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09/23/14
MVB

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
September 9, 2014**

CALL TO ORDER

Mayor Parris called the meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:01 p.m.

ROLL CALL

PRESENT: Council Member/Agency Director/Authority Member: 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/Agency Director/Authority Member Smith, the City Council/Agency/Authority excused Council Member/Agency Director/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/Agency Director/Authority Member Mann

STAFF

MEMBERS: City Manager/Executive Director; Deputy City Manager/Deputy Executive Director, City Attorney/Agency/Authority Counsel; Assistant to the City Manager; City Clerk/Agency/Authority Secretary; Planning Director; Development Services Director; Parks, Recreation and Arts Director; Assistant Finance Director; Economic Development Director, Housing Director; Human Resources Director

INVOCATION

Pastor John Meadors, Christian Life Assembly

PLEDGE OF ALLEGIANCE

Council Member Smith

PRESENTATION

1. Enhanced Partnership Proposal with Lancaster School District
Presenters: Ronda Perez, Vern Lawson and Lancaster School District Superintendent Michelle Bowers

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY

MINUTES

September 9, 2014

SA NB 1. RECOGNIZED OBLIGATION PAYMENT SCHEDULE

It was the consensus of the Successor Agency to waive the staff report regarding this matter.

On a motion by Vice Chair Crist and seconded by Agency Director Smith, the Lancaster Successor Agency adopted **Resolution No. SA 07-14**, approving the Recognized Obligation Payment Schedule for the period January 1 to June 30, 2015 and directed staff to bring before the Lancaster Successor Agency Oversight Board for approval by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

SA NB 2. SUCCESSOR AGENCY BUDGET

It was the consensus of the Successor Agency to waive the staff report regarding this matter.

On a motion by Vice Chair Crist and seconded by Agency Director Smith, the Lancaster Successor Agency adopted **Resolution No. SA 08-14**, approving the Successor Agency Budget for the period of January 1 to June 30, 2015 as detailed in Attachment A, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

M 1. MINUTES

On a motion by Vice Mayor Crist and seconded by Council Member Smith, the City Council/Successor Agency/Financing/Power Authority approved the City Council/Successor Agency/Financing/Power Authority Meeting minutes of August 26, 2014, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

CONSENT CALENDAR

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved the Consent Calendar 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

Approved the Check and Wire Registers for August 10, 2014 through August 23, 2014 in the amount of \$4,799,377.38.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY

MINUTES

September 9, 2014

CC 3. ACCEPTANCE OF IMPROVEMENTS (STREETS)

Approved and accepted for maintenance the developer constructed streets, traffic signal modification, drainage improvements, and street lighting system for Director's Review No. 11-79, located on the northeast corner of Avenue I and 3rd Street East. Owner: County of Los Angeles.

CC 4. NEIGHBORHOOD STABILIZATION PROGRAM (NSP 3)

Approved agreement for acquisition of real property between the City of Lancaster and Anthony L. Raschar for property located at 44113 Date Avenue, as part of the approved Neighborhood Stabilization Program (NSP 3).

CC 5. BID 597-15

Awarded **Housing and Neighborhood Revitalization Neighborhood Stabilization Program Construction Project No. 597-15** to High Desert Contractors, Inc. of Lancaster, California, in the amount of \$548,498.00 (plus a 10% contingency) and authorized the City Manager, or his designee, to sign all documents.

CC 6. ACCEPTANCE OF IMPROVEMENTS (STREETS)

Approved the developer constructed street and accepted the street for maintenance by the City for Conditional Use Permit 12-02, located on the northwest corner of Kettering Street and 3rd Street East. Owner: Solar City Corporation.

JOINT CONSENT CALENDAR

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

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council/Successor Agency/Financing/Power Authority approved the Joint Consent Calendar by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

JCC 1.AMENDMENT TO AGREEMENT FOR LEGAL SERVICES

Approved the Amendment to Agreement for Legal Services ("Amendment") with Stradling Yocca Carlson & Rauth ("SYCR") to expand the scope of City Attorney services to include Bond Counsel services and authorized the City Manager or his designee to execute the amendment.

