

CC 2
05/12/09
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY  
MINUTES  
April 28, 2009**

**CALL TO ORDER**

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 6:00 p.m.

**ROLL CALL**

Present: Council Members/Agency Directors: Mann, Sileo, Vice Mayor/Vice Chairman Smith, Mayor/Chairman Parris

On a motion by Vice Mayor/Vice Chairman Smith and seconded by Mayor/Chairman Parris, the City Council excused Council Member/Agency Director Marquez from the meeting by the following vote: 4-0-0-1; AYES: Mann, Sileo, Smith; Parris; NOES: None; ABTAIN: None; EXCUSED: Marquez

Excused: Council Member/Agency Director: Marquez

**INVOCATION**

Bishop Clifton Edwards – Living Stone Cathedral of Worship

**PLEDGE OF ALLEGIANCE**

Council Member/Agency Director Sileo

**PRESENTATIONS**

Mayor's Athlete of the Month – Kristyn Richards, Desert Christian High School

Presenter: Mayor Parris

Lookin' Good Lancaster – Certificates to City staff

Presenters: Mayor Parris and Kelvin Tainatongo

Recognition of Communications staff regarding the Economic Stimulus Plan

Presenters: Mayor Parris and Mark Bozigian

Recognition of Finance staff regarding the Economic Stimulus Plan

Presenters: Mayor Parris and Mark Bozigian

**AGENDA ITEMS TO BE REMOVED**

None

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**APPROVAL OF AGENCY CONSENT CALENDAR**

Agency Director Mann announced that he would need to recuse himself from Item No. RCC 3 due to the fact that he owns property in this particular area.

On a motion by Vice Chairman Smith and seconded by Agency Director Sileo, the Redevelopment Agency approved the Agency Consent Calendar, with the exception of Item No. RCC 3, by the following vote: 4-0-0-1; AYES: Mann, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez

**RCC 1. MINUTES**

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of April 14, 2009.

**RCC 2. ACQUISITION OF REAL PROPERTIES**

Approved the agreement for Acquisition of Real Properties between the Lancaster Redevelopment Agency and various agencies as part of the approved Neighborhood Stabilization Program.

**RCC 3. ACQUISITION OF REAL PROPERTY**

Agency Director Mann announced that he would need to recuse himself from Item No. RCC 3 and excused himself from the dais. He stated that he owns property in this particular area.

On a motion by Agency Director Sileo and seconded by Vice Chairman Smith, the Redevelopment Agency approved the agreement for acquisition of Real Property between the Lancaster Redevelopment Agency and the estate of Keith Anderson for property located at 44715 Beech Avenue, Lancaster, California, by the following vote: 3-0-1-1; AYES: Sileo, Smith, Parris; NOES: None; RECUSED: Mann; ABSENT: Marquez

Agency Director Mann returned to the dais at this time.

**RCC 4. ACQUISITION OF REAL PROPERTY**

Approved the agreement for the acquisition of Real Property between the Lancaster Redevelopment Agency and George Rhodes for property located at 44820 Redwood Avenue, Lancaster, California.

**APPROVAL OF CITY COUNCIL CONSENT CALENDAR**

Council Member Sileo requested that Item No. CC 5 be pulled for separate action.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved the Council Consent Calendar, with the exception of Item No. CC 5, by the following vote: 4-0-0-1; AYES: Mann, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez

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**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. MINUTES**

Approved the Redevelopment Agency/City Council Regular Meeting minutes of April 14, 2009.

**CC 3. WARRANT REGISTER**

Approved the Check and Wire Registers (March 29, 2009 through April 11, 2009) in the amount of \$7,806,673.99.

**CC 4. AGREEMENT FOR USE OF LPAC**

Approved the agreement for use of the Lancaster Performing Arts Center by Cedar Street Theatre for the 2009-2010 season.

**CC 5. ORDINANCE NO. 922**

On a motion by Mayor Parris and seconded by Vice Mayor Smith, **Ordinance No. 922**, an ordinance of the City Council of the City of Lancaster, California amending Section 2.04.020 of the Lancaster Municipal Code relating to the selection of the Vice Mayor was voted on by the following vote: 2-2-0-1; AYES: Smith, Parris; NOES: Mann, Sileo; ABSTAIN: None; ABSENT: Marquez. **Motion failed.** Mayor Parris stated that this item would come back to Council for reconsideration of adoption when a full Council was seated.

**CC 6. INTERIOR STREET TREES FOR MAINTENANCE**

Accepted the interior street trees for maintenance by the City for Tract No. 48534, located on the southeast corner of Avenue H-8 and 35<sup>th</sup> Street East, Owner: K. Hovnanian Forecast Homes, Inc.

