

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
MAY 14, 2013**

CALL TO ORDER

Vice Mayor/Vice Chair Crist 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

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

ABSENT: Mayor/Chair Parris

STAFF

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

Spiritual Assembly of the Baha'is of Lancaster

PLEDGE OF ALLEGIANCE

Tim Fuller, Vice Chair – Criminal Justice Commission

PRESENTATIONS

1. Address by Emmett Murrell: Henry Hearn's 80th Birthday Celebration
2. 2013 Global Leadership Summit
Presenter: David Parker, Senior Pastor; Desert Vineyard Fellowship
3. Youth Commission Presentation of Mayor's Project – Lancaster Lunchbox Program
Presenters: Lancaster Youth Commission
4. Every 15 Minutes Program
Presenter: California Highway Patrol Officer Gil Hernandez

Council Member Smith was excused from the meeting at 5:58 p.m.

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AGENDA ITEMS REMOVED

The City Manager requested that Item Nos. CC 4 and NB 4 be removed from the agenda at this time.

M 1. MINUTES

On a motion by Council Member Johnson and seconded by Council Member Mann, the City Council/Agency /Authority approved the City Council/Successor Agency/Financing/Power Authority Regular Meeting minutes of April 23, 2013, by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

CONSENT CALENDAR

On a motion by Council Member Mann and seconded by Council Member Johnson, the City Council approved the Consent Calendar with the exception of Item No. CC 4, by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

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 April 7, 2013 through April 27, 2013 in the amount of \$5,279,203.77.

CC 3. ORDINANCE NO. 990

Adopted **Ordinance No. 990**, an ordinance of the City Council of the City of Lancaster, California, amending Section 12.04.050 (A) of the Lancaster Municipal Code modifying park closure time.

CC 4. MONUMENTATION WORK – TRACT MAP NO. 60241

This item was continued to a future Council meeting.

PH 1. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2013 PROGRAM YEAR ACTION PLAN

Vice Chair Crist opened the Public Hearing. It was the consensus of the City Council to waive the presentation regarding this matter.

Hearing no further testimony, Vice Chair Crist closed the Public Hearing.

On a motion by Council Member Mann and seconded by Council Member Johnson, the City Council approved the proposed projects described herein for the City of Lancaster's 2013 One-Year Action Plan application to be submitted to the United States Department of Housing and Urban Development, by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

PH 2. GENERAL PLAN AMENDMENT NO. 11-03 AND ZONE CHANGE NO. 11-03 (28.5± ACRES ON THE NORTHWEST CORNER OF 60TH STREET WEST AND AVENUE J)

Vice Chair Crist opened the Public Hearing. The Planning Director and the Public Works Director presented the staff report regarding this matter.

Addressing the City Council on this matter:

Michael Rives – opposed to this action; consider placing Walmart at this location.

Vice Chair Crist explained that Walmart does not own this particular area therefore, that is not an option.

Hearing no further testimony, Vice Chair Crist closed the Public Hearing.

On a motion by Council Member Mann and seconded by Council Member Johnson, the City Council adopted **Resolution No. 13-12**, amending the General Plan land use designation on the subject property from LI (Light Industrial) to UR (Urban Residential, 2.1 to 6.5 dwelling units per acre), by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

On a motion by Council Member Mann and seconded by Council Member Johnson, the City Council introduced **Ordinance No. 991**, rezoning the subject property from LI (Light Industrial) to R-7,000 (single-family residential one dwelling unit per 7,000 square feet), by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

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NB 1. ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS NOT TO EXCEED \$8,000,000

The Housing Director presented the staff report regarding this matter.

Addressing the City Council regarding this matter:
Michael Rives – opposed to this action.

The Deputy City Attorney and staff discussed the State Mandates/requirements of cities regarding low income housing stock.

On a motion by Council Member Johnson and seconded by Council Member Mann, the City Council adopted **Resolution No. 13-13**, approving the issuance of Multifamily Housing Revenue Bonds not to exceed \$8,000,000; approving the form, execution and delivery of a Master Pledge and Assignment Agreement, Master Agency Agreement, Regulatory Agreement and Administration Agreement needed in connection with the issuance of the Bonds; authorized the execution and delivery of such other documents deemed necessary to effect the purposes related thereto, by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

NB 2. IMPROVEMENT AGREEMENT WITH 99 SERENADE LANCASTER, LLC

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

On a motion by Council Member Mann and seconded by Council Member Johnson, the City Council approved the Improvement Agreement with 99 Serenade Lancaster, LLC to construct certain Master Planned Drainage Facilities (MPDF) required for the development of Tentative Tract Map Nos. 60294, 61038, and 61118 and terminated the previous Improvement Agreement executed on April 27, 2010, with Global Investment and Development, LLC; approved the Land Exchange Agreement and Joint Escrow Instructions with CT Capital, LLC and 99 Serenade Lancaster, LLC to facilitate the construction of the MPDF, by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

NB 3. SUB-RECIPIENT AGREEMENT BETWEEN THE CITY OF LANCASTER AND THE HOUSING RIGHTS CENTER

The Housing Director 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 Sub-Recipient Agreement between the City of Lancaster and the Housing Rights Center to provide fair housing services to the residents of Lancaster for the 2013 Community Development Block Grant (CDBG) Program Year, by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

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NB 4. PROPOSED DOWNTOWN LANCASTER PROPERTY-BASED IMPROVEMENT DISTRICT (PBID)

This item was continued to a future Council meeting.

