

CC 2
04/14/09
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES
March 24, 2009**

CALL TO ORDER

Mayor Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:32 p.m.

ROLL CALL

Present: Council Members/Agency Directors: Mann, Marquez, Sileo, Vice Mayor/Vice Chairman Smith, Mayor/Chairman Parris

Absent: None

INVOCATION

Pastor Herbert Howard, 1st Southern Baptist Church

PLEDGE OF ALLEGIANCE

PRESENTATIONS

Mayor's Athlete of the Month – Courtlin Thompson, A. V. Christian

Commendation for Maria Elena Grado, Lemon Leaf Café - for her contributions and commitment to the Museum/Art Gallery and downtown Lancaster.

Certificate of Achievement - Government Finance Officers Association (GFOA) and California Society of Municipal Finance Officer Award (CSMFO)

AGENDA ITEMS TO BE REMOVED

None

APPROVAL OF AGENCY CONSENT CALENDAR

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency approved the Agency Consent Calendar, 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 March 10, 2009.

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RCC 2. LEASE EXTENSION

Approved the lease extension between the Lancaster Redevelopment Agency and California State University Bakersfield (CSUB) for the use of real property known as Challenger Memorial Hall at the Lancaster University Center, 45356 Division Street, Lancaster, California.

RNB 1. DESERT VIEW MASTER VISION PLAN

The Housing Director presented the staff report regarding the Desert View Master Vision Plan. The presentation included, but was not limited to, history of the neighborhood; neighborhood issues; current successful events; commercial revitalization; enhanced neighborhood gateways; circulation improvements; residential enhancements; alley improvements; recreational space; bikeway and multi-use trails.

Addressing the Agency on this matter:

Nicole Parsons – concerned with transparency laws; probable cause; confused as to why the Sheriff's Department is searching everyone; confused about targeting dogs.

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 Desert View Master Vision Plan.

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 March 10, 2009.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers (February 22, 2009 through March 7, 2009) in the amount of \$1,784,529.29.

CC 4. 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. 04-88, installed for Tract No. 060780, located on the southeast corner of Avenue K and 25th Street East, Owner: K Street East, LLC. Appropriated \$515.00 from the first year's maintenance cost, that have been paid by the developer, to cover the remaining three months of the fiscal year into the Drainage Maintenance Operating Account No. 484-4743-404.

CC 5. MONUMENTATION WORK

Approved the monumentation work for: Tract No. 46601, located on the northwest corner of Avenue J-8 and 37th Street West, Owner: Lancaster Palms, LLC.

CC 6. COMPLETED WATER SYSTEM

Approved the completed water system installed by the developer of Tract No. 061225, located on the southeast corner of Lancaster Boulevard and 30th Street East, Owner: KB Home Greater Los Angeles, Inc.

CC 7. GRANT OF EASEMENT

Approved the Grant of Easement for underground electrical supply systems and communication systems, appurtenant fixtures and other equipment necessary including ingress/egress purposes to Southern California Edison Company across the property identified as APN No. 3125-010-915, located on the southwest corner of Avenue K 8 and 10th Street West.

CC 8. TAX SHARING RESOLUTION

Adopted the Tax Sharing Resolution for proposed Annexation No. 40-129 (4-193) into Los Angeles County Waterworks District No. 40, Antelope Valley.

CC 9. PWCP NO. 05-001

Accepted the work constructed by Engineered Plumbing, Inc. for **Public Works Construction Project 05-001, Recycled Water Distribution System – Division Street**; 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 10. COOPERATIVE AGREEMENT WITH L.A. COUNTY

Approved the cooperative agreement with the County of Los Angeles to install a new traffic signal, roadway improvements and drainage facilities at the intersection of Avenue K and 45th Street West.

CC 11. RESOLUTION NO. 09-13

Adopted **Resolution No. 09-13**, a resolution of the City Council of the City Lancaster, California, approving the High Desert/Mountain Higher Education Authority (HDMHEA), authorizing City's membership in the High Desert/Mountain Higher Education Authority and authorized the City Manager or designee, to execute the Joint Power Agreement for the HDMHEA.

