

CC 2
07/22/08
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
July 8, 2008**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:05 p.m.

ROLL CALL

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

Absent: None

Staff

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

INVOCATION – Pastor Jerry Ferreso – Lancaster Baptist Church

PLEDGE OF ALLEGIANCE – Council Member/Agency Director Sileo

PRESENTATIONS

Recreation & Parks Month Proclamation

Presenter: Mayor Parris

AGENDA ITEMS TO BE REMOVED

None

APPROVAL OF REDEVELOPMENT AGENCY CONSENT CALENDAR

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency approved the Agency Consent Calendar with the exception of RCC 2 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.

RCC 1. MINUTES

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of June 24, 2008.

RCC 2. ACQUISITION OF REAL PROPERTIES

Chairman Parris stated that he would need to abstain from this item because he has not had a chance to review this particular matter and it may or may not be a conflict.

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency approved Agreements for Acquisition of Real Properties between the Lancaster Redevelopment Agency and various agencies as part of the approved Neighborhood Foreclosure Preservation Homeownership Program, by the following vote: 4-0-1-0; AYES: Mann, Marquez, Sileo, Smith; NOES: None; ABSTAIN: Parris; ABSENT: None.

RCC 3. INCREASE IN CONTRACT AMOUNT FOR EMERGENCY SHELTER EXPANSION

Approved increase in contract amount for the Emergency Shelter Expansion Project No. 1 with Bowe Contractors, Inc. by \$120,053.09 bringing new total contract amount to \$970,165.78.

RCC 4. AGREEMENT WITH RBF CONSULTING TO DEVELOP A SPECIFIC STRATEGIC IMPLEMENTATION PLAN FOR NORTHEAST GATEWAY CORRIDORS PROJECT

Authorized a Professional Services Agreement with RBF Consulting to develop a specific Strategic Implementation Plan for the Northeast Gateway Corridors Project, the Mariposa Neighborhood, in an amount not to exceed \$40,394.00 for Phase I.

RCC 5. AGREEMENT WITH RBF CONSULTING TO DEVELOP PARKVIEW AREA SPECIFIC VISION PLAN

Authorized a Professional Services Agreement with RBF Consulting to develop the Parkview Area Specific Vision Plan in an amount not to exceed \$43,943.00 for Phase I.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JULY 8, 2008

RCC 6. AGREEMENT WITH RBF CONSULTING TO DEVELOP THE EL DORADO SPECIFIC AREA VISION PLAN

Authorized a Professional Services Agreement with RBF Consulting to develop the El Dorado Specific Area Vision Plan in an amount not to exceed \$43,943.00 for Phase I.

RCC 7. LEASE EXTENSION WITH CSUF

Approved the lease extension between the City of Lancaster and California State University, Fresno (CSUF) for the use of real property known as the Engineering Laboratory at the Lancaster University Center.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council approved the Council Consent Calendar with the exception of Item Nos. CC 10 and CC 12, which were 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

Approved the Redevelopment Agency / City Council Regular Meeting minutes of June 24, 2008.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers (June 8, 2008 through June 21, 2008) in the amount of \$4,451,343.00.

CC 4. MONTHLY REPORT OF INVESTMENTS

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

CC 5. RESOLUTION NO. 08-63

Adopted **Resolution No. 08-63**, a resolution of the City Council of the City of Lancaster, relating to the destruction of certain documents.

CC 6. PROPOSAL NO. 526-08

Awarded **Proposal No. 526-08, Output Devices Consolidation Project**, to Ikon Office Solution to provide and implement a plan to consolidate printers, copiers and other output devices for the City.

CC 7. MOU FOR ADDITIONAL SECTION 8 INVESTIGATIVE SERVICES

Approved the Memorandum of Understanding to continue additional Section 8 Investigative Services between the Housing Authority of the County of Los Angeles and the City of Lancaster for the Fiscal Year 2008/2009.

CC 8. ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS

Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation No. 05-03, installed by the developer for Tract No. 061064, located on the northeast corner of Avenue K and 30th Street East, Owner: Western Pacific Housing, Inc.

CC 9. ACCEPTANCE OF MAINTENANCE FOR LANDSCAPE IMPROVEMENTS

Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 329, installed for Tract No. 061078, located on the northwest corner of Avenue K-8 and 15th Street East, Owner: Richmond American Homes of California, Inc.

