

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

**CALL TO ORDER**

Mayor/Chairman Parris called the regular meeting of the City Council/Redevelopment Agency meeting to order at 6:01 p.m.

**ROLL CALL**

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

**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; Acting Public Works Director; Parks, Recreation & Arts Director; Finance Director; Economic Development Director; Housing Director; Human Resources Director

**INVOCATION**

Pastor John Meadors - Christian Life Assembly

**PLEDGE OF ALLEGIANCE**

Vice Mayor/Vice Chairman Smith

**PRESENTATIONS**

Student Speaker, Jared Simmons - Palmdale Learning Plaza

AV Solar Ranch One Photovoltaic Project

Presenter: Jack Pigott

**AGENDA ITEMS TO BE REMOVED**

Mayor Parris stated that Item Nos. CC 9 and CC 21 should be removed from the agenda, with Item No. CC 9 being placed on the City Council agenda of July 28, 2009.

**APPROVAL OF AGENCY CONSENT CALENDAR**

Agency Director Mann stated that he would need to recuse himself from Item No. RCC 2, due to the proximity of the project to property that he owns.

On a motion by Vice Chairman Smith and seconded by Agency Director Marquez, the Redevelopment Agency approved the Agency Consent Calendar, with the exception of Item No. RCC 2, by the following vote: 5-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

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**RCC 1. MINUTES**

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of June 23, 2009.

**RCC 2. ACQUISITION OF REAL PROPERTY**

At this time Agency Director Mann recused himself from this item and left the dais.

On a motion by Vice Chairman Smith and seconded by Agency Director Sileo, the Redevelopment Agency approved the agreement for the Acquisition of Real Property between the Lancaster Redevelopment Agency and O & S Global Corporation for property located at 44120 Beech Avenue, Lancaster, California, by the following vote: 4-0-1-0; AYES: Marquez, Sileo, Smith, Parris; NOES: None; RECUSED: Mann, ABSENT: None

At this time, Agency Director Mann returned to the dais.

**APPROVAL OF CITY COUNCIL CONSENT CALENDAR**

Mayor Parris stated that he would need to recuse himself from Item Nos. CC 13 and CC 20 due to the proximity of the projects to property that he owns.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council approved the Council Consent Calendar, with the exception of Item Nos. CC 9 and CC 21 which were removed from the agenda and Item Nos. CC 13 and CC 20, 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 June 23, 2009.

**CC 3. WARRANT REGISTER**

Approved the Check and Wire Registers June 7, 2009 through June 27, 2009 in the amount of \$14,620,159.31.

**CC 4. MONTHLY REPORT OF INVESTMENTS**

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

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**CC 5. RESOLUTION NO. 09-62**

Adopted **Resolution No. 09-62**, a resolution of the City Council of the City of Lancaster, California, authorizing the destruction of certain records (Telephone Accounts, Risk Management Agendas, City Property Claims, Claims, Application to View, Roster of Voters, Appeals to City Council, Closed Session, Speaker Cards, Agreements, Deposit Records, Accounts Receivable, Payroll Registers, PERS Reports, Banking Records, Financial Reports, Purchasing, Door Access Codes, Pesticide Reports, Repetitive Maintenance Reports, Service Requests, CARES, Recreation/City Facility Use, Recreation Log Books, Registration-Recreation Programs, Special Classes- Enrichments Centers, Sports, Youth in Government.)

**CC 6. ORDINANCE NO. 925**

Adopted **Ordinance No. 925**, an ordinance of the City Council of the City of Lancaster, California, rezoning approximately 7,190± acres generally bounded by Avenues E to H, 25<sup>th</sup> Street West to 20<sup>th</sup> Street East, known as Rezoning No. 09-01.

**CC 7. ORDINANCE NO. 926**

Adopted **Ordinance No. 926**, an ordinance of the City Council of the City of Lancaster, California, adopting Chapter 13.10, as the Sanitary Sewer Fats, Oils and Grease (FOG) Ordinance.

**CC 8. RESOLUTION NO. 09-64**

Adopted **Resolution No. 09-64**, a resolution of the City Council of the City of Lancaster, California, approving a two-year extension of the Memorandum of Understanding between the City of Lancaster and Teamsters Local 911.

