

CC 2
04/28/09
MVB

**LANCASTER CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES
April 14, 2009**

CALL TO ORDER

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 5:00 p.m.

ROLL CALL

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

Absent: None

INVOCATION

Ken Jones, Assistant Pastor, Lancaster Baptist Church

PLEDGE OF ALLEGIANCE

Council Member/Agency Director Marquez

PRESENTATIONS

Student Speaker, Daniel Chirino, age 8 – Speech: “God Bless America” and what these words truly mean.

Introduced by Council Member Marquez

Recognition of the Lancaster High Robotics Team

Presenter: Mayor Parris

AGENDA ITEMS TO BE REMOVED

None

APPROVAL OF AGENCY CONSENT CALENDAR

Agency Director Mann announced that he would need to recuse himself from Item No. RCC 3 due to the fact that he owns property in this particular area.

On a motion by Agency Director Sileo and seconded by Agency Director Marquez, 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.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY

MINUTES

APRIL 14, 2009

RCC 1. MINUTES

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

RCC 2. RESOLUTION NO. 01-09

Adopted **Resolution No. 01-09**, a resolution of the Lancaster Redevelopment Agency, setting the Lancaster Redevelopment Agency meeting time at 6:00 p.m. until the Comprehensive General Plan Updates are adopted, then return the meetings back to 5:00 p.m. thereafter, on the second and fourth Tuesday of each month.

RCC 3. ACQUISITION OF REAL PROPERTY

Agency Director Mann announced that he would need to recuse himself from Item No. RCC 3 and excused himself from the dais. He stated that he owns property in this particular area.

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency approved the agreement for acquisition of Real Property between the Lancaster Redevelopment Agency and various agencies as part of the approved Neighborhood Foreclosure Preservation Homeownership Program and the Neighborhood Stabilization Program as outlined in Exhibit A of the staff report, by the following vote: 4-0-1-0; AYES: Marquez, Sileo, Smith, Parris; NOES: None; RECUSED: Mann; ABSENT: None.

Agency Director Mann returned to the dais at this time.

RCC 4. RESOLUTION NO. 02-09

Adopted **Resolution No. 02-09**, a resolution of the Lancaster Redevelopment Agency of Lancaster, California, approving the Amended and Restated Owner Participation Agreement with Lancaster Promenade Lender, GP, and authorizing the execution and delivery of such other documents deemed necessary to effect the purposes related thereto.

Vice Mayor Smith stated that information regarding the issue with the prison came up after the posting of the agenda, therefore, on a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council added Item No. NB 3 – Urgency Resolution No. 09-28, to the agenda by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

On a motion by Vice Mayor Smith and seconded by Council Member Mann, 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.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY

MINUTES

APRIL 14, 2009

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 24, 2009.

CC 3. WARRANT REGISTER

Approved the Check and Wire Registers (March 8, 2009 through March 28, 2009) in the amount of \$8,364,351.80.

CC 4. MONTHLY REPORT OF INVESTMENTS

Accepted and approved the February 28, 2009 Monthly Report of Investments as submitted.

CC 5. RESOLUTION NO. 09-15

Adopted **Resolution No. 09-15**, a resolution of the City Council of the City of Lancaster, California, authorizing the destruction of certain records (Plans and Plan Checks.)

CC 6. RESOLUTION NO. 09-16

Adopted **Resolution No. 09-16**, a resolution of the City Council of the City of Lancaster, setting the City Council meeting time at 6:00 p.m. until the Comprehensive General Plan Updates are adopted, then return the meetings back to 5:00 p.m. thereafter, on the second and fourth Tuesday of each month.

CC 7. INTERIOR STREET TREES FOR MAINTENANCE

Accepted the interior street trees for maintenance by the City for Tract No. 060780, located on the southeast corner of Avenue K and 25th Street East, Owner: K Street East, LLC.

CC 8. MONUMENTATION WORK

Approved the monumentation work for: Tract No. 060198, located on the southeast corner of Avenue M-8 and 45th Street West, Owner: Pulte Homes Corporation; Tract No. 061123, located on the southwest corner of Avenue M-8 and 35th Street West, Owner: Pulte Homes Corporation; and Tract No. 061342, located on the southeast corner of Avenue M-12 and 45th Street West, Owner: Pinnacle Quartz Hill I, LLC.

CC 9. COMPLETED SEWER SYSTEMS

Approved the completed sewer systems installed by the developer of Tract No. 060780, located on the southeast corner of Avenue K and 25th Street East, Owner: K Street East, LLC.

