

CC 2
09/09/08
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
August 26, 2008**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:00 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, Principal Planner, Public Works Director, Interim Parks, Recreation & Arts Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director

INVOCATION - Pastor Carlos Navarrete, Lancaster Baptist Church

PLEDGE OF ALLEGIANCE – Council Member/Agency Director Sileo

PRESENTATIONS

Recognition of Mayor's Student Athlete – Ryan Butts, Antelope Valley High School

Presenter: Mayor Parris

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 26, 2008

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.

RCC 1. MINUTES

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of August 12, 2008.

RCC 2. ACQUISITION OF REAL PROPERTIES

Approved Agreement for Acquisition of Real Properties between the Lancaster Redevelopment Agency and various agencies as part of the approved Neighborhood Foreclosure Preservation Homeownership Program.

RCC 3. EXTENSION TO OPTION TERM WITH LARWIN INVESTMENT COMPANY

Approved an extension to the Option Term with Larwin Investment Company for an eighteen month period, to be effective from August 26, 2008 to December 31, 2010, which includes both the remainder of the current option term and the approved extension, and authorized the Executive Director or his designee to execute an amendment to the Option Term. (Northeast corner of Avenue G and 47th Street West in the Fox Field Industrial Corridor.)

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 2. MINUTES

Approved the Redevelopment Agency / City Council Regular Meeting minutes of August 12, 2008.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers (July 27, 2008 through August 9, 2008) in the amount of \$5,370,531.87.

CC 4. ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE

Accepted the interior street trees for maintenance by the City for: Tract No. 060034, located on the southeast corner of Avenue J-8 and 60th Street West, Owner: Lancaster Pavilion, L.P.; 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. 46601, located on the northwest corner of Avenue J-8 and 37th Street West, Owner: Lancaster Palms, LLC.

CC 5. MONUMENTATION WORK

Approved the monumentation work for: Tract No. 060987, located on the southwest corner of Avenue J and 52nd Street West, Owner: Larwin Company; 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. 54203, located on the southeast corner of 40th Street West and Avenue M-8, Owner: Pulte Home Corporation.

CC 6. COMPLETED SEWER SYSTEM

Approved the completed sewer system installed by the developer of Conditional Use Permit No. 06-05, located on the east side of 20th Street West, approximately 215 feet north of the Antelope Valley Freeway, Owner: Depot Plaza, LLC.

CC 7. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for: Conditional Use Permit No. 06-05, located on the east side of 20th Street West, approximately 215 feet north of the Antelope Valley Freeway, Owner: Depot Plaza, LLC; Tract No. 060149, located on the north side of Avenue J-12, approximately 660 feet west of 60th Street West, Owner: Western Pacific Housing, Inc.; Tract No. 060331, located on the northwest corner of Avenue J and Palo Verde Street, Owner: Lennar Homes of California, Inc.

CC 8. COMPLETED WATER SYSTEMS

Approved the completed water systems installed by the developer for: Tract No. 060331, located on the northwest corner of Avenue J and Palo Verde Street, Owner: Lennar Homes of California, Inc.

CC 9. AGREEMENT WITH CEDAR STREET THEATRE

Approved the Agreement for use of the Lancaster Performing Arts Center by Cedar Street Theatre for the 2008-2009 Season.

CC 10. AWARD OF CONTRACT TO VENCO WESTERN, INC.

Awarded a two (2) year contract, with annual extensions subject to City Council approval, with an annual cost of \$620,275.32 to Venco Western, Inc. for Landscape Maintenance Services and authorized the City Manager, or his designee, to sign all documents. As to not exceed the FY 08/09 approved budget, commencement of landscape services will begin September 2, 2008, in the Business Park and within the Landscape Maintenance Benefit Assessment Districts, with all other landscaped areas within the City beginning October 6, 2008.

CC 11. APPROVAL OF FUNDS FOR JAG

Approved funds for the Edward Byrne Memorial Justice Assistance Grant (JAG) which will allow states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system.

CA 1. APPOINTMENTS TO THE LANCASTER CRIMINAL JUSTICE COMMISSION

Mayor Parris requested consideration of six nominees to be appointed to the Lancaster Criminal Justice Commission and stated that Brenda Cash had withdrawn from the potential appointment and that a seventh appointee would be determined at a later date.

On a motion by Council Member Mann and seconded by Vice Mayor Smith, the City Council approved the following six nominees to the Lancaster Criminal Justice Commission: Greg Augusta; Mark Brown; Marvin Crist; Dennis Greer; Chris Johnson; David Vierra, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

CA 2. APPOINTMENT TO THE ARCHITECTURAL/DESIGN PLANNING COMMISSION

Mayor Parris requested consideration of appointing the seventh member (Diana Cook) to the Architectural/Design Planning Commission.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council approved Diana Cook as the seventh appointment to the Architectural/Design Planning Commission, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

CA 3. VIOLENCE-FREE ZONE REPORT UPDATE

Mayor Parris requested an update from Mayor Hearn and Representatives from the School Districts. Mayor Hearn and Representatives presented facts and figures regarding the program and lack of funds in the school districts to support the program.

