

CC 2B
04/24/07
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**LANCASTER CITY COUNCIL  
REGULAR MEETING  
MINUTES  
April 10, 2007**

CALL TO ORDER	Mayor Hearn called the regular meeting to order at 6:04 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, Assistant Parks, Recreation &amp; Arts Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director</p>
AGENDA ITEMS TO BE REMOVED	None
APPROVAL OF CONSENT CALENDAR	<p>Council pulled the following Consent Calendar items for separate discussion and action: CC 17; CC 20; CC 21; CC 22.</p> <p>On a motion by Vice Mayor Sileo and seconded by Council Member Jeffra, the City Council approved the Consent Calendar with the exception of item numbers CC 17; CC 20; CC 21; CC 22, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
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 27, 2007.
CC 3. CHECK AND WIRE TRANSFER	Approved the Check and Wire Transfer (March 11, 2007 through March 24, 2007) in the amount of \$2,386,853.66.

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<p><b>CC 4.</b> ORD. NO. 873 ZONE CHANGE NO. 06-02</p>	<p>Adopted <b>Ordinance No. 873</b>, an ordinance of the City Council of the City of Lancaster, adopting a Zone Change on 56.19 acres generally bounded by Avenue H-8, 3<sup>rd</sup> Street East, Avenue I and Division Street, known as Zone Change No. 06-02.</p>
<p><b>CC 5.</b> AMENDMENT TO CONTRACT WITH RTKL; FUNDING AND APPROPRIATION APPROVAL</p>	<p>1) Approved an amendment to the contract with RTKL in the amount of \$39,740.00 for added Professional Services (traffic analysis) related to the preparation of the Amargosa Creek Specific Plan environmental impact report, revising the total contract amount to \$583,900.00.</p> <p>2) Approved funding in the amount of \$20,400.00 for an agreement with Lea Associates to provide property appraisal services for the Amargosa Creek Specific Plan site.</p> <p>3) Appropriated \$61,000.00 from the Operating Contingency to Account No. 101-4520-301 to cover the amended and added services costs.</p>
<p><b>CC 6.</b> ACQUISITION OF PROPERTY WITH SHEILA COSBY</p>	<p>Approved Agreement for Acquisition of Real Property between the City of Lancaster and Sheila Cosby for property located at 1347 West Avenue J-3.</p>
<p><b>CC 7.</b> APPROVAL OF VOLUNTEER FOR ONE VACANCY ON THE LVHCC</p>	<p>Approved volunteer Ulyssine Williams to fill one of the current vacancies on the Lancaster Veterans Home Citizens Committee.</p>
<p><b>CC 8.</b> ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS FOR TRACT NO. 54202</p>	<p>Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District (Annexation No. 03-37) installed for Tract No. 54202, located on the southwest corner of Lancaster Boulevard and 30th Street West. Owner: West Lancaster Development, LLC.</p>
<p><b>CC 9.</b> ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS FOR TRACT NO. 53253</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. 280, Tract No. 53253, located on the northwest corner of 30th Street West and Avenue M-8. Owner: Portabella, L.P.</p>

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<p><b>CC 10.</b> ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS FOR TRACT NO. 54285</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. 234, Tract No. 54285, located on the northeast corner of Avenue J and Palo Verde Street. Owner: Lennar Homes of California, Inc.</p>
<p><b>CC 11.</b> APPROVAL OF MONUMENTATION WORK FOR TRACT NO. 060948</p>	<p>Approved the monumentation work for Tract No. 060948, located on the northeast corner of Avenue I and 5th Street East. Owner: Frontier Homes/Avalon Meadows.</p>
<p><b>CC 12.</b> ACCEPTANCE OF SEWERS FOR MAINTENANCE FOR TRACT NO. 53190</p>	<p>Approved the developer installed sewer and accepted the sewer for maintenance by the City and for public use for Tract No. 53190, located on the southeast corner of Avenue J and 60th Street West. Owner: KB Homes Greater Los Angeles, Inc.</p>
<p><b>CC 13.</b> ACCEPTANCE OF PUBLIC STREETS FOR MAINTENANCE FOR SITE PLAN REVIEW NOS. 04-03; 03-01; CUP NO. 80-24</p>	<p>Approved the developer constructed public streets and accepted the public streets for maintenance by the City for Site Plan Review No. 04-03, located at 43917 Division Street. Owner: Agate Consortium, Inc.; Site Plan Review No. 03-01, located at 43816 15th Street West. Owner: Antelope Valley Credit Union; and Conditional Use Permit No. 80-24, located at the northeast corner of 30th Street West and Avenue K-4. Owner: Greek Orthodox Church of Saints Constantine and Helen of The Antelope Valley.</p>
<p><b>CC 14.</b> APPROVAL OF COMPLETED WATER SYSTEMS FOR SITE PLAN REVIEW NOS. 04-03; 03-01; CUP NO. 80-24; TRACT NO. 54202</p>	<p>Approved the completed water systems installed by the developers for Site Plan Review No. 04-03, located at 43917 Division Street. Owner: Agate Consortium, Inc.; Site Plan Review No. 03-01, located at 43816 15th Street West. Owner: Antelope Valley Credit Union; Conditional Use Permit No. 80-24, located at the northeast corner of 30th Street West and Avenue K-4. Owner: Greek Orthodox Church of Saints Constantine and Helen of The Antelope Valley; and Tract No. 54202, located at the southwest corner of Lancaster Boulevard and 30th Street West. Owner: West Lancaster Development, LLC.</p>

