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11/13/12
MVB

**LANCASTER  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
MINUTES  
OCTOBER 23, 2012**

**CALL TO ORDER**

Mayor/Chair Parris called the regular meeting of the City Council/Successor Agency/Financing/Power Authority to order at 5:05 p.m.

**ROLL CALL**

**PRESENT:** Council Members/Agency Directors/Authority Members: Crist, Johnson, Mann, Vice Mayor/Vice Chair Smith, Mayor/Chair Parris

**ABSENT:** None

**STAFF MEMBERS:** City Manager/Executive Director; Deputy City Manager/Deputy Executive Director; City Attorney/Authority Counsel; Assistant to the City Manager; 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**

Pastor Darmie Sule Odu, Redeemed Christian Church

**PLEDGE OF ALLEGIANCE**

Vice Mayor/Vice Chair Smith

**PRESENTATIONS**

Mayor Parris invited Sue Dell, Chair of the Tapestry Commission to the podium to give a presentation on November as Anti-Bullying Month.

1. Ms. Dell stated the month of November will be dedicated to honoring those that are doing great work in preventing bullying and encouraging acceptance in the community. Under the Tapestry Commission it is the mission to assist the community in celebrating uniqueness; embracing common viewpoints; and creating opportunities to flourish. At the City Council meeting on November 13, 2012, the City and the School Districts will take part in the "Not-in-Our Town" Proclamation signing.

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**PRESENTATIONS (continued)**

2. The City received the Government Finance Officers Association (GFOA) Award - Achievement for Excellence in Financial Reporting.
3. S.O.A.R. (Students on Academic Rise) High School Student of the Month – Mario Cesar Vasquez Zuniga was presented with a proclamation and he will also receive a \$1,000 Mayor’s Scholarship.
4. Athlete of the Month Award –Cameron French, JR. – Antelope Valley High School, was presented with a proclamation and he will also receive a \$1,000 Mayor’s Scholarship.

**AGENDA ITEMS TO BE REMOVED**

None

Mayor Parris requested that Item No. CA 1 be moved up on the agenda; to be heard following Item No. NB 1.

**M 1. MINUTES**

On a motion by Vice Mayor/Vice Chair Smith and seconded by Council Member/Agency/Authority Member Crist, the City Council/Agency/Authority approved the City Council/Successor Agency/Financing/Power Authority Regular Meeting minutes of October 9, 2012, by the following vote: 5-0-0-0; AYES: Crist, Johnson, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

**CONSENT CALENDAR**

On a motion by Vice Mayor Smith and seconded by Council Member Crist, the City Council approved the Consent Calendar by the following vote: 5-0-0-0; AYES: Crist, Johnson, Mann, 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.)

**CC 2. WARRANT REGISTER**

Approved the Check and Wire Registers for September 23, 2012 through October 8, 2012 in the amount of \$3,674,999.23.

At each regular City Council Meeting, the City Council is presented with the financial claims (invoices) against the City for purchase of materials, supplies, services, and capital projects for checks and wires issued the prior two to three weeks. This process provides the City Council the opportunity to review the expenses of the City. The justifying backup information for each expenditure is available in the Finance Department.

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**CC 3. MONTHLY REPORT OF INVESTMENTS**

Accepted and approved the September 2012, Monthly Report of Investments as submitted.

Each month, the Finance Department prepares a report listing the investments for all separate entities under the jurisdiction of the City as identified in the City's Comprehensive Annual Financial Report. These component units include: the City of Lancaster and the Lancaster Housing Authority.

**CC 4. APPROPRIATION OF GRANT FUNDS**

Appropriated \$480,000.00 in Underground Storage Tank grant funds to Account No. 349-4542771, and increased estimated revenues in the amount of \$480,000.00 in Account No. 349-3301101.

On December 13, 2005, the Lancaster Redevelopment Agency Board Members directed staff to acquire property located at 610 West Avenue I in order to construct affordable housing and undertake actions necessary to implement and complete the approved North Downtown Transit Village (NDTV).

