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**LANCASTER
CITY COUNCIL/FINANCING/HOUSING/POWER AUTHORITY
MINUTES
October 11, 2011**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Power/Financing Authority to order at 5:01 p.m.

OATH OF OFFICE

The City Clerk administered the oath of office to newly appointed Lancaster City Council Member Sandra Johnson.

ROLL CALL

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

ABSENT: Council Member/Authority Member: Mann

Staff

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

INVOCATION

Pastor Jack Shaffer, Grace Community Church

PLEDGE OF ALLEGIANCE

Vice Mayor/Vice Chairman Smith

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CA 1. NOMINATION AND APPOINTMENT

Mayor Parris requested Council consideration of the nomination and appointment of Cassandra Harvey to the Lancaster Redevelopment Agency.

Addressing the City Council on this matter:

Michael Rives – opposed to this action.

David Paul – commended Mayor Parris on his selection of Ms. Harvey and Ms. Johnson, stating that this shows true wisdom to promote functional diversity. Women can be the best arbitrators of conflict.

Council Member Crist requested further information from the City Attorney regarding the appointment of a Redevelopment Agency Director.

The City Attorney stated that the original ordinance that established the Redevelopment Agency, which is in accordance with the California Redevelopment law, states that the Council declared itself to be the Redevelopment Agency Board. There are two choices: there can be a fully appointed Board when the Redevelopment Agency is formed, separate from the City Council or the City Council can act as the Redevelopment Agency. The Community Redevelopment law also provides that a member of the City Council may notify the rest of the City Council that they no longer wish to sit on the Redevelopment Agency Board and under those circumstances, the City Council is to approve an appointed replacement for that person. This situation took place a number of years ago when Council Member Hann chose not to serve on the Redevelopment Agency Board and an appointed replacement was chosen. Therefore, it is not without precedent and it is completely within the scope of the California Redevelopment law.

On a motion by Mayor Parris and seconded by Vice Mayor Smith, the City Council approved the appointment of Cassandra Harvey to the Lancaster Redevelopment Agency, by the following vote: 3-0-1-1; AYES: Crist, Johnson, Smith, NOES: None; ABSTAIN: Parris; ABSENT: Mann

OATH OF OFFICE

The City Clerk administered the oath of office to newly appointed Lancaster Redevelopment Agency Director, Cassandra Harvey.

URGENCY ITEM – AGENCY CLOSED SESSION

On a motion by Vice Chairman Smith and seconded by Agency Director Szeto, the Redevelopment Agency approved adding an urgency item to Closed Session under Government Code Section 54956.9 (a) – Pending Litigation – Palmdale v. Lancaster, by the following vote: 4-0-0-1; AYES: Harvey, Szeto, Smith, Crist; NOES: None; ABSTAIN: None; ABSENT: Mann

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PRESENTATIONS

1) Recognition of Coro GES Men's Choir
Presenter: Mayor Parris

2) Streets of Lancaster Event and Video
Presenters: Mark Bozigian, City Manager and Bob Greene, Parks, Recreation & Arts Director

RECESS

Mayor Parris requested a brief recess at 5:35 p.m.

RECONVENE

Mayor Parris reconvened the meeting at 5:43 p.m.

PRESENTATIONS (continued)

3) Presentation from Lancaster Auto Mall Association unveiling new marketing campaign
Presenters: Tim and Tom Fuller

ANNOUNCEMENT

Mayor Parris presented the process for speaker cards and announced that non-agendized participation would no longer be televised in light of the racial slur that occurred at the last meeting.

AGENDA ITEMS REMOVED

The City Manager requested that Item No. CC 13 be pulled from the Consent Calendar for separate discussion and action so that the Youth Commission could be introduced. Additionally, he requested that Item No. CA 3 be removed from the agenda.

PA NB 1. MASTER SOLAR POWER PURCHASE AND SALE AGREEMENT WITH PSOMASFMG, LLC

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

On a motion by Vice Chairman Smith and seconded by Authority Member Crist, the Lancaster Power Authority approved the Master Solar Power Purchase and Sale Agreement with PsomasFMG, LLC (PsomasFMG), to develop photovoltaic solar generation facilities on City owned property and authorized the Executive Director to execute all documents, and make any non-substantive changes necessary to complete the transaction, by the following vote: 3-0-1-1; AYES: Crist, Johnson, Smith; NOES: None; ABSTAIN: Parris; ABSENT: Mann

APPROVAL OF MINUTES

M 1. MINUTES

On a motion by Vice Mayor/Vice Chairman Smith and seconded by Council Member/Authority Member Crist, the City Council approved the City Council/Financing/Housing/Power Authority Regular Meeting minutes of September 27, 2011, by the following vote: 3-0-1-1; Crist, Smith, Parris; NOES: None; ABSTAIN: Johnson; ABSENT: Mann

CITY COUNCIL CONSENT CALENDAR

Addressing the City Council on the Consent Calendar:

Michael Rives – opposed to action on Item Nos. 4; 5; 6; 7; 8.

