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**CITY COUNCIL/FINANCING AUTHORITY  
MINUTES  
August 9, 2011**

**CALL TO ORDER**

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

**ROLL CALL**

Council Members/Authority Members: Crist, Mann; Vice Mayor/Vice Chairman Smith; Mayor/Chairman Parris

At this time, Mayor/Chairman Parris recused himself from the meeting and left the dais.

On a motion by Council Member/Authority Member Crist and seconded by Council Member/Authority Member Mann, the City Council excused Council Member/Authority Member Marquez from the meeting by the following vote: 3-0-1-1; AYES: Crist, Mann, Smith, NOES: None; ABSTAIN: None, RECUSED: Parris; ABSENT: Marquez

ABSENT: Council Member/Authority Member: Marquez

**Staff**

Members: City Manager/Executive Director; Deputy City Manager/Deputy Executive Director; City Attorney/ Authority Counsel; Assistant to the City Manager; City Clerk/Authority Secretary; Principal Planner; Public Works Director; Parks, Recreation and Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Director

Vice Mayor/Vice Chairman Smith requested that Item Nos. CA 1 and CA 2 be moved to the beginning of the City Council meeting at this time.

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- CA 1.** Lancaster Redevelopment Agency Chair  
Discussion and possible action appointing Chairman of Lancaster Redevelopment Agency

Addressing the City Council on this matter:

Michael Rives – opposed to this action.

David Grajeda – opposed to this action.

On a motion by Vice Mayor/Vice Chairman Smith and seconded by Council Member/Authority Member Mann, the City Council appointed Council Member/Authority Member Crist as the Chairman of the Redevelopment Agency, by the following vote: 2-0-1-1-1; AYES: Mann, Smith, NOES: None; ABSTAIN: Crist; RECUSED: Parris; ABSENT: Marquez

- CA 2.** Lancaster Redevelopment Agency Vacancy  
Discussion and possible appointment of Deputy Mayor Kitty Kit Yee Szeto replacing former Agency Chairman Parris  
Council Member Crist requested nomination of Deputy Mayor Szeto as an Agency Director to fill the vacant seat left by Chairman Parris. She has been assisting for the last two years; she has visited China on several occasions; she is an attorney and very qualified.

Addressing the City Council on this matter:

Michael Rives – opposed to this action.

David Grajeda – opposed to this action.

On a motion by Council Member Crist and seconded by Council Member Mann, the City Council approved the appointment of Kitty Kit Yee Szeto as Redevelopment Agency Director, by the following vote: 3-0-1-1; AYES: Crist, Mann, Smith, NOES: None; ABSTAIN: None; RECUSED: Parris; ABSENT: Marquez

At this time the City Clerk administered the oath of office to Agency Director Szeto.

At this time Mayor Parris returned to the dais.

**INVOCATION**

None

**PLEDGE OF ALLEGIANCE**

Council Member/Authority Member Mann

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**PRESENTATIONS**

**Healthy Eating, Active Living (HEAL) Campaign**

The City Manager presented the HEAL plaque from the League of California Cities to the City Council. The HEAL campaign was launched by the League of California Cities to encourage cities to embrace policies that promote healthy lifestyles both among residents and City staff. In January 2011, the Lancaster City Council voted to support the initiative. In order to do so, the Council adopted a resolution outlining the City's health and wellness efforts including; the Master Plan for Trails and Bikeways; the City employee wellness program; the LanCoaster BLVD Bicycle Experience; Wellness Homes; Neighborhood Impact Homes; and Community Gardens. The resolution also stated the City's commitment to further implement policies to create healthier work, school, and neighborhood environments.

Mayor Parris and Captain Bob Jonsen presented certificates to the Street Cops of the Quarter (Deputies Jeremy Eswein, Jason Goedecke, Veronica Ramirez); Investigator of the Quarter (Detective Jeff Bishop) and Employee of the Quarter (Jolleen Paiz).

**AGENDA ITEMS TO BE REMOVED**

None

**APPROVAL OF MINUTES**

Addressing the City Council on this matter:

Nicole Parson – opposed to this action.

On a motion by Vice Mayor/Vice Chairman Smith and seconded by Council Member/Authority Member Mann, the City Council/Financing Authority approved the City Council/Financing Authority Regular meeting minutes of July 26, 2011, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez

**M 1. MINUTES**

Approved the City Council/Financing Authority Regular meeting minutes of July 26, 2011.

