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**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
AUGUST 27, 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, Vice Mayor/Vice Chair Crist

ABSENT: Council Member/Agency/Authority Member Smith; Mayor/Chair Parris

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; Senior Operations Manager; Assistant Finance Director; Economic Development Director, Housing Director; Human Resources Director

INVOCATION

Darmie Sule Odu, Redeemed Christian Church

PLEDGE OF ALLEGIANCE

Council Member/Agency Director Johnson

PRESENTATION

1) Introduction of AmeriCorps Vista Members; presentation by Vista Members

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At this time, Vice Mayor Crist requested that Item Nos. CA 1 and CA 2 be discussed.

CA 1. CONSIDERATION OF APPOINTING DAVE MASHORE TO THE LANCASTER NEIGHBORHOOD VITALIZATION COMMISSION

On behalf of Mayor Parris, Vice Mayor Crist requested consideration of the nomination and appointment of Dave Mashore to the Lancaster Neighborhood Vitalization Commission.

On a motion by Council Member Mann and seconded by Council Member Johnson, the City Council approved the appointment of Dave Mashore to the Lancaster Neighborhood Vitalization Commission by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

At this time the City Clerk administered the oath of office to Mr. Mashore.

CA 2. CONSIDERATION AND NOMINATION/APPOINTMENT OF MAYOR PARRIS TO SERVE ON THE HIGH DESERT POWER AUTHORITY (HDP) BOARD OF DIRECTORS

On behalf of Mayor Parris, Vice Mayor Crist requested consideration of the nomination and appointment of Mayor Parris to the High Desert Power Authority Board of Directors and requested, based on action taken by the City Council in 2011, an approved overlying procedure whereby any standing committee that the City is a member of and is not governed by state law, in order of position, then seniority of the Council Members could be the alternate.

On a motion by Council Member Johnson and seconded by Council Member Mann, the City Council approved this action by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

At this time, Mayor Parris arrived at the meeting - 5:27 p.m.

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PRESENTATION

2) Update on Palmdale Power Plant

Vice Mayor Crist presented statistical information and an update regarding the Palmdale Power Plant. His presentation included information on pollutants; metric measures of CO₂; impact of nitrogen oxide on citizens; increase of respiratory symptoms; compounding problems that can lead to bronchitis; emphysema; aggravated heart disease; death. Volatile organic compounds were discussed; sulfur dioxides; carbon monoxide; particulate matter and key indicators of health. Also discussed were the locations of schools, work places, residential areas, and soccer fields in proximity to the Plant and misinformation that has been distributed by Palmdale City officials.

Addressing the City Council regarding this matter:

Jack Larkin – stated that this is a bad situation; must make the right decision and think about the welfare and future of the children who are exposed to this pollution; stated his strong concerns regarding the air quality.

Mike Swiech – stated his concerns regarding the impact of pollution on the young children who participate at the soccer fields; high school players are tasked with bringing inhalers with them to practices/games; important for Lancaster to oppose this Power Plant.

Maria Paesano – Power Plant has been a long time problem; problems with contamination in the water and land; Power Plant projects throughout the state are not good for the children and for the environment.

At this time Mayor Parris requested that Item No. CA 3 be discussed.

CA 3. RESOLUTION NO. 13-49

Mayor Parris presented **Resolution No. 13-49** in support of Federal Immigration Reform.

Addressing the City Council on this matter:

Marisol Chavez – has lived in America since the age of three; it has been a huge impact on her not being able to work and pursue career opportunities because she is undocumented; discussed the emotional impact on her and her family; supports the adoption of this resolution.

Xavier Flores – presented his background; gave a brief overview of the resolution; this is a reasonable request; it is the humane thing to do; remove the politics from this issue; the immigration system is broken; discussed the dream of Martin Luther King, Jr.; dreams of the founders of America; treat people with dignity and respect.

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CA 3. RESOLUTION NO. 13-49 (continued)

Cesar Vega Magallón – stated that the resolution states three simple things: restore trust; give a pathway to citizenship; Federal Government has torn families apart. There are deported families; families have not taken the easy way, this has been very difficult; encouraged Council to adopt this resolution and send a strong message to the Federal Government.

