

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
JANUARY 14, 2014**

CALL TO ORDER

Mayor/Chair Parris called the regular meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:02 p.m.

ROLL CALL

PRESENT: Council Members/Agency Directors/Authority Members: Johnson, Smith, Vice Mayor/Vice Chair Crist, Mayor/Chair Parris

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

ABSENT: Council Member: Mann

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

Associate Pastor Gabriel Ruhl, Lancaster Baptist Church

PLEDGE OF ALLEGIANCE

Deputy Mayor/Chair Szeto

PRESENTATIONS

1. Pen Or Pencil Children's March
2. Achievement in Reducing Emissions (AIRE) Award
3. Tapestry Commission Mediation Update
4. Recognition and Approval from the California Energy Commission (CEC) for adopting Building Energy Efficiency Standards

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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 December 10, 2013, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

CONSENT CALENDAR

Item No. CC 2 was pulled from the Consent Calendar for separate discussion and action.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved the Consent Calendar, with the exception of Item No. CC 2, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

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:

Michael Rives – stated his concerns regarding the advertising budget; copier lease payments; costs associated with membership to the League of California Cities.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved the Check and Wire Registers for November 24, 2013 through December 28, 2013 in the amount of \$5,940,176.37, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

CC 3. MONTHLY REPORT OF INVESTMENTS

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

CC 4. ORDINANCE NO. 996

Adopted **Ordinance No. 996**, an ordinance of the City Council of the City of Lancaster, California, amending Title 8 (Health and Safety) of the Lancaster Municipal Code by adding Chapter 8.29 (“Pool Maintenance”) relating to Swimming Pool Maintenance.

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- CC 5. PWCP NO. 13-010, LNSC**
Accepted the work constructed by Granite Construction Company for **Public Works Construction Project No. 13-010, LNSC** – Park and Ride Resurfacing, and directed the City Clerk to file the Notice of Completion for the project. Retention on this project has been disbursed in accordance with California Public Contract Code.

- CC 6. ACCEPTANCE OF STREETS FOR MAINTENANCE**
Approved the developer constructed streets and accepted the streets for maintenance by the City for Conditional Use Permit No. 12-02, located on the southeast corner of Division Street and Avenue H-8. Owner: Solar City Corporation.

- CC 7. RESOLUTION NO. 14-01**
Adopted **Resolution No. 14-01**, which summarily vacates the Offer of Dedication per Instrument No. 87-130109 for public street purposes, located at 90th Street West between Avenue H-4 and Avenue H-8. The Resolution authorizes the City Clerk to record the Resolution, complete the summary vacation and terminate the offer of dedication of right-of-way which is no longer necessary to serve the subject property.

- CC 8. ACCEPTANCE OF SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT**
Approved and accepted substitution of the Subdivision Undertaking Agreement and securities submitted by KB HOME Coastal, Inc., in place of the Subdivision Undertaking Agreement by Gibraltar Homes, LLC for Tract Map No. 52655 Phase 2, located between 17th and 18th Streets West, approximately 200 feet south of Lancaster Boulevard.

- CC 9. ACCEPTANCE OF SUBDIVISION IMPROVEMENT AND LIEN AGREEMENT**
Approved and accepted the Subdivision Improvement and Lien Agreement submitted by 99 Serenade Lancaster, LLC (“Developer”), required as a condition of recordation of Tract Map No. 060294, located at the northeast corner of Avenue J and 65th Street West.

- CC 10. ACCEPTANCE OF SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT**
Approved and accepted substitution of the Subdivision Undertaking Agreement and securities submitted by KB HOME Coastal, Inc., in place of the Subdivision Undertaking Agreement by Plum Canyon Investments, LLC 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.

CC 11. ACCEPTANCE OF SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted substitution of the Subdivision Undertaking Agreement and securities submitted by KB HOME Coastal, Inc., in place of the Subdivision Undertaking Agreement by Plum Canyon Investments, LLC 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.

CC 12. ACCEPTANCE OF SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted substitution of the Subdivision Undertaking Agreement and securities submitted by KB HOME Coastal, Inc., in place of the Subdivision Undertaking Agreement by Plum Canyon Investments, LLC for Tract Map No. 061278, located on the northeast corner of Avenue K-8 and Challenger Way.

PH 1. OCTOBER 2013 CONSOLIDATED FIRE PROTECTION DISTRICT CAPITAL IMPROVEMENT PLAN AND THE ANNUAL ADJUSTMENT OF DEVELOPER FEES

Mayor Parris opened the Public Hearing. The Planning Director presented the staff report regarding this matter.

Addressing the City Council on this matter:

Michael Rives – discussed the breakdown of the fees in general; breakdown of fees to various fire stations and developer fees.

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 adopted **Resolution No. 14-02**, adopting the October 2013 Capital Improvement Plan of the Consolidated Fire Protection District and the Annual Adjustment of Developer Fees, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

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NB 1. MUNICIPAL LAW ENFORCEMENT SERVICES AGREEMENT

The City Manager presented the staff report regarding this matter.

Addressing the City Council regarding this matter:

Michael Rives – commended the City Attorney for providing a proper attachment to the staff report; discussed several sections of the contract.

