

**LANCASTER CITY COUNCIL
REGULAR MEETING
MINUTES
August 14, 2007**

CALL TO ORDER	Mayor Hearn called the meeting to order at 6:08 p.m.
ROLL CALL	<p>Present: Council Members: Jeffra, Sileo, Smith, Vice Mayor Visokey, Mayor Hearn</p> <p>Staff Members: City Manager, Assistant City Managers, City Attorney, City Clerk, Planning Director, Public Works Director, Parks, Recreation & Arts Director, Management Analyst, 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 Visokey and seconded by Council Member Smith, the City Council approved the Consent Calendar with the exception of item numbers CC 1 and CC 21 which were pulled for separate discussion and action, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None
CC 1. ORDINANCE WAIVER	<p>Addressing the City Council on this matter:</p> <p>Tom Delaney – believes that every ordinance should be read in its entirety when presented to the Council on an agenda.</p> <p>The City Attorney stated that State Law requires the Council to first introduce an ordinance at a regular meeting and then consider the adoption of the ordinance at a subsequent regular meeting. There are 14 days between the first reading and the second reading and state law only requires a minimum of 5 calendar days between the two readings. In terms of reading an ordinance in its entirety, it does not change the outcome of the vote; delays the conduct of the people’s business. The City Council and the public receives ordinance information well in advance, giving them time to ask questions before the meetings.</p> <p>On a motion by Council Member Sileo and seconded by Vice Mayor Visokey, the City Council waived further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text), by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None</p>

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<p>CC 2. MINUTES</p>	<p>Approved the Regular meeting minutes of July 24, 2007.</p>
<p>CC 3. CHECK AND WIRE REGISTERS</p>	<p>Approved the Check and Wire Registers (July 8, 2007 through July 28, 2007) in the amount of \$17,220,539.07.</p>
<p>CC 4. CANCELLATION OF MEETINGS DUE TO HOLIDAYS</p>	<p>Approved the cancellation of the City Council meetings of November 27, 2007 and December 25, 2007 and directed the City Clerk to post the required notices.</p>
<p>CC 5. MULTI-YEAR PROFESSIONAL SERVICE AGREEMENTS</p>	<p>Approved Multi-Year Professional Service Agreements with each of the pre-qualified Contractors on the list contained in the staff report and authorized the City Manager or his designee to sign all attendant documents.</p>
<p>CC 6. ACCEPTANCE FOR MAINTENANCE DRAINAGE IMPROVEMENTS TRACT NO. 52491-01</p>	<p>Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation No. 02-06, installed for Tract No. 52491-01, located on the southeast corner of Avenue J and 47th Street West, Owner: Western Pacific Housing, Inc.</p>
<p>CC 7. ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS TRACT NO. 52491-02</p>	<p>Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation No. 02-06, installed for Tract No. 52491-02, located on the southwest corner of Avenue J-2 and 45th Street West, Owner: Western Pacific Housing, Inc.</p>
<p>CC 8. ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS TRACT NO. 060887</p>	<p>Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation No. 04-83, installed for Tract No. 060887, located on the west side of 16th Street West approximately 840 feet north of Avenue J, Owner: Tandis Homes, LLC.</p>

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<p>CC 9. ACCEPTANCE OF STREET TREES FOR MAINTENANCE TRACT NO. 54366</p>	<p>Accepted the interior street trees for maintenance by the City for Tract No. 54366, located on the north side of Avenue K-8, approximately 675 feet east of Challenger Way, Owner: Richmond American Homes of CA, Inc.</p>
<p>CC 10. ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS TRACT NO. 47775</p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 221, installed for Tract No. 47775, located on the southeast corner of Avenue J-8 and 42nd Street West, Owner: Lancaster Palms, LLC.</p>
<p>CC 11. ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS TRACT NO. 52491-01</p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 223, installed for Tract No. 52491-01, located on the southeast corner of Avenue J and 47th Street West, Owner: Western Pacific Housing, Inc.</p>
<p>CC 12. ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS TRACT NO. 52491-02</p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 223, installed for Tract No. 52491-02, located on the southwest corner of Avenue J-2 and 45th Street West, Owner: Western Pacific Housing, Inc.</p>
<p>CC 13. ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS TRACT NO. 060331</p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 243, installed for Tract No. 060331, located on the northwest corner of Avenue J and Palo Verde Street, Owner: Lennar Homes of CA, Inc.</p>
<p>CC 14. ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS TRACT NO. 060336</p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 254, installed for Tract No. 060336, located on Avenue J at 36th Street West, Owner: Lennar Homes of CA, Inc.</p>

