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05/27/08
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY  
REGULAR MEETING MINUTES  
May 13, 2008**

**CALL TO ORDER**

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 6:01 p.m.

The City Clerk announced that Council Member Mann was sworn into office on April 28, 2008 in a private ceremony.

**ROLL CALL**

Present: Council Members/Agency Directors: Mann, Marquez, Sileo, Vice Mayor/Vice Chairman Smith; Mayor/Chairman Parris

Absent: None

**Staff**

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

**INVOCATION** – Bishop Henry Hearn

**PLEDGE OF ALLEGIANCE** – Vice Mayor/Vice Chairman Smith

**PRESENTATIONS**

Proclamation –Mental Health Month (May) – presented to Judy Cooperberg

2008 California Association of Public Information Officials (CAPIO) Awards  
Presenter – Anne Aldrich, Communications Manager

Association of Environmental Professionals (AEP) Award – Felt Board City Project  
Presenter – Brian Ludicke, Planning Director

Proclamation - Elks National Youth Week

**AGENDA ITEMS TO BE REMOVED**

None

**ANNOUNCEMENT**

The Interim City Manager introduced Kelvin Tainatongo, the new Assistant to the City Manager.

**APPROVAL OF REDEVELOPMENT AGENCY CONSENT CALENDAR**

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

**RCC 1. MINUTES**

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of April 22, 2008.

**RCC 2. AMENDMENT TO OWNER PARTICIPATION AGREEMENT**

Approved the First Amendment to Owner Participation Agreement (OPA) with Antelope Valley Ventures LLC, extending each phase of the project an additional eighteen months effective May 13, 2008, providing the Agency with a not-to-exceed infrastructure construction cost of \$2,000,000.00 and authorized the Executive Director or his designee to execute the First Amendment to Owner Participation Agreement.

**RCC 3. ACQUISITION OF PROPERTY**

Approved the Agreement for Acquisition of Real Property between the Lancaster Redevelopment Agency and Naim Mashhour and Eyda Mashhour, Trustee(s) of the Naim Mashhour and Eyda Mashhour Family Trust Dated June 17, 2006 for property located at 548 West Avenue I.

**RCC 4. ACQUISITION OF PROPERTY**

Approved the Agreement for Acquisition of Real Property between the Lancaster Redevelopment Agency and LaSalle Bank National Association, as Trustee for Ownit Mortgage Loan Trust, Mortgage Loan Asset-Backed Certificates, Series 2006-4 for property located at 45456 Gingham Avenue.

**RCC 5. ACQUISITION OF PROPERTY**

Approved the Agreement for Acquisition of Real Property between the Lancaster Redevelopment Agency and Deutsche Bank Trust Company Americas for property located at 45563 3<sup>rd</sup> Street East.

**APPROVAL OF CITY COUNCIL CONSENT CALENDAR**

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved the Council Consent Calendar with the exception of Item No. CC2, which was pulled for separate action, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; 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**

On a motion by Vice Mayor Smith and seconded by Mayor Parris, the Redevelopment Agency/City Council approved the Regular Meeting minutes of April 22, 2008, by the following vote: 4-0-1-0; AYES: Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: Mann; ABSENT: None.

**CC 3. WARRANT REGISTER**

Approved the Check and Wire Registers (April 6, 2008 through April 26, 2008) in the amount of \$4,380,862.41.

**CC 4. MONTHLY REPORT OF INVESTMENTS**

Accepted and approved the March 31, 2008 Monthly Report of Investments as submitted.

**CC 5. ACCEPTANCE OF WORK AND MATERIALS FOR LANDSCAPE IMPROVEMENTS – TRACT NOS. 53184; 53184-01; 53184-02; 54222**

Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 236, installed for: Tract No. 53184, located on the northeast corner of Avenue J-8 and 45<sup>th</sup> Street West, Owner: Western Pacific Housing, Inc.; Tract No. 53184-01, located on the southeast corner of Avenue J-8 and 45<sup>th</sup> Street West, Owner: Western Pacific Housing, Inc.; Tract No. 53184-02, located on the southeast corner of Avenue J-11 and 45<sup>th</sup> Street West, Owner: Western Pacific Housing, Inc.; and Annexation No. 232, installed for: Tract 54222, located on the southwest corner of Avenue H-8 and 20<sup>th</sup> Street West, Owner: K. Hovnanian Forecast Homes, Inc.