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<p><b>CC 15.</b> AWARD OF PWCP NO. 05-012 TO GRANITE CONSTRUCTION CO. FOR STREET REALIGNMENT</p>	<p>Awarded <b>Public Works Construction Project No. 05-012</b>, 3<sup>rd</sup> Street East Realignment, to Granite Construction Company in the amount of \$838,240.00 plus a 10% contingency and authorized the City Manager, or his designee, to sign all documents. The project is designed to realign the section of 3<sup>rd</sup> Street East north of Avenue I to properly align with the intersection of 3<sup>rd</sup> Street East south of Avenue I.</p>
<p><b>CC 16.</b> AWARD OF PWCP NO. 06-015 TO SIERRA CASCADE CONSTRUCTION, INC. FOR DRAINAGE IMPROVEMENTS</p>	<p>Awarded <b>Public Works Construction Project No. 06-015</b>, Avenue H-4 at 10th Street West Drainage Improvements, to Sierra Cascade Construction Inc. in the amount of \$382,284.00 (plus a 10% contingency) and authorized the City Manager, or his designee, to sign all documents. The project is designed to construct drainage improvements along Avenue H-4 from the western boundary of the future Whit Carter Park to 10th Street West.</p>
<p><b>CC 17.</b> AWARD OF PWCP NO. 07-012 TO GRANITE CONSTRUCTION CO. FOR MH PARK IMPROVEMENTS</p>	<p>Two citizens, Mary Jane Wall and Ray Chavira requested information on this item.</p> <p>The Public Works Director stated that the Housing Department approached the Public Works Department to assist in making some repairs at Brierwood Mobilehome Park.</p> <p>The Housing Director stated that several years ago the City took Brierwood Mobilehome Park from the private well system to a public utility. In the process meters were cut into every mobilehome in the Park. The road was never repaired from the work that was done. In addition, the disrepair of the road led into drainage problems. During the ownership of Brierwood, the City has not maintained it in the manner that it should be maintained. Some of the buildings that are in a common area do not meet ADA compliance so the work that is being done on Brierwood has to do with going to a public utility system; making the park ADA compliant; bringing the pool up to the County Health standards and that is the bulk of the work that is being done.</p> <p>The Public Works Director stated that this project went out for bid once before and very high bids were received. That led the City to separate this project into several phases rather than a single contract in order to attract better bids. In the bidding process, only one bid was received and upon review of the bid it was an appropriate bid for the present climate and recommended that Council award the bid.</p>

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<p><b>CC 17.</b> AWARD OF PWCP NO. 07-012 TO GRANITE CONSTRUCTION CO. FOR MH PARK IMPROVEMENTS (continued)</p>	<p>On a motion by Mayor Hearn and seconded by Vice Mayor Sileo, the City Council awarded <b>Public Works Construction Project No. 07-012</b>, Brierwood Mobilehome Park Improvements – Phase II, to Granite Construction Company in the amount of \$3,249,729.40, plus Additive Alternates 1 through 4 in the amount of \$142,000.00, to bring the award total to \$3,391,729.40, (plus a 10% contingency); Approved the appropriation of \$500,000.00 from Lancaster Redevelopment Agency’s Low and Moderate Income Housing funds to Capital Improvements Budget Account No. 260-12FA002-924. Additionally, appropriated \$1,200,000.00 in previously un-appropriated Supplemental Tax Increment Revenue, \$1,200,000.00 to Capital Improvements Budget Account No. 260-12FA002-924, and transfers as indicated on Attachment A of the staff report and authorized the City Manager, or his designee, to sign all documents, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>CC 18.</b> AWARD PWCP NO. 07-033 TO SIERRA CASCADE CONSTRUCTION, INC. FOR DRAINAGE IMPROVEMENTS</p>	<p>Awarded <b>Public Works Construction Project No. 07-033</b>, Challenger Way/Avenue I Drainage Improvements, to Sierra Cascade Construction, Inc. in the amount of \$1,486,777.00 plus a 10% contingency and authorized the City Manager, or his designee, to sign all documents. The project is designed to construct storm drain improvements in Challenger Way between Avenue I and Avenue H.</p>
<p><b>CC 19.</b> APPROVAL OF AMENDED AGREEMENT WITH DAVIDON HOMES FOR TRACT NO. 062845</p>	<p>Approved an amended agreement with Davidon Homes, a California Limited Partnership, the developer of Tract No. 062845, to provide needed right-of-way for required street improvements for the tract through condemnation proceedings.</p>

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**Proposed Annexations to Lancaster Drainage Benefit Assessment District**

**CC 20.**  
**RESO NOS.**  
**07-66 AND 07-67**  
**ANNEX. NOS.**  
**05-91; 06-101;**  
**07-03; 07-11;**  
**07-13; 07-14**  
**TO LDBAD**

Annexation No. 05-91, Permit No. 05-04891, located on the south side of Avenue L-4 approximately 187 feet east of 25th Street West. Owner: David W. Farrell and Charlene L. Farrell, Husband and Wife as Joint Tenants.

Annexation No. 06-101, Permit No. 06-04800, located at 44902 3rd Street East. Owner: Gold Coast Financial Management, Inc., a Nevada Corporation.

Annexation No. 07-03, Tract No. 060291, located on the south side of Avenue K-4, approximately 325 feet west of 35th Street West. Owner: Fieldstone Lancaster 187 LLC, a Delaware Limited Liability Company.

Annexation No. 07-11, Tract No. 061966, located on the south side of Avenue I approximately 336 feet west of future 37th Street West. Owner: WKR360-6, LLC, a California Limited Liability Company.

Annexation No. 07-13, Tract No. 062206, located at the southwest corner of Avenue I and future 37th Street West. Owner: WKR360-6, LLC, a California Limited Liability Company.

Annexation No. 07-14, Tract No. 065520, located at the southeast corner of Avenue I and future 37th Street West. Owner: WKR360-6, LLC, a California Limited Liability Company.

Addressing the Council on this matter:

Michael Wilson – Stated that he had concerns regarding Annex. No. 07-03, Tract No. 060291 on Consent Calendar Item Nos. CC 20, CC 21 and CC 22. The Friends of the Prime Desert Woodlands have issues with this particular annexation. A lawsuit has been filed that states that this property does not have full ownership by Fieldstone and urged the Council to not take action on this particular annexation.

The City Attorney stated that a lawsuit has been received and it does deal with the transfer of the Prime Desert Woodland property that was originally acquired with Prop A money that was later exchanged for other properties that made up part of the Prime Desert Woodland. Staff has been in contact with the County and it is clear from the record that the consent of the County at the time of the exchange was not obtained, at least that is what has been determined so far, subject to further review. It is the City's belief that consent will be obtained in due course.

**CC 20.**  
**RESO NOS.**  
07-66 AND 07-67  
**ANNEX. NOS.**  
05-91; 06-101;  
07-03; 07-11;  
07-13; 07-14  
**TO LDBAD**

The City Attorney stated that staff has had many discussions with the County regarding this and the process is in motion. In light of this, he advised Council to not delay action on this item. The consequence of delaying action or not delaying action is inconsequential. If it turns out that the transfer is somehow found to be void, then that property would be removed from the district any way by the court. If it is not found to be void then it is part of the district and this procedure has been properly followed and the City can move forward.

