

CC 2B
09/23/08
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
September 9, 2008**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:04 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 – Bishop Henry Hearn

PLEDGE OF ALLEGIANCE – Council Member/Agency Director Sileo

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
SEPTEMBER 9, 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 Sileo, the Redevelopment Agency approved the Agency Consent Calendar by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

RCC 1. MINUTES

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of August 26, 2008.

RCC 2. 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.

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 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 26, 2008.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers (August 10, 2008 through August 23, 2008) in the amount of \$3,916,107.12.

CC 4. MONTHLY REPORT OF INVESTMENTS

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

CC 5. APPROVAL OF VOTING DELEGATES

Designated Mayor Parris as the Voting Delegate and Council Member Marquez as the Alternate Voting Delegate for the 2008 League Annual Conference – September 24 - 27, 2008.

CC 6. ACCEPTANCE OF MAINTENANCE FOR DRAINAGE IMPROVEMENTS

Approved and accepted for maintenance the work and materials for the drainage improvements, including specific portions of off-site storm drains and channels, for Drainage Maintenance District Annexation Nos. 07-51, 03-53, 06-23, and 06-05 installed for: Site Plan Review No. 06-19, located on the northwest corner of Avenue L-12 and 6th Street East, Owner: Hagop and Cynthia Ketenjian; Parcel Map No. 27057, located on the southeast corner of 50th Street West and Avenue J, Owner: STG Regency LLC; Tract No. 061206, located on the southeast corner of 35th Street East and Avenue J, including the channel at 32nd Street West, Owner: Western Pacific Housing, Inc.; and Tract No. 061819, located on the northwest corner of 20th Street East and Avenue H-8, Owner: Falcon Pointe, LLC.

CC 7. ACCEPTANCE OF DEVELOPER CONSTRUCTED STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for: Site Plan Review No. 06-19, located on the northwest corner of Avenue L-12 and 6th Street East, Owner: Hagop and Cynthia Ketenjian; 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. 53184, located on the northeast corner of Avenue J-8 and 45th Street West, Owner: D.R. Horton / 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 / Western Pacific Housing, Inc.; Tract No. 53184-02, located on the southeast corner of Avenue J-11 and 45th Street West, Owner: Western Pacific Housing, Inc.; and Tract No. 54285, located on the northeast corner of West Avenue J and Palo Verde Street, Owner: Lennar Homes of California, Inc.

CC 8. APPROVAL OF COMPLETED WATER SYSTEMS

Approved the completed water systems installed by the developer for: Tract No. 061042, located on the northeast corner of 60th Street West and Avenue K-4, Owner: KB Home Greater Los Angeles Inc.; and Tract 54285, located on the northeast corner of West Avenue J and Palo Verde Street, Owner: Lennar Homes of California, Inc.

CC 9. ACCEPTANCE OF WORK FOR PWCP NO. 06-025

Accepted the work constructed by America West Landscape, Inc., on **Public Works Construction Project No. 06-025**, Freeway Landscaping Improvements, Avenue L Intersection and Avenue K to Avenue J-8; 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.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
SEPTEMBER 9, 2008

CC 10. ACCEPTANCE OF WORK FOR PWCP NO. 07-007

Accepted the work constructed by Camarillo Engineering, Inc., on **Public Works Construction Project No. 07-007**, Avenue L Improvements, North Side, 32nd Street West to 40th Street West; directed the City Clerk to file the Notice of Completion for the project; authorized payment of the 10 percent retention 35 days after recordation, provided no stop notices, as provided by law, have been filed.

CC 11. ACCEPTANCE OF WORK FOR PWCP NO. 07-015

Accepted the work constructed by ANM Construction & Engineering, on **Public Works Construction Project No. 07-015**, Mall Loop Road Improvements; 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 12. ACCEPTANCE OF WORK FOR PWCP NO. 08-005

Accepted the work constructed by Universal Coatings, Inc., on **Public Works Construction Project No. 08-005**, Eastside Pool Roof Repair; 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 13. RESOLUTION NO. 08-78 – APPLICATION FOR GRANT FUNDS

Adopted **Resolution No. 08-78**, a resolution of the City Council of the City of Lancaster, California, approving the Application for Grant Funds from the Recreational Trails Program for the following project: Amargosa Creek Pathway.

