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**CITY COUNCIL/REDEVELOPMENT AGENCY/
FINANCING AUTHORITY
MINUTES
April 26, 2011**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency/Financing Authority meeting to order at 5:07 p.m.

ROLL CALL

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

Absent: None

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

Reverend Maxine Schlitz – Revealing Truth Church

PLEDGE OF ALLEGIANCE

Vice Mayor/Vice Chairman Smith

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

PRESENTATIONS

1. Mayor Parris recognized Dr. Jennifer Hill as Lancaster's Citizen of the Year. Dr. Hill has been a Neural Radiologist at Antelope Valley Hospital for the past ten years and is one of the premier neural radiologists in the country. She is personally responsible for saving thousands of lives within this community. Before she came, Lancaster had good radiologists but never a neural radiologist. She reviews thousands of films every year; she is here whenever she is needed and she is always on call. There will be a special presentation in the future awarding her the distinction of citizen of the year.
2. S.O.A.R. (Students On Academic Rise) High School Student of the Month, Michael A. Yepez. In addition to this recognition, Mr. Yepez also received a \$1,000 scholarship from the Mayor's Scholarship Fund.
Presenter: Mayor Parris
3. Athlete of the Month – Aimee Pierson – Desert Christian High School. In addition to this recognition, Ms. Pierson also received a \$1,000 scholarship from the Mayor's Scholarship Fund.
4. Recognition for Community Service – Michael Axley, Travis Knemeyer, Issac Lemos, Michael Macias
Presenter: Mayor Parris
5. Desert Christian High School Girls Soccer Team CIF Champions
Presenter: Mayor Parris

RECESS

Mayor/Chairman Parris requested a brief recess at 5:24 p.m.

RECONVENE

Mayor/Chairman Parris reconvened the meeting at 5:28 p.m.

AGENDA ITEMS TO BE REMOVED

None

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

APPROVAL OF AGENCY CONSENT CALENDAR

On a motion by Vice Chairman Smith and seconded by Agency Director Crist, the Redevelopment Agency approved the Agency Consent Calendar, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

**RCC 1. RESOLUTION NO. 07-11; PAYMENT TO COUNTY UNDER PROTEST;
BUDGET ADJUSTMENTS**

- A. Under protest, approved payment in the amount of \$3,598,805.00 to the County of Los Angeles on behalf of the State of California for Fiscal Year 2010/11 Supplemental Education Revenue Augmentation Fund deposit; approved a loan from Low and Moderate Income Housing Funds to fund this payment, as detailed in Attachment A of the staff report.
- B. Adopted **Resolution No. 07-11**, approving the payment of the Supplemental Education Revenue Augmentation Fund (SERAF) deposit with a loan from the Low and Moderate Income Housing Fund.
- C. Approved budget adjustments as detailed on Attachment A in the staff report.

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/Authority approved the City Council/Redevelopment Agency/Financing Authority Regular Meeting minutes of April 12, 2011, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

M 1. MINUTES

Approved the City Council/Redevelopment Agency/Financing Authority Regular Meeting minutes of April 12, 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: 5-0-0-0; AYES: Crist, Mann, Marquez, 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.)

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

CC 2. WARRANT REGISTER

Approved the Check and Wire Registers for March 27, 2011 through April 9, 2011 in the amount of \$4,476,676.09.

CC 3. APPROVAL OF FINAL MAP NO. 71355

Approved the final map for Parcel Map No. 71355, located on the northwest corner of 5th Street East and Avenue I, and accepted the dedications as offered on the map; made findings that this project will not violate any of the provisions of Sections 66473.5, 66474.1, and 66474.6 of the Subdivision Map Act; instructed the City Clerk to endorse on the face of the map the certificate which embodies the approval of said map and the dedications shown thereon.

CC 4. ORDINANCE NO. 963

The Planning Director gave a brief report on this matter.

Addressing the City Council on this matter:

Jason Zink – stated that he is in favor of the approval of this ordinance; has talked with property owners in the area and some of them are interested in having solar on their property but are concerned with rezoning issues.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council adopted **Ordinance No. 963**, an ordinance of the City Council of the City of Lancaster, California, amending the City Zoning Plan for 20± acres at the northwest corner of 40th Street East and Avenue K-8, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

JPH 1. DISPOSITION STRATEGY FOR PROPERTIES ACQUIRED BY THE LANCASTER REDEVELOPMENT AGENCY UNDER THE NEIGHBORHOOD FORECLOSURE HOMEOWNERSHIP PRESERVATION PROGRAM IN THE SOUTH DOWNTOWN NEIGHBORHOOD

Mayor/Chairman Parris opened the Joint Public Hearing. It was the consensus of the City Council/Redevelopment Agency to waive the presentation of the staff report on this matter.

