LANCASTER CITY COUNCIL REGULAR MEETING MINUTES

September 11, 2007

CALL TO ORDER	Mayor Hearns called the meeting to order at 6:02 p.m.		
ROLL CALL	Present:	Council Members: Jeffra, Sileo, Smith, Visokey, Mayor Hearns	

Staff Members: City Manager, Assistant City Manager, Interim Assistant City Manager, City Attorney, City Clerk, Planning Director, Public Works Director, Parks, Recreation & Arts Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director

Vice Mayor

AGENDA ITEMS TO BE REMOVED None

APPROVAL OF CONSENT CALENDAR Council Member Sileo requested that Consent Calendar Item No. CC 17 be removed for separate discussion and action.

On a motion by Council Member Sileo and seconded by Vice Mayor Visokey, the City Council approved the Consent Calendar with the exception of CC 17, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearns; 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 28, 2007.

CC 3. CHECK AND WIRE REGISTERS Approved the Check and Wire Registers (August 12, 2007 through August 25, 2007) in the amount of \$5,912,882.55.

CC 4.
ORD. NO. 887
EXTENDING
MORATORIUM ON
CONVERSION OF
MOBILE HOME
PARKS

Adopted **Ordinance No. 887,** an Interim Ordinance of the City Council of the City of Lancaster, California, extending for ten months and fifteen days the 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.

CITY COUNCIL REGULAR MEETING MINUTES SEPTEMBER 11, 2007

Page 2

CC 5. APPROPRIATION OF FUNDS REGARDING MASTER PLAN DRAINAGE FACILITIES

Appropriated \$3,789,000.00 to Drainage Impact Fee Refund Account No. 220-17SD020-924 to refund impact fees paid by developers who have constructed Master Plan drainage facilities for which they are eligible for reimbursement and authorized the City Manager, or his designee, to sign all documents.

CC 6. APPROPRIATION OF FUNDS FOR NEW TRAFFIC SIGNAL

Approved the appropriation of \$175,000.00 from Traffic Signal Impact Fees Fund Balance to Capital Improvements Budget Account No. 232-16TS016-924, for a new traffic signal at 20th Street West and Avenue M and authorized the City Manager, or his designee, to sign all documents.

CC 7. ACCEPTANCE OF WORK BY SIERRA CASCADE CONSTRUCT., INC. FOR PWCP NO. 05-010

Accepted the work constructed by Sierra Cascade Construction, Inc. for **Public Works Construction Project No. 05-010**, Avenue J/5th Street East Drainage Improvements, directed the City Clerk to file the Notice of Completion for the project, authorized payment of the 10 percent retention 35 days after recordation, provided no stop notices, as provided by law, have been filed.

AWARD OF PWCP NO. 06-050 TO NATIONAL PLANT SERVICES, INC. FOR INSPECTION OF SANITARY SEWER LINES

Rejected the bid from Advanced Sewer Technologies as non-responsive and awarded **Public Works Construction Project No. 06-050**, CDBG Sewer Assessment CDBG Project 26-80, to National Plant Services, Inc. in the amount of \$606,111.70 plus a 10% contingency, for the cleaning, closed circuit television (CCTV) inspection, and condition assessment of up to approximately 75 miles of sanitary sewer lines in the older part of the City and authorized the City Manager, or his designee, to sign all documents.

TAX SHARING RESOLUTION WITH L.A. COUNTY WATERWORKS DIST. NO. 40

Adopted the Tax Sharing Resolution for proposed Annexation No. 40-119 (4-184) into Los Angeles County Waterworks District No. 40.

CC 10. ACCEPTANCE OF MAP AND DEDICATIONS FOR PARCEL MAP NO. 062251

Approved the map and accepted the dedications as offered on the map for Parcel Map No. 062251 located on the north side of Avenue L-8 between 20th Street West and 15th 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.

CITY COUNCIL REGULAR MEETING MINUTES SEPTEMBER 11, 2007

Page 3

CC 11.
ACCEPTANCE OF
MAP AND
DEDICATIONS FOR
PARCEL MAP
NO. 068266

Approved the map and accepted the dedications as offered on the map for Parcel No. 068266, located east of 10th Street West and on the north side of Avenue L; 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.

