

**LANCASTER CITY COUNCIL
REGULAR MEETING
MINUTES
April 24, 2007**

CALL TO ORDER	Mayor Hearn called the regular 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 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	None
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 Item No. CC 9, which was 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 April 10, 2007.</p> <p>B) Approved the Regular meeting minutes of April 10, 2007.</p>
CC 3. CHECK AND WIRE REGISTERS	Approved the Check and Wire Registers (March 29, 2007 through April 6, 2007) in the amount of \$4,332,815.99.
CC 4. MONTHLY REPORT OF INVESTMENTS	Accepted and approved the February, 2007 Monthly Report of Investments as submitted.

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<p>CC 5. ORD. NO. 874 PERTAINING TO GROUP HOMES</p>	<p>Adopted Ordinance No. 874, an ordinance of the City Council of the City of Lancaster, CA amending 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 homes business licenses.</p>
<p>CC 6. REIMBURSEMENT FROM THE UNDERGROUND STORAGE TANK CLEANUP FUND AND APPROPRIATION OF FUNDS</p>	<p>A) Accepted reimbursement from the Underground Storage Tank Cleanup Fund established by Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989 for costs related to cleanup activities for property located at 610 West Avenue I. The maximum amount allowed for reimbursement is \$1,500,000.00 less the applicable level of financial responsibility.</p> <p>B) Appropriated funds, not to exceed the maximum reimbursement amount of \$1,500,000.00 to Revenue Account No. 349-3301-101 and Expenditure Account No. 349-4542-771.</p>
<p>CC 7. RESO. NO. 07-76 CHANGES TO PERSONNEL RULES AND REGULATIONS</p>	<p>Adopted Resolution 07-76, amending Resolution 06-232 by establishing changes to the Personnel Rules and Regulations.</p>
<p>CC 8. RESO. NO. 07-77 ESTABLISHMENT OF CLASSIFICATION AND SALARY SCHEDULE FOR TWO POSITIONS</p>	<p>Adopted Resolution 07-77, amending Resolution 06-231 as amended by establishing classification and salary schedule for the Information Technology Specialist and Neighborhood Community Building Technician.</p>
<p>CC 9. AMENDMENT TO CONTRACT FOR CITY MANAGER</p>	<p>Mayor Hearn stated that he does want the City Manager to remain with the City of Lancaster however he has concerns with the contract remaining as an evergreen contract (no term limit) and now feels that there should be a mechanism in place regarding the term. He stated that he does not have a problem extending the contract but that there should be an end date in place. Mayor Hearn recommended that the contract be extended to December of 2010.</p> <p>Vice Mayor Sileo stated that two weeks ago a majority of the Council approved the amendment to the contract, to lift the term limit date. The majority of cities in L.A. County do not have an end limit on the City Manager's contract and the ICMA also supports a contract as is presented on this agenda. There are mechanisms in place that allow the Council to terminate the City Manager with or without cause and he supports keeping the contract as is.</p>

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<p>CC 9. AMENDMENT TO CONTRACT FOR CITY MANAGER (continued)</p>	<p>Council Member Visokey stated that he made a commitment regarding the City Manager's contract and plans to uphold that commitment. He is in support of an evergreen contract, it is not uncommon to have this kind of contract and it is still at the will of the Council to decide whether to keep a City Manager or not.</p> <p>Council Member Smith stated that he agrees with the Mayor on this matter and he is not in favor of an evergreen contract. He believes an evergreen contract for anyone, not just a City Manager, is poor policy.</p> <p>On a motion by Vice Mayor Sileo and seconded by Council Member Jeffra, the City Council approved the amended contract for the City Manager as presented on the agenda, by the following vote: 3-2-0-0; AYES: Jeffra, Visokey, Sileo; NOES: Smith, Hearn; ABSTAIN: None; ABSENT: None.</p>
<p>CC 10. RESO. NO. 07-78 APPLICATION OF GRANT FUNDS</p>	<p>Approved the Application of grant funds with the State (Parks Department) – Resolution No. 07-78</p>
<p>CC 11. ACCEPTANCE OF STREETS FOR MAINTENANCE FOR SITE PLAN REVIEW NO. 04-25</p>	<p>Approved the developer constructed streets and accepted the streets for maintenance by the City for Site Plan Review No. 04-25, located at 42505 10th Street West, Owner: Freeway Ventures.</p>
<p>CC 12. ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS TRACT NO. 54197-01</p>	<p>Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District (Annexation No. 03-53) installed for Tract No. 54197-01, located on the southeast corner of 50th Street West and Avenue J, Owner: Capital Pacific Homes, Inc.</p>
<p>CC 13. ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE TRACT NO. 54197-02</p>	<p>Accepted the interior street trees for maintenance by the City for Tract No. 54197-02, located at 50th Street West and Avenue J, Owner: STG Regency, LLC.</p>