CC 10. ACCEPTANCE OF STREETS FOR MAINTENANCE

Approved the developer constructed streets and accepted the streets for maintenance by the City for: Tract No. 46601, located on the northwest corner of Avenue J-8 and 37th Street West, Owner: Lancaster Palms, LLC; and Tract No. 060780, located on the southeast corner of Avenue K and 25th Street East, Owner: K Street East, LLC.

CC 11. COMPLETED WATER SYSTEMS

Approved the completed water systems installed by the developer for: Tract No. 54286, located approximately 665 feet west of 25th Street West, between Avenue K-12 and Avenue K-14, Owner: Hill View Homes, Inc.; Tract No. 060524, located on the east side of 60th Street West, approximately 300 feet south of Avenue K-8, Owner: Richmond American Homes of CA, Inc.; Tract No. 060780, located on the southeast corner of Avenue K and 25th Street East, Owner: K Street East, LLC; and Tract No. 060811, located on the northeast corner of 60th Street West and Avenue K-12, Owner: Richmond American Homes of CA, Inc.

CC 12. AMENDMENT TO EXISTING SUBDIVISION UNDERTAKING AGREEMENT

Approved and accepted the amendment to the existing Subdivision Undertaking Agreement; approved the Maintenance Agreement and Maintenance Security submitted by Magnolia, L.P., for Tract Map No. 53102-02 and approved the creation of Phase 1 and 2 of the subject map, located on the northwest corner of Avenue J-12 and 45th Street West.

CC 13. EXTENSION OF SUBDIVISION UNDERTAKING AGREEMENT AND SECURITIES

Approved the extension of the Subdivision Undertaking Agreement and Improvement Securities; accepted and approved the Maintenance Security submitted by Magnolia L.P. for Tract Map No. 53102-01, located on the southwest corner of Avenue J-8 and 45th Street West.

CC 14. REIMBURSEMENT AGREEMENT

Approved the Reimbursement Agreement for the construction of Master Planned Drainage Facilities with Forestar Dorado Skies, L.L.C., for Tract Map No. 61206, located on the southeast corner of Avenue J and 35th Street East.

CC 15. SEWER SYSTEM MANAGEMENT PLAN

Approved the Sewer System Management Plan and authorized the Director of Public Works, or his designee, to certify via the State established electronic reporting system known as CIWQS that the City of Lancaster Sewer System Management Plan is complete and ready to be implemented.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY

MINUTES

APRIL 14, 2009

CC 16. PWCP NO. 08-040

Awarded **Public Works Construction Project No. 08-040**, Prime Desert Woodland Pavilion Phase 2, to C.S. Legacy in the amount of \$145,674.00, plus a 10% contingency, for construction improvements to the Prime Desert Woodland Pavilion and authorized the City Manager, or his designee, to sign all documents.

CC 17. PWCP NO. 08-046

Awarded **Public Works Construction Project No. 08-046**, Lancaster City Hall Space Plan 2 - Phase II, to Intertex General Contractors, Inc., in the amount of \$286,700.00, plus Additive Alternate Bid Item No. 1 (Electrical Wiring of Modular Furniture) in the amount of \$16,689.00, to bring the award total to \$303,389.00 plus a 10% contingency and authorize the City Manager, or his designee, to sign all documents. The project is for the first floor renovation of City Hall to provide work spaces that will meet the needs of departments located on the first floor; to accommodate the increased number of code enforcement staff, community service officers, and other employees; and the relocation of the Housing and Neighborhood Revitalization Department to the first floor in order to consolidate with Code and Housing Enforcement Officers.

CC 18. PWCP NO. 09-001

Rejected all bids for **Public Works Construction Project No. 09-001**, Transportation Building Roof Replacement; authorized staff to modify the plans to reduce the scope of work to meet the available budget and re-bid the modified project.

CC 19. THREE-YEAR EXTENSION AGREEMENT WITH CARL WARREN & COMPANY

Approved a three-year agreement extension for Carl Warren & Company as the City's Third Party Administrator for liability claims and authorized the City Manager to execute said agreement.

CC 20. OPPOSITION TO AB 333

Formally opposed Assembly Bill 333 as currently proposed and authorized the City Manager to transmit this opposition to the State Legislature.

CC 21. 2007 JAG GRANT

Accepted the 2007 Allocation of Funds for the Edward Byrne Memorial Justice Assistance Grant (JAG.)

CC 22. ONE YEAR MEMBERSHIP IN WE TIP

Authorized the City Manager to enter into a one year City membership in WE TIP, Inc., a nationwide anonymous informant hotline.