David Grajeda – opposed to action on Item Nos. 4; 5; 6; 7; 8.

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved the Council Consent Calendar with the exception of Item No. 13, which was pulled for separate action, by the following vote: 3-0-1-1; AYES: Crist, Johnson, Smith; NOES: None; ABSTAIN: Parris; 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 September 11, 2011 through September 24, 2011 in the amount of \$4,587,177.54.

CC 3. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the August 31, 2011, Monthly Report of Investments as submitted.

CC 4. ACQUISITION OF REAL PROPERTY

Approved an agreement for acquisition of real property between the City of Lancaster and Federal Home Loan Mortgage Corporation for property located at 408 East Nugent Street, as part of the approved Neighborhood Stabilization Program (NSP 3).

CC 5. ACQUISITION OF REAL PROPERTY

Approved an agreement for acquisition of real property between the City of Lancaster and Bank of America for property located at 44233 Carolside Avenue, as part of the approved Neighborhood Stabilization Program (NSP 3).

CC 6. ACQUISITION OF REAL PROPERTY

Approved an agreement for acquisition of real property between the City of Lancaster and Bank United for property located at 44271 Carolside Avenue, as part of the approved Neighborhood Stabilization Program (NSP 3).

CC 7. ACQUISITION OF REAL PROPERTY

Approved an agreement for acquisition of real property between the City of Lancaster and Onewest Bank FSB for property located at 44262 Sancroft Avenue, as part of the approved Neighborhood Stabilization Program (NSP 3).

CC 8. ACQUISITION OF REAL PROPERTY

Approved an agreement for acquisition of real property between the City of Lancaster and Federal Home Loan Mortgage Corporation for property located at 44449 Watford Street, as part of the approved Neighborhood Stabilization Program (NSP 3).

CC 9. ACCEPTANCE OF MAINTENANCE FOR LIGHTING IMPROVEMENTS

Approved and accepted for maintenance, the work and materials for the lighting improvements for Lancaster Lighting Maintenance District, installed by the developer of the subject project. Appropriated \$265.00 from the first year's maintenance cost, that has been paid by the developer, to cover the remaining nine (9) months of the fiscal year into the Lancaster Lighting Maintenance Operating Account No. 483-4725-660.

CC 10. MONUMENTATION WORK

Approved the monumentation work for Tract No. 060811, located at the northeast corner of 60th Street West and Avenue K-12, Owner: KB HOME Coastal, Inc.

CC 11. SUBSTITUTION OF SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted the substitution of the Subdivision Undertaking Agreement and securities submitted by KB HOME Coastal Inc., in place of the Subdivision Undertaking Agreement and securities submitted by MLB QH 80, LLC, for Tract Map No. 54370-02, located on the northwest corner of Avenue L-8 and 70th Street West.

CC 12. RESOLUTION NO. 11-68

Adopted **Resolution No. 11-68**, a resolution of the City Council of the City of Lancaster, California, declaring portions of Avenue N, from 45th Street West to 1,800 feet east of 30th Street West within the City of Lancaster, to be a part of the County System of Highways for the purposes of road improvements.

CC 13. APPOINTMENTS TO YOUTH COMMISSION

On a motion by Vice Mayor Smith and seconded by Council Member Johnson, the City Council nominated and appointed Anthony Barros, Tristan Wilkins, Joshua Kay, Luis Haro, Kaycee Pickett, Reana Rodio, Cameron Epps-Lee, and Joseph Rodriguez to the 2011-2012 Lancaster Youth Commission, by the following vote: 3-0-1-1; AYES: Crist, Johnson, Smith; NOES: None; ABSTAIN: Parris; ABSENT: Mann

OATH OF OFFICE

The City Clerk administered the oath of office to newly appointed Lancaster Youth Commission.

RECESS

Mayor Parris requested a brief recess at 6:11 p.m.

RECONVENE

Mayor Parris reconvened the meeting at 6:15 p.m.

PH 1. AMENDMENT TO THE LANCASTER MUNICIPAL CODE FOR COMPLIANCE WITH FAIR HOUSING AND DISABILITY LAWS

Mayor Parris opened the Public Hearing. The Planning Director presented the staff report regarding this matter.

Addressing the City Council on this matter:

David Grajeda – requested further discussion 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 Crist, the City Council introduced **Ordinance No. 971**, amending Titles 5, 11, and 17 of the Lancaster Municipal Code for compliance with fair housing and disability laws, including references for rental housing (Section 5.40.035), group home (Section 5.44.015) and mobile home operators (Section 11.06.140), and provisions addressing therapy animals for persons with disabilities (Section 17.08.310), parking pursuant to the Americans with Disabilities Act (“ADA”) (Section 17.08.140), and an ordinance for reasonable accommodation (Section 17.08.400), by the following vote: 3-0-1-1; AYES: Crist, Johnson, Smith; NOES: None; ABSTAIN: Parris; ABSENT: Mann

CA 2. CONSIDER NOMINATION AND APPOINTMENT OF MARVIN CRIST TO THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY FAIRGROUNDS AUTHORITY

Mayor Parris requested consideration of this nomination and appointment.

