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**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
APRIL 23, 2013**

CALL TO ORDER

Vice Mayor Crist 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 Parris arrived at 5:09 p.m.

ABSENT: None

STAFF

MEMBERS: City Manager/Executive Director; Deputy City Manager/Executive Director, City Attorney/Authority Counsel; Assistant to the City Manager; City Clerk/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 Tim Lidberg, Christian Life Assembly

PLEDGE OF ALLEGIANCE

Council Member Johnson

PRESENTATIONS

1. Commendation for the City of Lancaster being “Plug-in Electric Vehicle (PEV) Ready” from Southern California Association of Governments and Southern California Edison
2. Athlete of the Month Award - Kristen Osuna, Quartz Hill High School. Ms. Osuna also received a \$1,000 Mayor’s Scholarship award.
3. S.O.A.R. (Students on Academic Rise) High School Student of the Month - Armela Lopez Heredia. Ms. Heredia also received a \$1,000 Mayor’s Scholarship award.
4. Certificate of Recognition to Jim Witwer, Graffiti Abatement Volunteer

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JNB 1. APPROVAL OF USE OF AVAILABLE HOUSING BOND PROCEEDS TO DEFEASE BONDS

The Finance Director presented the staff report regarding this matter.

On a motion by Agency Director Johnson and seconded by Vice Chair Crist, the Lancaster Successor Agency adopted **Resolution No. SA 05-13**, approving the use of unspent bond proceeds of the former Redevelopment Agency's combined redevelopment project areas (housing programs) tax allocation bonds, issue of 2009 for the purpose of defeasing a portion of the outstanding bonds, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

On a motion by Authority Member Mann and seconded by Authority Member Smith, the Lancaster Housing Authority adopted **Resolution No. HA 01-13**, approving the use of unspent bond proceeds of the former Redevelopment Agency's combined redevelopment project areas (housing programs) tax allocation bonds, issue of 2009 for the purpose of defeasing a portion of the outstanding bonds, by the following vote: 3-0-0-2; AYES: Mann, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Harvey, Szeto

M 1. MINUTES

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council/Agency /Authority approved the City Council/Successor Agency/Financing/Power Authority Regular Meeting minutes of April 9, 2013, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CONSENT CALENDAR

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 March 24, 2013 through April 6, 2013 in the amount of \$1,867,141.18.

CC 3. MONTHLY REPORT OF INVESTMENTS

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

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CC 4. PWCP NO. 10-018

Awarded **Public Works Construction Project No. 10-018 Avenue J Median Improvements, between Challenger Way and 20th Street East, HSIPL-5419(032)**, to ANM Construction and Engineering of Lancaster, California, in the amount of \$493,375.00, 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).

CC 5. TAX SHARING RESOLUTION (4-206)

Adopted the Tax Sharing Resolution for proposed Annexation No. 40-144 (4-206) to Los Angeles County Waterworks District No. 40, Antelope Valley, located within the City of Lancaster.

CC 6. TAX SHARING RESOLUTION (4-209)

Adopted the Tax Sharing Resolution for proposed Annexation No. 40-147 (4-209) to Los Angeles County Waterworks District No. 40, Antelope Valley, located within the City of Lancaster.

NB 1. ORDINANCE AMENDING THE LANCASTER MUNICIPAL CODE RELATING TO PARK CLOSURE TIME

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

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council introduced **Ordinance No. 990**, amending Section 12.04.050 (A) of the Lancaster Municipal Code modifying park closure times, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 2. STREET NAME CHANGES

The Public Works Director presented the staff report regarding this matter.

Addressing the City Council on this matter:

Scott Pelka – opposed to the naming of a street after BYD.

Michael Rives – skeptical of naming streets after companies; consider a dual designation on the street sign.

Mayor Parris requested that staff look into the matter of a dual designation on the street sign.

Vice Mayor Crist stated that when a business is coming in that will bring thousands of jobs, it is customary to name a street after the business.

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NB 2. STREET NAME CHANGES (continued)

Council Member Johnson stated that this is a great day; Lancaster is making history with BYD; Mayor Parris has worked hard for Lancaster to be the solar capital of the world. BYD will create thousands of jobs and it is the wise thing to do – naming a street after this company.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council adopted **Resolution No. 13-11**, a resolution of the City Council of the City of Lancaster, California, directing and authorizing the street name change of 7th Street West to BYD Boulevard between Avenue H and Avenue G and the street name change of Avenue G-12 to Dream Way between Sierra Highway and 7th Street West, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 3. AUTHORIZE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR ACQUISITION OF OPERATING COVENANT AND RESTRICTIVE COVENANT WITH H.W. HUNTER, INC.

The City Manager and the Economic Development Director presented the staff report regarding this matter.

Addressing the City Council regarding this matter:
Scott Pelka – opposed to this action.

Michael Rives – stated his concerns regarding the approach in which this item is to be approved. Concerns regarding the payment schedule; attachment to the staff report should show more detail.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council authorized the City Manager to enter into an agreement for Acquisition of Operating Covenant and Restrictive Covenant with H.W. Hunter, Inc.; authorized the City Manager or his designee to execute all required documents; appropriated \$200,000 from General Fund Balance to Account No. 101-4540-308, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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CA 1. DISCUSS AND CONSIDER APPOINTING COUNCIL MEMBER JOHNSON TO THE ANTELOPE VALLEY TRANSIT AUTHORITY BOARD OF DIRECTORS

Mayor Parris requested consideration of appointing Council Member Johnson to the AVTA Board of Directors.

Addressing the Council on this:

Michael Rives – in the future, consider appointing a citizen to this Board.