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<p>CC 15. ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS PARCEL MAP NO. 060557</p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 257, installed for Parcel Map No. 060557, located on the west side of 60th Street West approximately 660 feet south of Avenue K, Owner: STG Northwest, LLC.</p>
<p>CC 16. ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS TRACT NO. 060428</p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 268, installed for Tract No. 060428, located on the southwest corner of 40th Street West and Avenue J-6, Owner: American Premiere Homes, LLC.</p>
<p>CC 17. APPROVAL OF COMPLETED SEWER SYSTEMS FOR TRACT NOS. 060133; 54411; 47775; 062326; 061756 AND PERMIT NO. 05-06573</p>	<p>Approved the completed sewer systems installed by the developers of Tract No. 060133, located on the southwest corner of 30th Street East and Avenue J, Owner: KB Home Greater Los Angeles, Inc.; Tract No. 54411, located on the south side of Avenue K-8 approximately 770 feet east of 30th Street West, Owner: AV Housing Corporation; Tract No. 47775 located on the southeast corner of Avenue J-8 and 42nd Street West, Owner: Lancaster Palms, LLC; Tract No. 062326, located on the south side of Avenue K-8 approximately 580 feet east of 30th Street West, Owner: AV Housing Corporation; Tract No. 061756, located on the south side of Avenue H-8 approximately 120 feet west of 3rd Street East, Owner: Larwin Company; and Permit No. 05-06573, located at 43155 North Sierra Highway, Owner: Low Mac, LLC.</p>
<p>CC 18. APPROVAL OF COMPLETED WATER SYSTEMS FOR TRACT NO. 53641</p>	<p>Approved the completed water systems installed by the developers of Tract No. 53641, located on the southwest corner of Avenue L-8 and 75th Street West, Owner: FR Homes, LLC.</p>
<p>CC 19. EXTENSION OF UNDERTAKING AGREEMENT FOR TRACT NO. 53253</p>	<p>Extended the Undertaking Agreement and Improvement Securities for Tract Map No. 53253, located at the northwest corner of 30th Street West and Avenue M-8. Developer: Portabella, L.P.</p>
<p>CC 20. TAX SHARING RESOLUTION WITH L.A. COUNTY WATERWORKS</p>	<p>Approved Tax Sharing Resolution for Proposed Annexation No. 40-117 (4-182) into Los Angeles County Waterworks District No. 40, Antelope Valley.</p>

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<p>CC 21. RESO. NO. 07-147 IMPLEMENTATION OF PROCEDURE TO ACQUIRE LOW-VALUE PROPERTIES</p>	<p>Addressing the City Council on this matter:</p> <p>Tom Delaney – concerns regarding non-appraisal/non-evaluation of properties.</p> <p>Council Member Jeffra inquired as to how the City arrives at the actual value of the property.</p> <p>The City Manager stated that typically an appraisal is approximately \$3500.00 and this matter is about properties valued at less than \$10,000.00 that meet certain criteria. The procedure for determining the value is outlined in the resolution with a series of steps. Clear information is provided regarding highest and best use of the subject property; adequate market data available; substantial damages or benefits are involved; a likelihood of substantial decrease in market value due to the presence of hazardous materials and solid waste. It is an easy process to undertake for a very low-valued piece of property and in many cases the appraisal could be more than the value of the property.</p> <p>Council Member Smith inquired as to if these appraisals are for property under eminent domain.</p> <p>The City Attorney stated that these are not properties under eminent domain and that this only applies to negotiated sales. Rather than paying an appraiser, the money can be used to pay the property owner.</p> <p>On a motion by Council Member Jeffra and seconded by Council Member Sileo, the City Council adopted Resolution No. 07-147, implementing a new procedure to acquire small low-value properties without an appraisal, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None</p>
<p>CC 22. RESO. NO. 07-159 REPEALING RESOLUTION REGARDING HOME PROGRAM RESO. NO. 07-160 CORRECTING TYPOGRAPHICAL ERROR FOR HOME PROGRAM</p>	<p>Adopted Resolution No. 07-159, repealing Resolution No. 07-150, authorization to submit and execute the 2007 HOME (Home Investment Partnership) Program, and adopted Resolution No. 07-160, which corrected a typographical error in Resolution No. 07-150.</p>

Proposed Annexations to Lancaster Drainage Benefit Assessment District

CC 23.
RESO. NOS.
07-151 AND 07-152
ANNEX. NOS.
06-07; 07-15;
07-19; 07-23
TO LDBAD

Annexation No. 06-07, Permit No. 06-00152, located on the west side of future 37th Street West between Avenue M-8 and Future Avenue M-12. Owner: Michael Webb, an unmarried man.

Annexation No. 07-15, Site Plan Review No. 05-25, located at the northeast corner of Avenue J-8 and 20th Street East. Owner: Naftali Deutsch, as Trustee of The Naftali Deutsch and Esther S. Deutsch Revocable Trust, dated July 5, 1974.

Annexation No. 07-19, Plan Review No. 04-28, located at the northeast corner of 22nd Street West and Avenue K-4. Owner: Lancaster School District, a Governmental Agency.

Annexation No. 07-23, Conditional Use Permit No. 06-05, located on the east side of 20th Street West and approximately 215 north of Antelope Valley Freeway (State Route 14) northbound off-ramp. Owner: 20th Street Properties, a California General Partnership.

A) Adopted **Resolution No. 07-151**, 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. 06-07, 07-15, 07-19, and 07-23.)

B) Adopted **Resolution No. 07-152**, 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. 06-07, 07-15, 07-19, and 07-23.)

Proposed Annexations to Lancaster Lighting Maintenance District

CC 24.
RESO. NOS.
07-153 AND 07-154
ANNEX. NOS.
660; 786;
791; 796
TO LMD

Annexation No. 660, Permit No. 06-00152, located on the west side of future 37th Street West between Avenue M-8 and Future Avenue M-12. Owner: Michael Webb, an unmarried man.

Annexation No. 786, Site Plan Review No. 05-25, located at the northeast corner of Avenue J-8 and 20th Street East. Owner: Naftali Deutsch, as Trustee of The Naftali Deutsch and Esther S. Deutsch Revocable Trust, dated July 5, 1974.

