

CC 2
10/28/08
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
October 14, 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

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
OCTOBER 14, 2008

Members: City Manager/Executive Director, City Attorney/Agency Counsel, Assistant to the

STAFF REPORT
City of Lancaster

PH 2
10/28/08
MVB

Date: October 28, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Vacation of Road Right-of Way Located on the Northeast Corner of Lancaster Boulevard and Yucca Avenue Adjoining APN 3138-011-051**

Recommendation:

Adopt **Resolution No. 08-90**, ordering the vacation of a portion of Lancaster Boulevard and Yucca Avenue, road right-of-way located on the northeast corner of Lancaster Boulevard and Yucca Avenue.

Fiscal Impact:

None.

Background:

The Plat of the Town of Lancaster, as recorded in miscellaneous Records, Book 55, Page 83, dedicated the road right-of-way to the City of Lancaster. In order to construct the improvement as proposed, it is necessary to vacate the existing road right-of-way. On April 21, 2008, the Lancaster Planning Commission determined that the subject road right-of-way vacation was in conformance with the General Plan. On September 23, 2008, the City adopted Resolution No. 08-82 declaring its intention to vacate the subject excess road right-of-way and set October 28, 2008, as the date of the public hearing to receive testimony relative to the proposed vacation.

The public hearing will be held for the City Council to determine if there are any public objections to the City vacating the excess road right-of-way located on the northeast corner of Lancaster Boulevard and Yucca Avenue.

VJ:lcs

Attachment:

Resolution No. 08-90

STAFF REPORT
City of Lancaster

CC 3
10/28/08
MVB

Date: October 28, 2008
To: Mayor Parris and City Council Members
From: Barbara Boswell, Finance Director
Subject: **Check and Wire Registers – September 28, 2008 through October 11, 2008**

Recommendation:

Approve the Check and Wire Registers as presented.

Fiscal Impact:

\$9,324,526.86 as detailed in the Check and Wire Registers.

Background:

At each regular City Council Meeting, the City Council is presented with the financial claims (invoices) against the City for purchase of materials, supplies, services, and capital projects for checks and wires issued the prior two to three weeks. This process provides the City Council the opportunity to review the expenses of the City. The justifying backup for each expenditure is available in the Finance Department.

BB:pg

Attachment:

1. Check and Wire Registers (Available for review in the City Clerk's Office)

STAFF REPORT
City of Lancaster, California

CC 4

10/28/08

MVB

Date: October 28, 2008

To: Mayor Parris and City Council Members

From: Brian S. Ludicke, Planning Director

Subject: **General Plan Annual Review Progress Report
(January 1, 2007, through December 31, 2007)**

Recommendation:

Receive and file this report, and direct staff to submit a copy of the report to the Office of Planning and Research.

Background:

California planning law (Government Code Section 65400(b)(1)) mandates that all cities and counties submit to their legislative bodies an annual report on the status of the general plan and progress on its implementation. A copy of this progress report must also be sent to the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD).

The intent of the progress report is to ensure that the general plan directs all land use decisions, and remains an effective guide for future development. The main purpose and most important function of the progress report are to provide local legislative bodies with information regarding implementation of the general plan. The Report, attached herewith as Exhibit A, provides an overview of the General Plan and the progress made by the City from January 1, 2007, to December 31, 2007, toward implementation of the Plan's goals, objectives, policies and programs.

BSL/jr

Attachment:

Exhibit "A" – General Plan Annual Progress Report for Calendar Year 2007

STAFF REPORT
City of Lancaster, California

CC 5
10/28/08
MVB

Date: October 28, 2008
To: Mayor Parris and City Council Members
From: Geri K. Bryan, CMC, City Clerk
Subject: **Consideration of Adoption of Ordinance No. 907**

Recommendation:

Adopt **Ordinance No. 907**, an ordinance of the City Council of the City of Lancaster, California adding Chapter 8.50, Landscaping Installation and Maintenance, Title 8 Health and Safety, modifying Chapter 8.30, Residential Landscaping Installation and Maintenance, Title 8 Health and Safety, deleting Chapter 15.48, specifications for Landscape Development, Title 15 Building and Construction, modifying Chapter 17.08, Residential Zones, Chapter 17.12, Commercial Zones and Chapter 17.16, Industrial Zones, Title 17, Zoning of the Lancaster Municipal Code relating to Water Efficient Landscaping requirements to include recent updates to State Law.

Fiscal Impact:

None.

Background:

At the October 14, 2008 meeting, the City Council approved the introduction of Ordinance No. 907 by the following vote:

AYES: Council Members: Mann, Marquez, Sileo, Vice Mayor Smith, Mayor Parris
NOES: None
ABSTAIN: None
ABSENT: None

Attachment:

Ordinance No. 907

STAFF REPORT
City of Lancaster, California

CC 6
10/28/08
MVB

Date: October 28, 2008
To: Mayor Parris and City Council Members
From: Geri K. Bryan, CMC, City Clerk
Subject: **Consideration of Adoption of Ordinance No. 908**

Recommendation:

Adopt **Ordinance No. 908**, an ordinance of the City Council of the City of Lancaster, California amending Title 8 of the Lancaster Municipal Code to add a new Chapter 8.52 relating to Chronic Nuisance Properties.

