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02/13/07
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**LANCASTER CITY COUNCIL  
REGULAR MEETING  
MINUTES  
January 23, 2007**

CALL TO ORDER	Mayor Hearn called the meeting to order at 6:02 p.m.
ROLL CALL	<p>Present: Council Members: Jeffra, Smith, Visokey, Vice Mayor Sileo, Mayor Hearn</p> <p>Absent: None</p> <p>Staff Members: City Manager, Assistant City Manager, City Attorney, City Clerk, Planning Director, Public Works Director, Parks, Recreation &amp; Arts Director, Assistant Finance Director, Economic Development Director, Housing Director, Human Resources Director</p>
AGENDA ITEMS TO BE REMOVED	None
APPROVAL OF CONSENT CALENDAR	On a motion by Vice Mayor Sileo and seconded by Council Member Visokey, the City Council approved the Consent Calendar, with the exception of Item Nos. CC 5; CC 6 and CC 7 which were pulled for separate discussion and action, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; 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. MINUTES	<p>A) Approved the Special meeting minutes of January 8, 2007.</p> <p>B) Approved the Special meeting minutes of January 9, 2007.</p> <p>C) Approved the Regular meeting minutes of January 9, 2007.</p>
CC 3. WARRANT REGISTER	Approved the Warrant Register (December 24, 2006 through January 6, 2007) in the amount of \$4,628,750.39.
CC 4. MONTHLY REPORT OF INVESTMENTS	Accepted and approved the November 30, 2006 Monthly Report of Investments as submitted.

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<p><b>CC 5.</b> ORD. NO. 868 MASSAGE THERAPIST</p>	<p><b>Ordinance No. 868</b>, an ordinance of the City Council of the City of Lancaster, California, adopting Chapter 5.34 of the Lancaster Municipal Code establishing a Massage Therapist Ordinance.</p> <p>On a motion by Council Member Jeffra and seconded by Mayor Hearn, the City Council directed staff to review the feasibility of a one-time grandfather clause within the Ordinance to permit people who have 20 years of experience; are conducting their business in a proper manner; giving them the opportunity to waive the 300 hours and return to Council for second reading and adoption at a future meeting, by the following vote: 5-0-0-0: AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>CC 6.</b> ORD. NO. 869 AND RESO. NO. 07-19 REGARDING RENTAL HOUSING BUSINESS LICENSE AND FEES</p>	<p>A) Adopted <b>Ordinance No. 869</b>, an ordinance of the City Council of the City of Lancaster, California, adopting Chapter 5.40 of the Lancaster Municipal Code establishing a Rental Housing Business License and Preservation Program.</p> <p>B) Adopted <b>Resolution No. 07-19 (as amended)</b>, amending Resolution No. 07-12 related to fees for LAN-CAP Business License and establishing fees for the Rental Housing Inspection Program.</p> <p>Addressing the Council on this matter:</p> <p>Roger Hemme – Opposed to the ordinance; most property owners and tenants are maintaining their property in the right way; leave honorable people alone; target the other folks; invasion of privacy to inspect homes; not enough information on the costs; unclear as to how many properties are substandard; LAN-CAP Program is handling the issues.</p> <p>James Shanbrom – Concerned with the fees; costs per unit; costs per inspector; importance of true costs; should all be one fee, not split up.</p> <p>Darryl Duszynski – Opposed to the ordinance; a concern if Code Enforcement gets involved with disputes between landlords and tenants.</p>