Annexation No. 791, Plan Review No. 04-28, located at the northeast corner of 22nd Street West and Avenue K-4. Owner: Lancaster School District, a Governmental Agency.

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<p>CC 24. RESO. NOS. 07-153 AND 07-154 ANNEX. NOS. 660; 786; 791; 796 TO LMD (continued)</p>	<p>Annexation No. 796, Conditional Use Permit No. 06-05, located on the east side of 20th Street West and approximately 215 north of Antelope Valley Freeway (State Route 14) northbound off-ramp. Owner: 20th Street Properties, a California General Partnership.</p> <p>A) Adopted Resolution No. 07-153, 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. 660, 786, 791, and 796.)</p> <p>B) Adopted Resolution No. 07-154, 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. 660, 786, 791, and 796.)</p>
<p>CC 25. APPROPRIATION OF AIR QUALITY IMPROVEMENT FUNDS</p>	<p>Approved the appropriation of \$100,000.00 in Air Quality Improvement funds to Account No. 204-4760-752 to offset the increased cost of purchasing alternative fuel vehicles and retrofitting existing trucks to meet air quality mandates.</p>
<p>CC 26. RESO. NO. 07-161 NEIGHBORHOOD FORECLOSURE PRESERVATION HOME OWNERSHIP PROGRAM AND FUNDING</p>	<p>Adopted Resolution No. 07-161, approving the implementation of the Neighborhood Foreclosure Preservation Home Ownership Program regarding funding outside of the Redevelopment Project Area to benefit the Redevelopment Project Areas.</p>
<p>PH 1. RESO. NO. 07-155 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR ANNEX. NOS. 06-07; 07-15; 07-19; 07-23 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 Council Member Sileo and seconded by Council Member Jeffra, the City Council adopted Resolution No. 07-155, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District and levy of assessment (Annexation Nos. 06-07, 07-15, 07-19, and 07-23), by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>

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<p>PH 2. RESO. NO. 07-156 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR ANNEX. NOS. 660; 786; 791; 796 TO LMD</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 and associated assessments. There being no further testimony, Mayor Hearn closed the Public Hearing.</p> <p>On a motion by Council Member Jeffra and seconded by Vice Mayor Visokey, the City Council adopted Resolution No. 07-156, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 660, 786, 791, and 796), by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>PH 3. RESO. NO. 07-157 APPROVAL OF THE LANCASTER OLD TOWN SITE 2006/2007 YEAR-END REPORT</p>	<p>Mayor Hearn opened the Public Hearing. The Economic Development Director presented the staff report regarding levying the Annual Assessment for the Lancaster Downtown Parking and Business Improvement District (PBID) in the Lancaster Old Town Site Area for the 2007/2008 Fiscal Year. There being no further testimony, Mayor Hearn closed the Public Hearing.</p> <p>On a motion by Vice Mayor Visokey and seconded by Council Member Smith, the City Council adopted Resolution No. 07-157, approving the Lancaster Old Town Site 2006/2007 Year-End Report and levying the annual assessment for the Lancaster Downtown Business Improvement District for the 2007/2008 Fiscal Year, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>PH 4. RESO. NO. 07-158 AND ORD. NO. 885 REGARDING THE EIR; GP AMENDMENT; SPECIFIC PLAN; ZONING PLAN</p>	<p>Mayor Hearn opened the Public Hearing. The Planning Director presented the staff report regarding the Environmental Impact Report No. 07-01, General Plan Amendment No. 07-01, Zone Change 07-01, and Specific Plan No. 07-01 (Amargosa Creek Specific Plan, 152± gross acres bounded by Avenue L, 10th Street West, future Avenue K-8, and future 5th Street West, excluding the northeast corner of 10th Street West and Avenue L.)</p> <p>The Planning Director stated that there are two additional changes to the document for Council consideration. One change is a clarification to Section 8.03.D under the administrative portion of the plan. Currently this provision states that any appeal of what is known as the reviewing agency which is charged with reviewing proposals within the plan area – any appeal of their decision would go to the Planning Commission. It is intended if the Planning Commission’s decision were to be further appealed it would go to the City Council, however it does not state this specifically in the plan and staff recommended a change to clarify this step.</p>

PH 4.
RESO. NO. 07-158
AND ORD. NO. 885
REGARDING THE
EIR;
GP AMENDMENT;
SPECIFIC PLAN;
ZONING PLAN
(continued)

The Planning Director stated that another other change is a concern expressed by potential developers regarding the overall parking ratio of 4.5 spaces per 1000, the plan is based on, may not be adequate in all cases to accommodate restaurant parking. Staff recommended a change that would require restaurant parking at a 1-100 square foot ratio, which is in line with the city's zoning code. Staff also requested that a provision be included with this, that the reviewing agency can reduce that parking requirement if they feel it is warranted. The reason for this is because certain aspects of the center would be pedestrian in nature and in researching the 4.5 spaces per 1000 – in those portions of the plan area may well be adequate.

The City Manager expressed his appreciation to the Planning Director and staff for their work over the last two plus years on this project. It has been an enormous amount of work and many others contributed to this outcome, including the departments of Public Works; Finance; Economic Development; City Attorney.

