

**LANCASTER CITY COUNCIL
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
July 27, 2010**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency/Financing Authority meeting to order at 5:00 p.m.

ROLL CALL

Present: Council Members/Agency Directors/Authority Members: Crist, Mann, Marquez;
Mayor/Chairman Parris

On a motion by Council Member/Agency/Authority Director Crist and seconded by Council Member/Agency/Authority Director Marquez, the City Council/Redevelopment Agency/Financing Authority excused Vice Mayor/Vice Chairman Smith from the meeting by the following vote: 4-0-0-1: AYES: Crist, Mann, Marquez, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

Excused: Vice Mayor/Vice Chairman Smith

Staff

Members: City Manager/Executive Director; Deputy City Manager/Deputy Executive Director; City Attorney/Agency/Authority Counsel; City Clerk/Agency/ Authority Secretary; Planning Director; City Engineer; Parks, Recreation & Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

The invocation was not given.

PLEDGE OF ALLEGIANCE

Council Member/Agency/Authority Director Marquez

PRESENTATIONS

Mayor's Athlete of the Month – Todd Davis, Paraclete High School. Mayor Parris announced that Mr. Davis would also receive a \$1,000.00 scholarship from the Mayor's Scholarship Fund providing it was not against any of the professional regulations.

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PRESENTATIONS (continued)

Presentation from Los Angeles County – MACC

Mr. Scott Mackey, representing Lee, Burkhardt, Liu, Inc. presented a brief power point presentation regarding the High Desert Health System Multi-Service Ambulatory Care Center Project. The presentation included but was not limited to: facility services; proposed buildings; on-site and infrastructure improvements including parking, walkways, landscaping, signage, site utilities. Off-Site Improvements (requested by the City of Lancaster) will include: landscaping, raised street medians, turn lanes; a civic art component; timeless design, durable materials, energy efficiency. Appropriate native & drought tolerant landscaping will be provided; it will be a safe/secure facility; adequate on-site parking; easy accessibility for patients and families; physical environment will provide a positive impression of care provided and the design will enhance the community surroundings. Additional information included: avoiding impacts of noise and traffic on surrounding neighborhoods; the location will be at the corner of East Avenue I and 3rd Street East; approximately 15 acres; the vacant site is currently owned by the Lancaster Redevelopment Agency (LRA) and the County has an Option Agreement to purchase the site. The County is preparing an Environmental Impact Report (EIR) for the project and the draft EIR will be circulated for public review by October 2010. The County is vacating public roads and abandoning/relocating existing utilities within the project site and following the EIR, the County anticipates exercising its option to purchase the 15-acre site in January 2011. Projected Schedule: issue the RFP for Design-Build Services in the fall of 2010; award of Design-Build Contract in the summer of 2011; Construction Completion in the winter of 2014. The Project Budget: Design-Build Budget of \$90 million; Overall Project Budget of \$120 million. Project Funding: Initial funding with commercial paper and ultimately funded with Build America Bonds (authorized under the American Reinvestment & Recovery Act.)

Presentation from Los Angeles County Housing Authority

Mr. Dorian Jenkins, Executive Director for the Community Development Commission presented an update of their Fiscal Year ending June, 2010. The program is 100% utilized/leased; no new applications for housing assistance are being accepted at this time. Regulations and inspections have been completed and additional staff has been hired and a new training plan is in place for staff and has been implemented. Staff will received improved training and become a better partner for the Antelope Valley regarding the Section 8 program. Statistics were presented regarding vouchers in Lancaster; Palmdale and the Antelope Valley as a whole. The Housing Authority has no authority to prevent people with vouchers from moving to any jurisdiction they choose and people may move anywhere in the continental United States with their vouchers.

Mayor Parris stated that there is a drastic imbalance of Section 8 people being steered to the Antelope Valley and contributes much of this to the fact that there are satellite offices in the Antelope Valley. He questioned why there were no satellite offices in Beverly Hills; Encino; upper-end areas. He feels that the reason there are no offices there is because the Housing Authority wants these people living in Lancaster.

Mr. Jenkins stated that those particular areas fall under the jurisdiction of the Los Angeles “City” Housing Authority and HUD does not have jurisdiction in those areas.

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Presentation from Los Angeles County Housing Authority (continued)

Further discussion took place regarding fair housing rents and the setting of these rent amounts; subsidies; program compliance; Lancaster residents should have priority over people coming from other areas; restrictions and authority of HUD.

