

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES
March 23, 2010**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:02 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; Senior Redevelopment Projects Coordinator; Human Resources Director

INVOCATION

Pastor Dorelle Arnwine – Prevailing Word Christian Center

PLEDGE OF ALLEGIANCE

Vice Mayor/Vice Chairman Smith

PRESENTATIONS

Louis V. Bozigian Gift of the Arts Award – Arturo and Ana Luz Castañón

Presenter: Vice Mayor Smith

Mayor's Athlete of the Month – Wesley McCurtis, Paraclete High School, who also received a \$1,000.00 Mayor's Scholarship.

Presenter: Mayor Parris

AGENDA ITEMS TO BE REMOVED

None

APPROVAL OF AGENCY CONSENT CALENDAR

Agency Director Mann stated that he would need to recuse himself from Item No. RCC 2 due to the proximity of the project to property that he owns.

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency approved the Agency Consent Calendar with the exception of Item No. RCC 2, by the following vote: 5-0-0-0: AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

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RCC 1. MINUTES

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of March 9, 2010.

At this time, Agency Director Mann recused himself and left the dais.

RCC 2. ACQUISITION OF PROPERTY

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency approved the agreement for the acquisition of real property between the Lancaster Redevelopment Agency and Darius O. Lezama for property located at 44100 Beech Avenue, Lancaster, California, with funds being appropriated from Housing Bond Proceeds, by the following vote: 4-0-1-0: AYES: Marquez, Sileo, Smith, Parris; NOES: None; RECUSED: Mann; ABSENT: None.

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

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

Mayor Parris stated that he would need to recuse himself from Item Nos. CC 4; CC 6 due to his representation of clients; and Item No. CC 10 due to the proximity of the project to a business that he owns.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council approved the Council Consent Calendar with the exception of Item Nos. CC 4; CC 6; CC 10, 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 March 9, 2010.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers February 21, 2010 through March 6, 2010 in the amount of \$3,944,665.98.

At this time Mayor Parris recused himself and left the dais.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved Item Nos. CC 4; CC 6; and CC 10, by the following vote: 4-0-1-0: AYES: Mann, Marquez, Sileo, Smith; NOES: None; RECUSED: Parris; ABSENT: None.

At this time, Mayor Parris returned to the dais.

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CC 4. ACCEPTANCE OF LANDSCAPE IMPROVEMENTS FOR MAINTENANCE

Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1: Annexation No. 289, installed for Tract No. 60524, Phase 1, located on the east side of 60th Street West, approximately 300 feet south of Avenue K-8, Owner: Richmond American Homes of CA, Inc.; Annexation No. 286, installed for Tract No. 60811, Phase 1, located on the northeast corner of Avenue K-12 and 60th Street West, Owner: Richmond American Homes of CA, Inc.; and Annexation No. 284, installed for Tract No. 60889, located on the northeast corner of Avenue L and 60th Street West, Owner: Richmond American Homes of CA, Inc.

CC 5. COMPLETED SEWER SYSTEM

Approved the completed sewer system installed by the developer of Tract No. 060147, located on the northwest corner of Avenue J and 25th Street East, Owner: Richmond American Homes of CA, Inc.

CC 6. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for: Site Plan Review No. 06-23, located on the southeast corner of Avenue J and 20th Street West, Owner: Timberline Commercial Management, Inc.; Site Plan Review No. 06-26, located on the east side of 5th Street East, approximately 338 feet south of Avenue L, Owner: Mike Fletcher; and Tract No. 60811, Phase 1 (Lots 1-4, 40-41) , located on the northeast corner of Avenue K-12 and 60th Street West, Owner: Richmond American Homes of CA, Inc.

CC 7. COMPLETED WATER SYSTEMS

Approved the completed water systems installed by the developer for Site Plan Review No. 06-26, located east side of 5th Street East, approximately 338 feet south of Avenue L, Owner: Mike Fletcher.

CC 8. SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted substitution of the Subdivision Undertaking Agreement and securities submitted by Beazer Homes Holdings Corp. in place of the Subdivision Undertaking Agreement and securities submitted by Lancaster Pavilion, L.P., for Tract Map No. 060241.

CC 9. ACCEPTANCE OF WORK BY INTERTEX GENERAL CONTRACTORS, INC.

