



**CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING  
AGENDA**

**Tuesday**

**October 13, 2015**

Regular Meeting – **5:00 p.m.**

Council Chambers – Lancaster City Hall

The City Clerk/Agency/Authority Secretary hereby declares the agenda was posted  
by 5:00 p.m. on Friday, October 9, 2015

at the entrance to the Lancaster City Hall Council Chambers.

44933 Fern Avenue, Lancaster, CA 93534

***LEGISLATIVE BODY***

***City Council/Successor Agency/Financing/Power Authority***

Mayor/Chair R. Rex Parris

Vice Mayor/Vice Chair Marvin Crist

Council Member/Agency Director/Authority Member Ken Mann

Council Member/Agency Director/Authority Member Angela Underwood-Jacobs

**CITY OF LANCASTER, CALIFORNIA  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**AGENDA ITEMS TO BE REMOVED**

Sometimes it is necessary to remove items from the agenda. We apologize for any inconvenience this may cause you.

**PUBLIC BUSINESS FROM THE FLOOR - AGENDIZED ITEMS**

Any person who would like to address the City Council, Successor Agency, and Power/Financing Authorities on any agendized item is requested to complete a speaker card for the City Clerk/Agency/Authority Secretary and identify the agenda item you would like to discuss. Each person will be given an opportunity to address the Legislative Body at the time such item is discussed. Speaker cards are available at the rear of the Council Chambers and your speaker card must be filled out *prior* to the agenda item being called. We respectfully request that you fill the cards out completely and print as clearly as possible. Following this procedure will allow for a smooth and timely process for the meeting and we appreciate your cooperation. *Individual speakers are limited to three (3) minutes each.*

Consent Calendar items under the Legislative Body may be acted upon with one motion, a second and the vote. If you desire to speak on an item or items on the Consent Calendar, you may fill out one speaker card for the Consent Calendar. You will be given three minutes to address your concerns before the Legislative Body takes action on the Consent Calendar.

**CALL TO ORDER**

City Council/Successor Agency/Financing/Power Authority

**ROLL CALL**

City Council Members /Agency Directors /Authority Members: Mann, Underwood-Jacobs; Vice Mayor/Vice Chair Crist, Mayor/Chair Parris

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

1. Mosquito Abatement update  
Presenter: Cei Kratz, Antelope Valley Mosquito & Vector Control District Manager
2. Recognition of Miss Rodeo California 2015, Carollann Scott  
Presenter: Mayor Parris
3. Presentation to Streets of Lancaster Grand Prix winners  
Presenter: Ronda Perez, Director Parks, Recreation & Arts

**CITY OF LANCASTER, CALIFORNIA  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**SUCCESSOR AGENCY ACTIONS**

**NEW BUSINESS**

**SA NB 1.** Redemption of the Lancaster Redevelopment Agency’s Combined Redevelopment Project Areas (Library Project) Tax Allocation Refunding Bonds, Issue of 2004

Recommendation:

Adopt **Resolution No. SA 08-15**, authorizing the redemption of the Lancaster Redevelopment Agency’s Combined Redevelopment Project Areas (Library Project) Tax Allocation Refunding Bonds, Issue of 2004 and authorizing certain other actions in connection therewith.

In 2004, the Lancaster Redevelopment Agency issued its Combined Redevelopment Project Areas (Library Project) Tax Allocation Refunding Bonds, Series of 2004 (the “2004 Bonds”). Under the Indenture of Trust relating to the 2004 Bonds (the “Indenture”), debt service on the 2004 Bonds is paid from County of Los Angeles tax increment pass-through revenues collected from the various Redevelopment Project Areas within the City. Since the issuance of the 2004 Bonds, certain excess moneys collected from the Project Areas have been deposited in the Surplus Account, in compliance with the Indenture. There are now sufficient moneys in the Surplus Account to redeem the majority of the 2004 Bonds and within the next year there is expected to be additional moneys deposited to the Surplus Account that will be sufficient to redeem the remaining 2004 Bonds. In order to facilitate the redemption of the 2004 Bonds, the Indenture requires that the Board of Directors of the Successor Agency adopt a resolution approving such redemption.

**SA NB 2.** Long Term Property Management Plan

Recommendation:

Adopt **Resolution No. SA 09-15**, approving an amendment to the Long Range Property Management Plan.