Upon acquisition of the property located at 610 West Avenue I, the Agency assumed a claim for reimbursement of costs related to cleanup activities that have been in progress at this site since 1997 due to the removal of underground storage tanks used when Everest Economy Gas Station was located at the site. The Agency is eligible for reimbursement from the Underground Storage Tank Cleanup Fund established by the Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989 up to a maximum amount of \$1,500,000.00.

**NB 1. NOMINATIONS AND APPOINTMENTS TO THE 2012/2013 LANCASTER YOUTH COMMISSION**

The Recreation Supervisor II for the Parks, Recreation and Arts Department presented the staff report regarding this matter.

On a motion by Council Member Crist and seconded by Council Member Johnson, the City Council approved the appointments of: Xi Mu Wang, Rachel Wyckoff, Joshua Kay, Anna Tierney, Carley Quellman, Aimee Elder and Alex Conrado to the 2012-2013 Lancaster Youth Commission and directed the City Clerk to administer the oath of office to the new commission, by the following vote: 5-0-0-0; AYES: Crist, Johnson, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

At this time, the City Clerk administered the oath of office to the newly appointed Lancaster Youth Commissioners.

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**NB 1. NOMINATIONS AND APPOINTMENTS TO THE 2012/2013 LANCASTER YOUTH COMMISSION (continued)**

The Lancaster Youth Commission was created by the City Council in January of 1992 to provide a forum for the young people of Lancaster to give input regarding the needs and concerns of the youth of this community. Youth Commissioners are nominated by the different high schools in the Lancaster area. These schools are: Antelope Valley Christian, Antelope Valley, Desert Christian, Eastside, Lancaster, Lancaster Baptist, Paraclete, Quartz Hill and SOAR High School. The Commission currently meets once a month from the start of the school year until the end of May.

**CA 1. SIGNAGE ALONG LANCASTER BOULEVARD**

Addressing the City Council on this matter:

Darleen Peterson – discussed the A-frame signs on Lancaster BLVD; signs should not be allowed; signs are on the BLVD every day; rules should be enforced equally across the board.

Karen Eskew – supports having the signs on the BLVD; she is a member of the BLVD Association and a business owner on the BLVD; signs help with their business.

Myrle McLernon – supports the signs on the BLVD; signs are an important part of the business environment.

Jill Cooper – supports the signs on the BLVD; she is the President of the BLVD Association; in these tough economic times, signs help the merchants; not opposed to having something in place regarding the size and clearance for people to walk by.

Mayor Parris requested clarification regarding the sign ordinance.

The Planning Director stated that the Specific Plan only prohibits one type of sign and that is the permanent sidewalk sign. It allows temporary signs under the same provisions as the rest of the City. If there is a sign that is no more than 6 feet tall; no more than 16 square feet per side, it can be placed up to 90 days without a permit – that is the current ordinance and it does not specify the type of sign. None of the signs on the BLVD exceed these limitations. It might be worth looking into the banner-type signs and making it clear if signs can be placed off-site of the business. When people go into pedestrian type areas such as the BLVD, these types of signs do occur.

Mayor Parris stated that he would not like to see the City in a situation where someone is taking advantage of this issue and the City being unable to enforce it.

Council Member Crist inquired if this pertains to the entire City.

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**CA 1. SIGNAGE ALONG LANCASTER BOULEVARD (continued)**

The Planning Director stated that temporary signs pertain to the whole City and the City has been very strict regarding the banner signs. People tend to place banner signs out in the landscaped areas and they are not very attractive. Staff has looked at trying to write regulations for banners on buildings, to try to get more uniformity.

Council Member Crist inquired if the rules were being enforced for some, but not for others. The people that did speak said it was essential to their business in these economic times. If this is being done for the downtown, why isn't it being done for everyone?