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<p><b>CC 6.</b> ORD. NO. 869 AND RESO. NO. 07-19 REGARDING RENTAL HOUSING BUSINESS LICENSE AND FEES (continued)</p>	<p>Council Comments/Concerns:</p> <p>Clarification of the licensing requirements; rental ordinance itself is a one time issue; license has to stay in place unless property is in violation; concerned with privacy matters; dealing with a lot of absentee landlords and people who trash their properties; importance of having the ordinance in place; without the ordinance the issue becomes subjective; importance of being as non-invasive as possible; well written ordinance; clarification of how the City will inspect a property; importance of getting written permission to be allowed inside of a home; concerns with a person who may have 10 single-family homes – should not be charged a business license fee for each property or one business license and \$25.00 for each house; regulating the homes that fall out of compliance and removing that particular home from the business license; clarification that staff met with GAVAR and GAVAR is in agreement; concerns with the business license fees; clarification of the service for the \$25.00 renewal fee and the cost analysis; clarification regarding inspections on the exterior of the homes; inspections of the interior of the homes with written permission only, unless there is an issue that would require the County Health Department to respond; ordinance gives the City the tool to handle homes that are not being taken care of properly; removal of one home from the license if it is not in compliance without additional burden on the other properties.</p> <p>On a motion by Council Member Smith and seconded by Vice Mayor Sileo, the City Council adopted <b>Ordinance No. 869</b>, with the clarification that the City receive written permission before being allowed to enter the interior of a property, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p> <p>On a motion by Council Member Smith and seconded by Council Member Visokey, the City Council adopted <b>Resolution No. 07-19</b> as amended, to state that on single-family homes, there will be one business license fee of \$60.00 for the same owner of multiple single family properties and a \$25 Renewal fee per license, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p> <p>The City Manager clarified that this action would only be for a single-family residence and to remove the statement which refers to each additional address or unit covered under a single license.</p>
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**CC 7.**  
**ORD. NO. 870**  
**GROUP HOME**  
**BUSINESS LICENSE**

Adopted **Ordinance No. 870**, an ordinance of the City Council of the City of Lancaster, California, adding Chapter 5.44 of Title 5 to the Lancaster Municipal Code pertaining to Group Homes within the City of Lancaster and establishing procedures for review and issuance of Group Home Business Licenses.

Addressing the Council on this matter:

Jason Smith – No objection to the ordinance; he has been meeting with staff to work through some details; referred to Resolution No. 07-13 and the fees which are similar to the concerns stated regarding the rental housing resolution; requested staff review this resolution for possible amendments.

Veetrice Banks – Opposed to the restriction regarding people who have been convicted of a felony.

Calvin Chalmers – Concerned with the language of the ordinance; requested specific categories for the different types of group homes.

Joseph Hunter – Opposed to the language in the ordinance regarding people who are convicted of a felony; true change comes by the acquisition of humanity, a sense of contributing to others.

Tyrone Cole – Agrees with everything that has been stated by the other citizens; group homes are designed to help others find a new life; restore the power and discipline to people.

James Shanbrom – The idea of the ordinance is public safety; the process has to be created to add to a safe environment; ordinance should not be created to throw people out on the street which will then add to the homeless issue.

Kimberly Stiller – Public Safety concerns; concerns regarding the homelessness in the Antelope Valley if group homes are closed.

Vivian Eskridge – Substance abuse with youth; importance of sober living homes; ordinance should be enacted.

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<p><b>CC 7.</b> ORD. NO. 870 GROUP HOME BUSINESS LICENSE (continued)</p>	<p>Council Comments/Concerns:</p> <p>Crime is associated with addiction; there are different homes in the City; negative consequences to a neighborhood when a group home exists close by; ordinance must be broad in order to have the homes communicate with the City; importance of understanding the different issues that go on; staff is willing to work with all the group home operators; importance of working together.</p> <p>On a motion by Mayor Hearn and seconded by Vice Mayor Sileo, the City Council adopted Ordinance No. 870, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>CC 8.</b> ORD. NO. 871 INFORMAL BIDDING PROCEDURES</p>	<p>Adopted <b>Ordinance No. 871</b>, an ordinance of the City Council of the City of Lancaster, California, amending Chapter 3.32 of the Lancaster Municipal Code to add a new Section 3.32.075 relating to Informal Bidding procedures for public projects.</p>
<p><b>CC 9.</b> APPROVAL OF ADDITIONS TO THE 2006/07 CAPITAL REPLACEMENT SCHEDULE</p>	<p>Authorized staff to add the 2006/07 Capital Replacement Schedule for the replacement of EQ5706 (1991 Ford Super Duty) and EQ5797 (2003 Ford F150 Pickup). Appropriated \$60,000.00 from the Capital Replacement Fund for said vehicles to Account No. 104-4635-762. Recommended staff not repair EQ7393 (1987 Isuzu Pickup) since it had been identified for replacement in the 2006/07 Capital Replacement Schedule.</p>
<p><b>CC 10.</b> ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS FOR TRACT NO. 060512</p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, installed by the Developer of Annexation No. 283, Tract No. 060512, located on the southwest corner of 17<sup>th</sup> Street East and Avenue J. Owner: KB Home Greater Los Angeles, Inc.</p>
<p><b>CC 11.</b> RESO. NO. 07-14 FUNDING OUTSIDE OF REDEVELOPMENT PROJECT AREAS</p>	<p>Adopted <b>Resolution No. 07-14</b>, regarding Funding Outside of the Redevelopment Project Areas to benefit the Redevelopment Project Areas.</p>

