



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

**Tuesday**

**December 13, 2016**

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, December 9, 2016

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 Raj Malhi

Council Member/Agency Director/Authority Member Ken Mann

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

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**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: Malhi, Mann, Underwood-Jacobs;  
Vice Mayor/Vice Chair Crist, Mayor/Chair Parris

**INVOCATION**

Chaplain Wade Little, Los Angeles County Fire Department

**PLEDGE OF ALLEGIANCE**

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**PRESENTATIONS**

1. Recognition of agencies and volunteers for Sgt. Owen’s services  
Presenter: Mayor Parris
  
2. Desert Christian High School Cross Country Team – 2016 State of California CIF Division 5 and CIF Southern Section Division 5 Champions  
Presenter: Mayor Parris
  
3. Recognition of Marie Santana, 2016 Outstanding Public Works Employee of the Year, High Desert Branch American Public Works Association  
Presenters: Mayor Parris and Mark Bozigian
  
4. Nutcracker Ballet Presentation  
Presenter: Antelope Valley Ballet

**SUCCESSOR AGENCY ACTIONS**

**NEW BUSINESS**

**SA NB 1. Issuance and Sale of Tax Allocation Refunding Bonds**

Recommendation:

Adopt **Resolution No. SA 09-16**, 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.

In May 2003, the former Lancaster Redevelopment Agency (former RDA) issued its Combined Redevelopment Project Areas (Housing Programs) Subordinate Tax Allocation Refunding Bonds, Issue of 2003 (the “2003 Bonds”). In August 2009, the former RDA issued its Combined Redevelopment Project Areas (Housing Programs) Tax Allocation Bonds, Issue of 2009 (the “2009 Bonds”). California Health and Safety Code Section 34177.5(a) authorizes successor agencies to refund outstanding bonds provided that the total refunding principal and interest does not exceed the total principal and interest of the bonds being refunded, and the principal amount of the refunding bonds does not exceed the amount needed to defease the refunded bonds, establish customary debt service reserves, and pay related costs of issuance.

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**COUNCIL ACTIONS**

**MINUTES**

**M 1.** Approve the City Council/Successor Agency/Financing/ Power Authority Regular Meeting Minutes of October 25, 2016.

**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 October 2, 2016, through November 26, 2016 in the amount of \$ 21,285,011.29.

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.

**CC 3.** Accept and approve the October 2016, Monthly Report of Investments as submitted.

Each month, the Finance Department prepares a report listing the investments for all separate entities under the jurisdiction of the City as identified in the City's Comprehensive Annual Financial Report.

**CC 4.** Adopt **Ordinance No. 1015**, amending Chapter 17.42 of the Lancaster Municipal Code, relating to alcoholic beverage establishments and repealing Ordinance No. 1013.

On June 14, 2016, the City Council adopted Ordinance 1013 relating to public nuisance activities and conditions occurring at and immediately adjacent to alcoholic beverage establishments where purchases, specifically small, single serve items, are made for off-site consumption. As part of the adoption of the ordinance, the City Council responding to business owners and industry professionals' concerns, agreed to delay the effective date of the ordinance until January 1, 2017. The intent of the delay was to allow for the creation of a "working group", in coordination with City staff, to explore and identify an alternate, responsive solution to the public nuisance activities associated with alcoholic establishments. Ordinance 1015 seeks to focus on business operation and compliance to reduce nuisance effects, rather than blanket restrictions on the size or number of alcoholic beverage containers, and provides an administrative tool for the City to achieve compliance, up to and including establishments that continue to be a public nuisance losing their deemed approved status and the ability to sell certain types and sizes of alcohol.

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**CC 5.** Adopt **Ordinance No. 1016**, amending Title 17 of the Lancaster Municipal Code by deleting minimum off-street parking requirements in the C (Commercial) and CPD (Commercial Planned Development) zones.

Following discussion at the September 27, 2016 City Council meeting, the Council continued the matter to October 25, 2016 and directed staff to consider language that would provide the ability of the City to act to prevent potential abuse of this approach. The ordinance proposed at the October 25, 2016 City Council meeting requires the developer, property owner, or authorized agent making the parking determination to provide, to the satisfaction of the Development Services Director or the Planning Commission (depending on the designated approval authority), justification to support the determination. Staff feels that the proposed modification provides the necessary safeguards, while retaining the benefits associated with this overall approach, as outlined in the Council staff report of September 27, 2016, and recommended that the Council introduce the Ordinance as amended eliminating minimum parking requirements in the City's C and CPD zones.

**CC 6.** Adopt **Ordinance No. 1017**, amending section 2.04.060 of the Lancaster Municipal Code relating to a local expense allowance for the Mayor and City Council Members.

Ordinance No. 581 was established in 1991 and provided no allowance for cost of living adjustments or for the significant increased responsibilities, complexities and expectations of Council Members of a growing diverse city. With the continuous increase in the cost of living and Council Member responsibilities, and the twenty-five year span since the establishment of Ordinance No. 581, it is recommended that the expense allowance be amended to be more in line with the actual costs incurred by the Mayor and City Council members.

