

CC 2
01/13/09
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES
December 9, 2008**

CALL TO ORDER

Mayor Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:02 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, Deputy City Manager/Deputy Executive Director; City Attorney/Agency Counsel, City Clerk/Agency Secretary, Assistant to the City Manager, Planning Director, Public Works Director, Parks, Recreation & Arts Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director

INVOCATION – Tim Christoson, Assistant Pastor - Lancaster Baptist Church

PLEDGE OF ALLEGIANCE – Vice Mayor/Vice Chairman Smith

PRESENTATIONS

- 1) Recognition of Donna Kozenko on her retirement from the City of Lancaster
Presenter: City Manager, Mark Bozigian
- 2) Introduction of Jason Caudle, Deputy City Manager
Presenter: City Manager, Mark Bozigian
- 3) Recognition of Mayor’s Student Athlete – A. J. Goodman, Eastside High School
Presenter: Mayor Parris
- 4) Youth Training Class - Antelope Valley Church, Director Marion Owens
Council Member Marquez introduced Carla Torino who gave a speech on what Christmas means to her.

PRESENTATIONS (continued)

- 5) Lancaster Sheriff's Station – Year-End Law Enforcement Update – Presented by Captain Axel Anderson. The presentation included information on the Target Oriented Policing (T.O.P.) Team and statistics on their activities; LAN-CAP Statistics; Burglary Suppression Team Activity; High School Attendance Records; Information on the Community Service Officers (C.S.O.); Lancaster Patrol Activity; Public Safety Activity; Over all City statistics.
Antelope Valley Crime Fighting Initiative – Presented by Lieutenant Dickey. The presentation included information on the primary goals; information on dedicated resources that are in place; objectives in 2008; primary objectives; secondary objectives; concentrated efforts of the Gang Task Force and target areas; High Impact Program; Crime Impact Team; reduction in gang related assaults; reduction in Part I Crimes.
- 6) Shop for Cops Program presented by Mayor Parris. A program in which citizens can pledge to shop local whenever possible, keeping tax dollars in the City to assist in funding for additional law enforcement.

AGENDA ITEMS TO BE REMOVED

None

APPROVAL OF REDEVELOPMENT AGENCY CONSENT CALENDAR

Chairman Parris stated that he would need to recuse himself from voting on Item Nos. RCC 4 (his wife owns property near the area) and RCC 7 (he leases a hanger at Fox Field).

Vice Chairman Smith requested that Item No. RCC 3 be pulled for separate discussion and action.

On a motion by Vice Chairman Smith and seconded by Director Sileo, the Redevelopment Agency approved the Agency Consent Calendar (Item Nos. RCC 1; RCC 2; RCC 5; RCC 6; RCC 8) 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 November 12, 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. AMENDMENT TO LEASE AND OPTION AGREEMENT

The Housing Director and the Director of Grace Resources, Steve Baker, presented information on this matter to the Agency.

On a motion by Vice Chairman Smith and seconded by Director Mann, the Redevelopment Agency approved the Second Administrative Amendment to the Lease and Option Agreement between the Lancaster Redevelopment Agency and Grace Resource Center dated November 10, 1998 for property located at 45134 N. Sierra Highway, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris NOES: None; ABSTAIN: None; ABSENT: None.

RCC 4. ACQUISITION OF REAL PROPERTY

On a motion by Director Sileo and seconded by Director Mann, the Redevelopment Agency approved agreements for the Acquisition of Real Property between the Lancaster Redevelopment Agency and Field of Dreams LLC for property known as Lots 9 thru 13 of Tract 22804, by the following vote: 4-0-1-0; AYES: Mann, Marquez, Sileo, Smith NOES: None; RECUSED: Parris; ABSENT: None.

RCC 5. BID REJECTION

Rejected the bid for Single Family Residential Infill Contract #1 for construction of infill housing.

RCC 6. LOAN AGREEMENT WITH HOW BOUT THEM APPLIES, L.P.

Approved the loan agreement between the Lancaster Redevelopment Agency and How Bout Them Apples, L.P., a California Limited Partnership, for Developer Impact Fees for Construction of Essex Tower Apartments located at 44948 10th Street West.

