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**LANCASTER CITY COUNCIL  
REGULAR MEETING  
MINUTES  
October 23, 2007**

CALL TO ORDER	Mayor Hearn called the regular meeting of the City Council to order at 6:03 p.m.
ROLL CALL	<p>Present: Council Members: Jeffra, Sileo, Smith, Vice Mayor Visokey, Mayor Hearn</p> <p>Absent: None</p> <p>Staff Members: City Manager, Assistant City Manager, Interim Assistant City Manager, City Attorney, City Clerk, Planning Director, Public Works Director, Parks, Recreation &amp; Arts Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director</p> <p>Mayor Hearn requested that Item No. NB 1 be presented before the Council at this time.</p> <p><b>NB 1.</b> The Parks, Recreation and Arts Director presented the staff report regarding the nominees for the 2007/2008 Lancaster Youth Commission.</p> <p>On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council approved the nominees for the 2007/2008 Lancaster Youth Commission, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None</p> <p>The City Clerk administered the oath of office to the following Youth Commissioners: Briar Rose Jacobson; Rebecca Rice; Ritzy Mullings; Cory Balcorta; Paul Daufen; Garnik Martirosyan; Nadia Frances; Nick Saracho.</p>
AGENDA ITEMS TO BE REMOVED	None
APPROVAL OF CONSENT CALENDAR	<p>Council Member Sileo stated that he would recuse himself from discussion/vote regarding CC 21 and CC 22 due to a conflict.</p> <p>On a motion by Council Member Sileo and seconded by Vice Mayor Visokey, the City Council approved Consent Calendar Item Nos. CC 1 through CC 20, 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><b>CC 1.</b> ORDINANCE WAIVER</p>	<p>Waived further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text.)</p>
<p><b>CC 2.</b> MINUTES</p>	<p>Approved the Regular meeting minutes of October 9, 2007.</p>
<p><b>CC 3.</b> CHECK AND WIRE REGISTERS</p>	<p>Approved the Check and Wire Registers (September 23, 2007 through October 6, 2007) in the amount of \$11,600,333.06.</p>
<p><b>CC 4.</b> MONTHLY REPORT OF INVESTMENTS</p>	<p>Accepted and approved the August 2007 Monthly Report of Investments.</p>
<p><b>CC 5.</b> ORD. NO. 888 DEVELOPMENT AGREEMENT WITH KAISER FOUNDATION HOSPITALS</p>	<p>Adopted <b>Ordinance No. 888</b>, an ordinance of the City Council of the City of Lancaster, California, approving Development Agreement No. 07-01 between the City of Lancaster and Kaiser Foundation Hospitals.</p>
<p><b>CC 6.</b> ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS TRACT NO. 060450-03</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. 060450-03, located on the west side of 60<sup>th</sup> Street West, approximately 660 feet south of Avenue K, Owner: Pinnacle Northwood 78, LLC.</p>
<p><b>CC 7.</b> ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE TRACT NOS. 31613; 45033; 45474; 54197; 54275; 54411; 061079; 061342</p>	<p>Accepted the interior street trees for maintenance by the City for Tract No. 31588, located on the southeast corner of Lancaster Boulevard and 25<sup>th</sup> Street East, Owner: Regency Hills Homes III, LLC; Tract No. 31613, located on the southeast corner of Lancaster Boulevard and 23<sup>rd</sup> Street East, Owner: Regency Hills Homes III, LLC; Tract No. 45033, located on the south side of Avenue K-8, approximately 340 feet west of 8<sup>th</sup> Street East, Owner: Susan and Mary Murat; Tract No. 45474, located on the northwest corner of 65<sup>th</sup> Street West and Avenue L-8, Owner: Lennar Homes of California, Inc.; Tract No. 54197, located on the northwest corner of 47<sup>th</sup> Street West and Avenue J-8, Owner: HHI Lancaster I, LLC; Tract No. 54275, located on the southeast corner of Avenue J-8 and 65<sup>th</sup> Street West, Owner: Standard Pacific Corporation; Tract No. 54411, located on the south side of Avenue K-8, approximately 770 feet east of 30<sup>th</sup> Street West, Owner: AV Housing Corporation; Tract No. 061079, located on Avenue K-6 and Carpenter Drive, Owner: Richmond American Homes of CA; and Tract No. 061342, located on the southeast corner of 45<sup>th</sup> Street West and Avenue M-12, Owner: Pinnacle Quartz Hill I, LLC.</p>

