

CC 2
04/10/07
RSL

**CITY COUNCIL
REGULAR MEETING
MINUTES
March 27, 2007**

CALL TO ORDER	Mayor Hearn called the regular and special meeting (Closed Session) to order at 6:00 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 Managers, City Attorney, City Clerk, Planning Director, Public Works Director, Parks, Recreation & Arts Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director</p>
AGENDA ITEMS TO BE REMOVED	<p>None</p> <p>Item No. CC 5 was pulled for discussion and public comment.</p>
APPROVAL OF CONSENT CALENDAR	On a motion by Vice Mayor Sileo and seconded by Council Member Jeffra, the City Council approved the Consent Calendar, with the exception of CC 5, 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	Approved the Regular meeting minutes of March 13, 2007.
CC 3. CHECK AND WIRE TRANSFER	Approved the Check and Wire Transfer (February 25, 2007 through March 10, 2007) in the amount of \$9,232,182.21

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<p>CC 4. RESO. NO. 07-55 RELEASE OF INFORMATION TO THE CA FRANCHISE TAX BOARD</p>	<p>Adopted Resolution No. 07-55, authorizing release of certain business license data to the California Franchise Tax Board, per agreement between the City of Lancaster and the Franchise Tax Board, and authorized City Manager or his designee to execute such agreement.</p>
<p>CC 5. FINANCIAL COMMITMENT FOR PERFORMERS OF THE DOWNTOWN LANCASTER EVENTS</p>	<p>Financial commitment to performers scheduled for Celebrate Downtown Lancaster events in Fiscal Year 2007-2008.</p> <p>Addressing the Council on this item:</p> <p>Joshua Mann – Thanked the City Council for continuing the Downtown Events; events are community based; supports local business; people come together.</p> <p>Erica Wheeler – Representing LOTS and as a business owner, urged the City Council to continue with the Downtown events; people enjoy the food, entertainment and the community spirit.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council authorized the financial commitment to performers scheduled for the Celebrate Downtown Lancaster events in Fiscal Year 2007-2008, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>CC 6. APPROVAL OF VOLUNTEERS FOR TWO VACANCIES ON THE LVHCC</p>	<p>Approved volunteers Stephen T. Knight and Ricardo L. Renteria to fill two of the current vacancies on the Lancaster Veteran’s Home Citizens Committee.</p>
<p>CC 7. ACCEPTANCE OF PUBLIC STREETS FOR MAINTENANCE FOR TRACT NO. 53027 AND DR NO. 03-97</p>	<p>Approved the developer constructed public streets and accepted the public streets for maintenance by the City for Tract No. 53027, located on the southeast corner of 22nd Street West and Avenue K-4. Owner: KB Home Greater Los Angeles, Inc.; Director’s Review No. 03-97 located at 43460 Sahuayo Street. Owner: Jack and Bonnie Lantz.</p>

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<p>CC 8. ACCEPTANCE OF SEWERS FOR MAINTENANCE FOR TRACT NOS. 54203; 061123</p>	<p>Approved the developer installed sewers and accepted the sewers for maintenance by the City and for public use for Tract No. 54203, located on the southeast corner of 40th Street West and Avenue M-8. Owner: Pulte Home Corporation; Tract No. 061123, located on the southwest corner of 35th Street West and Avenue M-8. Owner: Pulte Home Corporation.</p>
<p>CC 9. PROFESSIONAL SERVICES AGREEMENT WITH PB AMERICAS, INC.</p>	<p>Approved a professional services agreement with PB Americas, Inc. to prepare the City's Transportation Management Plan and authorized the City Manager, or his designee, to sign all documents. Appropriated \$50,000.00 from General Fund to Traffic Engineering Budget Account No. 101-4713-301.</p>
<p>CC 10. ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE FOR TRACT NO. 53027</p>	<p>Accepted the interior street trees for maintenance by the City for Tract No. 53027, located on the southeast corner of 22nd Street West and Avenue K-4. Owner: KB Home Greater Los Angeles, Inc.</p>
<p>CC 11. PWCP NO. 05-015 ACCEPTANCE OF WORK BY STEVENS CONSTRUCTIONS</p>	<p>Accepted the work constructed by Stevens Construction for Public Works Construction Project No. 05-015, Vehicle Maintenance Building Ventilation System 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.</p>
<p>CC 12. PWCP NO. 06-016 ACCEPTANCE OF WORK BY ASPHALT CONSTRUCTION CO</p>	<p>Accepted the work constructed by Asphalt Construction Company, Inc. for Public Works Construction Project No. 06-016, East Avenue I Corridor 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.</p>
<p>CC 13. PWCP NO. 07-004 AWARD OF BID TO ANM CONSTRUCTION AND ENGINEERING FOR RECONSTRUCTION OF PAVEMENT, CURBS, SIDEWALKS</p>	<p>Awarded Public Works Construction Project No. 07-004, 25th Street East Repairs to ANM Construction and Engineering, in the amount of \$411,506.00. The project is designed to reconstruct the dilapidated pavement, curbs, and sidewalks along 25th Street East from Avenue J-8 to Morningside Avenue. Approved the appropriation of \$45,000.00 from the Traffic Impact Fee Fund Balance to Capital Improvements Budget Account No. 232-12ST015-924 and authorized the City Manager, or his designee, to sign all documents.</p>

