

CC 2
12/11/07
MVB

**LANCASTER CITY COUNCIL  
REGULAR MEETING  
MINUTES  
November 13, 2007**

CALL TO ORDER	Mayor Hearn called the regular meeting of the City Council to order at 6:02 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, Deputy City Clerk, City Clerk, Planning Director, Public Works Director, Parks, Recreation &amp; Arts Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director</p>
AGENDA ITEMS TO BE REMOVED	None
REQUEST BY COUNCIL MEMBER	<p>Council Member Smith requested that item number NB 5 be continued to the Council meeting of December 11, 2007.</p> <p>Council Member Smith requested that Council consider placing an emergency item on the agenda due to the actions taken this evening regarding Mr. LaSala (see Redevelopment Agency minutes), and appoint an Interim City Manager.</p> <p>The City Attorney stated that this is a matter that had arisen since the posting of the agenda and would require a 4/5 vote of the Council.</p> <p>On a motion by Council Member Smith and seconded by Mayor Hearn, the City Council approved placing an emergency item on the agenda, entitled NB 6, regarding the appointment of an Interim City Manager, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None</p>
APPROVAL OF CONSENT CALENDAR	On a motion by Vice Mayor Visokey and seconded by Council Member Jeffra, the City Council approved the Consent Calendar with the exception of CC 2D, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None

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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>A) Approved the Special meeting minutes of October 23, 2007. B) Approved the Regular meeting minutes of October 23, 2007. C) Approved the Special meeting minutes of October 29, 2007.</p> <p>CC 2D was pulled at the request of a speaker from the audience, however he declined to speak. Therefore, on a motion by Council Member Smith and seconded by Council Member Jeffra, the City Council approved CC 2D by the following vote: 4-1-0-0; AYES: Jeffra, Smith, Visokey, Hearn; NOES: Sileo; ABSTAIN: None; ABSENT: None</p>
<p><b>CC 3.</b> CHECK AND WIRE REGISTERS</p>	<p>Approved the Check and Wire Registers (October 7, 2007 through October 27, 2007) in the amount of \$5,361,722.12.</p>
<p><b>CC 4.</b> MONTHLY REPORT OF INVESTMENTS</p>	<p>Accepted and approved the September 30, 2007 Monthly Report of Investments as submitted.</p>
<p><b>CC 5.</b> RESO. NOS. 07-189; 07-190; 07-191; 07-192; 07-193; 07-194; 07-195 ADMINISTRATIVE RESOLUTIONS FOR APRIL 8, 2008 ELECTION PROCESS</p>	<p>A) Adopted <b>Resolution No. 07-189</b>, calling and giving notice of the holding of a General Municipal election to be held on Tuesday, April 8, 2008, for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities.</p> <p>B) Adopted <b>Resolution No. 07-190</b>, requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City related to the conduct of a General Municipal Election to be held on Tuesday, April 8, 2008.</p> <p>C) Adopted <b>Resolution No. 07-191</b>, adopting regulations for candidates for elective office, pertaining to filing fees and candidate statements submitted to the voters at an election to be held on Tuesday, April 8, 2008.</p> <p>D) Adopted <b>Resolution No. 07-192</b>, providing for the conduct of a special runoff election for elective offices in the event of a tie vote at the General Municipal Election to be held on Tuesday, April 8, 2008.</p>

