

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JUNE 11, 2013**

CALL TO ORDER

Mayor/Chair 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; Deputy City Manager/Deputy 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

Pastor Shane Idleman, Westside Christian Fellowship

PLEDGE OF ALLEGIANCE

Council Member/Authority Member Johnson

PRESENTATIONS

1. S.O.A.R. (Students On Academic Rise) High School Student of the Month – Jacqueline Sweeney. Ms. Sweeney also received a \$1,000 Mayor’s Scholarship Award.
2. Recognition of the 2012/2013 Youth Commission
3. Recognition to City Attorney Dave McEwen upon his retirement after 34 years of dedicated service to the City of Lancaster.
4. Presentation to Mayor Parris from Kamal Abdul-Jabbaar of the People Helping People Foundation (PHP).
5. Presentation by Erika Allbee, representing the BLVD Association, who introduced the couple who was selected to win the “Wedding on the BLVD” event.

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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 May 28, 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 8 be pulled for separate action.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council approved the Consent Calendar with the exception of Item No. 8, 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 May 12, 2013 through May 25, 2013 in the amount of \$3,848,126.82.

CC 3. PWCP NO. 12-004

Accepted the work constructed by ANM Construction & Engineering of Lancaster, California, for **Public Works Construction Project No. 12-004, Avenue I and 40th Street West Turn Pocket**, HSIPL 5419(025), and directed the City Clerk to file the Notice of Completion for the project. Retention on this project will be disbursed in accordance with California Public Contract Code.

CC 4. AMENDMENT TO SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted an amendment to the Subdivision Undertaking Agreement submitted by Plum Canyon Investments, LLC (“Subdivider”), for Tract Map No. 060943 Phase 2, Lots 30-33 and 40, located on the south side of Avenue K-8, approximately 660 feet east of Challenger Way, extending the date of completion to May 1, 2015.

CC 5. AMENDMENT TO SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted an amendment to the Subdivision Undertaking Agreement submitted by Plum Canyon Investments, LLC (“Subdivider”), for Tract Map No. 061078 Phase 2, Lots 13-22 and 25-49, located on the northwest corner of Avenue K-8 and 15th Street East, extending the date of completion to May 1, 2015.

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CC 6. AMENDMENT TO SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted an amendment to the Subdivision Undertaking Agreement submitted by Plum Canyon Investments, LLC (“Subdivider”), for Tract Map No. 061278, located on the northwest corner of Avenue K-8 and Challenger Way, extending the date of completion to May 1, 2015.

CC 7. ACCEPTANCE OF MAP AND DEDICATIONS

Approved the map and accepted the dedications as offered on the map; made findings that this project will not violate any of the provisions of Sections 66473.5, 66474.1, and 66474.6 of the Subdivision Map Act; instructed the City Clerk to endorse on the face of the map the certificate which embodies the approval of said map and the dedications shown thereon for Parcel Map No. 64924, located southwest of Avenue I and 20th Street West. Owner: AVI MMK Management, Inc.

CC 8. RESOLUTION NO. 13-17

Addressing the City Council on this matter:

Michael Rives – stated that the money for this initiative could be put to better use within public safety; opposed to this action.

Council Member Johnson stated that the HEAL Grant was a grant that was designed for this purpose alone. She stated that she appreciates Mr. Rives’s concerned for the safety within the community however this grant is designed for a specific program. To be able to receive a grant of this amount at this time is absolutely amazing. The City of Lancaster has worked very hard to receive this grant award and it truly was a celebration when it was approved. This grant will assist 29 Lancaster schools and it is not just for walking to school. It is for promoting healthy eating; a program called the Walking School Bus which was a huge success and involved so many people and children in the community. This grant will help the City to oversee what is happening in this community and it is about safety; education and healthy lifestyles.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council adopted **Resolution No. 13-17**, authorizing a staff person to serve as the initiative coordinator for this project and approved the appropriation of \$475,000 in grant funds from the Los Angeles County Department of Public Health for the HEAL Grant Initiative to Revenue Account No. 399-3303-200 and Expense Account No. 399-4520-770 to fund a Safe Routes to School (SRTS) Master Plan, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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CC 9. LANCASTER DRAINAGE BENEFIT ASSESSMENT DISTRICT

- a. Adopted **Resolution No. 13-18**, generally describing any proposed improvements or substantial changes in existing improvements and ordering the Utility Services Manager to prepare and file a report for Lancaster Drainage Benefit Assessment District.
- b. Adopted **Resolution No. 13-19**, preliminarily approving the Engineer's Report, fixing time and place for public hearing (July 9, 2013) on the levy of the proposed assessment and declaring its intention to levy and collect assessments within Lancaster Drainage Benefit Assessment District.

