

CC 2
03/24/09
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES
March 10, 2009**

CALL TO ORDER

Vice Mayor Smith 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, Vice Mayor/Vice Chairman Smith

Absent: Council Member/Agency Director Sileo

On a motion by Council Member Mann and seconded by Council Member Marquez, the City Council excused Mayor/Chairman Parris from the meeting by the following vote: 3-0-0-1-1; AYES: Mann, Marquez, Smith; NOES: None; ABTAIN: None; ABSENT: Sileo; EXCUSED: Parris.

Excused: Mayor/Chairman Parris

Vice Mayor Smith stated that he was sure that Council Member Sileo would be arriving shortly.

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; City Engineer; Parks, Recreation & Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Analyst

INVOCATION

Assistant Pastor, Tommy Pickens – AV Christian Center

PLEDGE OF ALLEGIANCE

Council Member/Agency Director Mann

Council Member Sileo arrived at 5:07 p.m.

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PRESENTATION

Jared Simmons, age 12 - Palmdale Learning Plaza, presented his speech: What Is Happening to America?

AGENDA ITEMS TO BE REMOVED

It was the consensus of the City Council to continue Item No. CA 1 to a future meeting; pull Item No. CC 6 for separate discussion and action.

Council Member Marquez stated that a number of business owners have come forward and expressed their concerns regarding Item No. CC 8 – pertaining to Cargo Containers within the industrial areas of the City. She requested changes as follows: allow for the placement of cargo containers in the light industrial and heavy industrial zones of the City; require that cargo containers in the industrial areas meet the same required setbacks as property lines of buildings within those zones; require cargo containers to comply with the same restrictions as cargo containers in the rural/residential areas. Specifically, containers cannot be stacked on top of each other and can only be used for storage, not living purposes and must be maintained in a neat and clean manner.

On a motion by Council Member Marquez and seconded by Council Member Mann, the City Council removed Item No. CC 8 (Ordinance No. 921) from the Council Consent Calendar, requested that staff make modifications to the ordinance and return to Council with a re-introduction at a future date, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Smith; NOES: None; ABSTAIN: None; EXCUSED: Parris.

Addressing the City Council on this matter:

Paul Buckley – Stated that he has been cited in the past for cargo containers; the containers are not a permanent structure; citizens should not be told what they can and cannot do with the containers, they are personal property, not a structure.

APPROVAL OF AGENCY CONSENT CALENDAR

On a motion by Agency Director Sileo and seconded by Agency Director Mann, the Redevelopment Agency approved the Agency Consent Calendar, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Smith; NOES: None; ABSTAIN: None; EXCUSED: Parris

RCC 1. MINUTES

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of February 24, 2009.

RCC 2. AGREEMENT WITH RBF CONSULTING

Authorized a Professional Services Agreement with RBF Consulting to develop the Lincoln Neighborhood Specific Area Vision Plan in an amount not to exceed \$66,946.00 for Phase I. The Lincoln Neighborhood is bounded by Challenger Way to 20th Street East and from Avenue J to Avenue K.

RNB 1. MARIPOSA MASTER VISION PLAN

The Housing Director presented the staff report regarding the Mariposa Master Vision Plan. The presentation included, but was not limited to, discussing existing conditions; the High Impact Team; progress from Code Enforcement; Housing Program Improvements; foreclosure improvements; Whit Carter Park advantages; plans for future development; circulation improvements and bike paths.

The Redevelopment Agency concurred with the vision plan and directed staff to commence with the planning, environmental and redevelopment processes necessary to implement and complete the Mariposa Master Vision Plan.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

On a motion by Council Member Mann and seconded by Council Member Sileo, the City Council approved the Council Consent Calendar, with the exception of Item No. CC 6 which was pulled for separate discussion and action; and Item No. CC 8, which was removed, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Smith; NOES: None; ABSTAIN: None; EXCUSED: Parris.

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 February 24, 2009.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers (February 8, 2009 through February 21, 2009) in the amount of \$2,661,208.13.

CC 4. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the January 31, 2009 Monthly Report of Investments as submitted.

