



CITY COUNCIL/SUCCESSOR AGENCY/FINANCING/
POWER/CALIFORNIA CHOICE ENERGY AUTHORITY
REGULAR MEETING
AGENDA

Tuesday, January 24, 2023
Regular Meeting – 5:00 PM

The City Clerk/Agency/Authority Secretary hereby declares the agenda was posted
by 5:00 p.m. on January 20, 2023
at the entrance to the Lancaster City Hall Council Chambers
44933 Fern Avenue, Lancaster, CA 93534

LEGISLATIVE BODY

City Council/Successor Agency/Financing/Power/California Choice Energy Authority

Mayor/Chair R. Rex Parris

Vice Mayor/Vice Chair Marvin Crist

Council Member/Agency Director/Authority Darrell Dorris

Council Member/Agency Director/Authority Member Raj Malhi

Council Member/Agency Director/Authority Member Ken Mann

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 Legislative Bodies 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, unless a different time limit is announced, to address your concerns before the Legislative Body takes action on the Consent Calendar.

CALL TO ORDER

City Council/Successor Agency/Financing/Power/California Choice Energy Authority

ROLL CALL

City Council Members /Agency Directors /Authority Members: Dorris, Malhi, Mann;
Vice Mayor/ Vice Chair Crist, Mayor/Chair Parris

INVOCATION

Jeremy Johnson, Grace Resources

PLEDGE OF ALLEGIANCE

COUNCIL ACTIONS

CONSENT CALENDAR

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

CC 2. Approve the City Council/Successor Agency/Housing/Financing/Power/California Choice Energy Authority Regular Meeting Minutes of January 10, 2023.

CC 3. Check Registers – December 25, 2022, through January 7, 2022

Recommendation(s):

1. Approve the Check and Wire Registers for December 25, 2022, through January 7, 2022, in the amount of \$4,360,455.36 as presented.
2. Find that the California Environmental Quality Act does not apply to this item.

At each regular City Council Meeting, the City Council is presented with a check and ACH/wire registers listing the financial claims (invoices) against the City for the purchase of materials, supplies, services, and capital projects issued the prior three to four weeks. This process provides the City Council the opportunity to review the expenditures of the City. Claims are paid via checks, Automated Clearing House (ACH) payments, or federal wires. The justifying backup information for each expenditure is available in the Finance Department.

CC 4. Monthly Report of Investments – December 2022

Recommendation(s):

1. Accept and approve the December 2022 Monthly Report of Investments as submitted
2. Find that the California Environmental Quality Act does not apply to this item.

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 5. Final Map Approval – Tract Map No. 062120-01 (Located at the Southwest Corner of 35th Street West and Lancaster Boulevard)

Recommendation(s):

1. Approve the map and accept the dedications as offered on Tract Map No. 062120-01 located at the southwest corner of 35th Street West and Lancaster Blvd; make findings that this project will not violate any of the provisions of Sections 66473.5, 66474.1 and 66474.6 of the Subdivision Map Act; and instruct the City Clerk to endorse on the face of the map the certificate which embodies the approval of said map and the dedications shown thereon.
2. Find that the City has complied with the California Environmental Quality Act. An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and a Notice of Determination was filed and posted on June 6, 2006.

The Final Parcel Map is in substantial conformance with the approved tentative map. Tract Map No. 062120-01 has been examined by the City Surveyor, and is ready for Council approval. In addition, a Lien Agreement and improvement securities have been submitted to guarantee the installation of improvements.

CC 6.

SPR 17-01 - Acceptance of Improvements (Streets)

Recommendation(s):

1. Approve the developer-constructed streets on the following project. In addition, accept the streets for maintenance by the City and for public use.

<u>Project</u>	<u>Location/Owner</u>
Site Plan Review No. 17-01	846 West Avenue L-6 Owner: SEG Opportunity Properties, LLC

2. Find that the City has complied with the California Environmental Quality Act. A notice of Exemption dated November 26, 2019, was filed and posted.

The 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 Senior Director - Development Services.

CC 7. SPR 17-01 - Acceptance of Improvements (Water)

Recommendation(s):

1. Approve the completed water system installed by the developer for the following project:

<u>Project</u>	<u>Location/Owner</u>
Site Plan Review No. 17-01	824 West Avenue L-6 Owner: SEG Opportunity Properties, LLC

2. Find that the City has complied with the California Environmental Quality Act. A Notice of Exemption dated November 26, 2019, was filed and posted.

Water system improvements are accepted by the City in order to exonerate the Developer's Undertaking Agreement and release of improvement securities. The water system for this project has been constructed and completed to the satisfaction of the local water purveyor, Los Angeles County Waterworks District 40-04, Antelope Valley, and was constructed according to the approved plans and specifications. Additionally, the work has been inspected and found to be satisfactory to the Senior Director - Development Services.