NB 1. LOCKHEED MARTIN GRANT

The Parks, Recreation and Arts Director presented the staff report regarding this item.

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council approved an appropriation in the amount of \$8,000 to Account No. 106-4684-222 for the Lockheed Martin grant and increased estimated Revenue Account No. 106-3232-100 by the same amount, by the following vote: 4-0-0-1; AYES: Johnson, Smith, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
September 9, 2014

NB 2. COMPLETE STREETS PRESENTATION

The Planning Director gave the presentation regarding this item.

Discussion among Council and Staff included discussion of the need for additions to street design criteria in order to achieve better results, the next step in the process and emergency vehicle access.

Received and filed the report on Complete Streets.

**CA 1. DISCUSSION REGARDING ANTELOPE VALLEY AIR QUALITY
MANAGEMENT DISTRICT AND RECENT NINTH CIRCUIT COURT OF
APPEALS DECISION**

The City Attorney discussed information and timing related to the permit issued for the Palmdale Power Plant and stated Palmdale Energy, LLC will indemnify the Antelope Valley Air Quality Management District against any and all actions regarding this permit.

CR 1. COUNCIL REPORTS

None

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated the City Council meeting in November is currently scheduled for November 11th, which is Veterans Day; an item will be brought to the Council at the next meeting for consideration of moving the meeting to November 12, 2014. The City Manager informed the City Council that the Lancaster Jethawks have won the Southern Division and will now move on to the California League Championships, additionally the City Manager discussed the recent Celebrate America event held on The Blvd and thanked the sponsors and staff for the wonderful event; a brief video was shown.

The City Manager discussed information related to issues at Desert Palms Mobile Home Park; specifically addressed were water issues, code enforcement violations, interaction between Management and the tenants of the park and stated a list of violations at the park will be compiled and provided to park management.

Mayor Parris stated retaliation against tenants is a crime and will not be tolerated in the City of Lancaster.

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:

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY

MINUTES

September 9, 2014

David Paul – discussed his experience with the Metrolink, stated he believes the Metrolink station should remain open, thanked the City Council for all they do.

Ray Fye - stated Metrolink station should remain open; it's difficult to travel to Palmdale to catch the train.

Fran Sereseres – thanked the City for the Celebrate America event, discussed moving the Metrolink station and the new location options if the station is moved; stated the City will be creating a hardship if Metrolink station in Lancaster is closed; discussed the number of homeless using the train, discussed the appearance of the station.

William Brown – discussed concerns related to the noise levels at the Library.

Ron Rock – congratulated the City for the successful Celebrate America event, discussed concerns with the Library, including the impression given to potential residents of the City, the actions of citizens at the Library do not represent the City well; discussed recent illness and his group of doctors who will be holding a car show and invited the Mayor and City Council to participate.

Dr. Dominic Bongiovanni – discussed his usage of the Metrolink station, stated Sheriff Deputies are on the trains checking for tickets and issuing citations for individuals who do not have tickets to ride the train, discussed criminals being dumped in the City.

Ruthe Russell – represents Lancaster Homes, discussed issues with bugs and vandalism at her apartments; discussed her communication with the Los Angeles County Board of Supervisors and requested prompt consideration and assistance with these problems.

The Mayor requested a recess at this time.

The meeting reconvened at 6:42 pm

Priscilla Cordillo – discussed concerns with closing the Metrolink station, many citizens depend on the train very early in the morning, requested that the City find a solution to the issue.

Dan Selmser – discussed unreadable street signs and street line painting throughout the City, provided the Council with a brief list of signs that need to be repaired or replaced.

Barbara Nunn – discussed the change in the City, bus passes being provided to homeless, and the Board of Supervisor's actions; discussed a plan used to deal with homeless people in Los Angeles and New York.

Minister Eric Hollis – discussed his usage of the Metrolink station and his concerns with closing or moving the station; discussed the issue related to the times buses and trains run each day,

George Beatty – provided a suggestion for handling the Metrolink and homeless issue and discussed a solar panel company that filed bankruptcy.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY

MINUTES

September 9, 2014

Emma Williams – stated homeless cannot be stopped, stated Lancaster has done a tremendous job with assisting people which attracts more people, discussed her usage of the Metrolink train; opposes closing the Metrolink station.

