

CC 2
08/26/08
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
August 12, 2008**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:08 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, Assistant Finance Director, Economic Development Director, Housing Director, Human Resources Director

INVOCATION – Pastor Jeremy Whitman - Lancaster Baptist Church

PLEDGE OF ALLEGIANCE – Bishop Henry Hearn

PRESENTATION

Commendations were presented to Andrew Potter, age 14, for heroism in saving a young boy from drowning, from Mayor Parris; Captain Anderson of the Lancaster Sheriff's Department and Larry Grooms, representing Senator George Runner and Assemblywoman Sharon Runner.

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 by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 12, 2008

RCC 1. MINUTES

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

RCC 2. RESCHEDULING AND CANCELLATIONS OF AGENCY MEETINGS

A) Rescheduled the November 11, 2008 Redevelopment Agency meeting for Wednesday, November 12, 2008.

B) Approved the cancellation of the Redevelopment Agency meetings of November 25, 2008 and December 23, 2008 and directed the City Clerk to post the required notices.

RCC 3. ACQUISITION OF REAL PROPERTIES

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.

RCC 4. AGREEMENT WITH RBF CONSULTING – DESERT VIEW

Approved a Professional Services Agreement with RBF Consulting to develop the Desert View Neighborhood Specific Area Vision Plan.

RCC 5. AGREEMENT WITH RBF CONSULTING – MONTE VISTA

Approved a Professional Services Agreement with RBF Consulting to develop the Monte Vista Neighborhood Specific Area Vision Plan.

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 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 2A. MINUTES – SPECIAL MEETING

Approved the City Council Special Meeting Water Workshop Minutes of July 15, 2008.

CC 2B. MINUTES – REGULAR MEETING

Approved the Redevelopment Agency / City Council Regular Meeting Minutes of July 22, 2008.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers (July 6, 2008 through July 26, 2008) in the amount of \$11,330,149.82.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 12, 2008

CC 4. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the June 30, 2008 Monthly Report of Investments as submitted.

CC 5. RESCHEDULING AND CANCELLATIONS OF COUNCIL MEETINGS

A) Rescheduled the November 11, 2008 City Council meeting (Veteran's Day) for Wednesday, November 12, 2008.

B) Approved the cancellation of the City Council meetings of November 25, 2008 and December 23, 2008 and directed the City Clerk to post the required notices.

CC 6. RESOLUTION NO. 08-76

Adopted **Resolution No. 08-76**, a Resolution of the City Council of the City of Lancaster, California, authorizing the destruction of certain records (Accounts Receivable, Payroll; W-2, Accounts Payable, Banking Records, Payroll; State & federal Income Tax, Payroll; Employee Files).

CC 7. ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS

Approved and accepted for maintenance the work and materials for the drainage improvements for: Drainage Maintenance District Annexation Nos. 05-92, 05-04, 93-12, and 93-15 installed for Tract No. 061042, located on the northeast corner of 60th Street West and Avenue K-4, Owner: KB Home Greater Los Angeles Inc.; Tract No. 48534, located on the southeast corner of Avenue H-8 and 35th Street East, Owner: K. Hovnanian Forecast Homes, Inc.; Tract No. 48534-01, located on the northeast corner of Avenue I and 35th Street East, Owner: K. Hovnanian Forecast Homes, Inc.; and Tract No. 48534-02, located on the northwest corner of Avenue I and 37th Street East, Owner: K. Hovnanian Forecast Homes, Inc.

CC 8. ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE

Accepted the interior street trees for maintenance by the City for: Tract No. 060149, located on the north side of Avenue J-12, approximately 660 feet west of 60th Street West, Owner: D.R. Horton, Inc./Western Pacific Housing, Inc.; Tract No. 53184, located on the northeast corner of Avenue J-8 and 45th Street West, Owner: D.R. Horton, Inc./Western Pacific Housing, Inc.; Tract No. 53184-01, located on the southeast corner of Avenue J-8 and 45th Street West, Owner: D.R. Horton, Inc./Western Pacific Housing, Inc.; and Tract No. 53184-02, located on the southeast corner of Avenue J-11 and 45th Street West, 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. 220, installed for Tract No. 53102-01, located on the southwest corner of Avenue J-8 and 45th Street West, Owner: Magnolia, L.P.; and Annexation No. 237, installed for Tract No. 53102-02, located on the northwest corner of Avenue J-12 and 45th Street West, Owner: Magnolia, L.P.