RCC 7. RESOLUTION NO. 09-08

On a motion by Director Sileo and seconded by Director Mann, the Redevelopment Agency adopted **Resolution No. 09-08**, a resolution of the Lancaster Redevelopment Agency, directing the preparation of the Proposed Amendment No. 2 to the Redevelopment Plan (the "Plan") for the Lancaster Fox Field Redevelopment Project (the "Project" or the "Project Area," as appropriate), adopting the Agency's eminent domain policy as that policy pertains to the Proposed Amendment, and directing said amendment to extend the Agency's eminent domain authority in the Project Area, except for property on which any person resides, and making the determination that a Project Area Committee (PAC) is not required, by the following vote: 4-0-1-0; AYES: Mann, Marquez, Sileo, Smith NOES: None; RECUSED: Parris; ABSENT: None.

RCC 8. APPROVAL OF CONTRACTORS LIST

Approved the "List of Qualified Contractors and Sub-contractors" for Housing & Neighborhood Revitalization Programs.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

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

CC 1. ORDINANCE WAIVER

Waived further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text.)

CC 2. MINUTES

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

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers (October 26, 2008 through November 15, 2008) in the amount of \$8,256,895.07.

CC 4. MONTHLY REPORT OF INVESTMENTS

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

CC 5. ORDINANCE NO. 911

Adopted **Ordinance No. 911**, an ordinance of the City Council of the City of Lancaster, California, amending Sections 10.04.220 and 10.04.230 of the Lancaster Municipal Code relating to vehicles parked on a highway for more than seventy-two (72) consecutive hours.

CC 6. RESOLUTION NO. 08-95

Adopted **Resolution 08-95**, a resolution of the City Council of the City of Lancaster, authorizing the renewal of the City's Health Benefit Program for a one year term beginning January 1, 2009.

CC 7. RESOLUTION NO. 08-96

Adopted **Resolution No. 08-96**, a resolution of the City Council of the City of Lancaster, California, amending and restating the contract with Public Agency Retirement Agency.

CC 8. ACCEPTANCE OF DRAINAGE IMPROVEMENTS FOR MAINTENANCE

Approved and accepted for maintenance the work and materials for the drainage improvements for Drainage Maintenance District Annexation No. 05-72, installed for Tract No. 060198, located on the southeast corner of Avenue M-8 and 45th Street West, Owner: Pulte Homes Corporation. Appropriated \$1,870.00 from the first year's maintenance cost, that have been paid by the developer, to cover the remaining six months of the fiscal year into the Drainage Maintenance Operating Account No. 484-4743-404.

CC 9. ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE
Accepted the interior street trees for maintenance by the City for: Tract No. 060450, located on the southwest corner of 60th Street West and Avenue K-8, Owner: Warmington Lancaster Associates L.P.; Tract No. 060905, located on the northeast corner of 35th Street West and Kildare Street, Owner: Pulte Homes; Tract No. 54201, located on the northeast corner of Lancaster Boulevard and 35th Street West, Owner: Pulte Homes Corporation; and Tract No. 54401, located on the northeast corner of Avenue K and 60th Street West, Owner: K. Hovnanian Forecast Homes, Inc.

CC 10. MONUMENTATION WORK
Approved the monumentation work for: Tract No. 45313, 48509, and 49615, located on the northeast corner of 20th Street West and Avenue H-4, Owner: Forecast Homes; Tract No. 47775, located on the southeast corner of Avenue J-8, Owner: Lancaster Palms, LLC; and Tract No. 53552, located on the west side of 20th Street West at Avenue H-4, Owner: K. Hovnanian Forecast Homes, Inc.

CC 11. COMPLETED SEWER SYSTEMS
Approved the completed sewer systems installed by the developer of the Metrolink, located at 44812 North Sierra Highway, Owner: Southern California Regional Rail Authority; and Tract No. 061064, located on the northeast corner of Avenue K and 30th Street East, Owner: Western Pacific Housing, Inc.