Fiscal Impact:

Approval of the ordinance will result in an undetermined amount of new administrative costs to the City, which will be reimbursed through the Abatement Fee. There would be minimal new costs to the Sheriff's department in development of the weekly reports, also to be reimbursed by the fee. Long term, the program should result in a reduction of Sheriff responses to chronic nuisance properties. The resolution to establish the Abatement Fee will return to the City Council at a Public Hearing at its December 9, 2008 City Council meeting.

Background:

At the October 14, 2008 meeting, the City Council approved the introduction of Ordinance No. 908 by the following vote:

AYES: Council Members: Mann, Marquez, Sileo, Vice Mayor Smith, Mayor Parris
NOES: None
ABSTAIN: None
ABSENT: None

Attachment:

Ordinance No. 908

STAFF REPORT
City of Lancaster, California

CC 7
10/28/08
MVB

Date: October 28, 2008
To: Mayor Parris and City Council Members
From: Geri K. Bryan, CMC, City Clerk
Subject: **Consideration of Adoption of Ordinance No. 909**

Recommendation:

Adopt **Ordinance No. 909**, an ordinance of the City Council of the City of Lancaster, California amending Chapters 2.34 and 2.30 of the Lancaster Municipal Code to make certain technical corrections thereto.

Fiscal Impact:

None.

Background:

At the October 14, 2008 meeting, the City Council approved the introduction of Ordinance No. 909 by the following vote:

AYES: Council Members: Mann, Marquez, Sileo, Vice Mayor Smith, Mayor Parris
NOES: None
ABSTAIN: None
ABSENT: None

Attachment:

Ordinance No. 909

STAFF REPORT
City of Lancaster

CC 8
10/28/08
MVB

Date: October 28, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Acceptance of Improvements (Landscape Maintenance District No. 1, Annexation No. 301, Tract No. 48534; K. Hovnanian Forecast Homes, Inc., Located on the Southeast Corner of Avenue H-8 and 35th Street East**

Recommendation:

Approve and accept for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, installed by the developer of the subject project.

Appropriate \$12,677.44 from the first year's maintenance cost, that has been paid by the developer, to cover the remaining 8 months of the fiscal year into the Landscape Maintenance Operating Account No. 482-4747-402.

Fiscal Impact:

The first year's maintenance cost of \$19,016.16 has been paid by the developer; subsequent costs will be assessed against the benefiting properties.

Background:

On August 9, 2005, the Council adopted Resolution No. 05-185, initiating proceedings for annexation into Landscape Maintenance District No. 1; Resolution No. 05-186, declaring its intention to annex territory; and Resolution No. 05-190, confirming the diagram and assessment and ordering the proposed improvements.

The landscaping improvements for this tract have been installed by the developer, according to the approved plans and specifications. The improvements have been completed to the satisfaction of the Director of Public Works.

MT:lcs

Attachments:

Exhibit A
Map

STAFF REPORT
City of Lancaster

CC 9
10/28/08
MVB

Date: October 28, 2008
To: Mayor Parris and City Council Members
From: James R. Williams, Director of Public Works
Subject: **Acceptance of Improvements (Monumentation)**

Recommendation:

Approve the monumentation work for the following projects:

<u>Project</u>	<u>Location/Owner</u>
Parcel Map 060916-01	Northwest corner of Avenue G and 45 th Street West Owner: Fox Field Industrial Park, L.P.
Tract 060450-01	Northwest corner of Avenue K-4 and 60 th Street West Capital Pacific Holdings, LLC

Fiscal Impact:

None.

Background:

The monumentation work on the listed projects has been completed by the Engineer of Record for the subject subdivision maps, inspected, and found to be satisfactory to the City Engineer. Evidence of payment to the Engineer of Record for completion of the monumentation work has been received.

VJ:lcs

Attachments:

Maps

STAFF REPORT
City of Lancaster

CC 10
10/28/08
MVB

Date: October 28, 2008
To: Mayor Parris and City Council Members
From: James R. Williams, Director of Public Works
Subject: **Acceptance of Improvements (Sewers)**

Recommendation:

Approve the following developer installed sanitary sewers and accept these sewers for maintenance by the City and for public use.

<u>Tract No.</u>	<u>Private Contract No.</u>	<u>Location/Owner</u>
060450	04-33	Southwest corner of 60 th Street West and Avenue K-8 Owner: Warmington Lancaster Associates, LP
060905	05-12	Northeast corner of Kildare Street and 35 th Street West Owner: Pulte Homes Corporation

Fiscal Impact:

\$15,304.48. A total of 9,332 linear feet of sewer line and 40 manholes are being accepted at this time. These costs will be assessed against benefiting properties.

Background:

The listed sanitary sewers have been constructed and completed by the developers according to the approved plans and specifications. The work has been inspected and found to be satisfactory to the Director of Public Works.

MT:lcs

Attachments:

Maps

STAFF REPORT
City of Lancaster

CC 11
10/28/08
MVB

Date: October 28, 2008
To: Mayor Parris and City Council Members
From: James R. Williams, Director of Public Works
Subject: **Acceptance of Improvements (Streets)**

Recommendation:

Approve the developer constructed streets on the following project. In addition, accept the streets for maintenance by the City and for public use.

