

CC 2
09/11/07
RSL

**LANCASTER CITY COUNCIL
REGULAR MEETING
MINUTES
August 28, 2007**

CALL TO ORDER	Mayor Hearn called the meeting to order at 6:01 p.m.
ROLL CALL	<p>Present: Council Members: Jeffra, Sileo, Smith, Vice Mayor Visokey, Mayor Hearn</p> <p>Staff Members: City Manager, Assistant City Manager, City Attorney, Assistant 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
REVISION TO CONSENT CALENDAR ITEM CC 2	The Assistant City Clerk made an announcement that there was a slight revision to CC 2, the minutes of August 14, 2007. On page 23, line 6, 'in the future' has been replaced by 'at the next meeting.'
APPROVAL OF CONSENT CALENDAR	On a motion by Council Member Sileo and seconded by Vice Mayor Visokey, the City Council approved the Consent Calendar by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None
CC 1. ORDINANCE WAIVER	Waived further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text.)
CC 2. MINUTES	Approved the Regular meeting minutes of August 14, 2007.
CC 3. CHECK AND WIRE REGISTERS	Approved the Check and Wire Registers (July 29, 2007 through August 11, 2007) in the amount of \$4,476,481.00.
CC 4. MONTHLY REPORT OF INVESTMENTS	Accepted and approved the June 30, 2007 Monthly Report of Investments.

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<p>CC 5. ACCEPTANCE OF WORK BY MJS CONSTRUCTIONS PWCP NO. 06-039</p>	<p>Accepted the work constructed by MJS Constructions for Public Works Construction Project No. 06-039, Westside 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 6. AWARD OF PWCP NO. 07-005 TO MAVERICK ASPHALT, INC.</p>	<p>Awarded Public Works Construction Project No. 07-005, Avenue K Repairs at Railroad Crossing, to Maverick Asphalt, Inc. in the amount of \$371,471.00 (plus a 10% contingency). The project is designed to repair and resurface Avenue K between Sierra Highway and Division Street. Transfer \$100,000.00 from Capital Improvements Budget Account No. 206-12ST013-924 to Capital Improvements Budget Account No. 206-12ST009-924 and authorized the City Manager, or his designee, to sign all documents.</p>
<p>CC 7. ACCEPTANCE OF MAP AND DEDICATIONS TRACT NO. 66383</p>	<p>Approved the map and accepted the dedications as offered on the map for Tract No. 66383, located on the southeast corner of Avenue K and 70th Street West; made findings that this project will not violate any of the provisions of Sections 66473.5, 66474.1, and 66474.6 of the Subdivision Map Act; instructed the City Clerk to endorse on the face of the map the certificate which embodies the approval of said map and the dedications shown thereon.</p>
<p>CC 8. ACCEPTANCE OF MAP AND DEDICATIONS PARCEL MAP NO. 061691</p>	<p>Approved the map and accepted the dedications as offered on the map for Parcel Map No. 061691, located on the southwest corner of Avenue L-12 and 21st Street West; approved and accepted the Undertaking Agreement and Improvement Securities required as a condition of recordation of the map; made findings that this project will not violate any of the provisions of Sections 66473.5, 66474.1, and 66474.6 of the Subdivision Map Act; instructed the City Clerk to endorse on the face of the map the certificate which embodies the approval of said map and the dedications shown thereon.</p>
<p>CC 9. ACCEPTANCE OF MAP AND DEDICATIONS TRACT NO. 061905</p>	<p>Approved the map and accepted the dedications as offered on the map for Tract No. 061905, located on the southeast corner of 27th Street West and Avenue K-8; approved and accepted the Undertaking Agreement and Improvement Securities required as a condition of recordation of the map; made findings that this project will not violate any of the provisions of Sections 66473.5, 66474.1, and 66474.6 of the Subdivision Map Act; instructed the City Clerk to endorse on the face of the map the certificate which embodies the approval of said map and the dedications shown thereon.</p>

