

M 1
11/12/13
MVB

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
OCTOBER 22, 2013**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:03 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; 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 Robert Enos, Greater Works Christian Center

PLEDGE OF ALLEGIANCE

Vice Mayor/Vice Chair Crist

AGENDA ITEMS TO BE REMOVED

The City Manager requested that Item No. CC 5 on the Council Consent Calendar be removed from the agenda at this time. This item will be brought back to the City Council at a later date. It was the consensus of the Council to remove this item from the agenda.

PRESENTATIONS

1. Araxie Kahramanian, Management Analyst gave a presentation relating to the recent Job Services Network Job Fair and recognized several businesses in the area for their support and participation.
2. S.O.A.R. (Students On Academic Rise) High School Student of the Month – Katelyn Kirkbride-Goodman. Ms. Kirkbride-Goodman also received a \$1,000 Mayor’s Scholarship award.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
OCTOBER 22, 2013

M 1. MINUTES

On a motion by Vice Mayor/Vice Chair Crist and seconded by Council Member/Agency/Authority Member Johnson, the City Council/Agency/Authority approved the City Council/Successor Agency/Financing/Power Authority Regular Meeting minutes of October 8, 2013, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CONSENT CALENDAR

Item No. CC 2 was pulled for separate discussion and action and Item No. CC 5 was removed from the agenda by earlier consensus.

On a motion by Council Member Smith and seconded by Vice Mayor Crist, the City Council approved the Consent Calendar, with the exception of Item Nos. CC 2 and CC 5, 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

Addressing the City Council on this matter:

Richard Collins – discussed his previous employment with the City; his separation agreement; requested consideration regarding certain benefits.

On a motion by Council Member Smith and seconded by Vice Mayor Crist, the City Council approved the Check and Wire Registers for September 22, 2013 through October 5, 2013 in the amount of \$4,335,528.71, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

CC 3. MONTHLY REPORT OF INVESTMENTS

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

CC 4. ACCEPTANCE OF STREET TREES FOR MAINTENANCE

Approved and accepted the developer installed interior street trees for maintenance by the City for Tract No. 060154 Phase 1, located on the southeast corner of Avenue J and 30th Street East; Owner: Trimark Pacific Lancaster 139, LLC; and Phase 2, located on the southeast corner of Avenue J and 30th Street East; Owner: KB Home Coastal Inc.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
OCTOBER 22, 2013

CC 5. LANDSCAPE IMPROVEMENTS FOR MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 347, TRACT NO. 061206.

No action taken; this item was removed from the agenda and will be brought back to the City Council at a later date.

CC 6. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved and accepted the developer constructed streets for maintenance by the City for Tract No. 060154 Phase 1, located on the southeast corner of Avenue J and 30th Street East; Owner: Trimark Pacific Lancaster 139, LLC; and Phase 2, located on the southeast corner of Avenue J and 30th Street East; Owner: KB Home Coastal Inc.

CC 7. COMPLETED WATER SYSTEM

Approved the completed water system installed by the developer for Tract No. 060154 Phase 1, located on the southeast corner of Avenue J and 30th Street East; Owner: Trimark Pacific Lancaster 139, LLC; and Phase 2, located on the southeast corner of Avenue J and 30th Street East; Owner: KB Home Coastal Inc.

CC 8. PWCP NO. 12-005

Awarded **Public Works Construction Project No. 12-005, Bridge Rehabilitation**, to The Truesdell Corporation of California, Inc. of Tempe, Arizona, in the amount of \$574,574.00, to repair three bridges throughout the City 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).

PH 1. LANCASTER GENERAL PLAN HOUSING ELEMENT

Mayor Parris opened the Public Hearing. It was the consensus of the City Council to waive the presentation regarding this matter.

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. 13-56**, approving the update to the Housing Element of the City's General Plan, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
OCTOBER 22, 2013

NB 1. VISITOR'S BUREAU OF LANCASTER (DESTINATION LANCASTER) BYLAWS

The Assistant to the City Manager and the Senior Projects Coordinator presented the staff report regarding this matter.

Comments from the City Council included:

Clarification regarding the different logos displayed in the presentation; thanked staff and the supporting businesses for their service and participation; this is a win-win situation, creating great synergy and brings people together for future opportunities.

Addressing the City Council on this matter:

Michael Rives – opposed to this action; Chamber of Commerce should be utilized more.

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council approved the proposed amendments to the Visitor's Bureau of Lancaster (Destination Lancaster) Bylaws, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 2. PROPOSED VISITOR'S BUREAU OF LANCASTER (DESTINATION LANCASTER) PARTNERSHIP

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

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council established a partnership with the Visitor's Bureau of Lancaster (Destination Lancaster) to create a new national high school film festival in Lancaster and authorized the City Manager, or his designee, to execute all documents related thereto; appropriated \$400,000 (not to exceed) to Account No. 106-4540-251 and increased estimated revenues (not to exceed) in Account No. 106-3235-100 by the same amount, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
OCTOBER 22, 2013

NB 3. GENERAL MUNICIPAL ELECTION – APRIL 8, 2014

The City Attorney presented the staff report regarding this matter.

Mayor Parris inquired about the process for consolidation of an election and the process regarding a vote by mail election.

The City Attorney explained the requirements involved which would include Charter amendments and the adoption of an ordinance.

Addressing the City Council on this matter:

Michael Rives – stated his concerns regarding consolidation of the election.

David Paul – discussed his human accountability plan; importance of having a strong mayor and his support of District elections.

