

CC 2
02/09/10
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES
January 26, 2010**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:04 p.m.

ROLL CALL

Present: Council Members/Agency Directors: Mann, Marquez, Sileo; Vice Mayor/Vice Chairman Smith, Mayor/Chairman Parris

Staff

Members: City Manager/Executive Director; Deputy City Manager/Deputy Executive Director; City Attorney/Agency Counsel; City Clerk/Agency Secretary; Assistant to the City Manager; Planning Director; Public Works Director; Parks, Recreation & Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

Pastor John Meadors – Christian Life Assembly

PLEDGE OF ALLEGIANCE

Council Member/Agency Director Marquez

PRESENTATIONS

Mayor's Athlete of the Month – Steven Melena, Eastside High School

Presenter: Mayor Parris

Neighborhood Courage Award, Heriberto Collazo

Presenter: Mayor Parris

Key to the City – Lt./Manager Danny Ubario, Lancaster Animal Control Shelter

Mayor Parris stated that what Lt. Ubario has accomplished is truly amazing; approximately one year ago, the City was being overrun with pit bulls; not a day went by that citizens did not express their concerns and fears regarding this matter; Lt. Ubario has taken 1,034 pit bulls off of the streets and over 100 other vicious dogs were removed; complaints have lessened; Animal Control is controlling the situation; people have become much more satisfied with the service of the facility and Lt. Ubario has taken care of the citizens of Lancaster in an exemplary way and was presented with a key to the City.

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AGENDA ITEMS TO BE REMOVED

None

APPROVAL OF AGENCY CONSENT CALENDAR

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency approved the Agency Consent Calendar by the following vote: 5-0-0-0: AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

RCC 1. MINUTES

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of January 12, 2010.

RCC 2. RESOLUTION NO. 06-10

Adopted **Resolution No. 06-10**, designating the Lancaster City Recovery Zone in accordance with the American Recovery and Reinvestment Act of 2009 for the purposes of issuing taxable Recovery Zone Economic Development Bonds and tax-exempt Recovery Zone Facility Bonds.

CRPH 1. LANCASTER REDEVELOPMENT AGENCY FIVE-YEAR IMPLEMENTATION PLAN

This matter was continued from the meeting of January 12, 2010.

Addressing the Redevelopment Agency on this matter:

Jennifer Phan – opposed to the approval of this plan; concerns regarding noticing requirements; inaccuracies in the plan.

The Housing Director stated that changes have been made to the tables within the document; the report is inclusionary of all requirements pursuant to State law and is accurate.

The Executive Director stated that the report is excellent in reporting the expenditure of funds; the accomplishments over the last five years. He suggested that Ms. Phan meet with Agency staff to review her concerns and Chairman Parris concurred.

Al Holliman of Urban Futures, Inc. – discussed inclusionary housing obligations; Lancaster is very pro-active; discussed the percentages of affordable housing; what is required by law; explained the formula used to determine the number of houses affected.

Agency Counsel stated that pursuant to State law, when a public hearing is continued from a previous meeting, it is not necessary to re-notice the hearing.

Vice Chairman Smith clarified that pursuant to State law, the agenda is posted on the glass at the entrance to City Hall and this item was included in that posting.

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CRPH 1. LANCASTER REDEVELOPMENT AGENCY FIVE-YEAR IMPLEMENTATION PLAN (continued)

Hearing no further testimony, Chairman Parris closed the Public Hearing.

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency adopted **Resolution No. 05-10**, approving the Lancaster Redevelopment Agency Five Year Implementation Plan, for Fiscal Years 2009/10 through 2013/14, in accordance with the State of California Assembly Bill 1290, by the following vote: 5-0-0-0: AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council approved the Council Consent Calendar by the following vote: 5-0-0-0: AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

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. MINUTES

Approved the Redevelopment Agency / City Council Regular Meeting minutes of January 12, 2010.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers December 27, 2009 through January 9, 2010 in the amount of \$2,419,051.16.

CC 4. ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS

Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation No. 04-114, installed for: Tract No. 060147, located on the northwest corner of Avenue J and 25th Street East, Owner: Richmond American Homes of CA, Inc. Appropriated \$2,950.00 from the first year's maintenance cost, that have been paid by the developer, to cover the remaining six (6) months of the fiscal year into the Drainage Maintenance Operating Account No. 484-4743-404.