**CC 7. MONUMENTATION WORK**

Approved the monumentation work for Tract No. 060450-03, located on the southwest corner of Avenue K-8 and 60<sup>th</sup> Street West, Owner: Pinnacle Northwood 78, LLC.

**CC 8. ACCEPTANCE OF STREETS FOR MAINTENANCE**

Approved the developer constructed streets and accepted the streets for maintenance by the City for: Site Plan Review No. 07-03, located on the southeast corner of Avenue J-8 and 15<sup>th</sup> Street West, Owner: Avenue J-8, LLC; Tract No. 54368, located on the southeast corner of Carol Drive and East Avenue K - 4, Owner: Richmond American Homes of CA; and Tract No. 061079, located on the southeast corner of Avenue K-6 and Carpenter Drive, Owner: Richmond American Homes of CA.

**CC 9. COMPLETED WATER SYSTEMS**

Approved the completed water systems installed by the developers for: Site Plan Review No. 07-03, located on the southeast corner of Avenue J-8 and 15<sup>th</sup> Street West, Owner: Avenue J-8, LLC; and Tract No. 48534, located on the southeast corner of Avenue H-8 and 35<sup>th</sup> Street East, Owner: K. Hovnanian Forecast Homes, Inc.

**CC 10. PWCP NO. 08-022**

Accepted the work constructed by ANM Construction & Engineering for **Public Works Construction Project No. 08-022 – Pedestrian Access Improvements**; directed the City Clerk to file the Notice of Completion for the project; authorized payment of the 10 percent retention 35 days after recordation, provided no stop notices, as provided by law, have been filed.

**CC 11. BID AWARD NO. 535-09**

Awarded **Bid No. 535-09 – 2009 CCTV Inspection Services**, to Performance Pipeline Technologies, in the amount of \$144,000.00, plus Additive Alternative Bid Item (additional 100,000 linear feet) in the amount of \$72,000.00, to bring the award total to \$216,000.00 and authorized the City Manager, or his designee, to sign all documents. The project is for sewer condition inspection services under a one (1) year contract with annual extensions, each subject to City Council approval.

**CC 12. TAX SHARING RESOLUTIONS**

Adopted the Tax Sharing Resolutions for proposed Annexation Nos. 40-122, 40-123, 40-124, 40-125, 40-126, 40-130, and 40-131 (4-186, 4-187, 4-188, 4-189, 4-190, 4-194, and 4-195) into Los Angeles County Waterworks District No. 40, Antelope Valley.

**CC 13. RESOLUTIONS FOR ARRA**

Adopted **Resolutions No. 09-29, No. 09-30, No. 09-31, No. 09-32, No. 09-33**, resolutions of the City Council of the City of Lancaster, California, requesting a portion of the State allocation of American Recovery and Reinvestment Act (ARRA) of 2009 funds available to local governments for recycled water infrastructure, and approving the City's application for Clean Water State Revolving Funds (CW SRF) for the planning, design, and construction of local recycled water expansion projects.

**JPH 1. AGREEMENT FOR SALE OF REAL PROPERTY BETWEEN THE LANCASTER REDEVELOPMENT AGENCY AND NO CURVES, L.P.**

Mayor/Chairman Parris opened the joint public hearing. Staff recommended that this item be continued to the meeting of May 12, 2009.

On a motion by Vice Chairman/Vice Mayor Smith and seconded by Agency Director/Council Member Mann, the Redevelopment Agency/City Council, continued this matter to the meeting of May 12, 2009, by the following vote: 4-0-0-1; AYES: Mann, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez

**NB 1. COMMITTEES / ORGANIZATIONS**

The City Manager presented the staff report regarding the annual appointments to various committees and organizations.

On a motion by Mayor Parris and seconded by Vice Mayor Smith, the City Council approved the appointments to the various committees and organizations, keeping the appointments the same as the previous year, by the following vote: 4-0-0-1; AYES: Mann, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

**CA 1. APPOINTMENT OF VICE MAYOR**

The City Attorney stated that selection of the Vice Mayor would continue under the current ordinance, whereas an elected Mayor may request consensus from the City Council to approve his selection.

On a motion by Mayor Parris and seconded by Vice Mayor Smith, the City Council approved the appointment of Vice Mayor Smith as Vice Mayor, by the following vote: 4-0-0-1; AYES: Mann, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Marquez

**CITY MANAGER'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT**

The City Manager stated that the Poppy Festival was fantastic; over 43,000 people attended; all of the staff is to be highly commended for the success of this great community event.

**SWINE FLU UPDATE**

Chief Michael Metro presented an update to the City Council regarding the Swine Flu, presented statistics; explained that this flu is spread in the same manner as any flu; citizens should take precautions; importance of washing hands; discussed vaccines; explained pandemic plans; stockpiles within Los Angeles County; what triggers the distribution of the stockpiles; explained that the reason the Governor declared a state of emergency today was to release any bureaucratic constraints regarding the testing of the flu.