The Planning Director stated that the temporary sign restrictions apply City wide. The downtown businesses, because of the uniqueness of the environment, are better able to take advantage of the signs. The sign regulations in the City, just as a matter of course, vary from place to place. Many of the shopping centers in the City have their own adopted sign criteria, which in some cases is stricter than the City's code and in some cases they are more lenient. Given the uniqueness of the downtown, the sign ordinance could be crafted differently.

Mayor Parris requested that the sign ordinance be cleaned up to take care of the issues discussed.

**PH 1. APPEAL OF PLANNING COMMISSION APPROVAL OF CONDITIONAL USE PERMIT NO. 11-07 (A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A 10 MEGAWATT (MW) PHOTOVOLTAIC SOLAR ELECTRIC GENERATING FACILITY AT THE SOUTHEAST CORNER OF 110<sup>TH</sup> STREET WEST AND AVENUE J)**

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

Addressing the City Council on this matter:

John Cheney, CEO for Silverado Power – stated that Silverado has gotten this project to the point where it is able to add to the value of the community; the business people who have invested in this project. This is an example of a long term approach to building value in the community. They are sensitive to everyone's needs; they do not pretend to know everything about the community and they are ready to work with everyone. The entire staff is open to listening to the concerns; the company wants to make these the crown jewels of California and feel this is the perfect place to do so; Silverado has wanted to partner with the City and the community for a long time.

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Mayor Parris inquired as to why the power lines cannot be put below ground, rather than above ground.

Mr. Cheney stated that underground lines have to do with CAL-ISO's rules regarding power and costs; and definitely deserves some discussion. Silverado is willing to discuss this with staff and delve into all the aspects; the costs are unknown and it is very regulated.

The City Manager stated that for this project and future projects, this will definitely be looked into.

Mayor Parris stated that the windbreaks at eSolar are flying everywhere and requested that the City Manager have someone look into this.

Council Member Johnson requested diagrams that superimpose the panels so everyone can have a visual of how the project would look with above ground and below ground to get a better understanding of this.

Mayor Parris requested the City Manager look into this as the City moves forward.

Garret Bean – representing Silverado, stated that he has been working with the City for a very long time on these projects; Silverado takes the esthetics very seriously with goals to reduce costs; new transmission infrastructure. The company has met with the citizens of Antelope Acres; continues to work with them and takes their appeals very seriously. The site has been assessed; there will be very low impacts to the area; Silverado has been working with the community on outreach and looks forward to the future.

Robert Kerekes, representing Citizens for Rural Open Space; discussed underground lines; has been involved in meetings with Silverado; requested a continuance of this matter to allow more time for preparation.

Judith Fuentes, representing Citizens for Rural Open Space; concerned about how many projects Silverado has done so far; it is important to look at all the environmental facts; much of the environment would be in danger; the jobs that would be provided would only be temporary; requested a continuance of this matter to allow more time for preparation.

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Virginia Stout, representing Citizens for Rural Open Space; discussed wildlife concerns; sensitive species; loss of food sources for the wildlife; variety of birds and richness in the area; this is grassland for the bird community. Silverado lacks the understanding of the land; significant impacts to the area; requested that an EIR be prepared for the area.

Marshal Chance – stated that he lives in the Lancaster rural area; due to lack of work in California and the country, construction jobs are not easy to find; being employed by solar companies has helped him to stay employed; save his home; feed his family; projects like these are good for the community and help to employ the citizens.

Anthony Disney, representing Paving The Way Foundation stated that on the economic side, this is great; he is in favor of green energy and helping the environment; over 3 million jobs have been created in the green collar industry and Lancaster has been a big part of that. There are many opportunities available; many people have been trained and work in green collar jobs and have been able to move up and find growth opportunities.

Marge Biehl – opposed to this project; solar panels on rooftops is excellent, however wildlife should not be destroyed; put the solar panels on all the parking lots in the City; concerned with the threat of valley fever in the soil and which way the wind blows; would like to see solar done right; projects should not be placed in rural areas; concerned with the dust creation.