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<p>CC 8. MONUMENTATION WORK PARCEL MAP NO. 060557 AND TRACT NO. 061247</p>	<p>Approved the monumentation work for Parcel Map No. 060557, located on the west side of 60<sup>th</sup> Street West, approximately 660 feet south of Avenue K, Owner: STG Northwood, LLC; and Tract No. 061247, located on the southeast corner of Avenue J-8 and 17<sup>th</sup> Street East, Owner: CDR V, LLC.</p>
<p>CC 9. COMPLETED SEWER SYSTEMS TRACT NOS. 53552; 54222; 61342</p>	<p>Approved the completed sewer systems installed by the developer of Tract No. 53552, located 129 feet north of Avenue H-8 and west of 20<sup>th</sup> Street West, Owner: K. Hovnanian Forecast Homes, Inc.; Tract No. 54222, located on the southwest corner of Avenue H-8 and 20<sup>th</sup> Street West, Owner: K. Hovnanian Forecast Homes, Inc.; and Tract 61342, located on the southeast corner of 45<sup>th</sup> Street West and Avenue M-12, Owner: Pinnacle Quartz Hill I, LLC.</p>
<p>CC 10. ACCEPTANCE OF STREETS FOR MAINTENANCE TRACT NOS. 45474; 060450-01; 060236</p>	<p>Approved the developer constructed streets and accepted the streets for maintenance by the City for Tract No. 45474, located on the northwest corner of 65<sup>th</sup> Street West and Avenue L-8, Owner: Lennar Homes of California, Inc.; Tract No. 060450-01, located on the west side of 60<sup>th</sup> Street West, approximately 660 feet south Avenue K, Owner: Capital Pacific Holdings, Inc.; and Tract No. 060236, located on the northeast corner of Avenue K-8 and 21<sup>st</sup> Street West, Owner: KB Home Greater Los Angeles, Inc.</p>
<p>CC 11. COMPLETED WATER SYSTEMS TRACT NO. 45474</p>	<p>Approved the completed water systems installed by the developer of Tract No. 45474, located on the northwest corner of 65<sup>th</sup> Street West and Avenue L-8, Owner: Lennar Homes of California, Inc.</p>
<p>CC 12. EXTENSION OF UNDERTAKING AGREEMENT AND IMPROVEMENT SECURITIES TRACT MAP NO. 52655</p>	<p>Extended the Undertaking Agreement and Improvement Securities to October 23, 2008 for Tract Map No. 52655, located between 17<sup>th</sup> Street West and 18<sup>th</sup> Street West, approximately 200 feet south of Lancaster Boulevard.</p>
<p>CC 13. EXTENSION OF UNDERTAKING AGREEMENT AND IMPROVEMENT SECURITIES TRACT MAP NO. 53102</p>	<p>Extended the Undertaking Agreement and Improvement Securities to October 23, 2009, for Tract Map No. 53102, located on the southwest corner of Avenue J-8 and 45<sup>th</sup> Street West.</p>

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<p><b>CC 14.</b> EXTENSION OF UNDERTAKING AGREEMENT AND IMPROVEMENT SECURITIES TRACT MAP NO. 53102-02</p>	<p>Extended the Undertaking Agreement and Improvement Securities to October 23, 2008, for Tract Map No. 53102-02, located on the southwest corner of Avenue J-8 and 45<sup>th</sup> Street West.</p>
<p><b>CC 15.</b> ACCEPTANCE OF MAP AND DEDICATIONS TRACT NO. 062075</p>	<p>Approved the map and accepted the dedications as offered on the map for Tract No. 062075, located north of Nugent Street and west of 22<sup>nd</sup> Street East; 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><b>CC 16.</b> RESO. NO. 07-182 VACATION OF ROAD RIGHT-OF-WAY</p>	<p>Adopted <b>Resolution No. 07-182</b>, declaring its intention to vacate a road right-of-way located on Avenue M-14, at the northwest corner of Avenue M-14 and 42<sup>nd</sup> Street West.</p>
<p><b>CC 17.</b> CONTINUATION OF FUNDS FOR CAPITAL IMPROVEMENT PROJECTS</p>	<p>Approved the continuation of \$1,956,409.00 for capital improvement projects currently in process; appropriated funds as detailed in the staff report, to the corresponding Capital Improvements Budget Account Numbers; appropriated \$300,000.00 to Traffic Signal, Sierra &amp; Milling Avenue, Project Account No. 217-16TS012-924 and \$300,000.00 to Traffic Signal, Lancaster Blvd. /3<sup>rd</sup> Street East, Project Account No. 217-16TS013-924 from Traffic Signal Impact Fee fund balance.</p>
<p><b>CC 18.</b> APPROPRIATION OF GRANT FUNDS FROM THE DEPT. OF CONSERVATION AND THE CIWMB</p>	<p>Approved the appropriation of \$94,160.00 in grant funds from the Department of Conservation to Revenue Account No. 330-3304-100 and corresponding Expense Account No. 330-4740-773; approved the appropriation of \$34,698.00 in grant funds from the California Integrated Waste Management Board to Revenue Account No. 331-3306-774 and corresponding Expense Account No. 331-4740-774; approved the appropriation \$34,657.00 in grant funds from the California Integrated Waste Management Board to Revenue Account No. 331-3306-775 and corresponding Expense Account No. 331-4740-775. Authorized transfer of funds previously received from Account Nos. 404-4707-773 and 404-4707-775 to the new account numbers as indicated above; authorized the City Manager, or his designee, to execute and accept the amended Grant Agreements.</p>

