

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
March 11, 2014**

CALL TO ORDER

Vice Mayor/Vice Chair Crist called the regular meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:08 p.m.

ROLL CALL

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

EXCUSED: On a motion by Council Member/Authority Member Smith and seconded by Council Member/Authority Member Johnson, the City Council/Authority excused Council Member/Authority Member Mann and Mayor/Chair Parris from the meeting, by the following vote: 3-0-0-2; **AYES:** Johnson, Smith, Crist; **NOES:** None; **ABSTAIN:** None; **ABSENT:** Mann, Parris

ABSENT: Council Member Mann, Mayor 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; Utilities Services Manager; Parks, Recreation and Arts Director; Assistant Finance Director; Economic Development Director, Housing Director; Human Resources Director

INVOCATION

Dr. Tom Shepherd, Lancaster Baptist Church

PLEDGE OF ALLEGIANCE

Youth Commission Members: Broadwater, Conrado and Rosales

PRESENTATIONS

1. Presentation of United Desert Charities Donation to the Lancaster Lunchbox Program
2. Recognition of Metro Floors and the Antelope Valley Sheriff's Boosters for their contributions to the remodel of the Lancaster Sheriff Station dispatch and customer service area.

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M 1. MINUTES

On a motion by Council Member/Agency/Authority Member Smith 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 February 25, 2014, by the following vote: 3-0-0-2; AYES: Johnson, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Mann, Parris

CONSENT CALENDAR

Vice Mayor Crist requested Item Nos. CC 2 and CC 5 be pulled for separate discussion and action.

On a motion by Council Member Johnson and seconded by Council Member Smith, the City Council approved the Consent Calendar with the exception of Item Nos. CC 2 and CC 5, by the following vote: 3-0-0-2; AYES: Johnson, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Mann, Parris

Addressing the City Council on Item No. CC 2:

Michael Rives – opposed to the money spent for Animal Control; consider banning the selling of animals in the City of Lancaster, this will help to curtail the costs for animal control.

Addressing the City Council on Item No. CC 5:

Michael Rives – opposed to the money spent on the homeless and the homeless shelter; make efforts to partner with a mission from down below for a permanent healthcare homeless shelter; give these duties to an organization that truly knows what they are doing.

Council Member Johnson thanked Mr. Rives for expressing his opinion. The homeless issue is very near and dear to the hearts of the Council and the community. Everyone has been working very, very hard to make sure the residents here in the Antelope Valley are able to stay alive in the weather that is endured in this area. There are homeless people that literally die and it is the duty of this Council to make sure they are kept safe, including the children. It is the duty of everyone to support the veterans in this community who are homeless and the duty of all to support each other no matter what someone's financial or personal status may be. To hear Mr. Rives say Lancaster should partner up with someone outside the community – this is not what this community is known for. This community is known for doing what needs to be done for the citizens of the Antelope Valley. This is a problem for the Antelope Valley, not just the City of Lancaster and this Council is committed to supporting and being there not just for the homeless but for all the citizens of the Antelope Valley. She stated she is offended that Mr. Rives feels this Council and this community do not know what they are doing.

Addressing the City Council on Item No. CC 5:

David Paul – stated he is tired of people talking that do not know what they are talking about. The City Council; Steve Baker of Grace Resources and the many organizations involved know exactly what they are doing; they work very hard and he appreciates all the good work they are doing.

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CONSENT CALENDAR (continued)

On a motion by Council Member Johnson and seconded by Council Member Smith, the City Council approved Consent Calendar Item Nos. CC 2 and CC 5, by the following vote:

3-0-0-2; AYES: Johnson, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Mann, 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 February 9, 2014 through February 22, 2014 in the amount of \$2,092,615.56.

CC 3. ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS

Approved and accepted for maintenance the work and materials for the drainage improvements installed by the developer, KB Home Coastal Inc., for Drainage Benefit Assessment District Annexation No. 04-30, Tract No. 52655, located between 17th and 18th Streets West approximately 200 feet south of Lancaster Boulevard; appropriated \$1,292 from the first year's maintenance cost that has been paid by the developer to cover the remaining five (5) months of the fiscal year into Drainage Maintenance Operating Account No. 484-4743-404.

CC 4. APPROVAL OF COMPLETED WATER SYSTEM

Approved the completed water system installed by the developer for Director's Review No. 08-100, located on the southeast corner of Avenue J-4 and 37th Street East. Owner: Eastside Union School District.

CC 5. APPROVAL OF SUB-RECIPIENT AGREEMENT

Approved the Sub-Recipient Agreement between the City of Lancaster and Grace Resources to provide administration services of the Lancaster Homeless Shelter for the 2013 Community Development Block Grant (CDBG) Program Year.