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<p>CC 14. ACCEPTANCE OF SEWERS FOR MAINTENANCE TRACT NOS. 060149; 060003; 54400; 54201</p>	<p>Approved the developer installed sanitary sewers and accepted the sewers for maintenance by the City and for public use for Tract No. 060149, located on the north side of Avenue J-12, approximately 660' west of 60th Street West, Owner: Western Pacific Housing, Inc.; Tract No. 060003, located on the southwest corner 60th Street West and Avenue J-8, Owner: Beazer Homes Holding Co.; Tract No. 54400, located on the southeast corner of Avenue J-8 and 35th Street West, Owner: Trimark Pacific – Lancaster 82, LLC; Tract No. 54201, located on the northeast corner of Lancaster Boulevard and 35th Street West, Owner: Pulte Homes Corporation.</p>
<p>CC 15. APPROVAL OF COMPLETED WATER SYSTEM TRACT NO. 54197-02</p>	<p>Approved the completed water system installed by the developer for Tract No. 54197-02, located on the southeast corner of 50th Street West and Avenue J, Owner: STG Regency LLC.</p>
<p>CC 16. ACCEPTANCE OF WORK BY MJS CONSTRUCTION, INC. FOR PWCP NO. 06-040 EASTSIDE STORM DAMAGE REPAIRS</p>	<p>Accepted the work constructed by MJS Construction, Inc., on Public Works Construction Project No. 06-040, Eastside Storm Damage Repairs; 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 17. RESO. NO. 07-79 ACCEPTANCE OF DEDICATION FOR RIGHT-OF-WAY FOR STREET IMPROVEMENTS</p>	<p>Adopted Resolution No. 07-79, declaring intention to accept the dedication of right-of-way for street improvements located on 57th Street West and declaring the public necessity therefor.</p>
<p>CC 18. AWARD OF PWCP NO. 07-024 TO SIERRA CASCADE CONSTRUCTION, INC. FOR DRAINAGE IMPROVEMENTS</p>	<p>Awarded Public Works Construction Project No. 07-024, 57th Street West Drainage Improvements, to Sierra Cascade Construction, Inc., in the amount of \$513,596.50, plus Additive Alternate Nos. 1, 2, 3, and 4 in the amount of \$1,472,605.00, to bring the award total to \$1,986,201.50 plus a 10% contingency. The project is designed to construct drainage improvements in Avenue L-8 and 57th Street West. Authorized the City Manager, or his designee, to sign all documents.</p>

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CC 19.
AWARD OF
PWCP NO. 07-026
TO
CHRISTOPHER
MORALES, INC.
FOR TRAFFIC
SIGNAL
MODIFICATIONS

Awarded **Public Works Construction Project No. 07-026**, Traffic Signal Modifications to Christopher Morales, Inc. in the amount of \$319,900.00, plus a 10% contingency for the modification of seven traffic signals. Authorized the City Manager or his designee, to sign all documents.

Proposed Annexations to Lancaster Drainage Benefit Assessment District

CC 20.
RESO. NOS.
07-80 AND 07-81
ANNEX. NOS.
05-44; 07-04; 07-20
TO LDBAD

Annexation No. 05-44, Permit No. 05-02428, located on the north side of Avenue J-8, approximately 155 feet east of Division Street. Owner: Gold Coast Financial Management, Inc., a Nevada Corporation.

Annexation No. 07-04, Tract No. 060664, located between Avenue K and Avenue K-4, approximately 200 feet east of Buena Vista Way. Owner: Fieldstone Lancaster 187 LLC, a Delaware Limited Liability Company.

Annexation No. 07-20, Tract No. 062306, located on the southeast corner of West Avenue J-8 and Bobby Jones Drive. Owner: Woodbridge Apartments, a California General Partnership.