CC 5. PWCP NO. 09-029

Awarded **Public Works Construction Project No. 09-029**, Maintenance Yard Storage Building, to Hanes and Associates, Inc., in the amount of \$247,791.20 plus a 20% contingency and authorized the City Manager, or his designee, to sign all documents. The project is for the construction of a storage building at the City Maintenance Yard.

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CC 6. TAX SHARING RESOLUTION

Adopted the Tax Sharing resolution for proposed Annexation No. 40-135 (4-198) into Los Angeles County Waterworks District No. 40, Antelope Valley.

CC 7. RESOLUTION NO. 10-04

Adopted **Resolution No. 10-04**, approving a five (5)-year extension in order to provide additional time to develop Agency-owned properties under the Agency low- and moderate-income housing programs.

PH 1. AMENDMENT TO LANCASTER MUNICIPAL CODE FOR CO-LOCATED SMALL-SCALE WIND ENERGY SYSTEMS AND SOLAR ELECTRICAL GENERATING PLANTS IN RURAL RESIDENTIAL ZONES

Mayor Parris opened the Public Hearing for PH 1 and it was the consensus of the City Council to waive the reading of the staff report.

Addressing the City Council on this matter:

Jason Evans, TUUSSO Energy – discussed wind energy systems; solar electrical generating plants; encouraged the City Council to introduce and adopt this ordinance.

Hearing no further testimony, Mayor Parris closed the Public Hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council introduced **Ordinance No. 941**, amending Title 17 of the Lancaster Municipal Code (Zoning Ordinance) to establish regulations for co-located small wind energy systems in the commercial and industrial zones, and to allow solar electrical generating plants in rural residential zones subject to a conditional use permit, by the following vote: 5-0-0-0: AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

PH 2. RESOLUTION FOR THE ADJUSTMENT OF LOS ANGELES COUNTY FIRE FEES

Mayor Parris opened the Public Hearing for PH 2 and the Planning Director presented the staff report.

Hearing no further testimony, Mayor Parris closed the Public Hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council adopted **Resolution No. 10-05**, adopting the Capital Improvement Plan of the Consolidated Fire Protection District and the annual adjustment of fire protection fees, by the following vote: 5-0-0-0: AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

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NB 1. AMENDMENT TO THE LANCASTER MUNICIPAL CODE - APPEAL OF ARCHITECTURAL AND DESIGN PLANNING COMMISSION DECISIONS/DETERMINATIONS

The Planning Director presented the staff report.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council introduced **Ordinance No. 942**, amending Section 2.34.020 of the Lancaster Municipal Code to establish the Planning Commission as the initial body to hear appeals of decisions/determinations made by the Architectural and Design Planning Commission, by the following vote: 5-0-0-0: AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

COUNCIL AGENDA

None

CITY MANAGER'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT

The City Manager stated that the Public Works crew did an incredible job of dealing with what is now being called the Western Wallop (storm); 3.75 inches of rain fell on Lancaster; it is very difficult to deal with that much rain in such a short amount of time; some crews were out until 1:00 a.m. building a makeshift dam to protect Valley View School; they made sure the system worked; staff understands that the time to prepare for a storm is before the storm hits; they have been working on drainage ditches, basins and are now preparing for the next series of storms – they did a fantastic job.

The City Manager announced that the City's Communications Director – Joe Cabral won the Public Information Officer of the Year Award, which is a national award from a media outlet; he is an excellent communications leader. When this Council came on board and in particular, Mayor Parris, there was a gauge on communicating more with the citizens. Not only is Joe incredibly good, his staff is energized and does the work of a staff three times its size. He does everything with a smile and we truly appreciate having Joe Cabral on the City's team.

The City Manager stated that Mayor Parris was named by Lawyers, U.S.A. as having the Number One Jury Verdict in the United States for 2009, a verdict of \$379 million. Lawyers, U.S.A. conducts a top ten count; congratulations for being Number One.

CITY CLERK / AGENCY SECRETARY ANNOUNCEMENT

The City Clerk provided the public with the procedure to address the City Council/Redevelopment Agency regarding non-agendized items.