**CC 6. MONUMENTATION WORK – TRACT NOS. 060331; 060336; 53641; 54285**

Approved the monumentation work for: Tract No. 060331, located on the northwest corner of Avenue J and Palo Verde Street, Owner: Lennar Homes of California, Inc.; Tract No. 060336, located on the northwest corner of Avenue J and 36<sup>th</sup> Street West, Owner: Lennar Homes of California, Inc.; Tract No. 53641, located on the southwest corner of Avenue L-8 and 75<sup>th</sup> Street West, Owner: FR Homes, LLC; and Tract No. 54285, located on the northeast corner of Avenue J and Palo Verde Street, Owner: Lennar Homes of California, Inc.

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MAY 13, 2008

**CC 7. ACCEPTANCE OF STREETS FOR MAINTENANCE – TRACT NOS. 060336; 060435; 47609; 53552**

Approved the developer constructed streets and accept the streets for maintenance by the City for: Tract No. 060336, located on the northwest corner of Avenue J and 36<sup>th</sup> Street West, Owner: Lennar Homes of California, Inc.; Tract No. 060435, located on the north side of Avenue K, approximately 654 feet west of 45<sup>th</sup> Street West, Owner: Trimark Pacific-Lancaster 161, LLC; Tract No. 47609, located on the north side of Avenue K, approximately 977 feet east of 50<sup>th</sup> Street West, Owner: Trimark Pacific-Lancaster 161, LLC; and Tract No. 53552, located on the southwest corner of Avenue H-4 and 20<sup>th</sup> Street West, Owner: K. Hovnanian Forecast Homes, Inc.

**CC 8. APPROVAL OF COMPLETED WATER SYSTEMS – TRACT NOS. 060336; 060435; 53184; 53184-01; 53184-02; 54400**

Approved the completed water systems installed by the developer for: Tract No. 060336, located on the northwest corner of Avenue J and 36<sup>th</sup> Street West, Owner: Lennar Homes of California, Inc.; Tract No. 060435, located on the north side of Avenue K, approximately 654 feet west of 45<sup>th</sup> Street West, Owner: Trimark Pacific-Lancaster 82, LLC; Tract No. 53184, located on the northeast corner of Avenue J-8 and 45<sup>th</sup> Street West, Owner: Western Pacific Housing, Inc.; Tract No. 53184 Offsite, located on the northeast corner of Avenue J-8 and 45<sup>th</sup> Street West, Owner: D.R. Horton-Los Angeles/Ventura Division; Tract No. 53184-01, located on the southeast corner of Avenue J-8 and 45<sup>th</sup> Street West, Owner: Western Pacific Housing, Inc.; Tract No. 53184-02, located on the southeast corner of Avenue J-11 and 45<sup>th</sup> Street West, Owner: Western Pacific Housing, Inc.; and Tract No. 54400, located on the southeast corner of Avenue J-8 and 35<sup>th</sup> Street West, Owner: Trimark Pacific-Lancaster 82, LLC.

**CC 9. PWCP NO. 08-005**

Awarded **Public Works Construction Project No. 08-005**, Eastside Pool Roof Repair, to Universal Coatings, Inc. in the amount of \$239,125.00, plus a 10% contingency and authorized the City Manager, or his designee, to sign all documents. The project is designed to repair the existing roof of the swimming pool and renovate the existing skylights at the Eastside Pool located at the northwest corner of the intersection of 5<sup>th</sup> Street East and Kettering Street.