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**CC 7.** Adopt **Ordinance No. 1018**, amending title 15 of the Lancaster Municipal Code by repealing Ordinance Number 994, and adopting by reference the 2016 edition of the California Building Code as amended herein; adopting by reference the 2016 edition of the California Residential Code as amended herein; adopting by reference the 2016 edition of the California Electrical Code as amended herein; adopting by reference the 2016 edition of the California Mechanical Code; adopting by reference the 2016 edition of the California Plumbing Code as amended herein; adopting the Lancaster Security Code as contained herein; adopting by reference the 2015 edition of the International Property Maintenance Code as amended herein; adopting by reference the 2016 edition of the California Energy Code as amended herein; adopting by reference the 2016 edition of the California Historical Building Code; adopting by reference the 2017 edition of the Los Angeles County Fire Code; adopting by reference the 2016 edition of the California Green Building Standards Code; adopting by reference the 2016 edition of the California Existing Building Code; and adopting by reference the 2016 California Referenced Standards code, as the Lancaster codes for buildings and construction, all pertaining to life and safety and to the construction, alteration, moving demolition, repair, maintenance, and use of buildings, structures, and properties within the City.

By adopting the 2016 California Codes, with minimal amendments, the City will ensure that the City's codes for building and construction reflect the most current industry and regulatory standards, including those related to health and safety. The City still retains the option to adopt more restrictive measures as desired in the future.

**CC 8.** Approve the creation of Phases 1 and 2 for Tract Map No. 54274, located on the northeast corner of 20th Street East and Kettering Street, owned by Lancaster 20 Land, LLC.

On January 9, 2007, Cambridge Homes, LLC, entered into a Subdivision Undertaking Agreement to complete improvements for Tract Map No. 54274. Cambridge Homes, LLC, ultimately completed the improvements for lots 1 through 3 and lots 38 through 54. On March 25, 2014, Lancaster 20 Land, LLC (the "Subdivider"), entered into a Subdivision Undertaking Agreement and posted securities to complete the improvements for lots 26 through 37 and lots 55 through 62 of Tract Map No. 54274. Those improvements are complete.

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**CC 9.** Approve and accept the Subdivision Improvement and Lien Agreement submitted by Lancaster 20 Land, LLC (Developer), in the place of the Subdivision Undertaking Agreement and securities submitted by Cambridge Homes, LLC, for Tract Map No. 54274 and in place of the Subdivision Undertaking Agreement and securities submitted by Developer for a portion of the undeveloped Tract Map No. 54274, located at the northeast corner of 22<sup>nd</sup> Street East and Jenner Street.

The Developer has submitted a Subdivision Improvement and Lien Agreement (Agreement) to guarantee and secure the performance of all the remaining required public improvements for lots 4 through 25 and lots 63 through 80. The lien will be in first position and the Developer agrees to provide substitute security to the City prior to the commencement of the work of Improvements. The Agreement satisfies the requirements of an undertaking agreement and is an authorized form of security in accordance with the Subdivision Map Act and the City's Municipal Code. Staff recommends that the Council approve the Subdivision Improvement and Lien Agreement from Developer, and approve the termination of the original Subdivision Undertaking Agreement and release the securities posted by Cambridge Homes, LLC, for lots 1 through 3 and lots 38 through 54. In addition, approve the termination of the Subdivision Undertaking Agreement and release the securities posted by Developer for lots 26 through 37 and lots 55 through 62.

**CC 10.** Approve the appropriation of \$128,185.62 in grant funds from the California Department of Resources Recycling and Recovery (CalRecycle) for two (2) grants: Household Hazardous Waste Grant HD26 (\$78,455.62) and Household Hazardous Waste Grant HD27 (\$49,730.00). The funds for each of the grants would be allocated to the accounts listed below.

Household Hazardous Waste Grant (HD26-16-0008)

- Revenue Account No.: 330-3304-502
- Expense Account No.: 331-4755-101 thru 137 for personnel costs: \$3,743.62
- Expense Account No.: 331-4755-251 for special activity supplies: \$74,712.00

Household Hazardous Waste Grant (HD27-16-0044)

- Revenue Account No.: 330-3304-502
- Expense Account No.: 330-4755-753 for equipment/machinery: \$49,730.00

The City of Lancaster was awarded \$128,185.62 in grant funds from CalRecycle to provide enhanced services with respect to household hazardous waste. The funds will be utilized to make improvements to the existing recycling center and purchase equipment to make the testing of unknown substances safer and more efficient. Funds are received on a reimbursement basis; this action creates the required account numbers.

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**CC 11.** Approve Task Order No. 1 in accordance with the 2016-2018 Multi-Year Professional Services Agreement with Advantec Consulting Engineers, Inc., of Palmdale, California, in the amount of \$331,120.00, for design services for Public Works Construction Project No. 16-001; Traffic Signal System Modernization and North County ITS Expansion Projects and authorize the City Manager, or his designee, to sign all documents. The consultant selection process was made in accordance with Government Codes 4526 and 53060.