CC 14.
APPROVAL OF
RETENTION OF
CHRISTOPHER A.
JOSEPH &
ASSOCIATES

Authorized the retention of **Christopher A. Joseph & Associates** for the preparation of two Environmental Impact Reports for General Plan amendments, Zone Changes, and related development applications located on the northwest and southeast corners of 60th Street West and Avenue L.

CC 15.
RESO. NOS.
07-56 AND 07-57
ANNEX. NOS.
05-93; 06-100;
07-10; 07-12;
TO LDBAD

Proposed Annexations to Lancaster Drainage Benefit Assessment District

Annexation No. 05-93, Permit No. 05-05142, located at 43837 Ryckebosch Lane. Owner: Frank F. Quichocho and Christine A. Quichocho, husband and wife as joint tenants.

Annexation No. 06-100, Permit No. 06-05303, located at 44602 Elm Avenue. Owner: Kevin P. Thompson, a single man.

Annexation No. 07-10, Permit No. 07-00151, located on the northwest corner of Milling Street and Trevor Avenue. Owner: Wendy B., Inc., a California Corporation.

Annexation No. 07-12, Tract No. 061679, located on the southeast corner of Avenue K and 55th Street West. Owner: Lancaster Downs 115, LLC, a California Limited Liability Company.

A) Adopted **Resolution No. 07-56**, initiating proceedings for the annexation of territories to Lancaster Drainage Benefit Assessment District to be established pursuant to the Benefit Assessment Act of 1982 and California Constitution Article XIID (Annexation Nos. 05-93, 06-100, 07-10, and 07-12.)

B) Adopted **Resolution No. 07-57**, approving the Engineer's Report and the time and place for Public Hearing, and declaring its intention to annex territories into Lancaster Drainage Benefit Assessment District and to levy and collect assessments pursuant to the Benefit Assessment Act of 1982 and California Constitution Article XIID (Annexation Nos. 05-93, 06-100, 07-10, and 07-12.)

Proposed Annexations to Lancaster Lighting Maintenance District

CC 16.
RESO. NOS.
07-58 AND 07-59
ANNEX. NOS.
329; 625; 766;
779; 781
TO LLMD

Annexation No. 329, Conditional Use Permit 02-07, located at 3131 West Avenue J. Owner: Central Christian Church of Antelope Valley, a non-profit Corporation.

Annexation No. 625, Permit No. 05-05142, located at 43837 Ryckebosch Lane. Owner: Frank F. Quichocho and Christine A. Quichocho, husband and wife as joint tenants.

Annexation No. 766, Permit No. 06-05303, located at 44602 Elm Avenue. Owner: Kevin P. Thompson, a single man.

Annexation No. 779, Permit No. 07-00151, located on the northwest corner of Milling Street and Trevor Avenue. Owner: Wendy B., Inc., a California Corporation.

Annexation No. 781, Tract No. 061679, located on the southeast corner of Avenue K and 55th Street West. Owner: Lancaster Downs 115, LLC, a California Limited Liability Company.

A) Adopted **Resolution No. 07-58**, initiating proceedings for the annexation of territories into Lancaster Lighting Maintenance District, an Assessment district established pursuant to the Landscaping and Lighting Act of 1972 and California Constitution Article XIID (Annexation Nos. 329, 625, 766, 779, and 781.)

B) Adopted **Resolution No. 07-59**, approving the Engineer's Report and the time and place for Public Hearing, and declaring its intention to annex territories into Lancaster Lighting Maintenance District and to levy and collect assessments pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California and California Constitution Article XIID (Annexation Nos. 329, 625, 766, 779, and 781.)