NB 1. SUPPORT OF PETITION TO CALIFORNIA PUBLIC UTILITIES COMMISSION

The Deputy City Manager presented the staff report regarding this matter.

On a motion by Council Member Smith and seconded by Council Member Johnson, the City Council adopted **Resolution No. 14-11**, in support of a petition to the California Public Utilities Commission urging the PUC to allow solar customers to receive net metering benefits for the 30-year lifetime of their solar systems and authorize the City Manager, or his designee, to sign the petition, by the following vote: 3-0-0-2; AYES: Johnson, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Mann, Parris

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NB 2. LANCASTER CORPORATE CHALLENGE UPDATE/PRESENTATION

The Human Resources Director presented an update and video presentation regarding this matter. The Corporate Challenge is a competition that promotes teambuilding, fun and fitness. It was created by the City's Wellness Committee as a way to create a community movement towards a healthy lifestyle. It is open to all Antelope Valley organizations and provides an opportunity for groups to participate in unifying and morale building activities rooted in the spirit of friendly competition.

No action was required on this matter.

NB 3. LOS ANGELES COUNTY AIR SHOW UPDATE

An update was presented by the Parks, Recreation and Arts Director; Assistant to the City Manager and the Public Safety Manager.

The update included information on the anticipated good weather; expectation of large crowds; efficient traffic control; the collaboration between many entities; several details are still being finalized; air quality and the scrubbing of the parking area is being handled very carefully with the support of AVAQMD; involvement of Destination Lancaster and participation from local hotels to use hotel key cards to promote the event.

Addressing the City Council regarding this matter:

Maria Paesano – stated that she is opposed to the three minute time restriction to speak; discussed marketing of the air show; technology of the planes.

No action was required on this matter.

CR 1. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR DISTRICT NO. 14 OF THE COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY – FEBRUARY 20, 2014 MEETING

The Board approved the warrants; departmental invoices; the investment policy; agreements with Nursery Products, LLC; Sierra SunTower, LLC; 2014 Sewer System Management Plan; received several reports. Full report is available in the City Clerk Department.

Addressing the City Council on this matter:

Michael Rives – opposed to the fees for property taxes; quoted his own property tax bill; fees are outrageous.

Council Member Smith encouraged Mr. Rives to attend the actual Sanitation District Board meetings to express his concerns; Council does not make the decisions. He reminded Mr. Rives that Council Member Mann is in the fact the representative for Lancaster but he is only one vote – go to the meetings, talk to the Board.

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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 stated the Council gave authority, directed staff and funded the Vista Program for the upcoming year. They have developed a volunteer program database, have achieved a milestone in which they have developed a website and a press conference is scheduled for next week to announce their hard work.

Vice Mayor Crist inquired about the CalVet Home Project.

The Deputy City Manager stated that staff has been working with CalVet, a state-wide organization specifically tailored toward housing and housing affordability. Staff has been working to develop a program for the City's Housing Authority to implement to a number of vacant lots for the construction of new homes and the placement of veterans in those homes at some level of affordability. With the partnership of CalVet which provides the funding and assistance, it is a comprehensive program for veterans to receive assistance into housing. Currently working on a press release to announce all of this including the partnerships and there will be forthcoming agreements and details.

CITY CLERK / AGENCY / AUTHORITY SECRETARY ANNOUNCEMENT

The City Clerk provided the public with the procedure to address the City Council/Successor Agency/Authority regarding non-agendized items.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Maria Paesano – discussed the homeless shelter issue; community volunteers; problems with the release of prisoners.

Judy Cooperberg – representing Mental Health America and the AV Homeless Coalition – discussed the homeless services in the Antelope Valley; program has been operating for over 18 years through LAHSA; takes issue with comments from Mr. Rives; appreciated the Council's continued support regarding this matter; cautioned Council regarding a suggestion to break-off from LAHSA – this would open a huge Pandora box of problems and will put funding at risk.

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

Vice Mayor Crist thanked Ms. Cooperberg and commended her for all her organization does. Clarified that the Council wants to lend a voice; help to open doors to make sure Lancaster is on the radar; will not put funding in jeopardy; program is underfunded and it is important to explore all the options and issues.

Council Member Johnson stressed the importance of partnerships with all the organizations involved; important to hear from everyone about what is best; important to understand the benefits to make sure the best decisions are made.