CC 10. MONUMENTATION WORK

Approved the monumentation work for: Tract No. 060857, located on the northwest corner of 30th Street East and Nugent Street, Owner: Avalon Meadows, LLC; Tract No. 061756, located on the south side of Avenue H-8, approximately 120 feet west of 3rd Street East, Owner: Larwin Company; and Tract No. 54315, located on the southwest corner of Newgrove Street and 30th Street East, Owner: Avalon Meadows, LLC.

CC 11. COMPLETED SEWER SYSTEMS

Approved the completed sewer systems installed by the developer for: Tract No. 54369, located on the southwest corner of 70th Street West and Avenue L, Owner: Richmond American Homes; and Tract No. 54370-01, located on the northeast corner of 72nd Street West and Avenue L-5, Owner: Richmond American Homes.

CC 12. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for Tract No. 54400, located on the southeast corner of Avenue J-8 and 35th Street West, Owner: Trimark Pacific-Lancaster 82, LLC.

CC 13. COMPLETED WATER SYSTEM

Approved the completed water system installed by the developer for Tract No. 060034, located on the southeast corner of Avenue J-8 and 60th Street East, Owner: Lancaster Pavilion, L.P.

CC 14. TAX SHARING RESOLUTION

Adopted the Tax Sharing Resolution for proposed Annexation No. 40-128 (4-192) into Los Angeles County Waterworks District No. 40, Antelope Valley.

CC 15. PWCP NO. 07-011

Accepted the work constructed by Cooley Construction, Inc. for **Public Works Construction Project No. 07-011, Metrolink Park-N-Ride Expansion**; 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 16. PWCP NO. 08-014

Awarded **Public Works Construction Project No. 08-014, Re-Bid of Prime Desert Woodland Trails Project, Phase II**, to Bowe Contractors, Inc., in the amount of \$312,872.00 plus Additive Alternate No. 1 in the amount of \$70,178.00, to bring the award total to \$383,050.00 plus a 10% contingency. Authorized the City Manager, or his designee, to sign all documents. The project is designed to construct additional trails on the west side of the preserve, extend existing trails, and construct trail bridges, boardwalks, and adobe benches at the request of the Lancaster Parks, Recreation and Arts Department.

CC 17. PWCP NO. 08-021

Awarded **Public Works Construction Project No. 08-021, Avenue J Storm Water Outfall Trash Collection System**, to Sierra Cascade Construction in the amount of \$183,296.00 plus a 10% contingency. Authorized the City Manager, or his designee, to sign all documents. The project is designed to construct a trash collection system in the Amargosa Creek to strain trash that flows down the associated storm drain.

PH 1. UPDATE TO THE LANCASTER GENERAL PLAN

Mayor Parris opened the Public Hearing. The Planning Director presented an update to the Lancaster General Plan Housing Element to address housing needs for the Planning Period of January 1, 2006 – June 30, 2014.

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. 08-77**, a resolution of the City Council of the City of Lancaster, California, adopting the update to the Housing Element of the City's General Plan, 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. DISCUSSION OF CONSOLIDATED ELECTIONS

The City Manager presented a brief report on this matter, touching on the issues of costs; voter turnout and service.

Addressing the City Council on this matter:

Darlene Peterson – People believe their votes do not count; people were not confused by the measures; measures received many votes; time to represent the people, do not evaluate the citizens.

Scott Pelka – Quoted an article from the Antelope Valley Press regarding the election.

