

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF REGULAR MEETING
6:00 P.M.
FEBRUARY 12, 2008**

INVOCATION

Councilmember Boydston gave the invocation.

CALL TO ORDER

Mayor Kellar called to order the regular meeting of the City Council at 6:03 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Councilmember Boydston led the flag salute.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Mayor Pro Tem Ferry and Councilmembers recognized the Saugus, Hart & West Ranch High School Bands for sweeping the Southern California Band and Orchestra Marching Band State Championships.

Mayor Kellar and Councilmembers recognized Bob and Joann Lombardi of Lombardi Ranch for being an important part of Santa Clarita for more than 30 years.

PRESENTATIONS TO THE CITY

Ken Pulskamp, City Manager, announced that Ken Striplin, Assistant City Manager, had been selected by the City Managers Department of the League of CA Cities to receive the 2008 John H. Nail Award for his distinguished community leadership to the City of Santa Clarita and its residents and presented the award to Mr. Striplin.

Mr. Pulskamp also introduced Kim Driver who is visiting Santa Clarita and California on behalf of her City, Kaloundra Australia.

PUBLIC SAFETY TOPIC OF THE MONTH

Anthony La Berge, Police Chief, and representatives of the Sheriff's Department presented information on Motorcycle and Bicycle Safety.

PUBLIC PARTICIPATION

Addressing the Council at this time was Keith Dillin speaking in support of Newhall Hardware and keeping their doors open; Diana Kalisz suggesting ways be found to keep Newhall Hardware from closing; Alan Ferdman regarding three Candidate Forums/Debates to be held during the month of February on February 15, February 20 and February 27 at various locations; and Cam Noltemeyer regarding the current election to change the assessment rate in a Landscape Maintenance District and a Streetlight Maintenance District.

Five written comment cards were received in support of Newhall Hardware.

STAFF COMMENTS

Ken Pulskamp, City Manager, explained staff's efforts to see how the City might be able to assist Newhall Hardware and has determined that there is no legal avenue available to the City to help them financially; and explained how the calculations are determined with regard to the Landscape Maintenance and Streetlight Maintenance Districts and the proposed changes to rebalance how properties are assessed.

Carl Newton, City Attorney, confirmed that, as a general law city, Santa Clarita has only those powers granted to it by the State and the City is constrained by State law from helping an individual business, as in the case of Newhall Hardware.

Councilmembers urged support of Newhall Hardware in any way possible.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Mayor Pro Tem Ferry reported on meetings that he attended with the Mayor regarding the City of Los Angeles and their review of the Las Lomas project and the West Ranch and Castaic Town Councils regarding annexation; and expressed appreciation to Sun Cal for starting the charrette process for the Villages at Midtown on the Whitaker-Bermite site.

Councilmember McLean reported on her attendance at a meeting with David Crane regarding public-private partnerships for infrastructure and future growth; thanked Mr. Ferdman for providing information on the upcoming Council forums; encouraged anyone interested to check into the Hope Now program sponsored by the Federal government regarding foreclosures; and reported on her attendance at the SCAG Transportation and Communications Committee meeting regarding Prop 1B funds and the Newhall Redevelopment Committee meeting regarding streetscape plans.

Councilmember Weste confirmed that the City Manager has sufficient direction to proceed to see what might be possible to assist Newhall Hardware and requested that the meeting be adjourned in honor of John W. Mann who recently passed.

Councilmember Boydston commented on the LMD and SMD election process to rebalance the assessments; welcomed the Loose Goose headquarters to their new location on Market Street; commented on an investigative report on Big League Dreams and the parking space shortage at the hospital; and requested that items be placed on future Council agendas regarding traffic issues in the Canyon Country neighborhood around Linda Vista Road, amending the Unified Development Code for parking for call centers, increasing penalty fees for bandit signs, and a presentation from the City's transit contractor on their safety practices.

Mayor Kellar provided information on this year's AMGEN bicycle race coming on February 23-24, 2008, acknowledged Harold Peterson's 80th birthday; and requested that the meeting be adjourned in honor of Janine Doughlin.

EXECUTIVE MEETING

This time has been set aside for Councilmembers to review the agenda and obtain any further information that may be added.

APPROVAL OF AGENDA

Motion by Boydston, second by Weste, to approve the agenda, pulling Items 2, 5 and 6 from the Consent Calendar.