Mayor Parris gave a brief explanation regarding property rights and why the City cannot place solar paneled parking lots everywhere; feels that projects like these are less destructive than allowing 700 tract homes to be built.

Vice Mayor Smith inquired as to surrounding fencing once the project is built.

Mr. Bean stated that the project would be fenced; vegetation would be planted around the site; there will still be open space.

Mitch Klein - stated that he is with the International Brotherhood of Electrical Workers; projects like these have saved many people; given many, many people jobs and many of them are local residents. So many have been out of work and this company has offered new opportunities to people.

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Larry Jernigan – stated that he is in favor of this project; the Valley Press quoted the Mayor as saying that he wanted to see Lancaster be the solar capital of the world; this is a great step in the right direction. This project is good for the City; the environment; the economy; good for all the workers once the construction starts and it is good for energy independence.

Mel Layne – this project will bring jobs; it will be generating electricity to thousands; there are less construction jobs in the Antelope Valley now than in 2001; it is important to keep people here and working; so much value is generated in tax dollars; in favor of this project.

Mitchell Tsai – representing LIUNA (Union); the number of laborers is growing; project needs to be approved but in line with State and local environmental laws; adopt strict guidelines regarding health and safety impacts on the workers; discussed underground wires; rules and regulations regarding CEQA; project should be adopted with a mitigated negative declaration.

Scott Pelka – stated that an EIR should be done regarding this project.

David Gomez – stated that jobs are needed; these companies provide green jobs; it isn't just this one job, as this will help people move into other green jobs; there is no significant impact to the area and he is in favor of the project.

Authority Member Harvey stated that she is also a Planning Commissioner with the City of Lancaster and the entire Commission did due diligence on this project; worked closely with Mr. Bean; drove to the site; this project has been reviewed thoroughly.

Council Member Johnson inquired as to whether she should recuse herself from this matter since a solar program is provided by the university and the university deals with solar companies for placement.

The City Attorney stated that if there is a reasonable likelihood that it may result in income to the university, then Council Member Johnson should recuse herself.



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Council Member Johnson stated that the students that attend the university are then supported after they receive their education in which the university helps them to find jobs. Relationships are built with solar companies to hopefully place the students with jobs and the companies do not pay the university any money at all but there would be a relationship for placement reasons.

Council Member Crist stated that he sits on the Board of Trustees for the University of Antelope Valley and was concerned whether or not he should recuse himself.

The City Attorney stated that an argument could be made that placement results in the university having a better reputation among the students, therefore increasing the attendance of more students. However, enough facts have not been provided to make a clear determination in this case and he does not believe there would be any financial interest at all. At this time, Council Member Johnson and Council Member Crist did not need to recuse themselves from this matter.

**RECESS**

The City Attorney requested a brief recess at 6:41 p.m.

**RECONVENE**

Mayor Parris reconvened the meeting at 6:49 p.m.

Addressing the City Council:

Audri Hanes – stated that her property is close to the project; she is in favor of solar energy but this project should not take up so much land; the chemicals that are in the panels are very bad and dangerous if there is a major earthquake; this area floods; there are owls and kangaroo rats which must be protected.

Maria Pisano – stated that she is sadden by the way the land is turning into a waste land; no jobs; she came back to this town to become a teacher and she has not been able to find work; needs to talk to someone about this. These projects provide no trees; it is a wasteland; there are no jobs; people are going through some awful things.

The Planning Director stated that earlier in the evening, Mr. Tsai spoke; representing LIUNA (Union) and he made the comment that he had submitted information and spoke in regards to this particular project at the Planning Commission hearing. For the record, he did not. LIUNA did submit information and speak on the other two projects that are on the agenda but on this particular site, they did not submit any information nor did their representative at the Planning Commission hearing, speak on this particular project site.

