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MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY  
MINUTES  
February 9, 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 Joe Sweet – Shekinah Worship Center

**PLEDGE OF ALLEGIANCE**

Council Member/Agency Director Marquez

**PRESENTATIONS**

Student Speaker – Sarah Macpherson, Amargosa Middle School

Recognition of Community Organizers for Joshua Neighborhood Clean-Up

Presenter: Mayor Parris

Explorer Graduation recognition

Presenters: Mayor Parris and Deputy Michael Kuper

**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY**

**MINUTES**

**FEBRUARY 9, 2010**

**AGENDA ITEMS TO BE REMOVED**

None

**APPROVAL OF AGENCY CONSENT CALENDAR**

Agency Director Mann stated that he would need to recuse himself from Item Nos. RCC 4 and RCC 5 due to the proximity of the projects to property that he owns.

On a motion by Vice Chairman Smith and seconded by Agency Director Mann, the Redevelopment Agency approved the Agency Consent Calendar, with the exception of Item Nos. RCC 4 and RCC 5, 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 26, 2010.

**RCC 2. ACQUISITION OF REAL PROPERTY**

Approved the agreement for the Acquisition of Real Property between the Lancaster Redevelopment Agency and William Moore for property (vacant land) located in the vicinity of 10<sup>th</sup> Street West, south of West Avenue H-8, in Lancaster, California. Funds will be appropriated from the Housing Bond proceeds.

**RCC 3. ACQUISITION OF REAL PROPERTY**

Approved the agreement for the Acquisition of Real Property between the Lancaster Redevelopment Agency and William McGuire for property located at Acquisition of Real Property (vacant land) located at the vicinity of 10<sup>th</sup> Street West and West Avenue H-8, Lancaster, California. Funds will be appropriated from the Housing Bond proceeds.

At this time, Agency Director Mann recused himself from Item Nos. RCC 4 and RCC 5 and left the dais.

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency approved Item Nos. RCC 4 and RCC 5 by the following vote: 4-0-1-0: AYES: Marquez, Sileo, Smith, Parris; NOES: None; RECUSED: Mann; ABSENT: None.

**RCC 4. ACQUISITION OF REAL PROPERTY**

Approved the agreement for the Acquisition of Real Property between the Lancaster Redevelopment Agency and Roosevelt Davis for property located at 44064 Beech Avenue, Lancaster, California.

**RCC 5. ACQUISITION OF REAL PROPERTY**

Approved the agreement for the Acquisition of Real Property between the Lancaster Redevelopment Agency and Roosevelt Davis for property located at 44072 Beech Avenue, Lancaster, California.

**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY  
MINUTES  
FEBRUARY 9, 2010**

At this time, Agency Director Mann returned to the dais.

**RCC 6. ACQUISITION OF REAL PROPERTY**

Approved the agreement for the Acquisition of Real Property between the Lancaster Redevelopment Agency and William McGuire for property located at 45507 10<sup>th</sup> Street West, Lancaster, California. Funds will be appropriated from the Housing Bond proceeds.

**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 26, 2010.

**CC 3. WARRANT REGISTER**

Approved the Check and Wire Registers January 10, 2010 through January 23, 2010 in the amount of \$9,954,255.29.

**CC 4. RESOLUTION NO. 10-06**

Adopted **Resolution No. 10-06**, amending the List of Designated Employment Classifications as provided in Section 2.40, Title 2, of the Lancaster Municipal Code.

**CC 5. RESOLUTION NO. 10-07**

Adopted **Resolution No. 10-07**, approving a one year extension of the Memorandum of Understanding between the City of Lancaster and Lancaster Code Enforcement Association.

**CC 6. ORDINANCE NO. 941**

Adopted **Ordinance No. 941**, an ordinance of the City Council of the City of Lancaster, California, amending Title 17 of the Lancaster Municipal Code, the zoning ordinance.