Diane Grooms – thanked the City Council for attending the recent LAHSA meeting to experience firsthand the frustration that goes on. Lancaster has a role in all of this and dramatic changes are coming from HUD. She presented statistics regarding funding, the homeless count and stressed the importance of partnering with the City and the importance of making sure Lancaster receives its fair share of funding.

Carol Crabson – representing the Antelope Valley Domestic Violence Council – stated she agrees with Ms. Cooperberg and Ms. Grooms. Discussed the services provided through Valley Oasis; partnerships; importance of looking at how the homeless counts are conducted and compare this to the number of people being served. It is important to champion this with LAHSA; there will be changes but it takes time; importance of speaking to the Supervisor and to Congressmen.

Vice Mayor Crist stated discussions have taken place with Congressman McKeon and he is considering legislation for more funding and funding for the shelter. Process needs to be expedited as fast as possible; more money is needed for assistance.

Kevin Luke – discussed the inaccessibility of restrooms at the local Mediterranean restaurant and requested the Council look into this.

Heather Brown – discussed water concerns; water contamination; toxins; long-term exposure to the water.

David Paul – discussed the recent candidate debate and the next one scheduled by the Chamber of Commerce on Wednesday. Appreciates the information provided by the Health Care providers and representatives for the homeless – it gives one hope; looking forward to the air show.

COUNCIL / AGENCY COMMENTS

None

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Vice Mayor Crist requested that one of the cases listed under Item No. 2 on Closed Session be discussed in open session at this time.

The City Attorney stated on Friday, March 7, 2014, Vice Mayor Crist, City Manager Bozigian and the City Attorney attended a meeting together with the City's Water Attorney – Doug Evertz and met with the Chief of Staff for PUC Commissioner Sandoval. They briefed her on the issues regarding the Cal Water rate change and rate case and gave input from the perspective of the City of Lancaster and the perspective of the Cal Water clients located within the City of Lancaster. She was very receptive; heard what was said and indicated further investigation would be done on behalf of the PUC Commissioner and encouraged the City to continue the efforts.

Vice Mayor Crist stated the Chief of Staff was more shocked than anything and to help everyone to understand, Cal Water stated they were coming forth and they wanted a 59.9% rate increase, which would have gone to 66% at the end of the rate increase. The City of Lancaster stated this was intolerable for the citizens and Council is seeking justice for them. An arrangement was presented to Cal Water which would give a less than 10% rate increase over three years. The City negotiated this but the ratepayers advocates – the people who are responsible to the ratepayers to look out for their interest said no, the 10% rate increase was too low and they should have a 44% rate increase. This is intolerable and the City is looking into this. The Chief of Staff was shocked that the ratepayers advocate was proposing this increase. This was the first time a ratepayers advocate had come in and requested a rate increase over what the negotiated increase was. More trips will be made to represent the citizens and for all the people of Cal Water, the City is still working on this and fighting.

RECESS Vice Mayor Crist recessed the meeting at 6:24 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 – Anticipated Litigation: consideration of initiation of litigation pursuant to Government Code Section 54956.9(d) (4) - one potential case.
3. Conference with Legal Counsel--Existing Litigation - Government Code Section 54956.9(d) (1)
4. Coalition for Open Government v. City of Lancaster, Case No. BC499047
5. Quartz Hill Cares v. City of Lancaster, Case No. BS 122336
6. Palmdale v. Lancaster - Case No. BC443280

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7. Lancaster v. Housing Authority of the County of Los Angeles (HACoLA) Case No. MC023649
8. Rubin v. Lancaster - United States District Court Case No. CV 10-4046 DSF (JCx)
9. Save Our Neighborhood Group v. City of Lancaster, et al. Los Angeles Superior Court Case No. BS 121501.
10. Shabazz v. Parris, USDC, Central Case No. CV12-5803 SVW (JEM)

11. 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 6:43 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced the City Council met in Closed Session and discussed Item No. 1 (two potential cases) and Item No. 6 (Palmdale v. Lancaster – Case No. BC443280) – no reportable action.

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ADJOURNMENT

Vice Mayor Crist adjourned the meeting at 6:44 p.m. in memory of Kyle D'Errico and stated the next Regular Meeting would take place on Tuesday, March 25, 2014 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this 25th day of March, 2014, by the following vote:


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

NOES: None

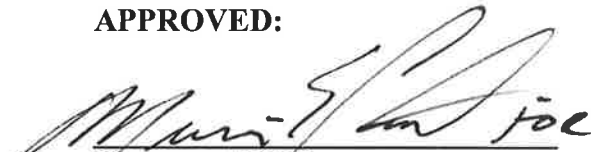
ABSTAIN: None

ABSENT: 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)