Project

Tract 54203

Location/Owner

Southeast corner of 40th Street West and Avenue M-8
Owner: Pulte Home Corporation

Fiscal Impact:

\$71,473.54. The estimated annual cost for maintenance is \$18,850.00 per lane mile. 3.7917 lane miles are being accepted at this time.

Background:

The streets have been constructed and completed by the developer according to the approved plans and specifications. The work has been inspected and found to be satisfactory to the Director of Public Works.

MT:lcs

Attachment:

Map

STAFF REPORT
City of Lancaster

CC 12
10/28/08
MVB

Date: October 28, 2008
To: Mayor Parris and City Council Members
From: James R. Williams, Director of Public Works
Subject: **Acceptance of Improvements (Water)**

Recommendation:

Approve the completed water systems installed by the developers for the following projects.

<u>Project</u>	<u>Location/Owner</u>
Tract 060198	Southeast corner of Avenue M-8 and 45 th Street West Owner: Pulte Home Corporation
Tract 46601	Northwest corner of Avenue J-8 and 37 th Street West Owner: Lancaster Palms, LLC
Tract 48534-03	Northeast corner of Cooperstown Avenue and 35 th Street East Owner: K. Hovnanian Forecast Homes, Inc.

Fiscal Impact:

None.

Background:

The water systems on these projects have been constructed and completed to the satisfaction of the local water purveyor, Los Angeles County Waterworks District No. 40, Antelope Valley, and are constructed according to the approved plans and specifications. Additionally, the work has been inspected and found to be satisfactory to the Director of Public Works.

MT:lcs

Attachments:

Maps

STAFF REPORT
City of Lancaster

CC 13
10/28/08
MVB

Date: October 28, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Final Map Approval – Parcel Map No. 67321
South of Avenue J and East of 20th Street West**

Recommendation:

Approve the map and accept the dedications as offered on the map; approve and accept the Undertaking Agreement and Improvement Securities required as a condition of recordation of the map; make 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; and instruct 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.

Fiscal Impact:

None.

Background:

On December 18, 2006, the Planning Commission approved Tentative Parcel Map No. 67321 as a commercial development.

The Final Map is in substantial conformance with the approved tentative map. Parcel Map No. 67321 has been checked by the City Engineer and is ready for Council approval. An Undertaking Agreement and Improvement Securities have been submitted to guarantee the installation of improvements.

VJ:lcs

Attachment:

Map

STAFF REPORT
City of Lancaster

CC 14
10/28/08
MVB

Date: October 28, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Acceptance of Public Works Construction Project No. 07-035
2007 Traffic Signals**

Recommendation:

Accept the work constructed by Taft Electric Company; direct the City Clerk to file the Notice of Completion for the project; and authorize payment of the 10 percent retention 35 days after recordation, provided no stop notices, as provided by law, have been filed.

Fiscal Impact:

This project was awarded in the amount of \$1,465,409.44. Change orders totaling \$42,769.96 and a reduced scope of work have brought the total contract cost to \$1,470,755.14. Sufficient funds were budgeted and are available in Capital Projects Budget Account Nos. 217-16TS001-924, 217-16TS005-924, 217-16TS007-924, 217-16TS012-924, 217-16TS013-924, and 232-16TS005-924. Annual maintenance costs for this project are anticipated to be \$69,000.00.

Background:

On December 11, 2007, Council awarded Public Works Construction Project No. 07-035 – 2007 Traffic Signals to Taft Electric Company. The project installed six new traffic signals at the following locations:

Avenue H and 10th Street West
Avenue J and 60th Street West
Avenue I and 13th Street West
Avenue L-12 and 10th Street West
Lancaster Blvd. and 3rd Street East
Sierra Highway and Milling Avenue

Construction of the project has been completed to the satisfaction of the Director of Public Works. The project was substantially completed on August 25, 2008, which was within the time permitted in the contract. The construction quantities and the amount of payment have been approved by the Contractor and the Director of Public Works.

The total contract cost is \$1,470,755.14.

NK:tl

Attachments:

Notice of Completion

STAFF REPORT
City of Lancaster

CC 15
10/28/08
MVB

Date: October 28, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Acceptance of Public Works Construction Project No. 08-018
Skytower Park Wrought Iron Fence Replacement**

Recommendation:

Accept the work constructed by FenceCorp, Inc.; direct the City Clerk to file the Notice of Completion for the project; and authorize payment of the 10 percent retention 35 days after recordation, provided no stop notices, as provided by law, have been filed.

Fiscal Impact:

This project was awarded in the amount of \$215,264.25. Change orders totaling \$9,095.00 have brought the total contract cost to \$224,359.25. Sufficient funds were budgeted and are available in Capital Projects Budget Account No. 101-11FW001-924. Annual maintenance costs for this project are anticipated to be negligible.

Background:

On June 24, 2008, Council awarded Public Works Construction Project No. 08-018 to FenceCorp, Inc. This project removed the existing fence at Skytower Park, which was corroded and vandalized, replaced it and constructed access gates at the request of Lancaster Parks, Recreation and Arts Department.