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

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted **Resolution No. 11-20**, resolution of the City Council of the City of Lancaster, approving a disposition strategy for the sale of single-family residences acquired under the Neighborhood Foreclosure Home Preservation Program and South Downtown Neighborhood Project, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

JPH 1. DISPOSITION STRATEGY FOR PROPERTIES ACQUIRED BY THE LANCASTER REDEVELOPMENT AGENCY UNDER THE NEIGHBORHOOD FORECLOSURE HOMEOWNERSHIP PRESERVATION PROGRAM IN THE SOUTH DOWNTOWN NEIGHBORHOOD (continued)

On a motion by Vice Chairman Smith and seconded by Agency Director Crist, the Redevelopment Agency adopted **Resolution No. 08-11**, a resolution of the Lancaster Redevelopment Agency, approving a disposition strategy for the sale of single-family residences acquired under the Neighborhood Foreclosure Home Preservation Program and the South Downtown Neighborhood Project, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

PH 1. VACATION OF ALLEY LOCATED BETWEEN KINGTREE AVENUE AND THE OLD VALLARTA MARKET

Mayor Parris opened the Public Hearing. It was the consensus of the City Council to waive the presentation of the staff report on this matter.

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 adopted **Resolution No. 11-21**, ordering the vacation of Alley, located between Kingtree Avenue and the old Vallarta Market, lying 207 feet north of the centerline of Avenue I, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

NB 1. AGREEMENT WITH RAW INSPIRATIONS TO PROVIDE A WEEKLY FARMERS MARKET

The Parks, Recreation and Arts Director presented the staff report on this matter. The Senior Operations Manager and the Operations Manager from the Parks, Recreation and Arts Department presented further details on providing a weekly Farmers Market.

Questions, concerns or comments from the City Council included: clarification of business licensing for this program; sales tax concerns; reporting of sales tax; giving priority to local vendors; traffic pattern concerns.

Addressing the City Council on this matter:

Barbara Miller – stated that she is very excited about this program; creates a healthy living lifestyle and urged the City Council to approve this.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council authorized the City Manager to enter into an agreement with Raw Inspirations to provide a weekly Farmers Market in downtown Lancaster, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

CA 1. CONSIDERATION OF NOMINATION/APPOINTMENT OF AMANDA HAWSE TO THE ARCHITECTURAL/DESIGN PLANNING COMMISSION

Mayor Parris requested consideration of the nomination of Amanda Hawse to the Architectural/Design Planning Commission. On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved the nomination and appointment of Amanda Hawse to the Architectural/Design Planning Commission, by the following vote: 5-0-0-0; AYES: Crist, Mann, Marquez, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

At this time, the City Clerk administered the oath of office to Ms. Hawse.

CA 2. COUNCIL DISCUSSION/ACTION REGARDING PROPOSED PALMDALE POWER PLANT

Council Member Crist requested a brief report from the Public Works Director regarding the Palmdale Power Plant.

The Public Works Director discussed the location of the plant which would be adjacent to Plant 42, a major employer in the Antelope Valley. The proposed area is also in the area of Lockheed-Martin and Northrop-Grumman. The California Energy Commission (CEC) is nearing the completion of the process that will make it possible to make a decision about the Power Plant. Testimony has already been heard regarding the infrastructure; health, biological impacts, traffic impacts and concerns regarding the plume that will be emitted by the Power Plant. The Plant will be required to implement the best technology to meet the legal requirements. The CEC does not concern itself with future projects and considers them speculative in nature. He further discussed EPA and air quality standards and the extent of the plume that would be emitted and National Ambient Air Quality Standards.

Mayor Parris discussed concerns regarding the benefits to Palmdale; detriments to Lancaster; Lancaster is being infringed upon; concerns regarding the costs involved; responses from Palmdale. Clarified that due to new regulations, this Power Plant could be built and there is a reasonable assumption that many, many jobs could be lost at Plant 42 and Palmdale does not seem concerned at all.