Mayor Hearn clarified that the involved developers are aware of the changes and the Planning Director stated that all parties involved are aware and agreeable to the changes.

Council Member Sileo requested clarification regarding the requirements surrounding a CUP.

The Planning Director stated that there are two primary things under the plan which would require the conditional use permit process. One is any use that engages in the on or off-site sale of alcohol and the other deals specifically with the flex commercial area; there is a provision that would allow for automobile gasoline stations and as the project develops there could be a need for that kind of use.

Council Member Sileo inquired about the façade and the phrasing that multi-story buildings are encouraged but not required.

The Planning Director explained that the concern of the Planning Commission was the actual physical height of the building be large enough to properly enclose the major plaza area and provide protection from wind and provide shade. The Planning Commission did not mandate that the 35 foot height translate into a second floor.

<p>PH 4. RESO. NO. 07-158 AND ORD. NO. 885 REGARDING THE EIR; GP AMENDMENT; SPECIFIC PLAN; ZONING PLAN (continued)</p>	<p>Addressing the Council on this matter:</p> <p>Steve Malicott – Representing the Antelope Valley Chamber of Commerce is in support of the project, stating that residents and businesses will reap the benefits of the vision presented in the Specific Plan.</p> <p>There being no further testimony, Mayor Hearn closed the Public Hearing.</p> <p>Council Member Sileo inquired about the area around the plaza; the requirement for the 35 foot façade and stated that he understands the reasoning of the Planning Commission. He stated that people wanted something different; a sense of place, a place above and beyond what the Antelope Valley has seen so far. He stated that he would like to see a change to the plan and of the non-major anchor tenants for the plaza portion he would like to see that it be mandatory for a second floor not just a façade; a provision for an exemption and he would like to maintain some flexibility in the design aspect of the plan. It is important to create a sense of place for the citizens; a place where people will feel comfortable visiting with their families.</p> <p>Council Member Smith stated that he agrees with the recommendation of the Planning Commission and they have struck a good balance between the aesthetics and the needs they were looking at and the flexibility for the property owner when it is sold and developed. The Planning Commission has done a very good job on this.</p> <p>Vice Mayor Visokey stated that he agrees with the recommendation from the Planning Commission, this is a fabulous project and the City is ready to move forward.</p> <p>Council Member Jeffra understands the concerns of Council Member Sileo, however it has been determined by the Planning Commission this is the best direction to go; tremendous efforts have been put into this project and it is time to move forward.</p> <p>Mayor Hearn agrees with what has been presented by the staff and the Planning Commission. He understands the concerns of Council Member Sileo but agrees with the recommendations that have been made.</p>
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<p>PH 4. RESO. NO. 07-158 AND ORD. NO. 885 REGARDING THE EIR; GP AMENDMENT; SPECIFIC PLAN; ZONING PLAN (continued)</p>	<p>Council Member Sileo stated that Amargosa Creek is a premier commercial site in the Antelope Valley and no matter what goes into the project it is going to be successful based on its location. He would like to see the highest and best possible tenant mix for this project and providing the second story aspect is the way to do that. He stated that he truly hopes the decisions made are successful and he supports the project. A lot of hard work has been put into this plan by staff; Planning Commission; the public. This is a big step in the right direction for the City.</p> <p>Mayor Hearn stated that anyone who comes to the Antelope Valley and comes to Lancaster – this is the place to be. He stated that he calls the project the 21st Century Mall.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council adopted Resolution No. 07-158, certifying Environmental Impact Report No. 07-01, approving General Plan Amendment No. 07-01 re-designating the site from C (Commercial) and LI (Light Industrial) to SP (Specific Plan), and approving Specific Plan No. 07-01, known as the Amargosa Creek Specific Plan, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Sileo, the City Council introduced Ordinance No. 885, amending the zoning plan for the site from CPD (Commercial Planned Development) and LI (Light Industrial) to SP (Specific Plan), by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>ANNOUNCEMENT BY MAYOR HEARNS</p>	<p>Mayor Hearn announced that this meeting would be the last for Reporter, Marissa Belles, as she is resigning from the Antelope Valley Press to take on some new challenges; wished her well and thanked her for her excellent coverage of the City of Lancaster.</p>

NB 1.
PROPOSAL
FOR VIDEO
BROADCASTING
AND
WEBSTREAMING
OF MEETINGS

The Communications Manager presented the staff report regarding a Proposal for Video Broadcasting and Webstreaming of City Council and Planning Commission Meetings.

Addressing the City Council on this matter:

David Paul – In favor of the project, it is long overdue.

Tom Delaney – In favor of the project and requested that Council consider having the meetings aired on Direct TV and DISH as well.

Vice Mayor Visokey requested clarification regarding the costs of \$131,853.00 to initiate the project.

The Communications Manager stated that the \$131,853.00 includes training and the \$24,000.00 is for the remainder of the fiscal year for the monthly operation costs and after that it will be \$36,000.00 per year.

On a motion by Council Member Smith and seconded by Vice Mayor Visokey, the Council offered a motion of separation, to separate the \$22,000.00 for training to discuss and vote on separately, by the following vote: 4-1-0-0; AYES: Jeffra, Smith, Visokey, Hearn; NOES: Sileo; ABSTAIN: None; ABSENT: None.

Council Member Smith stated that the City is in a day and age of the 21st Century and cable casting and webstreaming will make government more transparent and gives more access to citizens, especially those who commute to Los Angeles for their jobs.

