

**LANCASTER CITY COUNCIL  
REGULAR MEETING  
MINUTES  
June 27, 2006**

CALL TO ORDER	Mayor Hearn called the meeting to order at 6:00 p.m.
ROLL CALL	<p>Present: Council Members: Jeffra, Smith, Visokey, Vice Mayor Sileo, Mayor Hearn</p> <p>Absent: None</p> <p>Staff Members: City Manager, City Attorney, Assistant City Managers, City Clerk, Planning Director, Public Works Director, Assistant Parks, Recreation and Arts Director, Finance Director,, Economic Development Director, Housing Director, Human Resources Director</p>
AGENDA ITEMS TO BE REMOVED	Council Member Visokey requested that Item No. CC 8 be pulled from the Consent Calendar for separate discussion and action.
APPROVAL OF CONSENT CALENDAR	On a motion by Vice Mayor Sileo and seconded by Council Member Jeffra, the City Council approved the Consent Calendar with the exception of Item No. CC 8, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None
ORDINANCE WAIVER CC 1.	Waived further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text.)
MINUTES CC 2.	<p>A) Approved the Special Joint meeting minutes of June 13, 2006.</p> <p>B) Approved the Regular meeting minutes of June 13, 2006.</p>
WARRANT REGISTER CC 3.	Approved the Warrant Register (May 28, 2006 through June 10, 2006) in the amount of \$4,683,059.74.
MONTHLY REPORT OF INVESTMENTS CC 4.	Accepted and approved the April 30, 2006 Monthly Report of Investments as submitted.

CITY COUNCIL MINUTES

June 27, 2006

Page 2

---

<p>MAINTENANCE OF STREET TREES FOR TRACT NO. 46790 <b>CC 5.</b></p>	<p>Accepted the interior street trees for maintenance by the City for Tract No. 46790, located at southwest corner of Avenue J-9 and 5th Street East, (Lots 43-53, 55-60, 68-74, and 93-112). Owner: First Pacifica Development Corporation / Regency Hills Homes II LLC.</p>
<p>MAINTENANCE FOR LANDSCAPE IMPROVEMENTS FOR TRACT NO. 54366 <b>CC 6.</b></p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, (Annexation No. 271) installed 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 California.</p>
<p>ACCEPTANCE OF MAP AND DEDICATIONS FOR TRACT NO. 061278 <b>CC 7.</b></p>	<p>Approved the map and accepted the dedications as offered on the map for Tract No. 061278, located on the northeast corner of Challenger Way 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>
<p>DISADVANTAGE BUSINESS ENTERPRISE (DBE) IMPLEMENTATION AGREEMENT <b>CC 8.</b></p>	<p>The City of Lancaster's Disadvantage Business Enterprise (DBE) Race-Neutral Implementation Agreement; approved the City of Lancaster's FY 2006/2007 DBE Annual Submittal Form and authorization for staff to take appropriate action.</p> <p>Council Member Visokey requested clarification regarding the program and specifically the section which states the program will provide opportunities for minority or female owned businesses, and questioned what forbids these people from bidding on projects currently.</p> <p>The Public Works Director explained the history of the program and how the program gave certain percentages of contracts for which people in those disadvantaged business classes had to be selected to perform certain types of work or certain contracts. The program is used primarily by the prime contractors to select sub-contractors to work for them. This item is before the Council because the State of California has determined that it is no longer necessary to identify race as one of the reasons for the Disadvantage Enterprise Program. There will continue to be other categories within the program, but the diversity of the contracting venue is longer necessary to assure by this special program, that minority owned businesses are receiving their fair share of work. The State of California has determined that there is a sufficient number of minority owned businesses that are routinely getting jobs. This item is required to be approved to continue to be eligible for State and Federal money for programs.</p>