CC 5. PURCHASING POLICY

Accepted and approved the Environmentally Preferable Purchasing Policy.

CC 6. ORDINANCE NO. 919

Ordinance No. 919, an ordinance of the City Council of the City of Lancaster, California to establish speed limits in the City of Lancaster based on the Engineering and Traffic Survey Report dated January, 2009.

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CC 6. ORDINANCE NO. 919 (continued)

Addressing the City Council on this matter:

Dennis Termeer – Discussed traffic situations on Lancaster Blvd. from 10th St. West, going westbound; speed limit in that area should not be increased.

The City Council directed staff to look into the concerns of Mr. Termeer and determine if a change will be necessary in the future.

On a motion by Council Member Sileo and seconded by Council Member Mann, the City Council adopted Ordinance No. 921, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Smith; NOES: None; ABSTAIN: None; EXCUSED: Parris

CC 7. ORDINANCE NO. 920

Adopted **Ordinance No. 920**, an ordinance of the City Council of the City of Lancaster, California, amending Section 8.28.200 of the Lancaster Municipal Code relating to property maintenance.

CC 8. ORDINANCE NO. 921 – This item was removed from the agenda and will return for re-introduction at a future meeting.

Ordinance No. 921, an ordinance of the City Council of the City of Lancaster, California repealing and amending Sections 17.04.240, 17.08.050, 17.12.050, 17.12.060, 17.16.050, 17.20.180, and 17.20.190 of Title 17 of the Lancaster Municipal Code, to regulate the use of cargo containers.

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. 323, installed for Tract No. 54406, located on the west side of 5th Street East, approximately 500 feet north of Avenue K, Owner: Silver Oak Estates, L.P.

CC 10. MONUMENTATION WORK

Approved the monumentation work for: Tract No. 060943, located on the southwest corner of Avenue K-8 and Carol Drive, Owner: Richmond American Homes of CA, Inc; Tract No. 061078, located on the northwest corner of Avenue K-8 and 15th Street East, Owner: Richmond American Homes of CA, Inc; Tract No. 061079, located on the southwest corner of Avenue K-6 and Carpenter Drive, Owner: Richmond American Homes of CA, Inc; and Parcel Map No. 69972, Owner: SE 10W & L, LLC.

CC 11. COMPLETED SEWER SYSTEMS

Approved the completed sewer systems installed by the developers of: Tract No. 060524, located on the east side of 60th Street West, approximately 330 feet south of Avenue K-8, Owner: Richmond American Homes of CA, Inc; Tract No. 060811, portion located on 59th Street West and Avenue K-12, Owner: Richmond American Homes of CA, Inc; Tract No. 060943, located on the southwest corner of Avenue K-8 and Carol Drive, Owner: Richmond American Homes of CA, Inc.; and Tract No. 061538, located on the southwest corner of 35th Street West and Avenue L-4, Owner: Pinnacle Quartz Hill II, LLC.

CC 12. ACCEPTANCE OF MAP AND DEDICATIONS

Approved the map and accepted the dedications as offered on the map for Parcel Map No. 65882, located on 16th Street West, North of Avenue J; approved and accepted the Undertaking Agreement and Improvement Securities required as a condition of recordation of the map; made 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 instructed 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.

CC 13. PWCP NO. 08-006 – BUDGET TRANSFERS/FUNDING STRATEGY

Approved budget transfers and funding strategy for the construction of Public Works Construction Project No. 08-006, 20th Street East Storm Drain, Avenue J to Kettering Street.

CC 14. TAX SHARING RESOLUTION

Adopted the Tax Sharing Resolution for proposed Annexation No. 14-399 into Los Angeles County Sanitation District No. 14.

CC 15. APPOINTMENT TO LVHCC

Mayor Parris nominated volunteer Mark M. Chapa to fill one of the three current vacancies on the Lancaster Veterans Home Citizens Committee and the City Council ratified this nomination and appointment.