Council Member Mann – Spoke on some of the points made by the City Manager. He stated that having an election run on a local basis definitely provides better service to the candidates. He stated that he is a strong believer that when something is handed off to the County or the State, usually it is mismanaged. He understands the intent behind placing the advisory measure on the ballot and he is torn between knowing what the benefit is for the City and having a local election run by the City. In looking at the results of the advisory vote, he stated that he will vote in favor of the people who voted on this measure to consolidate.

CA 1. DISCUSSION OF CONSOLIDATED ELECTIONS (continued)

Council Member Sileo stated that the reason the advisory vote was placed on the ballot was because there was a lot of discussion among the Council Members over which would be better, November or April. There are good arguments for each date and the Council could not come to a solid consensus. At the time, Vice Mayor Smith requested that an advisory vote be placed on the ballot to allow the citizens to speak. Council Member Sileo quoted a statement made by Vice Mayor Smith in April, 2007 regarding this matter, in which he was quoted as saying, let the voters decide and the Council that is elected should listen to the voice of the people. He further quoted the results of the measure from the election of April, 2008.

Mayor Parris stated that Vice Mayor Smith has been taking the brunt of too many things for far too long. He stated that the audience was being disrespectful by laughing; this is a serious issue and not a time to throw darts at Vice Mayor Smith. This is about how well something is done by the City in relationship to the County. He stated that if someone could get up and tell him one thing that the County does well, other than the Sheriff's Department, he might be more receptive. Turning over the City's self-determination to the County is probably the most despicable thing anyone could do. Do we really want the County determining how and when we vote? He does not think so. He stated that whoever drafted the wording for the measures just did not do a very good job. The language that was decided on was decided on late in the evening and that is precisely why the meetings now begin at 5:00 p.m. People make stupid decisions late in the evening and that is what happened in this particular case. He stated that there was no choice on the ballot to just leave the election date alone. If the City wants to do an initiative and turn this over to the County, then we should do that. We should be very clear about why the people want to support this change. It is because it requires the people who want to run for the City Council to drive all the way to Norwalk for the necessary forms. The County does not help a candidate fill anything out; they do not encourage people to get involved in City elections. There is a political faction in this City that feels they would have a better shot at taking over this City if less people ran. This is an attempt to get less people to run for the City Council. If giving this over to the County is not going to save any money and this analysis shows that less people vote if the election is held in November, how does this make sense? If Ms. Peterson and Mr. Pelka want to start a recall, they should do so against the Mayor. As it sits, he has no intention of changing the election date. If Council wants to do a proper initiative where the voters decide, then put it on the ballot. He stated that he will not do a push poll and that is exactly what this measure was. The voters had a choice to change the election to 2009 or 2011, but no choice to just leave it alone. This was not a proper vote and he does not believe it was done on purpose, but it was done very late at night.

The City Attorney reminded the Council that this item is on the agenda for discussion only. The Council does not have to take an action and can leave the matter alone or they can direct staff to draft the proper ordinances and resolutions to bring back at a future meeting.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 12, 2008

CA 1. DISCUSSION OF CONSOLIDATED ELECTIONS (continued)

Mayor Parris thanked Bill Warford at the Antelope Valley Press for bringing this matter to the Council's attention. Fewer people vote if this change is made, than if the Council just leaves it alone. The City should do whatever it can to increase voter participation rather than diminish it.

Vice Mayor Smith stated that even some very astute people in the City thought that consolidating the City's election would place the City in the same election time frame as the State. He clarified that the City cannot be consolidated with the State race or at the same time as a Presidential election. Council Member Sileo's words were accurate and he still stands strong that a third choice was not given to the people. Many people came to him after the election and stated that they felt that they had to make a choice to pick one or the other and there was no third choice and he agrees with what the Mayor has said.

Council Member Marquez stated that during election time she remembered a lot of people asking her about the measure and they stated that it was a confusing measure. Right now when the City is trying to take things away from the County and the way some matters are run such as Section 8, she does not see why the City would let the County take this over rather than keep it right where it is at.

Council Member Sileo stated that even though the Mayor thinks this is an effort by two of the Council, this was discussed and voted for in April and November of 2007 by a unanimous vote of the Council.