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

Vice Mayor Smith stated that he, Council Member Mann and Mayor Parris have all sat on the Planning Commission. So many people talk about open space and what should or should not be done and that is the reason for a General Plan. Someone owns that property and it is zoned R-2.5 and that is why a General Plan is in place to determine how the City is going to grow. So many people have come to Planning Commission meetings and protested the building of houses because it is going to block their view. The visual impact will be less with solar panels and landscaping. When it comes to CEQA, a negative declaration was done and CEQA allows this. This project does not rise to the level of significant impact so an EIR is not required. That is one of the things that is causing so many jobs to leave California. CEQA has been used as a tool to stop things and to tweak things way out of proportion and businesses are leaving because they just cannot do business here anymore. The Planning Commission did a very good job on this.

Council Member Johnson stated that this Council is determined to make a difference in this community and create jobs. The City is focused on creating jobs and of course being cautious on how this is handled and people have shared their concerns. The main goal is to provide jobs; provide a purpose in this community; people want to be there for their children and want to be able to pay their mortgage bills.

Council Member Johnson inquired as to whether Silverado has ever dealt with any environmental impacts at other sites and if so, how was this handled.

Mr. Bean stated that the company has dealt with this matter and in some cases they did not pursue the project if it was found to have a low or negligible impact. Whenever there is an impact, there are very strict standards and protocols that must be adhered to. When there is an impact to a species, they work with the Department of Fish and Game to mitigate for those impacts.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council adopted **Resolution No. 12-64**, upholding the Planning Commission decision by denying the appeal for Conditional Use Permit No. 11-07, a request to construct a 10-megawatt (MW) photovoltaic solar electric generating facility in the Rural Residential 2.5 (RR-2.5) Zone, by the following vote: 5-0-0-0; AYES: Crist, Johnson, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

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On September 17, 2012, the Planning Commission adopted Resolution No. 12-14 approving Conditional Use Permit No. 11-07 for the development of a 10-megawatt (MW) photovoltaic solar electric generating facility on 40 acres at the southeast corner of Avenue J and 110<sup>th</sup> Street West. On October 1, 2012, Citizens for Rural Open Space (CROS) filed an appeal to the Planning Commission's decision.

Citizens for Rural Open Space stated that the grounds for the appeal were "Inadequate MND, including but not limited to insufficient assessment of habitat and special status species and failure to provide adequate cumulative impact analysis. An EIR is necessary." As part of the processing of the CUP application, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the project, including the preparation of a biological report by a qualified biologist. A cumulative analysis was done as part of the IS/MND, and it was determined that the project would not have a cumulatively considerable impact, and, therefore, cumulative impacts would be less than significant. The preparation of an Environmental Impact Report (EIR) is only required when a project would have significant impacts. Staff does not believe that the impacts associated with this project (project specific or cumulative) reach the level necessary for the preparation of an EIR.

**PH 2. DEVELOPMENT AGREEMENT NO. 89-01, GENERAL PLAN AMENDMENT NO. 12-02, ZONE CHANGE NO. 12-02, CONDITIONAL USE PERMIT NO. 12-08, CONDITIONAL USE PERMIT NO. 12-09, A TOTAL OF 293± ACRES, AS FOLLOWS:**

**Site 1:** A 20-MW photovoltaic solar generating facility on 135 acres generally bounded by Avenue G, Avenue H, 90<sup>th</sup> Street West, and 95<sup>th</sup> Street West (Development Agreement No. 89-01, General Plan Amendment No. 12-02, Zone Change No. 12-02, and Conditional Use Permit No. 12-08)

**Site 2:** A 40-MW photovoltaic solar generating facility on 158 acres at the southwest corner of Avenue H and 100<sup>th</sup> Street West (Development Agreement No. 89-01, General Plan Amendment No. 12-02, Zone Change No. 12-02, and Conditional Use Permit No. 12-09)

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

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**PH 2. DEVELOPMENT AGREEMENT NO. 89-01, GENERAL PLAN AMENDMENT NO. 12-02, ZONE CHANGE NO. 12-02, CONDITIONAL USE PERMIT NO. 12-08, CONDITIONAL USE PERMIT NO. 12-09, A TOTAL OF 293± ACRES (continued)**

Addressing the City Council on this matter:

Betty Bender – stated that her sons work in solar fields; they are excited to have job opportunities; fields are spotless; environment is well taken care of; the workforce has doubled; these opportunities are wonderful for this area.

