parents.

The second video was for "Youth in Government". This activity which the City conducts every year invites young high school students to learn, think outside the box; look at future careers. It involved students from across Lancaster; they met with their counterparts; worked through a charrette exercise, learning about designing and planning along the way. Students become very engaged, they see so many possibilities and this exercise helps them to be productive and involved citizens. Students blossom and walk away with a better understanding of how things work and it is a great learning experience for everyone involved.

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:

Michael Rives – commended City staff for their hard work. He recently had the sidewalk in front of his home repaired; City staff is great; they communicated and did a great job. People should be very proud of this City and what has been accomplished.

Vianna Friss – discussed the poor bus service; feels that the service to government offices should be more than once per hour. It takes her many hours to get to her destinations.

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COUNCIL / AGENCY COMMENTS

Mayor Parris stated that he went to a conference last week in Palo Alto. It was regarding all the new technology that is coming from the computer industry, medical industry and solar industry. Many of the speakers were from NASA and one of the astronauts that spoke was in the drone program. He stated that all of the drone technology is moving out of the country. It is a great potential for jobs but as soon as they get it to a point where it is ready to test, it moves out of the country. There really needs to be an urban place, a city where drones can fly over. The first city that gets that would be the one that would get all of these start-ups. It appears to be perfectly safe and he would like staff to look into this. What would it take to get a waiver from the FAA to make Lancaster a place where drones can fly? Drones are going to be flying everywhere in ten years and it is important to get the jobs here now. What he kept hearing at this conference from many people is how difficult it is to do anything because of government. One of the things they were very happy to hear about from Lancaster being the solar capital of the world is that when something needs to be approved in Lancaster in regards to solar, it can be approved very quickly. If someone wants solar on their home, the approval takes 15 minutes. Anywhere else in the state, it takes one to two months for that approval. It's that frame of mind that Lancaster City staff has for looking for ways to say yes and to say yes quickly that is starting to bring businesses to Lancaster. He would like to see this go a few steps further, so in two weeks he is going to put together a group to work on how to get the drones here. The City will probably work with Mojave Airport on this and see where it goes.

RECESS Mayor Parris recessed the meeting at 6:34 p.m. for the purpose of conducting a Closed Session meeting regarding the following matters:

CLOSED SESSION

Conference with Legal Counsel -- Anticipated Litigation: significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2). Two potential cases.

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. CV-12-10808 SJO (RZx)
- 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)

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- 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

RECONVENE Mayor Parris reconvened the meeting at 7:14 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced that the City Council met in Closed Session regarding the aforementioned matters.

The City Council met under Government Code Section 54956.9(d)(2) – potential litigation, gave direction to legal Counsel.

The City Council met under Government Code Section 54956.9(a) and gave direction with respect to Waterhouse v. Lancaster; Lancaster v. Housing Authority and Antelope Valley Allied Arts Association.

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ADJOURNMENT

Mayor Parris adjourned the meeting at 7:15 p.m. and stated that the next regular meeting would take place on Tuesday, April 9, 2013 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this 9th day of April, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

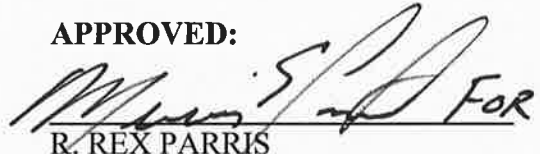
ABSENT:

ATTEST:



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

APPROVED:


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)