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PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

David Abber – commented on qualifying to run for City Council; mentioned a records request that he submitted; requested that City Council change the process for ballot processing.

At this time, Council Member Marquez made the following statement:

Some of you may know that there has been a bit of a swirling going on and I have been contacted the last few days by several people and I have not responded until tonight. I posted something on my Facebook page on Saturday morning that was my reaction to an article that I had read about yet another heinous crime. It was the beheading of a Muslim woman by her husband that took place in New York. My reaction to that has now affected those at the City and to you I apologize. I was on Saturday morning and am still very disturbed every time I read about these horrific crimes against women and young girls and I will continue to voice my opinion and speak out about it and I believe everyone should agree with me that this barbaric behavior of some, has got to stop and it must be condemned.

Del Preston – do not blanket all of the Muslims because of what is in the media; do not categorize all Muslims as being the same way; learn about the Muslim way; become educated; do not just go with what is in the news.

David Paul – just wants to be happy; easiest way to love your enemies is just not have any; discussed his experience as a youth counselor and issues regarding fights between some of the youth; does not want to see fighting with the candidates.

Omar Khalifa – stated that Council Member Marquez's comments were uninformed; misguided; discussed the amount of domestic violence cases in Lancaster and that they are of all religions; there is a general disconnect between Council Member Marquez and citizens of this valley; referred to others in the news that have committed horrendous crimes; wished to have an educational meeting to educate the Council and the citizens.

Sarim Kabir – encouraged Council Member Marquez to try to understand Islam; understands freedom of speech, however in her position, she should have thought about it; try to understand the religion of Islam.

Ed Saenz – referred to his teachings regarding acceptance; nothing happens in Gods world by mistake; it is important to change attitudes and thinking's; discussed his music production company.

Scott Pelka – read the Facebook information that had been posted by Council Member Marquez; discussed people of Christian faith that have died due to violence; feels that Council Member Marquez disrespected many people in this valley; requested that she step down.

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PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS (continued)

Kamal Al-Khatib – presented information regarding the Muslim religion; discussed the crime in question – it was not an honor killing; it was a domestic violence killing; statements by Council Member Marquez were inaccurate; invited her to come to their mosque and understand the religion; feels that Council Member Marquez violated her oath; comments were offensive to all, including the people who elected her.

CR 1. REPORT ON THE ACTIVITIES OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT

Vice Mayor Smith reported the following:

At the January 19th, 2010, meeting, the Governing Board adopted and/or discussed the following significant items:

- Vice-Mayor Ron Smith was unanimously voted 2010 Chair of the AVAQMD Governing Board. Councilperson Marquez rotated her position as the Board's 2009 Vice-Chair to Mr. Dispenza of Palmdale.
- Board discussed timeliness of upcoming Senator Runner's workshop intended to review new State environmental regulations. AVAQMD staff (Staff) expressed concern that (1) new State air quality regulations are evolving too fast, and (2) that the Federal Clean Air Act does not sufficiently address local and regional issues relative to a high desert environment.
- Board requested Staff report back at a future date the accomplishments/progress of Los Angeles County relative to 1988 Antelope Valley Toxic Waste Task Force Report.
- Board accepted \$18,794 in Lower Emission School Bus Program funding from the California Air Resource Board for continued implementation of regional AVAQMD programs that enhance local air quality by replacing or upgrading older, less efficient school busses with new, more fuel efficient and environmentally friendly vehicles and modifications.

The remaining items approved by the AVAQMD were routine and/or adopted as consent items.

COUNCIL / AGENCY COMMENTS

Mayor Parris thanked the community for their participation this evening; he appreciates the demeanor and tenor of a very difficult situation; it was admirable.

CLOSED SESSION

None

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ADJOURNMENT

Mayor Parris adjourned the meeting at 6:07 p.m. and announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, February 9, 2010 at 5:00 p.m.

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
CITY CLERK/AGENCY SECRETARY
Lancaster, CA

R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

**CERTIFICATION OF MINUTES
CITY COUNCIL/REDEVELOPMENT AGENCY**

I, _____, _____ of the City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original City Council/Redevelopment Agency 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)