<p><b>CC 19.</b> APPROPRIATION OF STATE GRANT FUNDS TO BE REIMBURSE TO THE YMCA</p>	<p>Approved the appropriation of \$35,260.00 in state grant funds to be reimbursed to the YMCA for costs incurred related to the development of the YMCA complex at Lancaster City Park.</p>
<p><b>CC 20.</b> RE-APPROPRIATION OF FUNDS FOR REIMBURSEMENT FROM THE UNDERGROUND STORAGE TANK CLEANUP FUND</p>	<p>Re-appropriated funds for reimbursement from the Underground Storage Tank Cleanup Fund established by Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989 for property located at 610 West Avenue I. The maximum amount allowed for reimbursement is \$1,500,000.00 less the applicable level of financial responsibility.</p>
<p style="text-align: center;"><b><u>Proposed Annexations to Lancaster Drainage Benefit Assessment District</u></b></p>	
<p><b>CC 21.</b> RESO. NOS. 07-183 AND 07-184 ANNEX. NOS. 00-45; 07-38 TO LDBAD</p>	<p>Annexation No. 00-45, Director's Review No. 01-10, located at 1600 West Avenue J. Owner: Antelope Valley Hospital District.</p> <p>Annexation No. 07-38, Permit No. 06-04494, located at the southeast corner of 37th Street West and Avenue M. Owner: Johannes D. Venter and Jacoba A. Venter, husband and wife as community property with right of survivorship.</p> <p>On a motion by Council Member Jeffra and seconded by Vice Mayor Visokey, the City Council adopted the following resolutions, by the following vote: 4-0-1-0; AYES: Jeffra, Smith, Visokey, Hearn; NOES: None; RECUSED: Sileo; ABSENT: None.</p> <p>A) Adopted <b>Resolution No. 07-183</b>, 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. 00-45 and 07-38.)</p> <p>B) Adopted <b>Resolution No. 07-184</b>, 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. 00-45 and 07-38.)</p>

**Proposed Annexations to Lancaster Lighting Maintenance District**

**CC 22.**  
RESO. NOS.  
07-185 AND 07-186  
ANNEX. NOS.  
179; 815  
TO LLMD

Annexation No. 179, Director's Review No. 01-10, located at 1600 West Avenue J. Owner: Antelope Valley Hospital District.

Annexation No. 815, Permit No. 06-04494, located at the southeast corner of 37th Street West and Avenue M. Owner: Johannes D. Venter and Jacoba A. Venter, husband and wife as community property with right of survivorship.

On a motion by Council Member Jeffra and seconded by Vice Mayor Visokey, the City Council adopted the following resolutions, by the following vote: 4-0-1-0; AYES: Jeffra, Smith, Visokey, Hearn; NOES: None; RECUSED: Sileo; ABSENT: None.

A) Adopted **Resolution No. 07-185**, 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. 179 and 815.)

B) Adopted **Resolution No. 07-186**, 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. 179 and 815.)

RECESS

Mayor Hearn requested a brief recess at 8:35 p.m.

RECONVENE

Mayor Hearn reconvened the meeting at 8:41 p.m.

ABSENT

Council Member Jeffra excused himself from the remainder of the meeting at 8:41 p.m.

**PH 1.**  
RESO. NO. 07-187  
CONFIRMING  
DIAGRAMS AND  
ASSESSMENTS FOR  
ANNEX. NOS.  
00-45; 07-38  
TO LDBAD

Council Member Sileo stated that he would recuse himself from discussion/vote regarding this matter due to a conflict.