CC 12.
ACCEPTANCE OF
MAINTENANCE FOR
DRAINAGE
IMPROVEMENTS
FOR TRACT NOS.
54366; 061033;
061078; 061278;
061538

Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation Nos. 04-73, 05-61, 05-89, 05-108, and 05-55 installed for Tract No. 54366, located at the northwest corner of Avenue K-8 and Carol Drive, Owner: Richmond American Homes of CA; Tract No. 061033, located at the southwest corner of 30th Street West and Avenue M, Owner: Pinnacle Quartz Hill I, LLC; Tract No. 061078, located at the northwest corner of Avenue K-8 and 15th Street East, Owner: Richmond American Homes of CA; Tract No. 061278, located at the northeast corner of Avenue K-8 and Challenger Way, Owner: Richmond American Homes of CA; and Tract No. 061538, located at the southwest corner of 35th Street West and Avenue L-4, Owner: Pinnacle Quartz Hill I, LLC.

CC 13.
ACCEPTANCE OF
INTERIOR STREET
TREES FOR
MAINTENANCE FOR
TRACT NOS.
53190; 53641

Accepted the interior street trees for maintenance by the City for Tract No. 53190, located at the southeast corner of Avenue J and 60th Street West, Owner: KB Home Greater Los Angeles, Inc., and Tract No. 53641, located at the southwest corner of Avenue L-8 and 75th Street West, Owner: FR Homes, LLC.

CC 14.
ACCEPTANCE OF
STREETS FOR
MAINTENANCE FOR
PARCEL MAP
NO. 27135;
TRACT NO. 53190

Approved the developer constructed streets and accepted the streets for maintenance by the City for Parcel Map No. 27135, located at the northwest corner of Avenue L-8 and 70th Street West, Owner: Stratham Investments, LLC; Tract No. 53190, located at the southeast corner of Avenue J and 60th Street West, Owner: KB Home Greater Los Angeles, Inc.; and Tract No. 53641, located at the southwest corner of Avenue L-8 and 75th Street West, Owner: FR Homes, LLC.

CC 15.
ACCEPTANCE OF
COMPLETED
WATER SYSTEMS
FOR
TRACT NOS.
60450-02; 060236;
061342

Approved the completed water systems installed by the developer of Tract No. 60450-02, located at the southwest corner of 60th Street West and Avenue K-4, Owner: Richmond American Homes of CA; Tract No. 060236, located at the northeast corner of 21st Street West and Avenue K-8, Owner: KB Home Greater Los Angeles, Inc.; and Tract No. 061342, located at the southeast corner of 45th Street West and Avenue M-12, Owner: Pinnacle Quartz Hill I, LLC.

CC 16. RESO. NO. 07-166 AMENDING COMPENSATION SCHEDULE

Adopted **Resolution No. 07-166** amending the Compensation Schedule for the classification of GIS Specialist.

CC 17. CONSULTING SERVICES AGREEMENT WITH UFI, INC.

Council Member Sileo stated that his earlier concerns regarding RCC 2 on the Agency Consent Calendar were in no way to cast any aspersions on the abilities of Mr. McEwen, he does an excellent job for the Agency and City. He feels that the proper format for the Council/Manager form of government was that outside consultants report to the City Manager not the City Attorney and this would send a proper message to Council, staff and outside interested parties such as developers.

Council Member Jeffra inquired and clarified that the City Manager and the City Attorney have been in the loop 100% on these projects and the City Manager and City Attorney were in complete agreement. He stated that he was of the opinion that Council was supporting that the City Attorney take the lead in negotiations for specific things, allowing the City Manager to do other things. Most of the Council was in concurrence.

Council Member Sileo stated that his concern was that the contract should stick to the format that has been used since the inception of the City. Consultants report to the City Manager and the City Attorney is involved when necessary. There have been problems recently and it just sends a negative message.

On a motion by Council Member Smith and seconded by Vice Mayor Visokey, the City Council approved a Consulting Services Agreement between the City/Redevelopment Agency and Urban Futures, Inc. and appropriated sufficient funds from the amounts appropriated but unused for the vacant Assistant City Manager position, by the following vote: 4-1-0-0; AYES: Jeffra, Smith, Visokey, Hearns; NOES: Sileo; ABSTAIN: None; ABSENT: None.

Proposed Annexations to Lancaster Drainage Benefit Assessment District

CC 18. RESO. NOS. 07-167 AND 07-168 ANNEX. NOS. 07-33 AND 07-36 TO LDBAD Annexation No. 07-33, Permit No. 07-00825, located at north side of Avenue K approximately 794 feet east of 35th Street East. Owner: Joe Rodriguez and Norma Rodriguez, husband and wife, and David Byrne and Leona Byrne, husband and wife, all as tenants in common.