As the proposed Amendment to the Long Range Property Management Plan encompasses two components, it will accomplish two goals. First, it will empower the Successor Agency to engage prospective buyers of former redevelopment agency property designated as For Sale in order to expedite any future discussions and/or negotiations and fulfill the intent of AB 1484 as well as short and long-term economic development goals and objectives of the City and Successor Agency. Second, it will employ the recently enacted SB 107 to reclassify public parking lots currently designated as Retained for Development to Government Use, thus preserving these parking lots for public use in accordance with their original and ongoing purpose.

**CITY OF LANCASTER, CALIFORNIA  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**SA NB 3.** Sale of Property to Viper Enterprises

Recommendation:

Accept an offer by Viper Enterprises for the purchase of an approximate 5.4-acre property (APN 3128-003-909) located on the northeast corner of 10<sup>th</sup> Street West and Avenue K-8 from the Successor Agency to the former Lancaster Redevelopment Agency.

The Lancaster Auto Mall has become a retail epicenter for the entire Antelope Valley economic region. The quality of the vehicles, availability of selection, and reputation of the dealerships have never been better. As this locally-owned group of family-operated dealerships generates a substantial amount of sales tax revenue to fund essential City services, the City regularly seeks opportunities to cooperate with auto dealers who are looking to expand in an effort to capture a still greater share of the market. To this end, we are proposing that the Lancaster Successor Agency take action to accept an offer from Viper Enterprises, owners of Lancaster Auto Mall's existing Hunter Dodge Chrysler Jeep Ram and Hunter Fiat dealerships, for the purchase of vacant land proximate to the Auto Mall. This sale will allow Viper Enterprises the opportunity to expand their operations, thus creating new jobs while also continuing to expand Lancaster's tax base.

**COUNCIL ACTIONS**

**MINUTES**

**M 1.** Approve the City Council/Successor Agency/Financing/ Power Authority Regular Meeting Minutes of September 22, 2015.

**CONSENT CALENDAR**

**CC 1.** Waive further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text.)

**CC 2.** Approve the Check and Wire Registers for September 6, 2015 through September 26, 2015 in the amount of \$2,892,971.55.

At each regular City Council Meeting, the City Council is presented with the financial claims (invoices) against the City for purchase of materials, supplies, services, and capital projects for checks and Automated Clearing House (ACH) payments issued the prior two to three weeks. This process provides the City Council the opportunity to review the expenses of the City. The justifying backup information for each expenditure is available in the Finance Department.

**CITY OF LANCASTER, CALIFORNIA  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**CC 3.** Adopt **Ordinance No. 1007**, amending Title 17 of the Lancaster Municipal Code (LMC) by amending Sections 17.10.050.B (Uses and Permit Requirements – Mixed Use – Uses Matrix), 17.12.080.D.11 (Uses Subject to Conditional Use Permits – General Commercial Zone), 17.16.070.A.5 (Uses Subject to Conditional Use Permits – Industrial Zones) to require a conditional use permit for nightclubs without alcohol sales, and Section 17.42.020 (DEFINITIONS) related to provisions for convenience markets, sales floor area, and incidental sellers.

On February 12, 2008, the City Council adopted Ordinance No. 896, adding Chapter 17.42 (Alcohol Beverage Establishment) to the Lancaster Municipal Code. The current ordinance has generally functioned as intended. However, in recent months the City has received several Conditional Use Permit (CUP) applications for convenience markets. The Planning Commission has been concerned the applicants are requesting approvals for convenience markets in order to avoid the separation distances required for mini-marts. On April 15, 2015, the City Council directed the Planning Commission to re-examine the provisions related to convenience markets. The proposed amendments tighten requirements for a convenience market. Currently, there is no CUP requirement for nightclubs that could operate without the sale of alcohol in the mixed use, commercial, and industrial zones. The modifications to the municipal code establish this requirement.

**CC 4.** Acceptance of Improvements, Lancaster Lighting Maintenance District

- a. Approve and accept for maintenance the work and materials for the lighting improvements for Lancaster Lighting Maintenance District, Annexation No. 915, for Director’s Review No. 13-89, located at 45440 23rd Street West. Owned by: A Cut Above Building and Development, Inc.
- b. Appropriate \$280.77 of the first year’s maintenance cost paid by the developer, into the Lancaster Lighting Maintenance Operating Account No. 483-4785-660.