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.

On a motion by Mayor Hearn and seconded by Council Member Smith, the City Council adopted **Resolution No. 07-187**, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District and levy of assessment (Annexation Nos. 00-45 and 07-38), by the following vote: 3-0-1-1; AYES: Smith, Visokey, Hearn; NOES: None; RECUSED: Sileo; ABSENT: Jeffra.

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<p><b>PH 2.</b> RESO. NO. 07-188 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR ANNEX. NOS. 179; 815 TO LLMD</p>	<p>Council Member Sileo stated that he would recuse himself from discussion/vote regarding this matter due to a conflict.</p> <p>Mayor Hearn opened the Public Hearing. The Public Works Director presented the staff report regarding proposed annexations to the Lancaster Lighting Maintenance District. There being no further testimony, Mayor Hearn closed the Public Hearing.</p> <p>On a motion by Vice Mayor Visokey and seconded by Council Member Smith, the City Council adopted <b>Resolution No. 07-188</b>, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 179 and 815), by the following vote: 3-0-1-1; AYES: Smith, Visokey, Hearn; NOES: None; RECUSED: Sileo; ABSENT: Jeffra.</p>
<p><b>PH 3.</b> LANCASTER LIGHTING MAINTENANCE DISTRICT NO. 2 FOR FISCAL YEAR 2007/2008</p>	<p>Mayor Hearn opened the Public Hearing. The Public Works Director presented the staff report regarding Lancaster Lighting Maintenance District (LLMD) No. 2 for Fiscal Year 2007-2008. On September 7, 2007 notices of the required public hearing, and assessment ballots regarding the assessments, were mailed to all property owners within the District. These notices made reference to a public hearing to be held October 23, 2007.</p> <p>Addressing the Council on this matter:</p> <p>Charlene Ellis – opposed to the street lighting assessment.</p> <p>There being no further testimony, Mayor Hearn closed the public portion of the Public Hearing.</p> <p>On a motion by Council Member Sileo and seconded by Vice Mayor Visokey, the City Council continued the public hearing to November 13, 2007 for the purpose of announcing the Street Lighting Ballot results, by the following vote: 4-0-0-1; AYES: Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: Jeffra.</p>

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**NB 2.**  
JLUS  
R-2508  
AIRSPACE

The Community Development Director presented the staff report regarding the Joint Land Use Study R-2508 Airspace.

Council Member Sileo stated that energy was directed toward this because everyone recognized how important the R-2508 airspace is and recognized how important it was to the security posture of our country. Many, many entities came together to find a way to keep it the best that it could be and let it continue its mission with flight tests at Edwards; China Lake; supporting Fort Irwin and their activities. Given the number of political entities that had to be dealt with, he thanked staff, as the City of Lancaster is exceptionally nimble compared too many others. Council Member Sileo stated that there was nothing in the matrix that was presented that the City hasn't dealt with over the years, going back to approximately 1992, such as land use designations; heights of buildings. It is good that the City of Lancaster could share their expertise with other communities and other cities regarding this matter. Everyone views the airspace as the national treasure that it is and the three military bases as huge employment centers for the region.

On a motion by Council Member Sileo and seconded by Vice Mayor Visokey, the City Council approved the draft Action Items Summary and directed City staff to report this action to the Joint Land Use Study (JLUS) staff, by the following vote: 4-0-0-1; AYES: Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: Jeffra.

**NB 3.**  
WIRELESS  
COMMUNICATIONS  
MASTER PLAN

The Assistant City Manager presented the staff report regarding the Wireless Communications Master Plan.

Council Member Smith stated that the recommendation of preparing an RFP and researching the best deals around is a very good idea. It will not only save time from staff and City funds, but they will get paid for what they produce. There are a number of cities that have been very happy with the results they have received and this has generated quite a bit of revenue for those cities. This is definitely a pro-active approach without raising any taxes.

On a motion by Council Member Smith and seconded by Council Member Sileo, the City Council directed staff to develop and release a Request for Proposal (RFP) to provide wireless master plan and related services to the City, by the following vote: 4-0-0-1; AYES: Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: Jeffra.