CC 12. ACCEPTANCE OF STREETS FOR MAINTENANCE
Approved the developer constructed streets and accepted the streets for maintenance by the City for: Parcel Map No. 27057, located on the southeast corner of 50th Street West and Avenue J, Owner: STG Regency LLC; Tract No. 060987, located on the southwest corner of Avenue J and 52nd Street West, Owner: Larwin Company; Tract No. 062326, located on the south side of Avenue K-8, approximately 530 feet east of 30th Street West, Owner: Harris Homes, Inc.; Tract No. 47775, located on the southeast corner of Avenue J-8 and 42nd Street West, Owner: Lancaster Palms, LLC; Tract No. 48534-01, located on the northeast corner of Avenue I and 35th Street East, Owner: K. Hovnanian Forecast Homes, Inc.; and Tract No. 48534-03, located on the northeast corner of Cooperstown Avenue and 35th Street East, Owner: K. Hovnanian Forecast Homes, Inc.

CC 13. COMPLETED WATER SYSTEMS
Approved the completed water systems installed by the developer for: Tract No. 060987, located on the southwest corner of Avenue J and 52nd Street West, Owner: Larwin Company; Tract No. 062326, located on the south side of Avenue K-8, approximately 530 feet east of 30th Street West, Owner: Harris Homes, Inc.; Tract No. 47775, located on the southeast corner of J-8 and 42nd Street West, Owner: Lancaster Palms, LLC; and Tract No. 48534-02, located on the northwest corner of Avenue I and 37th Street East, Owner: K. Hovnanian Forecast Homes, Inc.

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CC 14. COOPERATIVE AGREEMENT WITH LOS ANGELES COUNTY

Approved the City of Lancaster and Los Angeles County Cooperative Agreement for the installation of a low-flow pumping system to pump nuisance water from the west side of 45th Street West, between Quartz Hill Road and Avenue M-4 to the Avenue M-2 (Quartz Hill) drainage basin and authorized the City Manager, or his designee, to sign all necessary documents.

CC 15. PROPOSITION 1B FUNDS

Approved the plan for use of additional Proposition 1B funds recently made available in the State's FY 2008/2009 Budget.

CC 16. TAX SHARING RESOLUTIONS

Adopted the Tax Sharing Resolutions for proposed Annexation Nos. 14-385 and 14-387 that are requesting sewer service for their properties into Los Angeles County Sanitation District No. 14.

CC 17. RESOLUTION NO. 08-97

Adopted **Resolution No. 08-97**, a resolution of the City Council of the City of Lancaster, California, adopting the City of Lancaster Bicycle Transportation Plan 2008.

CC 18. AWARD OF CONTRACT TO QUINN COMPANY

Awarded the contract for a D6K LGP Dozer to Quinn Company in the amount of \$217,582.51 utilizing a contract awarded to Caterpillar, Inc. Quinn Company is an authorized distributor of Caterpillar, Inc. equipment. The National Joint Powers Alliance bid documents meet all State and City requirements for competitive procurement and are on file in the Purchasing office. Participation in this alliance allows the City to receive a 24% discount off list price; a total savings of \$54,809.00.

CC 19. FUNDS FOR NSP

Appropriated estimated revenues of \$6,983,533.00 in Account No. 363-3100-100 for funds allocated by the U.S. Department of Housing and Urban Development for the Neighborhood Stabilization Program (NSP) pursuant to the Housing and Economic Recovery Act of 2008. Additionally, approved an appropriation of the same amount for the City's Neighborhood Stabilization Program expenditures in Account No. 363-4542-770.

PH 1. CHRONIC NUISANCE PROPERTY ABATEMENT FEE

Mayor Parris opened the Public Hearing. The Finance Director presented the staff report regarding the chronic nuisance property abatement fee.

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

On a motion by Council Member Sileo and seconded by Vice Mayor Smith, the City Council adopted **Resolution No. 08-98**, a resolution of the City Council of the City of Lancaster, establishing a Chronic Nuisance Property Abatement Fee, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

PH 2. LOS ANGELES COUNTY TRAFFIC IMPACT FEE

Mayor Parris opened the Public Hearing. The Public Works Director presented the staff report regarding the Los Angeles County Traffic Impact Fee.

