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**LANCASTER CITY COUNCIL
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
November 9, 2010**

CALL TO ORDER

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

ROLL CALL

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

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

Absent: Council Member/Agency/Authority Director: Mann

Staff

Members: City Manager/Executive Director; Deputy City Manager/Deputy Executive Director; City Attorney/Agency/Authority Counsel; City Clerk/Agency/ Authority Secretary; Planning Director; Public Works Director; Operations Manager; Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

Pastor Jerry Ferrso, Lancaster Baptist Church

PLEDGE OF ALLEGIANCE

Council Member/Agency/Authority Member Crist

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PRESENTATIONS

1. Overview of the Boo-LVD Event which was held on October 30, 2010
Presenter: Operations Manager of Parks, Recreation and Arts
2. National Family Caregivers Month Proclamation
Presenter: Mayor Parris
3. National Children's Study Proclamation
Presenter: Mayor Parris
4. American Graphic Design Award
Presenter: Vice Mayor Smith

AGENDA ITEMS TO BE REMOVED

None

APPROVAL OF AGENCY CONSENT CALENDAR

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

RCC 1. AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY

Approved an agreement for the acquisition of real property between the Lancaster Redevelopment Agency and Federal Home Loan Mortgage Corporation for property located at 422 Landsford Street, Lancaster, California, as part of the approved Neighborhood Foreclosure Preservation Homeownership Program.

RCC 2. AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH SC PREMIER PROPERTIES

Approved an amendment to the Disposition and Development Agreement between the Lancaster Redevelopment Agency and SC Premier Properties and authorized the Executive Director or his designee to sign all necessary documents. The said property is located on 27th Street West to the west; Antelope Valley Freeway to the east; Avenue I to the north; and Lancaster Boulevard to the south.

RCC 3. AMENDMENT TO SUBLEASE WITH SC FUELS

Authorized the Executive Director or his designee to execute all the necessary documents for an amendment to sublease with SC Fuels. This action is a necessary step to protect existing revenues and to assure that this relationship continues.

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APPROVAL OF MINUTES

On a motion by Vice Mayor/Vice Chairman Smith and seconded by Council Member/Agency Director Crist, the City Council/Redevelopment Agency approved the City Council/Redevelopment Agency/Financing Authority Regular Meeting minutes of October 26, 2010 by the following vote: 4-0-0-1; AYES: Crist, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

M 1. MINUTES

Approved the City Council/Redevelopment Agency/Financing Authority Regular Meeting minutes of October 26, 2010.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

Vice Mayor Smith stated that he would need to recuse himself from Item No. CC 5, due to the fact that he teaches at the college.

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 No. CC 5, by the following vote: 4-0-0-1; AYES: Crist, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

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. WARRANT REGISTER

Approved the Check and Wire Registers for October 6, 2010 through October 23, 2010 in the amount of \$5,161,978.14.

CC 3. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the September, 2010 Monthly Report of Investments as submitted.

CC 4. APPROVAL OF RECIPROCAL AGREEMENT

Approved a Reciprocal Agreement between City of Lancaster and County of Los Angeles for Joint Use of Sanitary Sewer System and authorized the City Manager to execute and sign all documents.

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At this time, Vice Mayor Smith recused himself from Item No. CC 5 and left the dais.

CC 5. APPROVAL OF DEVELOPER CONSTRUCTED STREETS AND MEDIAN

On a motion by Council Member Crist and seconded by Council Member Marquez, the City Council approved the developer constructed street improvements and landscaped median on Avenue K adjacent to Antelope Valley College and accepted the street improvements and landscaped median for public use and for maintenance by the City, by the following vote: 3-0-1-1; AYES: Crist, Marquez, Parris; NOES: None; RECUSED: Smith; ABSENT: Mann

At this time, Vice Mayor Smith returned to the dais.

PH 1. AMENDMENT TO TITLE 17 (ZONING ORDINANCE) OF THE LANCASTER MUNICIPAL CODE MODIFYING THE REQUIREMENTS FOR CERTAIN NON-COMMERCIAL WIND ENERGY SYSTEMS (NC-WES) IN THE RURAL RESIDENTIAL ZONES (RR-1 AND RR-2.5)

Mayor Parris opened the public hearing. The Planning Director presented the staff report on this matter.

Addressing the City Council on this matter:

Ely Sorkin - discussed the esthetics; latest generations of wind turbines are tailless and much more appealing; looking forward to Lancaster becoming the wind capital of the Antelope Valley.