Mayor Parris requested a copy of the ordinance that HUD follows regarding their options and authority; research, statistics that HUD has done on the issue of fair market value by zip codes or some other equitable arrangement.

Discussion took place regarding the ethnic background of the clients, the imbalance of this issue; violations by clients, the “pour-ins” from other jurisdictions versus local residents, having HUD handle certain issues different and realize that Lancaster has special needs and needs to have things done differently rather than the way it has always been done; having measurable tools to show that the program is successful.

Mr. Jenkins stated that HUD strives to reach out to cities, they want to hear and address the concerns and reach out to the community.

The Council invited Lee D’Errico, Public Safety Manager for the City of Lancaster to explain the rent comprehensive issue; maximum rent standards; different standards in different counties.

Mayor Parris clarified that he would like to see Mr. Jenkins have a seat at the Lancaster Neighborhood Vitalization Commission meetings and the City Manager stated that initially, Mr. Jenkins would have a seat at the staff table as an ex-officio and further discussion can take place as to whether he would be interested in being on the Commission.

Mr. Jenkins stated that if he is in town, he would be happy to attend these meetings.

AGENDA ITEMS TO BE REMOVED

The City Manager stated that Item No. NB 1 regarding the Palmdale Power Plant would need to be removed from the agenda at this time and it was the consensus of the City Council to remove it.

APPROVAL OF AGENCY CONSENT CALENDAR

On a motion by Agency Director Marquez and seconded by Agency Director Mann, the Redevelopment Agency approved the Agency Consent Calendar by the following vote: 4-0-0-1: AYES: Crist, Mann, Marquez, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

RCC 1. MINUTES

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of July 13, 2010.

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RCC 2. OPTION AND SALE AGREEMENT

A. Approved an amendment to the Option and Sale Agreement between the Agency and County for Parcel "A" extending the existing contract term by six (6) months to acquire the site located at the northeast corner of 3rd Street East and Avenue I and further authorized the Agency's Executive Director to administratively approve future extensions.

B. Approved an amendment to the Option and Sale Agreement between the Agency and County for Parcel "B" authorizing the Agency's Executive Director to administratively approve up to three additional three month extensions for the site generally located at the northwest corner of 5th Street East and Avenue I.

RNB 1. CONDEMNATION PROCEEDINGS – ACQUISITION OF LEASEHOLD INTEREST, 548 WEST AVENUE I, LANCASTER, CALIFORNIA 93534, APN: 3134-003-001 AND 002

It was the consensus of the Redevelopment Agency to waive the presentation on this matter.

On a motion by Agency Director Mann and seconded by Agency Director Marquez, the Redevelopment Agency adopted **Resolution No. 15-10**, directing and authorizing the condemnation of a leasehold interest in and certain improvements on certain real property in the City of Lancaster, California and declaring the public necessity therefore (APN: 3134-003-001 and 002), by the following vote: 4-0-0-1: AYES: Crist, Mann, Marquez, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

Mayor Parris stated that he would need to recuse himself from Item No. CC 19 due to the fact that his wife owns property in the vicinity of this project.

On a motion by Council Member Marquez and seconded by Council Member Mann, the City Council approved the Council Consent Calendar with the exception of Item No. CC 19, by the following vote: 4-0-0-1: AYES: Crist, Mann, Marquez, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

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 City Council/Redevelopment Agency/Financing Authority Regular Meeting minutes of July 13, 2010.

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CC 3. WARRANT REGISTER

Approved the Check and Wire Registers for June 20, 2010 through July 10, 2010 in the amount of \$10,473,841.03.

CC 4. RESOLUTION NO. 10-55

Adopted **Resolution No. 10-55**, authorizing and providing for the Fiscal Year 2010/2011 levy of a special tax within Community Facilities District No. 89-1, a District established to finance the acquisition and construction of regional water system improvements in various locations in the City.

CC 5. RESOLUTION NO. 10-56

Adopted **Resolution No. 10-56**, authorizing and providing for the Fiscal Year 2010/2011 levy of a special tax within Community Facilities District No. 90-1, a District established to finance the construction of regional street and storm drain improvements in the area of Lancaster Boulevard and 25th Street West.

CC 6. RESOLUTION NO. 10-57

Adopted **Resolution No. 10-57**, authorizing and providing for the Fiscal Year 2010/2011 levy of a special tax within Community Facilities District No. 91-1, a District established to finance the construction of regional water and sewer improvements for Quartz Hill II & III.