CC 10. MONUMENTATION WORK

Mayor Parris recused himself from this matter due to the fact that there could be a potential conflict regarding clients of his.

On a motion by Council Member Mann and seconded by Council Member Sileo, the City Council approved the monumentation work for Parcel Map No. 068209, located on the east side of 8th Street East, approximately 330 feet south of Avenue L-8, Owner: Karen A. Queen, by the following vote: 4-0-1-0; AYES: Mann, Marquez, Sileo, Smith; NOES: None; RECUSED: Parris; ABSENT: None.

CC 11. COMPLETION OF SEWER SYSTEMS

Approved the completed sewer systems installed by the developer of Tract No. 061042, located on the northeast corner of 60th Street West and Avenue K-4, Owner: KB Home Greater Los Angeles Inc.

CC 12. ACCEPTANCE OF STREETS FOR MAINTENANCE

Mayor Parris recused himself from this matter due to the fact that there could be a potential conflict regarding clients of his.

On a motion by Council Member Mann and seconded by Council Member Sileo, the City Council approved the developer constructed streets and accepted the streets for maintenance by the City for: Conditional Use Permit No. 85-09, located at 44662 15th Street West, Owner: Desert Christian Ministries, Inc.; Parcel Map No. 067571, located on the northeast corner of 20th Street West and Avenue I, Owner: Vallarta Properties, LLC; and Tract No. 060887, located on the west side of 16th Street West, approximately 838 feet north of Avenue J, Owner: Tandis Homes Skyridge Pointe, LP, by the following vote: 4-0-1-0; AYES: Mann, Marquez, Sileo, Smith; NOES: None; RECUSED: Parris; ABSENT: None.

CC 13. COMPLETION OF INSTALLED WATER SYSTEM

Approved the completed water systems installed by the developers for: Parcel Map No. 067571, located on the northeast corner of 20th Street West and Avenue I, Owner: Vallarta Properties, LLC; and Tract No. 060887, located on the west side of 16th Street West, approximately 838 feet north of Avenue J, Owner: Tandis Homes Skyridge Pointe, LP.

CC 14. ACCEPTANCE OF MAP AND DEDICATIONS

Approved the map and accepted the dedications as offered on the map for Parcel Map No. 62728, located on the southeast corner of 15th Street West and Avenue L-12; 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 15. MULTI-YEAR PROFESSIONAL SERVICE AGREEMENTS

Approved Multi-Year Professional Service Agreements with each of the pre-qualified consulting firms. Authorized the Director of Public Works, or his designee, to sign all Task Orders up to \$125,000.00, and the City Manager, or his designee, to sign all Task Orders in excess of \$125,000.00, for a total of no more than \$2,000,000.00 per firm, per fiscal year.

CC 16. PROPOSED ANNEXATIONS TO LANCASTER DRAINAGE BENEFIT ASSESSMENT DISTRICT

Annexation No. 06-50, Permit No. 06-02276, located on the north side of Avenue L-4, approximately 335 feet east of 15th Street West. Owner: Anthony L. Pulliam and Bonny E. Pulliam, husband and wife as joint tenants.

Annexation No. 07-51, Site Plan Review No. 06-19, located on the north side of Avenue L-12, approximately 330 feet east of 5th Street East. Owner: Hagop Harouteoun Ketenjian and Cynthia Mary Ketenjian, trustees of the Hagop and Cynthia Ketenjian Living Trust dated May 3, 1999.

Annexation No. 07-59, Permit No. 07-01218, located on the south side of Avenue M, approximately 250 feet west of 35th Street West. Owner: Camino Hermanos I, LLC.

Annexation No. 08-17, Permit No. 07-03714, located on the northeast corner of Avenue H-6 and 30th Street East. Owner: Josephine Roman, an unmarried woman.

Annexation No. 08-18, Permit No. 07-04219, located at 513 East Nugent Street. Owner: Josephine Roman, an unmarried woman.

CC 16. PROPOSED ANNEXATIONS TO LANCASTER DRAINAGE BENEFIT ASSESSMENT DISTRICT (continued)

Annexation No. 08-20, Site Plan Review No. 07-15, located on the southeast corner of Avenue K and 6th Street East. Owner: Yasser Mubarkeh and Nashwa Murbarkeh, husband and wife as joint tenants as to an undivided 50% interest and Elias Mbarkeh and Kahramanah Mbarkeh husband and wife as joint tenants as to an undivided 50% interest.