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<p><b>NB 4.</b> ORD. NO. 889 REGULATIONS OF SPECIAL EVENTS</p>	<p>The Assistant City Manager presented the staff report regarding the introduction of <b>Ordinance No. 889</b>, adding Chapter 9.40 to Title 9 of the Lancaster Municipal Code to Regulate Special Events.</p> <p>Mayor Hearn requested clarification regarding the advertising time frame.</p> <p>Council Member Sileo requested clarification regarding specific criteria for denying a permit and the appeals process.</p> <p>On a motion by Vice Mayor Visokey and seconded by Mayor Hearn, the City Council introduced <b>Ordinance No. 889</b>, adding Chapter 9.40 to Title 9 of the Lancaster Municipal Code to Regulate Special Events, by the following vote: 4-0-0-1; AYES: Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: Jeffra.</p>
<p><b>NB 5.</b> GENERAL PLAN AMENDMENTS RELATED TO LANCASTER HIGHLANDS AND BOLTHOUSE</p>	<p>The Community Development Director presented the staff report regarding possible authorization to allow filing of General Plan Amendments, Specific Plans and Related Land Use Applications for Lancaster Highlands and Bolthouse.</p> <p>Addressing the Council on this matter:</p> <p>Johnathan Weldey, Representing Lancaster Highlands – encouraged the City Council to approve the filing of the General Plan Amendments.</p> <p>Steve DeBranch – Encouraged the City Council to approve the filing of the General Plan Amendments.</p> <p>Larry Hogle - Encouraged the City Council to approve the filing of the General Plan Amendments.</p> <p>Cleo Goss – Opposed to these projects due to the water shortage issue.</p> <p>Ginger Stout – Opposed to these projects, applicants should wait for the completion of the General Plan.</p> <p>Vickie Nelson, President of the Antelope Acres Town Council – opposed to these projects.</p> <p>Virginia Lomerson – Opposed to these projects, concerned with water shortages and new developments.</p> <p>Jason Smith – Requested clarification regarding the timeline for these projects to go through the process.</p>

**NB 5.**  
GENERAL PLAN  
AMENDMENTS  
RELATED TO  
LANCASTER  
HIGHLANDS AND  
BOLTHOUSE  
(continued)

Council Member Sileo stated that he did not remember the exact date that the Council set for cut-offs of applications for general plan amendments but at that point in time Council did say that there was a narrow range of things that the City would accept for general plan amendments. The discussion at that time centered around commercial and industrial and shopping/retail jobs because there is a housing and jobs imbalance. He stated that he understood that these are large projects and there is a possibility that they could give up some land for an educational site and that is a wonderful thing, however, the chances of the City actually landing a four year facility in those locations, is not very likely. Four-year educational institutions tend to; if not exclusively show up where there are significant transportation corridors – freeways. These projects do not fit with what Council said should be done when a cap was placed on the general plan amendments. It would be a bad time to throw projects of this scope into the mix and expect it to not significantly alter the general plan update and it would hold up all the other general plan amendments that have been accepted. He stated that he cannot support growing more houses when there is not a shortage of houses.

Council Member Smith stated that while he was on the Planning Commission he discussed planning with the Planning Director and related it to a water balloon. Without control of the water balloon, it grows and pops and everything is lost. The City has water and housing issues and these same issues may or may not exist in 5, 10, 15, 20 or 30 years. There are going to be other problems and there might be the same problems. But, the City should have the vision to be able to plan ahead and that is what the general plan process is for. A specific plan gives more control over those projects, not less control and staff is recommending that the filing be made subject to the requirements set forth in the report. In discussions with staff, they feel this is something that can be done and that is the recommendation. This is a developer that has put together a large piece of property and it is not just housing, it is also commercial, schools, fire department, substations, parks and it is a whole planned community. The City needs the vision to look at this and also engages the developer with the hard questions about the water issues. This should be part of the process, looking at it in the general plan and will give the City more power over these communities than there is now. The EIR process will not even happen for about 2 or 3 years and all these things have to be discussed; all of these things have to be engaged to see what is going to be the best for this community. These projects will not be fast tracked; they will be part of the whole process. On the issue of a university, there is a sophisticated regional committee looking at this. He stated that he has had many discussions and worked with some of these people over the past 4 years on this university site or the idea of getting a 4 year university.