CC 7. RESOLUTION NO. 10-58

Adopted **Resolution No. 10-58**, authorizing and providing for the Fiscal Year 2010/2011 levy of a special tax within Community Facilities District No. 91-2, a District established to finance the construction of regional street, sewer and storm drain improvements in the Lancaster Business Park Phase III.

CC 8. MONUMENTATION WORK

Approved the monumentation work for Parcel Map No. 062728, located on the Southeast corner of 15th Street West and Avenue L-12, Owner: Kathy Blodgett.

CC 9. PWCP NO. 09-003

Accepted the work constructed by Taft Electric Company, for **Public Works Construction Project No. 09-003, Traffic Signals at Avenue L-8 and 30th Street West, Avenue L and 35th Street West, and Various Signal Modifications ESPL 5419-(023)**; directed the City Clerk to file the Notice of Completion for the project; 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. REJECTION OF BIDS FOR PWCP NO. 09-005**
Rejected all bids for **Public Works Construction Project No. 09-005, 2009 Pavement Management Program.**
- CC 11. EXTENSION OF LANDSCAPE MAINTENANCE CONTRACT**
Approved the extension of the Landscape Maintenance Contract, as outlined in the original agreement for an additional year. No increase to the current contract rates have been requested or considered.
- CC 12. RFP NO. 554-10**
Awarded **Request for Proposal No. 554-10, Master Plan for Trails and Bikeways**, to Ryan Snyder Associates in the amount of \$143,970.00 and authorized the City Manager, or his designee to sign all documents upon the execution of the RENEW Grant Funding Agreement with Los Angeles County Department of Health.
- CC 13. PROJECT NO. 10-HNRD204**
Awarded **Housing and Neighborhood Revitalization Construction Project No. 10-HNRD204, North Downtown Transit Village Pedestrian Project** to Hondo Engineering, Inc. in the amount of \$146,230.00, plus a 20% contingency and authorized the City Manager, or his designee, to sign all documents.
- CC 14. ACQUISITION OF REAL PROPERTY**
Approved an agreement for acquisition of real property between the City of Lancaster and Milton Hudson for property located at 43640 Foxton Avenue, as part of the approved Neighborhood Stabilization Program (NSP).
- CC 15. ACQUISITION OF REAL PROPERTY**
Approved an agreement for acquisition of real property between the City of Lancaster and Wells Fargo Bank N.A., as trustee for property located at 350 E. Nugent Street, as part of the approved Neighborhood Stabilization Program (NSP).
- CC 16. ACQUISITION OF REAL PROPERTY**
Approved an agreement for acquisition of real property between the City of Lancaster and Federal National Mortgage Association for property located at 616 Eston Place, as part of the approved Neighborhood Stabilization Program (NSP).
- CC 17. ACQUISITION OF REAL PROPERTY**
Approved an agreement for acquisition of real property between the City of Lancaster and Wells Fargo Bank, N.A. for property located at 639 E. Pillsbury Street, as part of the approved Neighborhood Stabilization Program (NSP).

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CC 18. OPTION AGREEMENTS EXTENDING EXISTING CONTRACTS TO ACQUIRE PROPERTY

Concurred with the Agency's action to amend the Option Agreements extending the existing contracts to acquire Agency-owned property to develop a Multi-specialty Ambulatory Care Center ("MACC") at 3rd Street East and Avenue I, and approved waiving application fees in an amount not to exceed \$7,313.00 for the required Tentative Parcel Map for the purpose of re-subdividing the subject Agency-owned Property.

At this time Mayor Parris recused himself from Item No. CC 19 and left the dais.

CC 19. ACQUISITION OF REAL PROPERTY

On a motion by Council Member Crist and seconded by Council Member Mann, the City Council approved an agreement for acquisition of real property between the City of Lancaster and HSBC Bank USA for property at 1114 West Avenue J-7, as part of the approved Neighborhood Stabilization Program (NSP), by the following vote:
3-0-1-1: AYES: Crist, Mann, Marquez; NOES: None; RECUSED: Parris; ABSENT: Smith

At this time Mayor Parris returned to the dais.

PH 1. CONGESTION MANAGEMENT PROGRAM (CMP)

Mayor Parris opened the public hearing. It was the consensus of the City Council to waive the presentation on this matter.