Mayor Parris reiterated that the measure was drafted poorly; it was a push poll, it was a mistake of the past Council and there are other mistakes that the past Council made that will be discussed. He told Council Member Sileo that the reason he was objecting to the way this was done is because of the way he points the finger at Vice Mayor Smith instead of just staying on the issue. This does not have anything to do with Vice Mayor Smith; there is an issue here that is open for debate. It is a legitimate discussion for anyone to have, but when it is personalized toward the Vice Mayor, that is precisely why he gets upset. He stated that Council Member Sileo factualized this based on personalities instead of the issue. If people really want to do this in November, then place it on the next ballot as an initiative. Having advisory opinions that are pushed in one direction or another are just a scam. This measure did not give the voters a choice to leave the election alone and it did not inform the voters that less people would be voting. If this is going to be personalized toward Vice Mayor Smith then he takes offense to that, therefore keep on the issues at hand.

Council Member Sileo stated that there are arguments for and against elections in April and November but what trumps this is the vote of the people. The voters are bright enough to vote no on both measures and leave the election where it is, if that is what they wanted.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 12, 2008

CA 1. DISCUSSION OF CONSOLIDATED ELECTIONS (continued)

Council Member Mann clarified the results of the measures and how adopting Measure A would shorten the terms of all of the Council Members not just a few. He concurred with the Mayor that poor decision making can take place when those decisions are done in the eleventh hour. He requested that staff bring this matter back to a future meeting to take formal action to have an initiative placed on the ballot. He would like to see it get drafted properly and with clarity. The people need to understand as well and he fully understands and appreciates the benefits of receiving clear direction from the City Clerk. He stated that he knows what it is like to drive down to Norwalk and they really do not care and a person just becomes another number. However, there needs to be clarity and the people need to choose from a clear initiative. He stated that his preference would be to allow the staff to craft the initiative appropriately, make sure all are in agreement and not voting on something in the eleventh hour, put it back on the ballot and let the citizens choose wisely from three choices or whatever is crafted.

The City Manager requested clarification regarding the direction that is being given.

Mayor Parris and Council Member Mann agreed that it should be an initiative. Council Member Mann stated that he does believe there was some confusion with the measures and the way they were written. He stated that he assumed that when he voted no on the measures he was voting no to moving the election date. He stated that he had many people tell him that the measures lacked clarity. He stated that he does not feel that handing something over to the County or State is the solution and stated that he feels it is crazy. He stated that the County and the State cannot handle their own budgets and he is uncomfortable handing something over for the future where costs will not be controlled, but the Council should consider newly crafted language for the next ballot.

Mayor Parris stated that he did not have a problem with this. He stated that he and the City Manager have been meeting with Mayor Ledford about what things in the Antelope Valley could be regionalized and maybe the election is something that could be discussed in that context. Mayor Ledford has some wonderful ideas about how some services that are now being contracted to the County could be taken over by cities.

Council Member Mann suggested that this interaction take place first and then staff can come back as appropriate with some information. He stated that Council still needs to take some appropriate action on this matter and reiterated that handing the election over to the County is not the way to go.

CA 1. DISCUSSION OF CONSOLIDATED ELECTIONS (continued)

Council Member Smith suggested that the City Manager work on what the initiative would look like on the ballot; Council could discuss it and make sure it is done properly. If no objection and with consensus of the Council, this would be the direction given to the City Manager.

Council Member Sileo clarified that the Fire Department of Los Angeles County is another aspect where the County does things well.

Mayor Parris clarified that he sometimes overstates something and wanted to make sure the citizens understand that there are some things that the County does terribly and there are other things that the County does very well and he does not mean to offend anyone.

CA 2. VIOLENCE-FREE ZONE REPORT

Mayor Parris requested that Bishop Hearn give an update on the Violence-Free Zone.

Bishop Hearn discussed the matching funds that are needed for this program and the many positive changes that have taken place at Eastside High School.