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<p>CC 10. ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS TRACT NO. 060450-01</p>	<p>Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation No. 04-32, installed for Tract No. 060450-01, located on the northwest corner of 60th Street West and Avenue K-4, Owner: Capital Pacific Holdings, LLC.</p>
<p>CC 11. ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE TRACT NOS. 52491; 52491-01; 52491-02; 54261; 54368; 060044; 060133</p>	<p>Accepted the interior street trees for maintenance by the City for Tract No. 52491, located east of 47th Street West at Avenue J-4, Owner: Western Pacific Housing, Inc.; Tract No. 52491-01, located on the southeast corner of Avenue J and 47th Street West, Owner: Western Pacific Housing, Inc.; Tract No. 52491-02, located on the southwest corner of 45th Street West and Avenue J-2, Owner: Western Pacific Housing, Inc.; Tract No. 54261, located on the southwest corner of Avenue J and 45th Street West, Owner: Western Pacific Housing, Inc.; Tract No. 54368, located on the southeast corner of Carol Drive and East Avenue K-4, Owner: Richmond American Homes of CA; Tract No. 060044, located on the southwest corner of 20th Street East and Avenue I, Owner: KB Home Greater LA, Inc.; and Tract No. 060133, located on the southwest corner of 30th Street East and Avenue J, Owner: KB Home Greater LA, Inc.</p>
<p>CC 12. ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS TRACT NOS. 060034; 060147; 061042</p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 282, installed for Tract No. 060034, located on the southeast corner of Avenue J-8 and 60th Street West, Owner: Lancaster Pavilion, L.P.; Annexation No. 296, installed for Tract No. 060147, located on the northwest corner of 25th Street East and Avenue J, Owner: Richmond American Homes of CA; and Annexation No. 330, installed for Tract No. 061042, located on the northeast corner of 60th Street West and Avenue K-4, Owner: KB Home Greater LA, Inc.</p>
<p>CC 13. APPROVAL OF MONUMENTATION WORK TRACT NO. 53134</p>	<p>Approved the monumentation work for Tract No. 53134, located on the southwest corner of Avenue L and 28th Street West, Owner: Evergreen-Lancaster, Limited Partnership.</p>

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<p>CC 14. APPROVAL OF COMPLETED SEWER SYSTEMS TRACT NOS. 060450-01; 060450-03; 060987</p>	<p>Approved the completed sewer systems installed by the developers of Tract No. 060450-01, located on the northwest corner of 60th Street West and Avenue K-4, Owner: Capital Pacific Holdings, LLC; Tract No. 060450-03, located on the northwest corner of 60th Street West and Avenue K-8, Owner: Pinnacle Northwood 78, LLC; and Tract No. 060987, located on the southwest corner of Avenue J and 52nd Street West.</p>
<p>CC 15. APPROVAL OF STREETS FOR MAINTENANCE TRACT NOS. 52491; 52491-01; 52491-02; 54261; 060044; 060133</p>	<p>Approved the developer constructed streets and accepted the streets for maintenance by the City for Tract No. 52491, located east of 47th Street West at Avenue J-4, Owner: Western Pacific Housing, Inc.; Tract No. 52491-01, located on the southeast corner of Avenue J and 47th Street West, Owner: Western Pacific Housing, Inc.; Tract No. 52491-02, located on the southwest corner of Avenue J-2 and 45th Street West, Owner: Western Pacific Housing, Inc.; Tract No. 54261, located on the southwest corner of Avenue J and 45th Street West, Owner: Western Pacific Housing, Inc.; Tract No. 060044, located on the southwest corner of 20th Street East and Avenue I, Owner: KB Home Greater LA, Inc.; and Tract No. 060133, located on the southwest corner of 30th Street East and avenue J, Owner: KB Home Greater LA, Inc.</p>
<p>CC 16. APPROVAL OF COMPLETED WATER SYSTEMS TRACT NOS. 53190; 54276; 060044; 060133; 060149</p>	<p>Approved the completed water systems installed by the developers of Tract No. 53190, located on the southeast corner of Avenue J and 60th Street West, Owner: KB Home Greater LA, Inc.; Tract No. 54276, located on the northeast corner of Avenue K and 62nd Street West, Owner: KB Home Greater LA, Inc.; Tract No. 060044, located on the southwest corner of 20th Street East and Avenue I, Owner: KB Home Greater LA, Inc.; Tract No.060133, located on the southwest corner of 30th Street East and Avenue J, Owner: KB Home Greater LA, Inc.; and Tract No. 060149, located on the north side of Avenue J-12, approximately 660 feet west of 60th Street West, Owner: DR Horton/Western Pacific Housing, Inc.</p>
<p>CC 17. RESO. NO. 07-162 L.A. COUNTY TRAFFIC IMPACT FEE</p>	<p>Adopted Resolution No. 07-162, adopting a fee increase for the Los Angeles County Traffic Impact Fee reflecting a three-year rolling average CCI of +4.8% increase for inflation.</p>
<p>CC 18. RESO. NO. 07-163 APPROVING SWMP AS THE LEA</p>	<p>Adopted Resolution No. 07-163 approving the Los Angeles County Solid Waste Management Program (SWMP) as the Local Enforcement Agency (LEA) responsible for enforcing all laws and regulations pertaining to the management of solid waste within the City of Lancaster.</p>