CC 12. AGREEMENT WITH ROYAL STREET COMMUNICATIONS

Approved an agreement with Royal Street Communications California, LLC to provide a mobile/wireless communications service tower at Rawley Duntley Park.

CC 13. AGREEMENT WITH ROYAL STREET COMMUNICATIONS

Approved an agreement with Royal Street Communications California, LLC to provide a mobile/wireless communications service tower at Deputy Pierre W. Bain Park.

CPH 1. LANCASTER PARKING PENALTY SCHEDULE - RESOLUTION NO. 09-14

Mayor Parris stated that this Public Hearing was opened at a previous meeting and continued to this date. The Finance Director presented the staff report regarding the Lancaster Parking Penalty Schedule.

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. 09-14**, a resolution of the City Council of the City of Lancaster, California, rescinding Resolution No. 07-108 in its entirety and establishing the Lancaster Parking Penalty Schedule, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

NB 1. PRESENTATION ON RESULTS OF THE FEASIBILITY OF DEVELOPING A MULTI-JURISDICTION HOUSING AUTHORITY TO ADMINISTER THE HOUSING CHOICE VOUCHER PROGRAM

The Housing Director presented the staff report regarding this program.

Mayor Parris stated that there must be a reduction in rentals; reduction in Section 8 housing; consider bringing in a coordinator to help achieve the goals of the City.

The City Manager stated that housing in the City includes approximately 30 percent rentals and more than the City's fair share of Section 8; continue to work with HUD to cap this and understands that this is the direction the City needs to go in.

Mayor Parris stated that he wants to see the numbers drop; important to be proactive; it has been far too long that this issue has gone on; come up with the numbers and evaluate if the City is going in the right direction; must devote energy to this matter.

The City Manager stated that the goal of the City is to reduce the numbers to half of what is received now; importance of meeting with HUD and getting direct answers from them.

Mayor Parris encouraged citizens to write letters to the HUD agency; the problems are enormous; can achieve the goals with the help of the community.

NB 1. PRESENTATION ON RESULTS OF THE FEASIBILITY OF DEVELOPING A MULTI-JURISDICTION HOUSING AUTHORITY TO ADMINISTER THE HOUSING CHOICE VOUCHER PROGRAM (continued)

Vice Mayor Smith stated that the City needs to create a restrictive ordinance; landlords have Section 8 housing because it is profitable; City has hired investigators which the State does not pay for; important to look at the business license restrictions; important to place the costs squarely on the shoulders of the landlords. With concurrence of the City Council, direct staff to work on this and bring it back to the Council within sixty days.

The City Attorney stated that he would work on this matter and bring to the City Council by the first or second meeting in May.

Brett Banks, Chairman of the Lancaster Neighborhood Vitalization Commission, discussed the goals, mission and priorities of the Commission, which addresses Section 8 homes; group homes and the same issues that Council is concerned about.

Norm Hickling, Representative from the office of Supervisor Antonovich, stated that the office recently went through an audit regarding this matter; will continue to work on these concerns; getting people involved is very important; Supervisor Antonovich will be announcing something in a few weeks that should encourage people to get involved and it will include having fraud numbers, hotline numbers, a place people can call and report the issues.

Council Member Marquez stated that she was disappointed that the City was not going to be able to take over Section 8 and run it but that she was excited about the goals that have been set and what is coming forth. It is very frustrating to learn that Section 8 is driven by the people who come in and invest in the properties, then turn the properties into Section 8 homes; she welcomes the renewed vigor. She appreciates the fact that the County of Los Angeles has invited the Council Members to come in and help with the orientation; appreciates the hard work and dedication of the LNV Commission Members and the Deputy City Manager to put together the goals and priorities; this issue is much more than just Section 8, and the City just wants their fair share and the City has too much of the share at this time.

Mayor Parris inquired about a list of approved brokers and the City should be looking at these brokers and the ones who are turning properties into Section 8 homes.

The City Manager stated that probably every broker in the valley has someone in their office who is selling to an investor that in turn, offers the homes as Section 8; difficult to identify up front if an investor is going to turn a property into Section 8.