**CC 10. PWCP NO. 06-050**

Accepted the work constructed by National Plant Services, Inc. for the acceptance of **Public Works Construction Project No. 06-050**, CDBG Sewer Assessment – CDBG Project 26-80; 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 11. CDBG PROGRAM FUNDING**

Received estimated revenues in Account No. 361-3380-100 by \$368,000.00 to account for funds approved in Program Year 2005 of the CDBG program and approve the appropriation of the same amount for the Citywide Rental Rehabilitation Program, Activity 25-42, in Account No. 361-4541-770.

**CC 12. APPROVAL OF SUB-RECIPIENT AGREEMENT**

Approved the Sub-Recipient Agreement between the City of Lancaster and the Housing Rights Center to provide fair housing services to the residents of Lancaster for the 2008 Community Development Block Grant (CDBG) Program Year.

**CC13. APPROPRIATION OF FUNDS UNDER THE HOME INVESTMENT PARTNERSHIP PROGRAM**

Approved the appropriation of \$514,687.00 of the balance of funds awarded under the HOME Investment Partnership Program for the construction of Laurel Crest Apartments, a workforce multi-family housing project. Increased revenue Account No. 391-3307-100 by \$500,000.00 and revenue Account No. 391-3307-110 by \$14,687.00. Appropriated \$500,000.00 to expenditure Account No. 391-4724-770 and \$14,687.00 to expenditure Account No. 391-4724-771.

**CC 14. APPROVAL OF AGREEMENT FOR AVENUE I AND STATE ROUTE 14 IMPROVEMENTS**

Approved the increase of the Professional Services Agreement contract amount to Willdan for the Avenue I and State Route 14 Interchange Improvements project by \$510,046.00, for a total revised contract amount of \$1,303,046.00, for design requirement changes that were discovered during the design process. Authorized the City Manager, or his designee, to sign all documents.

**CC 15. ADJUSTMENT TO SERVICE RATES**

Approved the adjustment to service rates for street sweeping operations and discontinue exercising the contract option of sweeping of the tops of raised, curbed medians next fiscal year.

**PH 1. LANCASTER SEWER SYSTEM SERVICE CHARGES**

Mayor Parris opened the public hearing. The Public Works Director presented the staff report regarding the Lancaster Sewer System Service Charges. There being no further testimony, Mayor Parris closed the Public Hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council adopted **Resolution No. 08-35**, levying Lancaster Sewer System Service Charges for maintenance and servicing of the Lancaster Sewer System for Fiscal Year 2008-2009, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

**PH 2. APPEAL OF STAFF DECISION DENYING ELECTRONIC MESSAGE CENTER SIGN – LANCASTER MARKETPLACE**

Mayor Parris opened the public hearing. The Planning Director presented the staff report regarding the decision to deny an electronic message center sign at Lancaster Marketplace.

Concerns and comments from the City Council included: clarification of specifications within the Lancaster Municipal Code in regards to signage; importance of allowing an electronic sign in the area to service all businesses; businesses need to get their messages out – this is very important; this needs to be addressed in an aggressive manner; current signs are unsightly; current sign is a permitted sign; common sense is needed regarding this matter; concerns regarding the equity issue for the City as a whole; should signs be allowed and if so, what size; the City maintains standards and signs are proportionate to size and square footage of the area in question; the City must support business; there are different signage codes in different cities; caution as to not set a precedent; look to the future; businesses suffer when signs are removed; a sign needs to be proposed that will work for all and at the same time as to not end up with an eye sore; this is a genuine concern.

Addressing the City Council on this matter:

Faramarz Yousefzadeh – Applicant - presented signage examples; explained details of signs; discussed several points such as the size of the property; size of parking area; stated that the Marketplace does fit the definition of a regional mall; referred to standards; gave many details; anchor draws are with major stores such as Harbor Freight; discussed businesses near the Marketplace Center; offered space on the sign for their advertising; his intent is to benefit the tenants to help the Marketplace to become a profit center. He stated that he will work with other retailers and will work with the City on the design and esthetics of the sign; he will be happy to comply and help with a reasonable timeline.