Representatives from the School Districts talked about the youth advisory citizens who are helping students to become active members of the community; increase in attendance; decrease in crime; importance of funding issues. They stated that a fine group of young men and women are creating relationships and trust with the students and the Districts are able to hear about issues before they happen. When cities make the decision to help, it brings an element into the community for positive change; education opportunities for young people; this is an opportunity to embrace both Lancaster and Palmdale; young people involved have energy and vitality and are excited about the changes they have seen.

Tavon Davis presented statistics regarding the program.

Mayor Parris inquired further about the statistics; requested a full report from the Districts; shared his concerns that the Districts have not partnered on this program; if the numbers are this great, why isn't there more support? Requested that Diana Beard-Williams take on this task, do some research and give an unbiased report to him.

Addressing the City Council on this matter:

Diana Beard-Williams – Stated that she will give an unbiased report; would like to talk with the people involved about different grants and funding possibilities beyond the Antelope Valley.

Mayor Parris requested that this matter be discussed at the next Council Meeting. He stated that more information is needed in order to make a proper decision.

CA 2. VIOLENCE-FREE ZONE REPORT (continued)

Council Member Sileo stated that the youth advisors are on the leading edge and making a huge difference for the community. He would like to know more about the Palmdale “private” sources; would like to work together with Palmdale; concerned that the High School District is not seeing the positive outcome to all of this.

RECESS

Mayor Parris called for a brief recess at 6:18 p.m.

RECONVENE

Mayor Parris reconvened the meeting at 6:27 p.m.

CA 3. APPOINTMENTS OF ARCHITECTURAL/DESIGN PLANNING COMMISSIONERS

Mayor Parris requested consideration of the following people to be appointed to the Architectural/Design Planning Commission: Richard Cook; Sean Donlon; Thomas Hall; Cassandra Harvey; Darren Parker; Courtney Stallworth; Timothy Wiley and presented a brief background on each nominee and explained the intent of the commission.

Addressing the City Council on this matter:

Richard Cook – Thanked the Mayor for considering him for this commission; requested that his name be removed from the list due to many other commitments in his life; requested consideration of nominating his wife – Diana Cook.

Mayor Parris was agreeable to this suggestion and requested that her name be placed on the next City Council agenda for consideration.

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

The City Attorney stated that the first meeting of this new commission would need to be a Special Meeting.

Mayor Parris requested that the Planning Director work with Darren Parker, Chairman of the new commission to arrange for a date. He also stated that he would swear in the new Commission at their first meeting.

CA 4. UPDATE ON MEETING WITH WARDEN AND SHERIFF

Mayor Parris gave a meeting update with the Warden and Sheriff at the California Correctional facility and requested consideration of Gene Gaynor as the citizen appointment to the State Prison Citizen Advisory Committee. He further discussed emergency preparedness; importance of meeting with the City of Palmdale; there must be an inclusive disaster preparation plan; discussed the number of prisoners that are released into the community; Los Angeles County Sheriff has agreed to return released prisoners to their own community; Gene Gaynor will be vital to the entire operation of the committee.

On a motion by Mayor Parris and seconded by Vice Mayor Smith, the City Council approved the appointment of Gene Gaynor to the State Prison Citizen Advisory Committee, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

Addressing the City Council on this matter:

Bishop Hearn – Requested that the Mayor or Vice Mayor consider meeting with the seniors at the Senior Citizen Center to discuss emergency preparedness and other issues.

Andrew Banks – He has written scenarios on emergency preparedness; Governor has made cuts that affect public safety; there is a huge public safety issue; important to know what is a safe environment for prisoners and the public; vital to have issues addressed regarding budget cuts.

Mayor Parris commended Gene Gaynor, David Paul and Andrew Banks for putting aside differences due to the election campaign and coming forward to get involved in City issues.

CA 5. CRIMINAL JUSTICE COMMISSION NOMINEES

Mayor Parris announced the nominees for the Criminal Justice Commission. The nominees are: Greg Augusta; Mark Brown; Brenda Cash; Marvin Crist; Dennis Greer; Chris Johnson; David Vierra. Discussed the background of each and what each member will bring to the board to help for the betterment of the city.