**CC 7. ORDINANCE NO. 942**

Adopted **Ordinance No. 942**, an ordinance of the City Council of the City of Lancaster, California, amending Chapter 2.34 of the Lancaster Municipal Code to establish the Planning Commission as the Hearing Body to hear initial appeals of decisions and determinations made by the Architectural and Design Planning Commission.

**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY**

**MINUTES**

**FEBRUARY 9, 2010**

**NB 1. PUBLIC WORKS CONSTRUCTION PROJECT NO. 09-030, DOWNTOWN LANCASTER (“The BLVD Transformation”)**

The Deputy City Manager presented a detailed report regarding this item. Some of the information presented included but was not limited to: The Downtown Lancaster project transforming Lancaster Boulevard and the Boulevard streetscape from vehicle friendly into a pedestrian-friendly and aesthetically-pleasing outdoor venue for Lancaster’s families and visitors to enjoy for years to come. The project limits on Lancaster Boulevard extend between 10<sup>th</sup> Street West and Sierra Highway and from Lancaster Boulevard to Kettering Street on Elm Avenue. Eliminating two lanes of traffic and slowing speeds to 15-20 mph on Lancaster Boulevard will increase safety and visibility for pedestrians. Introducing a “Ramblas” scheme to the streetscape, inspired from Barcelona, Spain has many positive effects on the outdoor atmosphere including on-street parking spaces within the Ramblas and curbside. This innovative approach will create a multi-use space that will facilitate special events, shared parking, and ultimately could act as a path for public transportation. Midblock crosswalks shall facilitate “cross-shopping” on both sides of the street, which is very important in a vital downtown. These also increase the traffic-calming function of the “main street” environment. Incorporating tree rows within the center of the street provides shaded parking on a daily basis. It also defines a space within which street fairs and markets can occur, and provides a shaded place from which to watch passing parades during special events. The additional landscaping will help to mitigate Lancaster’s seasonal breezes. Decorative lighting will be integrated into a variety of uses including street lighting, cable mounted Ramblas lighting, and other unique gathering spaces. The ultimate design for the Boulevard and adjoining streets will create a promenade atmosphere promoting a pleasant walk-about experience.

Specific improvements shall include new paver sidewalks, curb and gutter, paved streets, at-grade paver center median (Ramblas) parking, extended storm drain, decorative street lights, audio/sound system, landscaping and street furniture. Sidewalk on the north half of the Boulevard between Elm Avenue and Fig Avenue shall provide a 23 foot wide sidewalk for a future Arcade. Elm Avenue shall provide a double row of trees along the easterly side of the street.

Additionally, the Deputy City Manager recognized several members of the Design Team, commending them for their many hours of commitment to this transformation project.

Vice Mayor Smith discussed the brand for the boulevard; the atmosphere; the destination. He discussed the surveys that were taken; the target audience; the desire to create and economical viable downtown for years to come and he recognized several members of the Design Team for their work on this. He presented a power point presentation displaying entertainment; dining; socializing aspects of a viable downtown; the color palette; the typography; the BLVD Gothic Deco design, and last but not least the brand: *The BLVD – a destination for your senses.*

**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY**

**MINUTES**

**FEBRUARY 9, 2010**

**NB 1. PUBLIC WORKS CONSTRUCTION PROJECT NO. 09-030, DOWNTOWN LANCASTER (“The BLVD Transformation”) (continued)**

Vice Mayor Smith presented certificates and educational funding checks to several individuals who were very involved in the brand design efforts.

Council Member Sileo stated that this is an ambitious project and will impact the downtown negatively while the construction is going on. Inquired as to what kind of plan is in place for existing businesses while this construction is taking place; what is the longest time a business will be impacted in their corner of the boulevard.

The Deputy City Manager stated that there is a restriction in place of 14 days for the close of a business at the “front” of their business. They will be able to continually operate as they have in the past and there will be access from the rear. He explained liquidated damages in excess of 14 days and staff is continuing to work on incentive programs to help offset any loses that the businesses might experience.