Ed Wasserman – Representing Daktronics, stated that the Planning Director does a great job; sections of the Municipal Code are clear; quoted the letter of the law in regards to the definitions of a mall; definition of anchor stores; many current stores are major tenants; letters that were received from the City years ago that clearly state in writing – congratulations on the mall and shopping center; quoted information from the shopping center handbook.

Amy Ellington – encouraged the City Council to support the signage and support local businesses; sign will be a positive addition to the area; support the vision; the Marketplace has the potential to be a major draw for the economy.

There being no further testimony, Mayor Parris closed the Public Hearing.

**PH 2. APPEAL OF STAFF DECISION DENYING ELECTRONIC MESSAGE CENTER SIGN – LANCASTER MARKETPLACE (continued)**

Additional concerns and comments from the Council included consideration of a 3 to 5 year approval; all should benefit from the sign; concerned about ending up with a thrift store look; misspellings; important to have over-site on the appeal factor; not convinced that the appellant has met all the qualifications; intriguing compromises and solutions have been discussed; consider a single message board; important to have all ordinances and regulations in place; proper solution is to work with all businesses concerned; come up with a sensible size and design; applicant has not met the burden of proof; staff should review this; consider continuation of this matter; meet with all entities; a realistic timeline of 90 days; continue the decision on this for 90 days; staff should work with Mr. Yousefzadeh and all other centers involved, such as Cinemark and the Power Center.

Mr. Yousefzadeh stated that he and several others, including staff, will be in Las Vegas next week for the National Shopping Center Conference and he would like to use that opportunity to sit down with staff and discuss this matter.

The Interim City Manager stated that staff will be able to accommodate this meeting and a 90 day timeline is workable.

On a motion by Mayor Parris and seconded by Vice Mayor Smith the City Council approved the continuation on the decision on this matter to a date not to exceed 90 days and directed staff to work with Mr. Yousefzadeh on this matter, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

**PH 3. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2008 PROGRAM YEAR ACTION PLAN**

Mayor Parris opened the public hearing. The Housing Director presented the staff report regarding the CDBG 2008 Program Year Action Plan.

There being no further testimony, Mayor Parris closed the Public Hearing.

Council Member Sileo – requested clarification in regards to the Code Enforcement Officers.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved the proposed projects described herein for the City of Lancaster's 2008 One-Year Action Plan application to be submitted to the United States Department of Housing and Urban Development, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

**NB 1. COMMITTEES/ORGANIZATIONS**

The Interim City Manager presented the staff report regarding additional committees/organizations which need appointments.

On a motion by Mayor Parris and seconded by Vice Mayor Smith, the City Council approved the following appointments by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

(1) North County Transportation Coalition (NCTC) – Council Member Mann; (2) High Desert Corridor (JPA) – Vice Mayor Smith and Council Member Marquez as an alternate; (3) Southern California Association of Governments Regional Council – Mayor Parris and Council Member Marquez as an alternate; (4) League of California Cities (Desert Mountain Division) – Mayor Parris and Vice Mayor Smith as an alternate; (5) League of California Cities (Los Angeles County Division) – Mayor Parris and Vice Mayor Smith as an alternate; (6) Edwards Air Force Base Restoration Advisory Board (RAB) – Mayor Parris and Council Member Sileo as an alternate.

**NB 2. AMENDING CHAPTER 2.24 OF THE LANCASTER MUNICIPAL CODE RELATING TO THE PLANNING COMMISSION**

The City Attorney presented the staff report regarding amending Chapter 2.24 of the Lancaster Municipal Code relating to the Planning Commission. He advised that City Council approve the introduction of this ordinance, with amendments, and adopt this ordinance at the meeting of May 27, 2008. In the future, amendments to this ordinance would come back to Council.

Council Member Sileo – stated that he disagreed with the removal of the Planning Commission and the process should have followed the normal course.

