

CC 2
04/22/08
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
March 25, 2008**

CALL TO ORDER

Mayor/Chairman Hearn called the regular meeting of the City Council/Redevelopment Agency meeting to order at 6:02 p.m.

ROLL CALL

Present: Council Members/Agency Directors: Jeffra, Sileo, Smith; Vice Mayor/Vice Chairman Visokey; Mayor/Chairman Hearn

Absent: None

Staff

Members: Interim City Manager/Interim Executive Director, Interim Assistant City Manager/Interim Executive Director, City Attorney/Agency Counsel, City Clerk/Agency Secretary, Planning Director, Public Works Director, Parks, Recreation & Arts Assistant Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director

INVOCATION – Mayor/Chairman Hearn

PLEDGE OF ALLEGIANCE – Council Member/Agency Director Jeffra

PRESENTATIONS

1. *Peace Over Violence* – Sexual Assault Awareness Month/10th Annual Denim Day–April 23, 2008.
2. American Diabetes Alert Day - American Diabetes Association - March 25, 2008.
3. Recognition of the Desert Christian Girls Soccer Team - Southern Section CIF Championship.
4. Parks, Recreation and Arts Department Award of Excellence from the CA Park & Recreation Society.
5. Dixie Eliopoulos - “Woman of the Year” for L.A. County Fifth District by the Los Angeles County Commission for Women.

AGENDA ITEMS TO BE REMOVED

None

APPROVAL OF REDEVELOPMENT AGENCY CONSENT CALENDAR

On a motion by Agency Director Jeffra and seconded by Chairman Hearn, the Redevelopment Agency approved the Agency Consent Calendar, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

RCC 1. MINUTES

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of March 11, 2008.

RCC 2. RESO. NO. 02-08 – ACQUISITION OF PROPERTY

Adopted **Resolution No. 02-08**, authorizing the acquisition of County Tax Defaulted Properties and declaring the public purpose thereof.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

On a motion by Council Member Jeffra and seconded by Vice Mayor Visokey, the City Council approved the Council Consent Calendar, with the exception of CC 13, which was pulled for separate discussion and action, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

CC 1. ORDINANCE WAIVER

Waived further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text.)

CC 2. MINUTES

Approved the Redevelopment Agency/City Council Regular Meeting minutes of March 11, 2008.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers (February 24, 2008 through March 8, 2008) in the amount of \$1,916,679.10.

CC 4. ORD. NO. 898 – AMENDING ZONING CODE

Adopted **Ordinance No. 898**, an ordinance of the City Council of the City of Lancaster, California, amending Sections 17.16.060 AND 17.16.070 of the Lancaster Municipal Code to allow Solar Electrical Generating Plants in the Heavy Industrial Zone, subject to a Director's Review (ZC 07-02).

CC 5. ACCEPTANCE OF WORK AND MATERIALS FOR DRAINAGE IMPROVEMENTS – TRACT NOS. 60003; 060034; 61123

Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation Nos. 2, 04-51, 04-89, and 04-123, installed for: Conditional Use Permit No. 04-12, located on the southwest corner of Lancaster Boulevard and Valley Central Way, Owner: Developers Diversified Realty; Tract No. 60003, located on the southwest corner of 60th Street West and Avenue J-8, Owner: Beazer Homes Holdings Corporation; Tract No. 060034, located on the southeast corner of 60th Street West and Avenue J-8, Owner: Lancaster Pavilions, L.P.; and Tract No. 61123, located on the southwest corner of 35th Street West and Avenue M-8, Owner: Pulte Homes Corporation.