**CC 9. APPOINTMENTS TO LPAC FOUNDATION BOARD**

This item was continued to the meeting of July 28, 2009.

Mayor Parris nominate Patricia Fregoso-Cox, Steven Derryberry, Tim Doerfler and Marco Johnson to the Lancaster Performing Arts Center Foundation Board of Directors and the City Council ratify these nominations and appointments.

**CC 10. ACCEPTANCE OF INTERIOR STREET TREES FOR MAINTENANCE**

Accepted the interior street trees for maintenance by the City for Tract No. 060147, located on the northwest corner of 25<sup>th</sup> Street East and Avenue J, Owner: Richmond American Homes of CA, Inc.

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**CC 11. 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. 341, installed for Tract No. 49864-06, located on the southeast corner of 30<sup>th</sup> Street East and Avenue K-8, Owner: KB Home Greater Los Angeles Inc.

**CC 12. MONUMENTATION WORK**

Approved the monumentation work for: Tract No. 060524, located on the west side of 57<sup>th</sup> Street West at Avenue K-9, Owner: Richmond American Homes of CA, Inc.; and Tract No. 060889, located on the northeast corner of 60<sup>th</sup> Street West and Avenue L, Owner: Richmond American Homes of CA, Inc.

**CC 13. ACCEPTANCE OF STREETS FOR MAINTENANCE**

Mayor Parris recused himself from this matter, as well as Item No. CC 20; Item No. JPH 1 and left the dais.

On a motion by Council Member Mann and seconded by Council Member Sileo, the City Council approved the developer constructed streets and accepted the streets for maintenance by the City for: Site Plan Review No. 04-22, located between 2<sup>nd</sup> Street East and Valley Line Road, approximately 230 feet north of Avenue L-4, Owner: Alick Clark; Tract No. 54401, located on the northeast corner of 60<sup>th</sup> Street West and Avenue K, Owner: K. Hovnanian Forecast Homes, Inc.; and Tract No. 061905, located on the southeast corner of Avenue K-8 and 27<sup>th</sup> Street West, Owner: RCDR VI, LLC, by the following vote: 4-0-1-0; AYES: Mann, Marquez, Sileo, Smith; NOES: None; RECUSED: Parris; ABSENT: None

**CC 14. COMPLETED WATER SYSTEMS**

Approved the completed water systems installed by the developer for: Tract No. 53297, located on the southwest corner of Avenue K and 20<sup>th</sup> Street East, Owner: K. Hovnanian Forecast Homes, Inc.; Tract No. 54369 (Phase 1), located on the southwest corner of 70<sup>th</sup> Street West and Avenue L, Owner: Richmond American Homes of CA, Inc.; Tract No. 54369 (Phase 2), located on the southeast corner of 72<sup>nd</sup> Street West and Avenue L, Owner: Plum Canyon Investments, LLC; Tract No. 54370-01 (Phase 1), located on the southwest corner of 71<sup>st</sup> Street West and Avenue L-2, Owner: Richmond American Homes of CA Inc.; and Tract No. 54370-01 (Phase 2), located east of 72<sup>nd</sup> Street West at Hemlock Avenue, Owner: Plum Canyon Investments, LLC.

**CC 15. PWCP NO. 08-028**

Accepted the work constructed by Tejon Constructors, Inc. for **Public Works Construction Project No. 08-028, Nuisance Water Flow Improvement System**; 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.

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**CC 16. PWCP NO. 08-043**

Accepted the work constructed by Freeway Electric for **Public Works Construction Project No. 08-043, Traffic Signal Avenue J-8 and 60<sup>th</sup> Street West**; 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 17. PWCP NO. 08-006**

Awarded **Public Works Construction Project No. 08-006, Lancaster Boulevard Bikeway and 20<sup>th</sup> Street East Storm Drain Improvements**, to Floyd Johnston Construction in the amount of \$4,045,784.00 (plus a 10% contingency); authorized the City Manager, or his designee, to sign all documents; transferred \$850,000.00 from Account No. 206-12ST025-924 2010, Pavement Management Program TDA Article 8 Funds, to Capital Improvements Budget Account No. 206-15BW002-924.