Mitchell Tsai – clarified his representation of the labor unions; explained that the documentation submitted for this project is the same that would be submitted for the first project discussed; environmental experts do not feel these projects meet the professional standards; the focus of his firm is on the air quality impacts on the people who work on these projects.

Larry Jernigan – many businesses are related to construction; his business is surveying and he has been conducting surveys for Silverado. Solar companies are hiring; people are back to working 40 hour a week jobs; they are able to pay their bills; this is good for the community; good for the environment.

Mitch Klein – there have been job fairs and resources that have helped tremendously and taken at-risk youth and gang members off of the streets; the jobs that have been provided through solar, correlate with the fact that crime is down in Lancaster.

Steve Chisolm – stated that prior to his job with solar, he was out of work; on welfare; accepting food stamps. His wife was embarrassed to use the food stamps, so he did the shopping. He now works in solar; he sees his neighbors smiling again and they know that they will have a decent holiday season this year. He thanked Council for insisting on local hiring and he looks forward to staying employed.

Shawn Davison – stated that he is local; hired by the solar companies; he is an apprentice working toward his electrical degree; very thankful to be employed and to provide for his family.

Virginia Stout – stated that no one is opposed to solar jobs; everyone is very happy to be employed; discussed the possible impact to the workers; an EIR should take place; put solar on homes; buildings; and parking lots. Owners of parking lots should be given incentives to obtain solar.

Robert Kerekes – stated that he is in favor of solar, but he lives very close to the area that Silverado wants to create; this is where alfalfa farms used to be; discussed the wildlife and birds that migrate to this area; area needs trees; an EIR should be done regarding this project.

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**PH 2. DEVELOPMENT AGREEMENT NO. 89-01, GENERAL PLAN AMENDMENT NO. 12-02, ZONE CHANGE NO. 12-02, CONDITIONAL USE PERMIT NO. 12-08, CONDITIONAL USE PERMIT NO. 12-09, A TOTAL OF 293± ACRES (continued)**

Council Member Crist inquired about the local hiring practices.

Mr. Bean stated that their hiring practices are far reaching with the IBW; they pull from the Antelope Valley; working closely with Lancaster staff on recruitment of workers; reaching out to all business aspects of the community.

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

Council Member Johnson inquired of the City Attorney whether she should recuse herself from this matter.

The City Attorney stated that the test is whether or not the decision will have a financial affect on her financial interests. He does not believe there would be any financial interest at all.

On a motion by Vice Mayor Smith and seconded by Council Member Johnson, the City Council adopted the following resolutions and introduced the ordinance, by the following vote: 5-0-0-0; AYES: Crist, Johnson, Mann, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

- a. Adopted **Resolution No. 12-65**, amending the General Plan land use designation on the subject properties, known as General Plan Amendment 12-02, from UR (Urban Residential, 2.1 to 6.5 dwelling units per acre) to NU (Non-Urban Residential).
- b. Introduced **Ordinance No. 983**, rezoning the subject properties, known as Zone Change 12-02, from a combination of R-7,000 (single family residential, one dwelling unit per 7,000 square feet) and R-10,000 (single family residential, one dwelling unit per 10,000 square feet) to RR-2.5 (Rural Residential, one dwelling unit per 2.5 acres).
- c. Adopted **Resolution No. 12-66**, upholding the Planning Commission decision by denying the appeal for Conditional Use Permit No. 12-08 and Conditional Use Permit No. 12-09, a request to construct a 20 megawatt (MW) and a 40 MW photovoltaic solar electric generating facility, respectively, in the Rural Residential 2.5 (RR-2.5) Zone.