CC 6. ACCEPTANCE OF STREETS FOR MAINTENANCE – CUP NOS. 04-12; 88-28; SITE PLAN REVIEW NO. 06-09; TRACT NO. 061342

Approved the developer constructed streets and accepted the streets for maintenance by the City for: Conditional Use Permit 04-12, located on the southwest corner of Lancaster Boulevard and Valley Central Way, Owner: Developers Diversified Realty; Conditional Use Permit 88-28, located at 44601 Valley Central Way, Owner: RVIP Valley Central L.P.; Site Plan Review No. 06-09, located on the northeast corner of 7th Street East and Avenue L-8, Owner: AveLeight, LLC; and Tract No. 061342, located on the northeast corner of 45th Street West and Avenue M-12, Owner: Pinnacle Quartz Hill I, LLC.

CC 7. APPROVAL OF COMPLETED WATER SYSTEMS FOR TRACT NOS. 54203; 061123; SITE PLAN REVIEW NOS. 04-04; 06-09; PERMIT NO. 04-03981

Approved the completed water systems installed by the developer for: Tract No. 54203, located on the southeast corner of 40th Street West and Avenue M-8, Owner: Pulte Homes Corporation; Tract No. 061123, located on the southwest corner of 35th Street West and Avenue M-8, Owner: Pulte Homes Corporation; Site Plan Review No. 04-04, located on the northeast corner of 3rd Street East and Avenue M, Owner: 4th Street Investors, Inc.; Site Plan Review No. 06-09, located on the northeast corner of 7th Street East and Avenue L-8, Owner: Aveleight, LLC; and Permit No. 04-03981, located at 3200 East Avenue J-8 – Eastside High School, Owner: Antelope Valley Joint Union High School District.

CC 8. MONUMENTATION WORK – PARCEL MAP NO. 068266

Approved the monumentation work for: Parcel Map No. 068266, located on the east side of 10th Street West and north of Avenue L, Owner: L Street Properties, LLC.

CC 9. ACCEPTANCE OF MAP AND DEDICATIONS FOR PARCEL MAP NO. 67842

Approved the map and accepted the dedications as offered on the map for Parcel Map No. 67842, located on the southwest corner of Jackman Street and Sierra Highway; made findings that this project will not violate any of the provisions of Sections 66473.5, 66474.1, and 66474.6 of the Subdivision Map Act; instructed the City Clerk to endorse on the face of the map the certificate which embodies the approval of said map and the dedications shown thereon.

CC 10. PROPOSITION 1B FUNDING

Approved the plan for use of Proposition 1B funding; increased estimated revenues in Account No. 205-3302-100 by \$1,006,000.00 and appropriated \$1,006,000.00 in Proposition 1B funds to Capital Improvements Budget Account No. 205-12ST019-924. Approved the budget transfer of \$80,000.00 from Capital Improvements Budget Account No. 205-15SW005-924 to Capital Improvements Budget Account No. 205-12ST019-924 and \$80,000.00 from Capital Improvements Budget Account No. 206-12ST019-924 to Capital Improvements Budget Account No. 206-15SW005-924.

CC 11. TAX SHARING RESOLUTION

Adopted the Tax Sharing Resolution for proposed Annexation No. 359 into Los Angeles County Sanitation District No. 14.

CC 12. PWCP NO. 08-004

Awarded **Public Works Construction Project No. 08-004**, 2008 Alley Reconstruction Program to Padilla Paving in the amount of \$234,050.00, (plus 10% contingency) for the construction of 2008 Alley Reconstruction Program and authorized the City Manager, or his designee, to sign all documents.

CC 13. PWCP NO. 08-015

Awarded **Public Works Construction Project No. 08-015**, Mall Loop Road Landscaping Improvements, to America West Landscape, Inc. in the amount of \$251,454.05 plus a 10% contingency and authorized the City Manager, or his designee, to sign all documents. The project is designed to provide landscaping at the Front Row Center Hotels project located on the southwest corner of Double Play Way and Mall Loop Road.

Addressing the Council on this matter:

Gary Burgess – stated that he had studied the engineer drawings for this project and that it appears that the City is failing to take proper steps in addressing the predicted water shortage. Encourage Council to reconsider action on this matter until xeriscaping had been considered as an option.