Mayor Parris stated that he understood; looked at the areas of the City that are the most vulnerable; does not want this to become a political football; past practices and thought processes are not the way to envision the future of the City; important for the Mayor to have the authority to make the selections.

On a motion by Mayor Parris and seconded by Vice Mayor Smith, the City Council introduced **Ord. No. 899** (with amendments), an ordinance of the City Council of the City of Lancaster, California amending Chapter 2.24 of the Lancaster Municipal Code relating to the Planning Commission, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.



**CA 1. APPOINTMENT OF PLANNING COMMISSIONERS**

Mayor Parris presented his selection appointments to the Planning Commission and requested discussion and approval from the City Council.

He requested that five of the appointees be approved this evening and two more be approved once the ordinance is passed to allow for a seven member commission. He stated that his appointments were: Larry Burkey; Johnathon Ervin; Dana Haycock; Daniel Jacobs; Rajprabhjot Malhi; Sandy Smith; James Vose. Mayor Parris requested that Mr. Burkey and Mr. Ervin remain unseated at this time until the ordinance is in effect.

Addressing the City Council on this matter:

Scott Pelka – shared his concerns regarding the appointments of people involved in real estate; fairgrounds; Wal-Mart; Bozigian family.

Council Member Sileo expressed his concerns regarding the application process; lack of time to review the applications; requested equal time to review the applications; would like to delay the appointments until the next City Council meeting so that he may have time to review the seven applications that were selected. He inquired as to whether the other thirty applications would be released to the rest of the Council.

Mayor Parris stated that he selected seven individuals that he felt would work together for the good of the City; he recognized that Council may want additional time to consider the appointees but at the end of the process, it was the decision of the Mayor, with ratification by the Council. He stated that he is within the law to select these individuals and that it is not unlike the Governor when he selects his appointees to the legislature. He looked at qualifications; importance of moving rapidly on this matter; many challenges are facing the City. He stated that he was not planning on releasing the other thirty applications; explained the law; protection of individuals from embarrassment issues; defeats candor; defeats the willingness for people to come forward; protecting their privacy; he released their names, there is no reason to look at their applications; those documents are privileged and confidential.

Council Member Mann also requested additional time to review the seven applicants and felt that he did not receive the applications in a timely manner. He would like to make an informed decision and understands the sense of urgency behind this.

Mayor Parris stated that all Council Members received the applications within an hour of his decision.

Vice Mayor Smith stated that he did not have a problem with continuing this matter for two weeks. The Government Code does not specify how the names are to be selected; the Mayor has taken the opportunity to open this up to the public and received positive feedback on this process from the community.

**CA 1. APPOINTMENT OF PLANNING COMMISSIONERS (continued)**

Council Member Marquez stated that she believes the Mayor is looking for synergy; a group of people who can work well together; varied backgrounds. She stated that she does not have any concerns regarding the process and understands it.

Council Member Mann discussed the importance of an open and transparent government.

Mayor Parris stated that he is attempting to get qualified competent people; non-disclosure of the other applications is within the law; the Council knows who the other applicants are and can freely contact them and request copies of their applications.

Council Member Sileo inquired as to an event that took place on Friday, May 9, 2008 at the Mayor's home and shared concerns regarding the Brown Act.

Mayor Parris stated that he invited many people to a barbeque at his home; a social function; eleven applicants were in attendance; additionally, the Planning Director and Interim City Manager were there; Vice Mayor Smith and Council Member Marquez were in attendance as well. It was a social affair and a chance to observe the applicants and see how they interact with one another. All of Council sat at separate tables; nothing was discussed relating to public business.

Council Member Sileo stated that this particular function will influence the vote this evening.

Mayor Parris stated that he agreed, three Council members including himself, were able to visit with the applicants on a social level; it was not a violation of the Brown Act and there will be more dinners in the future in which he plans to invite Council Member Sileo.

The City Attorney concurred with the Mayor in regards to the fact that there was no violation of the Brown Act.