On a motion by Vice Mayor Sileo and seconded by Council Member Jeffra, pending the information from the County, the City Council approved Consent Calendar Item Nos. CC 20, CC 21 and CC 22, by the following vote: 5-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

A) Adopted **Resolution No. 07-66**, 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. 05-91, 06-101, 07-03, 07-11, 07-13, and 07-14.)

B) Adopted **Resolution No. 07-67**, 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. 05-91, 06-101, 07-03, 07-11, 07-13, and 07-14.)

**Proposed Annexations to Lancaster Lighting Maintenance District**

**CC 21.**  
RESO. NOS.  
07-68 AND 07-69  
ANNEX. NOS.  
622; 767; 772;  
780; 783; 784  
TO LLMD

Annexation No. 622, Permit No. 05-04891, located on the south side of Avenue L-4 approximately 187 feet east of 25th Street West. Owner: David W. Farrell and Charlene L. Farrell, Husband and Wife as Joint Tenants.

Annexation No. 767, Permit No. 06-04800, located at 44902 3rd Street East. Owner: Gold Coast Financial Management, Inc., a Nevada Corporation.

Annexation No. 772, Tract No. 060291, located on the south side of Avenue K-4, approximately 325 feet west of 35th Street West. Owner: Fieldstone Lancaster 187 LLC, a Delaware Limited Liability Company.

Annexation No. 780, Tract No. 061966, located on the south side of Avenue I approximately 336 feet west of future 37th Street West. Owner: WKR360-6, LLC, a California Limited Liability Company.

Annexation No. 783, Tract No. 062206, located at the southwest corner of Avenue I and future 37th Street West. Owner: WKR360-6, LLC, a California Limited Liability Company.

Annexation No. 784, Tract No. 065520, located at the southeast corner of Avenue I and future 37th Street West. Owner: WKR360-6, LLC, a California Limited Liability Company.

A) Adopted **Resolution No. 07-68**, 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. 622, 767, 772, 780, 783, and 784.)

B) Adopted **Resolution No. 07-69**, 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. 622, 767, 772, 780, 783, and 784.)



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

**CC 22.**  
RESO. NOS.  
07-70 AND 07-71  
ANNEX. NOS.  
376; 384; 386; 387  
TO LMD

Annexation No. 376, Tract No. 060291, located on the south side of Avenue K-4, approximately 325 feet west of 35th Street West. Owner: Fieldstone Lancaster 187 LLC, a Delaware Limited Liability Company.

Annexation No. 384, Tract No. 061966, located on the south side of Avenue I approximately 336 feet west of future 37th Street West. Owner: WKR360-6, LLC, a California Limited Liability Company.

Annexation No. 386, Tract No. 062206, located at the southwest corner of Avenue I and future 37th Street West. Owner: WKR360-6, LLC, a California Limited Liability Company.

Annexation No. 387, Tract No. 065520, located at the southeast corner of Avenue I and future 37th Street West. Owner: WKR360-6, LLC, a California Limited Liability Company.

A) Adopted **Resolution No. 07-70**, initiating proceedings for the annexation of territories 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 Nos. 376, 384, 386, and 387.)

B) Adopted **Resolution No. 07-71**, approving the Engineer's Report and the time and place for Public Hearing, and declaring its intention to annex territories 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 Nos. 376, 384, 386, and 387.)

**CC 23.**  
AGREEMENT WITH  
PARKING STRIPE  
ADVERTISING

Approved the agreement with Parking Stripe Advertising to lease parking lot stripes at Clear Channel Stadium, Lancaster City Park, the Lancaster Park and Ride and other potential City parking lots for the placement of advertising to generate additional City revenue.

<p><b>PH 1.</b> RESO. NO. 07-72 INTEGRATED REGIONAL WATER MANAGEMENT PLAN / GROUNDWATER MANAGEMENT PLAN</p>	<p>Mayor Hearn opened the Public Hearing. The Public Works Director presented the staff report regarding the Integrated Regional Water Management Plan/Groundwater Management Plan. The presentation included information regarding the coverage in the Antelope Valley; limited water supply; regional demands; funding limitations; history of regional conflicts; Regional Planning; State Planning; Stakeholder Cooperation; Key Initiative of the Plan; the process and goals.</p> <p>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 Visokey, the City Council adopted <b>Resolution No. 07-72</b>, declaring intention to prepare an Integrated Regional Water Management Plan/Groundwater Management Plan for the Antelope Valley, in collaboration with the Regional Water Management Group, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>PH 2.</b> RESO. NO. 07-73 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR ANNEX. NOS. 05-91; 06-101; 07-03; 07-11; 07-13; 07-14 TO LDBAD</p>	<p>Mayor Hearn opened the Public Hearing. The Public Works Director presented the staff report regarding proposed annexations to the Lancaster Drainage Benefit Assessment District.</p> <p>Addressing the Council on this matter:</p> <p>Michael Wilson – Regarding Annex. No. 07-03 on PH 2; PH 3 and Annex. No. 376 on PH 4, the developer has stated that he is the sole owner of this property and the title is in question. Would like to see the Council not approve this annexation at this time. The action taken this evening affirms that the City is in compliance with Government Code 87-105 of the Political Reform Act which states that Council has not received \$370.00 or more as a contribution for a political campaign or for office funds from Fieldstone or anyone who is listed in the lawsuit or agent or affiliate. If Council has received such contributions, it is the Council’s obligation to recuse themselves from voting on this matter.</p> <p>The City Attorney clarified the suggestion that Council Members should recuse themselves if there has been a campaign contribution in excess of the gift limit. That does not apply to a body consisting of entirely elected officials. There is a specific exception for this, such as a City Council. If gifts of more than the amount have been received then yes, Council Members should recuse themselves.</p>