NB 1. PRESENTATION ON RESULTS OF THE FEASIBILITY OF DEVELOPING A MULTI-JURISDICTION HOUSING AUTHORITY TO ADMINISTER THE HOUSING CHOICE VOUCHER PROGRAM (continued)

Mayor Parris stated that the City should be able to identify the people who are going to profit from this; stop doing business with them; make it known to the community who these people are; they are destroying the community; have the courage to identify these people and have the courage to stop doing business with these individuals.

Council Member Mann stated that the only concern he had was that there may be a disproportionate share in senior housing; this is not necessarily a detriment to the City; there may be a stronger number of Section 8 certificate holders only because of the way economics are today; there are good and bad Section 8 and agrees that it is important to identify these individuals that profit from this. What has been going on for a number of years is the disproportionate share of the rents they are able to garner through that program is often, at times, above what someone could normally rent a house for.

Addressing the City Council on this matter:

David Paul – shares the same concerns; consider citizen volunteer enforcement officers that go through training and assist; when new people are in his neighborhood he becomes a cheesecake presenter; gets to know them and this in turn gets the marginal people involved and makes them want to be involved in the neighborhood.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council received the presentation and approved the name change from the Section 8 Commission to the Lancaster Neighborhood Vitalization Commission, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

CA 1. ALADS 9TH ANNUAL AWARDS BANQUET

Vice Mayor Smith stated that he would like to address this matter and his concerns under Council Comments and his report listed under Council Reports at this time, as he would need to leave the meeting early due to a family commitment.

Vice Mayor Smith stated that the City has a policy in place that states if the City spends more than \$100.00 for a ticket to a function that it comes to Council for consideration. The ALADS 9th Annual Awards Banquet on Saturday, May 30, 2009 is huge; it is about the deputies that have given their lives; risked their lives; this is the Oscars for the deputies; very large banquet; deputies are honored for their heroic work; event is attended by the Governor, Senators, Assemblymen, Congressmen and every one of the Council should be there to honor the deputies that go out there every day.

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CA 1. ALADS 9TH ANNUAL AWARDS BANQUET (continued)

Vice Mayor Smith made a motion and it was seconded by Council Member Mann, that the City purchase the tickets for any Council Members that want to go and also tickets for any senior management that would like to attend.

Council Member Sileo stated that he has concerns regarding this matter; believes everyone supports the deputies and the banquet; he has purchased tickets in the past with his own private funds or campaign funds and given that it is a public union and giving these economic times, it would be appropriate that Council Members attend using their own private or campaign funds.

Mayor Parris requested that the City Manager bill his office for anyone that would like to attend the banquet.

Council Member Marquez stated that there have been other occasions where the Council has attended events to represent the City and clarified that the ICSC Conference held in Nevada was paid for by the City.

The City Manager stated that any official event that is honoring contract cities should be paid for by the City. It is for the deputies and the contract cities and they also have a political arm but this does not mix with the political arm, it is honoring deputies and feels that it is important for Council and senior staff to attend.

Mayor Parris stated that he would buy a table with his own funds.

Vice Mayor Smith withdrew his motion.

The City Attorney cautioned that if Mayor Parris does pay for the seats of others, those individuals will have to disclose this information on their Statement of Economic Interest Statements under gifts.

Council Member Marquez stated that Council receives invites two or three times a week to attend events where the City would have to pick up the bill; she does not want to spend the City's money that way and other than the League of California Cities, this is a very important yearly function and she does not see the problem and wanted to make it clear that she does not spend the City's money frivolously.

Council Member Sileo stated that he did not mean for this to be divisive in any way and many invitations come to Council Members and this is one of those gray areas. How much of this is truly a public benefit and how much of this is dinner and a chance to socialize.

CR 1. ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT GOVERNING BOARD MEETING REPORT

Vice Mayor Smith reported on the proceedings and significant issues discussed at the March 17, 2009, Antelope Valley Air Quality Management District Governing Board meeting.

At the March 17, 2009, meeting, the Governing Board discussed the following significant items with AVAQMD staff:

- Rule 1133 – Composting and Related Operations: Staff clarified chipping and/or mulching not associated with industrial operations is not applicable.
- Rule 301 – Staff reported on proposed changes to permitting fees in an attempt to align overhead costs with permit fees while not tying non-compliance penalties to budget schedule.
- Rule 403 - Fugitive Dust, Amendment Update: AVAQMD Staff working through unpaved road issues. Hope to be able to bring revised rule before the Board at next meeting.