***Note: No action is required on Development Agreement No. 89-01, as the subject agreement on these properties expired on October 17, 2012.***

**PH 2. DEVELOPMENT AGREEMENT NO. 89-01, GENERAL PLAN AMENDMENT NO. 12-02, ZONE CHANGE NO. 12-02, CONDITIONAL USE PERMIT NO. 12-08, CONDITIONAL USE PERMIT NO. 12-09, A TOTAL OF 293± ACRES (continued)**

Silverado Power, LLC, filed two conditional use permits (CUP) applications for the construction and operation of photovoltaic (PV) solar electric energy generating facilities in a Rural Residential Zone. Associated with the CUP applications was a request to rescind the Development Agreement No. 89-01 on the subject properties, general plan amendment request and a zone change request. These proposed projects would generate 20 MW of electricity on Site 1, and 40 MW of electricity on Site 2.

On September 17, 2012, the Planning Commission adopted the following resolutions: Resolution No. 12-19 recommending that the City Council rescind Development Agreement No. 89-01 on the subject properties; Resolution No. 12-20 recommending to the City Council approval of General Plan Amendment No. 12-02, Resolution No. 12-21 recommending to the City Council approval of Zone Change No. 12-02, and Resolution Nos. 12-22 and 12-23 approving Conditional Use Permit Nos. 12-08 and 12-09, respectively. The CUP approvals do not become valid until the effective date of the general plan amendment and zone change. On September 24, 2012, Lozeau Drury LLP filed an appeal of the Planning Commission decisions on behalf of the Laborers International Union of North American, Local Union No. 300.

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

Council Member Crist presented the following information:

AVTA staff presented the first of 20 promotional videos that are being developed as part of AVTA's marketing plan. The Board requested the videos be available through each jurisdiction's websites as well.

AVTA staff gave a regional emergency preparedness report sharing what staff learned about each jurisdiction's programs. The Board approved a draft memorandum of Understanding for the Use of the Emergency Mobile Command Center.

AVTA Board approved an amendment to Veolia Transportation Contract #2011=032 to allow the use of recapped tires for local transit busses only. This was at the request of Veolia and is expected to result in a savings of \$28,000.

AVTA staff gave an update on the Capital Reserves stating jurisdiction contributions are temporarily suspended pending further analysis.

AVTA construction on the facilities should be complete in early November. AVTA is seeing the benefits of the solar project. They received approximately \$64,000 in solar rebates so far which exceeded the \$59,000 amount that was budgeted. The TransPorter continues to have high ridership at 653 riders last week.

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**CR 1. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR THE ANTELOPE VALLEY TRANSIT AUTHORITY (continued)**

Council Member Mann stated that a recent audit took place with AVTA and everything is much better than it was.

Mayor Parris inquired as to the status of Antelope Valley Air Quality Management District (AVAQMD). He stated that he is concerned about the payment that Palmdale was to make to AVAQMD.

Council Member Crist stated that the payment has not been made at this time; he explained that the Palmdale Power Plant has a permit fee that is \$112,000 that the City of Palmdale has agreed to pay. It is looking like the City of Palmdale is looking to sell it to a private contractor. Once they sell it, they are wishing to pay back AVAQMD for permit fees.

Mayor Parris inquired as to whether Palmdale was going to own this; lower the power rates for the citizens of Palmdale.

Council Member Crist stated that he could not comment on that, but only on the lack of payment and it was predicted they would not have it locally. It is going to be an outside workforce for 35 jobs.

Mayor Parris stated that if Palmdale cannot make a \$112,000 payment on a \$34 million dollar project that they have already invested in, is there a danger of seeing Palmdale default on other obligations and what is the impact on Lancaster if this happens. If they have to cut back on law enforcement and other services, they are too close to Lancaster for it not to have a significant impact. What is Lancaster doing to prepare for this or analyze whether this is a distinct possibility; have Palmdale's reserves been looked at.

The City Manager stated that this has not been analyzed beyond keeping the communications open with the Palmdale City Manager. Both cities need to be strong and continue to invest in public safety. Making sure he has a decent relationship with the Palmdale City Manager; keeping the lines of communication open with him, is very important.