Vice Mayor Visokey stated that he has concerns regarding the first year costs and inquired as to where the money would come from as he is very reluctant to take the funds from the reserve.

The City Manager stated that it will be transferred from the fund balance. He stated that the money could come from the contingency account; it is all general fund money.

Vice Mayor Visokey stated that he has concerns regarding the training component of this project. Council has stated concerns regarding the training budgets this past year. He understands why training might be recommended but it is throwing \$22,000.00 into an area of concern. This is an expensive proposal; he would like to see it happen but would like further discussion.

NB 1.
PROPOSAL
FOR VIDEO
BROADCASTING
AND
WEBSTREAMING
OF MEETINGS
(continued)

Council Member Sileo stated that this is a lot of money and televising Council meetings does get what a Council does, out to the public. This mode of communication is strictly one-way – City to citizens. There are much more efficient ways to connect with the community such as the expansion of the Outlook; community meetings; this is much more cost effective than being on television. When the public is concerned about something they have had no problem filling this chamber to capacity. Most of what the Council does is fairly routine; citizens turn out for the big issues. Spending this kind of money on televising meetings – this money can be put to better use elsewhere. If Council does this, training should be included. Council and staff need to do the absolute best job that they can and training will add professionalism. If this is not done right and Council says or does something in joking, it will come across a lot different on television and this does not necessarily make the City look good.

Council Member Jeffra stated that this has come before the Council before; a telephone survey that was done for the people clearly showed that televising Council meetings was not a high priority with anyone. The commuter population is approximately 50,000. This type of connection may or may not increase voter turnout. He has only talked with a few people about this and the only time people show up at a Council meeting is when there is a matter of concern facing them. He can understand both sides and if this is done, training must be a requirement.

Council Member Sileo stated that Palmdale Council meetings are on television but honestly how often do people truly tune in and stay tuned in to these types of meetings?

Council Member Smith stated that in the age of information and technology this is the right direction to go in. There will be a huge amount of convenience in being able to find exactly what was said at a Council meeting by viewing the webcast on the website. This will be a great advantage to the citizens.

Vice Mayor Visokey stated that he has watched Council meetings of other cities and he does find them interesting and there are a lot of cities that broadcast their meetings. There is a value to providing this to the citizens; however the costs are of great concern.

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NB 1.
PROPOSAL
FOR VIDEO
BROADCASTING
AND
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(continued)

Mayor Hearn stated that he has seen this topic come before the Council many times in the past seventeen years and he has always said no. However, he is willing to support anything that can help the City to connect with the community, this is important.

On a motion by Council Member Smith and seconded by Vice Mayor Visokey, the City Council approved cable casting and webstreaming City Council meetings and Planning Commission meetings to make them accessible to as many residents as possible and to give residents choices of how to receive information, by the following vote: 4-1-0-0; AYES: Jeffra, Smith, Visokey, Hearn; NOES: Sileo; ABSTAIN: None; ABSENT: None.

On a motion by Council Member Smith and seconded by Vice Mayor Visokey, the City Council approved and appropriated funding, (less the cost of training), approximately \$109,853.00 for implementation and \$24,000.00 for eight months of operation to record City Council and other public meetings on video media and broadcast on Cable Television and the City Website. Total Appropriation: Source of funding: FY 2007/2008 Communications Division Professional Services Account (Account No. 101-4305-301). Upon approval, funding will be transferred to this account from the General Fund balance, by the following vote: 4-1-0-0; AYES: Jeffra, Smith, Visokey, Hearn; NOES: Sileo; ABSTAIN: None; ABSENT: None.

Council Member Smith stated that he agrees with Council Member Sileo, that when Council is on camera they need to look their best. He disagrees with spending taxpayer's money for this and cannot support spending \$22,000.00 for training.

Council Member Jeffra requested clarification on the training.

The Communications Manager stated that training will consists of video taping each Council Member and staff member; sitting down with a trainer and learning techniques for presentations and better ways to communicate with the public.

Mayor Hearn stated that he is in favor of the training, it is important.

Vice Mayor Visokey stated that he has not seen any kind of training that is worth anything and he does not see the economic value of the training and he is against using taxpayer's money to make the Council look good.

On a motion by Council Member Sileo and second by Mayor Hearn, Council adopted the full training budget for this project, by the following vote: 3-2-0-0; AYES: Jeffra, Sileo, Hearn; NOES: Smith, Visokey; ABSTAIN: None; ABSENT: None.

NB 2.
URGENCY ORD. NO.
886
MOBILEHOME
PARK
CONVERSION
MORATORIUM

The City Attorney presented the staff report regarding consideration of adoption of Interim **Urgency Ordinance No. 886**, Mobilehome Park conversion moratorium.

Addressing the City Council on this matter:

Ray Chavira – Supports this action and encouraged the City Council to consider bringing a resolution forward regarding AB 1111, relating to mobilehomes.

Jeanette Langlois – Thanked the City Council and staff for working on mobilehome issues and she is in favor of the ordinance.

Jason Smith – In favor of the ordinance, this will allow for a research period to refine the issues.

David Evans – Representing Western Manufacturing Housing Communities Association – opposed to this action.