<p>CC 19. AGREEMENT FOR USE OF LPAC BY CEDAR STREET THEATRE</p>	<p>Approved the Agreement for Use of the Lancaster Performing Arts Center by Cedar Street Theatre for the 2007/2008 season.</p>
<p>CC 20. ACCEPTANCE OF CAL SOUTH GRANT AWARD AND APPROPRIATION OF FUNDS</p>	<p>Accepted the Cal South grant award and appropriated \$116,109.00 to Revenue Account No. 315-3333-100 and Expense Account No. 315-4660-770 for FY 2007-08.</p>
<p>CC 21. ORD. NO. 885 AMENDING ZONING PLAN</p>	<p>Adopted Ordinance No. 885, an Ordinance of the City Council of the City of Lancaster, California, amending the zoning plan for the site from CPD (Commercial Planned Development) and LI (Light Industrial) to SP (Specific Plan.)</p>
<p>PH 1. ORD. NO. 887 EXTENDING TERM OF MORATORIUM ON MOBILEHOME PARK CONVERSION</p>	<p>Mayor Hearn opened the Public Hearing. The City Attorney presented the staff report regarding consideration of the extension of the term of the moratorium adopted by Urgency Ordinance No. 886, Mobilehome Park Conversion Moratorium.</p> <p>Addressing the City Council on this matter:</p> <p>Ray Chavira – had questions regarding the Mobilehome Park Conversion Ordinance.</p> <p>Marguerite Ward – wants Senior Mobilehome Parks to remain seniors only.</p> <p>Jason Smith – kudos to the City Attorney and city staff for the Mobilehome Park Conversion Ordinance.</p> <p>There being no further testimony, Mayor Hearn closed the Public Hearing.</p> <p>On a motion by Council Member Sileo and seconded by Vice Mayor Visokey, the City Council introduced Interim Ordinance No. 887, extending the term of the moratorium adopted by Urgency Ordinance No. 886, Mobilehome Park Conversion, by ten months and fifteen days, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>

NB 1.
RESO. NOS.
07-164 AND 07-165
FORMATION OF
LLMD NO. 2

The Public Works Director presented the staff report regarding the proposed formation of Lancaster Lighting Maintenance District (LLMD) No. 2.

Addressing the City Council on this matter:

None.

Council Member Sileo inquired if there were issues with the County about placing it on the tax rolls.

Vice Mayor Visokey inquired if a rate increase would return to Council yearly for approval; what single family residences in rural areas pay; what percentages are arterial streets.