**CITY COUNCIL CONSENT CALENDAR**

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved the Council Consent Calendar by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez

**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 July 10, 2011 through July 23, 2011 in the amount of \$10,283,523.22.

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**CC 3. MONTHLY REPORT OF INVESTMENTS**

Accepted and approved the June 30, 2011, Monthly Report of Investments as submitted.

**CC 4. ALLOCATION OF FUNDS FOR GRANT**

Approved the allocation of funds for the Edward Byrne Memorial Justice Assistance Grant (JAG).

**CC 5. MONUMENTATION WORK**

Approved the monumentation work for: Tract No. 061064, located on the northeast corner of 30<sup>th</sup> Street East and Avenue K, Owner: Western Pacific Housing, Inc.; and Tract No. 060811, Phase 1, Lots 1-4 and 40-41, located on the northeast corner of 60<sup>th</sup> Street West and Avenue K-12, Owner: Richmond American Homes of CA, Inc.

**CC 6. RESOLUTION NO. 11-55**

Adopted **Resolution No. 11-55**, authorizing the destruction of certain records (Home Occupation Permits, Public Records Requests, Records Center Documentation, Closed Session, Appeals, Speaker Cards, Insurance City as Additional Insured, Precinct Election Records, Absentee Voting, Ballots, Precinct Board Records, Commissions, City Property Damage Claims, Claims Against the City, Roster of Voters, Inspector Receipts, Recruitment Files, Workers Compensation, Job Classification Descriptions, Risk Management Agendas, CARES Program, Recreation Log Books, Sports, Registration-Recreation Program, Enrichment Centers, Poppy Festival, Maintenance Log Books, Repetitive Maintenance Reports, Special Events, Pesticide Usage Reports, LPAC – Contracts; Performers & Rental Uses, Awards Submittals, Payroll Registers, Plans & Plan Checks).

**CC 7. PWCP NO. 11-013**

Awarded **Public Works Construction Project No. 11-013, BLVD Special Event Control, Phase 2**, to Hondo Engineering, Inc. of Lancaster, California, in the amount of \$109,125.00, plus a 20% contingency, for bollard and receiver installation along the BLVD and on side streets to provide for protected areas during downtown events. Authorized the City Manager, or his designee, to sign all documents. This contract is awarded to the lowest responsible bidder per California Public Contract Code Section 22038 (b).

**CC 8. CANCELLATION OF MEETINGS**

Approved the cancellation of the City Council meetings of November 22, 2011 and December 27, 2011 and directed the City Clerk to post the required notices.

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**NB 1. ORDINANCE PERTAINING TO ESTABLISHED SPEED LIMITS**

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

Addressing the City Council on this matter:

Richard Cook – stated his concerns regarding speed limits in the area of J-8 and 35<sup>th</sup>/40<sup>th</sup> Street West.

Bryan Loftesness - stated his concerns regarding speed limits in the area of J-8 and 35<sup>th</sup>/40<sup>th</sup> Street West.

Mayor Parris stated that he too was concerned about the speed limits in this area and inquired as to whether this could be approved without the J-8 aspect.

The City Manager stated that this could be approved without J-8. It would go beyond presumably the enforcement time with the use of radar. It would be unenforceable in that manner. The study itself did look at the 85<sup>th</sup> percentile. An alternative might be to approve this and revisit this particular area at a time certain.

Council Member Mann stated that he understands the State requirements regarding this action. However, can the City Council determine findings that would be adverse, that could cause the Council to reverse those findings and either keep those speed limits at the current level or reduce them even more?

The Public Works Director stated that staff has looked at ways to reduce these speed limits because they know it is a concern. Findings were made because of the school being nearby and suggested that staff look at traffic calming measures and ways to create a reduced speed roadway.

It was the consensus of the City Council to have this matter placed on the Architectural/Design Planning Commission Agenda for review within 45 days, with a focus on the street segment of Avenue J-8 between 30<sup>th</sup> St. West and 45<sup>th</sup> St. West.