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RECESS	Mayor Hearn's recessed the meeting at 7:55 p.m.
RECONVENE	Mayor Hearn's reconvened the meeting at 8:03 p.m.
<b>NB 1.</b> ORD. NO. 873 INTRODUCTION REGARDING PROCEDURES REGULATING GRAFFITI	<p>Introduction of an Ordinance of the City of Lancaster Amending Chapter 9.24 of Title 9 of Lancaster Municipal Code regarding procedures regulating Graffiti.</p> <p>Addressing the Council on this matter:</p> <p>Thomas Lacey – Senior Citizens should be exempt from the charges/fines.</p> <p>Alis Clausen – Concerns regarding the requirement of graffiti removal within 24 hours; unreasonable time frame; open up discussion with all utilities before taking action.</p> <p>George Reams – Owns several properties; graffiti plagues the City; time frame for removal within 24 hours is unreasonable; problems rise and fall depending on the amount of patrolling by law enforcement.</p> <p>Sherry Marquez – Graffiti is done by criminals, it is not art; importance of adhering to the 24 hour requirement; citizens are being victimized; graffiti is on City signs as well.</p> <p>Council Comments/Concerns:</p> <p>Graffiti is a symptom of crime; leads to dilapidation of buildings; in the case of this ordinance, crime victims end up becoming the criminals; refer this matter back to staff for further research; bring back for discussion; concerns regarding the 24 hour requirement; importance of consistency and uniformity with cleanup and the paint that is used; issue is a vicious circle; graffiti causes crime and crime causes graffiti; who has responsibility of graffiti removal; who pays for clean-up; graffiti is the most common type of visible gang operations; prevention is important; solutions need to be created.</p> <p>On a motion by Council Member Smith and seconded by Council Member Jeffra, the City Council referred this matter back to staff to explore a number of possibilities, touch base with the community; the utility companies and bring the matter back for discussion before it is placed on an agenda for introduction and adoption, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn's; NOES: None; ABSTAIN: None; ABSENT: None.</p>

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<p><b>NB 2.</b> ORD. NO. 872 2006 ENGINEERING AND TRAFFIC SURVEY REPORT ESTABLISHING SPEED LIMITS</p>	<p>The Public Works Director presented the staff report regarding the introduction of an Ordinance to establish speed limits in the City of Lancaster based on the 2006 Engineering and Traffic Survey Report.</p> <p>On a motion by Council Member Jeffra and seconded by Vice Mayor Sileo, the City Council introduced <b>Ordinance No. 872</b>, to establish speed limits in the City of Lancaster based on the 2006 Engineering and Traffic Survey Report, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>NB 3.</b> RESO. NO. 07-16 CONDEMNATION PROCEEDINGS REGARDING TRACT NO. 060987</p>	<p>Condemnation proceedings for property located on the southwest corner of Avenue J and 52<sup>nd</sup> Street West, Identified as APN 3203-015-071, (portions thereof) – Located on 53<sup>rd</sup> Street West. Copper Moon Lane and 52<sup>nd</sup> Street West. Owner: Chong Ung Kim, subject to Community Interest of the spouse, if any.</p> <p>On a motion by Vice Mayor Sileo and seconded by Council Member Visokey, the City Council continued this matter to the meeting of February 13, 2007, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None</p>
<p><b>NB 4.</b> RESO. NO. 07-17 CONDEMNATION PROCEEDINGS REGARDING TRACT NO. 060034</p>	<p>The Public Works Director presented the staff report regarding the Condemnation proceedings for property located on the north side of Avenue J-8 and east of 60th Street West, APN 3203-030-058; portions thereof. Owner: Antelope Valley Land, LLC, a California Limited Liability Company.</p> <p>On a motion by Council Member Jeffra and seconded by Mayor Hearn, the City Council adopted <b>Resolution No. 07-17</b>, directing and authorizing the condemnation of certain real property in the City of Lancaster, California and declaring the public necessity therefor (APN 3203-030-058; portions thereof), by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>NB 5.</b> RESO. NO. 07-18 L.A. COUNTY FIRE FEES</p>	<p>The Planning Director Presented the staff report regarding a resolution for the Adjustment of Los Angeles County Fire Fees.</p> <p>On a motion by Council Member Jeffra and seconded by Mayor Hearn, the City Council adopted <b>Resolution No. 07-18</b>, adopting the Capital Improvement Plan of the Consolidated Fire Protection District and the annual adjustment of fire protection fees, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>