Dr. Miguel Coronado – urged the City Council to adopt this resolution; many young people who have lived in America since they were babies cannot get jobs; cannot get social security numbers; 1.4 million are deported but the bank of justice is not bankrupt; all pledge allegiance to the United States of America.

Marvin Sanchez – stated that both of his parents are immigrants; it is frustrating to see people with so much ambition and drive not given the same opportunities as American citizens; many have lived here all their lives, this is the only country they know.

David Paul – this is a very complex issue; to have hope is important; young people are dreamers and should be given immediate citizenship; people came here to provide a better life for their families.

Maria Contreras – everyone has been through many struggles; considers herself part of the community and has lived in America since childhood; encouraged the City Council to adopt this resolution; there must be a push for change in this country; many are deprived of reaching their educational goals; help and support is needed.

Michael Rives – discussed the Obama plan to secure borders; Republican plan; both plans are wrong; resolution is wrong. Congress must pass legislation to encourage people to come out of the shadows; register; government must accept them and give them resident status.

Roxie Patterson – people are hard working; dreaming the dream; supports this resolution, come together as a community; allow people to enjoy life, liberty and the pursuit of happiness.

Mayor Parris stated that his hope is that this Council will demonstrate a lot of courage; stand up for what is right; asking them to look at immigration reform, it is a difficult issue; there will be consequences depending on how this Council votes particularly from the Republican Leadership of the community.

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CA 3. RESOLUTION NO. 13-49 (continued)

Aldo Carmona – stated that he has lived in America since the age of two; did not understand the issue of immigrants when he was young but as he grew up he understood the issue; experienced segregation; depression and loneliness. When someone is labeled something other than what they are such as a loser, criminal or outsider, it has a huge impact on people. Do not judge people by where they came from; treat everyone with respect; supports this resolution.

Erick Goday – stated that he has lived in America since the age of three; discussed his high school experiences; his chance to receive a scholarship to Fresno State University; his loss of this scholarship because he is undocumented; education is out of his reach at a four-year college; everyone wants to better themselves.

Monica Hall – encouraged the City Council to adopt this resolution; it is the humane thing to do; very comprehensive. With reform, the Federal deficit will be reduced; it will provide stability to millions of people.

Mike Stern – encouraged the City Council to adopt this resolution; all of these people desire to be of service to their country but many obstacles stand in their way.

David Cuestas, Vice President of the Elementary Teachers Association – they receive students in school that have never been told they were immigrants or undocumented; these students are raised American; they have enthusiasm; a desire to better themselves; many find a way through hope and many live in fear of being taken away from the only home they have known. This is a great opportunity to embrace Lancaster; take the fear away from everyday life; diversity created this nation; encouraged the City Council to adopt this resolution.

Chris Galeano – supports this resolution; acknowledge the existence of these people and the dreams they have for themselves and for this country.

Joseph Ligunas – has lived in this country since the age of fifteen; his family works hard to support each other; everyone has the same dreams, the desire to own a home; receive a good education; immigration system is broken; supports this resolution.

Christian Morales – discussed all in attendance that make up the Antelope Valley Dream Team; each of them wakes with the same hopes and dreams of all people. Respect everyone; encouraged the City Council to adopt this resolution; have an open heart; open mind; be humane.

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CA 3. RESOLUTION NO. 13-49 (continued)

Mayor Parris stated that he needs three votes to pass this resolution; understands how hard the City Council works for this City; no one works harder than Vice Mayor Crist to make this a better City. Does not believe he would own his own home or be a lawyer today if he had all the obstacles that these people face each and every day. It took less courage to stand up to the Mongols, Bloods and Crips than it will to take an affirmative vote on this resolution. This is a Federal issue, however, Lancaster needs to take a stand, recognize the issues and deal with the problems effectively. The City Council obligation is clearly set out and unfortunately a stand may have to be taken against the views of the very people who elected this Council. Do not divide this issue upon a Republican/Democrat line; this is a community that must grow together. This City has made many great strides; there is participation. It is important to seal the borders and it is important that the parents of American children not be deported. It is time to tear down the obstacles and it may not mean much in Washington but it will mean a great deal to the people of this City.

Vice Mayor Crist stated that he agrees with the Mayor; he is proud of the Hispanic community. Immigration is bigger than just the Hispanic community, it involves so many others. He believes in the process; the immigration system is broken; this message has been conveyed to our Congressman loud and clear. It is important to follow the process; the resolution in some ways does not go far enough and in other ways, goes too far. These people are asking for support and help but stated that he is a person of process.