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<p><b>CC 5.</b> RESO. NOS. 07-189; 07-190; 07-191; 07-192; 07-193; 07-194; 07-195 ADMINISTRATIVE RESOLUTIONS FOR APRIL 8, 2008 ELECTION PROCESS</p>	<p>E) Adopted <b>Resolution No. 07-193</b>, ordering the submission of an “Advisory Measure” to the qualified electors of the City, relating to the General Municipal Election to be held on Tuesday, April 8, 2008 as called for in Resolution No. 07-189.</p> <p>F) Adopted <b>Resolution No. 07-194</b>, setting priorities for filing written arguments regarding the City “Advisory Measures” and directing the City Attorney to prepare an impartial analysis.</p> <p>G) Adopted <b>Resolution No. 07-195</b>, providing for the filing of rebuttal arguments for City Measures submitted at Municipal Elections.</p>
<p><b>CC 6.</b> CANCELLATION OF APRIL 8, 2008 COUNCIL MEETING</p>	<p>Approved the cancellation of the April 8, 2008 regular City Council meeting and direct the City Clerk to post a Notice of Adjournment for the meeting.</p>
<p><b>CC 7.</b> ORD. NO. 889 REGULATIONS OF SPECIAL EVENTS</p>	<p>Adopted <b>Ordinance No. 889</b>, an ordinance of the City Council of the City of Lancaster, California, adding chapter 9.40 to Title 9 of the Lancaster Municipal Code to regulate special events.</p>
<p><b>CC 8.</b> ACCEPTANCE OF WORK FOR DRAINAGE IMPROVEMENTS TRACT NO. 54275</p>	<p>Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation No. 03-62, installed for Tract No. 54275, located on the southeast corner of Avenue J-8 and 65<sup>th</sup> Street West, Owner: Standard Pacific Corporation.</p>
<p><b>CC 9.</b> ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE TRACT NO. 060948</p>	<p>Accepted the interior street trees for maintenance by the City for Tract No. 060948, located on the northeast corner of Avenue I and 5<sup>th</sup> Street East, Owner: Avalon Meadows, LLC.</p>

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<p><b>CC 10.</b> ACCEPTANCE OF WORK FOR LANDSCAPE IMPROVEMENTS TRACT NOS. 061033; 061064; 061225; 061342; 061538</p>	<p>Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation Nos. 316, 307, 331, 317, and 315, installed for Tract No. 061033, located on the southwest corner of 30<sup>th</sup> Street West and Avenue M, Owner: Pinnacle Quartz Hill I, Inc., Tract No. 061064, located on the northeast corner of Avenue K and 30<sup>th</sup> Street East, Owner: Western Pacific Housing, Tract No. 061225, located on the southeast corner of Lancaster Boulevard and 30<sup>th</sup> Street East, Owner: KB Home Greater Los Angeles, Inc., Tract No. 061342, located on the southeast corner of 45<sup>th</sup> Street West and Avenue M-12, Owner: Pinnacle Quartz Hill I, Inc., and Tract No. 061538, located on the southwest corner of 35<sup>th</sup> Street West and Avenue L-4, Owner: Pinnacle Quartz Hill I, Inc.</p>
<p><b>CC 11.</b> ACCEPTANCE OF STREETS FOR MAINTENANCE TRACT NOS. 54197-01; 54275; 060948; PARCEL MAP NO. 60557</p>	<p>Approved the developer constructed streets and accepted the streets for maintenance by the City for Tract No. 54197-01, located on the southwest corner of 47<sup>th</sup> Street West and Avenue J, Owner: LCP Providence Ranch, LLC, Tract No. 54275, located on the southeast corner of Avenue J-8 and 65<sup>th</sup> Street West, Owner: Standard Pacific Corporation, Parcel Map No. 60557, 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. 060948, located on the northeast corner of Avenue I and 5<sup>th</sup> Street East, Owner: Avalon Meadows, LLC.</p>
<p><b>CC 12.</b> ACCEPTANCE OF MAP AND DEDICATIONS TRACT NO. 060241</p>	<p>Approved the map and accepted the dedications as offered on the map for Tract No. 060241, located on the southwest corner of 30<sup>th</sup> Street West and Jackman Street; 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 13.</b> ACCEPTANCE OF MAP AND DEDICATIONS PARCEL NO. 063169</p>	<p>Approved the map and accepted the dedications as offered on the map for Parcel No. 063169, located on the east side of 20<sup>th</sup> Street West and North of Avenue J-12; 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><b>CC 14.</b> ACCEPTANCE OF WORK BY GPM SEALRITE, INC. FOR PWCP NO. 05-034</p>	<p>Accepted the work constructed by GPM Sealrite, Inc. for <b>Public Works Construction Project No. 05-034</b>, Avenue G Widening, 45<sup>th</sup> to 50<sup>th</sup> Street West; 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><b>CC 15.</b> ACCEPTANCE OF WORK BY BOWE CONTRACTORS, INC. FOR PWCP NO. 06-028</p>	<p>Accepted the work constructed by Bowe Contractors, Inc. for <b>Public Works Construction Project No. 06-028</b>, Brierwood Mobilehome Park Improvements – Swimming Pool Repair &amp; Clubhouse Roof Renovation; 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><b>CC 16.</b> ACCEPTANCE OF WORK BY BOWE CONTRACTORS, INC. FOR PWCP NO. 07-036</p>	<p>Accepted the work constructed by Bowe Contractors, Inc. for <b>Public Works Construction Project No. 07-036</b>, Remodel of Lancaster University Center – Lab/Classrooms; 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><b>CC 17.</b> JOINT USE AGREEMENT WITH SCE FOR TRACT NO. 060987</p>	<p>Approved the Joint Use Agreement with the Southern California Edison Company (SCE) for Tract No. 060987, located at the southwest corner of Avenue J and 52<sup>nd</sup> Street West, to provide for the relocation of existing SCE facilities necessitated by the proposed widening of Avenue J.</p>
<p><b>CC 18.</b> JOINT USE AGREEMENT WITH SCE FOR TRACT NO. 061680</p>	<p>Approved the Joint Use Agreement with the Southern California Edison Company (SCE) for Tract No. 061680, located at the southwest corner of Avenue K and 60<sup>th</sup> Street West, to provide for the relocation of existing SCE facilities necessitated by the proposed widening of Avenue K and 60<sup>th</sup> Street West.</p>
<p><b>CC 19.</b> CITY/COUNTY MAINTENANCE AGREEMENT FOR DRAINAGE STRUCTURES</p>	<p>Approved the City-County Maintenance Agreement for the maintenance of drainage structures along the west side of 45<sup>th</sup> Street West, between Quartz Hill Road and Avenue M-4.</p>