CC 23. COST REIMBURSEMENT AGREEMENTS

Approved renewal of Cost Reimbursement Agreements with Front Gate Plaza, LLC, and Stater Bros. Markets to assign a full-time, 40 hour-per-week deputy of the Los Angeles County Sheriff's Department to patrol the Wal-Mart and Front Gate Plaza shopping centers located at the intersection of Avenue J and 20th Street East.

CC 24. PROPOSED ANNEXATIONS TO LANCASTER DRAINAGE BENEFIT ASSESSMENT DISTRICT

Annexation No. 08-10, Permit No. 08-00177, located at northwest corner of 17th Street West and Avenue K-4. Owner: John E. Rojas, a married man as his sole and separate property.

Annexation No. 08-11, Permit No. 08-00176, located at west side of 17th Street West approximately 66 feet north of Avenue K-4. Owner: Rosa M. Rojas, a married woman as her sole and separate property.

Annexation No. 08-15, Director's Review 06-124, located at 5th Street East, approximately 270 feet south of Avenue K-4. Owner: BCP Commercial Properties, LLC.

Annexation No. 08-26, Site Plan Review 07-18, located at 6th Street West and Avenue L. Owner: Toneman Properties Avenue L, LLC, a California Limited Liability Company.

A. Adopted **Resolution No. 09-17**, a resolution of the City Council of the City of Lancaster, California, initiating proceedings for the annexation of territories to Lancaster Drainage Benefit Assessment District to be established pursuant to the Benefit Assessment Act of 1982 and California Constitution Article XIID (Annexation Nos. 08-10, 08-11, 08-15, and 08-26.)

B. Adopted **Resolution No. 09-18**, a resolution of the City Council of the City of Lancaster, California, approving the Engineer's Report and the time and place for Public Hearing, and declaring its intention to annex territories into Lancaster Drainage Benefit Assessment District and to levy and collect assessments pursuant to the Benefit Assessment Act of 1982 and California Constitution Article XIID (Annexation Nos. 08-10, 08-11, 08-15, and 08-26.)

CC 25. PROPOSED ANNEXATIONS TO LANCASTER LIGHTING MAINTENANCE DISTRICT

Annexation No. 853, Permit No. 08-00177, located at northwest corner of 17th Street West and Avenue K-4. Owner: John E. Rojas, a married man as his sole and separate property.

Annexation No. 854, Permit No. 08-00176, located at west side of 17th Street West approximately 66 feet north of Avenue K-4. Owner: Rosa M. Rojas, a married woman as her sole and separate property.

Annexation No. 858, Director's Review 06-124, located at 5th Street East, approximately 270 feet south of Avenue K-4. Owner: BCP Commercial Properties, LLC.

Annexation No. 872, Site Plan Review 07-18, located at 6th Street West and Avenue L. Owner: Toneman Properties Avenue L, LLC, a California Limited Liability Company.

A. Adopted **Resolution No. 09-19**, a resolution of the City Council of the City of Lancaster, California, initiating proceedings for the annexation of territories into Lancaster Lighting Maintenance District, an Assessment district established pursuant to the Landscaping and Lighting Act of 1972 and California Constitution Article XIID (Annexation Nos. 853, 854, 858, and 872.)

B. Adopted **Resolution No. 09-20**, a resolution of the City Council of the City of Lancaster, California, approving the Engineer's Report and the time and place for Public Hearing, and declaring its intention to annex territories into Lancaster Lighting Maintenance District and to levy and collect assessments pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California and California Constitution Article XIID (Annexation Nos. 853, 854, 858, and 872.)

CC 26. PROPOSED ANNEXATION TO LANCASTER LANDSCAPE MAINTENANCE DISTRICT NO. 1

Annexation No. 415, Permit No. MISC09-029, located at the southwest corner of Mall Loop Road and Double Play Way. Owner: K Partners Lancaster I LP, a Texas limited partnership.

A. Adopted **Resolution No. 09-21**, a resolution of the City Council of the City of Lancaster, California, initiating proceedings for the annexation of territories into Lancaster Landscape Maintenance District No. 1, an Assessment District established pursuant to the Landscaping and Lighting Act of 1972 and California Constitution Article XIID (Annexation No. 415.)

B. Adopted **Resolution No. 09-22**, a resolution of the City Council of the City of Lancaster, California, approving the Engineer's Report and the time and place for Public Hearing, and declaring its intention to annex territories into Lancaster Landscape Maintenance District No. 1 and to levy and collect assessments pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California and California Constitution Article XIID (Annexation No. 415.)