A) Adopted **Resolution No. 07-80**, 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. 05-44, 07-04, and 07-20.)

B) Adopted **Resolution No. 07-81**, 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. 05-44, 07-04, and 07-20.)

Proposed Annexations to Lancaster Lighting Maintenance District

CC 21.
RESO. NOS.
07-82 AND 07-83
ANNEX. NOS.
575; 773; 792
TO LLMD

Annexation No. 575, Permit No. 05-02428, located on the north side of Avenue J-8, approximately 155 feet east of Division Street. Owner: Gold Coast Financial Management, Inc., a Nevada Corporation.

Annexation No. 773, Tract No. 060664, located between Avenue K and Avenue K-4, approximately 200 feet east of Buena Vista Way. Owner: Fieldstone Lancaster 187 LLC, a Delaware Limited Liability Company.

Annexation No. 792, Tract No. 062306, located on the southeast corner of West Avenue J-8 and Bobby Jones Drive. Owner: Woodbridge Apartments, a California General Partnership.

A) Adopted **Resolution No. 07-82**, 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 XIII D (Annexation Nos. 575, 773, and 792.)

B) Adopted **Resolution No. 07-83**, 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 XIII D (Annexation Nos. 575, 773, and 792.)

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

CC 22.
RESO. NOS.
07-84 AND 07-85
ANNEX. NO. 377
TO LMD

Annexation No. 377, Tract No. 060664, located between Avenue K and Avenue K-4, approximately 200 feet east of Buena Vista Way. Owner: Fieldstone Lancaster 187 LLC, a Delaware Limited Liability Company.

A) Adopted **Resolution No. 07-84**, 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 XIII D (Annexation Nos. 377.)

B) Adopted **Resolution No. 07-85**, 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 XIII D (Annexation Nos. 377.)

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<p>PH 1. RESO. NO. 07-86 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR ANNEX. NOS. 05-44; 07-04; 07-20 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. 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. 07-86, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District and levy of assessment (Annexation Nos. 05-44, 07-04, and 07-20), by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>PH 2. RESO. NO. 07-87 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR ANNEX. NOS. 575; 773; 792 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 Resolution No. 07-87, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 575, 773, and 792), by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>PH 3. RESO. NO. 07-88 CONFIRMING DIAGRAM AND ASSESSMENT FOR ANNEX. NO. 377 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. 07-88, confirming the diagram and assessment and ordering the annexation of territories into Lancaster Landscape Maintenance District No. 1 (Annexation Nos. 377), 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>NB 1. ORD. NO. 875 RELATING TO BUSINESS LICENSES</p>	<p>The Finance Director presented the staff report regarding an amendment to Section 5.04.020 of the Lancaster Municipal Code Relating to Business Licenses.</p> <p>Addressing the Council on this matter:</p> <p>Dave Spellmeyer – Representing the Greater Antelope Valley Association of Realtors (GAVAR) – in favor of this ordinance.</p> <p>On a motion by Council Member Jeffra and seconded by Council Member Visokey, the City Council introduced Ordinance No. 875, amending Chapter 5.04 of the Lancaster Municipal Code relating to business licenses, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>NB 2. ORD. NO. 876 AND RESO. NO. 07-89 RELATING TO SEWER SERVICE CHARGES</p>	<p>The Public Works Director presented the staff report regarding the establishment of collection of a Sewer Service Charge for operation, maintenance, replacement and associated costs for the Lancaster Sewer System.</p> <p>Council Member Visokey stated that he is very supportive of this action and any time a City can do something with local control, the better it is. He is confident that the City will be able to handle this successfully. He stated that he has never seen a fee that he likes but this is one time where the City should assess the fee in order to save the taxpayers money. The City definitely needs to move forward with this.</p> <p>Vice Mayor Sileo stated that the State requirements are coming and it is going to cost more money to provide the service. If the County handles this it will be at County speed and efficiency but if it is under local control, there will be a savings to the taxpayers and the City will get a Capital Replacement Fund which the City would not have under County control.</p> <p>Mayor Hearn stated that this is the right action to take and it will be good for the citizens of the community.</p> <p>Council Member Smith stated that he agrees with everything that has been said and anytime the City can do more for less and the County has done a fine job of being responsive but local control is always more responsive to the citizens.</p>