Council Member Mann stated that the people in the audience may not see diversity on this Council but there is much. He discussed the background of his wife; her family and their El Salvadoran background; discussed his experiences in Mexico assisting for seven years with medical attention that was needed in that country; his experience with supporting a much needed orphanage. He stated that his mother-in-law came to this country as an immigrant, worked hard and became a citizen through the right process; brother-in-law worked very hard and put himself through a four-year college, it can be done. He would be happy to see Senators discuss this matter and make the right decision. The system is broken; it is a mess and a very complex issue. He will continue to discuss this with the leaders of this state.

RECESS Council Member Johnson requested a brief recess at 6:53 p.m.

RECONVENE The meeting was reconvened at 7:07 p.m.

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CA 3. RESOLUTION NO. 13-49 (continued)

Council Member Johnson stated that it has been a great opportunity and blessing to hear all of these personal stories this evening; many of the stories have touched her personally. Stated that her mother was a strong woman who believed in being an example to everyone; she knew America was the best place to raise her daughter and she went through the process to arrive in America from Chile, legally. This was not without sacrifice, as she had to leave two sons behind. There are many who fight to become Americans legally and illegally; her mother followed the legal process and still suffered. She understands about labels that are placed on people and the loneliness that can come from certain attitudes. Her mother taught her to be proud of who she is; proud of where she came from and proud of where she is going because of the dreams that are possible. It does not matter what country, what race or what religion a person is; if a person is a productive citizen who is willing to work hard, pay taxes, they should be here.

On a motion by Mayor Parris and seconded by Council Member Johnson, the City Council adopted **Resolution No. 13-49**, a resolution of the City Council of the City of Lancaster, California, urging the 113th Congress to enact comprehensive reforms that secure our borders, ensure economic strength and promote stronger communities, by the following vote: 4-0-0-1; AYES: Johnson, Mann, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

At this time Mayor Parris was excused from the meeting – 7:16 p.m.

RECESS Vice Mayor Crist requested a brief recess at 7:16 p.m.

RECONVENE Vice Mayor Crist reconvened the meeting at 7:25 p.m.

AGENDA ITEMS REMOVED

None

M 1. MINUTES

On a motion by Council Member/Authority Member Mann and seconded by Council Member/Authority Member Johnson, the City Council/Agency/Authority approved the City Council/Successor Agency/Financing/Power Authority Regular Meeting minutes of August 13, 2013, by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

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CONSENT CALENDAR

Vice Mayor Crist requested that Item No. CC 9 be pulled for separate discussion and action.

On a motion by Council Member Johnson and seconded by Council Member Mann, the City Council approved the Consent Calendar with the exception of Item No. CC 9, 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 July 28, 2013 through August 10, 2013 in the amount of \$3,594,455.57.

CC 3. MONTHLY REPORT OF INVESTMENTS

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

CC 4. COMPLETED WATER SYSTEM

Approved the completed water system installed by the developer for Tract No. 54370, located on the northwest corner of Avenue L-8 and 70th Street West. Owner: Richmond American Homes.

CC 5. ACCEPTANCE OF SEWER FOR MAINTENANCE

Approved the following developer installed sanitary sewer and accepted this sewer for maintenance by the City and for public use for Director's Review No. 08-100, located on the southeast corner of Avenue J-4 and 37th Street East. Owner: Eastside Elementary School.

CC 6. ACCEPTANCE OF STREETS FOR MAINTENANCE

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

CC 7. PROFESSIONAL SERVICES AGREEMENT TO EXPLORE AND IMPLEMENT ALTERNATIVE ENERGY INITIATIVES

a) Negotiated and approved a Professional Services Agreement with Willdan Financial Services to augment City staff resources to investigate the feasibility and potential impact of alternative energy initiatives and if feasible, develop implementation plans. Authorized the City Manager or his designee to execute all related documents to implement each phase of the project as warranted by the outcome of the preceding phase.

b) Approved budget amendment in Account No. 486-4370-301 for the professional services agreement.