On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council adopted **Resolution No. 07-164**, initiating proceedings for the formation of Lancaster Lighting Maintenance District (LLMD) No. 2 and approving the levy of assessments within the District for fiscal year 2007-2008 pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of the State of California and as provided by Article XIII D of the California Constitution, and ordering the preparation of an Engineer's Report in connection therewith, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council adopted **Resolution No. 07-165**, preliminarily approving the Engineer's Report, declaring its intention, and setting the time and place for a public hearing in connection with the levy and collection of assessments for fiscal year 2007-2008 within Lancaster Lighting Maintenance District (LLMD) No. 2 pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of the State of California and as provided by Article XIII D of the California Constitution, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

<p>CA 1. CONSIDERATION OF AB 1111 MOBILEHOME PARKS</p> <p>A LETTER OF SUPPORT IS ON HOLD PENDING AN AMENDMENT TO ASSEMBLY BILL 1111</p>	<p>Council Member Sileo requested consideration of a Letter of Support for Assembly Bill 1111, Mobilehome Parks: Rules and Regulations and further requested that upon consensus, direct the City Clerk to send a Letter of Support to Assembly Member Saldana.</p> <p>Council Member Smith stated that he had been in contact with Assembly Member DeSaulnier. Assembly Member DeSaulnier informed Council Member Smith that this bill is to be amended, and requested that the City hold off any support prior to the amendment of this Assembly Bill.</p> <p>Council Member Sileo stated that the City should keep an eye on this bill and send a letter of support for the concept.</p> <p>Addressing the Council on this matter:</p> <p>Ray Chavira – The City of Lancaster should join other cities in supporting AB 1111, at the appropriate time.</p>
<p>CA 2. DESIGNATED PROPERTY ON THE EAST AND WEST SIDES OF THE CITY OF LANCASTER</p>	<p>Council Member Smith requested consideration of setting aside property on the East and West sides of the City – to be designated for a university.</p> <p>Council Member Smith would like to give staff direction to see about setting aside land for a four year university, and would like to have neighboring cities participate as well.</p> <p>Council Member Sileo stated that the City needs to look at every option and inquired if this would be taken up in the General Plan process.</p> <p>Addressing the Council on this matter:</p> <p>Cathy Hart – spoke in favor of a four-year university.</p>

<p>CA 3. LOBBYIST ACTIVITIES OF EMANUELS, JONES & ASSOCIATES</p>	<p>Council Member Smith requested discussion regarding the lobbyist activities of the Lobbyist Firm of Emanuels, Jones & Associates and consideration of taking action to establish a policy that all lobbying activities have the authorization of the City Council before action is taken.</p> <p>The City Council received the report on Emanuels, Jones & Associates by the City Manager.</p> <p>On a motion by Council Member Smith and seconded by Mayor Hearn, the City Council voted to adopt a policy that any action by a lobbyist firm have prior approval by City Council; by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>CITY MANAGER'S ANNOUNCEMENT</p>	<p>The City Manager presented information from the League of California Cities regarding Senate Bill 375: A request from the League to take an "opposition position" to a measure that would essentially allow a regional authority to make local land use decisions.</p> <p>The City Manager discussed current issues regarding the High Desert Corridor from Interstate 5 to Interstate 15 and requested the Public Works Director to bring the Council up to date with current events.</p>
<p>DIRECTION GIVEN TO STAFF TO RETURN TO COUNCIL WITH ADDITIONAL INFORMATION ON THIS ITEM.</p>	<p>The Public Works Director briefed the Council on the E-220, which was previously called the North County Corridor, a project of the MTA, and a project adopted by the City Council in 2004, as well as the Palmdale City Council and the Board of Supervisors. With the passage of SAFETEA-LU and the follow-on announcement of federal appropriations for E-220, a Joint Powers Authority was formed to consist of LA and San Bernardino Counties as well as the cities that would be directly affected by a finished E-220 expressway. To perform research and provide technical and policy advice to the new High Desert Corridor JPA, a sub-organization called Policy Technical Advisory Committee – PTAC – was formed.</p> <p>During the last meeting of the PTAC it became obvious that there is confusion about what the scope and intent of the E-220 project was. The original project called for connection across the Antelope Valley, from the I-5, near Gorman to the I-15 in the Victorville area. In the expression of that confusion by some PTAC members, it was announced that the alignment for E-220 was to begin</p>

