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12/09/08
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY  
MINUTES  
November 12, 2008**

**CALL TO ORDER**

Mayor 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, Parks, Recreation & Arts Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director

**INVOCATION** – Pastor Billy Willis – Lancaster Baptist Church

**PLEDGE OF ALLEGIANCE** – Council Member/Agency Director Sileo

**PRESENTATIONS**

- Recognition of Mayor’s Student Athlete – Darrin Beckett, Lancaster High School  
Presenter: Mayor Parris
- Council Member Marquez introduced Armando Carlos, who is a member of the Young People’s Speech Ministry at Antelope Valley Church. Armando is 11 years old, a sixth grader at Tamarisk School and he gave a speech on what Veteran’s Day means to him and what it means to America.
- Oath of Office was administered to Section 8 Commissioners Halley and Shepler  
Presenter: Mayor Parris
- Power Plant Presentation — Palmdale City Officials

**PRESENTATIONS (continued)**

- A representative of Los Angeles County Animal Control presented an update regarding the progress in locating loose dogs, including pit bulls. Discussed a neighborhood safety program that is a proactive approach; thanked the City for their communication; thanked Norm Hickling for his support; thanked Supervisor Antonovich who is in the process of seeking additional funding to provide additional officers for a task force to continue these efforts.

**AGENDA ITEMS TO BE REMOVED**

The City Manager stated that Item No. PH 1 would be removed from the agenda at this time.

**APPROVAL OF REDEVELOPMENT AGENCY CONSENT CALENDAR**

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 Item No. RCC 3 which was pulled for separate discussion and action, 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 October 28, 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 and outlined in Exhibit "A" of the staff report.

**RCC 3. ACQUISITION OF REAL PROPERTIES –**

Mayor Parris recused himself from this matter and this portion of the meeting, stating that his wife owned property in the vicinity.

On a motion by Agency Director Sileo and seconded by Agency Director Mann, the Redevelopment Agency approved agreements for the Acquisition of Real Properties between the Lancaster Redevelopment Agency and the following companies: Antelope Valley Investment Group, Inc., a California Corporation for property located at 44245 Kingtree Avenue; Playa Azul Investments, LLC for property located at 44259 Kingtree Avenue, by the following vote: 4-0-1-0; AYES: Mann, Marquez, Sileo, Smith; NOES: None; RECUSED: Parris; ABSENT: None.

Mayor Parris returned to the meeting at this time.

**RCC 4. ACCEPTANCE OF CONSTRUCTION IMPROVEMENTS**

Accepted the improvements constructed by Bowe Contractors, Inc. for the expansion of the Lancaster Community Homeless Shelter; directed the City Clerk to file the Notice of Completion for the project; authorized payment of the ten percent retention, 35 days after recordation, provided no stop notices as provided by law have been filed.

**RCC 5. AUTHORIZATION OF TRANSFER AND APPROPRIATION OF HOUSING FUNDS**

Authorized the transfer and appropriation of low- and moderate- income Housing Funds to the City's Capital Improvement Projects budget to facilitate City Administrative and Project Management Services relative to certain demolition and revitalization projects on behalf of the Agency within several Neighborhood Vision Plan areas. (See Staff Report)

**RCC 6. RESOLUTION NO. 08-08**

Adopted **Resolution No. 08-08**, approving the issuance of its Multifamily Housing Revenue Bonds (Arbor on Date Apartments Project), 2008 Series A (the "Bonds") in an aggregate principal amount not to exceed \$6,000,000.00; approving the form, execution and delivery of a Master Pledge and Assignment Agreement, Master Agency Agreement, Regulatory Agreement and Administration Agreement needed in connection with the issuance of the Bonds; authorized the execution and delivery of such other documents deemed necessary to effect the purposes related thereto.

**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 with the exception of Item No. CC 18 which was pulled for separate discussion and action, 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 October 28, 2008.

**CC 3. WARRANT REGISTER**

Approved the Check and Wire Registers (October 12, 2008 through October 25, 2008) in the amount of \$4,651,996.26.