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<p><b>CC 20.</b> AWARD OF BID NO. 521-08 TO PECK ROAD TRUCK CENTER</p>	<p>Awarded <b>Bid No. 521-08</b> - 3850-4000 Gallon 6-Wheel Drive Water Truck to Peck Road Truck Center in the amount of \$159,583.00 and authorized appropriation of an additional \$14,583.00 from the Capital Replacement Fund to cover the budget shortfall.</p>
<p><b>CC 21.</b> AWARD OF BID NO. 522-08 TO TRANS-WEST TRUCK CENTER</p>	<p>Awarded <b>Bid No. 522-08</b> - 58,000 GVW Conventional Cab Truck with Dump Body to Trans-West Truck Center in the amount of \$121,377.66 and authorize appropriation of an additional \$11,377.66 from the Capital Replacement Fund to cover the inclusion of Option A: Steerable Push Axle.</p>
<p><b>CC 22.</b> REORGANIZATION OF PUBLIC WORKS DEPARTMENT</p>	<p>Approved the proposed reorganization of the Public Works Department from five to eight divisions.</p>
<p><b>CC 23.</b> AGREEMENT WITH AV COLLEGE FOR USE OF LPAC</p>	<p>Approved the Agreement for use of the Performing Arts Center by the Antelope Valley College for the 2007-2008 Season.</p>
<p><b><u>Proposed Annexations to Lancaster Drainage Benefit Assessment District</u></b></p>	
<p><b>CC 24.</b> RESO. NOS. 07-196 AND 07-197 ANNEX. NOS. 07-35; 07-44 TO LDBAD</p>	<p>Annexation No. 07-35, Permit No. 07-00830, located at 45654 50th Street West. Owner: David E. Byrne and Leona Byrne, husband and wife as joint tenants.</p> <p>Annexation No. 07-44, Permit No. 07-03073, located on the south side of Avenue M-8 approximately 990 feet east of 35th Street West. Owner: The Karen B. Adlhock Revocable Trust, u/d/t April 5, 2004.</p> <p>A) Adopted <b>Resolution No. 07-196</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. 07-35 and 07-44.)</p> <p>B) Adopted <b>Resolution No. 07-197</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. 07-35 and 07-44.)</p>

**Proposed Annexations to Lancaster Lighting Maintenance District**

**CC 25.**  
RESO. NOS.  
07-198 AND 07-199  
ANNEX. NOS.  
812; 822  
TO LLMD

Annexation No. 812, Permit No. 07-00830, located at 45654 50th Street West. Owner: David E. Byrne and Leona Byrne, husband and wife as joint tenants.