On a motion by Vice Mayor Crist and seconded by Council Member Smith, the City Council adopted the following resolutions, by the following vote: 4-1-0-0; AYES: Johnson, Mann, Smith, Crist; NOES: Parris; ABSTAIN: None; ABSENT: None

Resolution No. 13-57, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, April 8, 2014, for the election of certain officers as required by the provisions of the California Election Code.

Resolution No. 13-58, requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City related to the conduct of a General Municipal Election to be held on Tuesday, April 8, 2014.

Resolution No. 13-59, adopting regulations for candidates for elective office, pertaining to filing fees and candidate statements submitted to the voters at an election to be held on Tuesday, April 8, 2014.

Resolution No. 13-60, providing for the conduct of a special runoff election for elective offices in the event of a tie vote at the General Municipal Election to be held on Tuesday, April 8, 2014, for the election of certain officers as required by the provisions of the California Election Code.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
OCTOBER 22, 2013

NB 4. RESOLUTION AND ORDINANCE PERTAINING TO BUILDING CONSTRUCTION

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

On a motion by Vice Mayor Crist and seconded by Council Member Mann, the City Council adopted **Resolution No. 13-61**, presenting findings for modifying the 2013 California Building, Residential and Electrical Codes which are reasonably necessary due to local climatic, geological, or topographical conditions; and adding a requirement for the implementation of solar energy systems to the 2013 California Energy Code, as previously approved by Council in April 2013, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council introduced **Ordinance No. 994**, adopting the 2013 edition of the California Building Code; the 2013 edition of the California Residential Code, the 2013 edition of the California Electrical Code; the 2013 edition of the California Mechanical Code; the 2013 edition of the California Plumbing Code; the 2013 edition of the California Energy Code; the 2013 edition of the California Historical Building Code; the 2013 edition of the California Green Building Standards Code; the 2012 edition of the International Property Maintenance Code; the 1997 edition of the Uniform Code for the Abatement of Dangerous Buildings; and the 2014 edition of the Los Angeles County Fire Code; all pertaining to life and safety and to the construction, alteration, moving demolition, repair, maintenance, and use of buildings, structures, and properties within the City, by the following vote: 5-0-0-0; AYES: Johnson, Mann, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
OCTOBER 22, 2013

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated that on behalf of City staff, the City is very proud of the partnerships they have been involved with in the community. He gave credit to Mayor Parris and the City Council for bringing those partnerships forward over the last five years. These partnerships are people putting their own money up to support their businesses and partner with the City to market because they believe in the direction the City is going.

The City Manager announced the two events that are coming up. On Saturday, October 26, 2013 is the BooLVD event which involves many partnerships and the Field of Drafts on November 9, 2013 which also involves many partnerships.

RECESS Mayor Parris requested a brief recess at 6:05 p.m.

RECONVENE Mayor Parris reconvened the meeting at 6:15 p.m.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Willie Green – requested the City look into having a neighborhood supermarket in the area of Sierra Highway and 10th Street West and also Avenue I. This would give the seniors a feeling of independence; a place to shop without driving.

Mayor Parris requested the City Manager look into this; possibly grant funding for such a project.

Milton Richardson – discussed his frustration regarding his recent Sanitation District Tax bill; something needs to be done; ask the district to consider payment plans.

The City Council discussed the bond refinancing regarding the Sanitation District; Prop 216; working to get the amounts reduced; Sanitation District staff is working on what the impact will be, trying to get tax bills lowered; much of the increase is related to the power plants; many of the decisions were made before this administration came in.

Dan Selmsler – discussed the solar requirements on new buildings; City needs to look into insurance policies for when these systems deteriorate. Stated that his brother builds power plants world-side and it is important to understand the safety requirements; the plants are not polluting; people are tired of reading about the two cities not getting along; it is time to work everything out. He discussed different events coming up.

Further discussion took place between the City Council and Mr. Selmsler regarding the Power Plant; impact to the health and safety to the community in Lancaster; challenges regarding pollution; pollution from the Metrolink train.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
OCTOBER 22, 2013

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS (continued)

Michael Rives – stated his concerns regarding the Property Tax Bills; stated that he is doing as much as possible to stop the Power Plant.

Jason Zink – discussed the wastefulness of the County; it is time to break from the County and become a Community Services District.

Heather Brown – stated her concerns regarding pollutants in the water; dangers of the water to livestock; discussed property tax issues; solar panels; fracking.

Mayor Parris requested the City Manager have staff look into the water issues regarding Ms. Brown.

COUNCIL / AGENCY COMMENTS

None

RECESS Mayor Parris recessed the meeting at 6:45 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(d) (1)

- 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
- Lancaster v. Housing Authority of the County of Los Angeles (HACoLA) Case No. MC023649
- 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.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
OCTOBER 22, 2013

- 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

- Shabazz v. Parris, USDC, Central Case No. CV12-5803 SVW (JEM)

RECONVENE Mayor Parris reconvened the meeting at 7:00 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced that City Council met in Closed Session and discussed one item of anticipated litigation, as well as the cases of Miracle Star v. Lancaster, Shabazz v. Parris. In regards to the matter of Shabazz v. Parris, the Council voted four in favor, with Mayor Parris recusing himself, to provide and authorize the defense regarding this case.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
OCTOBER 22, 2013

ADJOURNMENT

Mayor Parris adjourned the meeting at 7:01 p.m. stated the next Regular Meeting will take place on Tuesday, November 12, 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)