Council Member Marquez stated that the Executive Secretary, Terry Crosby, can help Council Member Mann have his e-mail set up at home so that he can receive information in a timely manner.

On a motion by Mayor Parris and seconded by Vice Mayor Smith, the City Council agreed to table the motion for approval of the selected applicants until May 27, 2008, in order to give Council Members Mann and Sileo to consider the applicants, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

**CA 2. COUNCIL MEETING TIMES**

Mayor Parris requested discussion and consideration of meeting times of Lancaster City Council/Redevelopment Agency meetings. He stated that the City Council makes decisions that affect everyone's lives and making those decisions late into the evening is very risky. Meeting earlier in the day gives a fresh perspective; public comment could be received later in the evening; many citizens do not want to sit in the Chambers late into the evening.

Addressing the City Council on this matter:

Scott Pelka – opposed to changing meeting times; commuting community; people need time to get to this forum.

Cleo Goss – opposed to a change in meeting times; she cannot make it to the meetings any earlier.

Vice Mayor Smith stated that the meetings are now on the Internet; webstreaming; and are shown several times on television.

The Interim City Manager stated that citizens can communicate in writing; people currently send emails with their concerns; City can publicize this more; citizens can make comments on the Internet as well.

Mayor Parris stated that emails pertaining to a specific item on the agenda could be separated out and submitted if citizens desire to comment on an item.

Mayor Parris stated that he will come up with a proposal for the next meeting.

Council Member Sileo expressed concerns due to his work schedule.

Council Member Mann requested several choices to be considered.

Mayor Parris requested a brief recess at 8:20 p.m.

Mayor Parris reconvened the meeting at 8:35 p.m.

**CA 3. WATER CONSERVATION WORKSHOP**

Vice Mayor Smith requested discussion and direction to staff to setup a water conservation workshop for Council as well as to discuss aggressive landscape standards. He requested a consensus from the Council to move forward on issues such as xeriscaping; landscaping; plants and several other issues. It is important that the City be the leader in water conservation and to make some decisions.

Council Member Sileo stated that water issues have no boundaries; a solution to water shortages is regulated cooperation; every entity must sign off on solutions.

**CA 3. WATER CONSERVATION WORKSHOP (continued)**

Council Member Mann discussed water shortages in the cities to the south; part of reason why cities to the south use less water is because of density levels; highly supportive of water issues; supportive of the Vice Mayor's proposal; important to establish water policies on how to move forward; not just on new construction but also on retrofitting older existing areas; must get some major reductions; concerns regarding major developments; must look at every avenue; every possibility; find some cooperativeness in older neighborhoods.

Further discussion took place regarding developers; xeriscaping; decrease of water; retrofitting; setting standards for new developments; rate tables; involving all entities; importance of a workshop to look at ordinances; give a menu to choose from; get all ideas on the table; come up with a calendar; a schedule; water problem is huge; consider an Ad Hoc committee.

The City Attorney stated that the discussion pertaining to an Ad Hoc committee is not on the agenda and should be brought back to the next meeting. Council agreed that this should be placed on the next agenda.

Vice Mayor Smith requested that staff come back with some possible dates for the workshop.

On a motion by Mayor Parris and seconded by Council Member Marquez, the City Council appointed Vice Mayor Smith as the City's representative on water issues and to take the charge on this matter, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

**CA 4. ENHANCED RESIDENTIAL DESIGN STANDARDS**

Mayor Parris requested discussion and direction to staff to return to Council with a report/ordinance for enhanced residential design standards based on the Architectural and Design Citizens Committee. He stated the importance of having an ordinance in place; wants clear design standards; this commission would be separate from the Planning Commission and would deal with design issues only. Important not to delay projects; the City can do a lot better with design. He requested that an application process be opened up for ten (10) days with a deadline of May 23, 2008 at 5:00 p.m. and applications are to be submitted to the City Clerk.

**CA 5. SOLAR ENERGY DISCUSSION**

Mayor Parris requested discussion and direction to staff to return to Council with a report on residential solar energy. Staff should take a serious look at solar panels on all future development; feasibility of solar.