Construction of the project has been completed to the satisfaction of the Director of Public Works. The project was substantially completed on September 25, 2008, which was within the time permitted in the contract. The construction quantities and the amount of payment have been approved by the Contractor and the Director of Public Works.

The total contract cost is \$224,359.25.

JB:tl

Attachments:

Notice of Completion
Map

STAFF REPORT
City of Lancaster

CC 16
10/28/08
MVB

Date: October 28, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Award of Bid - Public Works Construction Project No. 08-001
 2007/2008 Street Resurfacing, Phase I**

Recommendation:

Award Public Works Construction Project No. 08-001 - 2007/2008 Street Resurfacing, Phase I, to Imperial Paving Company, Inc., in the amount of \$2,540,540.00, plus a 10% contingency. The project is designed to repair and resurface City streets at various locations. Authorize the City Manager, or his designee, to sign all documents.

Fiscal Impact:

\$2,794,594.00 (including 10% contingency); sufficient funds are available in Capital Improvements Budget Account Nos. 232-12ST018-924, 206-12ST019-924, 209-12ST019-924, 334-12ST019-924, and 206-12ST020-924.

There are no additional maintenance costs associated with this project.

Background:

As part of the Pavement Management Program, this project is designed to repair and resurface 18.5 lane-miles of City streets with new asphalt pavement. Some of the streets to be resurfaced are Lancaster Blvd, Challenger Way, and 50th Street West.

On October 28, 2008, at 11:00 a.m., the City conducted a bid opening for Public Works Construction Project No. 08-001. Five sealed bid envelopes were received, opened, and read aloud. The bids were as follows:

1. Imperial Paving Company, Inc.	\$2,540,540.00
2. Granite Construction Company	\$2,851,110.00
3. Maverick Asphalt, Inc.	\$2,866,462.00
4. Windsor Fuel Company	*\$2,960,584.93
5. Asphalt Construction Company, Inc.	\$3,337,805.00
Engineer's Estimate	\$3,096,859.50

*Corrected for mathematical error

STAFF REPORT
City of Lancaster

CC 17
10/28/08
MVB

Date: October 28, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Award of Bid - Public Works Construction Project No. 08-043
Traffic Signal Avenue J-8 and 60th Street West**

Recommendation:

Award Public Works Construction Project No. 08-043 - Traffic Signal Avenue J-8 and 60th Street West, to Freeway Electric, in the amount of \$198,198.00 plus a 10% contingency, for the construction of a traffic signal at the intersection of Avenue J-8 and 60th Street West. Authorize the City Manager, or his designee, to sign all documents.

Fiscal Impact:

\$218,018.00 (including 10% contingency); sufficient funds are available in Capital Improvements Budget Account No. 217-16TS001-924.

The annual cost for maintenance of the new traffic signal is estimated at \$11,300.00.

Background:

The City received a request from the Westside School District to install a traffic signal at the intersection of Avenue J-8 and 60th Street West. Staff performed a comprehensive traffic engineering investigation including an analysis of traffic and pedestrian volumes, accidents and field conditions. The traffic study showed that warrants per the California Manual of Uniform Traffic Control Devices were met for the installation of a traffic signal at this location.

This project, as designed, will install a traffic signal at the intersection of Avenue J-8 and 60th Street West.

On October 16, 2008 at 11:00 a.m., the City conducted a bid opening for Public Works Construction Project No. 08-043. Three sealed bid envelopes were received, opened and read aloud. The bids were as follows:

1. Freeway Electric	\$198,198.00
2. Manuel Bros.	\$272,800.00
3. Taft Electric	\$206,657.54
Engineer's Estimate	\$223,495.00

STAFF REPORT
City of Lancaster, California

CC 18
10/28/08
MVB

Date: October 28, 2008

To: Mayor Parris and Council Members

From: Brian S. Ludicke, Planning Director

Subject: **Application for Grant Funds from the Urban Streams Restoration Grant Program**

Recommendation:

Adopt **Resolution No. 08-87**, a resolution of the City Council of the City of Lancaster, California, approving the Application for Grant Funds from the Urban Streams Restoration Grant Program for the following project: Amargosa Creek Pathway.

Background:

The Planning Department, in cooperation with the Department of Parks, Recreation and Arts, and the Department of Public Works, is interested in submitting a grant application to the State Resources Agency under the "Urban Streams Restoration Grant Program". The application requires that the City Council adopt a resolution stating that the public agency is sponsoring this project in conjunction with a local community co-sponsor (the Antelope Valley Committee of the San Fernando Valley Audubon Society), addressing CEQA concerns, and appointing a person to act as Project Manager.

If the application is approved, the City could receive up to \$1,000,000 towards the habitat restoration of the Amargosa Creek. This project is designed to reduce flooding and erosion, re-establish and enhance riparian habitat, encourage community stewardship, and provide educational and recreational opportunities. This project is in conformance with the Master Plan and Design Guidelines for the Amargosa Creek Pathway as approved by the City Council in October 1996 and November 2001.

Preparation of the application is in progress and will be required to be submitted to the State Resources Agency by November 12, 2008.