A. Adopted **Resolution No. 08-64**, 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. 06-50, 07-51, 07-59, 08-17, 08-18, and 08-20.)

B. Adopted **Resolution No. 08-65**, 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. 06-50, 07-51, 07-59, 08-17, 08-18, and 08-20.)

CC 17. PROPOSED ANNEXATIONS TO LANCASTER LIGHTING MAINTENANCE DISTRICT

Annexation No. 711, Permit No. 06-02276, located on the north side of Avenue L-4, approximately 335 feet east of 15th Street West. Owner: Anthony L. Pulliam and Bonny E. Pulliam, husband and wife as joint tenants.

Annexation No. 829, Site Plan Review No. 06-19, located on the north side of Avenue L-12, approximately 330 feet east of 5th Street East. Owner: Hagop Harouteoun Ketenjian and Cynthia Mary Ketenjian, trustees of the Hagop and Cynthia Ketenjian Living Trust dated May 3, 1999.

Annexation No. 839, Permit No. 07-01218, located on the south side of Avenue M, approximately 250 feet west of 35th Street West. Owner: Camino Hermanos I, LLC.

Annexation No. 860, Permit No. 07-03714, located on the northeast corner of Avenue H-6 and 30th Street East. Owner: Josephine Roman, an unmarried woman.

Annexation No. 861, Permit No. 07-04219, located at 513 East Nugent Street. Owner: Josephine Roman, an unmarried woman.

CC 17. PROPOSED ANNEXATIONS TO LANCASTER LIGHTING MAINTENANCE DISTRICT (continued)

A. Adopted **Resolution No. 08-66**, 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. 711, 829, 839, 860, and 861.)

B. Adopted **Resolution No. 08-67**, 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. 711, 829, 839, 860, and 861.)

PH 1. CONFIRMING DIAGRAMS AND ASSESSMENTS FOR PROPOSED ANNEXATIONS TO LANCASTER DRAINAGE BENEFIT ASSESSMENT DISTRICT

Mayor Parris 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 Parris closed the Public Hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council adopted **Resolution No. 08-68**, a resolution of the City Council of the City of Lancaster, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District and levy of assessment (Annexation Nos. 06-50, 07-51, 07-59, 08-17, 08-18, and 08-20), by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Vice Mayor Smith, Mayor Parris; NOES: None; ABSTAIN: None; ABSENT: None.

PH 2. CONFIRMING DIAGRAMS AND ASSESSMENTS FOR PROPOSED ANNEXATIONS TO THE LANCASTER LIGHTING MAINTENANCE DISTRICT

Mayor Parris 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 Parris closed the Public Hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted **Resolution No. 08-69**, a resolution of the City Council of the City of Lancaster, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 711, 829, 839, 860, and 861), by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Vice Mayor Smith, Mayor Parris; NOES: None; ABSTAIN: None; ABSENT: None.

PH 3. TEFRA HEARING – APPROVAL OF MULTIFAMILY HOUSING REVENUE BONDS FOR ARBOR ON DATE

Mayor Parris opened the public hearing. The Housing Director presented the staff report regarding the TEFRA Hearing for the approval of Multifamily Housing Revenue Bonds for Arbor on Date. There being no further testimony, Mayor Parris closed the Public Hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council adopted **Resolution No. 08-70**, a resolution of the City Council, approving the issuance of Multifamily Housing Revenue Bonds by City of Lancaster (City) in an aggregate principal amount not to exceed \$7,000,000.00, to assist in the financing of the construction of Arbor on Date in the City of Lancaster, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Vice Mayor Smith, Mayor Parris; NOES: None; ABSTAIN: None; ABSENT: None.

NB 1. AUDIT REPRESENTATIVE

The Finance Director presented the staff report regarding the appointment of an Audit Representative. Mayor Parris stated that he intended to appoint Vice Mayor Smith as the Audit Representative and requested that this item be continued to the meeting of July 22, 2008.

NB 2. INTRODUCTION OF ORDINANCE NO. 904

The City Manager presented the staff report regarding the introduction of an ordinance to establish the Lancaster Criminal Justice Commission and briefly reviewed the proposed training program.

On a motion by Vice Mayor Smith and seconded by Mayor Parris, the City Council introduced **Ordinance No. 904**, Establishment of the Lancaster Criminal Justice Commission, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Vice Mayor Smith, Mayor Parris; NOES: None; ABSTAIN: None; ABSENT: None.