**NB 5.**  
GENERAL PLAN  
AMENDMENTS  
RELATED TO  
LANCASTER  
HIGHLANDS AND  
BOLTHOUSE  
(continued)

Council Member Smith stated that he has discussed this with Norm Hickling; Senator George Runner; Bob Johnstone who has been one of the main people who has pushed this forward. He has met with Dr. Jackie Fischer of the college who is working on a joint powers authority to be able to bring that all together. One of the reasons that Senator Runner started and tried to initiate this joint powers authority is because a public committee is important and all of the people have said it is important to have the cooperation of government. A university in Lancaster with the aerospace would be absolutely dynamic and the more options that are given to the Cal State system, the more chance there is of bringing in a university and that is something that is very important to have. Allow these developers to apply and go through the entire process; approve the specific plan, put it in the general plan, identify these places to give the Cal State system as many opportunities in the decision and there may be three or four locations to choose from for a university center.

Council Member Sileo requested clarification from the Planning Director on staff's recommendation and if knowing what he knows about the location of the projects and the size and scope of the projects, would staff recommend approval of these projects.

The Planning Director stated that staff's recommendation is simply that if Council allows the applications, that staff is recommending that Council make it subject to the four conditions that are listed in the report. Based upon the conversations that he has had over the last month and the information that has come back from the County Waterworks District, he would be hesitant to send forward large projects at this point without a little more clarification on what the water situation is from the County Waterworks perspective and also a better understanding of what the City is going to look at in terms of policy and dealing with the water situation. The County has stated that right now, on major projects, there is no guarantee on a supply of water.

Council Member Sileo stated that approving this allows these two land owners to jump ahead of the other land owners who have been biding their time, waiting for the general plan process to work its way, to finish. They have patiently been waiting in line to apply.

Vice Mayor Visokey inquired as to when a County waterworks report can be expected.

The Planning Director stated that he was referring to the response received on one of the outlying general plan amendments in which they indicated, based upon the amount of water already committed that they could not guarantee a long term supply of water. This is an uncertainty on their part and they could not give us any indication at this point of when they may be able to give us a clear picture of what that would be.

**NB 5.**  
GENERAL PLAN  
AMENDMENTS  
RELATED TO  
LANCASTER  
HIGHLANDS AND  
BOLTHOUSE  
(continued)

The Planning Director stated that this is going to be discussed at greater length as part of this upcoming workshop effort.

The Public Works Director stated that the workshop was requested by the Council at the last meeting and the date for that workshop has not yet been set because Council also asked that staff bring representatives from a number of water supply agencies in and getting them all committed to a date is not an easy thing to do, so it is taking some time. Council indicated that they had a preference for doing that as soon as possible and staff is working on this.

Vice Mayor Visokey inquired as to clarification as to whether or not approval of this would hold up the other amendments that have been applied for.

The Planning Director stated that this was incorrect and would not affect the other requests. The current general plan amendment requests are tracking on their own time frames. These particular requests would not affect those that are currently ongoing.

Vice Mayor Visokey asked the City Manager if he shared the same opinion of these projects as the Planning Director.

The City Manager stated that he had a discussion with representatives from Bolthouse and concurs with the Planning Director's recommendation.

Council Member Smith asked the Planning Director if he knew of any projects that have come forward of this magnitude and the Planning Director stated that nothing of this type has come forward.

Council Member Smith stated that the developers are going to have to show a demonstration that police, fire, water; all those things are done before they get to the point of approvals. Some projects that are in the pipeline are for changing the zoning for residential; some for putting in commercial. Council Member Sileo put on the 60<sup>th</sup> and L request and that developer wants to be the Wal-Mart property now, because it's commercial. He stated that they have all had these things that are in line and none of those compare to a planned community of this magnitude and it is important that the City plans for the future.

Mayor Hearn stated that the Planning Director has laid out a plan and if Council wanted to move ahead with this, then everybody must comply with a list of elements that need to be included and the developers have stated that they are were willing to comply with the stipulations that were put forth.

**NB 5.**  
GENERAL PLAN  
AMENDMENTS  
RELATED TO  
LANCASTER  
HIGHLANDS AND  
BOLTHOUSE  
(continued)

Mayor Hearn stated that he looked at the specific plan and all the other things that go with this and also looked at the development that hopefully is going to come about over on 20<sup>th</sup> Street East. He stated that it still comes back to the number of rooftops and what the potential is. In terms of water, there are a lot of things that the Public Works Director is working on with other agencies here in the area, such as the purple pipe issues, bringing water to be used on lawns and to put in the parks; drinking water; potable water. He stated that he would support this item.

The City Manager stated that Council Member Smith makes a good point that there is some excitement that these two projects can generate long term for the City in meeting a variety of needs and wants in terms of mixed use development and various types of residential development. However, given the issues that the Public Works Director and the Planning Director have raised and the timing of this, it really is very problematic and Council must weigh that carefully in making a decision.