Mayor Parris explained that the bylaws of AVTA do not allow for a citizen appointment. Lancaster is required to appoint an elected official.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council approved the appointment of Council Member Johnson to the AVTA 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 THE ANTELOPE VALLEY TRANSIT AUTHORITY

Vice Mayor Crist presented the following information:

A contract was approved with Trapeze Software Maintenance; the Executive Director was authorized to implement an enforcement program to reduce fare evasion on AVTA buses. The Board received a presentation from staff concerning the balance of the capital reserve and a request to reinstate jurisdictional contributions retroactive to January 1, 2013. The Executive Director reported on service changes; name change from Veolia Transportation – new name will be Transdev. Full report is available in the City Clerk Department.

Addressing the City Council on this matter:

Michael Rives – opposed to funds being given to schools by AVAQMD; money should have been donated to AVTA and put to good use for the environment.

Vice Mayor Crist explained that AVAQMD donated money to AVTA to assist with getting polluted buses off of the streets; discussed clean diesel; Desert Christian raised money to participate in the grant process.

Council Member Smith clarified that the funding that was donated was grant money and there are restrictions with grant money – it is specific as to what it can be used for.

Mayor Parris explained that the AVTA is not a function of the City Council. The Board is made up of people from different agencies; the decisions made by the Board are not the decisions of the City Council.

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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 the Poppy Festival was a huge success; performers were fantastic. Commended staff for all their hard work and commended the community for coming out to this annual event. Additionally, the coordination between the Lancaster Public Safety Department, Sheriff's Department and staff was outstanding.

The City Manager stated that at the last Council meeting the Mayor had asked what the benefits were of solar. After giving this much thought, the multiplier effect came to mind. Because of all the solar that is going on in the community, a local rental yard ordered \$1.3 million worth of vehicles from Kern Machinery in Lancaster. These vehicles are used during construction and provide public revenues through sales tax. This would not happen without those businesses coming to Lancaster. This is just one example of the multiplier effect on the community economically.

The City Manager stated that one of the signature sponsors that helps the City put out the Outlook magazine is the University of Antelope Valley. They are having an Open House this weekend from 10 a.m. to 2 p.m. and many exciting things are going on. There will be giveaways; rock climbing; it will be a fun time for the community and he encouraged everyone to come out.

Council Member Johnson stated that her daughter officially has given over her crown as Miss Lancaster. Tiffany Johnson has made a huge impact in the community; she started an organization in the community called TIF and she was able to raise over 1,200 toys which were given to children in need, foster children and children in hospitals. Additionally, 70 toys will be donated to Kids Royal Camp and she received 20 new bicycles from Walmart through the Sheriff's Booster Club. A video was shown in which Tiffany Johnson thanked the community for the great journey she experienced as Miss Lancaster.

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.

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PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Amelia Jennings – stated that on behalf of the senior citizens at the Senior Center, thanked Mayor Parris and the City Manager for their assistance in having a handicapped door opened for them. Additionally, there is a side door that the seniors prefer to use and if there is anything the City can do to assist in having this door opened, it would be appreciated. Invited Mayor Parris to come and visit at the Senior Center and meet the Director.

Mayor Parris discussed briefly the possibility of a Senior Commission that could meet possibly four times a year to help keep the City's finger on the pulse of any problems that might be developing and deal with them before they get out of hand.

Michael Rives – stated that he was pleased to learn that Lancaster is taking steps to assist the 800 people that will soon be laid off at the Bank of America Call Center. The State of California needs to establish a temporary EDD Center to help these people.

Tony Disney, representing the Paving the Way Foundation – stated there will be a block party in conjunction with the Weed n' Seed Committee at Mariposa on Saturday, April 27th to celebrate everything the City is doing to help keep the community safe and an enjoyable place for everyone to be.

Paul Jennings – discussed the uncontrolled tumbleweed problem in Lancaster and suggested fencing the properties that have acres and acres of tumbleweeds.

Mayor Parris stated that the City does not have the authority to fence private properties and staff will look into this.

Ed Galindo – stated his concerns regarding the process for naming streets after businesses; more review needs to go into this action; in the future, take more time to consider the naming process.

Mayor Parris stated that he understands the concerns; the City is attempting to make Lancaster the most attractive city for Chinese manufacturing. Lancaster is the only City that puts its brochure and DVD in Mandarin. When he and staff visit China, Lancaster's business cards are in Mandarin and they comment that they have never seen this before. Lancaster is attempting to create an environment that is so welcoming that they bring those jobs here. He understands the concerns but also sees the people who are unemployed and no one is coming to their aid. Lancaster is writing the book as it goes; there is no manual to go by. Almost every city in America was competing for the BYD contract; it took five years; they came here and it will be the anchor that brings more.

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COUNCIL / AGENCY COMMENTS

Council Member Johnson announced that on June 16, 2013, the fairgrounds will be hosting its First Annual Lancaster Jazz Festival. There will be many exciting things at the festival and performances by Bony James and Kevin Eubanks, among others.

Mayor Parris wished a happy birthday to Bishop Henry Hearn and Pastor Paul Chappell.

RECESS Mayor Parris recessed the meeting at 6:09 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). One potential case.

Conference with Legal Counsel – Anticipated Litigation: initiation of litigation pursuant to Government Code Section 54956.9(c). One potential case.

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

- 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
- 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.
- 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

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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 6:19 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced that the City Council met in Closed Session regarding the aforementioned matters and gave direction to legal counsel. Council received updates on the Waterhouse Case and the Rubin Case and no other action was taken.

ADJOURNMENT

Mayor Parris adjourned the meeting at 6:21 p.m. and stated that the next regular meeting would take place on Tuesday, May 14, 2013 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this _____day of _____, 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

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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)