CC 8. Acquisition of Property

Recommendation(s):

1. Authorize the City Manager, or his designee, to negotiate, finalize, and execute an Agreement to Purchase Los Angeles County Tax Defaulted Property for APN 3137-010-017, in a form approved by the City Attorney.

2. Adopt **Resolution No.** _____, approving the acquisition of APN 3137-010-017 through Los Angeles County's Chapter 8 Agreement Sale Program.

3. Authorize the City Manager, or his designee, to negotiate, finalize, and execute an agreement to purchase APN 3137-010-032 from a private seller, in a form approved by the City Attorney.

4. Appropriate \$3,276,332.00 from Account No. 109-4240-912 to Account No. 109-2900-000 to fund this purchase.

5. Find that the California Environmental Quality Act does not apply to this item.

6. Authorize the City Manager, or his designee, to execute all related documents.

The purchase of these properties will help pave the way for Lancaster's renewable hydrogen energy future, with the intent of generating revenue for the City over the long term.

CC 9. Amendment to Title 17 of the Lancaster Municipal Code relating to the Regulation of Collection/Donation Bins

Recommendation(s):

1. Adopt **Ordinance No. _____**, amending Title 17 of the Lancaster Municipal Code by amending Chapter 17.12 (Commercial Zones), and by adding a new Chapter 17.45, relating to the regulation of collection/donation bins.

2. Find that the California Environmental Quality Act does not apply to this item.

PUBLIC HEARING

PH 1. Public Hearing on the Resolution of Formation to Establish Community Facilities District No. 2021-1 (Public Services)

Recommendation(s):

1. Conduct a public hearing pursuant to the Mello-Roos Community Facilities Act of 1982 (Cal. Gov't Code §§ 53318-53329.6) (the "Act") and Resolution No. 22-54 concerning the City's intent to establish Community Facilities District ("CFD") No. 2021-1.

2. Adopt **Resolution No. _____**, a resolution of formation establishing Community Facilities District No. 2021-1 ("ROF").

3. Adopt **Resolution No. _____**, a resolution calling special landowner election ("Election Resolution").

4. Adopt **Resolution No. _____**, a resolution declaring election results.

5. Adopt **Ordinance** Levying Special Tax

6. Find that the California Environmental Quality Act does not apply to this item.

The City of Lancaster has identified the need to fund the continuing expansion of demand for public services (fire and police) of public facilities associated with new development and population growth in the City. In April of 2020, the City began talks with the owner and a special tax consultant to assist in the establishment of a CFD to levy a special tax to fund public services serving the new development. The City has received a petition from Hatzlacha Development LLC (the "Owner"), the owner and developer of APN: 3153-005-024 (Parcel 1), 3153-005-025 (Parcel 2), 3153-005-078 (Parcel 3), and 3153-005-088 (Parcel 4) (collectively, the "Property") requesting the formation of the proposed CFD, encompassing the Property, to finance: parks and recreation; public safety; and public works ("CFD No. 2021-1 Public Services").

PH 2. Vehicle Miles Traveled (VMT) Impact Fee Mitigation Program

CITY OF LANCASTER, CALIFORNIA

CITY COUNCIL/SUCCESSOR AGENCY/FINANCING/POWER/CALIFORNIA CHOICE ENERGY AUTHORITY

ADJOURNED REGULAR MEETING AGENDA

TUESDAY, 01/24/2023

Recommendation(s):

1. Adopt **Resolution No.** _____, approving the Vehicle Miles Traveled (VMT) Impact Fee Mitigation Program, certifying the Final Program Environmental Impact Report for the Vehicle Miles Traveled Program, and adopting the Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Considerations.
2. Introduce **Ordinance No.** _____, amending Title 15 (Buildings and Construction) of the Lancaster Municipal Code by adding Chapter 15.67 related to the Vehicle Miles Traveled (VMT) Impact Fee Mitigation Program.

In September 2013, the Governor’s Office of Planning and Research (OPR) signed Senate Bill (SB) 743 into law, starting a process that changed the way transportation impacts are analyzed under the California Environmental Quality Act (CEQA). In accordance with SB 743, the City adopted its VMT Guidelines at the June 15, 2020 City Council meeting. The required implementation of SB 743 has created challenges for many development projects in Lancaster as feasible and/or sufficient mitigation is not always available to offset the impacts of individual projects.

PH 3. Avanti North Specific Plan (SP No. 15-01) Amendment

Recommendation(s):

1. Adopt **Resolution No.** _____, approving an amendment to Specific Plan (SP) No. 15-01 to modify the development standards allowing for an increase in residential lots to a maximum of 873 single-family residential lots in the SP 15-01 zone generally bounded by Avenue K, Avenue K-8, 62nd Street West, and 70th Street West (APN: 3204-002-126)
2. Find that the City has complied with the California Environmental Quality Act. The City Council certified the Environmental Impact Report (EIR) for the project on August, 8, 2017, with the Addendum to the EIR certified by the Planning Commission on December 12, 2022.