CC 16. IMPACT FEE DEFERRAL

Approved Impact Fee Deferral for Lean Mean Fighting Machine L.P. (Developer) to construct the Sagebrush housing projects in Downtown Lancaster, in accordance with the provisions of Section 15.64.210C of the Lancaster Municipal Code. The City will defer developer impact fees totaling \$192,440.00, to be paid at the start of construction and no later than March 10, 2010. The deferred fees include: street improvements fees, traffic signalization fees and drainage/flood control improvement fees.

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PH 1. PROPOSED STILLMEADOW LANE SEWER LINE NEAR THE SOUTHWEST CORNER OF AVENUE K AND 25TH STREET WEST. ADJOINING APN NO'S 3112-010-007, 008, 009, 010, 013, 014,015, 016, AND 035.

Vice Mayor Smith opened the Public Hearing. The City Engineer presented the staff report regarding the proposed Stillmeadow Lane Sewer Line.

Hearing no further testimony, Vice Mayor Smith closed the Public Hearing.

RECESS - Vice Mayor Smith requested a recess at 5:28 p.m. for the purpose of allowing the City Clerk time to canvass the ballots for the Stillmeadow Lane Sewer Line.

RECONVENE - Vice Mayor Smith reconvened the meeting at 5:32 p.m.

The City Clerk announced the ballot results for the Stillmeadow Lane Sewer Line. Eight ballots were received; six ballots were in support of the assessment; two ballots were opposed to the assessment.

On a motion by Council Member Mann and seconded by Council Member Marquez, the City Council adopted **Resolution No. 09-12**, a resolution of the City Council of the City of Lancaster, California, wherein the City Council confirmed assessments and proceedings and designated the Director of Finance to collect and receive assessments and to establish a special fund for Assessment District No. 08-01 (Stillmeadow Lane Sewer Project), by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Smith; NOES: None; ABSTAIN: None; EXCUSED: Parris.

JNB 1. VEHICLE REBATE PROGRAM ADDITION

The City Manager presented the staff report regarding the addition of new motorcycles to the Vehicle Rebate Program. Invited guest speaker in favor of this addition: Owner of Antelope Valley Harley-Davidson Motorcycles, Ron Emard.

On a motion by Council Member Mann and seconded by Council Member Marquez, the City Council directed the City Manager to add the purchase of new motorcycles, licensed for street use and sold in Lancaster, to the Vehicle Rebate Program included in the Lancaster Economic Stimulus Program, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Smith; NOES: None; ABSTAIN: None; EXCUSED: Parris.

NB 1. VOLUNTARY SEPARATION PROGRAM EARLY RETIREMENT INCENTIVE

The City Manager presented the staff report regarding a voluntary separation program/early retirement incentive.

Council Member Sileo clarified that this is strictly voluntary, staff does an absolutely incredible job; each and every one of the staff is valued.

Vice Mayor Smith stated that staff is doing a great job and in such an economically downturn the City is doing good. Some of the positions have been moved to different areas of the City so that the positions are paid for by restricted funds. This in turn protects the general fund budget which pays for law enforcement.

On a motion by Council Member Sileo and seconded by Council Member Mann, the City Council authorized the City Manager to develop and implement a Voluntary Separation Program with an early retirement incentive, to reduce employee costs for FY 2009/2010, for an amount not to exceed \$1,500,000.00, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Smith; NOES: None; ABSTAIN: None; EXCUSED: Parris.

NB 2. HIGHWAY SAFETY IMPROVEMENT PROGRAM

The City Engineer presented the staff report regarding the Highway Safety Improvement Program.

On a motion by Council Member Marquez and seconded by Council Member Mann, the City Council approved the use of \$749,790.00 in Highway Safety Improvement Program (HSIP) funds for the construction of a left turn lane on Avenue I at 40th Street West and to upgrade traffic signals at five intersections; appropriated \$239,760.00 of HSIP funds to Capital Improvements Budget Account No. 399-12ST024-924; appropriated \$26,640.00 of Traffic Impact funds to Account No. 232-12ST024-924; appropriated \$510,030.00 of HSIP funds to Capital Improvements Budget Account No. 399-12TS007-924, by the following vote: 4-0-0-1; AYES: Mann, Marquez, Sileo, Smith; NOES: None; ABSTAIN: None; EXCUSED: Parris.