Council Member Mann stated that the Planning Commission in the past looked at a project regarding wind; suggested that the discussion be broadened to include solar energy. The project he reviewed was for a commercial development. Lowes has won numerous awards for being green; wind generation has its merits.

The Interim City Manager stated that staff will bring information back to the Council at a future meeting.

**CA 6. CRIMINAL JUSTICE COMMISSION**

Mayor Parris requested discussion and direction to the City Attorney and staff to establish a Criminal Justice Commission; appoint a chairman; terms of office; Commission sunset; purpose. He stated that he would like to appoint Robert Parris and Marvin Crist as Co-Chairmen to the Criminal Justice Commission. They will assist in the oversight of gang enforcement; jail issues; neighborhood watch; include Antelope Valley War on Gangs into the Criminal Justice Commission; this will be a real commission; broad sweeping impact on how the City will pursue the criminal element. Mr. Parris and Mr. Crist will have enough involvement to look at this and take applications into consideration.

The City Attorney stated that this Commission must first be established within the Lancaster Municipal Code and staff will return with this information at a future meeting.

**CA 7. DISPLAY OF NATIONAL MOTTO**

Council Member Marquez requested the assistance of Vice Mayor Smith and his graphic expertise to come back to the City Council with recommendations for the back wall of the Council Chambers.

Addressing the City Council on this matter;

Debbie Phillips – opposed to the display of the national motto; implies that non-believers are not welcome; could create hostility; proposal shows favoritism and denial to godless individuals.

Scott Pelka – opposed to the display of the national motto; there should be separation of church and state; most people in Lancaster would agree with him.

Gary Burgess – has looked at the pros and cons; visibly displays faith; change motto to: In God and the Los Angeles Sheriff's Department We Trust; funds should come from the personal accounts of Council Members and/or donations from public; keep public safety as the No. 1 priority; safety is more important than remodeling City Hall.

**CA 7. DISPLAY OF NATIONAL MOTTO (continued)**

Bishop Hearn – This request is about America and the flag, not religion and he is in favor of this proposal.

Council Member Marquez stated that she was not asking for this because of her religious beliefs; she has always felt that there should be something on the back wall; her blood runs red, white and blue; this is very dear and emotional to her; American seems to be slipping away; this City loves America; when she brought this up it was not because of her religious beliefs. This has nothing to do with church and state; has to do with America and the Flag; it has to do with being proud to be an American and proud to display patriotism. She stated that she has received some examples and would like a committee and a graphics arts person to come up with something.

The Interim City Manager stated that the City owns several buildings and the cost for this project which would be minimal and would come out of existing funds.

Mayor Parris requested that Council Member Marquez form a committee and effectuate having the national motto placed on the wall.

Council Member Sileo – gave deference to history; democracy and freedom and reminded people of what it took to keep this country sound and solid.

The Council agreed to allow this committee to be organized and move forward and the vote was unanimous.

**INTERIM CITY MANAGER/INTERIM EXECUTIVE DIRECTOR ANNOUNCEMENTS**

The Interim City Manager stated that the City and City staff recently hosted the Chinese Consulate; leading the charge; presented a compelling case as to why Lancaster is the place to invest; Chinese companies are going to be submitting proposals and were very impressed with Lancaster and the presentation by staff.

Vice Mayor Smith stated that the Governor's office was very impressed as well; staff did an excellent job; this has put Lancaster on the map with large companies and might be the basis for an industrial base that this City disparately needs.

**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:

Ray Chavira – Congratulated the new Council; Representing the mobilehome coalition and Sherwood Mobilehome Park; concerned that past ordinances in regards to protections to mobilehome parks will be lost and forgotten; discussed matters on the June ballot in regards to Proposition 98.

Cleo Goss – concerned about laws that should prevent sexual predators from supercenters; such as the proposed supercenter for 60<sup>th</sup> West and Avenue L; concerns for safety of children; supercenters should not come; build elsewhere; commercials and schools are not a good mix; place safety of children first.