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

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted **Resolution No. 08-99**, a resolution of the City Council of the City of Lancaster, California, adopting a fee increase for the Los Angeles County Traffic Impact Fee reflecting a three year rolling average Construction Cost Index (CCI) of +4.4% increase for inflation, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

NB 1. APPOINTMENT OF COMMISSIONERS – ARCHITECTURAL/DESIGN PLANNING COMMISSION AND THE CRIMINAL JUSTICE COMMISSION

The City Clerk presented the staff report regarding the appointment of Commissioners.

On a motion by Mayor Parris and seconded by Vice Mayor Smith, 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.

A) Mayor Parris re-appointed existing members to Architectural/Design Planning Commission and the Criminal Justice Commission.

B) Mayor Parris selected the Chair and Vice Chair for the Architectural/Design Planning Commission and the Criminal Justice Commission. The Chair for the Architectural/Design Planning Commission will be Diana Cook and the Vice Chair will be Cassandra Harvey. The Chair for the Criminal Justice Commission will be Gregory Augusta and the Vice Chair will be Marvin Crist.

Mayor Parris stated that he will be nominating Matthew Buchanan to the vacant position on the Architectural/Design Planning Commission at the first meeting in January 2009.

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NB 2. BUSINESS LICENSE FEE WAIVER FOR QUALIFIED HOME BASED BUSINESSES

The Finance Director presented the staff report regarding a business license fee waiver.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted **Resolution No. 08-100**, a resolution of the City Council of the City of Lancaster, establishing a fee waiver for qualified home based business licenses issued under the City's business license ordinance, by the following vote:

5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

RECESS

Mayor Parris requested at brief recess at 6:28 p.m.

RECONVENE

Mayor Parris reconvened the meeting at 6:38 p.m.

NB 3. SANITARY SEWER AND INDUSTRIAL WASTE ORDINANCE

The Public Works Director presented the staff report regarding a Sanitary Sewer and Industrial Waste ordinance.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council introduced **Ordinance No. 910**, an ordinance of the City Council of the City of Lancaster, California, regarding Sanitary Sewer and Industrial Waste, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

NB 4. AMENDED SEWER SERVICE CHARGE ORDINANCE

The Public Works Director presented the staff report regarding the amended Sewer Service Charge ordinance.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council introduced **Ordinance No. 913**, an ordinance of the City Council of the City of Lancaster, California, amending Sewer Service Charge Ordinance No. 876, 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 staff has been working very hard and commended staff for all of their efforts. This past weekend, City staff supported the Holiday Walk; Parade; Breakfast with Santa; staff served meals to 500 people; there have been LPAC events every night; major soccer tournament at the Soccer Center which brought in over \$2 million to the regional economy, filling up all of the hotels from Lancaster, Palmdale and all the way to Santa Clarita and Tehachapi. Various other services were performed by staff and the citizens of Lancaster are blessed with a very good staff – they are the front line people. This coming weekend, Lancaster has two high schools playing for the CIF Championship. Quartz Hill will be playing Mira Costa and Paraclete will be playing Rosemead. This is a point of pride for the community; a point of pride for the athletes and he encouraged the community to go out and support both games.

The City Attorney discussed a successful meeting held with interested animal owners concerning changes to the proposed animal control ordinance. The group did not object to vicious animal control and placing responsibility onto the owners. Mandatory spay/neutering of Pit Bulls drew unanimous objections and the group consensus was the City should follow County guidelines, making it mandatory for all breeds, if put in place. A veterinarian in the group suggested extending the age requirement for spaying/neutering due to health reasons and mandatory micro-chipping was moved to vicious dog control. Two levels of penalties are involved in vicious animal control; the first, mandatory micro-chipping of potentially vicious dogs; and the second, the removal and destruction of the dog.

Mayor Parris requested that Rottweiler's be added and the City Attorney stated that this breed could also be controlled with this ordinance. The uniform goal of this ordinance is to affect the number of loose dogs and gang involvement with these breeds.

Several provisions were made which the City Attorney will be adding to the revised ordinance and Animal Control officers have also expressed interest in providing input to this ordinance.

Draft copies will be distributed to the participating animal owners for review and comment and the City Attorney is hoping to present a final draft at the first Council meeting in January.

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:

Cathy Hart – Southern California Edison – The Tehachapi Renewable Transmission Project.