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<p><b>PH 2.</b> RESO. NO. 07-73 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR ANNEX. NOS. 05-91; 06-101; 07-03; 07-11; 07-13; 07-14 TO LDBAD (continued)</p>	<p>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 <b>Resolution No. 07-73</b>, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District and levy of assessment (Annexation Nos. 05-91, 06-101, 07-03, 07-11, 07-13, and 07-14), by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>PH 3.</b> RESO. NO. 07-74 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR ANNEX. NOS. 622; 767; 772; 780; 783; 784 TO LLMD</p>	<p>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.</p> <p>On a motion by Vice Mayor Sileo and seconded by Council Member Jeffra, the City Council adopted <b>Resolution No. 07-74</b>, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 622, 767, 772, 780, 783, and 784), by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>PH 4.</b> RESO. NO. 07-75 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR ANNEX. NOS. 376; 384; 386; 387 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 <b>Resolution No. 07-75</b>, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Landscape Maintenance District No. 1 (Annexation Nos. 376, 384, 386, and 387), 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 1.</b> ORD. NO. 874 AMENDMENT TO CHAPTER 5.44 OF THE LMC REGULATING GROUP HOME BUSINESS LICENSES</p>	<p>The Housing Director presented the staff report regarding an amendment to Chapter 5.44 of the Lancaster Municipal Code Regulating Group Home Business Licenses.</p> <p>The City Attorney stated that there was one minor change to make to the text of the ordinance. Page A-5, very last paragraph, number 9, the paragraph reads that the operator has not been convicted of a crime including illegal possession or sale of controlled substances or drugs, the next word should be changed to “or” and the word “not” after the word “has”, two words later should be removed. Therefore it will read: drugs or has been on probation for any crime within the five calendar years. So it is convicted of the crime “or” been on probation within the five calendar years.</p> <p>Addressing the Council on this matter:</p> <p>James Shanbrom – Good group homes will do very well and the bad ones will be shut down and this ordinance does create a sensibility to the process.</p> <p>Jason Smith – Pleased with the ordinance; it is workable for everyone who is involved and had concerns regarding the enforcement of the ordinance.</p> <p>Vice Mayor Sileo stated that this is not an easy ordinance to write and feels that all the group homes in the City are now covered under this ordinance.</p> <p>On a motion by Vice Mayor Sileo and seconded by Mayor Hearn, the City Council introduced <b>Ordinance No. 874</b>, amending Ordinance No. 870 which added Chapter 5.44 to the Lancaster Municipal Code to establish the Group Home Business License, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>NB 2.</b> PRESENTATION OF THE PAVEMENT CONDITION REPORT</p>	<p>The Public Works Director presented the staff report regarding the City of Lancaster Pavement Condition Report. The presentation included the Scale of Investment; purpose of the study; best practice approach to roadway management; long term needs; understanding of roadway inventory; methodology regarding the condition of roads; how a road is rated; present condition results; pavement management approach.</p> <p>Vice Mayor Sileo inquired as to what has historically been spent on the roads.</p> <p>The Public Works Director explained that the City has been fortunate in the last couple of years to get very close to the \$6.2 million/\$6.5 million and the budget that will be presented to Council very soon in the Capital program does include a little more than the \$6.5 million.</p>

<p><b>NB 2.</b> PRESENTATION OF THE PAVEMENT CONDITION REPORT (continued)</p>	<p>The Public Works Director stated that the reason for this is because of Prop 1B having passed in November. That will bring to the City of Lancaster approximately \$4.6 million over the next ten years.</p> <p>No action necessary, report was received and filed which addresses the condition of paved streets and roads in Lancaster.</p>
<p><b>NB 3.</b> AGREEMENT WITH WASTE MANAGEMENT, INC.</p>	<p>The Public Works Director presented the staff report regarding an agreement with Waste Management Inc.</p> <p>Council Member Smith inquired as to whether the contract is affected by the trash that comes from Los Angeles.</p> <p>The Public Works Director stated that it is not directly or indirectly related. Most landfills operate more efficiently when they have more waste coming in. The tipping fees are held at a lower rate when they have more trash coming in. This has not been discussed with Waste Management as being an option however Waste Management has worked hard to maintain the operations of their landfills in the Antelope Valley with tipping fees or per tonnage rates.</p> <p>A representative from Waste Management stated that this contract has nothing directly related to the proposal of an expansion of the Lancaster landfill. Offering the free service will be a great benefit to commercial properties and the public and the environment and fees would remain the same.</p> <p>Addressing the Council on this matter:</p> <p>James Shanbrom – Requested that instructions be given to the public on how to effectively fill the bins.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council approved an Agreement with Waste Management Inc. for the collection and disposal of solid waste and recyclable materials and authorized the City Manager, or his designee, to sign all documents, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p> <p>This franchise Agreement will provide solid waste and recyclable collection until June 30, 2016.</p>