The Public Works Director stated that the City is very concerned with conservation of water and will be doing a much better job in the future; staff is working hard to put guidelines in place regarding xeriscaping. Two years ago the City/Agency entered into a development agreement for this project; much debate took place; City managed to use many drought tolerant plants; City is obligated under the terms of the agreement and staff recommends approval of this project.

Council Member Jeffra inquired if it was possible to re-negotiate this project, at this time.

The City Attorney stated that it would not be possible to re-negotiate.

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CC 13. PWCP NO. 08-015 (continued)

On a motion by Mayor Hearn and seconded by Vice Mayor Visokey, the City Council approved Public Works Construction Project No. 08-015, Mall Loop Road Landscaping Improvements, by the following vote: 4-1-0-0; AYES: Sileo, Smith, Visokey, Hearn; NOES: Jeffra; ABSTAIN: None; ABSENT: None.

CC 14. PWCP NO. 06-010

Accepted the work constructed by Taft Electric Company for **Public Works Construction Project No. 06-010**, Smart Crosswalks (Five Locations); 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.

CC 15. RESO. NO. 08-24 – TERMINATION OF CPEIA AGREEMENT

Adopted **Resolution No. 08-24**, a resolution of the City Council of the City of Lancaster authorizing the termination of the California Public Entities Insurance Authority (CPEIA) Joint Powers Agreement.

CC 16. Proposed Annexations to Lancaster Drainage Benefit Assessment District:

Annexation No. 06-28, Permit No. 06-01227, located at 3645 Camino Vista. Owner: Stephen L. Payte and Lari L. Payte, husband and wife as community property with right of survivorship.

Annexation No. 07-32, Permit No. 07-01914, located at southwest corner of Pillsbury Street and Cedar Avenue. Owner: Gerado Herrera and Cindy Gutierrez, husband and wife as joint tenants.

Annexation No. 07-49, Conditional Use Permit no. 85-09, located at 44662 15th Street West. Owner: Desert Christian Ministries, Incorporated, a California Non-Profit Religious Corporation.

A. Adopted **Resolution No. 08-25**, a resolution of the City Council of the City of Lancaster 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. 06-28, 07-32, and 07-49.)

B. Adopted **Resolution No. 08-26**, a resolution of the City Council of the City of Lancaster 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. 06-28, 07-32, and 07-49.)

CC 17. Proposed Annexations to Lancaster Lighting Maintenance District:

Annexation No. 683, Permit No. 06-01227, located at 3645 Camino Vista. Owner: Stephen L. Payte and Lari L. Payte, husband and wife as community property with right of survivorship.

Annexation No. 803, Conditional Use Permit no. 85-09, located at 44662 15th Street West. Owner: Desert Christian Ministries, Incorporated, a California Non-Profit Religious Corporation.

A. Adopted **Resolution No. 08-27**, a resolution of the City Council of the City of Lancaster 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. 683, and 803.)

B. Adopted **Resolution No. 08-28**, a resolution of the City Council of the City of Lancaster 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. 683, and 803.)

PH 1. RESO. NO. 08-29 – ANNEXATION OF TERRITORIES INTO LDBAD

Mayor Hearn opened the Public Hearing. Vice Mayor Visokey stated that he would need to abstain from discussion and action on this item due to the fact that he receives a stipend from a school in this location. The Public Works Director presented the staff report regarding annexation of territories into 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. 08-29**, a resolution of the City Council of the City of Lancaster confirming the diagram and assessment and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District and levy of assessment (Annexation Nos. 06-28, 07-32, and 07-49), by the following vote: 4-0-1-0; AYES: Jeffra, Sileo, Smith, Hearn; NOES: None; ABSTAIN: Visokey; ABSENT: None.

