

**LANCASTER CITY COUNCIL
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
January 25, 2011**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency/Financing Authority meeting to order at 5:03 p.m.

ROLL CALL

Present: Council Members/Agency Directors/Authority Members: Mann, 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 Crist from the meeting by the following vote: 4-0-0-1; AYES: Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Crist

Absent: Council Member Crist

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; Parks, Recreation and Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Director

INVOCATION

Shane Idleman, Westside Christian Fellowship

PLEDGE OF ALLEGIANCE

Council Member/Agency Director Mann

PRESENTATION

S.O.A.R. (Students On Academic Rise) High School Student of the Month, Cierra Parker. Ms. Parker also received a \$1,000.00 Mayor's Scholarship.
Presenter: Mayor Parris

AGENDA ITEMS TO BE REMOVED

None

APPROVAL OF AGENCY CONSENT CALENDAR

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

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RCC 1. GRANT OF EASEMENT

Approved the Grant of Easement for underground water pipelines, appurtenant fixtures and other equipment necessary including ingress/egress purposes to Lancaster Promenade II, LLC and authorized the Executive Director to execute all documents necessary to complete the transaction.

RCC 2. GRANT OF EASEMENT

Approved the Grant of Easement for underground water pipelines, appurtenant fixtures and other equipment necessary including ingress/egress purposes to Los Angeles County Waterworks District No. 40, Antelope Valley, a governmental agency and authorized the Executive Director to execute all documents necessary to complete the transaction.

APPROVAL OF MINUTES

On a motion by Council Member/Agency Director Mann and seconded by Council Member/Agency Director Marquez, the City Council/Redevelopment Agency approved the City Council/Redevelopment Agency/Financing Authority Regular Meeting minutes of January 11, 2011 and the Special meeting minutes of January 17, 2011, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Crist

M 1. MINUTES

Approved the City Council/Redevelopment Agency/Financing Authority Regular Meeting minutes of January 11, 2011.

M 2. SPECIAL MEETING MINUTES

Approved the Special City Council/Redevelopment Agency Meeting minutes of January 17, 2011.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

Vice Mayor Smith requested that Item No. CC 4 be pulled from the Consent Calendar for separate discussion and action.

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 4, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Crist

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 December 26, 2010 through January 8, 2011 in the amount of \$1,930,454.64.

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CC 3. MONTHLY REPORT OF INVESTMENTS

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

CC 4. ORDINANCE NO. 960

Addressing the City Council on this matter:

Lyle Talbot – stated that he was in favor of the ordinance.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted **Ordinance No. 960**, an ordinance of the City Council of the City of Lancaster, California, amending Chapter 13.16 of the Lancaster Municipal Code relating to refuse collection and disposal, by the following vote: 3-1-0-1; AYES: Mann, Marquez, Smith; NOES: Parris; ABSTAIN: None; ABSENT: Crist

CC 5. PWCP NO. 09-026

Accepted the work constructed by Vance Corporation for **Public Works Construction Project No. 09-026, Avenue I Resurfacing STPL 5419-(019)**; 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.

CC 6. TAX SHARING RESOLUTION

Adopted the Tax Sharing Resolution for proposed Annexation No. 40-140 (4-203), into Los Angeles County Waterworks District No. 40, Antelope Valley.

NB 1. AMENDMENT TO THE AUTHORITY OF THE LANCASTER HOUSING AUTHORITY

It was the consensus of the City Council to waive the presentation regarding this matter.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted **Resolution No. 11-07**, amending Resolution No. 93-195 relating to the Lancaster Housing Authority and removing specific limitations, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Crist

NB 2. PROPOSED AMENDMENT TO THE LANCASTER MUNICIPAL CODE, ADDING CHAPTER 14.04 RELATING TO ECONOMIC DEVELOPMENT

It was the consensus of the City Council to waive the presentation regarding this matter.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council introduced **Ordinance No. 961**, (the “Ordinance”), adding Chapter 14.04 to the Lancaster Municipal Code relating to City authority for economic development, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Crist

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

Council Member Marquez presented the following information:

- The Board received a report from consultant Michael Busch regarding the agency's current insurance policies. Mr. Busch addressed comments provided by Aon Global Risk Consulting in an Insurance Portfolio Review document completed on August 23, 2010. This document had not been previously shared with the Board. Key report findings include a recommendation to purchase and maintain excess umbrella liability insurance on the automobile policy. Current automobile liability limits are \$5 million. Aon suggested AVTA seek limits in the \$20 million range. The report also recommended the addition of pollution liability insurance including coverage for on-site and off-site clean up. The Board authorized the executive director to pay the Aon invoice in the amount of \$8,500.
- The Board authorized the interim executive director to: a) prepare and submit a letter to the Federal Transit Administration (FTA) citing unusual and compelling urgency to process a twelve-month extension of the transit operations contract with Veolia Transportation, Inc., which will expire June 30, 2011; and b) with the FTA's concurrence, process an extension from July 1, 2011 to June 30, 2012 with Veolia Transportation, Inc. and negotiate final terms and conditions. With a twelve-month extension, AVTA estimates that rates currently paid to Veolia for transit services will remain unchanged. Conversely, issuing a request for proposals and awarding a contract to a new transit operator is likely to result in increased expense to AVTA due to start-up costs required to transfer services from one operator to another. These costs include, among other things, background checks, drug testing, training and obtaining the necessary insurance.