The City Manager stated that companies are being alerted including the Air Force and the City is working toward getting everyone to understand the seriousness of this very significant issue.

Brett Banks, Operations Manager for the Air Quality Management District discussed the fluidity of the project; modeling plumes; the ambient air quality standards. Thanked Lancaster city staff for their research on the detailed laws regarding this matter.

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

**CA 2. COUNCIL DISCUSSION/ACTION REGARDING PROPOSED PALMDALE
POWER PLANT (continued)**

Vice Mayor Smith requested clarification from Mr. Banks regarding the geographic location; ambient levels; process for testing; how far away the testing was done; monitoring system used; EPA rules; affects by the wind; shifts in the wind.

Mayor Parris stated that he is very concerned about the impact this could have on the workforce employed at Plant 42 and future projects; this Power Plant could crush the entire valley and Palmdale has done nothing to review these issues.

Further discussion took place regarding pollution levels; ambient air quality levels.

Mayor Parris stated that he was very concerned for the health of the citizens and the potential for many people to become ill due to the emissions from this Plant.

Council Member Mann stated that many years ago when he was on the Planning Commission, the Commission went to great lengths to make sure the jobs at Plant 42 were secure; protected. It is very frustrating to know that so much is now at risk; the City stepped up and rezoned for future development ten or fifteen years ago and now everything is at risk.

Vice Mayor Smith requested clarification regarding the regulations; rules; effect on manufacturing; ability to grow a valley; risks of potential cancer causing agents.

Council Member Marquez discussed unmanned air craft; testing concentration of the area; permits; high desert corridor; solar farms.

Council Member Crist discussed containment issues/concerns; allowable credits; millions of dollars would be sent to the San Joaquin Valley and in return the air in the Antelope Valley would become dirty. He requested that several video clips be played of recent board meetings of the AVAQMD. He requested that Palmdale step back and look at this further. This will impact 10,000 jobs; one billion dollars all for the sake of 35 jobs. He also requested that Palmdale work with Lancaster to understand all the issues and Palmdale has shown no interest in doing so. He requested that the Lancaster City Council take a formal position against the Power Plant.

Mayor Parris clarified that this is the mayor of Palmdale doing this; not the Palmdale City Council; not the city of Palmdale – it is one person. The responsibility belongs on his shoulders – the mayor of Palmdale.

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

**CA 2. COUNCIL DISCUSSION/ACTION REGARDING PROPOSED PALMDALE
POWER PLANT (continued)**

Council Member Marquez voiced her concerns regarding the pollution which would travel over the soccer fields; Eastside High School; east Lancaster neighborhoods; Lancaster Baptist Church; Lancaster Baptist School and Lancaster Baptist College. She stated that she is very concerned for the health of the community.

Council Member Mann stated that he feels that since Mayor Ledford will not take a step back and look further at all the issues, he is basically nailing the coffin shut on future jobs. Historically, Mayor Ledford has always said everyone should take a step back and look at things and now he won't do this himself; he is putting thousands of jobs on the line.

Further discussion took place regarding the process; the plume; gas main; pollution; jobs; concerns regarding the entire package; there are no benefits to the people of the Antelope Valley.

Council Member Crist requested that the City Council take a formal position to do everything reasonable to oppose the Palmdale Power Plant.

Addressing the City Council on this matter:

David Abber – appreciates Council Member Crist bringing this matter forward; project has been on the board for a very long time.

Lyle Talbot – stated that this was brought to the attention of the City Council quite awhile ago; appreciates that Council Member Crist has done his homework on this matter.

Jim Hawse – discussed the financial implications; the bigger issues are the health concerns; cannot subject students to these risks; this project must be stopped; don't subject anyone to this; the health of the community is at risk.

Council Member Crist made a motion to do everything possible to oppose the Palmdale Power Plant and Council Member Mann seconded the motion.

Vice Mayor Smith stated that he would not mind voting on a motion like this at a later date; but felt it was important first to get the opinions and feedback from the aerospace industry; Plant 42; Edwards Air Force Base; get everyone to the table so they can weigh in on this and learn more about the facts regarding this matter. He is concerned about the jobs; the totality of this entire project; important to get all the answers first.