NB 3. URGENCY ORDINANCE NO. 905

Vice Mayor Smith began the discussion by requesting consideration of striking certain language from the ordinance. He stated that Council has been working with staff for a long time to get an ordinance before the City Council to take care of some of the basic things that many communities already do on a regular basis to conserve water. Within the ordinance, on the first line of Exhibit A, strike the words “during periods of water supply shortage”.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JULY 8, 2008

NB 3. URGENCY ORDINANCE NO. 905 (continued)

The City Attorney stated that the ordinance covers wasting water at any time, which is covered under Section .030 and Section .040 deals with actions that might constitute a waste of water during times of water shortage. The use of the phrase in .010 reading: “during periods of water supply shortage” should be removed from this section because it would exclude Section .030.

Vice Mayor Smith stated that one of the things that bother him in the law is that these are good items to have in the ordinance but they are not regulatory, they are instructional. On Section .030, Subsection C, the line that reads: “help from nearby customers or passersby are requested to report such leaks to the appropriate public water utility or to the City”. He requested that the City Attorney incorporate the items that are being stricken into an explanation-type section of the ordinance because they are not regulatory but rather, suggestions. On Section .040 - Subsection A – everything after 6:00 p.m. about the best way to water lawns and cooler temperatures, this is not regulatory but instructional. On the same section under Subsection B – the portion that begins with “Hoses that are fitted” and continuing on through the whole paragraph, that should be stricken and moved to another section so that the citizens have these instructions and not be confused about whether they are regulatory or not. On Subsection C, add “exempting windows”. This is how he would like to present the ordinance at this time.

The Public Works Director briefly explained to the Council, and the public, just how dire the situation surrounding water is.

Addressing the City Council on this matter:

Joseph Vara – Stated that it is not about how people use water but how much people use. Tell citizens to cut back but do not tell citizens how to use it. Check water bills, which show citizens how much water they are using.

Neal Weisenberger - Believes in the waste water ordinance and the suggested changes to the ordinance; importance of having a process in place to enact shortage regulations; consider removal of Section .040; this is a water wasting ordinance whether there is a shortage or not; send information to the water purveyors; leave this Section out; shared his concerns regarding Section D – paved or unpaved surfaces – swimming pools; spas; pool covers should be required because they help to prevent water evaporation; require that restaurants not serve water unless requested; require that hotels will not wash sheets and towels unless requested; consider a waiver or variance in place.

Mayor Parris requested further clarification from Mr. Weisenberger.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JULY 8, 2008

NB 3. URGENCY ORDINANCE NO. 905 (continued)

David Paul – Stated that he likes the ordinance; importance of community involvement; importance of an urgency ordinance; undergo water use audit.

Joseph Vara – Returned to the podium and related his experiences in New Jersey; urged Council to call New Jersey Agriculture and talk with them about what they do about water shortages; golf courses; stadiums.

Vice Mayor Smith stated that it is important to receive public input; consider Subsections A through D of Section .040 – these are not drastic measures that should only be dealt with during a drought; many communities have these in place all of time, such as Victorville; consider scratching Section .040 and making these Subsections E through H. We live in a desert and will always have to consider conservation of water. Water companies may start rationing water; Victorville has this in place and Colorado has this in place.

The City Attorney stated that he had additional changes which were: what was .040 (A) – “limitation on the time of watering”; during winter months if someone tries to water other than these times, they may be watering at a time when water will freeze. Add after 6:00 p.m., watering except when temperatures are forecast to fall below forty-five degrees Fahrenheit.

Vice Mayor Smith requested additional input from Mr. Weisenberger who is an expert on water in this area. He asked Mr. Weisenberger for clarification regarding watering times.

Mr. Weisenberger – Stated that times such as 12 to 12; 10 p.m. to 10 a.m. could be set; the wind is the issue, not necessarily the heat. He discussed evaporation from the soil – the evapor-transformation rate. Consider watering periods of October 1st; January 1st.

The City Attorney agreed and rather than use temperature as the tripping mechanism, to use dates such as between March 1st and October 31st and only between the hours of 10:00 p.m. and 10:00 a.m. He stated that he would add these dates to the ordinance. Additionally, consider an exemption for new landscaping. Have the ordinance state: “new landscaping shall be exempt until it is established by the director of the appropriate department.