CC 10. LANCASTER LANDSCAPE MAINTENANCE DISTRICT NO. 1

- a. Adopted **Resolution No. 13-20**, generally describing any proposed improvements or substantial changes in existing improvements and ordering the Utility Services Manager to prepare and file a report for Lancaster Landscape Maintenance District No. 1, pursuant to provisions of the Landscaping and Lighting Act of 1972 of the Streets and Highways Code of the State of California; and
- b. Adopted **Resolution No. 13-21**, preliminarily approving the Engineer's Report, fixing time and place for public hearing (July 9, 2013) on the levy of the proposed assessment and declaring its intention to levy and collect assessments within Lancaster Landscape Maintenance District No. 1, pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California.

CC 11. LANCASTER LIGHTING MAINTENANCE DISTRICT

- a. Adopted **Resolution No. 13-22**, generally describing any proposed improvements or substantial changes in existing improvements and ordering the Utility Services Manager to prepare and file a report for Lancaster Lighting Maintenance District, pursuant to provisions of the Landscaping and Lighting Act of 1972 of the Streets and Highways Code of the State of California; and
- b. Adopted **Resolution No. 13-23**, preliminarily approving the Engineer's Report, fixing time and place for public hearing (July 9, 2013) on the levy of the proposed assessment and declaring its intention to levy and collect assessments within Lancaster Lighting Maintenance District, pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California.

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PH 1. PROPOSED FISCAL YEAR 2013/2014 BUDGET AND FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM

Mayor Parris opened the Public Hearing. The City Manager, Deputy City Manager and the Finance Director presented the staff report regarding this matter.

Discussion included: budget challenges; engagement of the community; building stimulus program; public safety; alternative energy; a renewed downtown; businesses coming to Lancaster; reduced trash rates; new partnerships with the medical community; Wellness Homes; School Districts and the Antelope Valley Fair.

Further discussion took place regarding volunteer programs; customer relationships; City streetlights; pedestrian and bicycle safety.

The financial overview was discussed; 27% reduction in staff since 2007; reduced employee benefits; deferred capital replacement; proposed budget summary and proposed general fund.

An overview of the Capital Improvement Program was given; completed projects; project highlights; meeting future challenges; costs associated with public safety; long-term stability; on-going economic conditions; impact of redevelopment dissolution.

Vice Mayor Crist requested an explanation regarding CARPING.

Captain Nelson of the Lancaster Sheriff's Department stated that CARPING is an acronym for a Cadre of Administrative Resource Personnel. Those that are assigned to different administrative positions work a portion of what they would normally be doing in their job, whether it is a detective position; operations sergeant or lieutenant and they are reassigned to work in a patrol function. The CARP Program was supposed to be a temporary program; a stop-gap program. It saved roughly \$30 million for the department and the County, the first year it was implemented. This was done as a response to the drastic budget curtailments that the Sheriff's Department experienced at the hands of the County and there are some negative aspects to the program. For instance, Lancaster has the highest per investigator case loads in the County but as a result of CARPING, each of the detectives are required to work at least one shift a week in a patrol function.

Vice Mayor Crist asked the Public Safety Manager if this was an effective and efficient way to handle the deployment of the Sheriff's personnel.

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PH 1. PROPOSED FISCAL YEAR 2013/2014 BUDGET AND FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (continued)

Mr. D'Errico answered that CARPING was not efficient and was detrimental to law enforcement operations. Mr. D'Errico then stated that initially the County gave the Sheriff's Department a budget cut three years ago of \$120 million. CARPING became a one-year process to help deal with the cuts throughout the County. The impact was detrimental for Lancaster because it took detectives and administrative personnel that are paid through Lancaster's contract. Further discussion took place regarding statistical impacts of the program and impacted resources on the City and the Sheriff's Department.