Accepted the work constructed by Intertex General Contractors, Inc., for **Public Works Construction Project No. 08-046**, Lancaster City Hall Space Plan 2 – Phase II; directed the City Clerk to file the Notice of Completion for the project; and authorized payment of the 10 percent retention 35 days after recordation, provided no stop notices, as provided by law, have been filed.

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CC 10. RESOLUTION NO. 10-14

Adopted **Resolution No. 10-14**, declaring its intention to vacate the excess Flood Control Easement located between Avenue L and 10th Street West.

CC 11. RESOLUTION NO. 10-15

Adopted **Resolution No. 10-15**, authorizing the City Manager or his designee to apply for a Community-Based Transportation Planning Grant (CBTP) from the California Department of Transportation for the Southeast Transit Village Planning Area, and authorized the City Manager or his designee to execute all documents relative to the grant.

CC 12. AGREEMENT WITH OASIS AQUATICS, INC.

Approved a two-year agreement with Oasis Aquatics, Inc. for use of City aquatic facilities.

CC 13. AGREEMENT WITH ANTELOPE VALEY SPECIAL OLYMPICS

Approved a two-year agreement with the Antelope Valley Special Olympics for use of City aquatic facilities.

NB 101. MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN BYD, KB HOME, AND THE CITY OF LANCASTER ESTABLISHING A PARTNERSHIP TO DEVELOP FIVE NEW "GREEN ENERGY" HOMES IN LANCASTER TO DEMONSTRATE NEW AND EMERGING ALTERNATIVE ENERGY TECHNOLOGIES

The Economic Development Director presented the staff report and a power point on this partnership project.

Mayor Parris stated that this partnership with BYD could be essential to the future of Lancaster. Between BYD and KB Home, Lancaster will have the most energy efficient homes that are affordable in America. These homes will be state of the art and this also goes along with the goal of Lancaster becoming the alternative energy capital of the world. This will require a great deal of commitment; work and energy. More importantly it requires everyone to be unified in this desire and not do anything to disrupt it.

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Addressing the City Council on this matter:

David Paul – excited about the prospects of this endeavor; concerns regarding how within the Chinese country the state is their religion; concerns regarding espionage; Chinese intelligence and allowing them access.

Mayor Parris stated that he will have to ask the Chinese Attorney in his office about this comment on their religion and felt that it was a very racist remark to make. Additionally, he stated that the most racist comment he has heard was from a commercial airing on Channel 3 in which someone is trying to scare everyone that the red hoards are coming. It is insulting to every Chinese-American; there is nothing that can be done about it except grin and bear it.

Mayor Parris stated that the entire time that he and staff were in China, they never heard the word communist. They heard the word capitalism a lot and entrepreneur, but not communist. For this to be a discussion at all is beneath everyone; this is 2010; most of the products we use are coming from China. For us to say we don't want to have 10,000 jobs because we don't like the race of the people that are bringing the jobs – how is that even conceivable anywhere in America today. He stated that it breaks his heart that in this city we actually have people running television commercials demeaning an entire ethnic group, merely because of the country they come from and he hopes this will stop.

David Abber – this issue is of concern to citizens; inquired as to how the City will recoup the fees that will be waived because of these homes that will be built.

Lyle Talbot – he is still fighting the Power Plant in Palmdale; wished an environmentalist had gone with the group to China.

Vice Mayor Smith stated that this is a great partnership and this will change the way the valley builds homes and how it will be in the future.

Mayor Parris stated that the only way to solve this employment problem is to be proactive; aggressive and work as hard as we possibly can at every single opportunity that comes along. It is not something that we can snap our fingers and produce. It may happen, it may not happen, but if we do not try with everything we have, it's not going to happen. With absolute certainty, if we allow our fear of failure to stop us, we guarantee that we will go nowhere.

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Mayor Parris stated that we could fail at this; invest a lot of time and energy and that plant might be built somewhere else. If so, we will work on the next opportunity and the next one until we solve the problem. What he is not going to do is sit here and wait for it to come to us. We did that for thirty years – those days are over. We will do whatever it takes to bring these jobs to us. We will keep trying and trying; we will not sit here and wait for the world to happen around us.