Council Member Sileo inquired: of the forty people who have acquired the flu, how many have died; stated that it is important to note that thousands of people die every year from just a regular flu; it is important to point this out to avoid widespread panic. This is very important to watch, however do not panic. He inquired as to a pattern of who is getting the swine flu; encouraged citizens to keep their hands washed to avoid transmitting germs; use simple courtesy of covering your mouth when you cough and sneeze, as to not project droplets to others.

**SWINE FLU UPDATE (continued)**

Chief Metro stated that none had died from this particular strain; stated that approximately 26,000 people die each year from normal seasonal outbreaks of the flu. Flu's of this nature typically attack the young and the elderly and those who have an autoimmune problem. So far, this particular flu is showing a pattern in individuals that are 25-45 years of age; this is a very new strain; not a lot is known at this time.

Mayor Parris inquired as to when this virus is expected to hit; will there be a rapid transmission through the population; how many doses of a vaccine are slated for Lancaster; who makes the decisions.

Chief Metro stated that there is not enough information yet regarding this particular flu strain to estimate a potential spread rate; typically it will hit a localized geographic area and last 6-8 weeks; a national pandemic event could last 12 weeks in the initial first wave; L.A. County has over 1 million stockpiled vaccines; it would depend on the outbreak in Lancaster as to how much of the stockpile would come here; Public Health makes the decisions.

Further discussion took place and Mayor Parris requested that the City Manager look into this further; find out who the contacts are at Public Health; process for distribution.

**CITY CLERK / AGENCY 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:

Erick Byarushengo – concerned with public safety in the area of 60<sup>th</sup> St. West and Avenue L in regards to building superstores.

Cleo Goss – concerned with the draft EIR for the superstores proposed for 60<sup>th</sup> St and L; confused as to where the numbers come from; concerns for the heavy duty delivery trucks that will be making deliveries and causing air quality problems.

Chantel Scott – concerned with the 2030 General Plan; importance of more hiking trails; recreation for all ages; a west side park is important; consider a park across from Quartz Hill High School.

Mike Scott – concerned with the 2030 General Plan; concerned with commercial development and the mixing of commercial development with neighborhoods.

Jeff Stover – concerned about adding shopping centers around Quartz Hill High School; who will benefit; concerned about safety and traffic flow in the area; negative effects will outweigh the positive.

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

Mayor Parris briefly discussed the importance of the City's tax dollars; it is a difficult decision; keeps public safety program going; would like to be clear – none of the Council necessarily wants the development at this location, however, the Council must look at all consequences; it is not the City Council that is wanting to build; important to protect the citizens of Lancaster.

Barbara Mayzels – would like to speak at the Memorial Day gathering; discussed her brother's experiences in the war; reminded everyone that citizenship is not for sale.

Victoria Zavala – thanked people who attended the Poppy Festival and showed an interest in signing petitions to allow for a medicinal marijuana shop; requested support for this matter.

David Paul – concerned with drug policy; important to consider the medicinal marijuana facility; many people were sympathetic to the cause at the Poppy Festival and this would be excellent revenue for the City.

**COUNCIL REPORTS**

Vice Mayor Smith stated that he has attended further TDA Article 8 Hearings which are in regards to funding to fix roads; the most recent hearing took place in Avalon. He stated that he did not attend this particular meeting, as Avalon has their own set of needs.

**COUNCIL / AGENCY COMMENTS**

Vice Mayor Smith stated that several years ago a unanimous decision was made to name Gilley Park; politically, this matter comes up every once in awhile; Mr. Gilley did not request this, yet citizens continue to put this on his shoulders and Mr. Gilley has done some amazing things for this City. He requested that an item be placed on the next agenda to discuss and take action on renaming Gilley Park to American Heroes Park and the creation of a park monument to honor Antelope Valley citizens who have died in the line of duty.

Council Member Mann stated that he does not disagree with this; sent an email earlier in the day regarding this matter and feels that some interesting dialogue will take place.

Mayor Parris discussed the email from Council Member Mann; stated that Council Member Mann is promoting the naming of the park become Rowell Park. He stated that he feels that Council Member Mann violated the Brown Act by sending this email; he should not have stated his position in the email, simply should have requested an item be placed on the next agenda. He stated that he himself has never sent an email giving the Council his position on an issue; appreciates the participation by Council Member Mann but to please do so in a legal fashion.

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**CLOSED SESSION**

None

**ADJOURNMENT**

Mayor Parris adjourned the meeting at 7:30 p.m. and announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, May 12, 2009 at **6:00 p.m.**

**ATTEST:**

**APPROVED:**

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

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

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

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 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)

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