CC 27. RESOLUTION NO. 09-27

Adopted **Resolution No. 09-27**, a resolution of the City Council of the City of Lancaster, California, approving the Amended and Restated Lease Agreement in connection with the Museum, and authorizing the execution and delivery of such other documents deemed necessary to effect the purposes related thereto.

Mayor Parris requested that Item No. **PH 4** be continued to the City Council meeting of May 12, 2009 to allow time for GAVAR to review the information.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, Item No. **PH 4** was continued to May 12, 2009, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

PH 1. CONFIRMING DIAGRAMS AND ASSESSMENTS FOR PROPOSED ANNEXATIONS TO LANCASTER DRAINAGE BENEFIT ASSESSMENT DISTRICT – RESOLUTION NO. 09-23

Mayor Parris opened the public hearing. The Public Works Director presented the staff report regarding proposed annexations to the Lancaster Drainage Benefit Assessment District.

There being 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. 09-23**, a resolution of the City Council of the City of Lancaster, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District and levy of assessment (Annexation Nos. 08-10, 08-11, 08-15, and 08-26), by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

PH 2. CONFIRMING DIAGRAMS AND ASSESSMENTS FOR PROPOSED ANNEXATIONS TO THE LANCASTER LIGHTING MAINTENANCE DISTRICT – RESOLUTION NO. 09-24

Mayor Parris opened the public hearing. The Public Works Director presented the staff report regarding proposed annexations to the Lancaster Lighting Maintenance District.

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

On a motion by Council Member Marquez and seconded by Vice Mayor Smith, the City Council adopted **Resolution No. 09-24**, a resolution of the City Council of the City of Lancaster, California, confirming the diagram and assessment and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 853, 854, 858, and 872), by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

PH 3. CONFIRMING DIAGRAM AND ASSESSMENT FOR PROPOSED ANNEXATION TO THE LANCASTER LANDSCAPE MAINTENANCE DISTRICT NO. 1 – RESOLUTION NO. 09-25

Mayor Parris opened the public hearing. The Public Works Director presented the staff report regarding proposed annexation to the Lancaster Landscape Maintenance District.

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

On a motion by Council Member Marquez and seconded by Council Member Mann, the City Council adopted **Resolution No. 09-25**, a resolution of the City Council of the City of Lancaster, California, confirming the diagram and assessment and ordering the annexation of territory into Lancaster Landscape Maintenance District No. 1 (Annexation No. 415), by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

PH 4. NEWSRACK ORDINANCE – ORDINANCE NO. 918 / RESOLUTION NO. 09-26

By action taken earlier in the meeting, this item was continued to the City Council meeting of May 12, 2009.

NB 1. LEADERSHIP ACADEMY – JUNE 19-21, 2009

The Parks, Recreation and Arts Director presented the staff report regarding the Leadership Academy.

Council Member Sileo requested clarification on how many people would be able to go through this program at this price.

The Parks, Recreation and Arts Director stated that many companies have expressed an interest in this program, as well as individuals, and it appears that approximately thirty people will be able to participate in this program.

Vice Mayor Smith thanked the Mayor and the Parks Director for bringing this forward; this shows once again that Lancaster is on the cutting edge, not only in California, but also the nation; businesses coming into a community look for opportunities like this to better their own business; this is a great economic engine.

Council Member Mann stated that it is great to be in a position where the City can move forward in a positive light, given the circumstances of where some cities are at; it's definitely historical; being a part of two of the largest restaurant chains in the world and having the ability to attend courses like this is great; taking a look at individuals who maybe don't have a chance to participate through large companies, this is a great opportunity for them. The City will receive the benefit of leadership skills that can be passed on to others in the community.

NB 1. LEADERSHIP ACADEMY – JUNE 19-21, 2009 (continued)

Council Member Marquez stated that she is in favor of this program and that it is a great idea.

Mayor Parris stated that he wanted to correct a few things. When this was first reported in the newspaper, he was misquoted as saying he made some mistakes in his appointments to the commissions. He did not say this and in fact stated that in the 25 years that he has been in politics, he has made a few mistakes in the people he has supported, but this was not directed toward the current commissioners and he wanted to be clear on this. The City is faced with an incredible amount of innovation to meet the coming challenges and by getting this program up and running throughout the community the innovation will come about more smoothly, quickly and will be much more creative. Harvard recognizes that this program will be the template for what they will offer to other cities and to actually go to the JFK School of Business and do a similar program, it is hard to get accepted into the program and the expense is overwhelming. This is a unique opportunity and of all the things the City has done so far, this is one of the most exciting and will have a long-term ripple effect for the entire valley.