Vice Mayor Smith suggested a clause of .060 that would state that people could apply to the Director of Public Works for an exemption and this would take care of those situations.

The City Attorney stated that he would provide for a blanket exemption upon application and would cover any foreseeable exceptional circumstances.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JULY 8, 2008

NB 3. URGENCY ORDINANCE NO. 905 (continued)

Vice Mayor Smith suggested scratching .040 and move up the other two sections and that would be .060 for the exemption clause.

The City Attorney stated that he will take care of the refining of the numbering of the ordinance sections.

The Public Works Director explained the reasoning behind Sections of .030 and .040 and for the term: “periods of water shortage”. It is not just during periods of drought that there are water shortages. There are other occasions such as repairs to systems for example and at these times go to the citizens and request cutting back by fifteen or twenty percent. We are trying to identify those things that clearly are wasting of water at any time; then prohibiting them at any time by virtue of this ordinance; Section .040 applies to “during periods of water shortage” may provide some additional measures and would not be considered water wasting; trying to cover both options. There are many areas of improvement in this and cautioned Council not to water this down too much. Start the process; make sensible exceptions to general rules. Code Enforcement currently does this and advises and educates the citizens. Ordinances are written to regulate lives but ninety percent of the people will do what is right with this ordinance as with any new law. The ordinance must have something with enough teeth in it to take care of the ten percent that will not do anything.

Vice Mayor Smith stated that the suggestions that are being made will actually strengthen the ordinance. Except for the exemptions, and there should be some flexibility in the law but these are matters that should be done all the time.

The City Attorney agreed that the changes will strengthen the ordinance.

Vice Mayor Smith clarified his earlier statement about certain areas of the ordinance are instructional not regulatory in nature.

The City Attorney stated that the items that have been deemed instructional rather than regulatory could be considered for the City’s website as one way of getting the message out to the citizens. Additional changes to the ordinance would be – what was .040 (C) would now be .030 (G) and added: “but shall not prohibit the washing of windows.” In the former Section (D), consider a section that states that this does not apply to swimming pools.

Vice Mayor Smith stated that basically this section is best explained by someone who has a lawn and someone who is overwatering and the water rushing onto the sidewalk. If grading is not done properly, a person could end up with a small pool of water.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JULY 8, 2008

NB 3. URGENCY ORDINANCE NO. 905 (continued)

The City Attorney stated that this should also apply to fountains and other decorative water features. Additionally, consistence with the variance provision in .060 and changing .040 to .050. and would state very simply – upon application by the property owner or occupant, the City Manager may grant a variance to this chapter.

The City Manager stated that this is an urgency ordinance intended to deal with an emergency situation. A lot of these ideas can be expressed in the Water Workshop on July 15, 2008 and refined in this ordinance and into another ordinance as well.

Vice Mayor Smith requested that a severability clause be added to the ordinance.

Mayor Parris stated that it is very difficult to tell people what they can and cannot do; agreed with the comments from Mr. Vara; on the other side is – we've been warned; if we allow people to waste what is here, it is appropriate to have the government come in and regulate this. He stated that he appreciates the hard work that Vice Mayor Smith has put into this, it took great courage; this is unpopular topic and that the Vice Mayor will probably take some hits for this.

Vice Mayor Smith stated that as elected officials, they see the doomsday numbers; depending on the numbers from state; water is a commodity and it is getting worse.

Council Member Sileo stated that he has received letters and emails on this matter and he is in complete agreement with Vice Mayor Smith on this topic. It is a serious issue and the City needs to take the lead and move forward. This is an excellent first step, housing units are going to need water; City needs to deal with wasteful practices.

Vice Mayor Smith discussed the headline in the Antelope Valley Press regarding \$1,000 fines; felt that the headline was misleading; there must be some teeth in this ordinance; the main emphasis should be on education of water use; getting the message out to the people. The City is not perfect and if someone sees the City wasting water, please call the City and notify them. There will be phone numbers on the website; it is difficult for staff to see all problems everywhere, therefore it is important for the citizens to help and get involved as well.

Council Member Mann stated that this is a turning point; many people have lived here for years; importance of collaboration to speak on water issues; witnessed an exchange on the presentation of this, Lancaster is at a turning point; citizens need to keep an open mind; this is only the beginning.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JULY 8, 2008

NB 3. URGENCY ORDINANCE NO. 905 (continued)

Further addressing the City Council on this matter:

Veronica Meugniot – Concerns regarding pools; will permits be required to drain pools; concerns regarding long standing water; landscaping issues.