Annexation No. 822, Permit No. 07-03073, located on the south side of Avenue M-8 approximately 990 feet east of 35th Street West. Owner: The Karen B. Adlhock Revocable Trust, u/d/t April 5, 2004.

A) Adopted **Resolution No. 07-198**, 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. 812 and 822.)

B) Adopted **Resolution No. 07-199**, 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. 812 and 822.)

**CPH 1.**  
RESULTS OF  
LANCASTER  
LIGHTING  
DISTRICT NO. 2  
ELECTION

Mayor Hearn announced that the continued Public Hearing was open. The Public Works Director presented the staff report regarding the Lancaster Lighting Maintenance District No. 2 and announced the results of the Street Lighting Ballots. Approximately 49,428 ballots were sent out.

Assessment Amount:

*Yes* - \$496,301.34 (43%); *No* - \$662,248.35 (57%)

Number of Ballots received:

*Yes* - 4,988 (41%); *No* - 7,038 (59%)

There being no further testimony, Mayor Hearn closed the Public Hearing. No further action is necessary as the vote was against the proposed district.

**PH 2.**  
RESO. NO. 07-200  
CONFIRMING  
DIAGRAMS AND  
ASSESSMENTS FOR  
ANNEX. NOS.  
07-35; 07-44  
TO LDBAD

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 Council Member Jeffra and seconded by Mayor Hearn, the City Council adopted **Resolution No. 07-200**, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District and levy of assessment (Annexation Nos. 07-35 and 07-44), by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

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<p><b>PH 3.</b> RESO. NO. 07-201 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR ANNEX. NOS. 812; 822 TO LLMD</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 Council Member Jeffra and seconded by Mayor Hearn, the City Council adopted <b>Resolution No. 07-201</b>, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 812 and 822), by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>NB 1.</b> PARKS, RECREATION, OPEN SPACE AND CULTURAL MASTER PLAN</p>	<p>The Parks, Recreation and Arts Director presented the staff report regarding the Lancaster Parks, Recreation, Open Space and Cultural Master Plan. Consultants from MIG made an additional power point presentation. The presentation included: purpose of the Master Plan; what the plan will do – such as determining the future needs for parks, open space, recreation and cultural services; identify operation needs, such as program staff and maintenance; determine how to fund improvements; conform with General Plan; Integration with Citywide Planning; involvement of the community through the Poppy Festival, Community Advisory Committee, focus groups, telephone survey and from all of this, learned that commuters want close to home, informal recreation opportunities; health and fitness is a priority; residents want to feel safe in their parks. Discussed the fact that parks, recreation and arts are the heart of the City – helps to build the community. Presented the vision, values and goals of Parks, Recreation and Arts; presented policy highlights.</p> <p>On a motion by Council Member Sileo and seconded by Council Member Jeffra, the City Council approved the Lancaster Parks, Recreation, Open Space and Cultural Master Plan, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>NB 2.</b> EXTENSION OF TERM OF GROUND LEASE AGREEMENT WITH YMCA</p>	<p>The Parks, Recreation and Arts Director presented the staff report regarding the Extension of Section 1.4 (Term) of the ground lease agreement between the City of Lancaster and YMCA of Metropolitan Los Angeles.</p> <p>Council Member Sileo inquired that other than the start date for construction; all other deal points remain the same.</p> <p>The Parks, Recreation and Arts Director confirmed this.</p>