Council Member Sileo stated his concerns regarding the public safety aspects and registered sex offenders that live in the mobilehome parks. This issue will have to be dealt with and passing this ordinance will enable the city to deal with the issue. Concerning AB 1111 – this could have some merit, it is a statewide issue and if worded correctly would give the City local control, this is important.

Council Member Jeffra stated that if the senior parks turn into family parks, the issue of sex offenders who currently live in the parks will become quite a problem. Not sure of the legal ramifications but definitely would not want them around children in the mobilehome parks. He inquired as to what the long range goals for the citizens of Sherwood would be if this does not pass – he asked the citizens to think about that.

Mayor Hearn stated that he is in support of this matter.

On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council adopted Interim **Urgency Ordinance No. 886**, placing a moratorium on the conversion of any mobile home park currently existing in the city, from a park occupied primarily or exclusively by residents over the age of fifty-five (55) years (senior residents) to a mobile home park allowing residents of all ages, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

NB 3.
AGREEMENT
WITH L STREET
PROPERTIES, LLC

The City Manager and the City Attorney presented the staff report regarding consideration of the approval of the agreement with L Street Properties, LLC.

Addressing the City Council on this matter:

Jason Smith – In favor of this agreement and encouraged Council to approve it.

Vice Mayor Visokey stated that he is very pleased to be at this point in the process and thanked staff and developers for coming to an agreement on this – it is a win-win situation. He also thanked the Antelope Valley Press for their excellent coverage on this. There was a lot of hard work put into this and the biggest winners of all will be the citizens.

Council Member Sileo stated that by the time all the studies were done, the developers stepped up and agreed to their fair share on this project. The developers have made a lot of progress; they know what is best for the City and the citizens and for themselves – that is their job. They were honest, compromised and staff has come up with very creative ways to make this project work; safety nets are in place; taxpayers are protected. He thanked his fellow Council Members, as staff cannot do a good job unless they know Council is going to back them up. The public has been involved in this process, there have been some bumps along the way but in the long run, this is an excellent agreement and the City needs to move forward.

Council Member Jeffra stated that in the final analysis of this project, everyone did an excellent job and this is a product of a solid, well organized negotiation. Staff did a tremendous job on the part of the City and the developers did an excellent job on their part and it all came to fruition. The citizens are going to get something that is well worth waiting for.

Council Member Smith stated that this particular document could not have happened without the great talent and expertise of Mr. McEwen and Mr. Busch and this was an excellent negotiation.

Mayor Hearn stated that everyone worked hard and thanked the City Manager, Mr. Busch and the developers. He stated that if Scott Smith were present he would be agreeing to all of this as well.

On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council approved the Drainage Improvements Funding Agreement with L Street Properties, LLC and authorized the City Manager or his designee to execute all necessary documents in connection with the Agreement, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

<p>CA 1. PRESENTATION ON PROACTIVE PLAN FOR WIRELESS COMMUNICATION FACILITIES</p>	<p>Council Member Smith requested consideration of the formulation of an aggressive and proactive plan for the coordination of revenue generating wireless communication facilities on city property.</p> <p>Tony Ingegneri, President of ATS Wireless Real Estate made a presentation to Council regarding the “No-Cost” Wireless Plan for municipal agencies allows local government to take a pro-active approach to handling cellular antennas. ATS Communications performs a detailed analysis of the wireless landscape by a carrier that exists within the community.</p> <p>Council Member Smith requested a consensus from the Council to direct staff to come back in 60 days with a thorough report to see if the City Council can make this happen.</p> <p>Council Member Sileo stated that this is an excellent idea; appropriate to give this to staff; staff needs to survey the market place and find out who else does this as well.</p> <p>Council Member Smith stated that ATS will work right away on getting cell tower companies to actually locate on City properties so that the City starts generating revenue right away. He agrees that staff should look at the plan and he requested that staff return in 60 days with a report on this topic.</p>
<p>CITY MANAGER ANNOUNCEMENTS PRESENTATION OF DETAILED LIST OF PROFESSIONAL SERVICES / CONTRACT LABOR</p>	<p>It was unanimous to have the staff return with a report within 60 days.</p> <p>The City Manager presented a summary of Professional Services/Contract Labor agreements to the Council along with a survey of cities with a population of 100,000 or more to show where different thresholds are.</p> <p>Council Member Smith stated that when this was brought forward to have a discussion about contract services, at least on appearances from the budget that Council was given, there was an increase in professional services or outside consultants in 2005 to current, where it basically doubled. At the last meeting, the report showed that it did not double or increase, but in actuality that report had a \$4 million discrepancy. The new report is approximately \$4.4 million; \$10.7 million and \$8.1 million. Now that the right numbers are in front of the Council, what Council had asked for was a list of things to look at to make responsible cuts in the budget to pay for law enforcement. In the past year, when Council has been asked to raise street sweeping fees, instead of looking at budget cuts, Council was given a half a million dollar fee increase for licensing, LAN-CAP, asked to raise fees and at one point asked to pass the cost of graffiti clean-up onto the citizens who where victimized rather than the City handling the expense. The citizens expect the Council to be fiscally responsible with how the money is spent.</p>

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Council Member Smith stated that it is the Council's job to look at everything and determine the way to spend it. Discussions have gone on continuously, and happened again this evening with the discussion of video broadcasting – where does the money come from. This is a matter of priority, there is only so much money in the pot and Council must make the determination as to where the money is spent. Before Council asks citizens for one more dime, Council needs to decide if every penny is being spent judiciously. The questions that we're being asked by Council were valid questions and Council needs to have that discussion. He would like to take the report from this evening and set it for a meeting in the future to find out why the consultant fees have gone up. There may be valid explanations but there are also valid concerns. This discussion does not need to take place this evening but in the future, possibly in 30 days, have the discussion.

