

CC 2
10/13/09
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES
September 22, 2009**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:02 p.m.

ROLL CALL

Present: Council Members/Agency Directors: Mann, Marquez; Sileo; Mayor/Chairman Parris

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

Excused: Vice Mayor/Vice Chairman Smith

Staff

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

INVOCATION

Representative from Girl Scout Troop 6902

PLEDGE OF ALLEGIANCE

Girl Scout Troop 6902

PRESENTATIONS

None

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APPROVAL OF AGENCY CONSENT CALENDAR

On a motion by Agency Director Sileo and seconded by Agency Director Mann, the Redevelopment Agency approved the Agency Consent Calendar, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

RCC 1. MINUTES

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of September 8, 2009.

RCC 2. ACQUISITION OF REAL PROPERTY

Approved the agreement for the Acquisition of Real Property between the Lancaster Redevelopment Agency and JP Morgan Chase Bank National Association for property located at 1203 Boyden Avenue, Lancaster, California.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

Mayor Parris requested that Item Nos. CC 4 and CC 14 be pulled for separate discussion and action and stated that he would need to recuse himself from Item No. CC 9, due to a lawsuit involving Richmond American Homes of CA.

On a motion by Council Member Sileo and seconded by Council Member Marquez, the City Council approved the Council Consent Calendar, with the exception of Item Nos. CC 4; CC 14 and CC 9, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

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 September 8, 2009.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers for August 23, 2009 through September 5, 2009 in the amount of \$5,168,634.56.

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CC 4. ORDINANCE NO. 933

The Planning Director stated that staff has been trying to track very closely what the small vertical axis of the wind turbines would be. He recently had a conversation with a resident who has been tracking this. The resident indicated that the company she plans to use is one of the companies the City has looked into and this company has recently changed its designs. The change would not change the requirement for the width of the turbine arrangement but does change the height. Staff recommends that the cage height be changed from a maximum of 60 inches (5 feet) to 84 inches (7 feet). This is in line with what has been seen recently in some of the changing technology for the small vertical axis wind turbine systems.

Addressing the City Council on this matter:

Teresa Malone – in favor of adoption and the proposed change to the ordinance.

Arnold Rodio – in favor of adoption, this is a good change; encouraged the City to look at additional forms of alternative energy as well.

Mark Smith – representing WePOWER, stated that this is a great option for the residents.

On a motion by Council Member Sileo and seconded by Council Member Marquez, the City Council re-introduced **Ordinance No. 933** with the change, an ordinance of the City Council of the City of Lancaster, California, amending Title 17 of the Municipal Code, modifying the wind energy requirements with the addition of Section 17.08.332 to regulate a vertical axis wind turbine system in residential zones, by the following vote: by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

CC 5. ACQUISITION OF REAL PROPERTY

Approved the agreement for Acquisition of Real Property between the City of Lancaster and Federal National Mortgage Association for property located at 3718 West Avenue K-11 as part of the approved Neighborhood Stabilization Program.

CC 6. ACQUISITION OF REAL PROPERTY

Approved the agreement for Acquisition of Real Property between the City of Lancaster and Aurora Loan Services, LLC for property located at 45503 7th Street East as part of the approved Neighborhood Stabilization Program.

CC 7. ACQUISITION OF REAL PROPERTY

Approved the agreement for Acquisition of Real Property between the City of Lancaster and U.S. Bank National Association, as Trustee for CSMC Mortgage-Backed Pass-Through Certificates, Series 2006-4 for property located at 45448 Raysack Avenue as part of the approved Neighborhood Stabilization Program.

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CC 8. APPROVAL OF COMPLETED SEWER SYSTEMS

Approved the completed sewer systems installed by the developer for Tract No. 061680, located on the southwest corner of Avenue K and 60th Street West, Owner: KB Home Greater Los Angeles Inc.

At this time Mayor Parris recused himself from Item No. CC 9 and left the dais.

CC 9. ACCEPTANCE OF STREETS FOR MAINTENANCE

On a motion by Council Member Mann and seconded by Council Member Sileo, the City Council approved the developer constructed streets and accepted the streets for maintenance by the City for Tract No. 060524 Phase 1 (Lots 6-32), located on the east side of 60th Street West, approximately 300 feet south of Avenue K-8, Owner: Richmond American Homes of CA, by the following vote: 3-0-1-1; AYES: Mann, Marquez, Sileo; NOES: None; RECUSED: Parris; ABSENT: Smith

At this time, Mayor Parris returned to the dais.

CC 10. AMENDMENT TO SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted the amendment to the existing Subdivision Undertaking Agreement, and Maintenance Agreement submitted by Gibraltar Homes, LLC, for Tract No. 52665, located between 17th Street West and 18th Street West, approximately 200 feet south of Lancaster Boulevard.

CC 11. PWCP NO. 09-013

Accepted the work constructed by J.F. Bruce Construction for **Public Works Construction Project No. 09-013**, Stillmeadow Lane Sewer; 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 12. APPROPRIATION OF FUNDS

Appropriated \$70,000.00 from Fund Balance in the Lancaster Drainage Maintenance District into Expense Account No. 484-4743-301 for ecological monitoring and biological surveys.

CC 13. PWCP NO. 08-009

Awarded **Public Works Construction Project No. 08-009**, Avenue K and 50th Street West Improvements ESPL 5419-(020), to Imperial Paving Company, Inc., in the amount of \$295,485.00 plus a 10% contingency; appropriated \$325,040.00 in American Recovery and Reinvestment Act (ARRA) grant funds to Capital Improvements Budget Account No. 383-12ST017-924 and authorized the City Manager, or his designee, to sign all documents

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CC 14. PWCP NO. 09-008

The City Manager stated that this item is the award of the bid for American Heroes Park in the downtown area; staff is very excited about this and hopes to have this project completed in approximately the same timeframe as the Boulevard improvements; this is a big milestone for the City.