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<p><b>NB 2.</b> EXTENSION OF TERM OF GROUND LEASE AGREEMENT WITH YMCA (continued)</p>	<p>On a motion by Council Member Jeffra and seconded by Council Member Sileo, the City Council approved the extension of Section 1.4 (Term) of the ground lease agreement between the City of Lancaster and YMCA of Metropolitan Los Angeles for an initial period of three (3) years through December 10, 2008 for completion of plans and specifications and December 10, 2010 for completion of construction, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>NB 3.</b> RESO. NO. 07-202 AND ORD. NO. 890 PERTAINING TO MODIFICATIONS OF THE 2007 CALIFORNIA BUILDING, ELECTRICAL AND PLUMBING CODES</p>	<p>The Public Works Director presented the findings for modifying the 2007 California Building, Electrical and Plumbing Codes.</p> <p>On a motion by Council Member Sileo and seconded by Council Member Jeffra, the City Council adopted <b>Resolution No. 07-202</b>, presenting findings for modifying the 2007 California Building, Electrical and Plumbing Codes which are reasonably necessary due to local climatic, geological, or topographical conditions, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p> <p>On a motion by Council Member Sileo and seconded by Council Member Jeffra, the City Council introduced <b>Ordinance No. 890</b>, adopting the 2007 Edition of the California Building Code; the 2007 Edition of the California Electrical Code; the 2007 edition of the California Mechanical Code; the 2007 Edition of the California Plumbing Code; the 2007 Edition of the California Energy Code; the 2008 edition of the Los Angeles County Building Code, Chapter 67, the 2006 Edition of the International Property Maintenance Code; and the 2008 Edition of the Los Angeles County Fire Code all pertaining to life and safety and to the construction, alteration, moving demolition, repair, maintenance, and use of buildings, structures, and properties within the City, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p>
<p><b>NB 4.</b> PARTNERSHIP WITH THE AV UNION HIGH SCHOOL DISTRICT AND CENTER FOR NEIGHBORHOOD ENTERPRISE</p>	<p>The Assistant City Manager presented the staff report regarding consideration of a Partnership with the Antelope Valley Union High School District (AVUHSD) and the Center For Neighborhood Enterprise (CNE) to implement, on a pilot basis, the CNE Violence Free Zone Initiative (VFZ) at a Public High School within the City. Captain Deeley also made some additional comments regarding this matter.</p> <p>Addressing the Council on this matter:</p> <p>Dixie Eliopoulos – Encouraged Council to approve this project; gave a brief background on CNE; importance of involving the non-profit organizations; importance of seeking grant funding.</p>

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<p><b>NB 4.</b> PARTNERSHIP WITH THE AV UNION HIGH SCHOOL DISTRICT AND CENTER FOR NEIGHBORHOOD ENTERPRISE (continued)</p>	<p>On a motion by Mayor Hearn and seconded by Council Member Sileo, the City Council took the following action by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p> <p>1) Directed staff to negotiate with the Antelope Valley Union High School District (AVUHSD) and the Center for Neighborhood Enterprise (CNE) to implement, on a pilot basis, the CNE Violence Free Zone Initiative (VFZ) at a public high school within the City.</p> <p>2) Directed staff to return to Council with an agreement consistent with the above direction utilizing City funds not to exceed \$150,000.00.</p> <p>3) Directed staff to explore grant opportunities jointly with AVUHSD and CNE to offset the cost to the City in implementing this program.</p>
<p><b>NB 5.</b> ORD. NO. 884 ADDING A CHAPTER TO THE LMC RELATING TO LOBBYIST REGISTRATION</p>	<p>Due to action taken by the City Council earlier in the evening, this item was continued to the City Council meeting of December 11, 2007.</p>
<p><b>NB 6.</b> EMERGENCY ITEM APPOINTMENT OF INTERIM CITY MANAGER</p>	<p>On a motion by Council Member Smith and seconded by Mayor Hearn, the City Council appointed Assistant City Manager, Mark Bozigian as Interim City Manager starting December 1, 2007; added an item to the agenda for December 11, 2007 approving a resolution to raise his salary and pay him commissary pay for the position he will hold, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.</p> <p>Assistant City Manager Mark Bozigian stated that he knows this is a very difficult time, he has the utmost respect for Mr. LaSala, but there are also approximately 500 employees and this will be done as a team. The most important thing this team does is deliver service to the public and those employees are still going to have the same issues and passions for what they do and the citizens expect their government to work. This is a great team that he appreciates and will live up to what has been done all along.</p>

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**CA 1.**  
**DISCUSSION**  
**REGARDING**  
**FACILITATOR**  
**CONTRACT AND**  
**CITY MANAGER**  
**BUYOUT**

Council Member Sileo led a discussion regarding the construction, scope and oversight of the facilitator contract (Mathis and Associates), as well as discussion regarding the buyout offer from the facilitator to the City Manager.