CITY MANAGER'S
ANNOUNCEMENTS
(continued)

at the connection of a future Avenue P-8 with the 14 Freeway. That alignment has been highly lobbied for by the City of Palmdale as it would allow traffic to pass by the Palmdale airport en route to Victorville. This "changed alignment" removed from consideration that portion that was previously adopted and which would have extended from Gorman along the current SR 138 route to the 14 Freeway, then south to Avenue E, east to 90th Street East, and then south to the connecting west to east alignment to Victorville. Avenue P-8 was a secondary alignment wanted by Palmdale that was agreed to as an airport spur to gain Palmdale's support for the 2004 MTA North County Corridor project ... the genesis of E-220 in LA County.

It **would** be short-sighted in the opinion of the Public Works Director to eliminate the northern bypass loop as was approved in 2004. The Public Works Director met with representatives from the County, and expressed concerns. The Vice-Chair of the PTAC, an LA County representative, agrees with the concerns and will assist to revive the original alignment but much work remains to ensure this objective.

There is a meeting of the High Desert Corridor Board of Directors on September 13th, but the Public Works Director does not believe that the Board will be asked, at that meeting, to vote on the final alignment. Lancaster's representatives on the Board are both unable to participate in the September 13th Board meeting.

In the interim, staff will continue discussions with the PTAC members to make sure that they understand the importance of the northern alignment. The PTAC proposed that additional traffic coming south on the 14 along SR 138 from Gorman would be accommodated by widening of the 14 Freeway where it goes through the City of Lancaster. The only way possible to provide the needed right-of-way would be to take homes and businesses along that corridor – not an action wanted or endorsed in any way by the City of Lancaster. Further, if improvements are restricted only to the existing roads the City will not be able to handle the traffic that will be generated twenty-five years from now. While there is a clear and unencumbered right-of-way along Avenue E and along 90th Street East to provide that loop, the High Desert Corridor should preserve the right-of-way for future construction.

Council Member Jeffra commented that the loop that was supposed to by-pass the cities that agreed upon from the start, and questioned if now they want to drop it.

The Public Works Director stated that the MTA considers the Avenue P 8 route the preferred alignment and the other is no longer necessary, and he doesn't feel we should allow the loop to be eliminated from consideration.

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<p>CITY MANAGER'S ACCOUNCEMENTS (continued)</p>	<p>The City Manager suggested to Council that they go on record in their continued support of the alignment as it is known and ask if a proxy would be allowed. If not, ask that the issue be held over until the Council can attend. The connection to the I-5 is essential to complete that effort.</p> <p>Direction was given to staff to return to Council with additional information on this item.</p>
<p>DIRECTION GIVEN TO STAFF TO SEND APPROPRIATE LETTER OF OPPOSITION OF SENATE BILL 375</p>	<p>The City Manager addressed Council on Senate Bill 375, a bill that is an attempt at omissions reduction, but in fact is a bill that shifts control of growth from local city council, to regional and other agencies and we believe, in partnership with the League, this requires more serious discussion. The League is looking to expand the discussion about how to accomplish this end and would urge you to support the League's position and authorize the staff to send the appropriate letter of opposition that is included in your agenda memorandum.</p> <p>On a motion by Mayor Hearn and seconded by Vice Mayor Visokey, the City Council voted to accept staff recommendation on Senate Bill 375; by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>PROGRESS REPORT ON GRAFFITI PROBLEM</p>	<p>The City Manager gave the Council a report on alternatives in dealing with graffiti on private property. Staff has been working on it and will be bringing it back to Council in the near future. More specific information will be provided over the next couple of weeks, and will deal with different approaches that might be taken.</p>
<p>ASSISTANT CITY CLERK ANNOUNCEMENT</p>	<p>The Assistant City Clerk provided the public with the procedure to address the City Council regarding non-agendized items.</p>

PUBLIC BUSINESS
FROM THE FLOOR

Addressing the City Council at this time:

Chris Adams - Crime and Section 8 Housing on the eastside of the city, and feels more law enforcement is needed on the eastside.

Kevin Murphy - Video broadcasting and his opposition to spending money for council training.