Addressing the City Council on this matter:

Arnold Rodio – requested clarification on the use of the park and is it going to be allowed to be used by the residents. He understands that it will have restricted use and it will be used by the schools. He is concerned with the use of public funds for a private park.

The City Manager stated that similar to the Soccer Center, the City has exclusive use at certain times. AYSO uses the Soccer Center and fields and pays for this use, just as the two schools involved (Sacred Heart and 7th Day Adventist) would pay for the use of this park. It is a portion of the park that will be used during school hours and there are also parts of the park that will be open.

The Parks, Recreation and Arts Director stated that about 12.25 acres will consist of the park and about 26 percent of the park will be used by each school, therefore, roughly fifty percent is available all of the time and some of the area during school hours would not be available to the public, it would be used by the schools. The plazas, parkways and turf areas will be available to the public. Approximately 150 days out of the year would be used by the schools by a combined total of approximately 500 students.

Mayor Parris stated that he would assume that these 500 students are citizens of the City who happen to go to parochial schools; inquired as to any statistics that exist regarding how many citizens are in the parks on any given day.

The Parks, Recreation and Arts Director stated that it varies, based on the park. He stated that the senior population would also be using the perimeter, the pathways – these will all be available to them.

On a motion by Council Member Mann and seconded by Council Member Marquez, the City Council awarded **Public Works Construction Project No. 09-008**, American Heroes Park, to Superior Construction Specialties, Inc. in the amount of \$5,007,998.26 plus a 10% contingency; transferred \$350,000.00 from Account No. 252-12ST025-924 2010 Pavement Management Program Proposition 42 Funds to Capital Improvements Budget Account No. 252-11GS004-924 and authorized the City Manager, or his designee, to sign all documents, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Parris; NOES: None; ABSTAIN: None; ABSENT: Smith

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PUBLIC HEARINGS

None

NEW BUSINESS

None

COUNCIL AGENDA

Council Member Marquez stated that at the September 15, 2009, meeting, the Governing Board discussed the following significant items with AVAQMD staff:

- Presentation of the 2008/2009 William J. "Pete" Knight Memorial AIRE (Achievement in Reducing Emissions) Award to Lancaster business owner/operator Terry Cisek for his knowledge, integrity and professionalism installing high quality vapor recovery systems throughout the Antelope Valley.
- Approval of \$90,000 in Carl Moyer (State) funding for continued implementation of the AVAQMD's Voluntary Accelerated Vehicle Retirement Program, and direction to Staff to explore opportunities to morph this "scrap vehicle program" into a local next phase "Cash for Clunkers" that would simultaneously generate business for local auto dealerships, while enhancing local air quality by replacing older (≥ 20 years), less efficient vehicles with new, more fuel efficient and environmentally friendly vehicles.

The remaining items approved by the AVAQMD were routine and/or adopted as consent items.

CITY MANAGER'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT

The City Manager stated that in the Los Angeles Times today, it was reported that the Lancaster Sheriff's Station had the greatest drop in crime of all Sheriff's Stations in Los Angeles County. The only city that was above Lancaster was the City of Avalon which has 3,100 people and this is a great testament to the work that has been done by this community as a whole.

The City Manager stated that he had the honor of representing the City today at a press conference to announce the Veteran's Parade. Mr. Jim Hildreth was also present – he was a World War II prisoner of war for three and a half years and he gave a very inspiring speech and he will be recognized at the Council meeting in November.

The City Manager stated that at the last Council meeting a citizen claimed knowledge of a rape that was investigated vigorously by the Sheriff's Department the following day and those charges were discovered to be totally unfounded.

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CITY MANAGER'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT (continued)

The Parks, Recreation and Arts Director gave an overview on the success of the Aerospace Walk of Honor. It was five events in one, including a breakfast, an unveiling ceremony, the actual ceremony and a party at the end. The keynote speaker was very interesting in describing traveling to and leaving the moon. The City has received a lot of positive feedback, the entire event was wonderful, the citizens truly enjoy attending this. Many who traveled here from other cities comment on how much they would like to live in a city like Lancaster and live in Lancaster specifically. He thanked the partnership of the Lemon Leaf Café; City staff and their hard work; including a book that they put together that has been selling very rapidly regarding the history of the Aerospace Walk of Honor and all the honorees.

Council Member Marquez stated that she heard from quite a few of the relatives of the honorees who shared with her how pleased they were at how they had been treated by the staff, the citizens and how pleased they were with the entire program; this truly was an inspiring event.

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:

Dale Dumke – Discussed the issue of business owners not having a proper City license; suggested a program similar to one that is used by the City of Palmdale in which there are stickers on the vehicles that show that they have a city license. Additionally, he encouraged the Council to consider skateboard parks; park rangers need to patrol the parks more, as recently one of his children was approach by a pedophile and he has reported this to the Sheriff's Department.

Darleen Peterson – Stated that there is a portion of Beech Avenue that will be realigned and named Gilley Parkway and she encouraged the Council to not allow this.

COUNCIL REPORTS

None

COUNCIL / AGENCY COMMENTS

None

CLOSED SESSION

None

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ADJOURNMENT (Agency and Council)

Mayor Parris adjourned the meeting at 5:35 p.m. and announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, October 13, 2009 at 5:00 p.m.

ATTEST:

APPROVED:

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)