Council Member Sileo inquired as to the corrections to mathematical errors on five of the bids.

The City Manager stated that this is a very complex project and it is common to correct for mathematical errors on bids.

Council Member Sileo inquired as to the complexity of the bid schedule, stating that he did not recall ever seeing a project with so many alternatives; deductive alternates; listing of deductive alternates in order of preference; the process for choosing this particular bidder.

The City Manager explained that the process to select this bidder was because he was the low bidder with or without the deductive alternates. The boulevard is only going to be done once in our tenure here; going to inconvenience the businesses and citizens for a year; not willing to take things out that would diminish the project.

The City Attorney explained that when a bid is awarded, the base bid is selected and must be selected from an even playing field. After this, if it is decided that some of the deductive alternatives are affordable, then they can be added back in at that point but only after a determination is made as to who the low bidder is.

Council Member Sileo discussed further the list of alternates and inquired as to how these alternates are decided upon.

The City Manager stated that staff believes these are the most important to do and the most impactful to the project. Those alternates not chosen can be looked at later, such as soil issues; infrastructure issues.

**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY  
MINUTES  
FEBRUARY 9, 2010**

**NB 1. PUBLIC WORKS CONSTRUCTION PROJECT NO. 09-030, DOWNTOWN LANCASTER (“The BLVD Transformation”) (continued)**

Council Member Mann clarified that out of the nine alternatives listed; the four that were selected were key elements for the improvement of the downtown project. He inquired as to how the four alternates were selected.

The City Manager stated that staff, along with working with the community made the determination of these four alternates. They looked at the paver scheme, the look of the paver; expense; affordability and coming up with a project that is indistinguishable with the project that was bid.

Council Member Mann stated that he is not completely familiar with some of the companies that submitted a bid and he is elated to award the project to a local contractor. He stated that he is not aware of Hanes and Associates handling a project of this magnitude.

The Deputy City Manager stated that staff looks at all capabilities; explained non-responsive and non-responsibility; they have worked on a number of significant projects in Palmdale and worked closely on projects with the local schools.

Mayor Parris inquired as to whom specifically selects the contractor; what are the job titles of the people who select the contractor; who makes the final determination.

The City Manager stated that purchasing people are involved; engineering staff are involved; the City Attorney and the Deputy City Manager have been very involved as well. The recommendation is determined by this group of people, not by one specific individual.

The City Attorney stated that it is a determinative process based on the numbers; based strictly on the bid process.

Mayor Parris inquired – up until this moment, has the Council been involved in this selection process in any way and the City Manager stated absolutely not.

Addressing the City Council on this matter:

Eric Muravez – excited about project; concerns regarding the costs and how it is being funded and the transfer of funds.

The Deputy City Manager stated that as part of the process, staff will look at Engineer’s estimates prior to bidding the project. In this case, staff went one step further and hired an outside consultant firm to give an estimate further and beyond that. Sometimes we have to say we missed; we cannot predict how someone will be affected by the market; there are many factors; it’s an art, not a science and staff tries to do as much as possible in predicting what the bids are going to be.

**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY**

**MINUTES**

**FEBRUARY 9, 2010**

**NB 1. PUBLIC WORKS CONSTRUCTION PROJECT NO. 09-030, DOWNTOWN LANCASTER (“The BLVD Transformation”) (continued)**

Council Member Mann discussed the percentages within the staff report.

The Deputy City Manager explained the percentages; there is an old history with the downtown and when the boulevard starts getting dug up, something may be hit; so staff has added to that and it is typical to have those occurrences. From a pro-active standpoint, staff has already met with utilities; identified ahead of time – emergency numbers; contact information; it is important to have a strong line of communication with the utilities; staff is very cognizant of this and ahead of the game in trying to predict and work with the utilities before something becomes a problem.

Council Member Mann stated that the City might very well become a benefactor of this because utilities will be replaced and would rather see this happen now rather than later, as was the case with an old water line.