CA 3. VIOLENCE-FREE ZONE REPORT UPDATE (continued)

Addressing the City Council on this matter:

Darlene Cruz – In favor of this program and stated the importance of continuing this program in the community.

Nicol Owen – Presented some background on the program and how the program has helped her turn her life around for the positive.

Sara Palmer – Presented the positive impact that the Violence Free Zone has had on her life.

Dixie Eliopulos – Thanked the Council for revisiting this matter; major part of the Leaders Training Leaders Initiative; excellent model for the positive impact on the community, youth and young women in the valley.

Patricia Marquam – Importance of the Violence Free Zone Program and the positive change that has taken place in the life of her own child.

Mel Layne – Encouraged Council to keep the momentum going in regards to the importance of the Violence Free Zone Program.

Frankie Johnson – Struggles with her own child; Violence Free Zone has turned her child and other children around and the changes in behavior are phenomenal.

Serena Ochoa – Discussed the struggles with her child; positive changes in her child thanks to the Violence Free Zone.

Pamela Palmer – Praised the work of the mentors within this program, stating that they were available twenty-four hours a day, every day.

Phillip Cruz – Stated that his daughter has benefitted tremendously from this program and wished that this program had been available during his own youth.

Janay Robinson – Presented her own experience with the Violence Free Zone and the positive changes that have taken place in her life.

Brenda Scott – Reflected on all of the stories presented to the Council at this meeting; reflected on the rough times with her own child and the positive changes that she has seen.

Kamari Powell – Stated the importance of keeping the Violence Free Zone at Eastside High School.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 26, 2008

CA 3. VIOLENCE-FREE ZONE REPORT UPDATE (continued)

Council Member Marquez wanted to make it very clear that the City is not taking this program away; this is not a City program. She inquired as to how much money has been raised so far; was the program mandatory; what other avenues have been explored.

David Vierra, representing the School District stated that approximately \$5,000.00 had been raised to date from various community members; several different agencies and businesses have been approached; it is a voluntary program.

Council Member Marquez stated that she does not see this as a public safety issue and feels that she is at a disadvantage. She grew up on military bases; she was taught by her parents to take responsibility for her actions; she has taught her children the same. She understands what everyone has said and for too many years, authority has been taken away from schools, and parents need to take on the responsibility for their children.

David Vierra stated that Council Member Marquez has made some very good points; it is hard to hear that a program may be taken away. The City of Lancaster has stepped up and offered up to \$75,000.00 in matching funds; unfortunately, the school districts are not able to enhance the program any further. He thanked the City Council for their partnership.

Vice Mayor Smith inquired as to how much money the City of Palmdale has donated.

David Vierra stated that approximately \$150,000.00 had been donated by Palmdale.

Vice Mayor Smith clarified that he believed A.C. Wornack had donated the funds on behalf of Palmdale.

The City Manager stated that the City of Lancaster stands to lose millions to the State; the numbers that were reported do not clearly match the testimonials; the City of Lancaster is not taking the program away and has in fact, stepped up.

Vice Mayor Smith discussed the new truancy car which will help to put children back in school and more money into the school budgets.

David Vierra stated that by putting the children back in school does add approximately \$1.2 million to the district budget.

Vice Mayor Smith stated that he clearly hears and feels the testimonials; the City is not taking the program away; by spending \$350,000.00 on the truancy car and other programs, this helps the districts to increase their budget.

CA 3. VIOLENCE-FREE ZONE REPORT UPDATE (continued)

Council Member Mann concurred with the other Council members; his preference would be to give them a period of time to make a grass roots effort toward their goals, to get the necessary funding that is needed; there needs to be responsible cooperation; table this matter for 30 to 45 days.

Vice Mayor Smith stated that the program currently has \$5,000.00, therefore the City could give them another \$5,000.00 as a match. He stated that there are a plethora of great programs the City can give money to and providing the truancy car benefits the school district and the entire City. Government must look at the money that is being used judicially.

Council Member Sileo stated that he appreciates hearing the testimonials; knows what it feels like to be in trouble with the law; City has said they will match donations up to \$75,000.00; high schools have set priorities; consider program changes and cuts to put money back into the district budgets then the money will come back in spades. The City is willing and has put up money; it is important for the program administrators to seek out private enterprise and private individuals.