Hearing no further testimony, Mayor Parris closed the public hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council introduced **Ordinance No. 954**, amending Title 17 of the Lancaster Municipal Code (LMC) by modifying the requirements for certain non-commercial wind energy systems (NC-WES) in the rural residential zones (RR-1 and RR-2.5) and determined that the application fee for NC-WES would be the same as an established fee for a Director's Review, Category B by the following vote: 4-0-0-1; AYES: Crist, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

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PH 2. EXTENSION OF INTERIM URGENCY MORATORIUM ORDINANCE REGULATING THE USE OF REAL PROPERTY FOR THE SALE AND DISTRIBUTION OF MARIJUANA.

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

Hearing no further testimony, Mayor Parris closed the public hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted **Interim Urgency Ordinance No. 955**, extending a moratorium on the use of any property for the sale or distribution of marijuana and thereafter extended the period of such moratorium by the adoption of Ordinance No. 940, by the following vote: 4-0-0-1; AYES: Crist, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

NB 1. BUILDING INCENTIVE STIMULUS PROGRAM

The Public Works Director presented the staff report on this matter.

Addressing the City Council on this matter:

Scott Pelka – requested clarification regarding stimulus for individual homes and if there would be an impact regarding fire and school fees.

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council adopted **Resolution No. 10-70**, approving the extension of the Building Incentive Stimulus Program waiving 20-30 percent of the development impact fees from January 1, 2011, through June 30, 2011, in order to help stimulate the local job market and encourage developers to continue to build in the City of Lancaster, by the following vote: 4-0-0-1; AYES: Crist, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

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NB 2. LEASE REVENUE BONDS (SOLAR PROJECTS), ISSUE OF 2010

The Deputy City Manager; Finance Director and the City Attorney presented the staff report on this matter.

Addressing the City Council on this matter:

Scott Pelka – stated that he did not understand why the City would involve themselves in solar panels; the City is not a utility; should be left to private companies.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted **Resolution No. 10-71**, approving the Lancaster Financing Authority's Lease Revenue Bonds (Lancaster Solar Projects), Issue of 2010 and approving certain actions in connection therewith, by the following vote: 4-0-0-1; AYES: Crist, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

FA 1. LEASE REVENUE BONDS (SOLAR PROJECTS), ISSUE OF 2010

It was the consensus of the Financing Authority to waive the presentation regarding this matter.

On a motion by Vice Chairman Smith and seconded by Authority Member Crist, the Financing Authority adopted **Resolution No. FA 10-01**, approving the Lancaster Financing Authority's Lease Revenue Bonds (Lancaster Solar Projects), Issue of 2010 and approving certain actions in connection therewith, by the following vote: 4-0-0-1; AYES: Crist, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

CA 1. DISCUSSION AND DIRECTION REGARDING RED LIGHT CAMERA PROGRAM

Mayor Parris discussed his concerns regarding the fairness of red light cameras; does not want this to be a revenue source that the City is dependent upon; consider having the cameras set up on an intermittent basis; consider a statistical model that would have the least impact on citizens and substantially reduce the number of tickets that are issued.

Council Member Crist requested that Officer John White present some statistics regarding this matter.

Officer White – discussed the fact that accidents have been reduced substantially due to these cameras; presented percentage reductions at different areas of the City. He stated that the system works; it is one tool in the City's toolbox to assist them in improving the safety of the motoring public; he believes in the system and offered information for the Council to consider.

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CA 1. DISCUSSION AND DIRECTION REGARDING RED LIGHT CAMERA PROGRAM (continued)

Mayor Parris requested comparisons to intersections that currently do not have cameras installed; stated that he would like to see something accomplished randomly.

Officer White stated that he was not sure how this would work; it was his opinion that it should be all or nothing; walked the Council through the process.

Further discussion took place regarding warning notices; creating a new process; problems that could be created by having something random; unclear as to how part-time would work; civil violations; vehicle code trumps civil code violations; important to have accurate numbers; discussed the decrease in fatalities since the installation of the cameras; consider a different breakdown for the cost of the tickets wherein less is given to the City; consider involving our Assemblyman and State Senator in this matter as well.

The City Attorney stated that there are several statutes that need to be reviewed before this could be changed; several codes to review.

The City Manager stated that this would all be reviewed and brought back to Council in a few months with additional information.