PH 2. RESO. NO. 08-30 – ANNEXATION OF TERRITORIES INTO LLMD

Mayor Hearn opened the Public Hearing. Vice Mayor Visokey stated that he would need to abstain from discussion and action on this item due to the fact that he receives a stipend from a school in this location. The Public Works Director presented the staff report regarding annexation of territories into the Lancaster Lighting Maintenance District. There being no further testimony, Mayor Hearn closed the Public Hearing.

**PH 2. RESO. NO. 08-30 – ANNEXATION OF TERRITORIES INTO LLMD
(continued)**

On a motion by Council Member Sileo and seconded by Mayor Hearn, the City Council adopted **Resolution No. 08-30**, a resolution of the City Council of the City of Lancaster confirming the diagram and assessment and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 683, and 803), by the following vote: 4-0-1-0; AYES: Jeffra, Sileo, Smith, Hearn; NOES: None; ABSTAIN: Visokey; ABSENT: None.

**PH 3. RESO. NOS. 08-31; 08-32 – ANNUAL CPI ADJUSTMENTS OF FEE
SCHEDULE**

Mayor Hearn opened the Public Hearing. The Finance Director presented the staff report regarding the annual CPI Adjustment of the Fee Schedule Relating to Cost of Services and the Annual CCI Adjustment of Development Impact Fees. There being no further testimony, Mayor Hearn closed the Public Hearing.

On a motion by Council Member Sileo and seconded by Council Member Jeffra, the City Council adopted **Resolution No. 08-31**, rescinding Resolutions 07-91 and 05-174 in their entirety and establishing fee schedules relating to cost of services, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

On a motion by Council Member Sileo and seconded by Council Member Jeffra, the City Council adopted **Resolution No. 08-32**, rescinding Resolution 06-93 in its entirety and establishing new development impact fee schedules for the installation and upgrade of traffic signals, traffic impact, planned drainage facilities and urban structure program – parks, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

NB 1. LANDSCAPE MAINTENANCE DISTRICT NO. 1 – ANNEX. NO. 294

The Public Works Director presented the staff report regarding Landscape Maintenance District No. 1, Annexation No. 294 which was continued from the March 11, 2008 City Council Meeting.

On a motion by Council Member Jeffra and seconded by Mayor Hearn, the City Council approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 294, installed for Tract No. 47583, located on the southeast corner of Avenue I and 90th Street West, Owner: K. Hovnanian Forecast Homes, Inc., by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

NB 2. CONGESTION MITIGATION FEE FEASIBILITY REPORT

The Traffic Engineer for the City of Lancaster presented the staff report regarding the Congestion Mitigation Fee Feasibility Report. She gave an overview of the draft program and explained why the fee is being explored; explained what the CMP was all about; details of the fee program; hypothetical fee scenarios; additional details. She stated that the concerns of the City are that the fee could significantly increase the cost of new development and discourage economic development; loss or re-direction of state and federal funds; coordination and cooperation with adjacent jurisdictions could prove difficult; skeptical that local control will be maintained. She stated that staff proposed the following to Metro: correcting a housing/jobs imbalance by allowing fee to be used for expenditures that would bring or create new jobs in the region. Metro's response was that State law must be modified to allow for this use of fees; proposal is contrary to the expansion of SR 14 as proposed in the NCCHCS.

The Public Works Director stated that the City will provide additional comments to Metro on the submitted document; reiterated the concerns of staff; if Council concurs, the appropriate response will be sent to MTA; gave further details regarding this matter and the issue of funding; wants to make sure the voice of Lancaster is heard; next phase will be to work with each jurisdiction to determine needs of projects in the future; must make certain that every eligible street is included; make sure Lancaster is getting what it needs; looking for concurrence from the City Council.

Comments/Concerns from Council included: How were Metro fees determined; concerns regarding losing local control.

The Interim City Manager stated that he worked for MTA for many years; residents will continue to pay; this will hurt development, particularly retail development; this will pass at MTA level.

Addressing the City Council on this matter:

Jason Smith – outraged; housing prices high enough; proud of staff for opposition; in full support of staff to fight this money-grabbing deal.