**CC 18. APPROPRIATION OF FUNDS**

Approved the appropriation of \$50,000.00 from Lancaster School District Funds to Capital Improvements Budget Account No. 299-16ST014-924 and increased the revenues in Account No. 299-3301-100 by the same amount; approved Change Order No.1 and increased the total amount of the contract with ANM Construction & Engineering for **Public Works Construction Project No. 08-031, 45<sup>th</sup> Street West and Avenue K Traffic Signal**, by \$78,098.00 for a total revised contract amount of \$721,911.00.

**CC 19. AVTA FY 2009/2010 BUDGET**

Approved the Antelope Valley Transit Authority's Operating and Capital Budget for Fiscal Year 2009/2010 including the City of Lancaster's jurisdictional share in the amount of \$1,488,262.00.

**CC 20. RE-APPROPRIATION OF FUNDS**

On a motion by Council Member Mann and seconded by Council Member Sileo, the City Council approved the following recommendations by the following vote:

4-0-1-0; AYES: Mann, Marquez, Sileo, Smith; NOES: None; RECUSED: Parris; ABSENT: None

A. Approved the re-appropriation of funds for the Neighborhood Stabilization (NSP) Fund Balance Account No. 363-2905000 for two properties, Exhibit A of the staff report; approved the transfer of Title for the seven properties listed in Exhibit B of the staff report.

B. Approved the re-appropriation of funds from Housing and Neighborhood Revitalization Account No. 920-2002822, in the amount of \$49,900.00, and Account No. 920-1702822, in the amount of \$65,000.00.

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**CC 21. TRANSFER OF HOUSING FUNDS**

This item was removed from the agenda.

Transfer \$20,000.00 of Housing Funds from Account No. 920-1702-817 to Professional Services Account No. 101-4305-301 in the Communications Division.

**CC 22. RESOLUTION NO. 09-65**

Adopted **Resolution No. 09-65**, authorizing the renewal of the City's Insurance for the Property and Public Entity Liability Programs, and Membership in the County Supervisors Association of California Excess Insurance Authority Workers Compensation Program (CSAC) for a one-year term beginning July 1, 2009.

**JPH 1. CONSIDERATION OF THE DISPOSITION STRATEGY FOR PROPERTIES ACQUIRED BY THE LANCASTER REDEVELOPMENT AGENCY UNDER THE LOWTREE MASTER VISION PLAN**

By earlier discussion, Mayor/Chairman Parris stated that he would need to recuse himself from this matter due to the proximity of the project to property that he owns.

Vice Mayor/Vice Chairman Smith opened the Public Hearing. It was the consensus of the City Council to waive the presentation of the staff report.

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

On a motion by Agency Director Sileo and seconded by Agency Director Mann, the Redevelopment Agency adopted **Resolution No. 11-09**, a resolution of the Lancaster Redevelopment Agency, Lancaster, California, approving a disposition strategy for the sale of single family residences acquired in the Lowtree Master Vision Plan area, by the following vote: 4-0-1-0; AYES: Mann, Marquez, Sileo, Smith; NOES: None; RECUSED: Parris; ABSENT: None.

On a motion by Council Member Sileo and seconded by Council Member Mann, the City Council adopted **Resolution No. 09-63**, a resolution of the City Council of the City of Lancaster, California, approving a disposition strategy for the sale of single family residences acquired in the Lowtree Master Vision Plan area, by the following vote: 4-0-1-0; AYES: Mann, Marquez, Sileo, Smith; NOES: None; RECUSED: Parris; ABSENT: None.

At this time, Mayor Parris returned to the dais.

**CPH 1. AMENDMENT TO TITLE 17 REGARDING ADDITIONAL TIME EXTENSIONS FOR CONDITIONAL USE PERMITS AND SITE PLAN REVIEWS**

This matter was continued to the City Council meeting of August 11, 2009.