Kathleen Morgan – Concerns regarding leaking of water into the ground and cesspools; concerns regarding the monitoring of this.

Mayor Parris stated that this is a community problem; everyone must do this together as a community to preserve the quality of life here in the Antelope Valley; community has to be involved; Vice Mayor Smith is going in the right direction and has invested an enormous amount of time to the research of this matter; community must work together on this.

The City Manager stated that there will be voluntary compliance and that ninety percent of the community will comply with the law because it is the right thing to do.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted **Urgency Ordinance No. 905 with all changes discussed**, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Vice Mayor Smith, Mayor Parris; NOES: None; ABSTAIN: None; ABSENT: None.

CA 1. ARCHITECTURAL/DESIGN PLANNING COMMISSIONERS

Mayor Parris requested that this matter be continued to a future meeting agenda. He stated that he has requested the assistance of Darren Parker to help with this and helping to get the names out. Additionally, he stated that he plans to appoint Darren Parker to this Commission so that this can move forward as soon as possible. Note: Said appointments will become effective on August 12, 2008.

CITY MANAGER/EXECUTIVE DIRECTOR ANNOUNCEMENTS

The City Manager thanked staff for all their hard work to make the 4th of July celebration a spectacular event.

CITY CLERK /AGENCY SECRETARY ANNOUNCEMENT

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

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the City Council/Agency at this time:

Lysa Mang – Concerns regarding a claim that she filed due to hitting a pothole.

Mayor Parris requested clarification from the City Attorney on the process for citizens to file claims.

The City Attorney briefly explained the process to the Mayor and City Council; staff reviews for potential liability; some of the cases are very clear and a settlement can be negotiated quickly; some are denied to start the process of the statute of limitations; larger claims go to Carl Warren and Associates and they make determinations as well. He stated that Ms. Mang was sent a letter and the letter does advise as to what recourse she may take in the event of denial of her claim, such as small claims court. Cities experience the deep pocket syndrome and when all small cases are added up, it is a very large amount.

Mayor Parris requested information on the process regarding claims.

The City Manager stated that he would have staff prepare this information for the Council.

John Wall – Concerns regarding sprinklers at the soccer fields in such extreme heat conditions; sprinklers at schools; referred to Ordinance No. 900 regarding Senior Mobilehome Parks; concerned about children living in Senior Parks; ordinance should be revised.

The City Manager stated that this matter will be referred to the appropriate staff member.

Scott Pelka – Requested that Vice Mayor Smith resign from the Council due to his involvement with hit mailers during the last election cycle. Stated that he had a conversation with Mayor Parris about recalls and found the conversation to be disturbing; inappropriate party at the Mayor's house and the possibility of a Brown Act violation.

Mayor Parris clarified the conversation that he had with Mr. Pelka and stated that he said if Council Members Mann and Sileo were to get involved in a recall of another Council Member for political reasons, that this person would not be the only one to be recalled.

Mayor Parris questioned Mr. Pelka about his motives and if he thought it was appropriate to come to Council meetings for these reasons. He stated that the City is in a crisis mode because of water issues; many, many other serious issues and felt that Mr. Pelka was stirring the pot when it is his desire that the entire Council work *together* for the good of the community.

Further discussion took place between Mayor Parris and Mr. Pelka.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JULY 8, 2008

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS (continued)

Bishop Hearn – Thanked the City Council for the addition of the motto in the Council Chambers; thanked the City Council for inviting him to be a part of the 4th of July celebration; Urged Vice Mayor Smith to keep up the good work; go straight ahead, he is doing a wonderful job, encouraged him to stand up for what he believes no matter what; discussed the violent free zone – hopes that Lancaster will come forth and support this endeavor; show and tell – it has been a great value to the community; urged everyone to do everything they can.

The City Manager stated that the City Council approved \$75,000.00 in the FY 2008/2009 Budget which will be used to match funds with the school district if they decide to contribute.

Cleo Goss – Stated that it is an inconvenience to come to the Council meetings early; concerned with traffic and future developments in the area of Avenue L and 60th St. West; against commercial development in this area.

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.