**CC 4. MONTHLY REPORT OF INVESTMENTS**

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

**CC 5. RE-APPOINTMENT OF MEMBER TO MOBILEHOME PARK RENT ARBITRATION BOARD**

Mayor Parris nominated and appointed Patty Wilson to the Mobilehome Park Rent Arbitration Board and the City Council ratified this nomination and appointment.

**CC 6. AUTHORIZATION OF TRANSFER AND APPROPRIATION OF HOUSING FUNDS**

Concurred with and accepted the appropriation of Agency funds transferred into the City's Capital Improvement Project's budget and directed City staff to provide the appropriate administration and project management services in conjunction with Agency demolition and revitalization projects within several Neighborhood Vision Plan areas. (See Staff Report)

**CC 7. ACCEPTANCE OF DRAINAGE IMPROVEMENTS FOR MAINTENANCE**

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. 04-114 and 05-85, installed for: Tract No. 060147, located on the northwest corner of Avenue J and 25<sup>th</sup> Street East, Owner: Richmond American Homes of CA and Tract No. 062326, located on the south side of Avenue K-8, approximately 530 feet east of 30<sup>th</sup> Street West, Owner: AV Housing Corporation. Appropriated \$3,865.52 from the first year's maintenance cost, that have been paid by the developer, to cover the remaining seven months of the fiscal year into the Drainage Maintenance Operating Account No. 484-4743-404.

**CC 8. ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE**

Accepted the interior street trees for maintenance by the City for: Tract No. 48534-01, located on the northeast corner of Avenue I and 35<sup>th</sup> Street East, Owner: K. Hovnanian Forecast Homes, Inc. and Tract No. 54406, located on the west side of 5<sup>th</sup> Street East, approximately 550 feet north of Avenue K, Owner: Silver Oak Estates, L.P.

**CC 9. 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. 326, installed for Tract No. 060987, located on the southwest corner of Avenue J and 52<sup>nd</sup> Street West, Owner: Larwin Company. Appropriated \$2,034.48 from the first year's maintenance cost, that has been paid by the developer, to cover the remaining seven months of the fiscal year into the Landscape Maintenance Operating Account No. 482-4747-402.

**CC 10. COMPLETED SEWER SYSTEMS**

Approved the completed sewer systems installed by the developer of Tract No. 54406, located on the west side of 5<sup>th</sup> Street East, approximately 550 feet north of Avenue K, Owner: Silver Oak Estates, L.P.

**CC 11. AGREEMENT WITH MAGNOLIA L.P.**

Approved an agreement with Magnolia L.P., a California Limited Partnership, the developer of Tract No. 53102, to provide needed right-of-way for required street improvements and slope and drainage easements for drainage improvements, through condemnation proceedings.

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**CC 12. PWCP NO. 08-017**

Accepted the work constructed by JMR General Engineering Corp. for **Public Works Construction Project No. 08-017**, ADA Improvements, West Avenue K-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.

**CC 13. PWCP NO. 08-022**

Awarded **Public Works Construction Project No. 08-022** - Pedestrian Access Improvements, to ANM Construction & Engineering, in the amount of \$310,963.00 plus a 10% contingency and authorized the City Manager, or his designee, to sign all documents. The project is designed to improve pedestrian access at four locations throughout the City.

**CC 14. TAX SHARING RESOLUTIONS**

Adopted the Tax Sharing Resolutions for proposed Annexation No. 14-386 into Los Angeles County Sanitation District No. 14.

**CC 15. RESOLUTION NO. 08-92**

Adopted **Resolution No. 08-92**, authorizing the submittal of the Rubberized Asphalt Concrete Grant Programs Application.

**CC 16. RESOLUTION NO. 08-93**

Adopted **Resolution No. 08-93**, wherein the City Council accepted the petitions and declares an intention to initiate and conduct special assessment proceedings pursuant to the Municipal Improvement Act of 1913 (Division 12 of the California Streets and Highways Code), Section 10204 of the California Streets and Highways Code, and Section 4 of Article XIII D of the California Constitution for the construction of a main line sewer and formation of "Assessment District No. 08-01 - Stillmeadow Lane Sewer Project", located on Stillmeadow Lane near the southwest corner of Avenue K and 25<sup>th</sup> Street West.