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<p>NB 2. ORD. NO. 876 AND RESO. NO. 07-89 RELATING TO SEWER SERVICE CHARGES (continued)</p>	<p>On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council introduced Ordinance No. 876, adopting Chapter 13.09 of the Lancaster Municipal Code establishing a Sewer Service Charge for operation, maintenance, replacement and associated costs for the Lancaster Sewer System, 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 Mayor Hearn and seconded by Council Member Jeffra, the City Council adopted Resolution No. 07-89, fixing the time and place for a public hearing (June 12, 2007) relative to the collection of a sewer service charge for 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>NB 3. ORD. NO. 877 PERTAINING TO RESIDENTIAL LANDSCAPING INSTALLATION AND MAINTENANCE</p>	<p>The Housing Director presented the staff report regarding an ordinance amending Chapter 8.30 of Title 8 to the Lancaster Municipal Code pertaining to Residential Landscaping Installation and Maintenance.</p> <p>Council Member Smith asked for clarification on the portion that states: “it shall be the duty of the property owners to provide the maintenance and replacement of all trees” – how does this affect the internal program regarding tree trimming.</p> <p>The Public Works Director stated that this action will enhance the urban forestry of Lancaster and this is a positive action. As the City removes trees, trees will also be replaced. This also gives property owners an incentive to beautify their property. Because the trees would be in the City’s right-of-way, the City would assume responsibility for the trimming of those trees.</p> <p>Vice Mayor Sileo stated that this is just part of the City’s over reaching effort to improve the quality of the neighborhoods. It takes only one bad neighbor or one bad yard to decrease the value of surrounding properties and bring down how an entire neighborhood looks. This will raise the standards of what the City wants to see in neighborhoods and how people take care of their property.</p> <p>On a motion by Council Member Jeffra and seconded by Mayor Hearn, the City Council introduced Ordinance No. 877, amending Chapter 8.30 of Title 8 to the Lancaster Municipal Code, 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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NB 4.
OPTIONS
REGARDING THE
LANCASTER
GENERAL
MUNICIPAL
ELECTION

The City Clerk presented the staff report for options regarding the City of Lancaster General Municipal Election.

Vice Mayor Sileo asked about the investment the City has regarding voting equipment.

The City Clerk stated that in 2006 the City purchased a new ballot counter, voting booths and supply tubs at a cost of approximately \$25,000.00. The City's Election consultant has stated that the City would not recoup any of these costs if the City consolidates.

Addressing the Council on this matter:

Charlie Cooke – Representing the Eastside Union School Board – in favor of consolidation with November of odd-numbered years.

Jason Smith – Opposed to consolidation, it is important for the City to maintain local control of the election and as stated, the citizens do not have a problem with a local election.

Council Member Smith stated that this issue is much more complex than just moving the date of the election. This debate has been going on for along time and voting is the life's blood of democracy and voting is very personal. He stated that Council should not make an immediate decision and that something this important should be left to the people that vote. He stated that he would make a motion that Council make this an advisory vote on the April, 2008 election and let the people decide.

Vice Mayor Sileo clarified that this would be an advisory vote not a referendum and the motion would not be moving the election to November of 2007.

Council Member Smith stated that an advisory vote would mean that the Council that is elected on that same ballot would make the decision then, it would not be a referendum where it becomes law automatically. This would not tie the hands of a Council in the future. Some Councils have placed a referendum on a ballot, then the population grows, the voice of the people changes and requests are made for Council to change something but because it was adopted as a referendum it would have to go back to a vote of the people. Again he stated that an advisory vote is the best way to handle this.

The City Attorney concurred with this statement.

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NB 4.
OPTIONS
REGARDING THE
LANCASTER
GENERAL
MUNICIPAL
ELECTION
(continued)

Vice Mayor Sileo inquired as to further information regarding AB 1654 and stated that he enjoys going to the polls, however, an all-mail ballot is the best of both worlds. Other states get a higher voter turn-out with an all-mail ballot. With a Stand Alone Election, the voters are able to focus on the local candidates and the local issues. If a Stand Alone election can be combined with an all-mail ballot election this would be the best choice. If the Council does approve an advisory vote on the ballot in April, is Council willing to revisit the issue of a Stand Alone all-mail ballot election should AB 1654 pass?