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**CPH 2. LANCASTER COMPREHENSIVE GENERAL PLAN UPDATE**

Mayor Parris stated that this matter was continued from a previous meeting. The Planning Director presented the staff report regarding the Comprehensive General Plan Update.

Vice Mayor Smith discussed the specific plan overlay with the underlining designation. There has been a lot of discussion as to how to get developers to actually accumulate enough property to put into a specific plan in order to get something similar to Santa Clarita. The Mayor was concerned that the City should not put themselves in a bind with doing an underlining designation with a specific plan. The City Attorney's memo basically shows with a specific plan there will not be any building in that particular area because the General Plan will specify certain conditions, the infrastructure and many things that are necessary in order to get the specific plan right. Once the City builds out there, the City will want the specific plans to be beautiful, urban residential areas with greenways, parks, like many other cities have. It is important that the City do an Urban Residential underlining designation with a specific plan overlay. This tells the citizens that when the City does build out in this area that it will look like the future the City wants and will give the developer some assurance. At some point he would like staff to look at the whole west side area and find ways to incorporate specific plans.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council approved a change to the General Plan regarding a specific plan overlay with the underlining designation, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

Vice Mayor Smith discussed the previous discussion regarding a buffer zone around the prison. The Mayor had brought up a good point, which was maybe the Planning Commission and the City didn't do their job completely when they had the discussion of the prison before, and the City shouldn't do anything additional that may put people in danger. The Sheriff came back with a memo stating that they never requested a buffer but this doesn't negate the responsibility of the City. Originally the Planning Commission came up with one-acre custom homes, but this doesn't work because typically custom homes wouldn't be built across from a prison, so for all intents and purposes, this creates a taking. The concern is what is the proper buffer around a prison? There are currently some beautiful homes south of the prison, multi-family residential northwest of it; there are some multi-family residential that must move forward because they have their applications in; their CUP's have been processed. There is also a school that has already gone through the CUP process. Vice Mayor Smith proceeded to explain areas on the map for clarification. There are areas that are light industrial which will be able to supply restaurants, office buildings and it truly is the better buffer. If the Council is going to take the Planning Commission's recommendation and step forward, then the Council will need to amend the General Plan to create light industrial in several areas.

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**CPH 2. LANCASTER COMPREHENSIVE GENERAL PLAN UPDATE (continued)**

Further discussion took place regarding the area; notification to owners; buffers. Vice Mayor Smith stated that light industrial was the better way to go for buffers; residential R-7000 goes up against light industrial.

Mayor Parris inquired as to making a requirement that before any residential is put in, that people who are buying these homes are notified that the prison may expand at some point.

The Planning Director stated that this would not be a problem and suggested that Council make this a specific action and have it added to the General Plan.

Council Member Sileo requested clarification regarding what goes into light industrial; discussed the nature of the detention facility; adequate space with light industrial.

Addressing the City Council regarding this issue:

Dana Boyer, Real Investors – wanted to insure that when Council adopts these changes, this will not affect the maps that her company has submitted.

Abe Nejim – inquired as to his own zone change request and how the decisions will affect this.

Further discussion took place with Mr. Nejim and he was encouraged to go through the proper venues – the Planning Commission, regarding this particular issue.

At this time, Mayor Parris recused himself from the discussion with the next speaker (David Sinclair) due to a lawsuit he is involved in regarding Mr. Eliopoulos.

David Sinclair – inquired if this was the proper time to discuss a property that has a CUP that is just about ready to expire, if this doesn't get built, is there an option to change it back to residential.

Further discussion took place with Mr. Sinclair regarding zoning for mixed use, not commercial; application has been submitted; there is an approved CUP; certain rights with the CUP and it cannot be down zoned. There were no motions to change this and Mr. Sinclair was encouraged to go through the proper venues – the Planning Commission, regarding this particular issue.

At this time, Mayor Parris returned to the dais.



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**CPH 2. LANCASTER COMPREHENSIVE GENERAL PLAN UPDATE (continued)**

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council adopted the map as it currently stands with light industrial; add for all the residential area, part of the Conditional Use Permit process that the developers inform all purchasers and sign proper disclosures, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

Vice Mayor Smith thanked staff; the Planning Commission; the advisory committee; the public; for a fantastic job with the General Plan; public outreach was incredible; it was a lot of work and everyone is to be commended.