EW:BSL/jr

Attachment:

Resolution No. 08-87

STAFF REPORT
City of Lancaster, California
Lancaster Redevelopment Agency

JPH 1
10/28/08
MVB

DATE: October 28, 2008

TO: Mayor Parris and City Council Members
Chairman Parris and Agency Board Directors

FROM: Vern Lawson Jr., Economic Development/Redevelopment Director

SUBJECT: **Purchase and Sale Agreement for the Sale of Real Property by and between the Lancaster Redevelopment Agency and the Antelope Valley Union High School District (APN: 3134-013-910), located in the former Lancaster Museum Art Gallery on the northwest corner of Sierra Highway and Milling Street.**

Redevelopment Agency Recommendation:

Adopt **Resolution No. 07-08**, approving a Purchase and Sale Agreement for the Sale of Real Property by and between the Lancaster Redevelopment Agency and the Antelope Valley Union High School District, (APN: 3134-013-910) and authorize the Executive Director to execute all attendant documents related to the sale.

City Council Recommendation:

Adopt **Resolution No. 08-88**, approving a Purchase and Sale Agreement for the Sale of Real Property by and between the Lancaster Redevelopment Agency and the Antelope Valley Union High School District (APN: 3134-013-910) and authorize the City Manager to execute all attendant documents related to the sale.

Fiscal Impact:

The Lancaster Redevelopment Agency will receive \$1,000,045 from the Antelope Valley Union High School District.

Background:

The City of Lancaster has successfully brokered partnerships with the Antelope Valley Union High School District for over 30 years. The City Council has been a supporter and advocate for education because it represents our future and will determine the skill sets of our work force. The district office headquarters represent one of the largest employers in the entire downtown. These workers create traffic for downtown businesses and dine in our restaurants.

For many years our Museum Art Gallery has shared space with the district at 44801 Sierra Highway. The District has out grown its office space and has expressed an interest in purchasing the space currently occupied by the Museum. This would allow for needed offices to accommodate staff expansion necessary to keep pace with our growing population.

STAFF REPORT
City of Lancaster

NB 1
10/28/08
MVB

Date: October 28, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Introduce Sanitary Sewer and Industrial Waste Ordinance**

Recommendation:

Introduce **Ordinance No. 910**, City of Lancaster Sanitary Sewer and Industrial Waste Ordinance.

Fiscal Impact:

The fiscal impact is unknown, but the fees collected will cover any services provided.

Background:

The Lancaster City Council adopted Ordinance No. 91 on December 18, 1978, which adopted by reference, with various amendments, the County of Los Angeles Ordinance 6130, entitled "An Ordinance Providing Regulation for Sanitary Sewers", and the "Deposit of Discharge of Sewage and Other Waste Matter in the Unincorporated Territory of the County of Los Angeles". The City Ordinance was codified in Title 13 - Public Safety, as Chapter 13.08 - Sanitary Sewer and Industrial Waste. Ordinance No. 488 amended Ordinance No. 91 on January 3, 1989. The City has operated under this ordinance, as modified, for the past 30 years.

The County, through its Consolidated Sewer Maintenance District, was responsible for the operation and maintenance of the City's sewer system. The County did not manage the City industrial waste dischargers, nor provide for the replacement of the sewer mains. The City Council authorized moving the sewer operations and maintenance in house, which the City did effective July 1, 2008. As the City prepared to assume responsibility for the operation and maintenance of its sewers from the County of Los Angeles, the City Council adopted Ordinance No. 876, establishing a Sewer Service Charge to pay for the operation and maintenance of the sewers and for future replacement of the main lines. Ordinance No 876 was codified in Title 13 - Public Safety, as Chapter 13.09 - Sewer Service Charges.

The proposed Sanitary Sewer and Industrial Waste Ordinance will replace, in its entirety, the previous Ordinance Nos. 91 and 488. It will strengthen the City's ability to effectively control discharges to its sewer system. This ordinance also provides the legal authority needed as part of the State mandated Waste Discharge Requirements that included the preparation of a Sewer System Management Plan.

STAFF REPORT
City of Lancaster

PH 1
10/28/08
MVB

Date: October 28, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Vacation of Road Right-of Way Located at West Avenue L and the West Avenue L South Ramp
Adjoining APN 3128-007-034**

Recommendation:

Adopt **Resolution No. 08-89**, ordering the vacation of a portion of West Avenue L, road right-of-way located at West Avenue L and the West Avenue L South Ramp.

Fiscal Impact:

None.

Background:

The excess road right-of-way was dedicated to the City of Lancaster, recorded in the Record of Surveys Book 217, page 27 of maps in the Office of the County Recorder of Los Angeles County. The vacation is required to develop the site and the City no longer needs the excess road right-of-way. On August 18, 2008, the Lancaster Planning Commission determined that the subject road right-of-way vacation was in conformance with the General Plan. On September 23, 2008, the City adopted Resolution No. 08-81 declaring its intention to vacate the subject excess road right-of-way and set October 28, 2008, as the date of the public hearing to receive testimony relative to the proposed vacation.

The public hearing will be held for the City Council to determine if there are any public objections to the City vacating the excess road right-of-way located on West Avenue L, west of Sierra Highway and 392 feet north of the West Avenue L South Ramp.