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<p><b>NB 6.</b> FINAL REPORT REGARDING STRATEGIC PLANNING WORKSHOP</p>	<p>The City Manager presented the staff report regarding the City Council, City Manager &amp; Department Directors Strategic Planning Workshop: November 9-10, 2006 – Final Report.</p> <p>Council Comments/Concerns:</p> <p>Concerns with the norms and procedures; norms need to remain flexible; strive for the norms; thanked the City Manager for the excellent work on this project; thanked the management team for their teamwork and continued dedication to the goals of the City.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council accepted the report as submitted by Sentient Systems, Inc.; adopted the priority goals for the next two years, the Lancaster 20/20 Vision with 2006 modifications and directed staff to incorporate the goals and strategies into work plans and programs and to build a budget for Fiscal Year 07/08 around these goals and objectives, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>CITY MANAGER ANNOUNCEMENT</p>	<p>None</p>
<p>CITY CLERK ANNOUNCEMENT</p>	<p>The City Clerk provided the public with the procedure to address the City Council regarding non-agendized items.</p>
<p>PUBLIC BUSINESS FROM THE FLOOR NON-AGENDIZED</p>	<p>Addressing Council at this time:</p> <p>Mary Jane Wall – Septic/Sewage problems at Sherwood Mobilehome Park; need for local Code Enforcement.</p> <p>Ray Chavira – Importance of having City Code Enforcement for the mobilehome parks and mobilehome residency laws.</p> <p>The City Manager stated that his office has been in touch with Supervisor Antonovich’s office regarding this issue and it is a high priority and is being looked into. Exploring the feasibility of taking responsibility for some of the functions of the mobilehome parks from the State.</p>

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<p>PUBLIC BUSINESS FROM THE FLOOR NON-AGENDIZED (continued)</p>	<p>Mark Cole – Supports the efforts of the Sheriff’s Department; concerned with crime on the east side of Lancaster; need more deputies on the street; importance of high visibility; consider criminal justice dollars for the Sheriff’s Department.</p>
	<p>Mark Rasmussen – Grateful for everything the City has done and their awareness of what is going on in the City. Citizens want to team with the City to solve issues.</p>
	<p>Brandon Ball – Stated that he was a victim of an attack recently and urged Council to add more law enforcement to the streets.</p>
<p>COUNCIL COMMENTS</p>	<p>Council Member Smith – Recently attended the League of California Cities training for new Council Members in Sacramento – very good meeting, great way to network with different legislators. Additionally, Council Member Smith received a letter from the Friends of Edwards Air Force Base requesting the City’s membership with them and requested that this be placed on the next agenda for consideration.</p>
	<p>Mayor Hearn – Stated that he appreciates everything that the City Manager is doing to make this a better City and stated that Council is with him all the way on these endeavors.</p>
<p>CLOSED SESSION</p>	<p>None</p>
<p>ADJOURNMENT</p>	<p>Mayor Hearn adjourned the meeting at 9:20 p.m. and announced the next regular meeting of the City Council would be held on Tuesday, February 13, 2007 at 6:00 p.m. Additionally, the Mayor announced that a Joint City Council meeting with the Palmdale City Council would be held on January 29, 2007.</p>
<p>ATTEST:</p>	<p>APPROVED:</p>
<p>_____ GERI K. BRYAN, CMC City Clerk City of Lancaster</p>	<p>_____ HENRY W. HEARNS Mayor City of Lancaster</p>

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss  
CITY OF LANCASTER            )

**CERTIFICATION OF MINUTES**  
**CITY COUNCIL**

I, \_\_\_\_\_, \_\_\_\_\_ of  
the City of Lancaster, CA, do hereby certify that this is a true and correct copy  
of the original City Council Minutes, for which the original is on file in my  
office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER,  
on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(seal)

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