---

CITY COUNCIL MINUTES

June 27, 2006

Page 3

---

<p>DISADVANTAGE BUSINESS ENTERPRISE (DBE) IMPLEMENTATION AGREEMENT <b>CC 8.</b> (continued)</p>	<p>On a motion by Council Member Jeffra and seconded by Vice Mayor Sileo, the City Council approved the City of Lancaster's Disadvantage Business Enterprise (DBE) Race-Neutral Implementation Agreement; approve the City of Lancaster's FY 2006/2007 DBE Annual Submittal Form; and authorize staff to take appropriate action, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>AGREEMENT WITH GIBRALTAR HOMES, LLC FOR RIGHT-OF-WAY FOR TRACT NO. 52655 <b>CC 9.</b></p>	<p>Approved an agreement with Gibraltar Homes, LLC, the developer of Tract No. 52655, to provide needed right-of-way for required street improvements for the tract through condemnation proceedings.</p>
<p>PWCP NO. 06-023 CITYWIDE STRIPING AND PAVEMENT MARKINGS <b>CC 10.</b></p>	<p>Awarded <b>Public Works Construction Project No. 06-023, Citywide Striping and Pavement Markings</b>, to Sudhakar Company International in the amount of \$615,202.90 plus a 15% contingency; for the placement of traffic striping, pavement markings and raised pavement markers throughout the City and authorized the City Manager, or his designee, to sign all documents.</p>
<p>TAX SHARING RESOLUTION WITH L.A. COUNTY WATERWORKS DISTRICT NO. 40 <b>CC 11.</b></p>	<p>Adopted the Tax Sharing Resolution for proposed Annexations 40-103 (4-168) into Los Angeles County Waterworks District No. 40, Antelope Valley.</p>
<p>ACQUISITION OF REAL PROPERTY WITH KURT AND KRISTEN HOUSINGER / MICHAEL AND SHANNON MCCLEARY <b>CC 12.</b></p>	<p>Approved an agreement for Acquisition of Real Property between the City of Lancaster and Kurt Housinger and Kristen Housinger; Michael McCleary and Shannon McCleary for property located at 1308 W. Avenue J-2.</p>
<p>COST SHARING AGREEMENTS WITH L.A. COUNTY WATERWORKS DISTRICT NO. 40 <b>CC 13.</b></p>	<p>Approved Cost Sharing Agreements with Los Angeles County Waterworks District No. 40 for upsizing Division Street Corridor Recycled Water Improvements and authorized the City Manager, or his designee to sign all documents.</p>

---

<p>PWCP NO. 05-001 AWARD OF BID FOR RECYCLED WATER DISTRIBUTION SYSTEM CC 14.</p>	<p>Awarded <b>Public Works Construction Project No. 05-001, Recycled Water Distribution System-Division Street</b>, to Engineered Plumbing, Inc. in the amount of \$5,179,473.60. Appropriated \$3,400,000 in additional funds to Account No. 172-39 and authorized the City Manager, or his designee, to sign all documents.</p>
<p>ACQUISITION OF REAL PROPERTY WITH MOHAMMAD F. NAZARZAI CC 15.</p>	<p>Approved an agreement for Acquisition of Real Property between the Lancaster Redevelopment Agency and Mohammad F. Nazarzai for property located at 333 East Avenue H-14.</p>
<p>OPPOSITION OF SB 1206 (KEHOE) CC 16.</p>	<p>Opposed SB 1206 (Kehoe) due to its significant negative impacts on redevelopment and economic development efforts in the City of Lancaster.</p>
<p style="text-align: center;"><b><u>Lancaster Drainage Benefit Assessment District</u></b> <b><u>Annual Assessment for Fiscal Year 2006/2007</u></b></p>	
<p>RESO. NO. 06-144 ANNUAL ASSESSMENT FOR FY 2006/2007 LDBAD PH 1.</p>	<p>Mayor Hearn opened the public hearing. The Public Works Director presented the staff report regarding the Lancaster Drainage Benefit Assessment District Annual Assessment for Fiscal Year 2006/2007.</p> <p>Council Member Visokey requested clarification regarding the CPI Adjustment based upon Los Angeles; Riverside and Orange County and why this is the formula that is used instead of just focusing on the CPI Index for Los Angeles County.</p> <p>The Public Works Director explained that this is the formula that has been used since a vote was taken several years ago and it is consistent with the districts.</p> <p>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 Sileo, the City Council adopted <b>Resolution No. 06-144</b>, confirming the diagram and assessment and ordering the levying of an assessment in Lancaster Drainage Assessment District for Fiscal Year 2006-2007, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>

**Lancaster Lighting Maintenance District**  
**Annual Assessment for Fiscal Year 2006/2007**

RESO. NO. 06-145  
ANNUAL  
ASSESSMENT FOR  
FY 2006/2007  
LLMD  
**PH 2.**

Mayor Hearn opened the public hearing. The Public Works Director presented the staff report regarding the Lancaster Lighting Maintenance District Annual Assessment for Fiscal Year 2006/2007.