The applicant, CV Communities, LLC, is proposing to modify the development standards in the Specific Plan, including the minimum lot size and lot width, in order to add an additional 120 residential lots for a maximum of 873 residential lots. The resulting lots would range from a minimum of 5,000 square feet to a minimum of 6,600 square feet depending upon the Planning Area. Additionally, they are proposing to make minor modifications to the size of the two parks, basin areas and roadway configurations. These revisions have also been reflected in the amendment to Tentative Tract Map No. 73507.

COUNCIL AGENDA

- CA1.** 1. Consider a recommendation of a City Council Member to the North County Transportation Coalition's Call For Candidates to serve as the Southern California Association of Governments (SCAG) Regional Council District #43 Representative.
2. Find that the California Environmental Quality Act does not apply to this item.

COUNCIL REPORTS

CR1. Council Reports

CALIFORNIA CHOICE ENERGY AUTHORITY

No action required at this time.

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

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 Legislative Bodies on any item ***NOT ON THE AGENDA*** regarding City/Agency/Authority 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/Authority 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 meeting and we appreciate your cooperation. State law prohibits the Legislative Body from taking action on items not on the agenda and your matter may be referred to the City Manager/Executive Director. ***Individual Speakers are limited to three (3) minutes each unless a different time limit is announced.***

CITY COUNCIL / AGENCY/ AUTHORITY 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) - two potential cases.
3. Antelope Valley Groundwater Cases Included Action:
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
4. Ramos v Patino, LASC Case No. MC027974
5. Rahier v. City of Lancaster, LASC Case No. 19AVCV00163
6. Brisa Mahoney, et al. v. City of Lancaster, et al., LASC Case No. 20STCV02556
7. Manzo v. Beazer Homes Holdings, LLC et al., LASC Case No. 20AVCV00297
8. Hernandez v. County of Los Angeles, et al., LASC Case No. 20AVCV00318
9. Romines v. City of Lancaster, et al., LASC Case No. 20AVCV00345
10. Moujan v. City of Lancaster et al., LASC Case No. 20AVCV00205
11. Davis v. State of California, LASC Case No. 19AVCV00805
12. Lancaster v. Netflix, et al., LASC 21STCV01881

CITY OF LANCASTER, CALIFORNIA

CITY COUNCIL/SUCCESSOR AGENCY/FINANCING/POWER/CALIFORNIA CHOICE ENERGY AUTHORITY

ADJOURNED REGULAR MEETING AGENDA

TUESDAY, 01/24/2023

13. Butts v. Lancaster, LASC 21STCP00389
 14. Lancaster v. Rives
 15. Myesha Lopez, et al. v. County of Los Angeles, et al. CDCA Case No. 5:21-cv-00290-JGB(SHKx)
 16. Ortiz v. Lancaster, LASC Case No. 21AVCV00001
 17. Aijala v. Lancaster, LASC Case No. 21STCV07841
 18. Gardner v. Dominoids, LASC Case No. 21AVCV00186
 19. Evans v. Lancaster, LASC Case No. 21AVCV00145
 20. Bojorquez v. Lancaster, LASC Case No. 20AVCV00894
 21. Arkey v. Lancaster, LASC Case No.20AVCV00816
 22. Perez v. Lancaster, LASC Case No. 20AVCV00589
 23. Serrano v. Los Angeles County et al. LASC Case No. 21AVCV00562
 24. Jackson v. RE Schultz Construction et al. LASC Case No. 21AVCV00863
 25. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 Property: 3123-009-029
 Agency negotiators: Allison Burns, Mike Livingston
 Negotiating parties: Roger W. Pannier, Trustee of the Roger W. Pannier Revocable Trust, established April 25, 1988 as to an undivided ½ interest and Lorraine Prater, Trustee of the Prater Family Trust dated February 23, 1987, Lorraine Prater, Trustee of the Lorraine Alice Prater Survivors Trust dated October 8, 1993, Brian Lee Prater, Niel Howard Prater and Lloyd Bruce Prater, as their respective interest appear of record as to the remaining 1/2 interest
 Under negotiation: Price and terms of payment
- CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 Property: 3123-009-035
 Agency negotiators: Allison Burns, Mike Livingston
 Negotiating parties: Gholwan Mechammil and Insaf Mechammil, husband and wife as joint tenants
 Under negotiation: Price and terms of payment
- CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 Property: 3125-021-002
 Agency negotiators: Allison Burns, Mike Livingston
 Negotiating parties: Ukani Enterprise Inc., a California Corporation
 Under negotiation: Price and terms of payment

ADJOURNMENT

Next Regular Meeting:
 February 14, 2023 at 5:00 PM

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.