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

**RECESS** Mayor Parris called for a brief recess at 6:47 p.m.

**RECONVENE** Mayor Parris reconvened the meeting at 6:52 p.m.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council adopted **Resolution No. 09-52**, a resolution of the City Council of the City of Lancaster, certifying the Final Environmental Impact Report (EIR) and Master Environmental Assessment (MEA), adopting environmental findings, Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program, and adopting the Comprehensive General Plan Update that encompasses the entire City, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

**NB 1. LANDSCAPING INSTALLATION AND MAINTENANCE REQUIREMENTS.**

The Acting Public Works Director presented the staff report regarding landscaping installation and maintenance requirements.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council introduced **Ordinance No. 928**, an ordinance of the City Council of the City of Lancaster, California, amending Title 8, Chapter 8.50, Landscaping Installation and Maintenance, in order to modify applicability of water efficient landscaping requirements to projects greater than 2,500 square feet and bring the Municipal Code into conformity with the latest version of the updated State Model Landscape Ordinance as required by State Assembly Bill 1881 (Laird), by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None.

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**NB 2. AMENDING SECTION 5.08.140 PERTAINING TO BINGO PRIZE VALUES**

The Deputy City Manager presented the staff report regarding amending a section of the Municipal Code pertaining to bingo prize values.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council introduced **Ordinance No. 929**, an ordinance of the City Council of the City of Lancaster, California, amending Section 5.08.140 of the Lancaster Municipal Code, 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'S / EXECUTIVE DIRECTOR'S ANNOUNCEMENT**

The City Manager discussed the success of the Softball Tournament; hotels are filled up; events that Lancaster is putting on are helping the entire valley.

The City Manager stated that the General Plan Update is truly a great accomplishment and sets the future plan for the next ten years and he commended everyone that was involved in this endeavor.

**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:

Greg Butts – discussed the youth track and field program that he and his wife have started; many athletes competed; many qualified for the finals in North Carolina; several are ranked very high nationally; this is a tremendous accomplishment. He stated that the organization is in need of raising funds and needs about \$5,000.00 to see the program through to North Carolina.

Mayor Parris encouraged Mr. Butts to talk with the Parks, Recreation and Arts Director to see what can be done.

Mike Scott – stated that he missed the Planning Commission meetings on July 7 and July 8, 2009; feels this was done to deliberately catch people off guard; meeting went too late; citizens who oppose the projects need to have their voices heard.

Erick Byarushengo – stated his concerns regarding pollution from vehicles if the proposed supercenters are built.

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

Mayor Parris and Cleo Goss discussed possible ways to make the process more meaningful next week when the City Council will hear the public hearings for the proposed supercenters at 60<sup>th</sup> St. West and Avenue L. They could not come to a consensus on how the meeting should be run; Mayor Parris stated that he will be thinking of ways to handle this. He stated that strangers have come up to his wife and screamed at her because of these projects; there have also been anonymous phone calls to his home regarding this. He understands it is an emotional issue, no one has made up their mind, the opponents need to design a way to persuade and not let emotions get involved.

Cleo Goss – discussed her concerns regarding the proposed project for 60<sup>th</sup> St. West and Avenue L, such as noise; pollution; traffic dangers; ruining the peace and quiet for all.

David Paul – stated that he looks forward to the meeting next week regarding 60<sup>th</sup> St. West and Avenue L; discussed the potato race event that took place at the fairgrounds on the 4<sup>th</sup> of July.

#### **COUNCIL REPORTS**

**CR 1.** Council Member Marquez presented a report on the activities of the Board of Directors for the Antelope Valley Transit Authority.