CA 1. DISCUSSION OF CITY COUNCIL MEETING TIMES

This item was continued to a future meeting.

CITY MANAGER'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT

None

CITY CLERK / AGENCY SECRETARY ANNOUNCEMENT

The City Clerk provided the public with the procedure to address the City Council/Redevelopment Agency regarding non-agendized items.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

David Paul – read a quote from the newspaper: “conscience is the perfect interpreter of life,” believed this to be true and encouraged the Council to read his article in the Political Observer.

Erick Bygrv-Shengo – Stated that he likes big box stores but is against these types of stores being so close to high schools; location needs to be re-assessed.

Richard Hecker – Addressed issues regarding police protection; increase in crime; compatibility with surrounding homes within the draft EIR for the Wal-Mart project.

Cleo Goss – Addressed traffic; safety; truancy; property values, considers these to be deficiencies within the draft EIR for the Wal-Mart project.

John Skjefte – Stated that he will be holding an Antelope Valley Tea Party on April 11, 2009 at 10:00 a.m.; expects approximately 500 people to attend; would like information from the City as to where he can hold this; the purpose will be to protest the recent taxes forced upon the citizens by the State and Federal Government.

Rileena Dodson – Addressed the Senior Citizen Emergency Repair Program and concerns that she has with her area.

Mike Scott – Stated his concerns regarding the building of big box stores in the area of 60th St. West and Avenue L and addressed the CEQA guidelines.

Judy Hist – Representing Lancaster Library, distributed flyers for the upcoming Page & Stage Performances which are provided by the National Endowment for the Humanities.

COUNCIL REPORTS

CR 1. Council Member Sileo reported on the Activities of the Edwards Air Force Base Restoration Advisory Board

RAB members convened and reviewed the following environmental restoration topics at the February 19, 2009, meeting:

- Federal Register Recommended Updates to the RAB Charter and By-Laws. RAB members voted to accept the Base’s proposed new language to the EAFB RAB Charter and By-Laws with some minor revisions (i.e. changing allotted speaker time from 5 minutes to 3 minutes). This new language brings the EAFB RAB into alignment with the over-arching Air Force RAB program.

COUNCIL REPORTS (continued)

- Proposed Cleanup Approach for Operable Unit 1 Main Base Flightline. An overview of Operable Unit (OU) 1 remedial project timeline included a proposed remedial plan due April of this year and is expected to culminate with a Final Record of Decision (ROD) in May 2010. OU1 is located in the center of EAFB, and is but one of 9 OU's designated at EAFB. The proposed remedial approach will include both active cleanup as well as Land Use Controls (to prevent human contact). Challenges include regulatory concurrence with proposed cleanup approaches and the ability to treat contaminants in underlying fractured granitic bedrock.

The other items discussed and approved by the RAB were routine. The next regularly scheduled meeting is planned for May 21, 2009 in North Edwards.

COUNCIL / AGENCY COMMENTS

Vice Mayor Smith stated that he had the opportunity to go to Los Angeles and appear twice on the Fox Business News Broadcast/Stuart Varney show and promote the City of Lancaster and the Lancaster Stimulus Plan.

The City Manager stated that Vice Mayor Smith did a very nice job of representing the City of Lancaster; many people have stated they were very proud to be from this City and proud that the City is out front with the stimulus package. It is very important that the City get the word out, beyond the Antelope Valley. This stimulus package is focused on local purchases of vehicles but there is a market out there that the City does not typically tap into and it is important to get the word out, so that people who do not live in the area will come to Lancaster to buy their cars as well.

CLOSED SESSION

None

ADJOURNMENT

Vice Mayor Smith adjourned the meeting at 6:08 p.m. and announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, March 24, 2009 at 5:00 p.m.

ATTEST:

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

APPROVED:

R. REX PARRIS
MAYOR/CHAIRMAN
Lancaster, CA

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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)