The City Manager stated that the taxpayers are paying for services that the City is not receiving, however, through hard work and tremendous efforts, the City will be paying less and the County is going to provide Lancaster with seven additional personnel. The Lancaster Sheriff's Department, Captain Nelson, the Lieutenant and Lancaster's Public Safety Manager, Lee D'Errico have worked very hard to get to this point and have done a wonderful job regarding this matter.

Vice Mayor Crist stated that Captain Nelson has done a wonderful job at the station and morale at the station has improved.

The City Manager thanked the Finance Department staff for their hard work and the City Council for their leadership.

Addressing the City Council on this matter:

Michael Rives – discussed line items; streets; crime rates; bike paths; opposition to roundabouts; opposed to Council approving the budget without further detailed review.

The City Manager and the City Council explained that the City Council has been actively participating in budget meetings for several months; items have been reviewed line by line. Due to the Brown Act, meetings took place with only one or two Council Members at a time and at each meeting, the hard questions are asked; resources are discussed; they take the budget process seriously; deliberated; discussed the issues at hand regarding the Sheriff's Department. Additionally, it was stated that the City has an incredibly competent staff and they rely on the staff and the City Manager to present the information accurately.

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

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council directed staff to schedule budget adoption for June 25, 2013, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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RECESS Mayor Parris requested a brief recess at 6:23 p.m.

RECONVENE Mayor Parris reconvened the meeting at 6:39 p.m.

PH 2. ANNUAL ASSESSMENT OF THE PARKING AND BUSINESS IMPROVEMENT DISTRICT (BID) LEVY IN THE BLVD ASSOCIATION BOUNDARY

Mayor Parris opened the Public Hearing. The Projects Coordinator presented the staff report regarding this matter.

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

Erika Allbee - representing the BLVD Association explained the levy; how this levy will assist the businesses; the portion that she pays is \$60 per year.

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

On a motion by Council Member Johnson and seconded by Vice Mayor Crist, the City Council adopted **Resolution No. 13-24**, a resolution of the City Council of the City of Lancaster approving The BLVD Association's 2012/2013 Year End Report and levying the annual assessment for the Downtown Lancaster Business Improvement District for the 2013/2014 Fiscal Year, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 1. PARTNERSHIP WITH THE NATIONAL COMMUNITY SERVICE CORPORATION

The Assistant to the City Manager presented the staff report regarding this matter.

Lancaster is looking to create a new partnership with the Corporation for National and Community Service (CNCS) to develop a community-wide volunteer program in the Antelope Valley. The CNCS is a federal agency that engages more than 4 million Americans in service through various programs including Senior Corps, AmeriCorps, and the Social Innovation Fund. Through the AmeriCorps VISTA (Volunteers in Service to America) program, individuals make a year-long, full-time commitment to serve at a nonprofit organization or local government agency, working to fight illiteracy, improve health services, create businesses, strengthen community groups, and much more. Currently, about 6,500 VISTAs are placed each year in more than 1,200 projects in low-income communities around the country.

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NB 1. PARTNERSHIP WITH THE NATIONAL COMMUNITY SERVICE CORPORATION (continued)

Discussion included information regarding community homes; wellness homes; City sponsored programs such as the UNITE Lancaster Program and the Martin Luther King, Jr. Day of Service Program.

The Senior Projects Coordinator stated that this is a very exciting venture and will provide valuable resources, connecting and bringing together many individuals. He discussed the next steps to take place, research and development; goals and the Memorandum of Agreement.

Addressing the City Council on this matter:

Janie Hodge – representing Paving the Way Foundation stated that her organization is excited for this opportunity; looking forward to working with AmeriCorps VISTA. The community will grow in terms of volunteerism and will have an awesome experience.

Steve Baker – representing Grace Resource Center stated that because of volunteerism, this is a wonderful community; having the Vista people involved will be fantastic and he gives his full support of this endeavor.

Michael Rives – opposed to this action.

Andrew Nieto – he is familiar with AmeriCorps VISTA; fantastic opportunity for many; thrilled that Lancaster will be partnering with them.

Council Member Johnson stated this is an exciting program and read a quote by Winston Churchill: “We make a living by what we get; we make a life by what we give”.

