

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
APRIL 9, 2013**

CALL TO ORDER

Mayor 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: Johnson, Mann, Smith, Vice Mayor/Vice Chair Crist, Mayor/Chair Parris

ABSENT: None

STAFF

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

INVOCATION

Pastor Shane Idleman, Westside Christian Fellowship

PLEDGE OF ALLEGIANCE

Council Member Johnson

PRESENTATIONS

1. Recognition for National Service Day – Cities across the country are increasingly turning to national service and volunteerism as a cost-effective strategy to address city challenges. To spotlight their impact and thank those who serve, the Corporation for National and Community Service, in cooperation with the United States Conference of Mayors has proclaimed April 9, 2013 as the first-ever Mayors Day of Recognition for National Service. A brief video from the Corporation for National & Community Service and the City of Lancaster regarding community service was shown; Mayor Parris presented a Proclamation to Steven Derryberry, Chairman of the Lancaster Neighborhood Vitalization Commission, in recognition of April 9, 2013 as National Service Day.

2. Walking School Bus Program Presentation
Presenter: Donita Winn, AV Union High School District Board Member and Organizer
Ms. Winn briefly discussed the program and the organizations involved in the Walking School Bus Program which include the Sheriff's Department, High Desert Medical Group and Lancaster School District; she discussed recent walks held at West Wind, Miller and Lincoln Elementary schools, students received wristbands which identified them as 'walking school bus' riders; Ms. Winn thanked City staff who were heavily involved with the program and stated the Lancaster School District will be starting the program in the Fall and will be walking every morning.

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M 1. MINUTES

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council/Agency /Authority approved the City Council/Successor Agency/Financing/Power Authority Regular Meeting minutes of March 26, 2013, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CONSENT CALENDAR

Mayor Parris requested that Item No. CC 3 be pulled from the Consent Calendar for separate discussion and action.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved the Consent Calendar with the exception of Item No. CC 3, 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 March 10, 2013 through March 23, 2013 in the amount of \$1,644,552.41.

CC 3. ORDINANCE NO. 989

Addressing the City Council on this matter:

Michael Rives – requested a televised meeting to discuss the changes; discussed his concerns with potential hazards related to solar.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council adopted **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

CC 4. ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE

Accepted the interior street trees for maintenance by the City for Tract No. 54370 Phase 2, Lots 1-2, 6-30, 47-56, and 61-77, located on the northwest corner of Avenue L-8 and 70th Street West. Owner: Richmond American Homes

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CC 5. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for Director's Review No. 02-92, located at 45509 Division Street. Owner: Ali Alamdari.

CC 6. ACCEPTANCE OF AN AMENDMENT TO SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted an amendment to the Subdivision Undertaking Agreement submitted by Magnolia, LP ("Subdivider"), for Tract Map No. 53102, located on the southwest corner of Avenue J-8 and 45th Street West, extending the date of completion to March 12, 2015.

CC 7. APPROVAL OF A GRANT OF EASEMENT

Approved the Grant of Easement for underground water supply lines, appurtenant fixtures and other equipment necessary including ingress/egress purposes to Lancaster Promenade III, LLC, a California limited liability company, being a portion of the property identified as Assessor's Parcel No. 3134-009-915 and authorized the City Manager or his designee to execute all documents necessary to complete the transaction.

CC 8. DESIGNATING CITY MANAGER AS SIGNATORY FOR PBID

Designated the City Manager as the signatory representing the City on documents related to the formation of the proposed Downtown Lancaster Property-Based Improvement District (PBID) and authorized the City Manager or his designee to execute related documents.

NB 1. LANCASTER CRIMINAL JUSTICE COMMISSION UPDATE

Dr. David Vierra, Chair and Lee D'Errico, Public Safety Manager discussed part-one crime statistics for 2012 and stated the goal for 2013 will be 250 part-one crimes per 10,000 residents; discussed the focus for 2013 will be on larcenies and crime prevention related to larcenies. The Criminal Justice Commission is working with businesses that have minimal loss prevention policies/programs or do not have loss prevention policies/programs in place; Mr. D'Errico discussed the effect larcenies are having on the crime rate. A program called the Business Improvement Group (BIG) has recently been implemented and will target businesses in specific business districts in the City. The businesses near Avenue K and 10th Street West will be the first focused area. Mr. D'Errico discussed Target's strong loss prevention program, and stated sharing strategies and the sharing of information will be the focus in this targeted area; the thought is that by eradicating larcenies the part-one crime rate will be eradicated.