<p><b>CA 1.</b> <b>ACTION</b> <b>REGARDING</b> <b>POSSIBLE</b> <b>VIOLATION OF THE</b> <b>CODE OF</b> <b>CONDUCT/ETHICS</b></p>	<p>Vice Mayor Sileo presented the report regarding consideration for action by the City Council regarding possible Code of Conduct/Code of Ethics violation by Council Member Smith.</p> <p>He gave the background on this matter by stating that on March 11, 2007, Council Member Smith wrote a Viewpoint article in the Antelope Valley Press and stated that he takes issue with some of the things that were submitted for publication. Vice Mayor Sileo read some of the excerpts from the Viewpoint article and the Code of Conduct/Code of Ethics.</p> <p>Vice Mayor Sileo stated that he submitted these excerpts to Council Member Smith and to Mayor Hearn and now these concerns are before the City Council to discuss. Council Member Smith in his viewpoint submitted a number of things that Vice Mayor Sileo felt were an attack upon the City Manager. The City Manager is a public employee and the Code of Conduct/Code of Ethics forbids those types of statements in public about a City employee. He stated that as soon as he read the Viewpoint he didn't like it and believed it to be an attack on the City Manager. He confirmed with the City Clerk that on March 20, 2007 he was considering placing this item on the City Council agenda for March 27, 2007; decided it would be best to follow the procedural steps in the Code of Conduct and delay this matter until the April 10, 2007 meeting. He sent his concerns to Council Member Smith via e-mail; brought the concerns to Mayor Hearn and not having any resolution with that course of action he placed this matter on the agenda. Subsequent to that, Mayor Hearn discussed this with Vice Mayor Sileo a few times and had hoped to resolve this without the public eye. One of the things Vice Mayor Sileo was requesting was a public apology to the City Manager for the things he had published. Vice Mayor read the following:</p> <p>Selected excerpts from the Antelope Valley Press <u>Viewpoint</u> written and submitted by Council Member Ron Smith, published March 11, 2007:</p> <p>Paragraphs 9 to 11: "Unfortunately, the city manager has responded to our crime problems with bureaucratic roadblocks: He opposed a sheriff's substation to help the residents of east Lancaster. He has repeatedly fought against my efforts to hire more deputies, saying "adding more deputies would only raise the expectations of the citizens" and "let's wait and see what the consultant says".</p> <p>Paragraph 13: "Instead of supporting the "broken windows" crime-fighting strategy, our city manager has repeatedly called for liberal government social programs to "deter" crime."</p>
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<p><b>CA 1.</b> <b>ACTION</b> <b>REGARDING</b> <b>POSSIBLE</b> <b>VIOLATION OF THE</b> <b>CODE OF</b> <b>CONDUCT/ETHICS</b> <b>(continued)</b></p>	<p>Paragraph 15: "I strongly disagree with the city manager's liberal social agenda."</p> <p>Paragraph 16: "Faced with the growing reality that the city manager was becoming an obstacle to resolving Lancaster's serious crime problem,..."</p> <p>Paragraph 16: "-because I had hoped to salvage the situation at City Hall without a public fight. Unfortunately, this is no longer possible."</p> <p>Vice Mayor Sileo stated that at the summation of the article Council Member Smith stated the article read: They (referring to the citizens) want action not excuses, they demand more law enforcement not more government programs, and he feels this too is a slam against the City Manager. The Antelope Valley Press wrote an editorial about this Viewpoint and also felt this was an attack on the City Manager for the reason that there is no possible way a City Manager can appropriately respond to an attack via written comments to a newspaper, without laying claims to insubordination or politicizing the comments.</p> <p>Vice Mayor Sileo stated that this article was not in accordance with the Code of Conduct and read the following:</p> <p>Selected excerpts from the <u>COL Code of Conduct for Elected Officials:</u></p> <p><i>Leadership Guide for Mayor and Council Members</i></p> <ul style="list-style-type: none"><li>• Serve as a model of leadership and civility to the community</li><li>• Inspire public confidence in Lancaster government</li></ul> <p>Vice Mayor Sileo stated that what Council Member Smith wrote was not a way to show leadership and was not civil to the community. Attacking the City Manager does not inspire public confidence. The citizens have already shown that they do not look favorably upon attacks of the City Manager.</p> <p><b><i>Council Conduct with City Staff</i></b></p> <p><i>Treat all City Staff as Professionals</i></p> <p>Clear, honest communication that respects the abilities, experience and dignity of each individual is expected. Poor behavior toward staff is not acceptable.</p>
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Vice Mayor Sileo stated that he feels the submissions by Council Member Smith showed poor behavior.

*Criticism of City Staff*

Council Members should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.

Selected excerpts from the COL Code of Ethics for Elected Officials:

- Public Official, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government.

Vice Mayor Sileo stated that the Code of Conduct/Code of Ethics might or might not be spot on for a written submission to a newspaper for publications partly because he believes none of the Council would do this purposely and he doesn't think Council Member Smith did this viciously, but he does feel this was a violation knowingly or unknowingly.

*Conduct of Members*

Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Boards and Commissions, the staff or public.

Vice Mayor Sileo requested that Council look at the spirit of the Code of Conduct/Ethics as well. Vice Mayor Sileo inquired as to whether the City Council believes the written submissions by Council Member Smith, written to the Antelope Valley Press would be an attack upon the City Manager.

Council Member Smith read from the Code of Conduct the following:

City Council Members who intentionally and repeatedly do not follow the proper conduct may be reprimanded or formally censured by the Council. Council Members should point out to the offending Council Member the infractions. If the offenses continue, then the matter should be referred to the Mayor in private. It is the responsibility of the Mayor to order the sanction.

Council Member Smith stated that Vice Mayor Sileo e-mailed the concerns to him on April 2, 2007, nineteen days after the alleged offense appeared in the newspaper. A copy was given to the Mayor via e-mail, however, it would have been to the Mayor's advantage to receive a physical copy.



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Council Member Smith stated that this took place on April 3, 2007. Less than twenty-four hours after the e-mail to the Mayor, this item was placed on the agenda. There was not another letter written to the editor, therefore it was not repeated. The offense was not referred to the Mayor for him to advise Council Member Smith in private and it was immediately placed on the agenda. Council Member Smith inquired as to why it took nineteen days to get something like this put forward after an alleged offense offended Vice Mayor Sileo, but then only six days after Council Member Smith requested information regarding lobbying. Council Member Smith believes this is just a political attack, not only for all the other political matters that are going on but also because he believes Vice Mayor Sileo's father has been paid by developers to lobby the City and has admitted some of this in writing to the newspaper.

Vice Mayor Sileo requested that the focus remain on the issue that is on the agenda.

Council Member Smith spoke with the Mayor and when the issue came up regarding the City Manager's raise, Council Member Smith was opposed to it at that time. He has made himself clear about the law enforcement issues and feels that those issues have been distorted by the newspaper and their commentaries and repeatedly truncated and manipulated to fit whatever article they are writing. The City Manager holds a different position than staff or an employee. In the Code of Conduct it specifically states, do not say anything about a staff member or employee and refer it to the City Manager. The City Manager is in the Government Code and that is all part of the City Manager/Council form of Government and relationship. The consultants who helped this Council with the Code of Conduct/Ethics stated that a City Manager has one foot in government and one foot in administration. The City Manager takes the public platform. Council Member Smith stated that all of he has repeatedly told the newspaper when asked questions regarding what his vote will be if the City Manager is to be terminated; what doesn't he like about Mr. LaSala? Council Member Smith has stated that it is a personnel matter and that he is not going to comment. The City Manager's job performance, the things that go on in private, the things that go on behind the doors, he will not comment on and that has always been his stand. The comments that were made in the paper refer to public discourse. Things that were said by Mr. LaSala in public, the discussions, and the disagreements that have taken place in public. Council Member Smith stated that it is no shock to anyone from the time he ran for office and before he even decided to run, that he is a major Rudy Giuliani/Chief Bratton "Broken Windows" philosophy person and one of the main things in that philosophy that he has fought for and pushed for from day one is that the City needs more cops on the street.