Scott Pelka – concerns regarding the diagonal parking in the streets; difficult when people are getting out of the car; potential for liability issues; referred to issues in Alhambra; concerned with the experience of Hanes and Associates.

Lyle Talbot – when working with young people, be careful, do not bring back cruise night – causes problems for the Sheriff’s Department; concerns regarding the money being spent on this project; concerns regarding traffic gridlock.

The Deputy City Manager stated that the Traffic Engineers and the Contract Engineers and consultants have looked at the risks regarding the parking; it will be pedestrian friendly; backing out of spaces does cause a slow down and that is part of the idea; people should always be cautious when crossing; there will be a huge impact on safety in a positive way; will serve very much like a parking lot.

Further discussion took place regarding traffic calming; downtown examples; many studies have been done; there will be a significant reduction in traffic problems; speed limits do not slow people down, it is about the visual aspect of the project. With all the trees and the visuals, people will slow down.

The City’s Senior Engineer discussed the magnitude and scope of the project which adds to the complexity of the project; coordination efforts; restrictions; fast paced environment; coordination of the businesses; starting on the east end of the boulevard; close the streets at three block intervals; committed to host the Streets of Lancaster event, completion by November.

**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY**

**MINUTES**

**FEBRUARY 9, 2010**

**NB 1. PUBLIC WORKS CONSTRUCTION PROJECT NO. 09-030, DOWNTOWN LANCASTER (“The BLVD Transformation”) (continued)**

Bishop Hearn, representing the Senior Center, thanked the Deputy City Manager and staff for giving the presentation to the seniors; all are appreciative of this and very excited about the project; appreciates the fact that Vice Mayor Smith and Council Member Sileo took a tour of Rancho Cucamonga to see how this can happen.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council awarded **Public Works Construction Project No. 09-030, Downtown Lancaster**, to Hanes and Associates in the amount of \$9,525,497.65 (plus a 10% contingency) and authorized the City Manager, or his designee, to sign all documents, by the following vote: 5-0-0-0: AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

**RECESS** Mayor Parris requested a brief recess at 6:20 p.m.

**RECONVENE** Mayor Parris reconvened the meeting at 6:33 p.m.

**NB 2. BUILDING INCENTIVE STIMULUS PROGRAM**

The Public Works Director presented the staff report regarding a percentage reduction of development impact fees for building permits issued from February 10, 2010, through December 31, 2010, in order to help stimulate the local job market.

Council Member Sileo clarified that this applies to both residential and commercial development.

Mayor Parris inquired as to projections for this program.

The Public Works Director stated that he believes with this program, the City should meet its revenue projections for next year; see more houses constructed this coming year.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council adopted **Resolution No. 10-08**, establishing a Building Incentive Stimulus Program relating to a percentage reduction of development impact fees for building permits issued from February 10, 2010, through December 31, 2010, in order to help stimulate the local job market and encourage developers to continue to build homes in the City of Lancaster, by the following vote: 5-0-0-0: AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.



**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY**

**MINUTES**

**FEBRUARY 9, 2010**

**COUNCIL AGENDA**

None

**CITY MANAGER'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT**

The City Manager announced that due to the recent weather conditions, the City Council/Antonovich Breakfast scheduled for February 10, 2010 has been cancelled and will be rescheduled at a future date.

The City Manager stated that the two projects that were approved this evening under Item Nos. NB 1 and NB 2 are excellent projects and are truly going to change this community. He stated that he met earlier with the Mayor and stated that the Mayor said one thing he has learned is once you give up control a bit, magnificent things happen. The City Manager stated that this has been an incredible process for the staff members with the direction of Council and he is very, very proud of the staff.

**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.

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

Addressing the City Council at this time:

Jason Zink – concerns regarding the sidewalks in the area of Avenue K and 40<sup>th</sup> Street; dangerous conditions around 22<sup>nd</sup> Street regarding a water ditch; sidewalk improvements; Lancaster Blvd plan is historical; invite others to come and join in; consider planting a community tree; concerns regarding law enforcement; helicopters flying too low; law enforcement intimidates people.