On May 26, 2015, the Council adopted Resolution No. 15-35, confirming the diagrams and assessments, and ordering the annexation into Lancaster Lighting Maintenance District. The lighting improvements for this project have been installed by the developer, according to the approved plans and specifications, and have been completed to the satisfaction of the Planning Director.

**CC 5.** Acceptance of Improvements, Lancaster Lighting Maintenance District

- a. Approve and accept for maintenance the work and materials for the lighting improvements for Lancaster Lighting Maintenance District, Annexation No. 621, for Site Plan Review No. 05-08, located at 45522 23rd Street West. Owned by: Richard Wade.
- b. Appropriate \$280.77 of the first year’s maintenance cost paid by the developer, into the Lancaster Lighting Maintenance Operating Account No. 483-4785-660.

On May 26, 2015, the Council adopted Resolution No. 15-35, confirming the diagrams and assessments, and ordering the annexation into Lancaster Lighting Maintenance District. The lighting improvements for this project have been installed by the developer, according to the approved plans and specifications, and have been completed to the satisfaction of the Planning Director.

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CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**CC 6.** Approve and accept the monumentation work for Parcel Map No. 69587, located south of Jackman Street and east of 10th Street West. Owned by: How Bout Them Apples, LP/Ain't That A Peach, LP.

The monumentation work on this project has been completed by the Surveyor of Record for the subject subdivision map and has been inspected and found to be satisfactory to the City Engineer. Evidence of payment to the Surveyor of Record for completion of the monumentation work has been received.

**CC 7.** Approve the developer installed sanitary sewer and accept this sewer for public use and maintenance by the City for Tract No. 061278, Private Contract No. 05-45, located on the northeast corner of Avenue K-8 and Challenger Way. Owned by: KB Home Greater Los Angeles, Inc.

The listed sanitary sewer has been constructed and completed by the developer according to the approved plans and specifications. The work has been inspected and found to be satisfactory to the Planning Director.

**CC 8.** Approve and accept for maintenance the developer constructed streets for Conditional Use Permit No. 05-11/Parcel Map No. 64294, located on the south side of Avenue I, approximately 260 feet west of 20th Street West. Owned by: AVI MMK Management, Inc.

The storm drain and streets have been constructed and completed by the developer according to the approved plans and specifications. The work has been inspected and found to be satisfactory to the Planning Director.

**CC 9.** Approve a professional services agreement with Stantec Consulting Services, Inc. of Lancaster, California, in the amount of \$130,964.50 for design services, for Public Works Construction Project No. 13-016 – Avenue J-8 Gap Closure and authorize the City Manager, or his designee, to sign all documents. The consultant selection was made in accordance with Government Codes 4526 and 53060.

Avenue J-8, from 22<sup>nd</sup> Street East to 35<sup>th</sup> Street East, and 35<sup>th</sup> Street East, from Avenue J-4 to Avenue J-8, currently contains gaps which impede both vehicular and pedestrian use. The project alignment is adjacent to Eastside High School, Columbia Elementary School, and several residential neighborhoods. The proposed improvements will include new street construction, widening of existing streets, drainage improvements, sidewalks, ADA compliant curb ramps, buffered bike lanes and new striping, signage, and markings. The proposed improvements are in compliance with the Master Plan of Trails and Bikeways.

**CITY OF LANCASTER, CALIFORNIA  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**CC 10.** Accept the Sanitary Sewer Management Plan Update dated July 2015.

On May 2, 2006, the State Water Resources Control Board (SWRCB) adopted Order No. 2006-003 (Order) which established general Waste Discharge Requirements (WDRs) for all publicly owned or operated sanitary sewer systems within the State of California. The WDRs require that owners and operators of sewer collection systems develop and implement a Sewer System Management Plan (SSMP) with the goal of reducing SSOs. In short, the SSMP is a document that details how a specific sewer collection system is operated, maintained, repaired, and funded. Changes in regulations and procedures necessitate revisions to the SSMP. This document is an update to the City's original SSMP.

**CC 11.** Adopt **Resolution No. 15-54**, amending Resolution 15-31 establishing a compensation schedule for temporary employees of the City.