The City Attorney cautioned the City Council that this matter is a project that is being processed by the City and the property owners have due process rights, so their matter will be heard first by the Planning Commission then by the City Council. What is said tonight is not part of the public record and is not part of anything Council can consider in connection with the approval or denial of this matter.

**CR 1. SANITATION REPORT**

Council Member Sileo presented a report on the activities of the Board of Directors for District No. 14 of the County Sanitation Districts of Los Angeles County. His report included the following information:

District No. 14 of the County Sanitation Districts of Los Angeles County is organized to receive through their trunk sewers the wastewater from all of the City of Lancaster, a small region of the westerly portion of the City of Palmdale, and a smaller region of the unincorporated County of Los Angeles. A Board of Directors comprised of a representative from each city and the County generally meets monthly to review and decide upon the business of the District.

At the April 23, 2008, meeting, the Board of Directors adopted the following significant recommendations of the Sanitation Districts' staff:

- Awarded a contract to repair three sections of trunk sewer: (1) south of Ave. H and east of Sierra Highway, (2) along Ave. H-4 through the two basins of the Centennial Storm Water Retention/Detention Basin, and (3) along Ave. J-13 near Foxton Ave.
- Authorized giving Notice of Intent to consider adopting *Resolutions of Necessity* to acquire approximately 128 parcels of land for the proposed agricultural operation, one element of the Lancaster Water Reclamation Plant 2020 Facilities Plan.

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**CR 1. SANITATION REPORT (continued)**

- A total of 4,650 acres is needed according to the 2020 Facilities Plan of which 4,751.59 acres have been acquired to date: 3,353.62 acres have been purchased from willing sellers, 2.25 acres have been acquired from tax default proceedings, and 1,395.72 acres have either been settled or are in litigation through eminent domain hearings.
- Following a public hearing regarding the Sewer Service Charge Report that was presented to the Board in March, the Report was adopted and a Resolution for Collection of Service Charges on the Tax Roll was approved. The sewer service charge necessary to operate and maintain the trunk sewerage and the wastewater treatment plant was approved to increase from \$210 per year per single family dwelling equivalent to \$260 per year. This sewer service charge increase is consistent with the three year projection of rate increases that was first adopted in 2005 primarily to construct the expanded and upgraded treatment plant.

**CR 2. AVTA REPORT**

Vice Mayor Smith reported that he attended the Antelope Valley Transit Authority (AVTA) meeting; no formal action was taken; it was a chance for introductions of himself and Council Member Marquez.

**COUNCIL / AGENCY COMMENTS**

None

Mayor Parris recessed the meeting at 9:25 p.m. for the purpose of holding a Closed Session regarding:

**CLOSED SESSION**

G.C. SECTION: 54957 (b)

Personnel Matter to consider the appointment/performance evaluation of City Manager.

Mayor Parris reconvened the meeting at 9:51 p.m.

The City Attorney announced that the City Council met in Closed Session regarding the aforementioned matter; took action to appoint Mark Bozigian as City Manager. Terms of the agreement will come back to the next City Council meeting.

Mayor Parris thanked Mark Bozigian for keeping the City functioning; not taking sides; his exceptional, professional performance.

Mark Bozigian stated that this appointment shows confidence in the entire staff; thanked the City Council; he will put this staff up against any staff anywhere; he is very proud to serve; this is a great city; great people; important to be involved; he is very honored; on a personal note, he stated that he grew up in Lancaster; has had many great experiences; acknowledged his wife, son, daughter and his parents; it is very easy to live his life with integrity because of the wonderful role models that his parents have been.



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Mayor Parris adjourned the Council/Agency meeting at 9:55 p.m. and announced the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, May 27, 2008 at 6:00 p.m.

**ATTEST:**

**APPROVED:**

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

\_\_\_\_\_  
R. REX PARRIS  
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)

\_\_\_\_\_