Addressing the Council on this matter:

Robert Teller – opposed to the approval of this program; people take advantage of these programs then end up going to work elsewhere; there are similar programs, less expensive; referred to a book by Lee Iacocca regarding leadership.

Scott Pelka – opposed to the approval of this program.

Nicole Parsons – opposed to the approval of this program; agrees with the other speakers; inquired as to the process for selecting this organization; offered a program of her own at the same cost, which would train 5,000 people; would like to submit her bid.

David Paul – referred to quotes by Harry S. Truman; important to have innovative approaches; discussed the Tea Party Rally; rougher times are ahead; discussed his vision of leadership; quotes from other authors.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council approved the transfer of \$75,000.00 for expenses and fees associated with the presentation of a Leadership Academy to be conducted by Marty Linsky of Cambridge Leadership Associates, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

NB 2. ORDINANCE NO. 922 – SELECTION OF VICE MAYOR

The City Attorney presented the staff report regarding the selection of the Vice Mayor. The purpose of the ordinance is to bring the Municipal Code into conformance with the practice that the Council has followed since the Mayor was directly elected.

Council Member Sileo stated, just to be clear, this is not similar to the selection of the Planning Commissioners; Architectural/Design Planning Commission.

The City Attorney stated this was correct and this was actually to bring the code up to date with what the Council is actually doing.

Addressing the Council on this matter:

Scott Pelka – reflected on how the selection of the Vice Mayor took place in the past; citizens may not like this new process.

Mayor Parris stated that this ordinance was not brought forward by himself; State law requires; he is obligated; it is part of his responsibilities to appoint commissions and this particular ordinance brings the City into compliance. He understands that many people have a great deal of difficulty when confronted with change. He stated that he likes the ordinance because he has to work so closely with the Vice Mayor. Vice Mayor Smith is incredibly smart, he is an exceptional advisor; and he has absolutely no reservations in having Vice Mayor Smith attend functions that he is not able to attend. Vice Mayor Smith performs the role of Vice Mayor with exceptional ability and whenever he finds someone with exceptional ability in his private life, his professional life or his public life, he likes to hold on to those people and use them in the roles they have shown exceptional abilities in. He stated that it is up to him as Mayor to select the Vice Mayor and entrust him with the role of the mayor when he's not present. Every one of the Council has professional obligations which would interfere with their ability to perform this role in the manner that he requires. It takes approximately 60 hours a week and it takes an incredible amount of time to lead a city, especially a city under these circumstances, meaning the economy, the changes that are occurring in the valley, all of the challenges are not easy to deal with. He stated that he does not believe any of the Council feels offended by this step and if they do, now is the time to discuss it.

The City Attorney clarified that this ordinance is not a change from current practices, or the practices that have been followed by the Council for the past 15 years. This ordinance is memorializing those practices, it is not a change.

NB 2. ORDINANCE NO. 922 – SELECTION OF VICE MAYOR (continued)

Council Member Sileo stated that the ordinance, that is currently on the books, allows for the person with the longest continuous service would serve as Vice Mayor. The ordinance also states that this Council Member can decline the appointment. Given the past practices of friendship and cooperation that has gone on, on this Council in the past, every appointment and vote for Vice Mayor has been unanimous including the appointment of the current Vice Mayor. He stated that the philosophical difference he has with the Mayor is that it is important to have a rotation of the Vice Mayor; it exposes each member of the Council to have the opportunity to step up and lead when the Mayor is absent. There is a level of professionalism of this Council, and past Councils, that they recognize the time commitment of the position and if they cannot commit to this, they can decline the appointment. He stated that this is reason enough for him to leave the current ordinance alone.

Council Member Mann stated that he concurs with Council Member Sileo and he stated that he is proud to sit on this City Council; some big strides have been made. He is involved in big business and one of the things you don't do when you are faced with difficult times, whether it is a discussion about crime, Section 8 or even more troubled times fiscally, it is bad for business to change the leadership. He stated that he does not feel that the current ordinance needs to be changed and was concerned about the future when the makeup of this entire Council changes and we are not fortunate to have the strong team leadership of Mayor Parris. He stated that he would be in support of tabling this matter; would nominate Ron Smith and he suspects that it would be a unanimous vote. If this ordinance moves forward, he will vote no; not in opposition of Mayor Parris or Vice Mayor Smith, but in opposition of what lies in the future.

