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| CC 2 |
| 03/23/10 |
| MVB |

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

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:06 p.m.

ROLL CALL

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

Excused: Council Members/Agency Directors: Marquez; Sileo

Council Member/Agency Director Sileo arrived at 5:12 p.m.

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 Paul Chappell – Lancaster Baptist Church

PLEDGE OF ALLEGIANCE

Vice Mayor/Vice Chairman Smith

PRESENTATIONS

1. Neighborhood Courage Award – Albert Alvarez and Maria Ceballos
Presenter: Mayor Parris
2. Student Speaker, Jared Simmons, Palmdale Learning Plaza
3. Not In My School – presentation on the problems of bullying/cyber-bullying in schools.
Presenter: Lauri Massari and students of Del Sur Middle School

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AGENDA ITEMS TO BE REMOVED

None

At this time there were no items to be approved on the Agency Consent Calendar.

RCC 1. See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of February 23, 2010.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council approved the Council Consent Calendar with the exception of Item Nos. CC 2A and CC 9, which were pulled for separate action, by the following vote: 4-0-0-1: AYES: Mann, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez.

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 2A. SPECIAL MEETING MINUTES

Council Member Sileo requested a separate vote on this item due to the fact that he did not attend this particular meeting.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved the Lancaster City Council/Los Angeles County Supervisor Special Joint meeting minutes of February 18, 2010, by the following vote: 3-0-1-1: AYES: Mann, Smith, Parris; NOES: None; ABSTAIN: Sileo; ABSENT: Marquez.

CC 2B. MINUTES

Approved the Redevelopment Agency/City Council Regular Meeting minutes of February 23, 2010.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers February 5, 2010 through February 20, 2010 in the amount of \$8,006,097.60.

CC 4. ACCEPTANCE OF DRAINAGE IMPROVEMENTS FOR MAINTENANCE

Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation No. 00-29, installed for: Tract No. 53102-01, located on the southwest corner of Avenue J-8 and 45th Street West, Owner: AVONE HOME, LLC.

CC 5. SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted substitution of the Subdivision Undertaking Agreement and securities submitted by KB Home Coastal in place of the Subdivision Undertaking Agreement and securities submitted by Plum Canyon Investments, LLC for Tract No. 54369, Phase 2, located on the Southeast corner of Avenue L and 72nd Street West.

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CC 6. SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted substitution of the Subdivision Undertaking Agreement and securities submitted by KB Home Coastal in place of the Subdivision Undertaking Agreement and securities submitted by Plum Canyon Investments, LLC for Tract No. 54370-01, Phase 2, located on the southeast corner of Hemlock Avenue and 72nd Street West.

CC 7. SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted substitution of the Subdivision Undertaking Agreement and securities submitted by KB Home Coastal in place of the Subdivision Undertaking Agreement and securities submitted by Plum Canyon Investments, LLC for Tract No. 060524, Phase 2, located on the west side of 57th Street West, approximately 331 feet south of Avenue K-8.

CC 8. SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted substitution of the Subdivision Undertaking Agreement and securities submitted by KB Home Coastal in place of the Subdivision Undertaking Agreement and securities submitted by Plum Canyon Investments, LLC for Tract No. 060811, Phase 2, located on the northeast corner of Avenue K-12 and 59th Street West.

CC 9. RESOLUTION NO. 10-13 AND AGREEMENT

Addressing the City Council on this matter:

David Erlich – concerns regarding all the high-tech equipment that will be used to find used tires on the ground.

The City Manager stated that what is before the Council is a list of equipment that is eligible to be used for observation techniques; code enforcement techniques. The City would use its normal Code Enforcement tools for tires; illegal dumping in neighborhoods. Even though all this equipment is eligible to be used, it does not mean the City will be using those techniques and the City currently does not have much of that equipment.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council approved/adopted the following actions by the following vote: 4-0-0-1: AYES: Mann, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez.

A. Authorized the City Manager or his designee to execute a standard agreement, any amendments, and/or related documents to receive such funds and to take other actions necessary to facilitate the proposed California Department of Resources Recycling and Recovery ("Cal Recycle") for Waste Tire Enforcement Program ("WASTE TIRE") in its entirety.

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CC 9. RESOLUTION NO. 10-13 AND AGREEMENT (continued)

B. Adopted **Resolution No. 10-13**, regarding its intention to implement the WASTE TIRE Program within the City of Lancaster, in conjunction with Cal Recycle, which is intended to decrease blight, illegal dumping and health and safety hazards within the community, relating to active and non active waste tire businesses.

PH 1. AGREEMENT WITH SOLARCITY

Mayor Parris open the Public Hearing. The Deputy City Manager and the Public Works Director presented the staff report on a comprehensive energy program; solar programs; a PowerPoint on shaded parking and power generation; safety features.

Addressing the City Council on this matter:
Lyle Talbot – in favor of this project.