The other items approved by the AVAQMD were routine and/or adopted as consent items. The next regularly scheduled Governing Board Meeting will be April 21, 2009.

COUNCIL/AGENCY COMMENTS

Vice Mayor Smith requested consensus from the Council to direct the City Manager to meet with the City Manager of Palmdale and look into placing a sign at the northern end of the City that states: Welcome to the Antelope Valley/City of Lancaster; place another sign at the southern end of Palmdale stating: Welcome to the Antelope Valley/City of Palmdale; have identical signs, put the B-2 Bomber, or whatever icon will work, and show that this area is one community and can come together for the good of the people.

Council Member Sileo suggested adding Highway 138 east and west as well, since these are major thoroughfares.

The Council was in concurrence with this idea and gave direction to the City Manager.

Vice Mayor Smith stated that a call was received from the Assistant Secretary of the Prison regarding expanding one of the C-Yards from a temporary housing facility to a long term special needs center. The City is totally opposed to this and it would be a detriment to community; long-term prisoners bring long-term residents to visit them; they would be paroled here. Senator and Assemblywoman Runner worked very hard to get the prison turned into a reception center and because of that achievement; school districts showed a drop in enrollment, crime started going down. In the near future, encourage all citizens to become involved, engaged in this matter and send letters.

COUNCIL/AGENCY COMMENTS (continued)

The City Manager stated that he has enlisted the State Senator and asked them to rescind this decision, meet with the community directly and talk about this, which did not happen the first time.

Vice Mayor Smith stated that the Runners have been the champions, working and fighting with the prison; years ago the prison was basically shoved down the throats of the community, and the Runners are still fighting to make sure this does not happen.

Mayor Parris clarified for the audience exactly what “special needs” prisoners were. They are child molesters and if something is not done to stop this, the children in this community will be exposed to them. The State wants to dump all the child molesters in this prison and when they are paroled they are released to this community, they are dumped in Lancaster.

Mayor Parris requested a plan be put into place to fight this with everything the City has.

Council Member Sileo stated that citizens should be outraged not only by what is going on with Section 8, but they should be outraged regarding this issue; suggested that the City’s website provide talking points and assist citizens on where they can write and some points to address.

Mayor Parris requested that the talking points, information on where citizens can write be sent to everyone that the City has an email on and encourage them to write these letters.

Vice Mayor Smith was excused from the City Council meeting at 6:45 p.m.

CITY MANAGER’S / EXECUTIVE DIRECTOR’S ANNOUNCEMENT

The City Manager stated that the Employee Appreciation Program has been launched; citizens can go on the internet or come to the counters and acknowledge good work by City employees. A citizen has already come forward and praised the great work performed by the City and she particularly called out the excellent customer service of Joyce Foxworth in the Housing Department and Ruth Anne Bush, the City’s afternoon receptionist.

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 City Council at this time:

Nicole Parsons – stated that she feels like a wedding planner for the City; gets involved in all sections; Department of the Public; Department of Commerce; Department of citizens; Public Safety; important to fix up the courthouse; importance of town hall meetings in the name of justice; fair stimulus for all.

Scott Pelka – declined to speak at this time, requested that other citizens go first.

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

Cleo Goss – Addressed the Lane Ranch EIR; definition of historical structures.

Darlene Peterson – stated her concerns regarding the naming of Gilley Park; listen to the citizens; this adds fuel to the fire; it is good business to change bad decisions of a previous council; put the park issue on the agenda.

Council Member Marquez stated that she ran into Ms. Peterson the other day and she is quite surprised that this is an issue of concern for her, rather than the prison issue. All citizens should be outraged regarding the prison issue; the Section 8 issues. This matter seems so low on the totem pole and she has no opinion on this.

Mayor Parris clarified that anytime a Council Member wants to put something on the agenda, they can. If someone wants to put this on the agenda, that will be the time for the debate. He stated that he feels the City's efforts and energies should be spent on much more serious issues than this.

Erick Byarushengo – stated his concerns regarding petitions that are going around in support of a Wal-Mart at 60th St. West and Avenue L. Petitions are vague and do not clearly spell out all the facts.