Mayor Parris clarified that if the Council does not like his selection, they can refuse to confirm him, that it is a decision of the Council; clarified that this ordinance does not have anything to do with the appointment of Vice Mayor Smith, however he wanted to make it clear that he does plan to nominate him. If the ordinance remains as is, the nomination would go to Council Member Marquez and it is his understanding that she does not want this nomination at this time.

Council Member Mann suggested tabling this item and appointing Vice Mayor Smith.

The City Attorney stated that the appointment of a Vice Mayor is not on the agenda, no action can be taken and that it would be on the next agenda.

Council Member Mann further discussed interpretation of the ordinance; fully supports the team of Mayor Parris and Vice Mayor Smith, they are a great team; it is working; making a lot of headway.

NB 2. ORDINANCE NO. 922 – SELECTION OF VICE MAYOR (continued)

Vice Mayor Smith stated that it is important to step back and think of the future; if anyone knows historically, why this ordinance was written, they know that there were two people on the Council who they wanted to make sure were never Vice Mayor. The elected Mayor of a General Law City should choose a Vice Mayor who is a team member that is working with them to move everything forward. In the future he, as a citizen, does not want to see the elected Mayor have to select someone he does not want to work with. He further compared this choosing to the President and Vice President of the country who in the past were not always of the same party; it just doesn't work.

Mayor Parris stated that this Council started out so contentious; they have been working through that for a year; did not mean to give the impression that he does not want to hear from the Council, this is not true, he definitely wants to hear from all of them; united leadership is better than divided leadership.

Council Member Marquez stated that she does not feel threatened by this; if she was in the position of a Mayor, she too would want to choose the Vice Mayor.

Council Member Mann stated that he has made his position clear as to how he would want to proceed with this; clarified that he supports Mayor Parris and Vice Mayor Smith; this City is blessed with strong leadership; appreciates all the hard work of Vice Mayor Smith, the leadership of Mayor Parris.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council introduced **Ordinance No. 922**, an ordinance of the City Council of the City of Lancaster, California, amending Section 2.04.020 of the Lancaster Municipal Code relating to the selection of Vice Mayor, by the following vote: 3-2-0-0; AYES: Marquez, Smith, Parris; NOES: Mann, Sileo; ABSTAIN: None; ABSENT: None.

NB 3. URGENCY RESOLUTION NO. 09-28

This item was added to the agenda by earlier action.

Vice Mayor Smith stated that this City, this valley, Sheriff Baca and the citizens have worked extremely hard to lower the crime rate in the Antelope Valley. The State Prison is now changing how they do business and it could and will affect this area. Senator Runner and Assemblywoman Runner worked very hard to get this facility to be a reception center. The State is now flipping one of the yards (Yard C) and making it a "special needs" facility and they will put approximately 1,100 inmates at this facility. This means that long term inmates will have families that want to visit all the time and will come to this area to live. When the prison first came in, the crime rate went up and the schools in the area could identify the kids that were prison kids. When the prison changed to a reception center, there was a noticeably big drop in these families. This is a resolution of opposition that will be sent to other government agencies; school boards; to the prison secretary – Matthew Cate; the Governor, stating very clear that we do not want this change to take place.

NB 3. URGENCY RESOLUTION NO. 09-28 (continued)

Council Member Sileo stated that there are talking points on the City's website and encouraged all citizens to get behind this and send letters.

Council Member Mann stated that he was very disappointed that this decision has been made; added burden to the City; disgusted by the level of intelligence behind this action.

Mayor Parris stated that this will have a huge impact on the community; options must be looked at; he is growing weary of what the prison is doing to Lancaster; prison officials did not discuss this with Lancaster officials; requested that the City Manager have his staff begin brainstorming some ideas on how to deal with this matter.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council adopted Urgency Resolution No. 09-28, a resolution of the City Council of the City of Lancaster, California, opposing the planned prison conversion by the California Department of Corrections and Rehabilitation and urging Governor Schwarzenegger and CDCR Secretary, Matthew Cate, to rescind this decision, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

CA 1. NOMINATION OF A REPRESENTATIVE TO SERVE ON THE ANTELOPE VALLEY COMMUNITY COLLEGE DISTRICT'S MEASURE R CITIZEN'S OVERSIGHT COMMITTEE

Mayor Parris requested consideration of nominating Josh Mann as the City of Lancaster's Representative on the Antelope Valley Community College District's Measure R Citizen's Oversight Committee.

Addressing the Council on this matter:

Nicole Parsons - referred to the business conference; clarification of how someone is eligible to be on the oversight committee; skill requirements.