AN:lcs

Attachment:

Resolution No. 08-89

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
OCTOBER 14, 2008

City Manager, City Clerk/Agency Secretary, Deputy City Clerk, Planning Director, Public Works Director, Interim Parks, Recreation & Arts Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director

INVOCATION - Pastor John Meadors - Christian Life Assembly

PLEDGE OF ALLEGIANCE - Daisy Girl Scout Troop 558

PRESENTATIONS

- Administer Oath of Office - Section 8 Commission
Mayor Parris
- Commendation to Deputy Brad Feder
Presenter: Mayor Parris
- Government Finance Officers Association Certificate of Achievement.
Presenter: Barbara Boswell, Finance Director
- Status Report on L. A. County Animal Control Department Pit Bull Sweep Operation
Presented by: Representatives from L.A. County Animal Control – David Dykstra and Derek Brown
- Commendation to Marcia Mayeda, Director of L.A. County Animal Control Department
Accepting for Marcia Mayeda - staff of the L.A. County Animal Control Department

AGENDA ITEMS TO BE REMOVED

None

APPROVAL OF REDEVELOPMENT AGENCY CONSENT CALENDAR

Agency Director Mann requested that Agenda Item No. RCC 2 be pulled for separate discussion and action. He stated that he would need to recuse himself from voting on this matter due to a conflict with properties that he owns.

On a motion by Vice Chairman Smith and seconded by Agency Director Mann, the Redevelopment Agency approved the Agency Consent Calendar, with the exception of RCC 2, 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 September 23, 2008.

RCC 2. ACQUISITION OF PROPERTIES

Agency Director Mann recused himself from this matter.

On a motion by Agency Director Sileo and seconded by Agency Director Marquez, the Redevelopment Agency approved the agreement for Acquisition of Real Properties between the Lancaster Redevelopment Agency and various agencies as

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
OCTOBER 14, 2008

part of the approved Neighborhood Foreclosure Preservation Homeownership Program as outlined in Exhibit "A" of the Staff Report, by the following vote:
4-0-1-0: AYES: Marquez, Sileo, Smith, Parris; NOES: None; RECUSED: Mann;
ABSENT: None.

RCC 3. ACQUISITION OF PROPERTIES

Approved Agreement for Acquisition of Real Property for \$580,000.00 between the Lancaster Redevelopment Agency and James D. Gilstrap and Patricia Gilstrap for properties located at 45411 Sierra Highway.

RCC 4. APPROVAL OF CONTRACTORS/SUBCONTRACTORS

Approved the list of qualified subcontractors and contractors for Housing & Neighborhood Revitalization programs,

RNB 1. OPERATING COVENANT

The Economic Development Director presented the staff report regarding the Operating Covenant with Johnson Ford, Inc. (Antelope Valley Ford) regarding New Antelope Valley Mazda, Inc. Dealership located at 1015 Auto Mall Drive.

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency authorized the Executive Director or his designee to execute an agreement regarding Acquisition of Operating and Use Covenant and Restriction Covenant regarding Antelope Valley Ford Expansion located at 1015 Auto Mall Drive, Lancaster CA (3125-024-026; 027; 028), by the following vote:
5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

Vice Mayor Smith requested that Agenda Item No. CC 5 be pulled for separate discussion and action.

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 CC 5, 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 September 23, 2008.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers (September 7, 2008 through September 27, 2008) in the amount of \$7,044,321.25.

CC 4. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the August 2008 Monthly Report of Investments as submitted.

CC 5. APPROPRIATION OF FUNDS REGARDING TRAFFIC SAFETY

The Finance Director presented the staff report regarding the appropriation of funds regarding traffic safety.

On a motion by Council Member Sileo and seconded by Vice Mayor Smith, the City Council approved the appropriation of \$267,933.00 to Account No. 324-4820-773, Office of Traffic Safety Grant – DUI Enforcement, and increased estimated revenues in Account No. 324-3303-101, Office of Traffic Safety AL0928, in the same amount, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

CC 6. RESOLUTION NO. 08-83

Adopted **Resolution No. 08-83**, a resolution of the City Council of the City of Lancaster, California, authorizing the destruction of certain records (Plans and Plan Checks; Absentee Voting, Ballots, Inspector Receipts, Precinct Election Records.)

CC 7. RESOLUTION NO. 08-84

Adopted **Resolution No. 08-84**, a resolution of the City Council of the City of Lancaster, California, amending Resolution No. 06-231 establishing a classification plan and salary schedule for the classification of Code Enforcement Manager.

CC 8. ACCEPTANCE OF LANDSCAPE IMPROVEMENTS FOR MAINTENANCE

Approved and accepted for maintenance the work and materials for the landscape improvements for Landscape Maintenance District No. 1, Annexation No. 242, installed for Parcel Map No. 27057, located on the southeast corner of 50th Street West and Avenue J, Owner: STG Regency LLC. Appropriated \$18,420.00 from the first year's maintenance cost, that have been paid by the developer, to cover the remaining nine months of the fiscal year into the Landscape Maintenance Operating Account No. 482-4747-402.

CC 9. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for: Conditional Use Permit No. 07-02, located on the east side of 8th Street East, at Avenue J-14, Owner: 10K Properties II, LLC; Tract No. 46790, located on the southwest corner of Avenue J-9 and 5th Street East, Owner: First Pacifica Development Corporation; and Tract No. 48697, located south of Avenue J-7 and west and east of Glenraven Road, Owner: Regency Hills Homes II, LLC.