<p><b>CA 1.</b> <b>ACTION</b> <b>REGARDING</b> <b>POSSIBLE</b> <b>VIOLATION OF THE</b> <b>CODE OF</b> <b>CONDUCT/ETHICS</b> <b>(continued)</b></p>	<p>Council Member Smith stated that this has been the public discourse and public disagreement with the City Manager. He stated that he and the City Manager have not a completely different philosophy but a different philosophy. The main thing that he has campaigned for is to put more cops on the street even if it means to cut other public programs. His philosophy is that the City will never get anything done until there are more black and whites on the street. This is a philosophical difference and some people believe the City need intervention programs. Mr. LaSala has publicly stated “if we don’t do something other than put butts in patrol cars and stop the criminals coming off the conveyor belt, then we are just going to catch and release.” Mr. LaSala is fighting for bail sentences, probation, having other agencies work with the City, keeping offenders in prison, but part of it is intervention programs. Mr. LaSala stated this on the evening that Council Member Smith requested that the city budget be revised in order to fund ten more cops on the street. Mr. LaSala said this will give people a sense of false expectation, that intervention programs are needed. Council Member Smith stated that he will not agree to one dime towards an intervention program until the City has enough cops on the street. Newsweek magazine stated: Rudy Giuliani would not rest until New York was safe. He ordered NYPD to scale back its feel-good community liaison projects and simply patrol the streets. Council Member Smith stated that many people would disagree with him on this and there are several agencies that feel the money should be put into programs. His philosophy has always been, as long as Los Angeles is sending up the gangs, the City needs more deputies on the street. At the time of the midyear budget discussion, Council agreed with Council Member Smith and directed staff to find the money through the midyear budget. Council Member Smith stated that in a conversation with Captain Deeley, he stated that by the dedication of the Council and putting ten more deputies on the street it has actually spurred Sheriff Baca to show how serious the City is. Sheriff Baca has done more because of the dedication of this Council. Council Member Smith stated that all of his statements have been for his fight to put more cops on the street. As an elected official, especially one who was elected to put more cops on the street no matter what, he feels he has a right to comment and criticize the public comments, the public platform that has been taken by the City Manager. He stated that he would never disparage or publicly say anything negative about any staff member – they are an employee. Council Member Smith stated that comments were made against himself this evening by Council Member Jeffra, name calling and very heated. This is in the Code of Conduct as well and is an ethics violation too. Going around privately bad mouthing another Council Member to other agencies and other people is a violation and that is going on too.</p>
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<p><b>CA 1.</b> <b>ACTION</b> <b>REGARDING</b> <b>POSSIBLE</b> <b>VIOLATION OF THE</b> <b>CODE OF</b> <b>CONDUCT/ETHICS</b> <b>(continued)</b></p>	<p>Council Member Smith stated that he will stand by his statements of what he put in the newspaper, especially since the newspaper said they wanted Council Member Smith's pay docked because he didn't give them an answer and it should have been demanded of him to give an answer to the public. Council Member Smith stated that he didn't feel at a time when there were budget cuts, that a \$250,000.00 salary was warranted when he has been fighting to get ten more cops on the street. These ten more cops should have happened a long time ago. He has always said publicly that Mr. LaSala has done a great job at adding all of the other things that the City needs. Mark Bozigian, Mr. LaSala, Captain Deeley have all done a wonderful job at bringing CSO's and putting more cops on the street. Now, ten more cops are on the street and it still is not enough. It is not enough to turn back the tide of crime in the City that is going downhill so that we can keep our families safe. This is the burning desire in his heart and no matter what staff member he has talked with during the visioning session, his main focus was that we need more cops on the street now, not later. He stated that he owed the public a statement regarding everything that has been said. He never talked about the City Manager's job performance, private matters, issues that have taken place privately, those were not public statements. He requested that Council deny the request of Council Member Sileo.</p> <p>Vice Mayor Sileo stated that the City Manager is treated differently in the sense that he is directly hired and fired by the City Council. This doesn't change what can and cannot be said about a staff member. Even though Mr. LaSala works directly for the Council he is still a staff member. The Council has a specific way to deal with issues regarding Mr. LaSala and that took place this evening, during a personnel review. Whether statements are made in an open session or a Closed Session are at his discretion not the Councils. Vice Mayor Sileo stated that Council Member Smith took issue with how this matter was brought forward and yes it was not perfect. Vice Mayor Sileo brought it to the City Attorney and he felt that the requirements of the Code were being fulfilled.</p> <p>Council Member Smith asked the City Attorney if he read on page 14 that it states "intentionally and repeatedly."</p> <p>The City Attorney stated that he and Vice Mayor Sileo were focused on the procedures of notifying the person who was the offender in his mind and getting it to the Mayor and allowing the Mayor sufficient time to deal with this.</p>
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<p><b>CA 1.</b> <b>ACTION</b> <b>REGARDING</b> <b>POSSIBLE</b> <b>VIOLATION OF THE</b> <b>CODE OF</b> <b>CONDUCT/ETHICS</b> <b>(continued)</b></p>	<p>Council Member Smith asked the City Attorney if he read the section that states Council Members should point out the offending member and the infraction and then refer it to the Mayor in private. It is the responsibility of the Mayor to initiate action if the Council Members behavior warrants it.</p> <p>The City Attorney stated that he did in fact read this section.</p> <p>Council Member Smith stated that the Mayor was given less than 24 hours to make that decision before this was on the agenda. He asked the City Attorney if he felt this was enough time to consider this.</p> <p>The City Attorney stated that he discussed procedures with Vice Mayor Sileo and a discussion of specific times did not take place. He would agree that maybe 24 hours is not sufficient time for the Mayor to react. The Mayor needs time to react on a matter like this. This is a good discussion for all of the Council to have because this may or may not come up again and he believes the key to this whole policy is for Council to resolve things between themselves. This will require that people resolve their differences and it allows time for the Mayor to react to these things. The Mayor is a busy man and it is not always possible to do things within a 24 hour period.</p> <p>Council Member Smith stated that his viewpoint of reading the Code of Conduct and the Code of Ethics is to not make a public spectacle and make a political statement but to resolve these issues privately so Council can work out differences. If he doesn't like what Council Member Jeffra said this evening then he can always talk to Jim privately. If he continues to make statements, then he would ask the Mayor to step in and talk to him. And then and only then would he bring anything up in front of this body. That is the spirit of this Code of Conduct. The way this was done, he believes this was political grandstanding because of everything that is going on, otherwise this matter would have taken place privately; the Mayor and he would have talked privately, they would have worked it out. The demands that have been placed by only giving 24 hours for consideration is not acceptable.</p> <p>Vice Mayor Sileo stated that he has had no contact with Council Member Smith in the eight days that he has had this information.</p> <p>Vice Mayor Sileo stated that if Council does not feel this was an attack against the City Manager, this issue goes away.</p>
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<p><b>CA 1.</b> <b>ACTION</b> <b>REGARDING</b> <b>POSSIBLE</b> <b>VIOLATION OF THE</b> <b>CODE OF</b> <b>CONDUCT/ETHICS</b> <b>(continued)</b></p>	<p>Council Member Visokey stated that he made a statement earlier about the Council moving forward together, not separate, and this issue does not help that progress. In private discussions with Council Member Smith there have been some issues he has dealt with that are directly related to law enforcement such as a meeting he had with Sheriff Baca a long time ago where he promised more deputies and he took this to the City Manager where it ended up in conflict. Council Member Visokey has voiced his frustration with the newspaper and the editorial staff and the unfair picture that was being painted and distorting the reality when it came to what the City needs to do in regards to law enforcement. The issue with the City Manager came up and the newspaper specifically asked Council Member Smith to explain himself. Because of this, he wrote an editorial. Council Member Smith was asked to respond and felt that only one side of the story was being told. He agrees with Council Member Smith, that if it weren't for him the City would not be adding ten more deputies and even Council Member Jeffra said it was a smart thing to do. Council was unanimous in that decision and it is in the past. Tying it directly to the Code of Conduct when the newspaper specifically asked a Council Member to respond is a bit of a stretch. Voting for something like this right now after all that has taken place this evening and trying to move this city forward, would be inappropriate. He stated that he is opposed to CA 1 and will be opposed to a lot of other items that are being proposed here coming from a lot of people regarding issues that are directly related to other Council Members that do appear to be political. His desire is to get out of that kind of attitude as a Council and move forward as a team and he is hoping that message will be driven home this evening.</p>
	<p>Mayor Hearn stated that he will not support CA 1 and he agrees with Council Member Visokey, in the aspect that he is looking for a team, a six-man team that can move this city forward with power and energy. In this particular matter, he stated that he had people in his office when Council Member Sileo brought this document to him and requested a response. When he looked at it, he also looked at the agenda at the same time and this matter was already on the agenda. A call was made to Vice Mayor Sileo asking if there was any way to get together with Council Member Smith and talk this over and even get this taken off the agenda. Vice Mayor Sileo stated that he wanted this on the agenda and wanted a public apology for the City Manager.</p>