PH 1. CONGESTION MANAGEMENT PROGRAM (CMP)

Mayor Parris opened the public hearing. The Public Works Director presented the staff report regarding the Congestion Management Program (CMP).

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. 08-79**, a Resolution of the City Council of the City of Lancaster, California, finding the City to be in conformance with the Congestion Management Program (CMP) and adopting the 2008 CMP Local Development Report (LDR), in accordance with California Government Code Section 65089, 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. DOWNTOWN LANCASTER SPECIFIC PLAN

Council Member Mann stated that due to a conflict with property that he owns within 500 feet of the subject matter, he would need to recuse himself from this discussion.

Mayor Parris opened the public hearing. The Planning Director presented the staff report regarding the Downtown Lancaster Specific Plan, 140 Acres Generally Bounded by Kettering Street, the Union Pacific Railroad, Newgrove Street (east of Date Avenue), Milling Street (west of Date Avenue), and 10th Street West (with westerly extension at the intersection of 10th Street West and Lancaster Boulevard.)

Addressing the City Council on this matter:

Merle McCleron - stated that he has been involved in the development of this project; this will be great for the downtown area and will revitalize Lancaster; project offers him great opportunities as an architect.

Vice Mayor Smith stated that staff has done a wonderful job; in the beginning of this project there was some resistance, however through community outreach and community involvement the citizens are now excited about this.

Council Member Sileo stated that he likes the concept of allowing property owners and architects to have input in this and it will allow them to use their imaginations in the best way for the community.

The City Manager thanked the Planning Director, staff and citizens for all their hard work and support throughout this process.

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

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council adopted **Resolution No. 08-80**, a Resolution of the City Council of the City of Lancaster, California, certifying Environmental Impact Report No. 07-02, making required environmental findings, including a Statement of Overriding Considerations, in accordance with the requirements of the California Environmental Quality Act, and approving General Plan Amendment No. 08-01 to re-designate the 140 acre area to SP (Specific Plan), by the following vote: 4-0-1-0; AYES: Marquez, Sileo, Vice Mayor Smith, Mayor Parris; NOES: None; RECUSED: Mann; ABSENT: None.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council introduced **Ordinance No. 906**, an Ordinance of the City Council of the City of Lancaster, California, amending the zoning plan for the City of Lancaster by approving the Downtown Lancaster Specific Plan (SP 08-01), by the following vote: 4-0-1-0; AYES: Marquez, Sileo, Vice Mayor Smith, Mayor Parris; NOES: None; RECUSED: Mann; ABSENT: None.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
SEPTEMBER 9, 2008

NB 1. ANTELOPE VALLEY TRANSIT AUTHORITY'S FISCAL YEAR 2008/2009 OPERATING BUDGET

The Public Works Director presented the staff report regarding the Antelope Valley Transit Authority's FY 2008/2009 Operation Budget.

Vice Mayor Smith thanked Randy Floyd of AVTA for doing a wonderful job on this; working with staff and other agencies and they are moving in the right direction.

Mayor Parris requested that Mr. Floyd look into buses that are late, causing senior citizens to be left in 105 degree weather. There needs to be more rapid response times for these delays and a procedure in place.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council approved the Antelope Valley Transit Authority's Operating and Capital Budget for Fiscal Year 2008-2009 including the City of Lancaster's jurisdictional share in the amount of \$1,488,250.00, 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. ANNOUNCEMENT OF PROPOSED NOMINEES FOR THE SECTION 8 COMMISSION

Council Member Marquez stated that the City is making headway; progressing forward with the development of an ordinance regarding Section 8 violation issues; Mayors of both cities are working together; this will be a group effort and announced the Section 8 Commission Nominees.