CA 2. DISCUSSION OF AVTA GOVERNANCE STRUCTURE

Mayor Parris stated that he is concerned with what has occurred over the past few weeks regarding AVTA; explained the Joint Powers Agreement between Lancaster, Palmdale and AVTA; employees of AVTA have been complaining for several years about improprieties within the organization. Money has been stolen; taxpayers money. When top officials are taking vacations on AVTA credit cards, this is stolen money; there is something definitely wrong when the CFO of AVTA is leaving the office at 1 a.m. in the morning and turns in his resignation hours later. The Mayor and Council Member of Palmdale who sit on the board had excuses for not attending a very important meeting and there is no excuse, this was and is very serious. When board members are abandoning their duties and others are resigning, there is something seriously wrong and this is malfeasance. He would like to look at separating from this agreement and consider electing a board for the AVTA. He would like to have City staff come back in the next few months with options, alternatives. It is negligent to sit silently on a board; it is negligent to not attend the AVTA meetings. The only ones who seem to be upset as to what is going on is this Council and Supervisor Antonovich's office. There needs to be resolution to this so that it never happens again; he does not understand the behavior and reactions of the other board members.

Council Member Marquez stated that she agrees and that the fact that the Mayor and Council Member of Palmdale did not show for this very important meeting was wrong and a violation of the oath they took to represent the public.

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CA 2. DISCUSSION OF AVTA GOVERNANCE STRUCTURE (continued)

Council Member Crist stated that he disagrees with the idea of pulling apart from the agreement; all sides need to be represented; this impacts the citizens of Palmdale. Lancaster is being represented but Palmdale is not, due to the lack of leadership that is being displayed.

Mayor Parris stated that many of the allegations have been going on for years; something needs to be done.

Council Member Crist clarified that as soon as Lancaster became aware of the issues they reacted.

Mayor Parris stated that this matter must be resolved; the whole idea of a competition between Palmdale and Lancaster is not in the best interest of anyone. There should not be any competition on these boards – they need to be together for the good of the people; they need to thrive together.

Addressing the City Council on this matter:

Ron Teidel – stated that the Tea Party is more involved in local government now; there needs to be accountability; must hold the officials feet to the fire; there should never be a time when two board members are absent from the discussion of such an important issue.

Council Member Marquez stated that she will be out of town when the next AVTA Board meeting is to be held and an alternate should be appointed.

The City Attorney explained that an emergency item would need to be added to the agenda to allow the Council to select an alternate for the board.

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved adding an emergency item to the agenda to appoint an alternate to the AVTA Board, by the following vote: 4-0-0-1; AYES: Crist, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council appointed Mayor Parris as the alternate to the AVTA Board, by the following vote: 4-0-0-1; AYES: Crist, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann

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CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENT

The City Manager announced that another block of Lancaster Blvd has been opened up; it is very uplifting to see people coming together and the positive energy that surrounds this area is incredible.

The Assistant to the City Manager presented a brief update regarding the Unite Lancaster Program; eleven projects were completed; people from many neighborhoods and from several faith based organizations came together along with non-profit groups. Two of the projects that epitomized the weekend included the Catalyst Foundation Community Garden and a neighborhood block party in the Piute area. Different activities were introduced; people became acquainted with each other; it was very successful. He thanked the City Council; the Lancaster Neighborhood Vitalization Commission and the citizens for all their support

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.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

David Paul – stated that he feels and sees the vitality of the BLVD; the energy is incredible; many people have ideas on how to make the City a better place; thanked City staff for their hard work and efforts to figure out ways to improve City.

Andrew Nieto – stated that it was a pleasure to attend the Boo-LVD event; thousands were in costume; gave several suggestions for future Boo-LVD events such as making more use of side streets; put main events such as the Thriller dance performance on a main stage with seating at the Boeing Plaza; also addressed traffic signal concerns at different intersections.

LaTiss Pugh - discussed how she was treated on a late evening coming home; she was stopped, pulled in her driveway, her door was open, the policeman was close, he felt safe. She was arrested – mistreated; she was not belligerent; not inebriated; she had valid identification; very disappointed in the treatment given to her; looking for some type of resolution to this incident.

Mayor Parris asked Ms. Pugh to please discuss the matter with Lee D'Errico, the City's Public Safety Manager.

Lyle Talbot – stated that he does see an improvement on Lancaster Blvd; discussed an article in the paper regarding an incident between the Mayor and a citizen that took place at a local business.

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COUNCIL / AGENCY COMMENTS

None

CLOSED SESSION

None

ADJOURNMENT

Mayor Parris adjourned the meeting at 6:29 p.m. in memory of Forrest Godde, born and raised in Lancaster; longtime Antelope Valley Rancher, one the founding members of the Antelope Valley-East Kern Water Agency that brought in northern California water to supplement Valley well supplies.

Mayor Parris stated that pursuant to action taken by the City Council / Redevelopment Agency on August 10, 2010, there would not be a City Council / Redevelopment Agency meeting on November 23, 2010 and announced that the next meeting of the City Council/Redevelopment Agency/Financing Authority would take place on Tuesday, December 14, 2010 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this _____day of _____, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

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

R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

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**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)