Thomas Reynolds – Opposed to the rezoning of 60th Street West and Ave K.

Joy Hearn – Concerns about rental properties.

Sherry Marquez – Concerns about rental properties.

David Paul – Enjoyed the AV Fair; Mayor Hearn on Local Edition; inquired when the broadcasting begin.

Cleo Goss – Opposed to Ave L and 60th St W development.

Thressa Ward – Opposed to Ave L and 60th St W development and the impact on school traffic.

Richard Hecker – Opposed to Ave L and 60th Street W and the long term effects.

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Vice Mayor Visokey spoke on the training of Council and staff for Webcasting. He also addressed conference registration, travel and publications and dues, budget line items 200, 201 and 206, and he felt the figure was very high. He would like to request that staff bring back a three-year report for line items 200, 201 and 206 from the budget in terms of registration, travel and publications and dues.

Council Member Sileo stated that when it comes to large issues, external to this building, this council does a pretty good job of getting along, discussing the issues, hashing out options and coming to a consensus and moving forward. The part that doesn't happen is among the five Council Members. When the council had a review of the City Manager and then took it off of the agenda, clearly there was some miscommunication, mistrust that went on, and the Council came to a consensus that directed the City Manager to come back with a facilitator. Direction was given to the City Manager to do something, and it's come back in the form of written memos that is something different and seems spiteful. He referred to Mayor Hearn's memo that summarized a conversation that the Mayor had with the City Manager. Council Member Sileo feels that was significantly different than what occurred. What the Mayor brought him was something different than what the council agreed to and the Mayor was upset that the City Manager wasn't willing to put his name on it. And now the memo that was written after that characterized the City Manager as being unwilling to participate in the process. Council Member Sileo does not see how the Mayor can get to the point where he's unwilling to participate in a process the Council asked him to go out and do. In the last five or six months, Council Member Sileo has seen a lot of this going on, and this Council can't function in an honest and trustful way if they continue to do this. Council Member Sileo felt there were things that the Council Members wanted to say but didn't, and now it's coming back to haunt them because of frustration that they didn't say it. It's affecting the City Manager, it affects the staff because they have to work in this environment, it affects the Council and makes the Council look bad. Council Members need to say things publicly; they need to say it honestly. If there are issues with the City Manager, he feels there should be a review and talk about them. Council Member Sileo feels it was removed from the agenda because it was going to be heard in public. He's unclear if Council Members genuinely want to review the City Manager or relieve the City Manager of duties or if they are being pushed by outside interests. Council Member Sileo feels they should still get a facilitator, and that the Council is no longer engaged in respecting the Council/City Manager form of government. He feels that is what needs to be focused on with a facilitator, and the Council has lost sight that the Council's job is to set policy and not do the job of micro-managing. It's not to give direction directly to staff. The only ones that work for the Council are the City Attorney and the City Manager.

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The Mayor asked the City Attorney how far is this supposed to go as it relates to the Closed Session item.

The City Attorney responded Closed Session items should stay in Closed Session.

Council Member Sileo stated he didn't feel he crossed the line as he didn't mention which Closed Session or the subject, but he would refrain from that. His question, then: Is there going to have a facilitator? Will there be a public session? Are these issues going to be discussed? He further stated that there are definite issues that need to be discussed in a public forum.

Council Member Smith stated he pulled the audio tape and listened to exactly what went on again just so that he could be clear after he got the Mayor's memo, and it was not that the Council gave direction to Mr. LaSala to get a facilitator, that's incorrect. The direction that Mr. LaSala gave was: first the Mayor asked Mr. LaSala, "are you in agreement with getting a facilitator" and Mr. LaSala said that is a policy decision for the Council to make. Secondly, later on as the conversation went on, Mr. LaSala agreed to help the Mayor in getting a facilitator, not that that was Mr. LaSala's job, but he was going to assist the Mayor. One of the things that Mr. LaSala requested was that the Mayor should give some ground rules so that it would help in the process of contacting a facilitator. Council Member Smith believes, legally, the consensus of the Council was the Mayor asked the Council if he can look into getting a facilitator.