Addressing the City Council regarding this matter:

Michael Rives – opposed to this action; opposed to businesses having to pay additional taxes.

The City Council and staff explained the process; this action will allow businesses to decide for themselves how to promote the downtown; the BLVD Association is leading this up and it is a positive action.

CR 1. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR DISTRICT NO. 14 OF THE COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY – APRIL 19, 2013 MEETING

Council Member Mann presented the following information:

Approved warrants and a departmental invoice; approved and ordered executed Joint Resolutions providing for approval and acceptance of negotiated exchange of property tax revenue resulting from jurisdictional changes; accepted Contract No. 4551 and ordered final payments to Agri-Valley Irrigation, Inc.; approved Change Order No.55; ordered Wastewater Service Charge Report. Full report is available in the City Clerk Department.

Addressing the City Council regarding this matter:

Michael Rives – opposed to the matter of bonds; requested clarification regarding the process.

The City Council explained the process; the District was not very involved until Council Member Mann became the Chair. Processes have changed for the better; there will be a backfill of reserves; an in-depth analysis will take place and if money is owed to the citizens it will be given back; process will stop future increases.

LANCASTER FINANCING 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.

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CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The Assistant to the City Manager updated the Council on a Job Fair that was held with the partnership of the University of Antelope Valley. This Job Fair was extended to employees who had recently been laid off from Bank of America. Resources were pulled together; just under 500 people participated in the Job Fair; the City will continue to work with them.

Vice Chair Crist thanked Council Member Johnson for her partnership in this endeavor; UAV is a great partner for the City.

Council Member Johnson stated that it was a team of people who pulled this together in three short weeks; it is emotional and amazing to see the community come together to make this happen; she is very proud to be a part of this City; a partner for the City and will continue to be there for the people who are in need of assistance.

The City Manager stated that on May 11, 2013 a High Tea was held at the MOAH. It was visually stunning; bright; colorful and it was great to see everyone dressed up and taking part in this very classy affair.

The City Manager stated that he recently had dinner on the BLVD and it was amazing to see the number of people who were out walking, shopping, dining and socializing on the BLVD. The BLVD truly has become a destination for everyone.

The City Manager stated that the Grand Opening for BYD took place on May 1, 2013. It was a wonderful event with many people in attendance. A short video was shown to highlight the event.

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:

Ruben Alvarado – requested Council consideration of a four-way stop sign or speed bumps be considered for the area of 5th Street East and Kettering – Linda Verde Elementary School; discussed the dangerous conditions.

Barbara Atkinson – requested Council consideration of a four-way stop sign or speed bumps be considered for the area of 5th Street East and Kettering – Linda Verde Elementary School; discussed the dangerous conditions. She stated that a petition has been circulated with over 200 signatures, requesting something be done in this area.

Jean Myers – requested Council consideration of a four-way stop sign or speed bumps be considered for the area of 5th Street East and Kettering – Linda Verde Elementary School; discussed the dangerous conditions.

Vice Chair Crist requested that the City Manager have staff look into this as soon as possible.

Michael Rives – Commended the City Council, City Manager and staff for all their hard work and commitment to the employees of Bank of America; he is very proud of the City. Commended the Fire Department and Sheriff's Department for presenting an excellent Fire Service Day and commended the Parks Department for their service.

COUNCIL / AGENCY COMMENTS

Council Member Johnson wished a belated Mother's Day to all the mothers everywhere; commended the Mayor for being so adamant and persistent in making history with the partnership with BYD; pleased to see the community standing by him and being a part of the process and the commitment of the City of Lancaster to think outside the box when it comes to the future of this community.

Council Member Mann stated that he had an opportunity to be at the Kaiser facility with the City Manager, Deputy City Manager and all the hard working staff. This is a great facility that will help the City get that much closer to Net Zero; it truly will be a gem for the City of Lancaster and the Antelope Valley.

RECESS Vice Mayor Crist recessed the meeting at 6:49 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). Three potential cases.

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

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- 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

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 7:14 p.m.

CITY ATTORNEY ANNOUNCEMENT

The Deputy City Attorney announced that City Council met in Closed Session regarding the aforementioned matters. Pursuant to Government Code Section 54956.9(d) and 54956.9(a), Council gave direction to legal counsel and staff regarding the items listed on the agenda. In particular, direction regarding Lancaster v. Housing Authority of the County of Los Angeles; Rubin v. Lancaster; Antelope Valley Groundwater Cases.

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ADJOURNMENT

Vice Mayor Crist adjourned the meeting at 7:16 p.m. and stated that the next regular meeting would take place on Tuesday, May 28, 2013 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this 28th day of May, 2013 by the following vote:


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

NOES: None

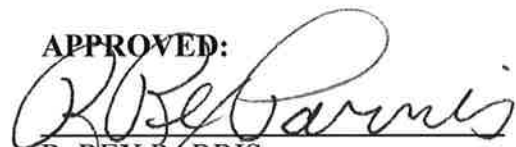
ABSTAIN: Mayor Parris

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)