The following significant items took place during the June Board meeting:

- The Board approved the fiscal year 2009-2010 budget. The overall FY10 budget amounts to \$47,341,786. This is an increase of \$17,173,686 over the FY09 budget. This large increase is primarily due to a massive influx of transit capital formula allocation grant funds coming to AVTA in the next fiscal year through the American Recovery and Reinvestment Act and other grant funds. The City of Lancaster's jurisdictional contribution towards this budget after anticipated fare box recovery, capital grant program funding, and other federal, state, regional and local funding is \$1,488,262. This is the same amount as the FY 08-09 contribution. The \$1,488,262 will be funded utilizing the City's Proposition A transit funds.
- The Board voted to set a public hearing for proposed local transit route changes. Route 11 will be extended to 30<sup>th</sup> Street East on Avenue I to serve Lancaster's new Veterans Center. Four routes now serving downtown Lancaster will be slightly re-routed to accommodate American Heroes Park. A school tripper will be added to serve Eastside High School.
- After a lengthy discussion, with varied opinions amongst the three member jurisdictions, Board Member Marquez moved to extend Veolia Transportation's contract with AVTA for bus operations and maintenance for two months. During those two months, staff will negotiate a longer extension with possible contract amendments.

All other items approved were routine.

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#### **COUNCIL / AGENCY COMMENTS**

Mayor Parris stated that it is absolutely essential to follow the rules of the meeting and requested that a late speaker be seated, as public comment was over.

Mayor Parris thanked the Planning Commission for putting up with such a long meeting last week; for taking abuse from citizens; there was a small group that just did not behave and did not know how to conduct themselves in a meeting; the Planning Commission does not get paid, he stated that he felt embarrassed for them and hurt that they had to put up with the abuse.

#### **CLOSED SESSION**

The City Attorney stated that an emergency item would need to be added to the Closed Session Agenda under Section 54956.9 (c).

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council approved the addition of the aforementioned matter to the Closed Session Agenda, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: None

#### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (2 cases)

#### **RECESS**

Mayor Parris recessed the meeting at 7:42 p.m. for the purposes of convening a Closed Session meeting regarding the aforementioned matters.

#### **RECONVENE**

Mayor Parris reconvened the meeting at 8:15 p.m.

#### **ANNOUNCEMENT**

Mayor Parris stated that it has come to the Council's attention that the Mongol Motorcycle Gang intends to come to Lancaster this weekend and stay at the Desert Inn. City staff has attempted to work with the Desert Inn to dissuade them from allowing this to happen and they have resisted the efforts. He stated that he wants every business in this community to watch what will happen to the Desert Inn – they will be out of business by the end of the week. This City will not tolerate anybody in this community aiding and abetting any type of gang activity in this City. As to the Mongols, he wanted to be very clear – do not come to the City of Lancaster. If the Mongols do come to the City of Lancaster, he has directed all law enforcement agencies to do whatever is necessary to see to their incarceration. He stated that he couldn't make this any clearer – do not come to the City of Lancaster; the City does not want the Mongols and the City will not tolerate their presence. As to the citizens of Lancaster, he encouraged them to attend all the festivities in force, meaning do not let one motorcycle gang scare the citizens away from the Lancaster Blvd. activities this weekend or the events at the Soccer Field. The City cannot be intimidated by these people; law enforcement will be out in force. There is no reason to be frightened; there is a reason for any gang members to be extremely frightened.

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**ANNOUNCEMENT (continued)**

The City Attorney announced that the City Council met in Closed Session, adding an emergency item under Government Code Section 54956.9 (c) to determine whether to initiate litigation. Direction was given that staff should take all legal steps including litigation if necessary to close the Desert Inn and stop the Mongol Motorcycle club from coming to Lancaster.

The second item under Government Code Section 54956.9 (b) was to give direction concerning a potential lawsuit. At this point the City is working towards a settlement on that matter and it deals with the Sheriff's contract, in which a settlement has been recommended by Contract Cities and legal counsel and staff are reviewing that.

The final item was to determine if any litigation should be filed and at this time, nothing further will be stated in order to protect the interests of the City and the public.

**ADJOURNMENT**

Mayor Parris adjourned the meeting at 8:20 p.m. and announced that a Special Meeting of the City Council would take place on July 21, 2009 at 6:00 p.m. in the Council Chambers. Additionally, he announced that the next regular meeting of the City Council/Redevelopment Agency would take place on Tuesday, July 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)

\_\_\_\_\_