Annexation No. 07-36, Permit No. 07-02377, located at east side of Division Street approximately 100 feet north of Avenue J-7. Owner: Wendy Betton, an unmarried woman.

- A) Adopted **Resolution No. 07-167**, 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 XIIID (Annexation Nos. 07-33 and 07-36);
- B) Adopted **Resolution No. 07-168**, 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 XIIID (Annexation Nos. 07-33 and 07-36).

Proposed Annexations to Lancaster Lighting Maintenance District

CC 19. RESO. NOS. 07-169 AND 07-170 ANNEX. NOS. 810 AND 813 TO LLMD Annexation No. 810, Permit No. 07-00825, located at north side of Avenue K approximately 794 feet east of 35th Street East. Owner: Joe Rodriguez and Norma Rodriguez, husband and wife, and David Byrne and Leona Byrne, husband and wife, all as tenants in common.

Annexation No. 813, Permit No. 07-02377, located at east side of Division Street approximately 100 feet north of Avenue J-7. Owner: Wendy Betton, an unmarried woman.

- A) Adopted **Resolution No. 07-169**, 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 XIIID (Annexation Nos. 810 and 813.)
- B) Adopted **Resolution No. 07-170**, 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 XIIID (Annexation Nos. 810 and 813.)

PH 1.
RESO. NO. 07-171
CONFIRMING
DIAGRAMS AND
ASSESSMENTS FOR
ANNEX. NOS.
07-33 AND 07-36
TO LDBAD

Mayor Hearns 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 Hearns closed the Public Hearing.

On a motion by Council Member Sileo and seconded by Council Member Jeffra, the City Council adopted **Resolution No. 07-171**, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District and levy of assessment (Annexation Nos. 07-33 and 07-36), by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearns; NOES: None; ABSTAIN: None; ABSENT: None.

PH 2.
RESO. NO. 07-172
CONFIRMING
DIAGRAMS AND
ASSESSMENTS FOR
ANNEX. NOS.
810 AND 813
TO LLMD

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

On a motion by Council Member Sileo and seconded by Council Member Jeffra, the City Council adopted **Resolution No. 07-172**, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 810 and 813), by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearns; NOES: None; ABSTAIN: None; ABSENT: None.

NB 1.
ANALYSIS OF
EXPENDITURES
FOR FY 05/06
THROUGH
FY 07/08

The Finance Director presented the staff report regarding the analysis of Professional Services and Travel, Training, Publications & Dues Expenditures Fiscal Year 2005/06 through 2007/08. The presentation included Professional Services Trends; Development; Non-Development; Public Safety; Travel and Training Trends broken down by department; Publications and Dues.

Comments and concerns from Council included clarification of non-development items; expenses and revenues; clarification regarding estimates from FY 06/07; concerns regarding the expense of travel and training; registration increases.

Vice Mayor Visokey stated that he was concerned, looking at the numbers for registration/travel/per diem more than publications, based on comparisons and as a public official he is supposed to watch the citizen's pocket book and he had concerns about the budgeted numbers.

NB 1. ANALYSIS OF EXPENDITURES FOR FY 05/06 THROUGH FY 07/08 (continued)

The City Manager stated that he appreciated the due diligence on the part of the Council and clarified a few matters. He stated that a large portion of the expenditure goes back to the bottom line and the fund balance that does not get spent. Another portion is to meet technical requirements of changing state laws and to make sure the City can provide the service in a competent and timely manner. There are many one-time expenses to be considered and when that is taken into consideration the real expense is considerably less.

The City Manager stated that in looking at industry standards in the private sector for training and development, they run in the 5-10% range of budgets. In checking with the National Industry of Associations, the American Training Association and others, they are recommending that kind of investment in the intellectual capital of their businesses and organizations. The City of Lancaster's expenditure range is approximately 1%. In comparison to the City's budget and industry standards, the City of Lancaster is very frugal.

Addressing the Council on this matter:

Nicole Parson – spoke on multiple issues regarding professional services.

Council received and filed the report from staff regarding professional services and travel, training, publications and dues expenditures from FY 2005/06 through FY 2007/08.