Council Member Smith stated that since this would be an advisory vote, it would be up to the new Council to decide whether they want to take the peoples decision or not. The argument is good and he stated that he enjoys the Stand Alone local election but there is a large portion of registered voters who want a consolidated election in November. It should be left up to the people to decide and hopefully the Council that is elected should listen to the voice of the people. An all-mail ballot would enhance a consolidated November election.

The City Attorney stated that the City does not specifically know what AB 1654 will provide, but the question of whether the City can use an all-mail ballot may ultimately depend on the County in a consolidated election. They may decide not to use it and the City would be at the discretion of the County. The City Attorney stated additionally, the advisory vote would look the same as any other ballot initiative. There would be arguments for and against and the text of the measure would be shall the Council adopt an ordinance consolidating the election or words to that effect and it would be very clear that it is a non-binding advisory vote. The City Attorney stated that Council still has time to decide whether this advisory vote actually goes on the ballot. There is time to wait and find out how AB 1654 is going to play out.

Council Member Jeffra stated that this issue has been brought up to Council on several occasions and as he recalled, ten years ago the County was not in favor of taking on another city. He stated that it does not matter when the election is, people are either going to vote or they are not. An all-mail ballot is the greatest thing that could be offered to the public because this city is a commuter city as is Palmdale and many other cities. He believes that the Governor will sign AB 1654 and it will make a huge difference no matter when the election is held.

Council Member Visokey stated that for years he has always been in favor of consolidating the election in November of odd-numbered years. Keeping all local elections together at the same time (Councils; school boards; etc.) is a positive move.

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<p>NB 4. OPTIONS REGARDING THE LANCASTER GENERAL MUNICIPAL ELECTION (continued)</p>	<p>Council Member Visokey stated that moving the election to November will enhance not only the turn-out for a Council race but also for a school board race. School Boards in Palmdale actually have a higher voter turn-out because the Palmdale Council is on the ballot as well. In favor of consolidation and not adverse to placing an advisory vote on the ballot, however he is not sure it is necessary because he feels confident that the citizens would be in favor of this decision. Not in favor of doing nothing and leaving the election as it is now, as a Stand Alone election.</p>
<p>CA 1. REORGANIZATION OF COUNCIL</p>	<p>Mayor Hearn stated that he enjoys going to the polls to vote. He has concerns regarding the listing of candidates being at the end of a ballot, however there is time to see what transpires over the next few months and giving the citizens an advisory vote on the ballot would be fine.</p> <p>On a motion by Council Member Smith and seconded by Mayor Hearn, the City Council approved placing the matter of consolidation on the April , 2008 ballot as a non-binding advisory vote, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p> <p>Mayor Hearn requested reorganization of City Council pursuant to Chapter 2.04 of the Lancaster Municipal Code.</p> <p>Council Member Jeffra declined nomination as Vice Mayor pursuant to the Lancaster Municipal Code and requested the nomination go to Council Member Visokey.</p> <p>Vice Mayor Sileo stated that he has enjoyed his time as Vice Mayor, it has been enlightening, time consuming and enjoyable. Without a doubt the Council is following the process this time pursuant to the Municipal Code and he supports Council Member Visokey as Vice Mayor.</p> <p>Council Member Jeffra stated that he has been fortunate to attend events that Vice Mayor Sileo has presided over and he represents the City in an excellent manner. He knows Council Member Visokey will represent the City well and he has a strong commitment to the City as well.</p> <p>Mayor Hearn stated that Vice Mayor Sileo has done an excellent job as Vice Mayor and represents the City well. He requested that all four Council Members need to be there for each other and support each other as a team.</p>