Council Member Visokey requested clarification regarding the amount and stated that Council agreed to not automatically put in the CPI adjustment each year unless the City was not recovering the cost to provide the service and inquired if the CPI adjustment is necessary.

The Public Works Director stated that the increase is necessary to maintain the needed balance at the end of the fiscal year.

There being no further testimony, Mayor Hearn closed the public hearing.

On a motion by Council Member Jeffra and seconded by Vice Mayor Sileo, the City Council adopted **Resolution No. 06-145**, confirming the diagram and assessment and ordering the levying of an annual assessment in Lancaster Lighting Maintenance District for Fiscal Year 2006/2007, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

**Lancaster Landscape Maintenance District No. 1**  
**Annual Assessment for Fiscal Year 2006-2007**

RESO. NO. 06-146  
ANNUAL  
ASSESSMENT FOR  
FY 2006/2007  
LMD  
**PH 3.**

Mayor Hearn opened the public hearing. The Public Works Director presented the staff report regarding the Lancaster Landscape Maintenance District No. 1 Annual Assessment for Fiscal Year 2006-2007.

Vice Mayor Sileo clarified that the operating reserve is a six month reserve because of the way property taxes are distributed by the County of Los Angeles.

Council Member Visokey inquired about the zero balance on the books and requested clarification regarding the specifics within a landscape maintenance district.

The Public Works Director explained that the specifics also include issues such as repair and replacement of sound walls.

CITY COUNCIL MINUTES

June 27, 2006

Page 6

---

<p>RESO. NO. 06-146 ANNUAL ASSESSMENT FOR FY 2006/2007 LMD <b>PH 3.</b> (continued)</p>	<p>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 Sileo, the City Council adopted <b>Resolution No. 06-146</b>, confirming the diagram and assessment and ordering the levying of an assessment in Lancaster Landscape Maintenance District No. 1 for Fiscal Year 2006-2007, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>RESO. NO. 06-147 VACATION OF ROAD RIGHT-OF-WAY FOR PARCEL MAP NO. 25783 <b>PH 4.</b></p>	<p>Mayor Hearn opened the public hearing. The Public Works Director presented the staff report regarding the consideration of vacation of Road Right-of-Way which would eliminate excess road right-of-way required by Parcel Map No. 25783. The owner of the property, 10K Properties II, LLC requested the vacation in order to develop the existing site as proposed. 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 Sileo, the City Council adopted <b>Resolution No. 06-147</b>, ordering the vacation of road right-of-way located on Avenue J-14, between Challenger Way and 8<sup>th</sup> Street East, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p>RESO. NO. 06-148 SUPPORT OF BOARD OF COMMISSIONERS FOR AV STATE WATER CONTRACTORS ASSOCIATION JOINT POWERS AUTHORITY <b>PH 5.</b></p>	<p>Mayor Hearn opened the public hearing. The Public Works Director presented the staff report regarding the consideration of a Resolution of Support for Future Actions of the Antelope Valley State Water Contractors Association Joint Powers Authority.</p> <p>Mayor Hearn stated that the community and the Joint Powers have developed a strong respect for Mr. Williams and stated that he is very proud of this fact.</p> <p>Council Member Jeffra stated that Mr. Williams and staff have been pushing this project for 3 years and they have done a very good job.</p> <p>Vice Mayor Sileo noted that for every gallon of water saved from another district that is another gallon that is saved for this area.</p> <p>There being no further testimony, Mayor Hearn closed the public hearing.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council adopted <b>Resolution No. 06-148</b>, to support and encourage the actions and decisions of the Board of Commissioners for the Antelope Valley State Water Contractors Association Joint Powers Authority as those actions and decisions facilitate, manage and administer the banking of surplus water supplies within the Antelope Valley basin, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>