On a motion by Council Member Mann and seconded by Vice Mayor Crist, the City Council approved a Memorandum of Agreement establishing a new partnership with the National Community Service Corporation, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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NB 2. CONTINUATION OF THE BUILDING INCENTIVE STIMULUS PROGRAM

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

In an effort to encourage new construction and alleviate the blight of abandoned tracts, the City Council approved a Building Stimulus Program in February, 2010. The original program was extended through the end of Fiscal Year 2010-2011. For Fiscal Year 2011-2012, the program was modified to provide a twenty-five percent (25%) discount of development impact fees within tracts only, and to defer the payment of non-discounted impact fees for commercial construction to the issuance of the Certificate of Occupancy. This program was continued for Fiscal Year 2012-2013. These programs have managed to maintain a steady rate of new home construction in a market that has continued to decline in other communities. It is for this reason staff believes it is still in the best interest of the City to support the building industry by continuing the existing program through June 30, 2014.

Vice Mayor Crist stated that many other cities are taking the lead from Lancaster's program and presenting it in their own cities.

Mayor Parris stated that staff is doing an incredible job and praised the Public Works Department for their efforts and creativity.

Addressing the City Council on this matter:

Michael Rives – opposed to this action.

Marta Golding Brown – representing the BIA, supports the continuation of this program; it has helped many members and is mutually beneficial to everyone.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council adopted **Resolution No. 13-25**, a resolution of the City Council of the City of Lancaster, California, approving the continuation of the Building Incentive Stimulus Program for existing recorded tracts and new commercial development, 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 – MAY 16, 2013 MEETING

Council Member Mann presented the following information:

Approved the warrants which were issued by the District; approved departmental invoices; approved a Joint Resolution providing for approval and acceptance of negotiated exchange of property tax revenue; approved and ordered executed documents for purchase of electricity and related services provided by Noble Americas Energy Solutions, LLC (Noble); adopted a Wastewater Service Charge Report. Full report is available in the City Clerk Department.

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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 stated that recently there have been a lot of comments in the press regarding dust and rather than talk about the drought or the vastness of the land in this area, the issue seems to have fallen on solar. He presented a brief video on how the City and the solar companies mitigate this matter. Further discussion took place regarding grading; foundations; re-vegetation; safety; working with AVAQMD to reduce dust levels.

The City Manager gave a brief update on CAL Water, stating the community is very grateful for having the City Council's support. The City had Water Attorney, Doug Evertz petition the PUC and the City of Lancaster is now a recognized official intervener in the process. The City has also engaged Senator Knight who has also sent a letter to the PUC asking them to cease. The hearing has been pushed back to July. CAL Water has requested a meeting with the City Council to explain their side of the story and it will be a public meeting.

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:

Jerry Vincent – representing the H. Martin Foundation. The Foundation is reaching out to the Mayors of Southern California to provide funding for all the City's various programs and projects; to provide humanitarian services; to create local jobs and to provide disaster relief and community development. Funding is privately owned and they are recognized by the Highest Monetary Authorities and by the U.S. Government.

Michael Rives – requested that bus shelters/covers be provided at AVTA Bus Stops for the health and safety of the bus riders.

Andrew Nieto – encouraged the City to make the BLVD a full destination spot for weddings; make it an annual affair; will help to promote a family oriented location.

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COUNCIL / AGENCY COMMENTS

Vice Mayor Crist reminded everyone that the Antelope Valley Fair Jazz Festival is on June 15, 2013.

Mayor Parris directed the City Manager to contact the Department of Children and Family Services (DCFS) and find out what they are doing to resolve the matters of their department so that what happened in Palmdale does not happen again to any children. He requested the City Manager invite them to the next City Council meeting to discuss what they are doing and what changes are taking place.

RECESS Mayor Parris recessed the meeting at 7:26 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
- 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.

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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 Mayor Parris reconvened the meeting at 7:39 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced that City Council met in Closed Session and discussed: Lancaster v. Housing Authority of the County of Los Angeles (HACoLA) Case No. MC023649; gave an update; no action was taken; no other items listed on Closed Session were discussed.

ADJOURNMENT

Mayor Parris adjourned the meeting at 7:40 p.m. and stated that the next regular meeting would take place on Tuesday, June 25, 2013 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this 25th day of June, 2013, by the following vote:


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

NOES: None

ABSTAIN: None

ABSENT: Council Member: Smith

ATTEST:


GERI K. BRYAN, CMG
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)