NB 2. INTRODUCTION OF STRONG NEIGHBORHOOD INITIATIVE

The City Manager stated that for the past 18 months or more the City has been building the Strong Neighborhood Initiative. Working very hard on many pieces of the puzzle including various ordinances, staffing and the systems to support it and substantial progress has been made. This program will help reach out to targeted neighborhoods, utilizing as many skills and resources as possible in an ability to create greater connectivity with the citizens. He stated that Elizabeth Brubaker has brought many of these pieces into place and he is very pleased with the progress that has been made.

The Housing Director presented the staff report regarding an introduction to the Strong Neighborhood Initiative.

Comment and concerns from Council included clarification of the social services aspect and requirements; role of the City; role of the Planning Department and they clarified that they would be receiving periodic updates from the City Manager and staff.

Council received and filed the report from staff regarding the Strong Neighborhood Initiative.

NB 3. HIGH DESERT CORRIDOR - JPA

The Public Works Director presented the staff report and update regarding the High Desert Corridor – Joint Powers Authority. He also stated that approval of a Letter of Proxy would not be necessary as the Mayor would be attending the meeting.

Council received and filed the report from staff regarding the High Desert Corridor – JPA.

CA 1. WATER BANKING AND RELATED ISSUES

Council Member Jeffra presented discussion of water banking and related issues. He stated that something must be done regarding water banking; it is vital and stressed the importance of managed growth. He also stated the importance of re-use of water with purple piping and inquired as to the status of this as not wasting, but re-using is an excellent concept.

The Public Works Director stated that the Antelope Valley/East Kern Water Authority has purchased 12,000 acres for the purpose of water banking however there are no pipes in the ground at this time and no process set up.

The Public Works Director stated that the City has constructed the purple pipeline, however no water has been received from the Sanitation Districts and this is expected to be resolved in October.

The Public Works Director stated that a staff report will be coming to the Council on October 9, 2007.

CITY MANAGER ANNOUNCEMENTS

The City Manager stated the City received a phone call earlier in the day from Supervisor Antonovich's office indicating that there will be a requirement that AVEK provide to Water Works a water availability letter before significant commercial or residential projects are approved. He stated that he is waiting to hear back from the Supervisor's office on what the thresholds are for significant retail and commercial and also what projects, if any are currently in the processing pipeline would be affected by this. He stated that he will keep the Council informed as the information comes in.

The City Manager stated that in the previous two Novembers, staff and Council have undertaken goal setting. That exercise has been very useful and out of this came the 2020 Plan and the following year this was refined very successfully in identifying six over arching goals and 25 very clear strategies. The staff has very effectively utilized that material as part of the Balanced Scorecard that the City is building and in the preparation of last year's budget. He requested guidance from Council as to whether they would like staff to search for dates in November and repeat this process, review what has been accomplished in the last year and further refine the goals and strategic initiatives.

CITY MANAGER ANNOUNCEMENTS (continued)

He asked for guidance for two issues -1) Searching for dates in November and 2) whether the Council wants to use a facilitator to assist with this.

Vice Mayor Visokey stated that it is important to do some annual goal setting.

Council Member Smith stated that he does not mind doing the annual goal setting but did not feel it was necessary to go to the extensiveness of last time. He stated that if Council sat down and looked at the goals to see if any tweaking would be necessary that would be good. He stated that staff and Council have done a good job over the past two years of setting the goals. He did not feel that Council needs to go through several days and at great expense to achieve this. The 2020 Plan is a good policy and offers good guidelines.

The City Manager stated that he was considering an evening and a full day. He agreed that as each successive year goes by the staff and Council get better at achieving what they set out to do and have become more precise at addressing the issues and needs. Last year, more time was given to this due to the fact that there was a new Council Member on board and it was important to give him an opportunity to create some consensus and bring that Council Member up to speed.

Council Member Sileo stated that it is important to take a breather and see if the City has accomplished the goals that have been set, what circumstances have changed, are some minor changes needed. He stated that he does not have a problem with a day or a day and a half session.

Council Member Smith inquired as to whether this can be accomplished by having the Council as individuals look at the 2020 goals that have been established and decide what changes might be needed and have Council meet with the City Manager and staff in briefings of two – that would be three meetings and give input. He stated that he did not feel that meeting for an evening and a day was necessary and that it can be accomplished by separate meetings and briefings. It is a lot of staff time and a lot of expense so if it is not necessary it should not happen.