David Paul – stated that he enjoyed the presentation regarding the transformation of the downtown area; the community is in need of healing; there has been controversy lately; discussed the cuss jar that Council Member Marquez has implemented.

Deborah Hess – introduced herself as the new Southern California Edison Regional Manager; looks forward to working with Council and Staff.

Michael Patrick – intrigued by comments by Council Member Marquez; he investigated the crime in New York and gave some background on this case; this was not a Muslim or Jewish crime of domestic violence, it was domestic violence.

Glenn Morris – concerned that the City Council has used its position to voice religions opinions; hopes each and every one of the Council goes home and thinks about why they are serving the community.

**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY**

**MINUTES**

**FEBRUARY 9, 2010**

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

David Abber – concerns regarding the start times of Council meetings; commended some of the Department Heads; discussed his concerns regarding the handling of his nomination papers and stated that the Mayor and City Manager should not have been involved in the issue; referred to an article in the paper that stated he was yelling at staff and denied this.

Erick Byarushengo – concerns regarding Facebook remarks from Council Member Marquez; discussed the Islamic religion; representatives do not believe the apology from Council Member Marquez.

Scott Pelka – concerns regarding an article in the Los Angeles Times about a video produced about going to China; does not understand why taking a video to China to show the military of America is important; why is clergy going to China, since they are all Buddhist in China; inquired as to the apology by Council Member Marquez.

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

Vice Mayor Smith and Council Member Marquez presented the following information:

The following significant events took place during the January Board meeting:

- Apollo Video gave a presentation to the Board about the mobile video security system installed in all AVTA buses. Each bus has eight cameras that record activity on all exterior sides and the entire interior. The cameras can record audio and are saved in order for law enforcement to review the tapes, if necessary.
- The Board approved the award of contract for the bus stop improvement program. This Federal Transit Administration formula grant to AVTA for a total of \$1,082,000.00 will provide the City of Lancaster \$443,620.00 to construct capital improvements at city bus stops including concrete pads, curb cuts, and customer amenities. Arrow Engineering Services, Inc. can, if needed, develop engineering drawings, coordinate any permitting and right-of-way issues, and manage all contractors related to the program. Costs of any services rendered by Arrow Engineering will be billed to the City's portion of the grant.

**COUNCIL / AGENCY COMMENTS**

None

**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY**

**MINUTES**

**FEBRUARY 9, 2010**

**RECESS** Mayor Parris recessed the meeting at 7:04 p.m. for the purpose of conducting a Closed Session meeting regarding the following:

**CLOSED SESSION**

Government Code Section 54956.9(b) CONFERENCE WITH LEGAL COUNSEL---  
ANTICIPATED LITIGATION (2 cases)

Government Code Section 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
- NEGOTIATIONS WILL INCLUDE BOTH PRICE AND TERMS

1130 Auto Mall Drive

Party: Tim Fuller

PROPERTY NEGOTIATOR: Executive Director

**RECONVENE** Mayor Parris reconvened the meeting at 7:47 p.m.

**CITY ATTORNEY ANNOUNCEMENT**

The City Attorney stated that City Council met in Closed Session regarding the aforementioned matters and gave direction to staff and legal counsel.

**ADJOURNMENT**

Mayor Parris adjourned the meeting at 7:48 p.m. in memory of Duke Bloom; owner of Duke & Slim's Television and Appliance store in Lancaster; a longtime citizen of the City of Lancaster, Mr. Bloom was a well respected businessman who made numerous contributions to community organizations and he was loving husband, father and an honorable man.

Mayor Parris announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, February 23, 2010 at 5:00 p.m.

**ATTEST:**

**APPROVED:**

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

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R. REX PARRIS  
MAYOR/CHAIRMAN  
Lancaster, CA

**LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY  
MINUTES  
FEBRUARY 9, 2010**

**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)

\_\_\_\_\_