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<p>CA 1. REORGANIZATION OF COUNCIL (continued)</p>	<p>Council Member Visokey stated that he will be available as much as he possibly can and he will continue to represent the City well.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council nominated Andy Visokey as Vice Mayor, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p> <p>The City Clerk administered the oath of office to the new Vice Mayor – Andy Visokey.</p>
<p>CA 2. WAIVING OF FEES FOR VIETNAM VETERANS MOVING WALL COMMITTEE</p>	<p>Mayor Hearn requested that Council consider waiving the rental booth fees of \$225.00 for the Lancaster Poppy Festival on behalf of the Vietnam Veterans Moving Wall Committee in support of seeking donations to finance the exhibition of the Vietnam Veterans Memorial Moving Wall in the Antelope Valley.</p> <p>Council Member Jeffra inquired as to setting a precedent.</p> <p>The City Manager stated that it is the Council’s prerogative to waive fees.</p> <p>Mayor Hearn stated that this Vietnam Veterans Moving Wall Memorial represents the entire valley and it is important to help and recognize this endeavor wherever possible.</p> <p>Council Member Jeffra stated that he went to the Wall in Washington D.C. and it is very emotional. When the Moving Wall came to Lancaster to be viewed it was emotional and very important to the community. It means so much to the men and women who served in the military. There are so many important functions and the City is not trying to change the policy and he does not have a problem paying the fee personally.</p> <p>Vice Mayor Sileo stated that he has always been adamantly opposed to waiving fees for anything, however this cause is vital and important and is an invaluable benefit to the families in the community and he supports this cause.</p> <p>Council Member Smith stated that this project is very important and needs to be brought to the citizens.</p> <p>Council Member Visokey stated that he too is absolutely in favor of supporting this project.</p>

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<p>CA 2. WAIVING OF FEES FOR VIETNAM VETERANS MOVING WALL COMMITTEE (continued)</p>	<p>Addressing the Council on this matter:</p> <p>James Shanbrom – stated that he would be willing to write the check for \$225.00 as a donation so that Council would not need to waive fees or set a precedent.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Visokey, the City Council approved the waiving of fees at the Poppy Festival for the Vietnam Veterans Moving Wall Project and for any other areas that the City feels would be a good place for representation of the Moving Wall, so that the committee may receive gifts from people in the community, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>CA 3. CEMETERY DISTRICT</p>	<p>Council Member Smith presented the report on Cemetery District. He stated that the Cemetery District is in dire straits, the District is in the Redevelopment area. The City has a relationship with a lot of Districts; this District is part of Los Angeles County. This is an important part of this community and he would like to have staff take a look at any way at all they can help the district.</p> <p>Addressing the Council on this matter:</p> <p>Norm Hickling – The district sits on 11 acres; it is over 100 years old, it is a historical fixture and is a historical landmark. The Cemetery needs to be assured that it will continue to be able to provide for the families of the community and the district is struggling financially.</p> <p>The City Manager stated that he does not have a conclusion as to what the solution should be at this time. Staff has begun dialog with the district members and their staff to look at the immediate problem; near term problem and what it will take for the Cemetery District to become self sustaining in the long term. This is an independent district and the City will see how it can help. There is an issue regarding the tax increment and the pass-through agreements that distribute the tax increment to many other entities. Staff will help to determine options and work with many districts to see what opportunities there may be.</p> <p>Arnie Rodio – Stated that he speaks from the heart, the area is an essential part of Lancaster and it is time for the City to step up to the plate and take on the Cemetery District.</p>

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CA 3.
CEMETERY
DISTRICT
(continued)

Steve Sterk - Concerns regarding the fees being paid by the taxpayers and possibly being redirected to the Redevelopment Agency. There are repairs needed to water pipes and many other areas. He is a 5th generation descendent to Jane Reynolds and it is important that the City help support the final resting place for so many of the founding fathers of this area.

Council Member Jeffra stated that the citizens are right. The cemetery is an important part of this City and he would like to see it taken over by the City.

Vice Mayor Sileo – Requested that staff work with the district and come back with a range of options. The City is on the right course with this and it is important to bring the other agencies into this discussion as well.

Council Member Smith agrees with what has been said and the City needs to move forward on what needs to be done. The sprinkler system is an immediate problem and on a short term basis, he would like the City to look at helping with this.

The City Manager stated that the Council is the Redevelopment Agency and they can amend the budget in anyway they see fit. He suggested that the Agency look at the analysis first so that they are fully informed on all the issues.

Council Member Smith stated that there are two considerations – a short term concern and a long term concern. The short term issue is to look at finding funds to help the Cemetery with the sprinkler system. Requested that staff come back as soon as possible with solutions for the short term issue and that it is urgent.

Norm Hickling stated that the problem is urgent and it would be close to \$500,000.00 that would be needed for this immediate matter of the sprinklers.