The report was received, discussed and filed and concurrence was given by the City Council.

NB 3. REWARD FOR ARREST AND CONVICTION

The Interim City Manager presented the staff report regarding the reward for information leading to the arrest and conviction of the person(s) responsible for the murder of Mr. Angel Martinez, who was found murdered on March 11, 2008.

On a motion by Mayor Hearn and seconded by Council Member Jeffra, the City Council approved the reward of \$5,000.00 for information leading to the arrest and conviction of person(s) responsible for the murder of Mr. Angel Martinez, who was found murdered on March 11, 2008, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

RECESS

Mayor Hearn called for a brief recess at 7:20 p.m.

RECONVENE

Mayor Hearn reconvened the meeting at 7:27 p.m.

- CA 1.** Council Member Smith requested consideration of giving staff direction to look at the viability of ordinances pertaining to reimbursement of public safety costs for excessive calls of service; consideration of charging parents of juveniles that have been arrested for graffiti; Norwalk has an ordinance in place that charges parents for the cost of services; this will be another tool for criminal abatement; if there are excessive calls for service, parents should pay; if there is a rental property identified as a gang hangout, landlord should be served a notice to clean up the act in the area or be charged – this is how it is handled in Norwalk; requested consensus from the City Council to give staff direction to come back with a vigil offense ordinance.

Council Member Sileo requested that an appeal process be put in place; make sure there is some protection for the property owner; applied uniformly and fairly.

There was consensus from the City Council to have staff follow through on this matter.

- CA 2.** Council Member Jeffra presented the matter of Council conduct toward the public; public is tired of being treated badly; public needs to be treated with a certain amount of respect; citizens have a right to speak their mind; respect needs to go both ways; let the people speak.

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CA 2. (continued)

Addressing the City Council on this matter:

Natalie Hernandez – proper conduct is important; offended that people were not allowed to speak in November before a closed session meeting; grateful to kindness of Council Member Jeffra; appalled at amount of money paid to former City Manager; violation of citizen rights; takes voting very seriously.

Darlene Peterson – this is America; do not have to indulge officials that intimidate citizens; Council Member Smith allegedly attempted to interfere with recall process on election day in February; suggested that Council Member Smith be removed from office.

Scott Pelka – doing his civic duty to gather signatures; Council Member Smith has rights as well; individuals came out to intimidate on election day in February; find out if Council Member Smith's phone records can be obtained; did he call people for intimidation tactics; Sheriff Deputies arrived; citizens have rights.

Debbie Phillips – outraged at harassment of recall workers; Council should issue a public reprimand to any council member who interferes with rights of citizens; make such people take ethics training; she refuses to support council members who allowed buy out of former City Manager.

Arnold Rodio – not fair to ask an audience to not clap and cheer if they are passionate about an issue; Council Member Smith allegedly violated laws.

Richard Hecker – action speaks louder than words; Mayor Hearn says he enjoys citizen participation; reminded Council that citizens have rights; harassment during recall process was outrageous; reviewed the process; importance of free speech; City Attorney should explain the ramifications of interference.

Arthur Ekizian – involved in the incorporation of the City; questioning if it was a good idea; feels partially responsible; tactics used by Council Member Smith to intimidate were not appreciated; recall committee will be at all precincts on election day in April and will document all tactics.

Gary Burgess – works on the recall process; cannot overlook use of Sheriff Department badge; against intimidation; State and Federal codes deal with misuse of badges; should not deceive individuals.

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CA 2. (continued)

Dixie Eliopulos – attended many Council meetings; advocates as a volunteer; held these positions for 54 years; first time in 54 years she has been treated badly and watched colleagues treated badly for believing and doing something important; team building builds strong alliances between people; living the spirit of the law, as well as the letter of the law is very important; will stand behind this as a patriot of this country; tired of the attitudes and actions of Council Member Smith; leadership cannot be purchased or strong armed.