**CC 17. RFP NO. 528-08**

Approved **RFP No. 528-08** - ATS Communications to develop and implement a Wireless Master Plan for the City of Lancaster.

Vice Mayor Smith stated that he requested this approximately one year ago and it has taken some time and is very pleased to have this approved. He feels this plan will be the very best for the City and this is actually revenue generation without any money up front. With the increase of cell tower placements, this gives the City a good plan to work from and at the same time has someone out there who is aggressively working for the City.

Mayor Parris requested clarification on what exactly the contract provides.

**CC 17. RFP NO. 528-08 (continued)**

The City Manager stated that the contract gives the City a master plan without paying for it up front and the ability to co-locate cell services and hide them so that they are not quite so visible on the sides of buildings. The contract also gives the City a revenue stream of approximately \$300,000.00-\$400,000.00 annually; it is for current cell phone usages and allows for multiple companies to co-locate on the same tower. Mayor Parris inquired as to any plans to bring free wireless to the citizens of Lancaster.

The City Manager stated that he would get back to the Council with this information; this endeavor was attempted at one time but did not come to fruition.

Council Member Sileo requested clarification that this agreement is for all wireless service not just cellular.

The Finance Director stated that the agreement is specific to cellular service only; some cellular has internet capability, but this does not have Wi-Fi service at this point in time.

Council Member Sileo expressed concerns regarding the co-locating of towers and the unattractiveness of the towers.

The Finance Director stated that the City can talk to the company about these concerns.

Mayor Parris requested a report back sometime in the future as to all areas in the City where the towers are placed. He is concerned about high school and college students having access to the internet/Wi-Fi without having to pay for it. He stated that he is concerned for students that are not able to access the internet for studies and would like clarification on this and would like to make sure there are enough locations so that students can get on the internet to do their research.

**CC 18. APPOINTMENT OF YOUTH COMMISSIONERS**

On a motion by Mayor Parris and seconded by Vice Mayor Smith, Mayor Parris nominated the following students to the 2008-2009 Lancaster Youth Commission and the City Council ratified the appointments by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris NOES: None; ABSTAIN: None; ABSENT: None. Mayor Parris presented a brief background on the history of the Commission, introduced the students and administered the oath of office to: Alimat Adebisi; Samantha Whittington; Freeman Lyon; Paul Daufen; Brent Chapman; Natasha Castro; Alex Clark.

**CC 19. APPROPRIATION OF FUNDS FOR THE TRAFFIC SAFETY GRANT**

Appropriated \$25,839.00 to Account No. 324-4820-774, Office of Traffic Safety Grant – Click It or Ticket Enforcement and increased estimated revenues in Account No. 324-3303102 – Office of Traffic Safety CT09219 in the same amount.

**PH 1. ORDINANCE REGARDING STANDARDS FOR YARD SALES (CHAPTER 8.56 OF TITLE 8)**

This matter was removed from the agenda and staff will return to Council with information at a future meeting.

Council Member Marquez stated that when she first brought this matter forward, she felt that it was a miscommunication. She stated that she was not complaining about the yard sales themselves but rather the litter that accumulates from yard sale signs that are placed on telephone poles; on corners and taped to the walls on the outside of neighborhoods and these people who have these yard sales do not bother to go back out and pick up their trash once the sale is over. There are ordinances in place and Code Enforcement is going to be more heightened to this issue and will be going out and taking care of these concerns. It is inconsiderate of the people having the yard sales to leave their signs out and she encouraged citizens to take the signs down themselves and she encouraged citizens to take signs down for their neighbors and deliver the signs to their neighbors. It is a matter of education; citizens being proud of their neighborhoods and proud of their city. Hopefully, through this meeting being televised people will become more aware of this issue and unfortunately, Code Enforcement, on Monday mornings will have to use time and energy to handle this matter.