Mayor Parris stated that he does not want to be sitting here after a crisis occurs and not have a plan in place. What happens in Palmdale will have a significant impact on Lancaster and when a City is unable to make a payment of \$112,000 on a project of that magnitude, this is a warning sign. Is there a problem over the horizon and what is Lancaster going to do, to be prepared and he requested answers as soon as possible.

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**CA 2. CHANGE TO CITY COUNCIL MEETING TIME**

Discussion and possible action to change the City Council meetings to 6:00 p.m.  
Mayor Parris requested feedback from the Council regarding this matter.

Council Member Crist stated that the 5 p.m. start time works; a later time is a strain on staff, they work very long hours; they are here early, they are asked to stay late, they put in 12 hours or more; that is a long day for anyone. If there is a need to change for a reason, that is fine, but the Council's job is to make this not only accessible to the public but efficient government. Some of the employees here are paid hourly, some are paid differently and it is more effective and more efficient to keep the time at 5 p.m.

At this time, the matter was tabled; no action taken.

**LANCASTER SUCCESSOR AGENCY**

No action required at this time.

**LANCASTER FINANCING AUTHORITY**

No action required at this time.

**LANCASTER POWER AUTHORITY**

No action required at this time.

**CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS**

The City Manager announced that Paraclete High School is celebrating its 50<sup>th</sup> anniversary this year and this weekend there will be a celebration at their homecoming game honoring the classes and people from past years.

The City Manager announced that this Saturday, October 27, 2012 is the Lancaster BooLVD, which was attended by approximately 30,000 people last year. There will be exciting acts; candy for the children while it lasts; the scare factor goes up with each hour that passes; a kid-appropriate haunted house at Dance Studio 81; it is a great community event.

**CITY CLERK / AGENCY / AUTHORITY SECRETARY ANNOUNCEMENT**

The City Clerk provided the public with the procedure to address the City Council/Successor Agency regarding non-agendized items.



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

Addressing the City Council at this time:

Vianne Friss – shared her concerns regarding the company: Checkered Flag Plumbing; feels they are predatory toward senior citizens; use high pressure sales techniques; tried to convince her to pay \$3800 for a plumbing job; pressured her for 3 hours then finally took care of her plumbing concerns for \$99. She feels they are a corrupt company and should be investigated.

Mayor Parris directed the City Manager to look into this matter.

**COUNCIL / AGENCY COMMENTS**

Mayor Parris stated that at the next City Council meeting he plans to nominate Cassandra Harvey to the anticipated vacancy on the Council, due to Vice Mayor Smith's bid to become the next Assemblyman.

Council Member Crist stated that the fairgrounds are looking at obtaining new events; working with Mr. Bozigian on this; bringing events from Ridgecrest to the fairgrounds and it is looking good.

Vice Mayor Smith requested that on the next agenda, an item be placed to initiate a program regarding literacy. Some cities call the program "One Book – One City" or it could be called: "Lancaster's Book Club" or "Mayor's Book Club". The program will promote literacy and the City Council or the Mayor would pick a book every quarter; place it on the website and encourage the residents to read the book. Volunteers could come to the library or City Hall and talk about the book; a blog on a website could be created so people could chat about the book with each other. This will help to get everyone involved in reading; bring people together and promote literacy.

**CLOSED SESSION**

No action required at this time.

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**ADJOURNMENT**

Mayor Parris adjourned the meeting at 7:51 p.m. and stated that the next regular meeting would take place on Tuesday, November 13, 2012 at 5:00 p.m.

PASSED, APPROVED and ADOPTED this \_\_\_\_\_day of \_\_\_\_\_, 2012, 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/SUCCESSOR AGENCY/FINANCING/POWER AUTHORITY

I, \_\_\_\_\_, \_\_\_\_\_ of the City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original City Council/Successor Agency/Financing/Power 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)

\_\_\_\_\_