CA 101. DISCUSSION OF VALIDITY OF ROBERT LASALA SEPARATION AGREEMENT

Mayor Parris stated that this issue keeps coming up; the law in this State is very clear – a City Manager can have an 18 month separation agreement and anything above and beyond that is a violation of the law. He has met with the City Attorney several times on this and it really comes down to defining salary. \$250,000.00 has gone out of the City that should not have; this is not a discussion as to whether Mr. LaSala should have left, it is a discussion regarding certain aspects of the contract.

CA 101. DISCUSSION OF VALIDITY OF ROBERT LASALA SEPARATION AGREEMENT (continued)

The City Attorney gave an overview of the contract; entitlements of the City Manager and what the City agreed on. He presented information on the 401A Account; ICMA; PARS; Health coverage; use of car; hours of sick time; vacation time; floating holidays; payment to attend National League of Cities; attendance at the State, Local and National levels. He discussed base salaries and stated that without actual detailed work on the amount, there is a potential to recoup approximately \$400,000.00.

Mayor Parris stated that there are young people hurting, going to prison, no funding for programs and that he is having trouble dealing with the hypocrisy of this issue. He stated that the City Council are the stewards of the City's money; discussed evergreen contracts; maximum entitlements; Council did not have the authority to accept these contract conditions; situation was handled badly; refuses to turn his back on this issue – it is not about love or hate for Mr. LaSala, it is about money; refuses to act like the problem does not exist.

Addressing the City Council on this matter:

Darlene Peterson – Urged the Council to void the contract, bring Mr. LaSala back, void the current City Manager contract. The City Attorney knew what he was doing; he should have directed the Council clearly if something was illegal.

Amelia Jennings – Stated that she thought Mayor Parris was tired of this kind of news; it happened, time to get past it, Council made the decision; Mr. LaSala is a good man and he did nothing wrong. Mr. LaSala has been through enough and has earned every bit of this money; he was under a great deal of pressure; leave this issue alone and start anew.

The City Attorney stated that the code is very clear; not sure how a court is going to address salary and what makes up a salary; there are many things that go along with a base salary; contributions to retirement plans; providing a vehicle; cell phone; vacation time is salary; admin time and sick time are included in a salary; many points were taken up in closed session, so Council must be very careful about what is said. There may be room to maneuver within the definition of salary. Where will the courts draw the line; will this be upheld by the courts; this matter has never been litigated.

Vice Mayor Smith defended the City Attorney and reminded citizens that the City Attorney advises the Council but the decision itself rests solely with the Council.

CA 101. DISCUSSION OF VALIDITY OF ROBERT LASALA SEPARATION AGREEMENT (continued)

Arnie Rodio – urged the City Council to let this matter be; more important problems to deal with such as water, crime and development. He stated that he was against the contract; Council should have had the guts to fire the City Manager; conditions of the agreement are deplorable; it is history and it is time to move ahead. This matter will only divide the community more, time to do what is good for the City.

Lynn Harrison – Stated that she thought this issue was all in the past; appreciated receiving the information from the City Attorney; attorney fees will be more than the money that is being discussed; fear that this will set a precedent for other City Managers in the State.

Debbie Kaliff - Stated that these actions are appalling; the City Attorney should have known about the issue of overpayment and advised the Council; Council is a laughing stock to other communities; time to stop this discussion, move on and it is time for the Council to get along.

Alan Kaliff – Discussed the 3-2 vote; it is done; should not bring this up again; this is an embarrassment.

Vice Mayor Smith – clarified the vote in closed session was a 4-1 vote. He voted against the contract. In open session the vote was for acceptance of Mr. LaSala's resignation, not the contract and it was a 3-2 vote in favor of the resignation. There is a huge difference in what was voted on.

Scott Pelka – Stated that the City Council and Mr. LaSala worked on the agreement; agreeable to both parties; decision tonight will affect the next election and threatened a possible recall.