Mayor Hearn stated that Council Member Sileo mentioned what the Council is doing and how they are causing problems. The Mayor feels there couldn't be any more problems than what Council Member Sileo is creating when he brings this matter up. It continues to rile the community and keep them going. There is nothing in the world that would keep Council Member Sileo from coming to the Mayor's office. The Council was not violating the Brown Act. The Mayor inquired why he didn't take the memo and come to him. This was the first time Council Member Sileo said anything about it, and he brought it to the dais. The Mayor stated he should have brought it to him, and let him know exactly how he felt about it. A lack of communication is the real cause of the problem. The Mayor stated that he had high hopes for the Council, and Mr. LaSala and he looks at the measure of a man a lot different than other people do. He believes that the City Manager and the City Council, should be able to work out their differences. The Mayor stated that he did not appreciate Council Member Sileo addressing this issue in public rather than coming to him first.

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He feels the mission that they have as Council Members and City Manager are a six man team and they need to work at that very hard. Council needs to take the time to work at issues with Mr. LaSala, then decide what needs to be made public.

Council Member Sileo would like to see a facilitator because he feels what is said at the dais is what actually happens upstairs, there is still a disconnect and he doesn't see it becoming functional with the five Council Members unless someone is brought in from the outside.

The Mayor stated that he totally agrees with Council Member Sileo, which is why he brought it to the meeting, and if the Council had a facilitator, the Mayor believes that he or she could sit down with each Council Member, and then with the City Manager. When he gathers all of this information, he could come back with a proposal on how they can better conduct business.

Council Member Sileo stated that what is said at the dais, from what he sees, does not match what happens upstairs or behind closed doors. He feels that getting a report from a facilitator is not hashing some things out in front of the public, so there needs to be some real honest, open communication about what works and doesn't work with them.

The Mayor stated to Council Member Sileo that the Council should start talking to each other. The Mayor stated that in regards to this memo, Council Member Sileo should have gotten the memo and made the Mayor sit down and talk to him. After discussion, if they had a solution they agreed upon, then the two of them could have gone to the City Manager.

Council Member Sileo stated that he didn't have a problem bringing it up in public or in Closed Session or behind a closed door. It was a lack of trust on his part and he would just as soon discuss the issue in public.

Council Member Smith stated that the Mayor, in a confidential memo, had asked for particular ground rules. Those ground rules were to bring in a facilitator to talk to each one of them and the City Manager. An expert, a professional, that could look at all of their grievances, the ones that Council Member Sileo may want to say in public, or some people may want to say privately. Look at these issues and see if he can come up with the parameters in the goals that can be set. The ICMA states that every time there is a new Council or any time there are changes, this is something that should be established.

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(continued)

Inasmuch as Council Member Smith agrees with Council Member Sileo, that the City should move on. Unfortunately, time and time again, from this dais, Council Member Sileo keeps on making comments that are detrimental and are not moving the City forward. It needs to be done professionally, and it needs to be done with respect. The issues that continue to come up here do not benefit the City, it doesn't benefit the Council, it doesn't benefit the citizens.

The Mayor expressed hope that the next time an issue comes up, particularly on his part, that is disliked, please let him know.

Council Member Jeffra inquired if the Council is agreed that they were looking for a facilitator.

The Mayor stated that in his memo he stated that he was unwilling to do that, unless all six of them would participate. It was his understanding that the City Manager was not interested in participating.

Council Member Jeffra stated he doesn't write memos because it's better to say what you have to say. He inquired if the Council agrees that they need a facilitator to come in, take a look at what's happening in this City between the City Council and the City Manager, on a one-on-one basis, is that what this Council is agreeing to, and the Mayor concurred.

Council Member Smith stated that he agreed with Council Member Jeffra that the method that the Mayor was bringing in, which is not something new, is the best method at this time to try to collect that information and let that professional decide what the game plan should be from there.

Council Member Jeffra requested that the Council make this issue happen or close it, and get it done. He asked if all of Council agreed to get a facilitator here to evaluate them on a one-on-one, including the City Manager, get the grievances taken care of, get the issues taken care of (good and bad,) then make recommendations to Council.