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council introduced **Ordinance No. 969**, an ordinance of the City Council of the City of Lancaster, California, to establish speed limits in the City of Lancaster based on the Engineering and Traffic Survey Report dated July 7, 2011, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez

**NB 2. PAYMENT OF STATE-MANDATED REMITTANCE IN ORDER TO CONTINUE REDEVELOPMENT IN THE CITY OF LANCASTER**

Mayor Parris recused himself from this matter and left the dais.

The City Manager presented the staff report regarding this matter. Reviewed the mechanics of the recommendation and why it is important; what it means to Lancaster. The resolution and ordinance present intent by the City Council to pay a ransom payment to the State to keep redevelopment alive. Payment will be \$15.3 million in 2012; the City is appealing this amount and also payments of \$3.6 million thereafter. This would allow the Lancaster Redevelopment Agency to continue. An enforceable obligation schedule will come before the City Council at the next meeting showing in the interim, the payments the City could make; obligations incurred and a remittance agreement to make the payment. The City will continue to conduct a financial and opportunity analysis on the source of funds to make the payment and also the benefits and downside of making the payments.

The City Manager gave details regarding AB 26, the legislation that eliminated redevelopment agencies. This legislation was passed before it was in print or available for anyone to review including those that voted on it. It essentially said all 400 redevelopment agencies will cease to exist as of October 1, 2011. It states that cities will give all their money, property and facilities to the County Auditor. The County Auditor will then cause those assets to be sold and all proceeds from those assets will go to schools, county and fire districts and the State would then reduce payments to those entities. The State does not care about the thousands of construction jobs that were stopped immediately on June 29, 2011 when this passed and they do not care about the professionals up and down the State who have put their lives into making their community better. He further discussed AB 27 which states, agencies can voluntarily continue to exist if the \$15.3 million and the \$3.6 million are paid but there will be no guarantee by the State that they won't eliminate the agencies after getting the payment and no guarantee by the State that they will not increase the amount to be paid. Additionally, if this is challenged in court and agencies are successful and win, the agencies still lose because no new debt will be allowed to do new projects.

Lancaster would not be what it is today, nor would Palmdale or the Antelope Valley. Lancaster would not have a Sheriff's Station; Fire Stations; the BLVD; safe and stronger neighborhoods; Performing Arts Center; Fairgrounds; Museum; Clear Channel Stadium; school facilities; business park with 4,000 people.

The City Manager stated that facts do not carry the day and the City should have shown that people who now live in safe and stronger neighborhoods rather than crime infested neighborhoods; the good work of housing; the houses and the slum across from Antelope Valley Hospital that is no longer a crime magnet. The City should have shown, the person who works at Lance Campers and supports his or her family; that job and the other 300 jobs would be in Indiana except for redevelopment.

**NB 2. PAYMENT OF STATE-MANDATED REMITTANCE IN ORDER TO CONTINUE REDEVELOPMENT IN THE CITY OF LANCASTER**

The City Manager stated that the State did this because they can; they passed the buck. We as a City continue to cut costs; cut staffing and provide even more services. The State has not cut costs; they have cut services. They have cut hours of operation; closed facilities; increase tuitions; dump prisoners in our system and take public safety money. The State has failed the cities; they are the bully and bullies should never be appeased. Cities need to fight; local government and local control depend on stability. If cities lose this lawsuit, local government and local control are in danger. The State is saying they created redevelopment in the 1940's/1950's, so they can kill it. They don't mention that by doing this act, even though it might be legal; there are eight other unconstitutional acts that in that 70 year time frame, people have said, do not take local money, they believe in redevelopment. While staff is recommending approval of these actions to pay the State, staff is working on this lawsuit to protect local government, to protect something that has been as valuable as any single entity in the City of Lancaster since 1977.

Addressing the City Council on this matter:

Michael Rives – opposed to this action.

Nicole Parson – opposed to this action.

Henry Hearn – requested clarification on this matter and what the citizens can do to help.

Council Member Mann clarified that both the Senator and the Assemblyman are in support of this action; this movement; the direction this City is taking on this matter. This is an important legal move on the part of the City to protect what the City has in place. He acknowledged City staff; the City Manager and the City Attorney for the time they have spent and continue to spend on this matter.