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 approved an agreement with SolarCity Corporation authorizing the installation, maintenance, and operation of photovoltaic electric generators in the parking lots (i.e., solar shade structures) at City Hall, Big 8 Softball Complex, Lancaster Performing Arts Center, Clear Channel Stadium, Maintenance Yard, and the Lancaster Sherriff's Station; enter into a 15-year Power Purchase Agreement (PPA) for the electrical energy produced by the solar system with an option to renew for three additional terms of five years; and authorized the City Manager or his designee to sign all documents, by the following vote: 4-0-0-1: AYES: Mann, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez.

NB 101. REWARD OF \$5,000.00 FOR INFORMATION LEADING TO THE ARREST AND CONVICTION OF PERSON(S) RESPONSIBLE FOR AN ASSAULT AT 2800 WEST AVENUE I ON FEBRUARY 27, 2010

The City Manager presented the staff report requesting consideration of a reward for information leading to the arrest and conviction of person(s) responsible for an assault that occurred on February 27, 2010 at 2800 West Avenue I, Cinemark Movies 22, at approximately 10:00 p.m.

As reported by the Sheriff's Department, a 26 year old male white adult was assaulted by 2 suspects, identified as male black adults, after the victim asked the two suspects to be quiet during a movie. Reportedly, the suspects and the victim got into a verbal argument; the suspects left the theatre, and returned a short time later when they assaulted the victim. The victim sustained severe head injuries from the assault and is still in Intensive Care, although making progress towards recovery.

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NB 101. REWARD OF \$5,000 FOR INFORMATION LEADING TO THE ARREST AND CONVICTION OF PERSON(S) RESPONSIBLE FOR AN ASSAULT AT 2800 WEST AVENUE I ON FEBRUARY 27, 2010 (continued)

Lancaster station detectives are currently working all leads and would like to offer a reward to possibly encourage information sources to come forward. A reward request has been made to both the City of Lancaster and the County of Los Angeles. Additionally, the Los Angeles County Board of Supervisors will consider the reward request at their meeting on March 16, 2010.

Council Discussion:

Mayor Parris stated that he will put \$5,000.00 of his own money up for the reward if Cinemark will match it.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved a reward of \$5,000.00 out of the Community Safety Budget, for information leading to the arrest and conviction of person(s) responsible for an assault at 2800 West Avenue I on February 27, 2010, by the following vote: 4-0-0-1: AYES: Mann, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez.

Mayor Parris referred to the bullying program and how does the fact of a teen suicide affect the bully. The bystanders were affected and should be motivated to come forward. Some people are not comfortable in getting involved but have no problem reporting what they saw. If there was a training program in place, then people at that movie theater would know exactly what to do in this type of situation and there would have been a different result. Bystanders freeze, they do nothing unless they have an action plan. It is absolutely horrid that this happened in this City, in this movie theater. Citizens should be safe to go to the movies; hopes the Sheriff's Department understands that it is the City's point of view that this is the highest priority that they have right now. These people cannot go into our movie theaters and beat our citizens into a coma because they are asked to quiet down. These people must be caught; everyone must take a more active role.

Captain Anderson of the Lancaster Sheriff's Department stated that on behalf of the Sheriff's Department, thanked the Council for their concerns in this matter. This was a particularly savage crime and an inexcusable assault. He stated that they will not rest over at the Sheriff's Department until these three individuals are in custody and are brought to justice.

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COUNCIL AGENDA

None

CITY MANAGER'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT

The City Manager stated that the building incentive stimulus program that the Council approved a month ago, which was temporary; timely; targeted and gives a discount has had some dramatic results. Two weeks ago, in one day the City got \$230,000.00 in permits pulled. This week the City got \$300,000.00 worth of permits pulled. It was like the good old days when people were building and the City was taking in checks. This helps the City in having more scarce general funds that can be used elsewhere and helps the City balance the budget. He stated that he appreciates and thanks the Council for believing in staff. He thanked the Public Works Director and his staff for being creative and coming up with something that has helped the City; helped to create jobs and it is something the City can be quite proud of.

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:

Joseph Pereyra – thanked the Mayor and City Council for all their hard work; for making Lancaster a safer City and thanked them for the decrease in fatal car accidents in Lancaster.

Raimone Roberts – commented on the Home Base Business Expo which was held approximately two weeks ago; appreciated the attendance of Council Members Mann and Marquez at the Expo; it was a successful event; great to be around fellow business people; incredible amount of energy in the room. Even though the economy is not good, there is much that everyone can do; there are many resources available and the people of the City have vision.

David Erlich – commented on constraints to construction companies; water issues and how Australia handled their water issues.

David Paul – commented on the “Not in Our Schools” program; children need to be told the truth; suggested some religious books for the City Council to read; potential to be sued by the ACLU regarding Measure I.

David Abber – commented on freedom of speech; commended the students of Del Sur for their program; apologized to the cub scouts that were in the audience at the last meeting for his remarks.