Mayor Hearn agreed with Council Member Smith and he stated that whatever is in the budget should be spent properly so that the City can provide for the citizens of the community and the money must be managed properly.

Council Member Smith clarified that he is requesting to look at informal contracts, line items 113 and 301 and see where the money is going and why it has increased and this is a discussion for another night. With the accurate document that has been presented he proposed that Council have this discussion of why the consultant fees have gone up and where is the money being spent and is this the most judicious way. This is a lengthy report, and also discuss what other cities do about informal contracts. When that time comes, Council can have that discussion of what they would like to see done. The budgets that are given to Council are very abbreviated. If the City had all the money in the world and could put more cops on the street, that is no problem, but when the City goes back to the citizens and states that it wants to raise street sweeping, LAN-CAP and swimming fees, then Council needs to take more time, go further in depth in the budget, because it is the City Council that must stand by what they have decided and set the priorities. Council requested this data and a discussion needs to take place in the future. Money was taken out of contingency funds to pay \$1.8 million for deputies; the City Manager stated that a hard look needs to be taken as to how this will be funded in the next year.

Council Member Sileo inquired as to what exactly Council is looking for to discuss.

Council Member Smith stated one issue is why are the consultant fees so much, why have they increased, what is the explanation. Is the City getting the most bang for the buck? The Council has voted to increase the number of employees of the City and have also voted to pass the amount of money that was spent on these consultants.

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Council Member Smith went on to say that this is only one part of it and a lot of money has been spent on this. What was previously placed on the agenda before was to discuss not only informal contracts but also to discuss the threshold for City Manager approval; review what other cities are doing; should the amount be \$125,000.00, should it be \$75,000.00, should it be \$50,000.00 – that discussion needs to take place. There needs to be a discussion about this and why the fees have gone up.

The City Manager stated that he was prepared to give a quick overview of an answer to Council Member Smith's question, then Council can decide if another session needs to be scheduled to go over this data in more detail.

Council Member Smith stated that he was aware of some of the explanations and he was not prepared to have the discussion this evening.

The City Manager stated that rather than leave this doubt about the number change hanging out there until Council meets again, this can be addressed fairly quickly then go back and deal with any specifics the Council would like to get into.

Mayor Hearn stated that the last time this was discussed; errors were found when the discussion had ended. He would like time to prepare, think about it and then come back together to talk about it.

Council Member Sileo stated that he would appreciate some clarification from the City Manager on the data that is before them.

Council Member Smith stated that Council Member Sileo could sit down with the Finance Director and the City Manager and have a discussion. The only way that Council came upon this discrepancy is because a number of the Council did not take the report at face value but also requested a line item report and Council spent a lot of their own time going through this to actually find out that there was a \$4 million discrepancy. This is explainable, no accusations are being thrown out and Council has the true numbers so now they can prepare to have the discussion.

The City Manager stated that it would only take two minutes to give the overview of the data and the overview addresses a suggestion that leaves a lot of doubt in people's minds.

Mayor Hearn requested that this discussion not take place at this time.

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Council Member Sileo stated that a two minute summation would simply be a continuation of the City Manager's report on professional services contracts and felt that it was not fair to ask staff for information and then not allow them to clarify the information that has been given out.

Council Member Smith stated that he agreed with Council Member Sileo in that the City Manager should have had the ability to clarify, however the Mayor asked the City Manager if this was it and the City Manager said this was it, here is the report. The opportunity was there and the City Manager did not take it.

Council Member Sileo stated that he was specifically asking for the City Manager to give clarification on the report.

Council Member Jeffra stated that every time something like this happens it gets out of hand, it happens every single time and this is absolute nonsense. There is information in the report and if Council needs clarification, allow the City Manager to clarify it. It does not make sense to sit at the dais and argue over whether he should give a two minute presentation or not. That is the problem and that is the perception that the citizens get every single time. It does not make a difference, the document is good and there is some clarification that might need to be done so why not allow the City Manager to clarify it and then Council is still going to come back to discuss this matter.

Mayor Hearn stated that he still would prefer to have time to digest the information and come back at a later time.

Council Member Sileo stated that the two minutes could have been done by now.

Vice Mayor Visokey requested that the City Manager be allowed his two minutes.

The City Manager requested that the Management Analyst for the Finance Department give the two minute overview.

The Management Analyst stated that the data that Council currently has is correct. The 05/06 amount shown in the proposed budget document did not include the encumbrances' and contracts and this new version does show this information and that was the discrepancy from the prior data. There is a difference between the 2006/2007 detail and the amount shown in the budget which is due to a budget transfer that was processed after the year-end estimates were given to finance and this report has been adjusted to reflect this.