CR 2. REPORT ON THE ACTIVITIES OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT

Council Member Marquez presented the following information:

- The Board amended Rule 219 (*Equipment Not Requiring a Permit*) to include agricultural equipment emission sources, enabling the AVAQMD to permit previously not included agricultural sources locally. Staff has been working with the Farm Bureau and Ag community to better prepare/position local farmers for potential State (Carl Moyer) funds.
- Staff provided the Board an update on the Palmdale Power Plant (PPP) which is in the process of review by the California Energy Commission (CEC). The CEC is the ultimate permitting authority for the PPP, however AVAQMD does have input during this process, and will issue the PPP an air quality permit. The AVAQMD Air Pollution Control Officer (APCO) determined that mitigation identified by the CEC for dust (PM 10) from unpaved road associated with the PPP project is unnecessary because the Antelope Valley is currently in attainment for PM 10. However, the Governing Board directed the APCO to not submit this determination to the CEC until which time the Board makes a decision on this subject.

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**CR 2. REPORT ON THE ACTIVITIES OF THE ANTELOPE VALLEY AIR
QUALITY MANAGEMENT DISTRICT (continued)**

The AVAQMD presently has no Road Paving Rule to provide criteria for such a decision, and the Board's position is that as a governing body, it gives Staff direction as to what posture the District takes on a subject, or how the AVAQMD will be represented. This issue will be put on the agenda for further discussion at the February meeting.

Addressing the City Council on this matter:

Lyle Talbot – stated his concerns regarding the air quality for citizens of the Antelope Valley; encouraged the City Council to voice such concerns at the hearings.

LANCASTER FINANCING AUTHORITY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR 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.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Lyle Talbot – stated that he had an issue with the re-broadcast times of the Council meetings on Channel 28.

David Abber – stated his concerns regarding the urgency meeting held on January 17, 2011; addressed his concerns regarding several lawsuits; lack of jobs in the City; concerns regarding the future power plant.

Cynthia Spears, representing Change Lane Youth Support Services – provides services to at-risk youth who are involved in the criminal justice system; they foster care and reentry/transition back into the system; mentoring; tutoring; they have been self-supporting and self-sustaining for the past five years and they are looking for funding. She has been in contact with many agencies and Change Lanes needs the community support.

David Trussal – supports the Change Lane Youth Support Services; has a relative that is being helped by this organization and it is changing her life. He commended Mayor Parris and the City Council for everything they have done for the community; positive changes have taken place.

Mayor Parris directed his assistant to set up a meeting with this organization.

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

Ernesto Ponce – stated that he is involved in the Change Lane Youth Support Services; they have helped him; taught him many life lessons. This organization helps people to become better and lead productive lives.

David Paul – stated that everyone needs to pull together; love each other; everyone needs to get along; bickering does not accomplish anything; encouraged Mr. Talbot to be kinder, talk nicer and offer solutions rather than negatives.

Victoria Zavala – briefly discussed the cannabis movement; neighboring cities and communities are opening up shops; the City is missing out on much needed tax revenues; this must be regulated; important for people to have safe access; wants and needs a location to educate people, not to provide medicine but a place to help people with their wellness issues; have meetings; workshops.

The City Manager stated that this was the first time they were hearing of this request and if Ms. Zavala would get in touch with him the next day, he would provide the proper staff for her to talk with.

COUNCIL / AGENCY COMMENTS

Sherry Marquez – wished a belated happy birthday to the Mayor, City Clerk and City Attorney.

CLOSED SESSION

None

ADJOURNMENT

Mayor Parris adjourned the meeting at 5:37 p.m. in memory of Marguerite "Ty" Killen, an intrepid aviator who flew military aircraft during World War II, and was honored by Congress last year as a decorated member of the Women's Airforce Service Pilots.

During World War II's darkest days, they were among the few women pilots who flew thousands of stateside missions, freeing their male counterparts to fly in combat. These women courageously answered their country's call in a time of need while blazing a trail for the brave women who have given and continue to give so much in service to this nation.

Ty Killen was 86 years old and she is survived by a son and three daughters.

Mayor Parris stated that the next meeting of the City Council/Redevelopment Agency/Financing Authority would take place on Tuesday, February 8, 2011 at 5:00 p.m.

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PASSED, APPROVED and ADOPTED this 8th day of February, 2011, by the following vote:

AYES: Council Members: Mann, Marquez, Vice Mayor Smith, Mayor Parris

NOES: None

ABSTAIN: Council Member: Crist

ABSENT: None

ATTEST:

APPROVED:

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

R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

**CERTIFICATION OF MINUTES
CITY COUNCIL/REDEVELOPMENT AGENCY/FINANCING AUTHORITY**

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)