Vernon Fierre – Discussed American flag amendments; rules for proper display of flag; flag code; code has been modified many times; he is a veteran from the Korean War; proud to salute the flag and proud to be an American. City Manager and the City Council are doing a great job; Vice Mayor Smith, keep up the good work.

David Paul – Stated that he and his family enjoy the “walk with the Mayor” times; submitted pictures for Mayor; thanked the staff and the City Council for the 4th of July celebration.

Sheila Rowlett – Requested statistics on crimes and gangs; she is studying gangs; doing a comparative analysis with Belfast, Ireland; needs framework for her research.

Mayor Parris stated that in the near future there will be a screen in the City Manager’s office as well as his own that will pinpoint every crime; every criminal; City will have statistics in front of them with advanced technology; scientific crime stats are coming to Lancaster for comparative analysis.

Kathleen Morgan - Works at the prison; involved in a program to help parolees; very difficult being a parolee, they have no family, no friends, no source of income; important to see them integrated back into community; they shouldn’t be the scapegoat for what goes on in a particular area; warden hired a liaison to help prisoners with vocational skills and this will help them to become productive members of society.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS (continued)

Mayor Parris stated that he appreciates the comments; parolees are dangerous; wishes the Federal and State Governments would do something about rehabilitation; parolees are a target and if they violate the law, the City will come down on them; the City is fed up and this may or may not be unfair to some individuals; some may be treated unjustly, but Lancaster is at a tipping point; the City has reached its limit, have received more than their share of parolees and not received their fair share of necessary services.

COUNCIL REPORTS

Council Member Marquez gave a few points on the Section 8 Committee that is being formed. She has met with the City Manager on this matter. The City Manager and the City Attorney are working on an ordinance to discuss some of the issues involved with Section 8. She discussed issues such as excessive calls for service for law enforcement and this should be before the City Council in September, if not sooner. The City Manager and staff have met with the Palmdale City Manager and staff to discuss cooperation on local control of Section 8 and administration of it regionally. Council should be receiving a proposal sometime in August regarding this matter to jointly fund hiring a specialist for this area to help analyze this and have a road map so that we will know where we are going for greater control.

Staff is preparing a brochure, something along the lines of how to be a good neighbor and this will be key to the process. People need to get involved in calling in on such things as Section 8 code violations; graffiti on the walls, shopping carts. Everyone needs to get involved and make those appropriate phone calls. The Sheriff's Department and Code Enforcement cannot do it all, citizens need to help by being the eyes and ears for the community.

COUNCIL COMMENTS

Council Member Marquez stated that she is very impressed with the professionalism and the can-do spirit of City staff. The City Manager is doing an outstanding job and she believes that the City staff is excited about the direction the City is going. She stated that the unity that the Council has shown, in such a short period of time, has encouraged the City of Lancaster.

Council Member Marquez thanked staff and citizens who donated to the art work that was put up in the Council Chambers with the motto "In God We Trust" and the seal – it is beautiful. She stated that she is thankful to be an American and she hoped that everyone had a wonderful 4th of July.

Council Member Sileo stated that he met with Mayor Parris on the first day that the Mayor was sworn in and agreed that differences would be put aside and the discussion would not be personal, but issue related. He stated that he read on a local blog that one of the Mayor's campaign workers is making baseless allegations about him.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JULY 8, 2008

COUNCIL COMMENTS (continued)

Mayor Parris stated that he has been very busy and has had no time to look at blogs and has not talked with any of his workers about anything on a blog. He stated that he did not feel that Council Members Sileo and Mann are working as hard as they should be working to solve the problems of this City. He felt that they are meeting with people such as Mr. Pelka to play political power games and if this is occurring, his response is that the Council is here to save this City. He stated that he will not allow Council Member Sileo to turn this into a political game one more time. He stated that he has not seen Council Member Sileo propose anything to help this City move in the direction it should move and included Council Member Mann in this opinion as well. Mayor Parris stated that he would not concern himself with the nonsense about blogs and encouraged Council Members Sileo and Mann to come forward with ideas for water, Section 8 and stated the importance of having the courage to stand up and be a true leader. He stated that he has two Council Members who are working very hard and two Council Members that he never sees. He is not concerned with offending someone and he is not fearful of the threats of a recall.

Council Member Sileo stated that the Mayor has his three votes and that one Council Member has been appointed to oversee Section 8, and one has been appointed to oversee the water issues and suspects that he and Council Member Mann will never be appointed to lead a task force on any issue.