Diana Beard Williams – Stated that she does not always agree with Mayor Parris; speaks for herself; she has written many letters to the paper regarding the treatment of the former City Manager; if a decision was made in haste, then there is nothing wrong with having a judge or another attorney take a closer look at this. Mr. LaSala had no heavier cross to bear than any other person.

Mayor Hearn – Stated that he wanted to clear the record; he is not offended by what is happening regarding this matter; he is very happy with what he has done for the City; will support the Mayor and Vice Mayor no matter what; he did not want to fire Mr. LaSala and spent many hours trying to come to an understanding.

CA 101. DISCUSSION OF VALIDITY OF ROBERT LASALA SEPARATION AGREEMENT (continued)

Mayor Parris stated that the City struggles to find money for programs that are for the good of the City and he cannot sit back and accept what was given. He does not want to be a mayor of a city where it is okay to tap dance around this kind of issue. This was not right. Should the Council allow the former City Manager to take this money? Mr. Rodio is right, many deals took place in the past, laws have been finessed, yet things do slip by. He does not care who he makes mad; please remember what Council is deciding; important to hear the whole story whether it is in open or closed session.

Richard Macias – Stated that within his employment, assessment teams are arranged to review all the facts and issues and correct if necessary. Encouraged Council to do the same before contracts are given out; do not live the mistakes of the past.

Mayor Parris requested that this matter be placed on the next agenda under Closed Session.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENT

The City Manager gave an overview of State budget issues and the amount of money that the City stands to lose. If this happens there will be significant budget cuts; it will force critical service cuts throughout the State. Encouraged the City Council to take advantage of any contacts they have, make phone calls as it is time for all cities to fight for what is rightfully theirs.

The City Manager announced that Mrs. Strom could not stay but that he would be distributing information on the 6th Annual AIDS Walk in the Antelope Valley which is scheduled for October 19, 2008.

CITY CLERK / AGENCY SECRETARY ANNOUNCEMENT

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

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

Addressing the Council/Agency at this time:

Jessica Rumbaugh – Stated that she was at a local State office to receive financial assistance for her daughter but because she did not speak Spanish, she was told that she would not be able to get an appointment until the end of the month. She was treated like a second-class citizen; English is the language of this country and it is wrong to be treated this way.

Council Member Marquez stated that this is a perfect example as to why Lancaster should proclaim English as the official language; we are losing our identity every day; American values are being whittled away; when she ran for council she was not happy about having to have her ballot statement in Spanish; California is not sticking by what they adopted many years ago; this is nothing against Spanish speaking people, but at this point – something must be done.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 12, 2008

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

Regarding the issue of the requirements of the Spanish language on the City's ballot, the City Attorney and the City Clerk clarified that this is a Federal Law.

Mayor Parris requested that this matter be placed on a future agenda, possibly September for further discussion.

Victoria Zavalas – Advocate for medical cannabis; struggles with a disease and this is her medicine of choice; never thought she would support this issue; access is not convenient – its far away and very expensive; no choice but the black market; maybe this City is not ready for a shop but definitely ready for advocacy and awareness; would like to discuss with the City Manager.

Mayor Parris stated that this matter makes many elected officials run; criminals are making all this money; he does not know what the answer is; asked Captain Anderson to look into this, find someone with a scientific background to give answers.

Council Member Sileo stated that he would like to see studies that show that medical marijuana meets or exceeds any other kind of pain relief.

Council Member Marquez stated that she has talked with people about this and specifically with a registered nurse and she stated that there is no reason for medical marijuana because there are other alternatives.

Mayor Parris asked Captain Anderson to get in touch with Dr. Brown at the hospital and find out who would be the most knowledgeable to help with this matter.

Darlene Peterson – Stated that the City Attorney gives advice; someone did not follow the advice; important to put issues behind and move on.

Jason Zink – Discussed water issues; presented some information; nothing is being done; still talking about it; Government is lax; the leadership is lax; learn from the past, don't repeat things; concerns regarding flood control districts; important to bring the people together; important to have another government body to bring issues forward; importance of vision; conserve, importance of recycled water; need to do something now. Consider an off-ramp on Lancaster Blvd.