Vice Mayor Sileo stated that staff should continue to negotiate the numbers and return to the Council/Agency with options. Find out what the immediate needs are and what are the best long term solutions.

Council Member Smith clarified that this would be to take care of the emergency costs of sprinkler repair now and then staff can continue on looking at a full package regarding the district.

Council Member Visokey stated that he is in full support of this. The City needs to do whatever it can to protect the heritage of this community.

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<p>CA 3. CEMETERY DISTRICT (continued)</p>	<p>On a motion by Vice Mayor Sileo and seconded by Council Member Smith, the City Council directed staff to continue to negotiate the numbers and return to the Council/Agency with options; find out what the immediate needs are and what are the best long term solutions; find out how the City can help with the emergency costs of sprinkler repair now and then staff can continue on looking at a full package regarding the district, 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>The City Manager stated that on Saturday, April 28th, the Los Angeles County Sheriffs Department will be conducting a field survey in the area just north of Avenue I, bounded by 10th Street West and Avenue H-8 and 13th to 15th Street West. This will be a door-to-door survey and there will be a briefing at the Sheriffs Station on Saturday morning at 9 a.m. and the Council is invited, then law enforcement personnel will deploy into the field to gather information that is crime and gang related, etc. The goal is to conduct 500 surveys; crime prevention materials will be distributed and City staff will be at the command post giving out information and helping to network and make contact with people.</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 the Council at this time:</p> <p>Bruce Macpherson, Chairman of the Planning Commission – Congratulated Council Member Visokey on his appointment to Vice Mayor. Stated that he is troubled and that his character has been called into question. Has learned from a number of sources that a Council Member has claimed that he (Chairman Macpherson) has taken money to make sure a project was pushed through the Planning Commission. His understanding is that it is Council Member Smith who is making these accusations and requested clarification from Council Member Smith regarding this matter.</p> <p>Council Member Smith stated that he has not made any claim of this nature against Chairman Macpherson or anyone on the Planning Commission. He stated that he too has been a part of a rumor mill as well and in fact, a reporter asked him this question as well and he stated that in no uncertain terms – no. He also stated that in no uncertain terms was there anything unethical or anything that anyone on the Planning Commission has done.</p>

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<p>PUBLIC BUSINESS FROM THE FLOOR NON-AGENDIZED (continued)</p>	<p>Vice Mayor Sileo thanked Chairman Macpherson for stepping up and thanked Council Member Smith for stepping up and saying that he did not say this and it is not an issue and it's on the record and that should put to rest any of the rumors that go on from time to time.</p>
	<p>Harold Ray – Stated there is a child molester living in a trailer park where there are children. This person has molested a 14 year old girl and he has been seen in the park at night and has been approaching children. Distributed information on this individual to the Council and stated that the people of the park are very concerned.</p>
	<p>Assistant City Manager, Mark Bozigian stated that he spoke with Mr. Ray and the City's Crime Prevention Officer will be meeting with the Sheriff's Department on a variety of subjects and this is one of the subjects.</p>
	<p>Lew Stults – Requested that if the City has events coming up that are going to have booths that might be set up to publicize the Vietnam Veteran's Moving Wall, to please give him a list of those events and what costs are involved, he will make sure those costs are covered. There are Rotary Clubs, Board of Trade, many organizations that would be happy to give contributions so the City does not have to waive those fees.</p>
<p>COUNCIL COMMENTS</p>	<p>Mayor Hearn stated that the Council is passionate about what they are doing for the City. The City Manager and his staff are also passionate about what they are doing. Requested that if Council Members have a concern with one another over an issue, to discuss it privately whenever possible. Very excited to be a part of this City Council.</p>
	<p>Mayor Hearn stated that Lookin' Good Lancaster would be taking place on Saturday, April 28, 2007 at 10 a.m. between 25th St. East and 26th St. East to J-4 and the City is always looking for volunteers, so come on out.</p>
<p>CLOSED SESSION</p>	<p>None</p>

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ADJOURNMENT

Mayor Hearn's adjourned the meeting at 8:23 p.m. in memory of Spc. Walter Freeman Jr. who lost his life in Iraq on April 4, 2007 and announced the next regular meeting of the City Council would be held on Tuesday, May 8, 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)
