

**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

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

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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 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.

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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 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.

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

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.

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.

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.

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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

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.

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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:

APPROVED:

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

RONALD D. SMITH
VICE MAYOR / VICE 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)