Council Member Jeffra stated that if the Council is going to go into a team building mode and clean it up and make it happen, he would be happy to do that. Based on things that have occurred in the past and trying to get in to the next level, Council should seriously consider utilizing this particular venue to start team building and take every idea and put it on the table. The team building concept would be his main objective.

CITY MANAGER ANNOUNCEMENTS (continued)

Council Member Sileo stated that he believes the last direction that was given to Mr. McEwen was that he and Mr. LaSala come back with an idea for a facilitator. Should this all be combined? Certainly, Council relations are a part of how the goals are achieved.

Mayor Hearns stated that he feels that team building should be a separate and an assertive effort. Setting the goals, etc. indirectly has a lot to do with team building, however if he was handed a list of goals and objectives and he was given several days to review and consider the facts, he felt that he could sit down with the Vice Mayor then at another meeting with another Council Member and accomplish what is needed.

The City Manager stated that he has enough guidance in putting together an approach and he agrees that the objective is not to reinvent the wheel. He will put together a concept and return to Council for consideration.

The City Manager stated that Captain Deeley was prepared to make a brief presentation and status report on some of the significant law enforcement and public safety activities, accomplishments and operational issues.

Captain Deeley made a presentation and discussed the increase in trainees; impact on the Sheriff's station; specialized units; different programs; length of training and the process for new deputies; addition of neighborhood disturbance force which stops parties before they get out of control; TOP Team; increase in arrests; lowering the Part 1 crimes; update on addition of enforcement in the area of 20th Street East and Avenue J; classroom and bicycle training.

RECESS

The City Council called for a recess at 8:30 p.m.

RECONVENE

The City Council reconvened at 8:35 p.m.

CITY CLERK ANNOUNCEMENT

The City Clerk provided the public with the procedure to address the City Council regarding non-agendized items.

PUBLIC BUSINESS FROM THE FLOOR NON-AGENDIZED

Addressing the Council at this time:

David Paul – Importance of change; offered to help with the Council/Manager facilitation; importance of following through with a facilitator.

Ray Chavira – Appreciates the efforts by the City to obtain code enforcement for mobilehome parks. Inquired as to the status of this position.

The Housing Director stated that the person is being processed through the normal procedures and should start working for the City soon.

Janette Crawford – Representing Waste Management – gave an update on different programs offered by Waste Management including Waste Recycling Mail Bags; free recycling programs; hosting a lunch and the Chamber mixer.

Cleo Goss – Opposed to Super Centers at 60th Street West and Avenue L, stated that customers will not come to this new development as it is too far from the freeway.

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.

Paul Jennings – Opposed to the proposed shopping development at 60th Street West and Avenue K.

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.

James Shanbrom – Encouraged the City to consider webinars for staff rather than seminars. Schools are being externally assaulted and the quicker more deputies can be placed on the streets and patrolling school areas, the better. Importance of collaboration and policy evaluation.

COUNCIL COMMENTS	None		
RECESS	Mayor Hearns recessed the regular meeting at 8:58 p.m. for the purpose of conducting a Closed Session meeting regarding:		
	1) 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 Renual LP; Scott Ehrlich; Steve Eglash		
	PROPERTY NEGOTIATORS : City Manager, Assistant City Manager, City Attorney		
	2) Government Code Section 54956.8		
	CONFERENCE WITH REAL PROPERTY NEGOTIATOR – NEGOTIATIONS WILL INCLUDE BOTH PRICE AND TERMS		
	Property: Amargosa Creek Channel		
	Parties: Kaiser Hospital; L Street Properties, LLC; Jim Wood; Sandy Yavetz; Brit Smith; Mike Taheri		
	PROPERTY NEGOTIATORS : City Manager, Assistant City Manager, City Attorney		
RECONVENE	Mayor Hearns reconvened the regular meeting at 9:21 p.m.		
	The City Attorney announced that the Council met in Closed Session regarding the aforementioned matters, gave direction to staff and legal counsel.		
PRESENTATION	Mayor Hearns presented Dr. Brit Smith and his family with a Certificate of Adjournment in memory of their son Scott Smith.		

CITY COUNCIL REGULAR MEETING MINUTES SEPTEMBER 11, 2007 Page 13

ADJOURNMENT	Mayor Hearns adjourned the meeting at 9:22 p.m. and announced the next regular meeting of the City Council would be held on Tuesday, September 25, 2007 at 6:00 p.m.		
	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 CITY OF LANCASTER)) ss)	
	I,		
	(seal)		