In order to continue to provide a high level of service delivery within the Parks, Recreation & Arts Department, we recommend establishing the temporary classification of Restaurant Server in the event it becomes necessary.

**CC 12.** Approve agreement for acquisition of real property between the City of Lancaster and The Bank of New York as Trustee for the Certificateholders CWABS, Inc. Asset-Backed Certificates, Series 2006-BC5 for property located at 521 Woodington Drive, as part of the approved Neighborhood Stabilization Program (NSP 3).

On February 22, 2011, pursuant to the Dodd-Frank Act of 2010, the City Council received and appropriated \$2,364,566 for the Neighborhood Stabilization Program from the U.S. Department of Housing and Urban Development for NSP 3. The City received \$1,096,136 in Program Income revenues from the sales of the NSP 3 homes which will be used to acquire, rehabilitate, and then resell the foreclosed homes. In addition, the City has \$492,959 available from the original NSP 3 award, both of which will be used to purchase, rehabilitate, and then resell foreclosed homes in the expanded target areas as outlined in the Second Substantial Amendment to the Community Development Block Grant (CDBG) Consolidated Annual Action Plan approved May 27, 2014.

**CITY OF LANCASTER, CALIFORNIA  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**PUBLIC HEARING**

**PH 1.** General Plan Amendment 14-03 and Zone Change 14-03

Recommendations:

- a. Adopt **Resolution No. 15-55**, approving an amendment to the adopted General Plan of the City, known as General Plan Amendment No. 14-03, amending the general plan land use designation on the subject property from UR (Urban Residential) to NU (Non-Urban Residential).
- b. Introduce **Ordinance No. 1008**, amending the City zoning plan for a total of 80± acres of a 725-acre site generally bounded by Avenue G, Avenue H, 93<sup>rd</sup> Street West and 107<sup>th</sup> Street West, known as Zone Change No. 14-03, rezoning the subject property from R-7,000 (single family residential, minimum lot size 7,000 square feet), R-10,000 (single family residence, minimum lot size 10,000 square feet), and R-15,000 (single family residential, minimum lot size 15,000 square feet) to RR-2.5 (Rural Residential, one dwelling unit per 2.5 acres).

The applicant, Sustainable Power (sPower) Group, LLC, has proposed to construct and operate a 100-megawatt (MW) photovoltaic (PV) solar energy generating facility generally bounded by Avenue G, Avenue H, 93<sup>rd</sup> Street West, and 107<sup>th</sup> Street West. Approximately 80 acres (the property located west of 105<sup>th</sup> Street West) is designated as UR (Urban Residential), zoned R-7,000, R-10,000, and R-15,000. The remainder of the project site is covered by Development Agreement No. 89-01, which allows for the development of solar facilities with a Conditional Use Permit. The City's zoning code does not permit the development of commercial-style solar energy facilities on property designated for urban uses. Therefore, amendment of the General Plan land use designation to non-urban residential and rezoning of the subject property to RR-2.5 is necessary to allow this facility to move forward.

**NEW BUSINESS**

**NB 1.** Los Angeles Homeless Services Authority Year Round Emergency Shelter Program

Recommendation:

Approve the appropriation of \$76,479.00 in awarded grant funds from the Los Angeles Homeless Services Authority ("LAHSA") Year Round Emergency Shelter Program ("YSP") 2015-2016 to Revenue Account No. 261-3307-100 and corresponding Expense Account No. 261-4542-771.

LAHSA is a Joint Powers Authority created by the City and the County of Los Angeles for the purpose of planning, coordinating and managing resources for homeless programs. Funding of the YSP is through LAHSA, who is the lead agency in the HUD-funded Los Angeles "Continuum of Care", and coordinates and manages over \$70 million dollars annually in federal, state, county and city funds for programs providing shelter, housing and services to homeless persons. The Year Round Emergency Shelter Program addresses the basic shelter and service needs of homeless persons each year. The YSP will operate from July 1, 2015 to June 30, 2016.



