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11/12/14
MVB

**LANCASTER
CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
October 28, 2014**

CALL TO ORDER

Mayor Parris called the meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:07 p.m.

ROLL CALL

PRESENT: Council Member/Agency Director/Authority Member: Johnson, Mann, Vice Mayor/Vice Chair Crist, Mayor/Chair Parris

ABSENT: Council Member/Agency Director/Authority Member Smith

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; Finance Director, Management Analyst I, Housing Director; Human Resources Director

INVOCATION

Dr. Jan L. Spencer, Living Way Foursquare Church

PLEDGE OF ALLEGIANCE

Ethan, Esperanza Elementary School student

PRESENTATIONS

1. S.O.A.R. (Students On Academic Rise) High School Student of the Month – Camerin Thompson. Mr. Thompson received a \$1,000 Mayor's Scholarship.
Presenter: Mayor Parris
2. Bridge to Empowerment Season/Proclamations for 'Bullying Prevention' in the City of Lancaster, Lancaster School District, Antelope Valley Union High School District, Eastside School District and Westside School District
Presenter: Sue Dell
3. HEAL Zone Project Recognition
Presenter: Mayor Parris

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
October 28, 2014

It was the consensus of the Council to hear Item No. CA 1 at this time.

CA 1. LANCASTER PERFORMING ARTS CENTER FOUNDATION BOARD OF DIRECTORS

Mayor Parris requested consideration of the nomination/appointment of Harvey Holloway, Laurie Formentera and Bill Silva to the Lancaster Performing Arts Center Foundation (LPACF) Board of Directors.

On a motion by Mayor Parris and seconded by Vice Mayor Crist, the City Council nominated and appointed Harvey Holloway, Laurie Formentera and Bill Silva to the Lancaster Performing Arts Center Foundation (LPACF) Board of Directors by the following vote: 4-0-0-1; AYES: Johnson, Mann, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

The City Clerk administered the Oath of Office at this time.

The Mayor requested a brief recess at this time.

Mayor Parris reconvened the meeting at 6:10 p.m.

SA NB 1. TAX ALLOCATION REFUNDING BONDS

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

On a motion by Agency Director Johnson and seconded by Agency Director Mann, the Successor Agency adopted **Resolution No. SA 09-14**, authorizing the issuance and sale of Successor Agency to the Lancaster Redevelopment Agency Tax Allocation Refunding Bonds, in one or more series; approving the form of an Indenture of Trust, Preliminary Official Statement, Bond Purchase Contracts, Continuing Disclosure Certificate, Escrow Agreements, and related documents and authorizing certain other actions in connection with the refunding, by the following vote: 4-0-0-1; AYES: Johnson, Mann, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

M 1. MINUTES

On a motion by Vice Mayor Crist and seconded by Council Member Johnson, the City Council/Successor Agency/Financing/Power Authority approved the City Council/Successor Agency/Financing/Power Authority Meeting minutes of October 14, 2014, by the following vote: 4-0-0-1; AYES: Johnson, Mann, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY

MINUTES

October 28, 2014

CONSENT CALENDAR

Mayor Parris requested Item No. CC 4 be pulled for separate action.

Mayor Parris stated that he would need to recuse himself on Item No. CC 4 due to the proximity of the project to property he owns.

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

At this time, Mayor Parris left the dais.

On a motion by Council Member Mann and seconded by Council Member Johnson, the City Council approved Item No. CC 4 by the following vote: 3-0-1-1; AYES: Johnson, Mann, Crist; NOES: None; RECUSED: Parris; ABSENT: Smith

At this time, Mayor Parris returned to the dais.

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 September 28, 2014 through October 11, 2014 in the amount of \$2,478,028.34.

CC 3. INVESTMENT REPORT

Accepted and approved the September 2014, Monthly Report of Investments as submitted.

CC 4. PUBLIC WORKS CONSTRUCTION PROJECT 10-022

- a) Approved Change Order Nos. 1 through 10 and increase the total amount of the contract with ANM Construction & Engineering of Lancaster, California, for **Public Works Construction Project No. 10-022, John and Jacquelyn Miller Elementary School, Safe Routes to School Program, State Project No. SR2SL-5419(038)**, by \$25,563.14, for a total revised contract amount of \$1,012,549.14, plus a 10% contingency.
- b) Accepted the work constructed by ANM Construction & Engineering for **Public Works Construction Project No. 10-022, John and Jacquelyn Miller Elementary School, Safe Routes to School Program, State Project No. SR2SL-5419(038)**, 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.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY

MINUTES

October 28, 2014

CC 5. AWARD BID NO. 598-15

Awarded **Housing and Neighborhood Revitalization Neighborhood Stabilization Program Construction Project No. 598-15** to High Desert Contractors, Inc. of Lancaster, California, in the amount of \$295,014.00 (plus a 10% contingency) and authorized the City Manager, or his designee, to sign all documents.