Arnie Rodio – Concerned with what is happening in City; stores are closing; this Council must get together and find business for this city; more empty houses and businesses; opportunity to change direction; good staff, good Redevelopment Agency; crime will increase; empty houses and businesses breed crime.

Vice Mayor Smith stated that the City has the very best Redevelopment Agency and they work aggressively to bring business to the City of Lancaster.

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

Holly Pelka - Concerns regarding graffiti on empty lot near her home; history of ownership; economic downturn; spoke of fence dividing property; graffiti on walls; she has called for graffiti removal three times and she has been told that it is private property; must require the owner to clean this up.

David Paul – Voices of the people need to be heard; be more civil to each other; kindness goes a long way.

Cleo Goss – Met with Mayor; discussed sales tax dollars; money that will go to fund Deputy Sheriff's in another neighborhood; turning the area of 60th West and Avenue L into a commercial area will turn it into a crime area; more affluent shoppers will not go to these stores.

David Abber – Commended the City Manager, as he responds to phone calls and always has; he had a graffiti issue and it has been taken care of. Thanked the Mayor for his consideration of his application for Planning Commission.

The City Manager stated that much of the credit should go the Julie Worrell and her division for the graffiti clean-up.

Paul Jennings – Grace Resource Center needs more space; something needs to be done; City should give them a break and help.

Mayor Parris requested that the City Manager look into this.

COUNCIL REPORTS

The Antelope Valley Transit Authority is a distinct government entity created under a joint powers authority agreement between the City of Lancaster, the City of Palmdale, and Los Angeles County that provides public transit services. Vice Mayor Ron Smith and Council member Sherry Marquez sit on the AVTA Board for the City of Lancaster and presented the following report:

The Board took the following actions on agenda items:

- The fiscal year 2008-2009 budget was continued from the June Board meeting as a public hearing item. The Board approved the approximately \$30 million budget. This was an increase of \$1.7 million over the adjusted fiscal year 2007-2008 budget.
- The Board approved public hearing and consent calendar items connected with the budget including a proposed contract with the Los Angeles County Sheriff's Department to provide transit security services currently budgeted at \$300,000.00.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 12, 2008

COUNCIL REPORTS (continued)

- The Board approved the Executive Director's contract as a new business item with no discussion related to terms of the contract. However, Board members asked for a list of standards of which to measure the performance of the Executive Director in later years. They also asked for a comparative study of salaries across other transit agencies.
- The Board discussed potential changes to the joint powers of authority agreement including composition of the Technical Advisory Committee (TAC). Palmdale Board members indicated their preference to increase the TAC to six members as currently there are three members. AVTA staff has been working on updating the bylaws of the JPA. Lancaster board members agree that the JPA needs updating; they also suggested removing the TAC as a formal standing committee to increase flexibility and communication. The jurisdictions were asked to provide their preference on the TAC composition.

COUNCIL / AGENCY COMMENTS

None

RECESS

Mayor Parris recessed the Council/Agency meeting at 8:47 p.m. for the purpose of conducting a Closed Session regarding the following matters:

CLOSED SESSION - AGENCY

G.C. Section 54956.8 –

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - NEGOTIATIONS WILL INCLUDE BOTH PRICE AND TERMS

- 1) 1155 Auto Mall Drive
Party: Mike Johnson
- 2) Northeast Corner of Lancaster Blvd and 27th Street West
Party: SC Premiere Properties

PROPERTY NEGOTIATORS: Executive Director, Agency Counsel

RECONVENE

Mayor Parris reconvened the Council/Agency meeting at 9:15 p.m.

The City Attorney announced that the Redevelopment Agency met in Closed Session regarding the aforementioned matters and direction was given regarding negotiations.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 12, 2008

ADJOURNMENT

Mayor Parris adjourned the Council/Agency meeting at 9:16 p.m. in memory of Susan Rae Hanes, wife of Gregory Hanes of Hanes and Associates. Susan was a long time resident and business owner in the Antelope Valley. Additionally, the Mayor announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, August 26, 2008 at 5:00 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)