**Proposed Annexations to Lancaster Landscape Maintenance
District No. 1:**

CC 17.
RESO. NOS.
07-60 AND 07-61
ANNEX. NO.
385
TO LMD

Annexation No. 385, Tract No. 061679, located on the southeast corner of Avenue K and 55th Street West. Owner: Lancaster Downs 115, LLC, a California Limited Liability Company.

A) Adopted **Resolution No. 07-60**, initiating proceedings for the annexation of territory into Lancaster Landscape Maintenance District No. 1, an Assessment District established pursuant to the Landscaping and Lighting Act of 1972 and California Constitution Article XIID (Annexation No. 385.)

B) Adopted **Resolution No. 07-61**, approving the Engineer's Report and the time and place for Public Hearing, and declaring its intention to annex territory into Lancaster Landscape Maintenance District No. 1 and to levy and collect assessments pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California and California Constitution Article XIID (Annexation No. 385.)

PH 1.
RESO. NO. 07-62
CONFIRMING
DIAGRAMS AND
ASSESSMENTS FOR
ANNEX. NOS.
05-93; 06-100;
07-10; 07-12
TO LDBAD

Mayor Hearn opened the Public Hearing. The Public Works Director presented the staff report regarding proposed annexations to the Lancaster Drainage Benefit Assessment District. There being no further testimony, Mayor Hearn closed the Public Hearing.

On a motion by Vice Mayor Sileo and seconded by Council Member Jeffra, the City Council adopted **Resolution No. 07-62**, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District and levy of assessment (Annexation Nos. 05-93, 06-100, 07-10, and 07-12), by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

PH 2.
RESO. NO. 07-63
CONFIRMING
DIAGRAMS AND
ASSESSMENTS FOR
ANNEX. NOS.
329; 625; 766;
779; 781
TO LLMD

Mayor Hearn opened the Public Hearing. The Public Works Director presented the staff report regarding proposed annexations to the Lancaster Lighting Maintenance District. There being no further testimony, Mayor Hearn closed the Public Hearing.

On a motion by Vice Mayor Sileo and seconded by Council Member Jeffra, the City Council adopted **Resolution No. 07-63**, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 329, 625, 766, 779, and 781), by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

<p>PH 3. RESO. NO. 07-64 CONFIRMING DIAGRAM AND ASSESSMENT FOR ANNEX. NO. 385 TO LMD</p>	<p>Mayor Hearn opened the Public Hearing. The Public Works Director presented the staff report regarding proposed annexations to the Lancaster Landscape Maintenance District No. 1. There being no further testimony, Mayor Hearn closed the Public Hearing.</p> <p>On a motion by Vice Mayor Sileo and seconded by Council Member Jeffra, the City Council adopted Resolution No. 07-64, confirming the diagram and assessment and ordering the annexation of territory into Lancaster Landscape Maintenance District No. 1 (Annexation No. 385), by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>PH 4. RESO. NO. 07-65 AND ORD. NO. 873 GP AMENDMENT NO. 06-02 AND ZC 06-02</p>	<p>Mayor Hearn opened the Public Hearing. The Planning Director presented the staff report regarding General Plan Amendment No. 06-02 and Zone Change 06-02 (56.19± gross acres located on the northeast corner of Division Street and Avenue I.)</p> <p>Addressing the Council on this matter:</p> <p>Suzanne Job – Concerns regarding Section 8 housing; looking forward to the development improvements to this area.</p> <p>Val Holt – This particular area has a lot of history; looking forward to seeing the development of this area; urged Council to take a look at the alcohol ordinance before all stages are final.</p> <p>There being no further testimony, Mayor Hearn closed the Public Hearing.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Visokey, the City Council adopted Resolution No. 07-65 approving General Plan Amendment No. 06-02, redesignating 56.19 acres of the former fairgrounds site from UR (Urban Residential) 5.36 acres of P (Public Use), 4.7 acres of S (School), 41.13 acres of PK (Park) and 5 additional acres of C (Commercial), 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 Jeffra and seconded by Council Member Visokey, the City Council introduced Ordinance No. 873, amending the zoning plan for the site from Single Family Residential (R-7,000) to a combination of Public (P), Open Space (O), and Commercial Planned Development (CPD) consistent with the proposed General Plan land use designations, 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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CITY MANAGER ANNOUNCEMENT	None
CITY CLERK ANNOUNCEMENT	The City Clerk provided the public with the procedure to address the City Council regarding non-agendized items.
PUBLIC BUSINESS FROM THE FLOOR NON-AGENDIZED	<p>Addressing the Council at this time:</p> <p>Lisa Hale – Fabric stores are closing in the City; Wal-Marts are downsizing their sewing sections; keep money flowing locally; support local business; purchasing fabric over the internet or going to Los Angeles are not viable choices.</p> <p>Jeanette Lang Lois – Requested clarification regarding the presentation by Sergeant Sylvies earlier in the evening. She is a former building inspector; most cases ended in court; cases took years to go through the process of the Deputy District Attorney for results. There must be a quick way to get service and have a fast prudent process.</p> <p>The City Attorney stated that by having our own City Prosecutor, we will be able to react much quicker, he is dedicated to handling the City’s matters and the City will not have to get in line with the D.A.’s office to handle that kind of action. The City Prosecutor is getting very good results on both civil and criminal remedies in the criminal abatement area. The City Attorney feels very confident that the time will be cut significantly for processing these cases from what has been the past experience through the D.A.’s office. This is not a negative against the D.A.’s office at all. They have a lot of crimes that they need to prosecute and misdemeanors and code enforcement actions are not high on their priority list of crimes, so recognizing this and having a City Prosecutor is going to be a real help.</p> <p>Vice Mayor Sileo stated that Sergeant Sylvies did lay out a couple of examples that demonstrated that the City does come to resolution on these cases which are favorable to the City and the residents and the strong partnership between the Sheriff’s Department and the City will continue and the outcomes will be positive. He feels very confident that this program will turn out well.</p> <p>Ray Chavira – Importance of a decent alcohol ordinance in place, as it will help with the strong neighborhood initiatives.</p>