On a motion by Council Member Crist and seconded by Council Member Mann, the City Council adopted **Resolution No. 11-62**, declaring its intention to enact an ordinance whereby the City shall elect to comply with and participate in the Alternative Voluntary Redevelopment Program contained in part 1.9 of Division 24 of the California Health and Safety Code, by the following vote: 3-0-1-1; AYES: Crist, Mann, Smith; NOES: None; RECUSED: Parris; ABSENT: Marquez

On a motion by Council Member Crist and seconded by Council Member Mann, the City Council introduced **Ordinance No. 970**, electing to comply with and participate in the so-called Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code, by the following vote: 4-0-0-1; AYES: Crist, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez

**CR 1. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR DISTRICT NO. 14 OF THE COUNTY SANITATION DISTRICTS OF LOS ANGELES**

Vice Mayor Smith presented the following information:

At the July 28, 2011, special meeting, the Board of Directors considered the following agenda items:

- The Board approved the introduction of an ordinance authorizing the acceptance of credit cards, debit cards, and electronic funds transfer as payment for District fees and charges. The Districts would charge a “convenience” fee which would not exceed the cost of providing the service causing the Districts to be cost-neutral. This is on every District’s agenda and would allow customers to pay fees with credit cards, etc. for everything except what is charged on a property tax bill.
- The Board adopted the fiscal year 2011-12 operating fund budget and authorized the related appropriations. The total appropriations which include operating and maintenance, capital expenditures, bond and loan repayment, and an emergency contingency fund are \$44,330,000. This is down 46% from fiscal year 2010-2011 chiefly because the Lancaster Water Reclamation Plant is almost fully constructed and should be operational by December 2011. District staff project the total number of sewage units at 67,880, a 2% increase over last year. With the per unit sewage charge at \$360.00, the total service charge revenue is \$24,437,000.
- Board and District staff met in closed session under Government Code Section 54946.9 regarding the Antelope Valley Groundwater Adjudication. No action was taken that requires reporting.

**LANCASTER FINANCING AUTHORITY**

No action required at this time.

**CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENT**

The City Manager presented the following information:

- The Public can go to the City’s website to view several events coming up toward the end of the week, dealing with the Master Plan of Trails and Bikeways, to receive input for the Architectural/Design Commission.
- Thursday, August 11, 2011 is the Grand Opening of the new Cinema on the BLVD – it is a charity event and on August 12, 2011 it will open to the public and he hopes everyone will have the opportunity to see 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.

**PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS**

Addressing the City Council at this time:

Darleen Peterson – opposed to the three minute timer starting when a citizen’s name is called rather than when they begin to speak.

David Paul – discussed concerns regarding the stock market; speed limits; so much going on. These are rough times and people must stick together and expressed his sadness at the recent loss of the Navy Seals/Army/Air Force in an attack in Afghanistan.

Maria Gutierrez – expressed her concerns regarding the aggressiveness of the Sheriff’s Department in relationship to the homeless.

Mayor Parris stated that he believes in the Sheriff’s Department and the way they are handling many difficult situations. Sometimes aggression may be necessary but that is not a decision the City gets to make. They are the ones risking their lives out there; it is a balancing test that is oftentimes out of balance, but at the end of the day, this city will support the deputies; this city is blessed with an exceptional department. They are the ones who have to worry about being killed out there; it is a very tough job.

Blair Brooks – stated that she enjoys the BLVD; the Farmer’s Market and all the stores.

Michael Rives – discussed the animal ordinance and being proactive and prepared for earthquakes and disasters.

Susan Gregory – expressed her concerns regarding pedestrian traffic vs. vehicle traffic on the BLVD; requested some sort of traffic light be installed.

The City Manager stated that this matter is being evaluated.

Lyle Talbot – expressed his concerns regarding the future power plant.

David Abber – stated that an audit should be done of the Redevelopment Agency.

**COUNCIL/AUTHORITY COMMENTS**

Mayor Parris reminded everyone that the Antelope Valley Fair will begin on August 19, 2011.

**CLOSED SESSION**

None

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**ADJOURNMENT**

Mayor/Chairman Parris adjourned the meeting at 6:30 p.m. and stated that the next meeting of the City Council//Financing Authority would take place on Tuesday, August 23, 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/  
AUTHORITY SECRETARY  
Lancaster, CA

\_\_\_\_\_  
R. REX PARRIS  
MAYOR/CHAIRMAN  
Lancaster, CA

**CERTIFICATION OF MINUTES**  
CITY COUNCIL/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/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)

\_\_\_\_\_