Scott Pelka – commented on the list of rules that the Chamber of Commerce sent out to the candidates for an upcoming debate/forum.

Evie Cook – commented on the issues surrounding the Antelope Valley Allied Arts Association.

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CR 1. REPORT ON THE ACTIVITIES OF THE EDWARDS AIR FORCE BASE RESTORATION ADVISORY BOARD

Council Member Sileo presented the following report:

The RAB convened and conducted the following environmental restoration actions at the February 18, 2010, meeting:

Received a Report on Perchlorate at Edwards AFB. Perchlorate is an inorganic contaminant that occurs in the environment primarily from its use in rocket fuels, and the report identified current remedial progress at Edwards AFB. First detected at EAFB in 1997, perchlorate contamination is limited to the area of north Base and proximity of the Air Force Research Lab (AFRL). To date, no perchlorate has been detected off-base in either soil or groundwater, nevertheless the Base has established sentinel wells along its northern perimeter, with multiple layers of monitoring wells and groundwater extraction treatment systems (GETS) between the leading edge of the contaminant plume and these sentinel wells. Recent historical reduction in groundwater pumping at Edwards and adjoining communities has stabilized the contaminated groundwater flow. However, if AVEK (the potable water supplier to Base and surrounding communities) cannot adequately deliver water because it receives less than its allotted supply from the State, there is a concern that it might lead to resumed groundwater pumping in the area, which may affect the stability, predictability and natural attenuation of the perchlorate plume monitored/remediated on Base. Additionally, there are questions as to how the current groundwater adjudication will affect these pumping rates as well.

CR 2. 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 report:

Consideration of a consulting contract to assist in the procurement of the next operating contract will be brought back for consideration and a possible vote next month. AVTA's contact with Veolia Transportation for bus operations will expire in June 2011. AVTA staff had asked for Board approval to contract with a consultant to handle all aspects of bidding and negotiating the next contract. Staff estimated the contract at \$200,000. The Board indicated to staff that more work should be done to properly assess the Authority's needs, saying that instead of a request for proposals, a request for qualifications, or information could be a more appropriate course of action. The Board directed staff to incorporate the Board's comments into a new staff report for March.

After extensive discussion, the Board approved with a vote of 3-1, a new broker contract for employee ancillary insurance benefits. This was an old business item. When AVTA presented this item in 2008, the Board was dissatisfied with the process undergone by staff who had solicited bids solely from brokers personally known to them. The Board asked staff to advertise the bid opportunity to a wide audience. Through a ranking system designed by AVTA staff, JGF/Davey & Larson/Swank will broker the benefits with Standard Insurance Company. This one year contract will result in an annual savings of \$11,956 to AVTA.

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COUNCIL / AGENCY COMMENTS

Council Member Sileo discussed the Neighborhood Wellness Home in the Trend Tract. There was an unveiling by the City and Central Christian Church of this Wellness Home; a point of access for non-profit medical entities to put their services directly into one of the communities. It is a community that has some challenges and it is an opportunity for many entities to directly reach out to citizens to make a difference in their lives and their medical care before they get to an acute stage, where they cannot breathe and are coming to the hospital in the back of an ambulance. They can intervene where all they may need is some medication or an adjustment to their medication. If their health problems can be taken care of before they become acute, it helps them; helps their families; helps the entire health care system and the entire wellbeing of the community.

Mayor Parris stated that Vice Mayor Smith was largely responsible from the Council perspective, actively involved in the downtown revitalization. Brian Ludicke was no small part of that help, as well as hundreds of citizens who came together. If Vice Mayor Smith had not been on this Council, he does not think the downtown revitalization would be taking place at this time.

Vice Mayor Smith stated that approximately seven years ago he, Council Member Mann and City staff attended a Planning Seminar and learned about Walkable America. The idea came about to redo Lancaster Boulevard; today was the groundbreaking for this project and many new businesses will be coming in. Lancaster Boulevard is going to be an amazing destination spot and it has taken the whole community to pull this together.

Mayor Parris stated that the City is doing so many things and he is very grateful to City staff that they are able to do so many incredible things. Sometimes really magnificent, innovative ideas get lost. This Neighborhood Health Program has the potential to lower the mortality rates significantly; a lot of lives will be saved and there is no doubt in his mind that this is going to happen and this concept is going to spread. There is now a platform for all types of innovative things to see if they will work, to see what it will take to lift up the health of an entire neighborhood. He thanked City staff for all their tremendous efforts to make this happen so quickly.

Mayor Parris stated that he and the City Manager would be visiting China. Hopefully they will come back with great news or be further on the way to developing great news which means jobs. This must be the number one priority at this point, it is a process and the City owes an enormous amount of gratitude to Supervisor Antonovich for bring the City this far and our desire to bring a large factory here.

CLOSED SESSION

None

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ADJOURNMENT

Mayor Parris adjourned the meeting at 7:17 p.m. and announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, March 23, 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)