Arthur Calloway – requested information related to which faith based organizations are helping the homeless in the city and discussed the cost to the City if the Metrolink station is closed; stated closing the Metrolink will set a bad precedent because the county isn't managing properly.

Margarita Ramirez – does not support closing the Metrolink station, many people will suffer without the service, difficult to get to the station in Palmdale, stated the homeless are at the station because they are allowed to stay there, discussed her usage of the train, suggested having someone at the station to handle the homeless, thanked the City for doing a great job in growing the City and assisting students and families.

Willie Green – thanked the Council for honoring military families at the Celebrate America event, stated vehicles are not being cited when parked on street sweeping days.

Michael Rives – discussed his observations of the Metrolink station, suggests attracting tourists to the train station, discussed his usage of the train and his experience with individuals who do not have a ticket when riding the train, suggests the Council meet with the Board of Supervisors and discuss the issues in the City.

Discussion included: the Metrolink station problem is a County problem, the County is not doing anything to handle the homeless, Lancaster will assist with transportation to Palmdale's Metrolink station, situation cannot be left as it is, and the City will do its part in helping the citizens of Lancaster. Lancaster was the first city to build a homeless shelter and to develop a plan to feed the homeless; the faith based community assists tremendously yet the County Board of Supervisors does not pay attention to the issue in Lancaster. Discussion of funding and the impact of the homeless on other facilities in the Downtown area such as the Library was discussed; the City cannot be flooded with homeless people – the solution must be arrived at as a group, cannot be a Council only effort; discussion of issuing of citations for not having a ticket to ride the Metrolink and discussion of the cost of closing the Metrolink station as opposed to a bus bridge took place. The homeless issue and the Metrolink station need to be addressed by the County.

COUNCIL / AGENCY COMMENTS

Vice Mayor Crist discussed an upcoming 9/11 ceremony being held at the Palmdale Auto Mall.

RECESS

Mayor Parris recessed the meeting at 7:31 p.m. for the purpose of conducting a Closed Session meeting regarding the following matters:

CLOSED SESSION

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY

MINUTES

September 9, 2014

1. Conference with Legal Counsel – Anticipated Litigation: significant exposure to litigation pursuant to Government Code Section 54956.9(d) (2) - three potential cases.
2. Conference with Legal Counsel – Anticipated Litigation: Initiation of Litigation pursuant to Paragraph (4) of subdivision (d) of Section 54956.9: - two potential cases.
3. Conference with Legal Counsel – Anticipated Litigation: consideration of initiation of litigation pursuant to Government Code Section 54956.9(d) (4) - one potential case.
4. Conference with Legal Counsel--Existing Litigation - Government Code Section 54956.9(d) (1)
5. Coalition for Open Government v. City of Lancaster, Case No. BC499047
6. Quartz Hill Cares v. City of Lancaster, Case No. BS 122336
7. Lancaster v. Housing Authority of the County of Los Angeles (HACoLA) Case No. MC023649
8. Save Our Neighborhood Group v. City of Lancaster, et al. Los Angeles Superior Court Case No. BS 121501.
9. Shabazz v. Parris, USDC, Central Case No. CV12-5803 SVW (JEM)
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. Shane C. Reid v. City of Lancaster, LASC Case No. BC 503240

RECONVENE

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
September 9, 2014

Mayor Parris reconvened the meeting at 8:00 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced the City Council met in Closed Session and discussed item number 1- one item of anticipated litigation, item number 2 - two items of consideration of initiation of litigation; and item numbers 7 and 11 on the agenda; Council gave direction to the City Attorney and Staff.

ADJOURNMENT

Mayor Parris adjourned the meeting at 8:01 p.m. and stated the next meeting would take place on Tuesday, September 23, 2014 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this _____day of _____, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

BRITT AVRIT, CMC
CITY CLERK
AGENCY/AUTHORITY
SECRETARY

R. REX PARRIS
MAYOR/CHAIRMAN

CERTIFICATION OF MINUTES

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
September 9, 2014

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)