Dr. Miguel Coronado – Chose to live in Lancaster; educated; threatened outside of a gym – verbal abuse from Sheriffs for reporting the threat; public trust has been shattered – does not want this to happen to anyone else; likes the positive impact from the Sheriffs but very disappointed with his treatment; appreciates the hard work from the Mayor and Council.

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

Diane Grooms – January 27, 28, 29 – L.A. Census will be counting (homeless) and she wanted the City to be aware. They will be using many volunteers from the homeless coalition and this will help to determine how to qualify for funding. Presented statistics on funding from LASA – asked City to be involved in making sure fair amount is received; most accurate count as possible is needed.

Lee Barron – Quartz Hill Chamber of Commerce – Concerned with the corridor at 60th St. West and Ave. L; waiting to hear on the EIR; has not heard of the progress on this – wants to be kept up to date as a business owner.

Nicole Parson – Purple Pipe clarification; clarification of what exactly an EIR is; efficiency of projects within the General Plan; supports Mr. Baker and his efforts at Grace Resource Center; wilderness survival; mistreatment of citizens by Sheriff's Department.

David Paul – Has been waiting for weeks as to what will change the world, regarding an announcement from the Mayor at the last Council meeting; wants to bring citizens together within a cooperative level; history of global financial problems and global public works projects; human accountability project; discussed the bail-out and the opinion from President Elect Obama; would like the opportunity to read a proposal to the Council in the future.

COUNCIL REPORTS

None

COUNCIL / AGENCY COMMENTS

Council Member Marquez – Stated that there is so much to be thankful for in Lancaster; thankful for Mayor Parris and his leadership; thankful for Vice Mayor Smith and the storm he has weathered this year; Vice Mayor Smith has fought for more deputies; nuisance ordinances and many other ordinances; thankful for being a part of a pro-active and positive Council and it has been a great privilege to be sitting on the Council; thankful for the City Manager and staff; cutting the budget, finding deputies and no lay-off of city staff; can-do attitude of city staff – they go above and beyond in so many areas – stamp of excellence on everything; thankful to citizens for becoming involved and engaged; wished everyone a Merry Christmas, God bless our troops and families while separated; bless Lancaster and Happy New Year.

Vice Mayor Smith – Stated that it has been a wonderful year; honored to work so closely with Mayor Parris, very pleased with the work of Mark Bozigian and stated that he is definitely the right choice for City Manager. Thanked City staff for their hard work and all the events that have been put on and he is looking forward to a great 2009.

Mayor Parris – Appreciates that citizens have gotten engaged; City came out of tumultuous election; this is a very involved City and it wonderful to see citizens engaged with the City; glad to be putting the bad behind, coming together, going forward and accomplishing so much in these economic times; far beyond any expectations – looking forward to a great 2009.

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Mayor Parris recused himself from the Closed Session Item and turned the meeting over to Vice Mayor Smith.

Vice Mayor Smith recessed the City Council/Redevelopment Agency meeting at 7:35 p.m. for the purpose of conducting a Closed Session regarding:

CLOSED SESSION

G.C. Section 54956.8 –

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - NEGOTIATIONS WILL
INCLUDE BOTH PRICE AND TERMS – TWO MATTERS

- 1) 43226 Drivers Way, Lancaster, CA
Party: Lancaster Honda
- 2) 43104 10th St. West, Lancaster, CA
Party: Taheripour Mehrdad

Vice Mayor Smith reconvened the City Council/Redevelopment Agency meeting at 8:04 p.m.

CITY ATTORNEY ANNOUNCEMENT

The City Attorney announced that the City Council/Redevelopment Agency met in Closed Session regarding the aforementioned matters and direction was given to staff.

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ADJOURNMENT

Vice Mayor Smith adjourned the meeting at 8:05 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 December 23, 2008 and announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, January 13, 2009 - 5:00 p.m.

ATTEST:

APPROVED:

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

R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

CERTIFICATION OF MINUTES
CITY COUNCIL/REDEVELOPMENT AGENCY

I, _____, _____ of the City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original City Council/Redevelopment Agency minutes, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, CA on this _____ day of _____, _____.

(seal)