NB 1. ANTELOPE VALLEY WELLNESS VILLAGE

The Development Services Director, the Assistant Planner, the Planning Director, the City Manager, and the CEO for Antelope Valley Hospital gave a presentation regarding this item.

Mayor Parris stated he would need to recuse himself on Item No. NB 1 due to the proximity of the project to property his wife owns.

Council Member Mann stated he would need to recuse himself on Item No. NB 1 due to the proximity of the project to a corporation he owns.

At this time, Mayor Parris and Council Member Mann left the dais.

Addressing the City Council at this time:

Michael Rives – stated he lives near the hospital, discussed concerns with the project.

Council Member Johnson applauded the plan and thanked staff for their willingness to think outside the box.

Discussion among staff and the City Council included the opportunity for improved transit services for the hospital included in the proposed plan.

Received report on the plan for Antelope Valley Wellness Village.

At this time Mayor Parris and Council Member Mann returned to the dais.

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

Vice Mayor Crist stated a ribbon cutting will be held October 29, 2014 and stated new electric buses go into service after the ribbon cutting.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
October 28, 2014

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.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager discussed the recent BooLVD event and thanked staff for all their hard work. Additionally the City Manager discussed the upcoming Field of Drafts event.

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 item.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Don Sepulveda – Executive Officer of Regional Rail for LA Metro, discussed the Metrolink Station and working with the City of Lancaster with the issues at the Metrolink station.

Discussion among Mr. Sepulveda and the City Council included the purpose of the Metrolink, checking tickets as riders board the Metrolink at Union Station and the time frame involved with the issues the City has faced regarding the Metrolink station.

Fran Sereseres – stated she attended a recent Board of Supervisors meeting via videoconference at the Lancaster Library and made them aware of the City’s issues with homeless funding and the issue with the Metrolink station.

Jeff Lustgarten – Director of Public Affairs with Metrolink, stated he is aware of the issues at the Metrolink station, looking forward to engaging in dialogue with the City, discussed ridership, and discussed the personnel involved with checking fares on the trains.

Discussion among Mr. Lustgarten and the City Council included of the number of citations and arrests related to riders not having tickets to ride the Metrolink. Mayor Parris discussed holding a meeting with LA Metro, Metrolink and a group of people including staff to create a plan ensuring all riders have a ticket when they arrive in Lancaster.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY
MINUTES
October 28, 2014

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS CONTINUED...

T. J. Hayes – thanked the Council for standing up for the citizens of Lancaster, stated he is a business owner on Lancaster Blvd who felt welcomed when he opened his business and thanked the Council for creating a welcoming atmosphere.

Wally Melendez – discussed a shopping center in Lancaster and discussed creating a consortium to purchase it.

Kurt Boyer – discussed a nonprofit medical clinic he works with, discussed being recognized by the City regarding the work the nonprofit is involved in.

Sue Plunkett – discussed moving the Metrolink station and the issues related to the homeless in the City.

David Paul – stated the City is a ‘problem solver’ and discussed Attention Deficit Disorder, thanked the City for the BooLVD event, and discussed the announcement regarding stem cell research occurring in the City.

Michael Rives – discussed property tax statements, specifically he discussed property values related to Sanitation fees.

Council Member Mann provided clarification for Mr. Rives and the fees on his property tax bill. Council Member Mann provided information related to an issue which was put to the voters approximately 10 years ago which built a Sanitation District facility; most recent increase is the last to be used to offset the cost of the bonds which were voted on; the Board of Directors for the Sanitation District is hopeful the bonds may be remortgaged which may result in a savings which may be passed on to taxpayers.

COUNCIL / AGENCY COMMENTS

RECESS

Mayor Parris recessed the meeting at 7:42 p.m. for the purpose of conducting a Closed Session meeting regarding the following matters:

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY

MINUTES

October 28, 2014

CLOSED SESSION

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: consideration of initiation of litigation pursuant to Government Code Section 54956.9(d) (4) - four potential cases.
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. Lancaster v. Housing Authority of the County of Los Angeles (HACoLA) Case No. MC023649
7. Save Our Neighborhood Group v. City of Lancaster, et al. Los Angeles Superior Court Case No. BS 121501.
8. Shabazz v. Parris, USDC, Central Case No. CV12-5803 SVW (JEM)
9. 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

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 two regarding consideration of initiation of litigation and authorized the filing of suit against the County of Los Angeles in regard to property tax administration fees and discussed item number five with no reportable action.

LANCASTER CITY COUNCIL/ SUCCESSOR AGENCY/
FINANCING/POWER AUTHORITY

MINUTES

October 28, 2014

ADJOURNMENT

Mayor Parris adjourned the meeting at 8:01 p.m. and stated the next meeting would take place on Wednesday, November 12, 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

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)