Mayor Parris agreed that he is not going to appoint someone who has not stepped forward and shown that they will actually do something. The Council represents 140,000 people and it should not be a situation where the Mayor must go to the Council. The Council Members need to step up as well. He stated that this is a Council of three and he would like to have a Council of five, but he needs to see it, needs to see action. He stated that both Council Members Sileo and Mann have the ability to lead and should be doing so.

Council Member Sileo stated that the Mayor has the impression that he meets with others to orchestrate the downfall of the Mayor and/or another Council Member and this is not true. There is a Code of Ethics and a Code of Conduct, therefore, make an accusation in that forum.

Mayor Parris stated that it is the truth and as soon as he sees true change he will appoint them to commissions. He will let Council Members Sileo and Mann lead tasks forces but he must see leadership first. He stated that he is not going to be Mayor for ten years, there is a lot to be done now and they are welcome to join him but not welcome to get in the way.

Council Member Sileo stated that he has been on the same page with the Mayor on the issues.

Mayor Parris stated that he isn't looking for someone on the same page; he is looking for leadership from people with the vitality that is necessary to make sure this City prevails and this doesn't happen when people play politics with others.

Council Member Sileo stated that he keeps hearing the accusations that he is playing politics and asked the Mayor to show him an example of this since the day he was sworn into office.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JULY 8, 2008

COUNCIL COMMENTS (continued)

Mayor Parris stated that he would be happy to put this in print.

Council Member Mann stated that he suspected this could turn into a very long bicker and debate and stated that he appreciates all the work that has been done in the first sixty days and in his campaign he spoke of making sure the Council made the right moves in getting more law enforcement and that water should be addressed. On the campaign trail he believes whether it was the Mayor, Mr. Smith or Ms. Marquez, it was a one-road show. What was spoken in the public's eye was that there was a problem with crime in this City and there was even a discussion that the water problem was a sham. Now these people are in office and have discovered that those matters are very important. The Vice Mayor made a motion to bring two projects before the City that would have used an enormous amount of water and he appreciates the Mayor because everything that he had hoped for as a City Council Member, the Mayor has moved right along. He stated that he appreciates being a part of the City Council and part of the five-vote team.

Mayor Parris stated that he appreciates the vote and he appreciates the support but quite honestly he needs more than that. He needs Council Members Sileo and Mann to work, to come up with ideas, be productive, and especially when they hear the nonsense that is going on the blogs, that they step away from it and start leading the City. Leadership requires being more than a cheerleader when it is politically advantageous to be one. Leadership requires taking some risks and many people may not like it when their water is turned down or when Section 8 people are kicked out or parolees are targeted, but leadership may require unpopular decisions and he would like to see Council Members Sileo and Mann get into the unpopular game a bit and lead the City out of this mess. He stated that he does not have all the answers and that it is going to take many people to come up with ideas.

Vice Mayor Smith stated that Council Member Mann was factually incorrect and if he ever wants to have a public debate on what he did or did not do that is fine, but do not make any statements about what he has done or not done. If he wants to put something on the agenda for discussion that is fine; if he wants to go on a debate on AV Today, he will do that but that what Council Member Mann has stated is improper and incorrect.

He stated that there has been a lot of heated debate this evening and he does not always like what is said but it happens and is part of politics and as he looks up and sees the national motto on the wall, he is reminded that 232 years ago there was a group of men who argued on a hot day and decided to sign their death warrant based on the fact that God had given them the inalienable right to life, liberty and the pursuit of happiness and it was evident that all men were created equal. He stated that everyone should take a step back and we would not be here today having those heated arguments if it wasn't for that. The 4th of July and the national motto mean a lot to him and he felt that it was important to express this.

Mayor Parris commended City staff for their hard work and putting on a wonderful 4th of July celebration. He stated that he does not mean to stress anyone out and truly appreciates being the mayor of Lancaster.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JULY 8, 2008

CLOSED SESSION

None

ADJOURNMENT

Mayor Parris adjourned the Council/Agency meeting at 7:31 p.m. and announced the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, July 22, 2008 at 5:00 p.m. Additionally, the Mayor announced that a Special Meeting of the City Council would take place on July 15, 2008, 5:00 p.m. in the City Council Chambers for the purpose of conducting a Water Workshop.

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)