<p><b>CA 1.</b> <b>ACTION</b> <b>REGARDING</b> <b>POSSIBLE</b> <b>VIOLATION OF THE</b> <b>CODE OF</b> <b>CONDUCT/ETHICS</b> <b>(continued)</b></p>	<p>Council Member Jeffra stated that he does not think this issue matters. Nothing is going to change on this Council. It is his opinion that this City is corrupt. If Council Member Visokey thinks the City would not have put ten more deputies on the street it is because he doesn't realize that he, Council Member Jeffra, the City Manager and Vice Mayor Sileo have been talking about this for months. We not only planned for 07/08, we planned for 08/09. We were ready to put that budget forward. If we are going to talk about political grandstanding we might want to ask Council Member Smith why he waits until the last minute. Behind closed doors we are sitting down, going over the budget and we are going to make it happen. We had already decided to make it happen and were ready to present a budget to the citizens, but that got shot down. Council Member Jeffra stated that this city is corrupt and he has made contact with the FBI, the political branch, the investigations unit and the IRS, the criminal investigations unit. He has asked them to step in and monitor what is happening in this City. If this City is to move forward, then it should be done with a responsible budget. We had that, we had benchmarks established, we were moving forward. But now everyone wants to grandstand and he has seen enough. Based on events that he was notified of just one week ago, he made the decision to contact Federal law enforcement and let them start moving on this city and making some decisions. A crime is a crime and we don't need a vote on that and he is not going to vote on CA 1. With all due respect to Vice Mayor Sileo, he believes there is a violation there but he is not going to deal with it, it is just not worth it. What needs to be done in this city is that the city needs to be cleaned up, period. That does not mean more patrol cars, it means responsible, fiscal decisions and the City has that. The same nonsense has been going on for years and it's time to stop.</p> <p>Council Member Smith requested time to respond to Council Member Jeffra's comments. Back in November when the Council did the visioning plans and going with the "Broken Windows" philosophy, something Council all agreed with and he said then that the City needed to put more deputies on the street. He has asked staff, including Mr. LaSala, do we have enough deputies on the street and every response was, no we do not. How do we calculate how many deputies we need, we don't know, we are behind the curve. In January Council passed that we would put enough deputies on the street and that 25% of their time would be to patrol. From the time that Council first talked about this in November, he approached Mr. LaSala and Mr. Bozigian and requested that he wanted to see the statistics and if the City has not made it to the 25% patrol time, he would ask for more deputies. He stated that he did apologize to both of them, as maybe they didn't realize he would do this during the mid-year budget, but that was the appropriate time to do it.</p>
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Council Member Smith stated this several times and he told Mr. Bozigian he would not approve anything further if we have not met that goal because to him, that “Broken Windows” philosophy is essential. Council Member Jeffra has said that he has been working along with Vice Mayor Sileo to put more deputies on the street and he agrees with that. We have all been working towards that goal. Waiting until the 07/08 budget is too late; mid-year was too late, it should have already been done when he took office. In reviewing the 05/06 budget with Mr. LaSala right after he took office and we reviewed the budget, Council Member Smith stated this is not enough for law enforcement. It is time to get the troops out there, that is his focus, if people want to call it political grandstanding, that is what he has said both privately and publicly and will continue to say in the newspaper and what he will continue to do and he recalls saying at the adoption of the last budget, this is not where it is going to stop for him, unless the City has met that goal. That goal is essential in making the “Broken Windows” work.