Council Member Sileo stated that the subject matter is a bit moot but does not feel that the process is. After considerable discussion, Council chose to retain the services of a facilitator. This Council came to a decision about what they wanted to do and what the scope of authority was.

Council Member Smith stated that he thought this was part of the Closed Session matter and Mayor Hearn agreed.

The City Attorney stated that his understanding was that it was regarding the performance of the City Attorney in relationship to this item. This item has been on the agenda as an open session item and Council Member Sileo can pursue this in open session.

Council Member Sileo quoted the verbatim transcript of August 28, 2007 and in that transcript, Council chose to retain the services of a facilitator and his activities were to meet with each Council Member one on one and meet with the City Manager. Everyone agreed, yet somehow it went from there to developing an exit strategy for the City Manager and that concept was never discussed by the Council. He would like to discuss how to keep this from happening again. He asked the City Attorney if it would be possible to formulate a policy; as, in this case, authority was given to the Mayor to enter into a contract with some guidelines, however those guidelines were exceeded.

Mayor Hearn stated that it was his understanding that all members of the Council received a copy of the contract before the facilitator interviewed anyone.

Council Member Jeffra stated that he travels extensively and placing paperwork in his in-box is not satisfactory and he did not receive a copy of the contract. He requested that when it comes to highly sensitive, important matters, these items should be sent to him via e-mail.

Mayor Hearn stated that everyone else received this contract as well as the City Attorney and all members knew what this was about.

Council Member Sileo stated that he made mention of this and did not see the contract until after it had been signed. The contract proposal exceeded what the Council had authorized.

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**CA 1.**  
DISCUSSION  
REGARDING  
FACILITATOR  
CONTRACT AND  
CITY MANAGER  
BUYOUT  
(continued)

Mayor Hearn reiterated again that everyone had a copy of the contract and any member of the Council could have come to him and discussed this matter.

Council Member Sileo stated that he had a problem with the fact that the contract was already signed before he reviewed it and there was no chance to pull this matter from an agenda of any kind for discussion. He stated that he did not have any idea about the activities of Mr. Mathis until an e-mail went out from the City Attorney.

Council Member Smith inquired if Council Member Sileo received a copy of the contract in his mailbox. He further asked the City Attorney, if one of the items Council Member Sileo is referring to is the performance item, couldn't that have been changed and renegotiated with the outside contractor because it had to do with specific performances that the facilitator brought up, but it could have been part of the negotiations.

The Mayor and City Attorney agreed.

Council Member Sileo stated that he placed this on the agenda after all of the discussions had taken place. He stated that he brought his concerns to the Mayor and to the facilitator.

Council Member Smith inquired as to why Council Member Sileo didn't place this on the agenda before all discussions took place, if he had a problem with it. He stated that he felt that Council Member Sileo instead, went to the press with his concerns just to stir the pot and chose not to take official action on this matter until there was an opportune time for his own political purposes.

Council Member Sileo stated that he went to the Mayor after meeting with the facilitator and nothing was accomplished.

Mayor Hearn stated that he cleared this with everyone, he apologized that Council Member Jeffra did not receive his copy, however, everyone else did and the secretary verified this.

Council Member Smith stated that he called the facilitator after he saw that this was on the agenda. The facilitator stated that he suggested this and he always suggest this because when he comes into a situation, part of what he wants to do is protect the professionalism of the City Manager. He stated that the facilitator further stated that if he finds that is not going to work and publicly that was what was said in the newspaper from the facilitator's memo, he wants to then try to do the best he can for the City Manager so that it does not get ugly or anything else. This is wording that Mr. Mathis put in the agreement as part of standard procedure.

LANCASTER CITY COUNCIL REGULAR MEETING MINUTES  
NOVEMBER 13, 2007

**CA 1.**  
**DISCUSSION**  
**REGARDING**  
**FACILITATOR**  
**CONTRACT AND**  
**CITY MANAGER**  
**BUYOUT**  
(continued)

Council Member Smith stated that this would be the same as anybody who would come in and say – if it is not working, what do we do from here? There has been mention that the facilitator did this automatically and made the assessment to make more money. He does not make more money on the settlement agreement. That is something that the City Attorney worked on. Mr. Mathis chose not to drag this out. Council Member Smith stated that if Council Member Sileo did not like the language he could have gone to the Mayor or another Council Member and expressed his feelings. This could have even been put on in Closed Session since it had to do with the City Manager.