The Traffic Signal System Modernization project will replace twenty-eight (28) miles of copper cable with fiber optic cable in the existing conduits, install new Ethernet switches in existing controller cabinets at one hundred forty-seven (147) signalized intersections, update existing fiber backbone equipment, install equipment to view images remotely through existing video detection at fifty-four (54) signalized intersections, and install wireless communication in eighteen (18) remote signalized intersections. The project boundaries are from Avenue H to Avenue N and 70<sup>th</sup> Street West to 30<sup>th</sup> Street East. The project will reduce travel times and increase level of service by providing real-time data allowing for reduced cycle lengths at signalized intersections.

**CC 12.** Approve the Subdivision Undertaking Agreement submitted by Hill View Homes, Inc. (“Subdivider”), for Tract Map No. 063201, located on the north side of Avenue J-8 between 20th and 21st Street West and authorize the City Engineer to execute the agreement as all Improvement Securities have been received.

On July 17, 2006, the City approved Tentative Map No. 063201 for the creation of 19 single family lots. Conditions of approval were recently updated and given a one-year extension on July 18, 2016. Subdivider has provided a final subdivision map for approval on August 29, 2016. On November 8, 2016, Subdivider provided all required Improvement Securities and signed Subdivision Undertaking Agreement for City Council approval.

**CC 13.** Adopt **Resolution No. 16-54**, approving the application for grant funds from the Los Angeles County Regional Parks and Open Space District for the 5<sup>th</sup> Supervisorial District Excess Funds Grant Program Funding for the Prime Desert Woodland Preserve Expansion and approving the adoption of a Youth Employment Plan.

It is staff’s recommendation that the City Council approve Resolution No. 16-54, approving the application for grant funds from the Los Angeles County Regional Park and Open Space District for the Fifth Supervisorial District Excess Funds Grant Program. Approval of the resolution is responsive to both Council direction and the concerns conveyed by residents and organizations to City Council regarding Tract Map No. 60291.



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**NEW BUSINESS**

**NB 1.** Impacts of Proposition 64

Recommendation:

Discussion and possible direction regarding the impacts of Proposition 64

**NB 2.** Ordinance and Resolution Regulating Cultivation of Medical Cannabis

Recommendations:

- a. Introduce **Ordinance No. 1019**, (the “Ordinance”), adding Chapters 5.56 and 17.43 to the Lancaster Municipal Code relating to regulation of the cultivation of medical cannabis.
- b. Adopt **Resolution No. 16-55**, (the “Resolution”), establishing the maximum number of licenses and permits that may be issued for cultivation of medical cannabis.

The Ordinance would establish a comprehensive regulatory scheme requiring cultivators to apply for and obtain *both* (i) a City-issued cultivator’s license *and* (ii) a conditional use permit. Under the Ordinance, a Cultivator’s license would be subject to various requirements and limitations related to security and operation. Under the Ordinance, a conditional use permit for the cultivation of cannabis would similarly be subject to various requirements and limitations. The Ordinance conditionally permits only medical cannabis cultivation facilities and allows the City Council to limit the number of such facilities by resolution. The Ordinance specifically prohibits cannabis manufacturing facilities, cannabis distribution facilities, cannabis dispensaries and/or cannabis delivery businesses.

**NB 3.** Resolution authorizing and directing the condemnation of certain real property

Recommendation:

Adopt **Resolution No. 16-56**, a resolution of the City Council of the City of Lancaster, California, authorizing and directing the condemnation of certain real property in the County of Los Angeles, State of California, and declaring the public necessity therefor.

The City seeks to acquire by eminent domain a road easement interest over certain real property located at the northeast corner of 10th Street West and Columbia Way (“Property”) for the construction, use, and maintenance of a bus stop turnout on 10th Street West (“Bus Stop Project”). The Bus Stop Project is part of the City’s overarching infrastructure project known as the 10th Street West Gap Closure (“Project”). The Project is required to provide capacity improvements on 10th Street West from Avenue L to Avenue M. The capacity improvements will widen existing roadway to right-of-way extents and it will close any mixed flow lane gaps.

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**COUNCIL AGENDA**

**CA 1.** Consider nomination and appointment of Drew Mercy to the Planning Commission  
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.** Report on the Activities of the Board of Directors for District No. 14 of the County Sanitation Districts of Los Angeles County  
Presenter: Council Member Mann

**CR 3.** Council Reports

**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**

**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.***

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**COUNCIL / AGENCY COMMENTS**

**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. Dunnagan v. City of Lancaster, LASC Case No. BC 615917
7. Simmons v. City of Lancaster, LASC Case No. BC 615471
8. Celebron v. City of Lancaster, LASC Case No. BC 615587
9. Kay v. City of Lancaster, LASC Case No. MC 026015
10. Arredondo v. City of Lancaster, LASC Case No. BC 573151
11. Valerie Sanchez v. City of Lancaster, et al. – LASC Case No. MC025725
12. Matthew Caceres v. City of Lancaster, et al. – LASC Case No. MC025886
13. 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

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**ADJOURNMENT**

Next Regular Meeting:

**Tuesday, January 10, 2017 - 5:00 p.m.**

**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.