Vice Mayor Sileo stated that the majority of the Council does not feel that the Viewpoint article was a personal attack on the City Manager, and he disagrees.

Council Member Visokey stated that this is incorrect. A majority of the Council feels it was not a violation of the Code of Conduct and there is a difference.

Mayor Hearn stated that a majority of the Council did not read this as a violation of the Code of Conduct. He respects Vice Mayor Sileo’s opinion but when he read this, that was not how he saw it.

Vice Mayor Sileo presented Mr. LaSala with a rhetorical question, and that is: Does Mr. LaSala feel it was a personal attack against him when he read it in the paper? He agreed with Council Member Smith that the timeframes that were used, it would have been more appropriate if those timeframes were longer than what was given.

Council Member Visokey stated that he would have agreed with Vice Mayor Sileo if the newspaper had not asked Council Member Smith to respond. Back in 1994-1998 the City had a Council that was consistently a 3-2 vote and a City Manager who was constantly getting beat up in the newspaper by City Council Members. Unfortunately, when a person is at the top, whether they are a City Manager or a Council Member, they are subject to getting beat up.

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Council Member Smith stated that he guarantees Vice Mayor Sileo that he will not write another letter to the editor of the newspaper about the City Manager. He believes the newspaper was completely wrong in how they approached this and he will not be baited by the newspaper again when they demand and say his pay should be docked, the public demands it, he's a public official. When he talked to the Mayor, about Council Member Smith's abstention he told the Mayor, he would not make a public scene, he did not think we needed to discuss this matter, because the only other alternative would have been to pull the item regarding Mr. LaSala's raise off of the Consent Calendar, have a discussion about it, say why he did not want this raise given, and vote no. Instead, he took the high road and abstained and he doesn't feel anyone was paying attention to anything on that calendar. It was not a secret as to what that abstention was all about, and it was not meant to fool anyone. The newspaper demanded a response; he gave it, then the newspaper turns around and says how dare you. He stated again, he guarantees that he will not be writing another article to the newspaper about the City Manager again.

Addressing the Council on this matter:

Ed Marquez – Quoted the campaign literature from Council Member Smith regarding his goal to have more cops on the street. This is an official who means what he says and he will vote for Ron Smith whether he runs for Mayor, City Council or whatever and he knows a lot of people that will.

Sherry Marquez – Does not believe that Council Member Smith is in violation of the Code of Conduct; he has not done anything wrong.

James Shanbrom – Has always talked about the process and the integrity of the individuals on the City Council; Council is here to serve the people; there is a freedom of speech issue; a political protocol which was stated. Maintain a sense of respect and in the spirit of cooperation, let's make our City great, this shouldn't be an agenda item.

Mayor Hearn stated, if he didn't believe with all of his heart that this City was good, there is no way he would be sitting on the Council. He will continue to push for a team, even to the point of going to the ministers in the area and calling a public prayer meeting in the middle of town and getting the Mayor of Palmdale to join in so that we can do everything we can to make the Antelope Valley – one. He disagrees with Council Member Jeffra that this town is corrupt. We have some things that are not good, but we are working on those matters. He stated that his mission is to make this city the best that it can be. He requested that the City Attorney and the City Manager check the law and see if there is any way to keep matters that are not city issues off of the agenda.



LANCASTER CITY COUNCIL MINUTES

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<p><b>CA 1.</b> <b>ACTION</b> <b>REGARDING</b> <b>POSSIBLE</b> <b>VIOLATION OF THE</b> <b>CODE OF</b> <b>CONDUCT/ETHICS</b> <b>(continued)</b></p>	<p>Mayor Hearn stated that if it does not have to do with City business it should not be on the agenda. Items should not be on the agenda that do not move the City forward. He charged the entire Council, including himself, to learn to work things out another way. We are supposed to be men of great honor and care for each other, that is where we are supposed to stand.</p>
<p><b>CITY MANAGER</b> <b>ANNOUNCEMENT</b></p>	<p>No action was taken on this item.</p> <p>None</p>
<p><b>CITY CLERK</b> <b>ANNOUNCEMENT</b></p>	<p>The City Clerk provided the public with the procedure to address the City Council regarding non-agendized items.</p>
<p><b>PUBLIC BUSINESS</b> <b>FROM THE FLOOR</b> <b>NON-AGENDIZED</b></p>	<p>Addressing the Council at this time:</p> <p>Ray Chavira – Long time resident who has come before the Council in respect to alcohol issues; mobilehome issues. As a retired probation officer, no one ever says let’s have more probation officers, more district attorneys, more public defenders, more judges and more code enforcement officer. He hopes that as the Council considers budgetary aspects because of over staffing or under staffing, please consider the big picture.</p> <p>Ronald Burleigh – Long time resident and has seen a few things that are disappointing. Street sweeping and the fines related to street sweeping are ridiculous. This is not in the best interest of the people and the process and fines are out of control.</p> <p>Janette Crawford – The Eastside Union School Board met on April 9, 2007 and adopted a resolution of support and to encourage the City Council to move the General Municipal Election to November.</p> <p>The City Manager stated that an item regarding election options will be on the next agenda.</p>

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LANCASTER CITY COUNCIL MINUTES

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COUNCIL COMMENTS	Council Member Smith requested that an item be placed on the next agenda regarding the Cemetery District.
	Council Member Visokey stated that he has sat in elected office for many years. He told everyone to hold their heads high, one meeting you are the dog and the next meeting you are the hero, it just depends on which crowd is here and on which night, who is there to support you and who is not. The important thing is to base our decisions on what we think is right. It is important that we stay away from all of the negatives and move this city forward.
	Mayor Hearn stated that he appreciates the City Manager and the staff and all their hard work.
CLOSED SESSION	None
ADJOURNMENT	Mayor Hearn adjourned the meeting at 11:00 p.m. in memory of Charles (Chuck) Crosby, husband of Terry Crosby, Executive Secretary to the City Manager and City Council.
	Mayor Hearn announced the next regular meeting of the City Council would be held on Tuesday, April 24, 2007 at 6:00 p.m.
	ATTEST:
	APPROVED:
	<hr/> GERI K. BRYAN, CMC City Clerk City of Lancaster
	<hr/> HENRY W. HEARNS Mayor City of Lancaster

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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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