Council Member Jeffra stated that if the facilitator did this, he overstepped his bounds tremendously. It is important to contact all the Council Members; who authorized the facilitator to add the language; why wasn't he in front of the Council telling the Council, this is not working. He did not fulfill his obligation. If a strategy is developed – make it fair across the board. Make sure every single Council Member is contacted.

Mayor Hearn stated that he wrote a letter to the Council and stated that progress was not being made with the facilitator. He stated that everyone was aware and everyone made the decision. He stated that he should have made a stronger effort to get the agreement to Council Member Jeffra.

The City Attorney stated that the only way to develop a policy, rather than delegate similar types of contracts, could simply be to bring every contract to the Council agenda and that would be a simple policy. However, once Council starts to think about that policy and all the examples it would apply to, Council could have second thoughts about this. It is very difficult to come up with an iron-clad policy.

Council Member Jeffra stated that the bottom-line is, when there is something that is this important; make sure each and every one of the Council is contacted.

Council Member Sileo stated that he did not examine the contract close enough and this is his own fault.

Mayor Hearn stated that everyone is busy and works and he does everything he can to bring about a peaceful environment among the Council. He wrote in that letter that he missed having that and feels very bad that Council cannot work in harmony.

LANCASTER CITY COUNCIL REGULAR MEETING MINUTES  
NOVEMBER 13, 2007

<p><b>CA 1.</b> <b>DISCUSSION</b> <b>REGARDING</b> <b>FACILITATOR</b> <b>CONTRACT AND</b> <b>CITY MANAGER</b> <b>BUYOUT</b> (continued)</p>	<p>Mayor Hearn stated that he has worked very hard for this City for 18 years to bring this City and community together as one; important to pull together both cities on issues that benefit the cities; worked with every business group in the valley to bring about unity. He stated that it didn't come together the way he had envisioned and he does not believe Council can continue to fight among themselves and still say that they love the City. This will not bring about a good relationship. He further spoke to the former Council Members in the audience and reminded them of how difficult it is to sit in this position and keep harmony. The City Council should be able to do their job the way that it should be done.</p>
<p><b>CITY MANAGER</b> <b>ANNOUNCEMENTS</b></p>	<p>Council Member Sileo requested that the matter on Closed Session regarding the performance of the City Attorney be removed from the agenda.</p> <p>Addressing the Council on this matter:</p> <p>Denise Latanzi – Concerned about the failure of leadership on the Council's part; thanked the City Manager for his hard work.</p> <p>Lynn Harrison – Council needs serious training in parliamentary procedure, for example, Council should not take a vote before public comment.</p>
<p><b>CITY CLERK</b> <b>ANNOUNCEMENT</b></p>	<p>None</p> <p>The City Clerk provided the public with the procedure to address the City Council regarding non-agendized items.</p>
<p><b>PUBLIC BUSINESS</b> <b>FROM THE FLOOR</b> <b>NON-AGENDIZED</b></p>	<p>Addressing the Council at this time:</p> <p>David Abber – Took issue with Council, commenting on each member of the Council; arguing must stop; get on with business; took issue with performance of City Attorney.</p> <p>Cleo Goss – Concerns regarding a proposed supercenter at 60<sup>th</sup> St. West and Avenue L; crime comes to areas where there are supercenters.</p> <p>Richard Hecker - Concerns regarding a proposed supercenter at 60<sup>th</sup> St. West and Avenue L; crime comes to areas where there are supercenters; disappointed in Council actions.</p> <p>Jason Smith – Announced that there is a Fundraising Event for Protective Science Dynamics on November 20, 2007 at Hometown Buffet.</p>