Paul Jennings – one of the people that was at the marketplace polling location; measured the distance; had all the legal requirements; started collecting signatures; inspector for the of polling location asked them to move further away; recall people moved back and collected signatures; related the incident at this area with the deputies.

Amelia Jennings – resident for almost 2 years; disappointed in what she has seen; involved in the recall; she was at the Market Place location with her husband Paul; does not appreciate the misuse of Sheriff services on that day; they were peacefully gathering signatures.

Council Member Jeffra requested that Lieutenant Downton research the nature of the phone call; Council can take a look at the procedural nature of this.

Jim Barletta – appreciates Council Member Jeffra for bringing this up; came to Council two months ago about water issues; disagrees with Mr. Williams on water issues; concerned about toilet to tap issue; concerned about contamination; Council should have studied water issue more thoroughly; put on a workshop; have professionals put on a presentation about the seriousness of water; new council needs to look at the seriousness of water.

Jason Smith – requested that his time be given to Dixie Eliopulos.

The City Attorney stated that it is not the Council's policy to allow her more time and she can speak under the non-agendized portion of the meeting, unless the Mayor would like to get consensus from the Council.

It was the consensus of the Council to let Ms. Eliopulos speak.

Dixie Eliopulos – gathered signatures; public outcry against Runner's office for asking Chamber of Commerce to take a position on the recall; on election day, process was normal; some people arrived along with Council Member Smith and this was an intent to cast fear; rude behavior; engaged her in conversation; told to move the recall facility off of the campus; Council Member Smith should be found in violation of oath; not carrying out the spirit; lack of integrity; he should resign.

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CA 2. (continued)

Arnie Rodio – called upon to help with the formation of the City of Lancaster; hangs head down now because of what the city has become; people are gathering signatures and being denied the right to gather; people's rights are being denied.

David Abber – Council gives people an opportunity to speak but does not let them talk; Council Member Jeffra did a great job by bringing this forward; Council Member Smith needs to resign; making it uncomfortable for the citizens; citizens have finally woke up.

Joseph Vara – would like to know when civil rights are to be acknowledged and protected by the Sheriff's Department; Department should not affiliate with Council Member Smith, they should remain neutral.

Carlos Gomez – Council had a person speak on plants earlier in the evening but did not take his concerns into consideration; it was an opportunity to listen to what the people were saying; Council could be the founders and trail blazers for water conservation; listen to the public.

Holly Pelka – Council Member Smith spoke of excessive use of service calls from the Sheriff's Department – this is being hypocritical because he used law enforcement on election day; thanked Council Member Jeffra for bringing this up; review phone calls of Council Member Smith; he should resign.

Council Member Smith stated that he did not call the Sheriff's Department; any Council Member that would call the Sheriff's Department should be dismissed; encouraged the investigation of his phone records; Bob Wilson of AV Press called ALADS about the use of the badge; Council Member Smith explained to Mr. Wilson that this was an ALADS badge and he is endorsed by ALADS – Mr. Wilson found out this truth; paper decided to print the false story on the front page regarding the badge; they printed the retraction later on another page where few would notice it; anyone can call ALADS – candidates use the emblem all the time.