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

On a motion by Council Member Mann and seconded by Council Member Marquez, the City Council adopted **Resolution No. 10-59**, finding the City to be in conformance with the Congestion Management Program (CMP) and adopting the 2010 CMP Local Development Report, in accordance with California Government Code Section 65089, by the following vote: 4-0-0-1: AYES: Crist, Mann, Marquez, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

NB 1. PALMDALE POWER PLANT

By earlier action, this item was removed from the agenda.

CITY MANAGER'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT

None

CITY CLERK / AGENCY / AUTHORITY 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:

Greg Butts, representing High Desert Heat Track Club – discussed the Junior Olympics; achievements of several of the athletes; striving to bring a track and field conference in the Antelope Valley which would bring thousands of participants.

Mayor Parris requested that Mr. Butts meet with the Director of Parks, Recreation and Arts and see what Lancaster can do to help in this endeavor.

Edward Schroeder – suggested that the City model Lancaster Blvd. after 3rd Street Promenade and also consider closing traffic to the downtown area; stated that he likes the new construction that is taking place.

Michelle Egberts – stated that she is a parolee; she was living in an unlicensed sober living facility, ended up back in custody; she is very upset with the process.

Mayor Parris requested that Ms. Egberts set a meeting through his assistant to meet with him and with Mr. D’Errico.

Julia Mayzels – discussed the parental responsibility ordinance; suggested finding new ways to punish gang members; investigate the families and find out what is going on.

Barbara Mayzels – told a shamrock/clover story relating it to racial profiling and immigration; quoted an article from the AV Press regarding false medical claims; those on Section 8 have a right to apply for assistance if they are American citizens.

Johnathan Salazar – representing a Young Americans Foundation; 9/11 Never Forget Project; fostering a greater sense of patriotism; asked to have a dedicated memorial service and have officials speak; would like to be granted use of a city park to hold the event; important to have the City on board.

Council Member Crist stated that the Highway Patrol; Forest Service; Fire Departments have a Fallen Heroes Event each year and to consider having their efforts be part of this event.

Mayor Parris requested that Mr. Salazar meet with the Director of Parks, Recreation and Arts and see what can be done to assist in this.

Andrew Nieto – stated that the City should be very concerned regarding the power plant and the potential impact on Lancaster; Lancaster should have a role in regards to the environmental impact.

David Abber – stated that he has concerns regarding the Power Plant; inquired as to the salary of the City Attorney; concerned about lawsuits and the costs associated with lawsuits; he still has concerns regarding treatment that he received from the Sheriff’s Department in March, 2010.

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COUNCIL / AGENCY COMMENTS

None

LANCASTER FINANCING AUTHORITY

No action required at this time.

RECESS

Mayor Parris recessed the City Council meeting at 7:02 p.m. for the purpose of conducting a Closed Session regarding the following matters:

CLOSED SESSION

1) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Government Code sect 54956.9(a))

Mongols Nation Motorcycle Club v. City of Lancaster, et al
Case No. BC439791

2) CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Government Code 54956.8)

548 West Ave I

Negotiating Party: Mr. Rami Darghalli

Agency Negotiator: Executive Director, Mark Bozigian

Negotiations concerning price and terms of payment

3) CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Government Code 54956.8)

Negotiating Parties: Hawse Automotive Properties, LLC and JCH Automotive Properties, LLC

Agency Negotiator: Executive Director, Mark Bozigian

Negotiations concerning price and terms of payment

RECONVENE

Mayor Parris reconvened the City Council meeting at 7:35 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney stated that the City Council met under the aforementioned matters and gave direction to Legal Counsel and the Executive Director regarding these matters.

ADJOURNMENT

Mayor Parris adjourned the meeting at 7:37 p.m. in memory of Michael McNeil who passed away on July 13, 2010. Mr. McNeil was a L.A. County Deputy Sheriff for 17 years; served on the Partners Against Crime Unit; he was a Code Enforcement Supervisor for the City of Palmdale for 12 years and had just recently retired. He is survived by his wife, Linda McNeil who is an employee with the City of Lancaster; 2 daughters; 1 granddaughter and 1 grandchild on the way.

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ADJOURNMENT (continued)

Mayor Parris announced that the next meeting of the City Council/Redevelopment Agency/Financing Authority would take place on Tuesday, August 10, 2010 at 5:00 p.m.

ATTEST:

APPROVED:

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

R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

**CERTIFICATION OF MINUTES
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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/Financing Authority 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)