Council Member Mann stated that there have been many discussions regarding all the jobs that have been exported out of the United States and it’s about time we do something about importing them.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council approved a Memorandum of Understanding (MOU) between BYD, KB Home, and the City of Lancaster establishing a partnership to develop five new “Green Energy” homes in Lancaster to demonstrate new and emerging alternative energy technologies and authorized the City Manager or his designee to execute all documents relative to this matter, 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 announced that on Thursday, March 25, 2010, the City will have a celebration downtown and the public is invited to attend. Construction has begun; the downtown businesses have been very understanding and very supportive of the construction that is taking place.

The City Manager discussed the history of how the first meeting with BYD took place. Here at the City, Lancaster staff takes pride in their planning and preparation of meetings and making sure the City Council is prepared as well. The Mayor and Vice Mayor received a call from Supervisor Antonovich’s office, inviting them to meet with a Chinese delegation. They in fact met with the Chairman of BYD who is the richest person in China and he gives Mayor Parris all the credit for starting this relationship, without proper preparation from City 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.

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PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Dan Selmsner – stated that he and his wife have brought their daughter to these meetings for the last two years to get her interested in what is going on in city politics and government. He thanked the City and the schools his daughter attended for preparing and mentoring his daughter. As a result, she has been accepted to two out-of-state universities and six state colleges. Out of 57,000 applicants, 4,000 were chosen and his daughter will be attending UCLA. He stated that they are very proud of her, her hard work and her good choices. Additionally, Mr. Selmsner stated that a lot of people come to these meetings and a lot of negative things are said. He challenges all parents to come to the meetings, bring their children and find the positive. There is a lot of hard work that goes on in City Hall and they very much appreciate it.

Lyle Talbot – discussed the Power Plant in Palmdale and how Lancaster will be downwind of it; read a letter that he sent to the editor of the local paper about his concerns.

Mayor Parris agreed that there should be some sort of visual representation as to what this plant is going to present to the citizens. There should be a graphic representation as to what is going to take place.

Council Member Marquez stated that she has discussed this matter at length with Mr. Banks and they are keeping an eye on it.

Yul Gevargis – discussed conversions of swamp coolers; solar panels; demonstrations he has shown people such as the late Pete Knight; also has shown the conversions to Senator Runner and Norm Hickling; wants the City's help; it is an alternative to thousands of people in savings on energy costs.

Joseph Yore – discussed his movie history; movie memorabilia; Power Plant; Plant 42; contamination; donations he has made over the years; wants the City to purchase his memorabilia for a Hollywood Museum.

David Paul – discussed the Association of Odd Fellows and read the definition; we are all one family; humanity was designed to be one harmonious family.

David Erlich – discussed bringing jobs here; concerns regarding AB 32; summit in Copenhagen; climate change; global warming; Lancaster has set the standards and discussed the e-verify tool.

Council Member Marquez stated that the City is in the process of preparing a resolution on this; the City is not in favor of AB 32.

Scott Pelka – discussed campaign donations; campaign committee; discussed his concerns regarding conflicts; feels he is being followed.

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

Mayor Parris stated that someone who is running for election is saying that he (Mayor Parris) voted to give Ricky Clutter funding. For the record, he did not vote for this, it is an out and out lie.

David Abber – stated that he has come to more of these meetings than anyone; feels that everything is worse; discussed past decisions of past councils; allegations toward Vice Mayor Smith regarding decisions surrounding a previous City Manager.

Council Member Marquez stated that she has been coming to the Council meetings for the last four years, two as a Council Member. Mr. Abber’s recollection is a little fuzzy. When she was attending the meetings she did not know Vice Mayor Smith personally. She brought all her election papers/flyers and Vice Mayor Smith was the only one on the Council who was actually keeping his promise to review budgets; look for areas that can be cut; making sure there would be more deputies on the streets. As for the previous City Manager, if people would do the proper research they would find that this was the third time he had left somewhere with a large retirement package. The previous City Manager was more for social programs and the Council was asking for more deputies. His response was – absolutely not; more butts in patrol cars was not the answer and he did not have the answers.

COUNCIL REPORTS

None

COUNCIL / AGENCY COMMENTS

None

CLOSED SESSION

None

ADJOURNMENT

Mayor Parris stated that pursuant to action taken by the City Council/Redevelopment Agency on November 10, 2009, there will not be a City Council/Redevelopment Agency meeting on April 13, 2010.

Mayor Parris adjourned the meeting at 6:01 p.m. and announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, April 27, 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

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**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)