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CA 3. Council Member Sileo requested consideration of posting of City Council and Candidates' required campaign/financial documents on the City Website and presented a PowerPoint presentation regarding hit-mailers. He stated that the voters have no way of knowing who is funding questionable campaign practices and the mailers have recently crossed all lines of decency. He presented examples of the mailers and stated that he is personally offended and so is his family; he would like to know who sent it. He stated that it was sent by Taxpayers for an Honest Government – an out of town committee that does not need to report to Lancaster. He showed additional hit mailers paid for by the same group from Roseville, CA; return address using P.O. Box 233 – Lancaster Republicans; alleged that the P.O. Box seems to be linked to Council Member Smith; inquired as to who can raise and spend that kind of money for such mailers. Council Member Sileo presented a breakdown of campaign forms and the money that has been raised for this election; one candidate has raised more than any other – voters do not have enough information on who is sending mailers or why; other mailers – sometimes sent out by independent committees; some for candidates: Grooms and Marquez; in their defense – candidates do not always know committees are doing this; showed more examples of hit mailers; of all professional mailing services, how is it that these mailers are coming from same place. He requested that all 460's and 470's be placed on the website; all financial filings should be on the website – including committees should be on website in a timely manner; it is a very small basic step; direct staff to investigate how to get a handle on these committees; some are county or statewide committees; requested that the City Attorney look into this, give options – give voters more information; there is an ordinance that states a mailer is supposed to go to the City Clerk, this ordinance needs more teeth.

The City Attorney stated that it is a misdemeanor to violate an ordinance and he will look into some of the issues brought up.

Addressing the City Council on this matter:

Arnold Rodio – he is running for Mayor; never thought he would be part of a hit mailer; look into all LLC's; if filing of economic interest statements are not complete, person should not be allowed to run.

David Paul – would like to know who is behind the hit mailers; trying to point the City in the direction of the future; City should become a charter city; so many protections within charters; removes the power brokers; its time has come.

Denise Latanzi – offended by the hit mailers; not a criminal; as a candidate, she signed a document that stated that that she would behave ethically; hit mailers links are linked back to P.O. Box of Council Member Smith; he should be held to a higher standard; everything he does is a violation of his code of ethics.

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CA 3. (continued)

Council Member Smith stated that Ms. Latanzi is incorrect and that the P.O. Box number was not on the hit mailer regarding the Sileo family. Ms. Latanzi agreed with this statement.

Council Member Smith stated that he was in support of placing this information on the website; there have been two discussions on this matter and he read from the minutes of December 11, 2007. He stated that it is a good idea to place the campaign statements and conflict of interest statements on the website and there has already been consensus from Council to do so. He stated that he noticed in the presentation that the names of Parris, Grooms and Marquez were very clear and other names were blurred to protect the candidates and asked Council Member Sileo if he was accusing anyone. The committees are under the FPPC and he agrees that it would be good to see if they can be under the onus of the City's filing periods. The motion was already handled in December. He feels that Council Member Sileo is making accusations about Mr. Parris and referred to a mailer regarding Council Members Jeffra and Visokey in a past election. He stated that Mr. Wilson of the AV Press reported about the mail box use and the mailing house; more than 500 people have mail boxes at this mailing house, therefore is Council Member Sileo stating that they must all be involved; it is apparent in what candidates Council Member Sileo supports and there is a lack of any reasonable nexus between his motion just two weeks before the election – this is campaigning from the dais and an illegal use of public funds and requested that the City Attorney research this matter for violations.

Council Member Jeffra stated that he has torn up every flyer that he has received and that it is all nonsense; this is cowardly dirty politics.

Mayor Hearn stated that he has been proud to serve the citizens of Lancaster for 18 years and thankful that he never supported any kind of hit mailers on his behalf; mission is to be here and serve; City is precious, good City with good people here and a good Council.

On a motion by Council Member Sileo and seconded by Vice Mayor Visokey, the City Council directed staff to include all FPPC filings on the City's website, including appointees of the Council, for the maximum amount of transparency and investigate independent committees and which ones can be posted on the website in timely manner, by the following vote: 5-0-0-0; AYES: Jeffra, Sileo, Smith, Visokey, Hearn; NOES: None; ABSTAIN: None; ABSENT: None.

INTERIM CITY MANAGER/INTERIM EXECUTIVE DIRECTOR ANNOUNCEMENTS

None

CITY CLERK / AGENCY SECRETARY ANNOUNCEMENT

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

Addressing the City Council/Agency at this time:

Jim Tolin – concerns regarding the possibility of conversions of mobilehomes into condominiums.