CC 10. PWCP NO. 08-015

Accepted the work constructed by America West Landscape, Inc. for **Public Works Construction Project No. 08-015**, Mall Loop Road Landscaping Improvements; directed the City Clerk to file the Notice of Completion for the project; authorized

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payment of the 10 percent retention 35 days after recordation, provided no stop notices, as provided by law, have been filed.

CC 11. PWCP NO. 08-011

Awarded **Public Works Construction Project No. 08-011**, Whit Carter Park, Phase I, to C. S. Legacy Construction, Inc., in the amount of \$3,222,747.00; plus Additive Alternate No. 1 in the amount of \$38,889.00, to bring the award total to \$3,261,636.00 (plus a 10% contingency) and authorized the City Manager, or his designee, to sign all documents. The project is designed to construct a new park located within Avenue H-8 to Avenue H-6 and west of Fig Avenue to Sierra Highway.

CC 12. TAX SHARING RESOLUTIONS

Adopted the Tax Sharing Resolutions for proposed Annexation Nos. 376, 377, 378, 379, 380, 381 and 382 that are requesting sewer service for their properties into Los Angeles County Sanitation District No. 14.

CC 13. TAX SHARING RESOLUTIONS

Adopted the Tax Sharing Resolution for proposed Annexation No. 40-67 (4-136) into Los Angeles County Waterworks District No. 40, Antelope Valley.

CC 14. GRANT OF EASEMENT

Approved the Grant of Easement for water pipelines and appurtenances and ingress/egress purposes to Los Angeles County Waterworks across the property identified as APN Nos. 3125-010-902, 3125-010-903 and 3125-010-914. Authorized the City Manager to execute all documents necessary to complete the transaction.

NB 1. ORDINANCE NO. 907 – WATER EFFICIENCY AND RESOLUTION NO. 08-85 – DESIGN STANDARDS

The Public Works Director presented the staff report regarding the Water Efficient Landscape Ordinance and Landscape and Irrigation Design Standards.

Comments and concerns from the City Council included clarification of the acceptable plant list; edible plants; concerns regarding the water audit; restrictions; clarification regarding the restrictions/limitations of the square footage of turf; different water purveyors, water consumption.

Addressing the City Council on this matter:

Gary Burgess – agrees and supports Urgency Ord. No. 905 but does not like some of the restrictions of Ord. No. 907; concerns regarding restrictions; requested clarification.

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On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council introduced **Ordinance No. 907**, an ordinance of the City Council of the City of Lancaster, California, establishing standards to ensure efficient water use through appropriate landscape design and additionally, removed the following section:

“All existing improved properties that are sold, transferred or foreclosed, as well as those that are materially renovated, remodeled or altered shall arrange to have a recently completed (within six [6] months of the sale) landscape irrigation audit that identifies the quantity of water that is needed month to month to sustain healthy landscaping without over-watering” by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

On a motion by Vice Mayor Smith and seconded by Council Member Mann the City Council adopted **Resolution No. 08-85**, a resolution of the City Council of the City of Lancaster, California, setting forth updated Landscape and Irrigation Design Standards, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

NB 2. ORDINANCE NO. 908 – PROPERTY NUISANCE

Vice Mayor Smith and the City Attorney presented the staff report regarding the Property Nuisance Ordinance.

Comments and concerns from the City Council included clarification regarding the fines; procedures to pull business licenses; code enforcement detail; hearing process; criminal abatement process; five strikes clarification.

Addressing the City Council on this matter:

Nicole Parson – stated that she has business reference models for program outcomes; designs for retrofitting; water models; housing initiatives; revitalization of older homes.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council introduced **Ordinance No. 908**, an Ordinance of the City Council of the City of Lancaster, California, amending Title 8 of the Lancaster Municipal Code by adding Chapter 8.52 relating to the Chronic Nuisance Properties, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

NB 3. MUSICAL ROAD

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The City Manager presented the staff report regarding the reconstruction of the Musical Road on westbound Avenue G between 30th Street West and 40th Street West.

Addressing the City Council on this matter:

Gary Burgess – concerned with costs; unless this can pay for itself then he doesn't want his tax dollars going to this; enough economic problems in the city and country; hopes the City does manage to get sponsorship for this.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council authorized the City Manager to enter into a contract with Austin Enterprise for the reconstruction of the Musical Road on westbound Avenue G between 30th Street West and 40th Street West and appropriated \$35,000.00 from the Operating Contingency, Account No. 101-4330-999 to Account No. 101-4621-301 to advance funding the construction of the Musical Road, subject to reimbursement from a sponsor, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

NB 4. ORDINANCE NO. 909 – TECHNICAL CORRECTIONS

The City Attorney presented the staff report regarding technical corrections to ordinances regarding Commissions.

On a motion by Council Member Sileo and seconded by Council Member Mann, the City Council introduced **Ordinance No. 909**, an ordinance of the City Council of the City of Lancaster, amending the Lancaster Municipal Code to make certain technical changes to Chapter 2.34, relating to the Architectural and Design Planning Commission and Chapter 2.30, relating to the Criminal Justice Commission, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

The City Manager stated that this matter would be placed on the agenda for the first meeting in December 2008 for discussion and possible action.