**CITY OF LANCASTER, CALIFORNIA  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**NB 2.** 2015-2016 Los Angeles Homeless Services Authority Winter Shelter Program

Recommendations:

- a. Authorize the City Manager or his designee to facilitate the Los Angeles Homeless Services Authority (“LAHSA”) Winter Shelter Program (“WSP”) at the Lancaster Community Shelter located at 44611 Yucca Avenue, Lancaster, CA.
- b. Approve the appropriation of \$81,627.00 in awarded grant funds from the Los Angeles Homeless Services Authority (“LAHSA”) Winter Shelter Program (“WSP”) 2015-2016 to Revenue Account No. 261-3306-100 and corresponding Expense Account No. 261-4542-770.

The LAHSA is a Joint Powers Authority created by the City and the County of Los Angeles for the purpose of planning, coordinating and managing resources for homeless programs. Funding of the WSP is through LAHSA, who is the lead agency in the HUD-funded Los Angeles “Continuum of Care”, and coordinates and manages over \$70 million dollars annually in federal, state, county and city funds for programs providing shelter, housing and services to homeless persons. The Winter Shelter Program was established to address the basic shelter and service needs of homeless persons during the period in which Los Angeles County usually experiences its most inclement weather. The WSP will operate from November 1, 2015, to approximately March 30, 2016.

**COUNCIL AGENDA**

**CA 1.** Consider nomination and appointment of Raj Malhi to fill the vacant seat on the City Council through the remainder of the term expiring April 10, 2018.

Presenter: Mayor Parris

**COUNCIL REPORTS**

**CR 1.** Report on the Activities of the Board of Directors for the Antelope Valley Transit Authority

Presenter: Vice Mayor Crist

**CR 2.** Council Reports

**LANCASTER HOUSING AUTHORITY**

No action required at this time.

**CITY OF LANCASTER, CALIFORNIA  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**LANCASTER FINANCING AUTHORITY**

No action required at this time.

**LANCASTER POWER AUTHORITY**

No action required at this time.

**CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS**

**CITY CLERK / AGENCY / AUTHORITY SECRETARY ANNOUNCEMENT**

**PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS**

This portion of the agenda allows an individual the opportunity to address the City Council/Successor Agency on any item ***NOT ON THE AGENDA*** regarding City/Agency business and speaker cards must be submitted ***prior*** to the beginning of this portion of the Agenda. Please complete a speaker card for the City Clerk/Agency Secretary and identify the subject you would like to address. We respectfully request that you fill the cards out completely and print as clearly as possible. Following this procedure will allow for a smooth and timely process for the City Council/Successor Agency meeting and we appreciate your cooperation. State law prohibits the City Council/Successor Agency from taking action on items not on the agenda and your matter will be referred to the City Manager/Executive Director. ***Individual speakers are limited to three (3) minutes each.***

**COUNCIL / AGENCY COMMENTS**

**CITY OF LANCASTER, CALIFORNIA  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**CLOSED SESSION**

1. Conference with Legal Counsel – Anticipated Litigation: significant exposure to litigation pursuant to Government Code Section 54956.9(d) (2) – two 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. Patton v. City of Lancaster , LASC Case No. MC 025064
5. Estarella v. City of Lancaster, LASC Case No.BC527749
6. Wilson v. City of Lancaster, LASC MC025201
7. Tapola v. City of Lancaster, LASC Case No. MC 024672
8. Randy Poitevint v. City of Lancaster, LASC Case No. BC 531964
9. SCE General Rate Case – Phase 2 (A.14-06-014)
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

**ADJOURNMENT**

Next Regular Meeting:

**Tuesday, October 27, 2015 - 5:00 p.m.**

**CITY OF LANCASTER, CALIFORNIA  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 13, 2015**

**MEETING ASSISTANCE INFORMATION**

In compliance with the Americans with Disabilities Act, this meeting will be held at a location accessible to persons with disabilities; if you need special assistance to participate in this meeting, please contact the City Clerk at (661)723-6020. Services such as American Sign Language interpreters, a reader during the meeting, and/or large print copies of the agenda are available. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting/event you wish to attend. Due to difficulties in securing sign language interpreters, five or more business days notice is strongly recommended. For additional information, please contact the City Clerk at (661)723-6020.

**AGENDA ADDENDUM INFORMATION**

On occasion items may be added after the agenda has been mailed to subscribers. Copies of the agenda addendum item will be available at the City Clerk Department and are posted with the agenda on the windows of the City Council Chambers. For more information, please call the City Clerk Department at (661) 723-6020.

All documents available for public review are on file with the City Clerk Department.