<p>PUBLIC BUSINESS FROM THE FLOOR NON-AGENDIZED (continued)</p>	<p>Val Holt – Commended Council for a job well done; commended City staff for their professional caring service. She recently needed some answers to questions and everyone she came in contact with at City Hall was friendly, professional and cared about her concerns.</p> <p>Gary Burgess – The City is right on top of the criminal abatement program. Attorney Rosenblit’s office is professional and they mean business. Presented a brief history of a house of concern on his block and the quick action by Rosenblit’s office to take care of the matter. He commended the City Council and the City staff for all their efforts.</p>
<p>COUNCIL COMMENTS</p>	<p>Mayor Hearn – stated that he was recently on the program that is hosted by Russ Williams at Time Warner; citizens called in with their questions; lines were flooded and it was an excellent program. He commended Bob LaSala for the excellent job he is doing.</p> <p>Council Member Smith – Stated that for the furtherance of transparent government, he requested that the City Attorney bring back information for the Council to discuss and maybe consider a future ordinance regarding paid lobbyist. He spoke with the FPPC and they stated that other municipalities have passed similar ordinances in this line. He would like the City Attorney to look into an ordinance that states: any family member, direct family member, father, mother, step-father, children, brothers, sisters or any business partner of any Council Member or Planning Commissioner would have to file a disclosure that they are a paid lobbyist and lobbying the City for payment.</p>
<p>RECESS</p>	<p>Mayor Hearn recessed the meeting at 7:26 p.m. for the purpose of conducting a Closed Session regarding:</p> <p>G.C. Section 54956.8 –</p> <p>CONFERENCE WITH REAL PROPERTY NEGOTIATOR – NEGOTIATIONS WILL INCLUDE BOTH PRICE AND TERMS</p> <ul style="list-style-type: none">• Property: Public Easements in the Amargosa Creek Specific Plan Area <p>PROPERTY NEGOTIATOR: City Manager</p> <p>and a Special Meeting (Closed Session) regarding:</p> <p>G.C. Section 54956.9(c) – CONFERENCE WITH LEGAL COUNSEL –</p> <ul style="list-style-type: none">• Deciding whether to initiate litigation (Multiple Cases.)
<p>RECONVENE</p>	<p>Mayor Hearn reconvened the meeting at 7:42 p.m.</p>

CITY ATTORNEY
ANNOUNCEMENT

The City Attorney announced that City Council met in Closed Session regarding the aforementioned matters and gave direction to staff and legal counsel regarding these matters.

ADJOURNMENT

Mayor Hearn's adjourned the meeting at 7:43 p.m. and announced the next regular meeting of the City Council would be held on Tuesday, April 10, 2007 at 6:00 p.m.

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

HENRY W. HEARN'S
Mayor
City of Lancaster

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)