CA 1. RESOLUTION NO. 08-86 – PROPOSITION 6

Vice Mayor Smith requested discussion and consideration of the adoption of **Resolution No. 08-86**, a resolution of the City Council of the City of Lancaster, California, supporting *The Safe Neighborhoods Act* – Proposition 6, on the November 4, 2008 California General Election Ballot.

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On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted Resolution No. 08-86, a resolution of the City Council of the City of Lancaster, California, supporting *The Safe Neighborhoods Act* – Proposition 6, on the November 4, 2008 California General Election Ballot, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENT

The City Manager stated that the City Employee Picnic was a huge success and commended staff on all their efforts in pulling this event together.

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 – Presented the history and progress of Quartz Hill High School grades compared to other high schools; shared her concerns about turning properties, near the high school, into commercial properties.

Regina Rossall – Representing Westside School District and encouraged support for Measure WS and explained some of the details regarding this bond.

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

Richard Hecker – Expressed his concerns regarding the Mayor's methods of posing questions to citizens at the podium; speakers do not get their fair share of time at the podium due to constant interruptions by the Mayor; stated that it is unfair to place a time-limit on when speaker cards can be submitted.

Nicole Parson – City Councils should protect the citizens; parolees are citizens too and they do not feel that they can contact the Sheriff's Department if they see a crime happening; people can't afford to get their dogs out of animal control when animal gets lose; expressed her concerns regarding public welfare and code enforcement.

David Paul – Stated that he has discussed the issue of problem dogs, such as pit bulls, with Council Member Sileo in the past; discussed proper handling of dogs.

Rebecca Barocas – discussed potential changes to the animal control ordinance; she knows responsible pet owners who own pit bulls; identifying neighborhoods that have problems and problem animals is a good first step; it is the owner, not the dog.

Judythe Coffman – She is familiar with a large community of expert dog people; she is willing to help with the crafting of a good ordinance; it is not the dog, it is the owner; citizens are willing to help in this matter; most animal control officers do not know how to properly identify breeds.

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Katie Clawson – Stated that she is against banning of pit bulls; some can be wonderful service dogs; concerned with animals that are picked up and not adopted into the right homes; if pit bulls are banned, citizens will see more bull mastiffs and more dominant animals; it starts with education; free services; worst dog in the world is an untrained dog.

Dan Siever – Postal carriers get bit often; stun guns should be carried by postal carriers; he has worked with gang bangers in Compton and other cities regarding educating them in the proper handling of dogs.

Dr. Larry Bosma – Stated that he is a local veterinarian; animal resources coalition is important; important to get the citizens involved; education programs; many dogs – no matter what breed - can be dangerous; there are programs that will go into the schools to educate the children.

Chris Adams – Discussed animal issues; mandatory spay and neutering; breed specific legislation; each breed has its own rescue; importance of breed identification; should be stiffer fines for dogs that have gone astray; any dog can be trained to be mean or kind.

Tia Torres – Stated that she runs a pit bull rescue group; she was a gang counselor; happy to see that Council is taking action on this; would like to open another facility in the Antelope Valley but she relies on grants; former gang bangers help with her facility; she is currently located in Aqua Dulce.

COUNCIL REPORTS

CR 1. Vice Mayor Smith presented a report on the activities of the Board of Directors for the High Desert Corridor Joint Powers Authority. The Board approved the following items during their September 11, 2008 meeting:

- A \$500,000.00 funding agreement with the Los Angeles County Metropolitan Transportation Authority (LACMTA.) The LACMTA Board of Directors approved this grant to the HDCJPA at the initial request of Supervisor Antonovich.
- Fiscal Year 08/09 Budget. The City of Victorville and LACMTA contribute \$500,000.00 each while Los Angeles County funds \$250,000.00 for a total revenue budget of \$1,250,000.00. Appropriations of \$595,000.00 are spent on consulting services for the Board.
- Task the HDCJPA Chair and Vice Chair alternates to select a consultant for planning, permitting, financing, project management, design and construction services and develop recommendations to the JPA Board on October 8, 2008. Two firms responded to the request for proposal issued in December 2007.

COUNCIL / AGENCY COMMENTS

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Mayor Parris commented on the research that was done regarding Section 8 properties; rental housing business licenses; is very appreciative that Supervisor Antonovich is being so supportive in this endeavor.

Vice Mayor Smith stated that all citizens are under an economic strain; many people are taking on home businesses to make ends meet; would like to have staff look into possibly amending the business license ordinance to help people in need and decide what triggers the need for a resale license. It was the consensus of the City Council to direct staff to look into this and return with information within sixty days.

CLOSED SESSION - Agency

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Subdivision (c) of Section 54956.9: One Potential Case

Mayor Parris announced that there would not be a need to conduct the closed session meeting.

ADJOURNMENT

Mayor Parris adjourned the Council/Agency meeting at 7:24 p.m. in memory of Howard Morefield who was a Lancaster Sheriff's Station Volunteer for the past thirteen years; he became the Volunteer of the Year in 1998 and received his 1000 hour pin in 2000. Mayor Parris announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, October 28, 2008 at 5:00 p.m.

ATTEST:

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

APPROVED:

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)