Mayor Parris asked if the names of businesses who do not participate will be released; Mr. D'Errico stated that if businesses cooperate, releasing the name may not be needed; if a business does not cooperate it may come to that. Mr. D'Errico stated a status report will be brought to the City Council in 60 days.

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CA 1. CONSIDER NOMINATION AND APPOINTMENT OF DAVID FRIEDMAN TO THE LANCASTER PERFORMING ARTS CENTER FOUNDATION (LPACF) BOARD OF DIRECTORS

Mayor Parris nominated and requested Council consideration to appoint David Friedman to the LPACF Board of Directors.

On a motion by Council Member Johnson and seconded by Vice Mayor Crist, the City Council approved the nomination and appointment of David Friedman to the LPACF Board of Directors 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 DISTRICT NO. 14 OF THE COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY – MARCH 21, 2013 MEETING

Council Member Mann stated the Board is in the process of re-mortgaging the bonds used to complete the new facility; appears with current bond rates the District will have a \$14 million savings. Council Member Mann stated he will work to ensure the money is returned to residents.

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 stated a ceremony was recently held at Jethawks stadium at which the City was given a 2012 California League Championship Ring and stated Mayor Parris and the City are featured in the April 9, 2013 edition of the New York Times; the story is an article which broadly portrays the City's alternative energy goals.

CITY CLERK /AGENCY/AUTHORITY SECRETARY ANNOUNCEMENT

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

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PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Silvie – discussed the closing of a handicap door at the Lancaster Senior Center, many seniors are unable to make the walk to the front of the building, discussed a letter from the management at the Senior Center, children are remembered and the elderly are forgotten.

Mayor Parris requested the City Manager look into this issue and ensure that the door be opened within 24 hours.

Nancy Acosta – discussed bomb scares and police presence at Walmart and the dangers she feels are involved with shopping at Walmart; feels people reject Walmart because of dangers not because of racial issues.

Michael Rives – discussed a letter he wrote to the Antelope Valley Press regarding future layoffs of Bank of America employees.

Ed Galindo – apologized for the Governor not inviting the Mayor to a meeting with China; these discussions should not be political and should be based on jobs.

Heather Brown – discussed a brochure from the Los Angeles County Water District discussing Antelope Valley-East Kern (AVEK) Water Agency's 2011 water quality report and the levels of toxins reported to exist in the water.

COUNCIL / AGENCY COMMENTS

None

RECESS Mayor Parris recessed the meeting at 5:44 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)

- Bowles v. Lancaster School District; City of Lancaster, Case No. MC023493
- Coalition for Open Government v. City of Lancaster, Case No. BC499047
- Quartz Hills Cares v. City of Lancaster, Case No. BS 122336
- 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

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- 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
- 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 6:10 p.m.

CITY ATTORNEY ANNOUNCEMENT

The Deputy 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(a) and gave direction to Legal Counsel with respect to Bowles v. Lancaster School District, Coalition for Open Government v. City of Lancaster, Quartz Hills Cares v. City of Lancaster, Waterhouse v. Lancaster, Antelope Valley Allied Arts Association et al v. Lancaster et al, Rubin v. Lancaster, the Antelope Valley Groundwater Cases and unanimously authorized defense for the cross complaint filed for the Lancaster v. Housing Authority of the County of Los Angeles case.

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ADJOURNMENT

Mayor Parris adjourned the meeting at 6:11 p.m. and stated that the next regular meeting would take place on Tuesday, April 23, 2013 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this 23rd day of April, 2013, by the following vote:


AYES: Council Members: Johnson, Mann, Smith, Vice Mayor Crist, Mayor Parris

NOES: None

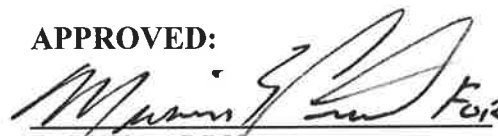
ABSTAIN: None

ABSENT: None

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)