CC 8. PWCP NO. 11-023

Rejected all bids for **Public Works Construction Project No. 11-023, 20th Street East Storm Drain Extension at Avenue I**. All bids significantly exceeded the project budget. Project will be reviewed, re-scoped, and re-solicited in the spring of 2014.

CC 9. APPROVAL OF APPROPRIATIONS FOR THE 2013 JAG GRANT

Addressing the City Council regarding this matter:

Michael Rives – commended the City staff for getting grants for the City, understands the money is already allocated but feels the money should go towards Code Enforcement.

On a motion by Council Member Johnson and seconded by Council Member Mann, the City Council approved filing for the 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$69,199, by the following vote: 3-0-0-2; AYES: Johnson, Mann, Crist; NOES: None; ABSTAIN: None; ABSENT: Smith, Parris

CC 10. PWCP NO. 13-011

Rejected all bids for **Public Works Construction Project No. 13-011, 2014 Pavement Management Program**. The City has elected to revisit the existing scope of work for possible inclusion of alternate pavement preservation techniques and expanded scope of work.

NB 1. AVEK WATER AVAILABILITY UPDATE

The Public Works Director and representatives of AVEK presented an update regarding AVEK.

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

Vice Mayor Crist presented the following information:

The AVTA Board received a report on proposed service changes; Los Angeles County Sheriff's Department Transit Security Services quarterly report; information on a Strategic Planning Workshop held by the Board; budget and policy procedures. Full report is available in the City Clerk Department.

LANCASTER HOUSING AUTHORITY

No action required at this time.

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.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager commended staff for their hard work in achieving grants for the City; it is a difficult process; they get a lot of grants from various sources and this is a testament to how much they care about the organization.

The City Manager stated that he was in receipt of the Top 100 cities for best drivers and Lancaster is in the Top 100 in the United States; eleven cities in California made the list. This is a testament to the Sheriff's Department as well since enforcement helps to remind people of good driving practices.

The City Manager stated that Trevor Jones, long time resident of the Antelope Valley and a well known realtor, took an ad out in the paper with his own money to thank the City Council and City staff for all the good things that are happening in the City. This was a very nice thing to do and it means a lot.

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:

Linda Bashore – stated that she recently had a dead dog in her front yard; Animal Control did not pick it up for several days; the dog could be seen by children walking to and from school. She felt that Animal Control was not responsive; the City only contracts for one Animal Control Officer for the entire area; many problems with dogs roaming freely and irresponsible dog owners.

Vice Mayor Crist requested that Ms. Bashore discuss this further with the Public Safety Manager.

Maria Paesano – discussed the Power Plant; Immigration; Crime.

Michael Rives – stated that he enjoyed the Fair however the costs of food and drink at the concessions was outrageous. Additionally, consider having the Fair in the Autumn or Spring when it is not so hot.

Vice Mayor Crist explained where the money from concessions goes to – schools, scholarships, back into the community, different events. Changing the Fair to a different time of year has been reviewed in the past. Fairs are coordinated with other fairs throughout the State to allow vendors to move around and participate at the different fairs.

COUNCIL / AGENCY COMMENTS

Council Member Johnson stated that this was the 75th Anniversary of the Fair; huge success.

Council Member Mann suggested Mr. Rives be invited on a tour regarding the history of the fair next year.

RECESS Vice Mayor Crist recessed the meeting at 7:56 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 Hill Cares v. City of Lancaster, Case No. BS 122336
- 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 District
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 8:15 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced that in Closed Session, the City Council discussed one matter of anticipated litigation as well as City of Lancaster v. Housing Authority of the County of Los Angeles; Antelope Valley Allied Arts Association et al v. Lancaster et al; Quartz Hill Cares v. City of Lancaster; Coalition for Open Government v. City of Lancaster; Palmdale v. Lancaster; Rubin v. Lancaster; Save Our Neighborhood Group v. City of Lancaster; Miracle Star Women's Recovering Community, Inc. et al. v. City of Lancaster and gave direction to Legal Counsel regarding these matters.

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ADJOURNMENT

Vice Mayor Crist adjourned the meeting at 8:16 p.m. in honor of Dr. Martin Luther King who fifty years ago delivered his "I Have a Dream" speech on August 28, 1963.

The next Regular Meeting will take place on Tuesday, September 10, 2013 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this _____day of _____, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

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

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)