The nominees for the Section 8 Commission are: Bret Banks; Gene Gaynor; Larry Grooms; LeeRoy Halley; Risa Shepler; Tim Sturtevant; Perry Watkins. The nominees will be presented for official appointment consideration at the City Council meeting of September 23, 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:

Tom Delaney – Inquired as to when the Courage and Dedication Award will be presented; stated that he requested this award be given to George Delgado who gave the ultimate sacrifice in April of this year.

Council Member Sileo stated that he will look into this and if Mr. Delaney would contact him, he will discuss this with him.

Mayor Parris stated that as the Mayor, he would look into this issue and take action as necessary.

Veronica Meugniot – stated that she met with Council Member Marquez to get a better understanding of the Council Member's intention regarding English only. People were confused on her intention; there is a clear importance for people to speak English; children are being held back in school because parents are not teaching them English; very important to be bilingual in this country; many refuse to speak English; it is not about prejudice; understands where Council Member Marquez is coming from on this issue.

Council Member Marquez stated that she appreciates Ms. Meugniot coming forward; her husband is fluent in Spanish, as well as his family; she has the highest regard for families with different backgrounds and traditions; many Americans are confused and frustrated; it is not right to hear a phone message that states: Press One for English. This matter is on the back burner for now and will be addressed at a later date.

Mayor Parris suggested that maybe a tutoring program could be offered to teach citizens to speak English and stated that he would like to talk with Ms. Meugniot further about this.

Richard Hecker – stated his concerns regarding a proposed shopping center across from Quartz Hill High School; proponents for Wal-Mart are gathering signatures of people in favor of this development.

Kathleen Morgan - witnessed rude behavior on the part of a County employee at a local assistance facility; he harassed and verbally abused a mother with two teenagers; not sure what the City can do, but wanted to bring it to the attention of the Council.

Barbara Mayzels - stated that she is a Section 8 resident; thanked the Mayor for removing the 12 people who abused the Section 8 program; needs to be stronger accountability in the business licensing process for rentals; enforcement that the owner will maintain the mortgage of the property during the duration of the rental.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
SEPTEMBER 9, 2008

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

Greg Gregorian - Owner of Palmdale Medical Supply; he goes to the homes of patients; both hospitals; has seen patients with multiple health conditions; encourage the approval of open and legal marijuana dispensaries; asked for assistance in this matter and hopes that Lancaster will allow this; he would like to operate a licensed dispensary.

The City Manager stated that this matter was discussed approximately one month earlier and staff provided a written report to the City Council.

Mayor Parris stated that the City will look at this from an intelligent, scientific point of view; and get opinions from pain management people, matter will not be taken lightly.

Cleo Goss – stated her concerns regarding a proposed shopping center across from Quartz Hill High School; proponents for Wal-Mart are gathering signatures of people in favor of this development.

Robert Yapp – Elaborated on the matter of English only; defended the actions of Council Member Marquez; supports this endeavor all the way; logical arguments for English only; bothered that people would accuse Council Member Marquez of being racist; this is also a public safety issue; important that people speak English, especially in the work force; English gives people common ground and understanding.

Diana Beard Williams - discussed the English only matter; discussed different languages; she has traveled to different countries and they are insulted if a person does not know their language and additionally are insulted if a person does not use their language correctly – they take great offense to this. America should show this same pride; English is the official language; she knows individuals who depend on their children for language translations; she knows racism first hand and this is not about racism, this is about pride.

COUNCIL REPORTS

None

COUNCIL / AGENCY COMMENTS

Mayor Parris stated that he is looking for an intern to assist him with his mayoral duties and if anyone is interested to please contact his office. The internship would be for six months and is an excellent opportunity for college students.

Mayor Parris stated that Mr. Gregory Hanes would be sitting with the Architectural/Design Planning Commission to help them and staff through some of the process. Mr. Hanes will have no voting authority, but will be a trusted authority in the area of Architecture/Design.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
SEPTEMBER 9, 2008

CLOSED SESSION

None

ADJOURNMENT

Mayor Parris adjourned the Council/Agency meeting at 6:15 p.m. and announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, September 23, 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)