Council Member Sileo stated that it should end with something in public because that is where the accountability comes in.

Council Member Smith doesn't agree that this matter should have a public workshop, but that they should, when the policies come back, discuss the merits of those policies and the merits of the procedures and vote on them. Council needs to do this collectively and that doesn't violate the Brown Act. Council needs to listen to the expert and see what he has to say, and if he thinks it should be a public workshop, then that's fine; if he thinks it should be policies that should be adopted, they should adopt them.

COUNCIL
COMMENTS
(continued)

Further discussion took place regarding a facilitator, costs involved and it was the consensus of the Council that a facilitator should be hired.

The City Manager stated that he agreed and would participate in the one-on-one discussions with the facilitator.

On a motion by Council Member Smith and seconded by Mayor Hearn, the City Council approved that the Mayor will work with the City Attorney in securing a facilitator; by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

The City Manager requested clarification if the Mayor wanted the City Attorney involved in this, or did he want the City Manager working with the Mayor.

Council Member Smith responded that his motion was to have the City Attorney work with the Mayor.

CITY COUNCIL REGULAR MEETING

MINUTES

AUGUST 28, 2007

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URGENCY MATTER
PURCHASE OF
TABLE AT AIR
FORCE BALL

Council Member Smith spoke on his appointment to the committee of the Friends of Edwards Air Force Base. Information was just recently received on the Air Force Ball, for the 60th Anniversary of the Air Force. The Secretary of the Air Force will be in attendance, on September 21, 2007. Council Member Smith would like the Council to consider purchasing a \$650 table at the Air Force Ball. The City Attorney stated that it can be placed on this agenda that since the time of posting the agenda and requires action prior to the next meeting. It's placement on this agenda can be voted on with a three-fifths vote.

On a motion by Council Member Smith and seconded by Mayor Hearn, the City Council placed the urgency item on the agenda to consider purchasing a \$650 table at the Air Force Ball; by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

Council Member Smith was informed that it was a policy that the Council Members buy single tickets, when the Council wants to attend events like this. Council Member Smith stated that one of the most important issues here was base retention. The Air Force has to see that this is something that the City really wants, it's important to have a good showing with the Secretary of the Air Force in attendance, and individuals at the Congressional Offices feel that the Council needs to be there.

On a motion by Council Member Smith and seconded by Mayor Hearn, the City Council approved the purchase of a \$650 table for ten at the Air Force Ball for Council Members and their spouses or senior staff; by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

The Mayor wished to apologize to the citizens who were attending this Council Meeting and had to listen to the discussion regarding the City Council / City Manager conflicts. He stated that he felt bad that he's not able, somehow, to keep all of Council in a straight line, apologized for the Council's actions and thanked Council Member Jeffra for getting them back in line.

RECESS	Mayor Hearn's recessed the regular meeting at 8:20 p.m. for the purpose of conducting a Closed Session meeting regarding:
CLOSED SESSION	<p>Government Code Section 54956.8</p> <p>CONFERENCE WITH REAL PROPERTY NEGOTIATOR – NEGOTIATIONS WILL INCLUDE BOTH PRICE AND TERMS</p> <p>APN: 3133-024-013 and 016</p> <p>Parties: North Downtown Renewal LP; Scott Ehrlich; Steve Eglash</p> <p>PROPERTY NEGOTIATORS : City Manager, Assistant City Manager, City Attorney</p> <p>Mayor Hearn's reconvened the regular meeting at 9:15 p.m.</p> <p>The City Attorney announced that the Council met in Closed Session regarding the aforementioned matter, gave direction to staff and legal counsel.</p>
ADJOURNMENT	Mayor Hearn's adjourned the meeting at 9:17 p.m. and announced the next regular meeting of the City Council would be held on Tuesday, September 11, 2007 at 6:00 p.m.
	ATTEST:
	APPROVED:
	<hr/> GERI K. BRYAN, CMC City Clerk City of Lancaster
	<hr/> 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)