---

CITY COUNCIL MINUTES

June 27, 2006

Page 7

<p><b>CONTRACTS / PROTECTION OF RESIDENT WORKERS CA 1.</b></p>	<p>Contracts / Protection of Resident Workers</p> <p>Council Member Visokey stated that he would like to see language in City of Lancaster contracts for sub-contractors stating that all of their employees are U.S. legal workers. This matter was brought to his attention by Assemblywoman Sharon Runner.</p> <p>Comments and concerns from Council included: issues with non-public works contracts; expectations; redundancy of wording; breach of contract issues/termination issues; requirement is already in place; not making this complicated; adding language now and discuss necessary means for enforcement at a later time if needed; language will add to the integrity and image of the City of Lancaster; no harm in having language added.</p> <p>The Public Works Director and the Finance Director commented on this matter including a discussion regarding contracts that are non-public works contracts.</p> <p>Addressing the Council in favor of this matter: Angel Rice and James Shanbram</p> <p>The City Manager stated that an item would be placed on the agenda of July 11, 2006 regarding this matter, so that Council may take an official vote on this subject.</p>
<p><b>VOTING DELEGATE AND ALTERNATE FOR LEAGUE CONFERENCE CA 2.</b></p>	<p>Designation of Voting Delegate and Alternate for 2006 League Annual Conference – September 6-9, 2006.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Visokey, the City Council approved the appointment of Mayor Hearn as Delegate and Vice Mayor Sileo as Alternate for the 2006 League Annual Conference, by the following vote: 5-0-0-0; AYES: Jeffra, Smith, Visokey, Sileo, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>CITY MANAGER’S ANNOUNCEMENT</b></p>	<p>None</p>
<p><b>CITY CLERK’S ANNOUNCEMENT</b></p>	<p>The City Clerk provided the public with the procedure to address the City Council regarding non-agendized items.</p>

CITY COUNCIL MINUTES

June 27, 2006

Page 8

<p>PUBLIC BUSINESS FROM THE FLOOR NON-AGENDIZED ITEMS</p>	<p>Addressing the Council at this time:</p> <p>Ray Chavira – requesting that the City look into an ordinance to protect Mobilehome tenants in the event a park is sold for another purpose – protection for relocation.</p> <p>Angel Rice – Antelope Valley International Heritage Committee – to be hosted by the City of Lancaster. The City offers use of parks and staff, however additional funding is needed as well and the committee is looking for individual support.</p> <p>Michael Wilson – regarding the draft EIR for Prime Desert Woodlands; encouraged Council to read the EIR carefully.</p>
<p>COUNCIL COMMENTS</p>	<p>Vice Mayor Sileo – requested that staff look at the matter of the intersection of Avenue L and 60<sup>th</sup> St. West about potential projects, particularly of a commercial nature. There are competing interests in that portion of the City and some other unusual land use issues going on. One proposal is in regards to a General Plan amendment; one has existing commercial land and expansion. The situation is complex about the best way for the City to proceed from a planning standpoint and the City needs to look at what is best for the City. He would like staff to come back with some recommendations as to how the City should proceed in accepting General Plan amendments; specific plan; single specific plan; conversion of land.</p> <p>Council Member Visokey requested that the meeting be adjourned in memory of Mr. Jim Gannett and Mr. Dick Thomas, two recent honorees at the Aerospace Walk of Honor.</p> <p>Council Member Smith requested that staff look into additional activities for tweens and teens. Such as a high adventure component which could include paint ball; rope ladders; bridge climbing; team building; leadership.</p>
<p>CLOSED SESSION</p>	<p>None</p>
<p>ADJOURNMENT</p>	<p>Mayor Hearn adjourned the meeting at 8:07 p.m. in memory of Mr. Jim Gannett and Mr. Dick Thomas, two recent honorees at the Aerospace Walk of Honor and announced the next regular meeting of the City Council would be held on July 11, 2006 at 6:00 pm. Additionally, the Mayor announced there would be a Special City Council Meeting for a CIP Presentation on Tuesday, July 11, 2006, 4:00 p.m.</p>



CITY COUNCIL MINUTES

June 27, 2006

Page 9

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)

\_\_\_\_\_