LANCASTER CITY COUNCIL REGULAR MEETING MINUTES  
NOVEMBER 13, 2007

<p>PUBLIC BUSINESS FROM THE FLOOR NON-AGENDIZED (continued)</p>	<p>Gary Burgess – Asked Council to consider signing for important documents that they must have, this will verify that they received them; commended the Council for their hard work; commended the City Manager for his hard work.</p> <p>Karen Wilson – Commended the Council and the City Attorney for their hard work, stating that she backs them all the way.</p>
<p>COUNCIL COMMENTS</p>	<p>Vice Mayor Visokey stated that this is a very difficult time for the City Manager; City Council. Stated that he has been in the area since the beginning; attended public schools here; lives here not because he has to but because he wants to; worships and serves his Lord here; he is not serving on the Council for political gain and anyone who thinks otherwise has a lot to learn about people. He has dedicated sixteen years to public service, not just as a school board member and for the City Council but for many of the community's non-profit organizations. His commitment to the public is that he will never do less than what he believes is right for the community he loves. There is a lot of political maneuvering going on in the community and he does not want any part of it and he is tired of it. This was an unfortunate night and it is a shame that the leadership could not get where they wanted to get. He assured everyone, that people get their perceptions and make judgments about individuals based on what they read. This deeply saddens him, this is a \$600.00 per month job and he has no desires to run for the state assembly or any higher political office. He will not sit up here at the dais and compromise his honor and integrity and people have a lot to learn.</p> <p>Council Member Jeffra – Stated that he didn't take this job for the money; members take the job because they want to be effective; want to do it the right way; want to deal with the crime issues; people are upset, the staff suffers and the citizens suffer. When this happens, Council is ineffective and when a Council is ineffective it is inappropriate and time to go. Picking at all of this does not accomplish anything at all and it is time to focus on the business at hand.</p> <p>Council Member Sileo – Thanked the Department Heads and the City Attorney for putting up with everything over the last several months; thanked everyone for the extra amount of work that has gone into this. The Departments have grown; the Department Heads have grown and are better leaders and appreciates all the efforts by everyone.</p>

LANCASTER CITY COUNCIL REGULAR MEETING MINUTES  
NOVEMBER 13, 2007

CLOSED SESSION  
ANNOUNCEMENT  
FROM  
CITY ATTORNEY

Report on November 6, 2007 Closed Session meeting.

The City Attorney stated that earlier in the meeting Council approved the minutes of this particular meeting which reflected the conduct of that meeting. The meeting was noticed for the City Council Conference Room on the second floor of City Hall, not for the Council Chambers, so contrary to some of the comments that were made in the press, the meeting was not noticed for the Council Chambers and could not have been convened in the Council Chambers. That does not mean there was not a mistake made – there was. The meeting should have been opened in open session in the second floor conference room; those people attending in the Chambers should have been directed to the upstairs conference room for the opening of that meeting. He stated that he takes complete responsibility for not assuring that this happened and he guaranteed that this would not happen again. He stated that he takes very seriously the importance of enforcing rules and he will continue to do this as long as Council wants him as their City Attorney. He stated that Ms. Harrison is correct, Council should go overboard for the next several months on procedures, but Council should go overboard period for compliance with the Brown Act. It is there for a reason and it is not always obvious how it gets applied. There were certain actions discussed in that meeting that might have prevented Council from moving forward with the continued negotiations and there was no reportable action taken at the meeting of November 6, 2007. He stated that he has made efforts to contact the District Attorney, he will continue those efforts, and he has spoken with both the person in charge of that division and also the District Attorney that is in charge of reviewing any Brown Act violations. He will continue to have these discussions and he will report back when that is finished.

The Mayor and Council thanked Mr. McEwen for his honesty and appreciated his hard work.



LANCASTER CITY COUNCIL REGULAR MEETING MINUTES  
NOVEMBER 13, 2007

ADJOURNMENT

Mayor Hearn announced: Pursuant to action taken by the City Council on August 14, 2007, there would not be a City Council meeting on November 27, 2007.

A Special Joint meeting with the Antelope Valley Union High School District will take place on Thursday, November 15, 2007 at 5:00 p.m. at the School District Board Room to receive a presentation/proposal from the Center for Neighborhood Enterprises.

Mayor Hearn adjourned the meeting at 11:10 p.m. in memory of former Mayor Jack Murphy and announced the next regular meeting of the City Council would be held on Tuesday, December 11, 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    ) 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)

\_\_\_\_\_