Mayor Parris stated that it is the job of the City Council to make sure citizens are safe; it is the job of the schools to make the children and school environment safe; he is sympathetic to these type of causes; sometimes the citizens think it is the City's job to fund programs; there is not a bottomless pit of money at the City; it is the Mayor's job and Council's job to protect the citizens of the community; he is very uncomfortable in the merging of the roles. He asked: what deputies does the City lay off if the program is funded; it would be very easy to stay silent and let this die however, all must do whatever is necessary to help prevent kids from ending up on the wrong side of the law. What is the responsibility of the schools? What is the responsibility of the City? He stated that this problem is being approached in the wrong way and he has seen this many times in the past. People come in and persuade the City Council to fund different programs even though cities are struggling with their budgets. This is a great program; wonderful benefits. A cost analysis was given to him by Diana Beard Williams and he cannot justify how it should be funded now or in future years. Ask him as a private citizen for money and ask others for money but do not ask the Council to take needed funds from the citizens of Lancaster. This truly is a responsibility of the schools. He stated that there is no action on the agenda this evening for this cause and if Council would like this matter returned for action they should feel free to make that motion.

Council Member Mann suggested that this matter be reconsidered in thirty days, however no action was taken.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 26, 2008

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENT

None

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:

Cleo Goss – Income levels of people who work at low income jobs, especially at Supercenters such as are proposed in the area of 60th Street West and Avenue L.

Veronica Meugniot – Invited the City Council to the 6th Annual Aids Walk and AV Walk Party.

Scott Pelka – Stated that the City Council seems to be going backwards with issues such as election date changes; reconsideration of former City Manager contract; declaring the City of Lancaster as an English-only city. He insinuated that Council Member Marquez was a racist and actions by the Council were very wrong.

Mayor Parris defended Council Member Marquez; clarified exactly what she was trying to achieve; stated that Council Member Marquez feared that America was losing its identity and that possibly it would be a good idea to declare English as the official language of the City of Lancaster.

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

Vyonnee Ebbitt – Stated that the east side of Lancaster is in despair; she listened to the issue of a violence free zone; it is not safe in her neighborhood for her grandchildren; focus of Council seems to be on the west side; it is time to focus on the east side; City has done a great job with graffiti work; must do something about the violence.

Stan Foster – Resident of Rancho Mirage; he was in touch with the City's Engineering Department regarding a constant flow of water in his area that he has observed over the past year; millions of gallons of wasted water; found properties being watered; water flowing from an empty house; problem with stagnant water in the area.

Gerald Bigalk – Discussed the English only issue; ancestors experienced this; went to school to learn English; no problem with a two language family; English is the language of this country; ballots are put in many different languages and this is a waste of taxpayer's money. He also stated that he has had problems with Verizon telephone service.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 26, 2008

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

David Paul – Enjoys the Council meetings; importance of children having someone to talk to; importance of schools taking responsibility as well; likes to involve family in local politics when he can; a few of his heroes are Margaret Thatcher; Theodore Roosevelt.

COUNCIL REPORTS

Vice Mayor Smith presented a report on the Water Ad Hoc Committee. Representation at the meeting included Supervisor Maben from Kern County; Representative from the office of Supervisor Antonovich; Palmdale Water District; Cities of Lancaster and Palmdale; progress is being made and another meeting was set.

COUNCIL / AGENCY COMMENTS

Council Member Marquez discussed the English only issue that she proposed at the last City Council meeting. She stated that she is not a racist, she is a proud American. She stated that after the last Council meeting she received hundreds of emails saying thank you from all nationalities; very few wrote and called her a racist and those that did have no argument to stand on. After giving this much thought and discussion with the City Attorney and the City Manager, she is still very passionate about English being the official language and will do all she can nationally. She does not care about polls; she cares about getting things done. This issue is not pressing right now; an ordinance would give some teeth to the matter and it would make a statement because people all over the country are adamant about this. She stated that at this time she will not pursue this matter. She will sideline this for now, but she will not support or do anything to make it easy for illegal immigration; many will be angry with her and call her a gutless politician but this is not true; she will continue to make change and will direct her anger toward the federal government.

Mayor Parris stated that it was wrong of the City Council to give such a large resignation package to the former City Manager and he feels that it was a violation of the law. He stated that former Mayor, Arnie Rodio, was right - the money should not have been given to the former City Manager; it was handled wrong by Council; but it is also wrong to pursue this matter and put energy into this when there are so many other issues to be concerned about. Votes took place in Closed Session; not the fault of the former City Manager. The Mayor requested that the City Attorney look into an ordinance that would allow for votes and actions taken in closed session to be made public. He stated that he did not see a need to have a closed session this evening unless the rest of the Council thought so.

Council Member Sileo stated that it would not be good to revisit this issue.

No Closed Session took place regarding:

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Government Code Section: 54956.9(c)

To consider potential litigation – one case

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 26, 2008

ADJOURNMENT

Mayor Parris adjourned the Council/Agency meeting at 6:50 p.m. and announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, September 9, 2008 at 5:00 p.m.

Mayor Parris also stated that a Special City Council meeting with Supervisor Antonovich would take place on September 3, 2008 at 8:00 a.m. at Greenhouse Café in Lancaster, CA.

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)