**PH 2. UNDERGROUND UTILITY DISTRICT**

Mayor Parris recused himself from this matter and this portion of the meeting, stating that his wife owned property in the vicinity.

Vice Mayor Smith opened the Public Hearing, waived reading of the staff report and being that there was no public testimony; closed the Public Hearing.

On a motion by Council Member Sileo and seconded by Council Member Marquez, the City Council adopted **Resolution No. 08-94**, declaring its intention to create Underground Utility District No. 2008-1, by the following vote: 4-0-1-0; AYES: Mann, Marquez, Sileo, Smith; NOES: None; RECUSED: Parris; ABSENT: None.

Mayor Parris returned to the meeting at this time.

**NB 1. AMENDMENT TO LMC REGARDING VEHICLES PARKED ON HIGHWAYS**

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council introduced **Ordinance No. 911**, amending Sections 10.04.220 and 10.04.230 of the Lancaster Municipal Code relating to vehicles parked on a highway for over seventy-two hours, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

**NB 2. CITYWIDE TRAFFIC CALMING POLICY**

The Public Works Director presented the staff report regarding the Citywide Traffic Calming Policy.

Addressing the City Council on this matter:

David Burrell – Stated his concerns regarding the high speed corridor in the area of Amargosa Creek Middle School; not sure people see the posted signs; not many concrete solutions; urged the City to come up with solutions.

Mayor requested that staff follow up on these concerns; include him in any meetings and solutions; addressed speed cameras; injuries; securing school zones.

Council Member Sileo addressed high speeds in non-arterial such as 27<sup>th</sup> Street West; referred to Part 2 of the report on arterials which states: excessive vehicle speeds should also be considered as sufficient cause for intervention and this same concern should apply to neighborhoods as well.

The Public Works Director explained that the tools in the policy can be used in either location, in a neighborhood or on arterial streets. With arterials the City will need to be more selective because it is important to still be able to move passengers and goods from one side of the City to the other and it is the desire to add additional controls to the neighborhoods as well.

David Paul – Importance of electronic enforcement, this helps people to feel empowered; importance of human accountability; cars are speeding; citizens must be more decent and considerate to each other.

Vice Mayor Smith requested that the Council be kept abreast of changes in the policy as it moves forward.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council took the following action by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

1. Adopted the Citywide Traffic Calming Policy as submitted and directed staff to take the necessary steps to integrate the Policy into City guidelines, procedures, standards and instructions related to access and circulation.

2. Authorized the Public Works Director to make interim changes to the Policy as deemed necessary.

3. Directed the Public Works Director to submit an annual report of traffic calming projects initiated and completed, and a list of any interim Policy changes for confirmation by the Mayor and City Council Members.



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**NB 3. URGENCY ORDINANCE NO. 912**

The Housing Director presented the staff report regarding an amendment to the Lancaster Municipal Code regarding sweeping of litter into gutters.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council introduced and adopted **Urgency Ordinance No. 912**, amending Section 8.20.080 of Chapter 8.20 to the Lancaster Municipal Code relating to sweeping litter into gutters, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

**COUNCIL AGENDA**

None

**CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENT**

The City Manager stated that he has appointed Robert Greene as the Parks, Recreation and Arts Director, stated that Robert has been the Interim Director for several months and the City is very fortunate to have him as the Director.

**CITY CLERK / AGENCY SECRETARY ANNOUNCEMENT**

The Deputy 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:

Katie Clawson – Submitted statistics on German Shepherds; Chows; Rottweiler's; Pit Bulls and encouraged the Council to review “Lillian’s Law” regarding dogs.

The City Attorney stated that a draft of the ordinance regarding Pit Bulls will be completed by Friday.

Mayor Parris requested that interested groups be involved in the review of the draft ordinance; he explained the issue of gang members that own vicious dogs.

Darlene Peterson – Discussed the possibility of having 10<sup>th</sup> Street East renamed as “Space Shuttle Way” in honor of the shuttle being towed on that street, which was historical.