Council Member Mann stated that he would feel more comfortable abstaining from this particular decision as to avoid the perception of any conflicts.

On a motion by Mayor Parris and seconded by Vice Mayor Smith the City Council approved the nomination of Josh Mann to the AVCCD Measure R Citizen's Oversight Committee, by the following vote: 4-0-1-0; AYES: Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: Mann; ABSENT: None.

CA 101. CONSIDERATION OF OPPOSING ASSEMBLY BILL NO. 1288

Council Member Marquez requested consideration of opposing AB 1288 which refers to the e-verify program from the Department of Homeland Security, in partnership with the United States Social Security Administration. This bill would enable participating employers to use the program to verify that the employees that they hire, are authorized to work in the United States. The bill would prohibit a State or a City from requiring an employer to use this electronic employment verification system.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved having Mayor Parris write a letter to Assemblyman Fong and to others, showing the opposition of the City Council, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

CITY MANAGER'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT

The City Manager stated that there have been a lot of good things accomplished over the last year; the City has been in the news and on the national news. He stated that the City's musical road made it to a full page ad for Honda, in Rolling Stone magazine, a well known worldwide magazine. This is a very good thing for Lancaster; the magazine is running the ad; sporting events show the ad; the musical road commercial is on television constantly – this is good, positive publicity for Lancaster.

The Assistant to the City Manager presented information on Looking Good Lancaster. This event will take place on Saturday, April 18th from 8 a.m. to Noon. Traditionally, the City has been involved in this through the Public Works Department. This year is slightly different; the City has the Safer & Stronger Neighborhoods Committee which consists of representatives from all of the departments at the City; getting involved to come up with ideas on how we can become a safer and stronger City.

The Chairperson for the Safer & Stronger Neighborhoods Committee gave further details regarding the events for Saturday, April 18th. Some of the projects include the Armargosa cleanup; vacant lot cleanup projects; cleaning up the bleachers at Jane Reynolds Park; several painting projects. There will also be a barbeque in the afternoon to recognize all of the volunteers and give everyone a chance to interact and get to know one another. Additionally, there will be a Resource Fair that everyone can participate in and this will include information from Neighborhood Watch, Business Watch, Neighborhood Revitalization Department, Boys & Girls Club and the YMCA. There has been an excellent response from the community to help with this and many neighborhoods are excited about helping to make a positive impact in their community.

CITY MANAGER'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT (continued)

The Finance Director presented an update to the Council on the Gift Card Program. The lobby at City Hall has been constantly filled with citizens turning in their receipts to receive their gift cards or their bill of sale for a new vehicle to receive reimbursement for their registration fees. To date, the City has issued 35% of the cards in each of the programs; this represents 1200 gift cards for the Shop & Dine Program. In two weeks, over 1200 people have come into City Hall for their cards and in the last two days, there have been over 200 people at the Finance counter each day. This is a very successful program and the cards are doing what was intended. There have been reimbursements; cards for groceries; retail; buying new tires, window tinting and many other purchases. The merchants are excited about the program and the City staff has been dealing with this at an exceptional pace; they have truly stepped up to the challenge; assisted everyone and they continue to have a very positive outlook regarding this program and helping each individual that comes in.

Council Member Sileo stated that much attention has been given to the City's stimulus package and that he received a call from Courtney Kienow who was born and raised in Lancaster and now works for District Director, Assemblyman Sam Blakeslee of San Luis Obispo. She inquired about the City's program, asked for information on this so that Assemblyman Blakeslee could present this at a local government forum in San Luis Obispo.

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:

Scott Pelka – felt that the name of the prison should be renamed as Gilley Prison.

Cleo Goss – takes offence that the name of the new development that is proposed for 60th St. West and Avenue L will be called The Commons. This area is not part of the Quartz Hill Business District; referred to some other developments; the increase in fast food stores; demands will increase; this will have a great impact on all the businesses in Quartz Hill.

Vice Mayor Smith asked Ms. Goss if she lived in the City of Lancaster and she stated that she did not.

Bill Doerr – appreciates all the hard work of the Council; believes in shopping local; frustrated because he went to a local home improvement store and the flyers with the ads are all in Spanish.

Mayor Parris stated that there are some interesting studies about the demographics; the future of certain demographics; there is a great deal of science of where this is all going.

The City Manager stated that SCAG would have some projections and he will research this.

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

Erick Byarushengo – addressed crime statistics around Wal-Mart’s; the dangers of having a bank inside of the superstore; too accessible to bank robbers; robbers will go to surrounding neighborhoods, such as Quartz Hill High School.