The Planning Director and the Public Works Director went through the process regarding how a developer obtains water.

Council Member Smith requested clarification from the City Manager regarding his statement that this may be problematic and did he mean for the City or for the developer.

The City Manager stated that he felt it would be problematic for both. There is a general plan update going on; there are other developers who have desire for land use changes or activities like this, so Council must look at it in a lot more detail.

Vice Mayor Visokey recommended pulling this matter off of the agenda until it can be looked at more closely. He inquired as to the professional opinions of the City Manager, Planning Director and Public Works Director on this matter and each in turn stated that they would not recommend the filing of this at this time, given the concerns regarding water. He stated that he would like to wait until Mr. Jeffra is here, to get his input because he had some strong comments about it at the last meeting and there were still too many unanswered questions.

Council Member Smith requested clarification from the Planning Director on the recommendation. He stated that staff does not have a recommendation; their only recommendation is that if Council does approve the application that the filing be made subject to all of the requirements set forth in the staff report. He suggested that this item be tabled because there are other staff recommendations and other things that have to be done.

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<p><b>NB 5.</b> GENERAL PLAN AMENDMENTS RELATED TO LANCASTER HIGHLANDS AND BOLTHOUSE (continued)</p>	<p>On a motion by Council Member Smith and seconded by Vice Mayor Visokey, the City Council tabled this item by the following vote: 4-0-0-1; AYES: Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: Jeffra.</p>
<p><b>CA 1.</b> DISCUSSION REGARDING CONSTRUCTION, SCOPE AND OVERSIGHT OF FACILITATOR CONTRACT</p>	<p>Council Member Sileo stated that given the late hour and the fact that City Attorney, David McEwen, is not present he made the following motion:</p> <p>On a motion by Council Member Sileo and seconded by Mayor Hearn, the City Council continued the discussion regarding the matter of (A) construction, scope and oversight of the facilitator contract (Mathis and Associates) and (B) discussion of presentation of buyout offer from facilitator to the City Manager, to the meeting of November 13, 2007, by the following vote: 4-0-0-1; AYES: Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: Jeffra.</p>
<p>CITY MANAGER ANNOUNCEMENTS</p>	<p>Addressing the Council on this matter:</p> <p>David Paul – Importance of having intervention; issues are out of control; citizens are dissatisfied with the attempt of the facilitator.</p> <p>The City Manager stated that on Monday, October 29, 2007 the City Council will be meeting with Supervisor Antonovich and he briefly reviewed the agenda for that meeting.</p> <p>The City Manager stated that the Mayor had requested that staff explore opportunities to partner with the high school district; Palmdale; Robert Woodson and the Center for Neighborhood Enterprise. There have been very focused discussions and there is a very timely opportunity for a partnership. Staff will bring back an in-depth review and recommendation on November 13, 2007.</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>

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<p>PUBLIC BUSINESS FROM THE FLOOR NON-AGENDIZED</p>	<p>Addressing the Council at this time:</p> <p>Edward Beurer – Thanked Captain Deeley and the Sheriff’s Department for their hard work. He stated that he has concerns regarding a five foot fence in his area and believes that this fencing can be improved.</p> <p>Karen Wilson – Thanked the staff; Sheriff’s Department; Mayor and Council for their hard work. Praised Vice Mayor Visokey and stated that he serves the citizens of Lancaster with honor.</p> <p>Cleo Goss – Traffic concerns; student health issues in high traffic areas; dangers of diesel exhaust; housing.</p> <p>David Abber – Commended the Sheriff’s Department and City Manager for their efforts.</p> <p>Jason Smith – Commended the Council; they vote their conscience; proud of the City Council; recall is a bad idea for the community; does not always agree with Council decisions; encouraged Council to work issues out with City Manager.</p>
<p>COUNCIL COMMENTS</p>	<p>Vice Mayor Visokey stated that he was served papers for a recall for an election that he cannot be recalled for. He stated that the statement of the Notice of Intent could not be further from the truth. If that is the public’s perception, then they got this from the wrong source. It is not right to have this kind of statement without any kind of backup to go with it. He stated that he has spent the past year trying to be a peace-maker and even though he has always been advised to be on one side or the other, he has always remained a peace-maker. It is very disturbing that some of the people that have signed this recall intent he has tremendous respect for and he stated that he would never have signed a notice of intent without calling the person first. He would have expected the same in return from these people, it is an absolute courtesy because people must know and understand the truthful perceptions. Do not believe everything that is in the newspaper; it is not accurate and there is a lot more to the story than what is printed. He stated that he did not run for this office to sit and take a butchering for trying to create peace on this City Council. He stated that he does not owe an allegiance to anyone, especially special interest groups. He has lived and grown up in Lancaster for 39 years and absolutely loves Lancaster. There have been issues that have had to be worked through and it has been very difficult and it is not over yet but he is not going to do anything less than what is the right thing to do. If the people want to recall him for that, so be it.</p>