Ray Chavira – presented sample regulation of an ordinance from the City of Ventura regarding individual mobilehome conversions and subdivisions of parks.

Mayor Hearn requested that staff look into the Ventura Ordinance and see what can be done.

Cathy Elkins – issues with AVTA; transportation system is dysfunctional; hurts a lot of people who live in Quartz Hill who have to wait an hour for a bus ride; City is heading in wrong direction; need to look at future of transportation system; Lancaster City Park is unsafe; City needs to enforce their own laws and be strict about it.

David Paul – thanked Mayor Hearn and Council Member Jeffra for their years of service and appreciates their commitments to the community. Many advantages to becoming a Charter City, such as cost savings; explained the strong mayor/city manager relationship of a charter city.

Faith Celebron – received citation that she is running a business out of her RV garage; reviewed her issues regarding the neighbor who keeps calling and reporting them; received a notice to cease the business – not running a business. Code Enforcement Officer Katz determined that it was not a business – she has paid many citations, issue has not been resolved.

Chris Cole – introduced herself and her new environmentally friendly business which involves recycling of cartridges for printers; fund raising for schools.

Dena Kendrick – owns four-plex; property is in good condition; City implemented a business licensing fee in 2004; police have only been there one time in 12 years; licensing late fee in 2006 was \$500; in 2007, fee was made more reasonable; late fee is now \$13 which is fair but she is still being held accountable for the \$500 and this is an unfair situation.

David Abber – citizens are listening; citizens are allowed their 3 minutes; do not cut people off who want to speak; citizens are tired.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
MARCH 25, 2008

Alan Kaliff – upset at the lack of attendance by Council at a meeting held by Supervisor Antonovich regarding the possibility of another jail facility in Lancaster.

Mayor Hearn gave a brief update on this matter and stated that staff has met with the warden, Norm Hickling and many others and has told them the City absolutely is opposed to another jail and prison.

The Interim City Manager stated that there was a meeting; staff does not support this project it; recommending that the County delay action; has asked the Sheriff's Department to hold a community meeting and the City leadership and the community have spoken loud and clear.

Council Member Sileo stated that the County and the Sheriff's Department committed to having another meeting so they can see first hand how people feel about this matter; City of Lancaster has done more than their fair share when it comes to this.

Joseph Vara – offended by hit mailers and takes it as an insult to Italian Americans.

Jason Smith – Council has taken a drumming this evening; sorry to see Mayor Hearn step down – he has been a very good mayor; people may disagree with him and the Council because of one decision, but look at the many positive decisions that have been made. None of the former City Manager's ideas would have gone forward without the approval of the City Council; the City Council has approved many great issues for the good of the people; he supports Vice Mayor Visokey; he is counting on Council Member Sileo and Council Member Smith to keep the Council in line.

COUNCIL/AGENCY COMMENTS

Mayor Hearn stated that there have been some rough spots along the way but he has been proud to serve and will share more on April 22, 2008.

CLOSED SESSION

None

ADJOURNMENT

Mayor Hearn stated that pursuant to action taken by the City Council / Redevelopment Agency on November 13, 2007, there will not be a City Council / Redevelopment Agency meeting on April 8, 2008.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
MARCH 25, 2008

Mayor Hearn's adjourned the Council/Agency meeting at 9:48 p.m. in memory of Stephen C. Kucharik, a long-time professional photographer who photographed many events and portraits for the City of Lancaster and volunteered his time and expertise through the Lancaster Photography Association and announced the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, April 22, 2008 at 6:00 p.m.

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
CITY CLERK/AGENCY SECRETARY
Lancaster, CA

HENRY W. HEARNS
MAYOR/CHAIRMAN
Lancaster, CA

CERTIFICATION OF MINUTES
CITY COUNCIL/REDEVELOPMENT AGENCY

I, _____, _____ of the City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original City Council/Redevelopment Agency minutes, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, CA on this _____ day of _____, _____.

(seal)