Gerald Bigalk – discussed issues at Metrolink; there is never any information available; no signs posted as to when the trains will arrive; in an age of phenomenal communications, yet people cannot find out information on the train schedules and it is very frustrating.

Mayor Parris requested that the City Manager look into this and see if anything can be proposed to Metrolink regarding better communications.

Robert Teller – in agreement with the Council on the prison; prison is overstocked; very serious matter; the prison lied from the very beginning even when the prison was being built.

David Paul – Thanked Council for the gang takedown – very inspirational; inspired by the Navy Seals that took out the pirates; some problems here but we have a Mayor that wants to steer this City to safer shores.

COUNCIL REPORTS

CR 1. REPORT OF THE PROCEEDINGS AND ISSUES DISCUSSED AT THE MARCH 24, 2009 REGULAR BOARD OF DIRECTORS MEETING OF THE ANTELOPE VALLEY TRANSIT AUTHORITY (AVTA).

Vice Mayor Smith reported on the AVTA proceedings and issues that took place at the March 24, 2009 AVTA meeting.

- The Board received draft changes to the Joint Powers of Authority agreement. Some agreement items were moved from the agreement to the bylaws. Including items in the bylaws means the Board can act at times to changes those provisions without processing the proposal through the governing board of each agency, in Lancaster’s case, the City Council. The draft language eliminates the Technical Advisory Committee and instead provides that each party may appoint a “transit specialist” instead.
- The Board authorized the Executive Director to proceed with several land acquisitions for future facility expansions. AVTA has federal 5307 formula allocation pre-award authority to spend up to \$1,000,000 for the acquisition of land and property.
- In response to a Board request last month to trim the travel and training budget, staff reduced the FY 2009 budget by \$9,712 by cancelling some remaining trips. Staff reclassified this budget item into appropriate expenditure categories that will better reflect the objectives of the expenditures and to conform to generally accepted government funding reporting guidelines.

COUNCIL REPORTS (continued)

CR 2. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR THE HIGH DESERT CORRIDOR JOINT POWERS AUTHORITY

Vice Mayor Smith reported on the proceedings and issues that took place at the April 1, 2009 Board of Directors meeting for the High Desert Corridor Joint Powers Authority.

- Since the last meeting on September 11, 2008, Tetra Tech, the firm not selected for planning, permitting, financing, project management, design and construction services, filed a formal protest disputing their non-selection. Due to a significant exposure to litigation, the Board voted to cancel the request for proposal process for these services. Therefore, the selected consultant, Jacobs Carter Burgess will not complete any work for the Board.
- The Authority is seeking \$10,000,000, for tasks related to environmental clearance in the reauthorization of SAFETEA-LU, the current federal transportation bill which expires on September 30, 2009.
- The Board granted authority to the JPA legal advisor to, at any time, waive conflicts of interests for Board members, JPA staff, and consultants.

CR 3. MTA/TDA ARTICLE 8 HEARING COMMITTEE

Vice Mayor Smith stated that he is on the MTA/TDA Article 8 Hearing Committee and this committee discusses actual transportation dollars; Prop A and Prop C money. This committee meets to determine if there are any unmet transportation needs and if the City of Lancaster can use that money to fix roads or transportation needs. He has attended several meetings, will attend several more, than the hearing board will meet and make a recommendation to the MTA.

COUNCIL / AGENCY COMMENTS

Mayor Parris stated that he read in the paper today (April 14th) that the District Attorney did not file on ten of the felons that were arrested in the gang sweep because of insufficient evidence. This is not true and is inaccurate. He was with the officers when they conducted the raids and there was not any question in anybody's mind that these officers were risking their lives – there was no doubt about this. This was a very, very serious event and there were probably some good reasons why the District Attorney was not able to file against these ten. To say that it was due to insufficient evidence is slighting those officers and they are slighting them with something that is simply not true. Hopefully there are some very good, very real reasons that will come out and we are blessed with one of the best District Attorney's in the country. This was a very dangerous gang and it was incredible that these officers were able to take these members down without anyone getting injured. This Council does not approve of this type of press release and all it was, was political expediency.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY

MINUTES

APRIL 14, 2009

CLOSED SESSION

None

ADJOURNMENT

Mayor Parris adjourned the meeting at 6:56 p.m. in memory of Lt. Col. David Cooley (USAF Retired) - Lancaster resident and veteran Lockheed Martin pilot killed on a test mission at Edwards Air Force Base on March 25, 2009.

Mayor Parris announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, April 28, 2009 at **6:00 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)