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

**CA 2. COUNCIL DISCUSSION/ACTION REGARDING PROPOSED PALMDALE
POWER PLANT (continued)**

Further discussion took place regarding current permit levels; CEQA findings; AVAQMD meetings; purpose of building this for Palmdale; thirty-six miles of transmission lines; selling the power.

Council Member Crist stated that he was not willing to pull his motion. The risks are too important; the total package is a concern and Lancaster needs to take a position on this.

Mayor Parris discussed the vision for the valley; powering all the southwest with the capacity of solar; we cannot start trashing this community; it is the job of this Council to protect this City and do whatever is possible to prevent this Plant from being built. Only two percent of this Plant will be from solar – it will be a gas fired Plant and every sane company knows it is important to build these types of Plants on the outskirts of communities.

On a motion by Council Member Crist and seconded by Council Member Mann, the City Council approved taking a formal position to do everything reasonable to oppose the construction of the Palmdale Power Plant, by the following vote: 4-0-1-0; AYES: Crist, Mann, Marquez, Parris; NOES: None; ABSTAIN: Smith; ABSENT: None

LANCASTER FINANCING AUTHORITY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager stated that the City was made aware just today that after fifteen years and looking at it three times, the wisdom of the High Speed Rail Authority has once again stated that they want to re-study bypassing the Antelope Valley and going from Bakersfield to Burbank directly, because it saves six minutes. The old adage in transit is more time can be saved if you just don't pick up people; bypass where the people are and the train never stops. It is a serious subject and somewhat frustrating that after fifteen years, this community advocating for something – once again next Thursday, the High Speed Rail Authority will entertain looking at a route that has no people on it.

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.

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council at this time:

Richard Macias – concerns regarding some baseball fields in the area of Avenue I that have not been finished; nothing has been done. Fields were to be completed in 2006; project was pushed back; homes built; fields are graded but nothing else has happened.

The City Manager discussed funding for different parks; this area is on the radar; the bid for this particular field was extremely high; the City is trying to make it affordable and he will discuss this with Mr. Macias.

Maria Gutierrez – concerns regarding housing programs; medical programs; advocacy rights center; lack of assistance; issues with the mental health centers.

David Arajeda – commended Council Member Crist for the discussion regarding the Power Plant; discussed issues with the Sheriff's Department and their aggressive force on regular people; feels he has been harassed.

RECESS

Mayor Parris requested a brief recess at 7:19 p.m.

RECONVENE

Mayor Parris reconvened the meeting at 7:26 p.m.

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

David Abber – discussed the Power Plant issues; public safety; importance of protecting the citizens.

David Paul – appreciates the concept of Raw Inspiration; important to focus on what will build this community up rather than tearing it down; must find a way to work through the issues, work together to find solutions.

COUNCIL / AGENCY COMMENTS

Council Member Crist stated that the California Highway Patrol was continuing to enforce safety on Highway 14; advised everyone to slow down and drive safe. Commended the new Sheriff's Captain, Bob Jonsen for what he has done regarding the decrease in the crime rate. Stated that a redistricting meeting will be taking place at Sierra Toyota on Sunday, May 1, 2011 at 2 p.m. and the public is invited to come and voice their concerns regarding this matter.

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

CLOSED SESSION

It was the consensus of the City Council to discuss the scheduled Closed Session matter in open session.

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

- Government Code Section 54956.9(a)
Rubin v. Lancaster - United States District Court Case No. CV 10-4046 DSF (JCx)

The City Attorney stated that the trial regarding this matter took place today. Judge Fisher has one other bench trial ahead of this case but would render a decision soon. There is still time for further submittals of additional declarations which may happen over the next several days. He is fairly encouraged by the Judge and what took place in court.

Mayor Parris stated that Attorney Allison Burns was superbly prepared for this case; showed great lawyering; he was very impressed by how she conducted herself.

ADJOURNMENT

Mayor Parris adjourned the meeting at 7:39 p.m. in memory of Romina Avery. Ms. Avery was a longtime resident of the Antelope Valley; long career as a fitness instructor; she is survived by her beloved husband, Jim, their two children; a host of family and friends and she will truly be missed.

Mayor Parris stated that the next meeting of the City Council/Redevelopment Agency/Financing Authority would take place on Tuesday, May 10, 2011 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2011, 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

**LANCASTER CITY COUNCIL/
REDEVELOPMENT AGENCY/FINANCING AUTHORITY
MINUTES
APRIL 26, 2011**

**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)