On a motion by Vice Mayor Smith and seconded by Council Member Johnson, the City Council approved the appointment of Marvin Crist to the Board of Directors of the Antelope Valley Fairgrounds Authority, by the following vote: 3-0-1-1; AYES: Crist, Johnson, Smith; NOES: None; ABSTAIN: Parris; ABSENT: Mann

CA 3. DISCUSSION AND POSSIBLE ACTION REGARDING LEGALITY OF AVC MEASURE R BROCHURE

This item was removed from the agenda; no discussion.

**CA 4. CONSIDER NOMINATION AND APPOINTMENT OF JIM VOSE TO THE
AVC MEASURE R OVERSIGHT COMMITTEE**

Mayor Parris requested consideration of this nomination and appointment.

On a motion by Vice Mayor Smith and seconded by Council Member Johnson, the City Council approved the appointment of Jim Vose to the AVC Measure R Oversight Committee, by the following vote: 3-0-1-1; AYES: Crist, Johnson, Smith; NOES: None; ABSTAIN: Parris; ABSENT: Mann

COUNCIL REPORTS

None

LANCASTER FINANCING AUTHORITY

No action required at this time.

LANCASTER HOUSING AUTHORITY

No action required at this time.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

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:

Maria Gutierrez – discussed violations of civil rights and hate crimes.

David Abber – discussed an alleged attack against him.

Michael Rives – discussed potential conflicts of interest.

Darleen Peterson – praised the Streets of Lancaster event; inquired as to why the pianos are no longer on the BLVD.

The Director of Parks, Recreation and Arts stated that recently the pianos had been vandalized with a hammer and severely damaged. He stated that the pianos should be out on the BLVD very soon.

Terry Willibrand – long time resident of Lancaster; praised the Mayor and City Council for everything they have done. The city is growing; she is proud to be a citizen here; proud of all the events that take place; suggested drinking fountains on the BLVD for citizens and their pets.

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

Tracey Reese – stated her concerns regarding a group that is around, calling themselves the KKK. Her husband is a Peace Officer; she and her family have been harassed by these individuals; not sure what to do. Thanked the Mayor and City Council for all that they do.

Mayor Parris requested that Captain Jonsen look into this matter.

Nancy Acosta - discussed freedom of speech; discussed how saying the wrong thing to the wrong person can be dangerous. In this society, she would rather see people yelling at each other than shooting each other and she has been witness to that.

Residents of the 44000 block of Benald Street – discussed crime in their area; houses that are vandalized, mostly by kids; concerned for their safety.

Mayor Parris stated that the City will look into this as will the Sheriff's Department. Encouraged them to form a Neighborhood Watch Program; work together with the City to get results and to become empowered.

Richard Macias – stated that he lives in the area of the Traditions Homes/Skytower area; discussed the obstruction of brush; bushes; shrubbery at a certain intersection that could cause an accident; definitely a public safety concern.

David Grajeda – opposed to Redevelopment Agency as a whole.

Gary Burgess – commended staff for a well run event (Streets of Lancaster); commended Ron Smith for pushing for the BLVD, it is a wonderful atmosphere. Discussed certain people who continue to whine and complain at these meetings, taking up valuable time of everyone; does not feel Sheriff resources are wasted by having extra deputies at the public meetings. Feels the meetings have become very volatile.

COUNCIL / AGENCY COMMENTS

Council Member Crist welcomed the new members of the Council/Agency.

Council Member Johnson stated that today marks the 100th anniversary of women winning the right to vote.

RECESS

Mayor Parris recessed the meeting at 6:55 p.m. for the purpose of conducting a Closed Session meeting regarding:

URGENCY CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL

GOVERNMENT CODE SECTION 54956.9 (a) - Pending Litigation

Palmdale v. Lancaster

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RECONVENE

Mayor Parris reconvened the meeting at 7:13 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced that the Redevelopment Agency met in Closed Session regarding the aforementioned matter and gave direction to Legal Counsel pertaining to this matter.

ADJOURNMENT

Mayor Parris adjourned the meeting at 7:16 p.m. in memory of Hugh Clifton Hemperly, Jr. Mr. Hemperly was 82 years old; a longtime resident of the Antelope Valley. He was a lifetime member of the BPO Elks Lodge #1625 and he owned and operated Asphalt Construction Company with his two sons for 47 years. He is survived by his wife of 59 years, his children, grandchildren, great-grand children and a host of family and friends. He will dearly be missed by those that knew and loved him.

Mayor Parris stated that the next meeting of the City Council would take place on Tuesday, October 25, 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)