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COUNCIL  
COMMENTS  
(continued)

Vice Mayor Visokey stated that he has given sixteen and a half years of service to this community and he stated that he does not deserve this from people that he respects and likes. He was advised to ignore this but felt very strongly that he needed to make a statement because this is very disturbing and the notice does not describe his character at all and he would not do this to friends without calling and discussing it with them first. It is called common courtesy and friendship. He truly cares about the community and this document is absolutely not fair. If the purpose of the notice was to hurt, then it worked. If the purpose was to do political damage then it probably did, he can live with that, however, please call next time and discuss matters because their friendship is more valuable to him than sitting in this office.

Vice Mayor Visokey stated that over the past two weeks he has received over 48 e-mails regarding the toxic waste dump site that people are worried about and it is flowing into the Amargosa Creek project. Staff has responded and he cannot ignore these e-mails. An organization called Fact Finders stated that they can get a toxic waste testing done for approximately \$4,900.00 and they are asking the City to pay for this.

The City Manager stated that staff has worked with the Supervisor's office and as the Council knows this is an item that is under the jurisdiction of both the state and the county. The City is continuing to stay close to the County on this issue because of the communities concerns. Mr. Hickling has responded on behalf of the County and he suggested that he receive a list of individuals that have contacted the Vice Mayor and he will try to arrange for Mr. Hickling to meet with them. This is not the right of the City to go in and conduct tests. If there was evidence to suggest that additional tests were needed then staff would make that recommendation to the County. Mr. Hickling was going to respond in terms of what will be done and what could be done. The City would be undertaking some liability if they were to initiate testing on a site that they do not have jurisdiction over. The City would be placing itself in a situation of liability with the state, county and private property owners. He strongly advised against this and if they have some ideas for tests, he believes they should try to work through that with Los Angeles County. The property is within the boundaries of Lancaster; however, the City does not have the jurisdiction as this is an environmental and solid waste matter. Those areas are within the jurisdictional responsibility of the state and the county. The City is tracking and monitoring what the state and county have done and they have acted in good faith with the interest of the community in mind and to usurp this would be inappropriate.

Vice Mayor Visokey stated that he will meet with Mr. Hickling and see what can be done.

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COUNCIL COMMENTS (continued)	<p>Council Member Smith agreed with what Vice Mayor Visokey said about the Notice of Intent for Recall. He stated that a lot of these people smile, shake your hand and then turn around trash a Council Member in the newspaper or elsewhere. He has not received one phone call from these people inquiring as to what is going on. He returns his calls and people should not believe everything they read. There are a lot of lies and innuendos going on and people should call or e-mail the Council to find out the facts.</p> <p>Council Member Smith requested a consensus from Council to have staff come back in the future regarding a discussion about zeroscape. This is an important step toward saving a tremendous amount of water. He would like staff to explore what the City of Victorville has done in this regard and bring it back to Council for discussion.</p> <p>Mayor Hearn suggested that a brochure be created that outlines the steps to water conservation and other advice to help people in maintaining their landscapes.</p> <p>Mayor Hearn stated that the Notice of Intent talks about being divisive. Each one of the Council works hard and may differ but none of them go about being divisive. These words do not fit any of the Council Members at all. He is concerned about not hurting anyone, however if the recall is for the intent of hurting him, recall or not he is still going to be here and serving his community. Additionally, he thanked the City Manager for his work and stated that he does appreciate his efforts.</p>
CLOSED SESSION	None
ADJOURNMENT	<p>Mayor Hearn adjourned the meeting at 10:41 p.m. and announced the next regular meeting of the City Council would be held on Tuesday, November 13, 2007 at 6:00 p.m. He also stated that a Special Meeting of the City Council and Los Angeles County Supervisor Antonovich would take place on Monday, October 29, 2007 – 8:30 a.m. at the Greenhouse Café in Lancaster, CA for the purpose of discussing items of mutual interest.</p>

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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)

\_\_\_\_\_