Harold Ray – stated that animals have rights and that it is in the bible; constitution is very important; Supreme Court has changed the 5th Amendment; big government can take land away from people.

Lonny Potter – requested that the City consider the veterans that will be coming home; consider internships so they can compete for City jobs; they are coming back and need to be able to fend for their families; community needs to give back. Stated his concerns regarding a lack of crosswalks at Eastside High School; concerned about bus stop signs in front of Desert High School.

Joyce Kearin – stated her concerns regarding the streets of Lancaster Blvd and Avenue J; impossible to walk down these streets; no sidewalks; no room for people in wheelchairs.

Joan Delamotte – stated her concerns regarding traffic issues; area near Mariposa school; consider a lower speed limit in this area; consider this area again – give it more attention.

Mayor Parris explained the process for analyzing speed limits and requested that staff look into this and report back to him within sixty days.

The City Manager stated that a letter had already been prepared that was going to Ms. Delamotte.

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

David Paul – enjoys the community spirit of the meetings; works for Friends of the Library; he will be presenting the Council with a National Geographic Book; encouraged the Council to attend the Library book sale and support this cause.

Scott Pelka – stated his concerns regarding the selection of Citizen of the Year; did not see this on an agenda; Council attended a Church function and he feels this was a violation of the Brown Act; assumes this contribution will be on the Mayor's next campaign form.

Mayor Parris clarified that it was in fact on the agenda; he made the selection; it was very transparent; the award was with his own personal funds; this funding will not be on his campaign forms; Mr. Chappell has done so much for this community; he has created a university; educates thousands of people in the community; primarily responsible for the Antelope Valley War on Gangs and as long as he, (Mayor Parris), is Mayor, he will continue to select and award to a citizen of the year.

COUNCIL / AGENCY COMMENTS

Council Member Marquez addressed the Citizen of the Year issue, stating that Mr. Chappell prefers to stay out of the limelight so that the Lord receives all of the glory. The West Coast Baptist college students are sought for employment in this valley and she stated that she was very disappointed that Mr. Pelka consistently comes to the City Council meetings and nitpicks. She is very surprised that Mr. Pelka isn't more outraged regarding the prison matter and urged Mr. Pelka to bring something of true importance to the City, bring something constructive; bring ideas on how to solve problems.

Council Member Marquez also addressed Assembly Bill 1288 and requested that Council think about this. It is a bill that states that the e-verify program of the Department of Homeland Security and in partnership with the Social Security Administration would prohibit a state, county, city or special district from requiring an employer other than one of those entities to use an electronic employment verification system.

Council Member Marquez brought forth an article about the Vets and their due, and it is the law; the guardsmen train one weekend per month and two weeks per year and employers are not allowing for this time and are in violation of USERRA. A citizen addressed the issue of the veterans this evening, these vets will be coming back in large numbers and the City needs to assist them in any way that they can and it alarms her that they are going to make this e-verify null and void and that maybe some of our veterans would not get jobs because of this. She requested that the City Council consider taking a position on this.

The City Manager stated that this matter would be agendized for an April meeting.

Council Member Marquez requested that the meeting be adjourned in memory of the 4 police officers who lost their lives in Oakland, California. She stated that it truly surprises her when people come to these meetings with very petty issues when there are police officers who have given their lives to protect us.

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COUNCIL / AGENCY COMMENTS (continued)

The City Manager stated that the Gift Card Program launches on March 30, 2009; there is tremendous merchant support.

Mayor Parris requested that the start time of Council meetings be moved back to 6:00 p.m. until the Comprehensive General Plan Updates are adopted, then move the meetings back to 5:00 p.m. thereafter.

The City Attorney stated that a resolution would come forward to the City Council regarding this for formal action. He stated that the resolution could state that the start time return to 5:00 p.m. at the meeting following the adoption of the Comprehensive General Plan Updates.

CLOSED SESSION

None

ADJOURNMENT

Mayor Parris adjourned the meeting at 7:37 p.m. in memory of the four officers that were recently killed in Oakland, California. The officers were: Sgt. Mark Dunakin; Officer John Hege; Sgt. Daniel Sakai; Sgt. Ervin Romans.

Mayor Parris announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, April 14, 2009 at 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)