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<p>CITY MANAGER ANNOUNCEMENTS PRESENTATION OF DETAILED LIST OF PROFESSIONAL SERVICES / CONTRACT LABOR (continued)</p>	<p>The Management Analyst stated that one difference between the 05/06 fiscal year contracts versus the 06/07 and 07/08 has to do with the AVTA contract and the matter in which finance handles the accounting for that contract. When the City would purchase a bus which had to do with the City's capital replacement, now according to the contract with AVTA, this is addressed on a yearly basis and paying them on a yearly basis and this accounts for the \$1.8 million of the AVTA contract. This is one of the highlights of the report and one of the big differences. There are other various contracts that have to do with the plan-check services and inspection services.</p>
<p>RECESS</p>	<p>Mayor Hearn's recessed the meeting at 9:00 p.m.</p>
<p>RECONVENE</p>	<p>Mayor Hearn's reconvened the meeting at 9:06 p.m.</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>David Paul – Importance of having a facilitator to end the conflicts between the Council and City Manager and he stated that he is still available to handle the job. He requested that Council consider becoming a Charter City and he also stated that he can train the Council on how to handle themselves in front of the cameras.</p> <p>Roland Wilson – Concerns regarding gangs, crime, Section 8 problems; thankful to the Los Angeles Sheriff's Department – they respond when they are called upon; trash everywhere; area of K-13 and 38th Street West is becoming a ghetto.</p> <p>Tom Delaney – Concerns regarding sexual predators; quoted some stats on Lancaster and concerns regarding hotel row.</p> <p>Barbara Nunn – Concerns regarding the location of low income apartment that now overlooks the parking lot of the Sheriff's Station in Lancaster – concerned for the safety of the Deputy Sheriffs. She also read a statement from Margaret Rullo regarding crime in Lancaster; vulnerability of businesses in Lancaster and on Lancaster Blvd.</p> <p>John Alvarez – Concerns regarding Section 8 problems; Antelope Valley is being destroyed by gangs and citizens who do not care about this area. The job of the City and the Sheriff's Department is far from done but does appreciate all the recent efforts.</p>

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<p>PUBLIC BUSINESS FROM THE FLOOR NON-AGENDIZED (continued)</p>	<p>Evelina Pickett – Presented stats on crime in Lancaster; concerned regarding the shortage of deputies; gangs are taking over.</p> <p>Charles McKinley – Concerns regarding Section 8 problems; concerns regarding gangs and crime in the area.</p> <p>Cleo Goss – Presented data on possible development in the area of Quartz Hill near the high school; against development.</p> <p>The City Attorney cautioned the City Council that this matter is a project that is being processed by the City and the property owners have due process rights, so their matter will be heard first by the Planning Commission then by the City Council. What is said tonight is not part of the public record and is not part of anything Council can consider in connection with the approval or denial of this matter.</p> <p>Richard Hecker – Concerns regarding the possible superstore development in Quartz Hill and he is against this development.</p> <p>Janette Crawford – She is the new Communications Representative for Waste Management; her son recently witnessed a robbery; concerned with crime in the area; concerns regarding the item that passed this evening regarding low and medium housing.</p> <p>Council Member Sileo stated that the item to which Ms. Crawford is referring was action to help keep people in their homes.</p> <p>Jason Smith – Recently attended the NCJA Conference; presented Captain Deeley with a pin from the Gila River Indian Community.</p> <p>Claudia Perez – Concerns regarding the Home Depot proposal for L and 60th Street West – this will have a negative impact to the community.</p> <p>Nicole Parson – Discussed Waste Management; refuse disposal; recycling; utilities; importance of implementing pilot programs.</p>
<p>COUNCIL COMMENTS</p>	<p>Council Member Sileo requested that a report be brought back to Council at the next meeting regarding AB 1111.</p> <p>Vice Mayor Visokey thanked Marissa Belles for the great job she has performed as the reporter for the Antelope Valley Press; appreciates her service and articles.</p>

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COUNCIL COMMENTS (continued)	Council Member Smith stated that in reviewing the document regarding consultants, he noticed that the City employs a Lobbyist firm by the name of Emanuels Jones & Associates in Sacramento and they handled a couple of items for the City this past year, a couple of Senate Bills. He does not recall seeing any recommendations of support or opposition of these Bills and he would like to see a report in the future of what exactly the firm of Emanuels Jones & Associates is doing and a discussion of protocols. The City Council should be the only authority for what the City does in Sacramento.
RECESS	Mayor Hearn's recessed the regular meeting at 9:48 p.m. for the purpose of conducting a Closed Session meeting regarding:
CLOSED SESSION	Government Code Section 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATOR – NEGOTIATIONS WILL INCLUDE BOTH PRICE AND TERMS APN: 3133-024-013 and 016 Parties: North Downtown Renewal LP; Scott Ehrlich; Steve Eglash PROPERTY NEGOTIATORS : City Manager, Assistant City Manager, City Attorney
RECONVENE	Mayor Hearn's reconvened the regular meeting at 10:09 p.m. The City Attorney announced that the Council met in Closed Session regarding the aforementioned matter, gave direction to staff and legal counsel.
ADJOURNMENT	Mayor Hearn's invited Dr. Brit Smith, father of Scott Smith, and Kirk Smith, brother of Scott Smith to come forward. Dr. Smith stated that Scott would have been very honored and pleased that the City has gotten to this stage in the development of this project (Amargosa.) Mayor Hearn's adjourned the meeting in memory of Scott Smith, at 10:12 p.m. and announced the next regular meeting of the City Council would be held on Tuesday, August 28, 2007 at 6:00 p.m.

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ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

HENRY W. HEARNS
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)