On a motion by Vice Mayor Crist and seconded by Council Member Smith, the City Council approved the renewal of the Municipal Law Enforcement Services Agreement between the City of Lancaster and the County of Los Angeles for Law Enforcement Services provided by the Los Angeles County Sheriff's Department, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

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

Vice Mayor Crist presented the following information:

AVTA's key indicators; the TAP Card; approval of several contracts; budget information. Full report is available in the City Clerk Department.

Addressing the City Council on this matter:

Michael Rives – stated his concerns regarding AVTA expenditures.

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.

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CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated that this Saturday, January 18, 2014 is the Martin Luther King Jr. Day of Service and encouraged citizens to get involved. They may access the City's website to learn about the different projects for the day and how to volunteer.

The Assistant to the City Manager presented a brief summary to the City Council regarding a tour provided by Destination Lancaster to the hotel staff of all of the local hotels. The staff members were given a tour of the downtown area; gained knowledge on what Lancaster has to offer visitors; networked with business owners; gained a plethora of knowledge regarding Lancaster and they were very appreciative in receiving the tour and the information.

The City Manager read a letter from Sheriff Baca who will soon be retiring from his position as Sheriff for Los Angeles County.

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:

David Paul – discussed his ill health on the day he filed his nomination papers; the helpful assistance he received from City staff.

Ed Galindo – thanked the City Council and City staff for their assistance with the GED Program and stated that the Mexican Consulate has taken notice of this and will soon begin a very similar program.

Heather Brown – stated her concerns regarding water issues; bus systems; air quality.

Elizabeth Torres – stated her concerns regarding customer service at the library; poor attitude of employees at the library; their customer service attitude needs to improve.

Jim Barletta – thanked the City Council for a very good 2013; stated that he hears negative comments in the community regarding City business but there are many good things going on. Thanked the City Council for opposing the Power Plant which will be built near his neighborhood. Stated that he felt the action taken by Supervisor Antonovich was unacceptable – removing Mr. Lawson from the AVAQMD Board for one day then reinstating him the next.

Michael Rives – discussed a neighborhood cat that had not reported for duty; he became concerned and went to the Animal Shelter. The Shelter has made many new improvements, however the front office is still the same and very slow to help people. The cat in question was not at the shelter and showed up back in the neighborhood later in the day.

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COUNCIL / AGENCY COMMENTS

Mayor Parris requested the City Manager have an item come before the Criminal Justice Commission regarding vehicles that are impounded, hampering people from getting to their jobs. He requested the City Manager talk with Mr. Ed Galindo regarding this matter.

Council Member Johnson stated that the Color Me Rad Event would take place on February 1, 2014; 3400 people have registered for this event and many sponsors are involved to help make this event a true success. She encouraged people to sign up for this and have a fun experience.

Council Member Johnson recognized and welcomed three candidates in the audience who would be running in the City's General Municipal Election – Michael Rives; David Paul and Liza Rodriguez.

Council Member Johnson quoted Martin Luther King, Jr. with: "The time is always right to do what is right."

Vice Mayor Crist stated that the Emergency Shelter was open at the fairgrounds; the community has truly stepped up to assist with this. This shelter is for the men only; they are fed meals from local restaurants; bused to the Shelter and provisions for emergency response is ready and it is all working out very well.

Mayor Parris commended Ryan Crist, son of Vice Mayor Crist, for the phenomenal job he has done regarding the Emergency Shelter at the fairgrounds.

RECESS Mayor Parris recessed the meeting at 6:49 p.m. for the purpose of conducting a Closed Session meeting regarding the following matters:

CLOSED SESSION

1. Conference with Legal Counsel – Anticipated Litigation: significant exposure to litigation pursuant to Government Code Section 54956.9(d) (2) - four potential cases.
2. Conference with Legal Counsel--Existing Litigation - Government Code Section 54956.9(d) (1)
3. Coalition for Open Government v. City of Lancaster, Case No. BC499047
4. Quartz Hills Cares v. City of Lancaster, Case No. BS 122336
5. Palmdale v. Lancaster - Case No. BC443280
6. Lancaster v. Housing Authority of the County of Los Angeles (HACoLA) Case No. MC023649
7. Rubin v. Lancaster - United States District Court Case No. CV 10-4046 DSF (JCx)

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8. Miracle Star Women's Recovering Community, Inc. et al. v. City of Lancaster, et al.
LASC Case No. MC 020079
9. Save Our Neighborhood Group v. City of Lancaster, et al. Los Angeles Superior Court
Case No. BS 121501.
10. 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
11. Shabazz v. Parris, USDC, Central Case No. CV12-5803 SVW (JEM)

RECONVENE Mayor Parris reconvened the meeting at 7:08 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced that City Council met in Closed Session regarding Palmdale v. Lancaster; three matters of potential litigation and gave direction to legal counsel.

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ADJOURNMENT

Mayor Parris adjourned the meeting at 7:08 p.m. and stated the next Regular Meeting would take place on Tuesday, January 28, 2014 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this 28th day of January, 2014, by the following vote:


AYES: Council Member Smith, Vice Mayor Crist

NOES: None

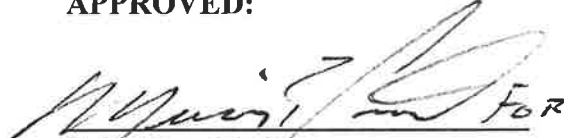
ABSTAIN: Council Member Mann

ABSENT: Council Member Johnson, Mayor Parris

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)