Cleo Goss – Discussed foreclosures in Lancaster; foreclosures draw vandalism; expressed concerns for the proposed development in the area of 60<sup>th</sup> Street West and Avenue L.

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

Mayor Parris briefly explained the importance of capturing the sales tax on the west side of the City to pay for Deputies; pay for City services. If the City fails to make it possible for a developer to build a commercial development on the west side, the City would be negligent and the Council would not be doing what the citizens elected them to do and that is to protect the welfare of the community. If the tax base is allowed to go south it will seriously impact the City's ability to provide services. He stated that the Council must encourage development and the reality is, the City needs development and it is the Council's job to make sure development comes to Lancaster. This project will go through the normal process; review by the Planning Commission; review by the City Council; accepting public comment. It is a difficult decision to make but all the services that are needed in the City cost an enormous amount of money and without the City's share of the sales tax, those services will not be provided.

Heather Thomas-Brown – Expressed her concerns regarding chloramines in the water.

Mayor Parris clarified that it really is not the decision of the City Council. The Council can take a position; use whatever weight they have to make them reverse their decision if the Council decided that would be the appropriate measure to take.

The City Manager stated that this topic was a very big issue during the election for the AVEK Board. AVEK's stated position has been that any of the purveyors can choose not to have this technology.

The Public Works Director stated that the Rosamond Community District has taken that position; purveyors are seeking other options to provide disinfection processes. There has been some movement by the County to get involved and host a number of public meetings to provide some information; Waterworks 40 is the primary provider of potable water in the valley and they will be offering their perspective on this matter through the public hearing process. There are means underway to get additional information out about chloramines to the citizens. These same people can come and present their information to the Council if it is desired, to compare chloramines and free-chlorines; other disinfection processes.

Mayor Parris stated that he would like to hear all about it and hear what is safer. It seems the last thing anyone should be doing is putting more contaminants into people; especially what is essentially a public health crisis-environmental illnesses. He stated that he recognizes how incredibly busy the staff is but this matter needs to have some energy put behind it and take a stand.

David Paul – Expressed his concerns regarding traffic; traffic cameras; electronic traffic monitoring; education of the youth; human accountability.

Mark Wippler – Expressed his concerns regarding chloramines in the water supply. He stated that he is available to help in this matter.

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**COUNCIL REPORTS**

None

**COUNCIL / AGENCY COMMENTS**

Mayor Parris - There needs to be some type of fund raiser for the transitional housing units at the homeless shelter. This is a wonderful operation that Catholic Charities is doing where there are fourteen units for families to help them transition back into the work force but there is no furniture. This needs to be addressed with public donations or some type of fund raiser.

Mayor Parris – Stated that he would like some feedback from the community on the possibility of putting together a Veteran’s Commission. He stated that he was at a Veteran’s Day celebration and it occurred to him that with a new President, this war is going to come to a quick conclusion and there needs to be more attention paid to how the City welcomes home its Veteran’s. He encouraged Veteran’s to get in touch with him; put a commission together; figure out a way to celebrate their return home and make it a wonderful experience. He would like to see this on an agenda in the next thirty days and determine how to proceed; it is critical to do this right over the next few years as this war winds down.

Mayor Parris – Announced the resignation of Darren Parker from the Architectural/Design Planning Commission; thanked him for his service; he will be appointing someone to take his place in the near future; Vice Chair Cook will be in charge of the upcoming meetings; would like to meet with three of the commissioners to determine what direction should be taken.

Mayor Parris – Hinted at some good news; by the end of the year, before Christmas, the City will be making some announcements that will not only ensure the financial security for the Antelope Valley but it will literally change the world; some incredible things are going to happen in this community that are truly earth shaking.

**CLOSED SESSION**

None

**ADJOURNMENT**

Mayor Parris adjourned the meeting at 6:56 p.m.; stated that pursuant to action taken by the City Council / Redevelopment Agency on August 12, 2008, there will not be a City Council / Redevelopment Agency meeting on November 25, 2008 and announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, December 9, 2008 - 5:00 p.m.

**ATTEST:**

**APPROVED:**

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

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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)

\_\_\_\_\_