Hearing no objections, it was so ordered.

APPROVAL OF MINUTES

Motion by Weste, second by Boydston, to approve the minutes of the January 22, 2008 special and regular City Council meetings as amended.

Hearing no objections, it was so ordered.

RECESS TO SANTA CLARITA REDEVELOPMENT AGENCY

Mayor Kellar recessed the meeting to the Redevelopment Agency meeting at 7:23 p.m.

RECONVENE CITY COUNCIL MEETING

Mayor Kellar reconvened the meeting of the City Council at 7:31 p.m.

ITEM 1

CONSENT CALENDAR

READING OF ORDINANCE TITLES

Government Code Section 36934 requires that all ordinances be read in full prior to Council taking action on the ordinance. By listing the ordinance title on the Council meeting agenda, Council may determine that the title has been read. Determine that the titles to all ordinances which appear on this public agenda have been read and waive further reading.

ITEM 2

CONSENT CALENDAR

COMMUNITY SERVICES GRANT PROGRAM - PROJECT RECOMMENDATIONS FOR FISCAL YEAR 2007-08

The City of Santa Clarita provides funds for community organizations through the Community Services Grant Program.

Councilmember Boydston recused himself from participation on this item due to a possible conflict of interest and left the dais.

Motion by Ferry, second by Weste, to approve Community Services Grant Committee's Project Recommendation List for Fiscal Year 2007-08 in an amount not to exceed \$100,000, and direct staff to execute agreements approved for funding. Authorize City Manager, or designee, to sign all documents pursuant to City Attorney approval. Approve transfer of \$25,000 from Council Contingency Account 19300-5401.001 to Account 15300-5171.001.

On roll call vote:

Ayes: McLean, Ferry, Weste, Kellar

Noes: None

Recused: Boydston

Absent: None

Motion carried.

ITEM 3

CONSENT CALENDAR

SAFE ROUTES TO SCHOOL INFRASTRUCTURE, PROJECT NO. T0026 - AWARD DESIGN CONTRACT

The goal of this project is to improve student safety in the vicinity of three schools in the City. Award the design contract for preparation of the Plans, Specifications, and Estimate (PS&E) package for the Safe Routes to School Infrastructure, Project No. T0026, to Hall & Foreman Inc. in the amount of \$90,000; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 4

CONSENT CALENDAR

INTERSTATE 5/MAGIC MOUNTAIN PARKWAY INTERCHANGE PHASE 2 IMPROVEMENTS, PROJECT NO. S1003 - AWARD THE CONSTRUCTION ADMINISTRATION SERVICE CONTRACT AND INCREASE THE CONSTRUCTION DESIGN SUPPORT AND ENVIRONMENTAL MONITORING SERVICES CONTRACTS

This project consists of reconstruction of four freeway ramps, the widening of Magic Mountain Parkway from The Old Road to the proposed northbound ramps, and realignment and widening of The Old Road. Award the construction administration services contract for Interstate 5/Magic Mountain Parkway Interchange Reconstruction Phase 2, Project No. S1003 to MNS Engineers Inc. in the amount of \$100,000; authorize increases to existing construction support and environmental monitoring contracts in the amount of \$275,000; and authorize the City Manager or designee to execute all documents subject to City Attorney approval.

ITEM 5

CONSENT CALENDAR

RESOLUTION AUTHORIZING THE STREET NAME CHANGE OF SAN FERNANDO ROAD TO RAILROAD AVENUE FOR THE SEGMENT OF ROAD FROM LYONS AVENUE TO MAGIC MOUNTAIN PARKWAY

The City and Redevelopment Agency are implementing various aspects of the Downtown Newhall Specific Plan. The Plan adopted in December of 2005, calls for changing the street name of San Fernando Road to names that will provide more continuity with the community.

Addressing the Council on this item was Gary Symonds, Alex and Katie Norris; and Leon Worden.

In response to inquiries from Councilmembers, Chris Price, Assistant Engineer, provided information on how comments and concerns were requested from affected businesses.

Motion by Weste, second by McLean, to adopt Resolution No. 08-17 authorizing the street name change of San Fernando Road to Railroad Avenue for the segment of road from Lyons Avenue to Magic Mountain Parkway; and appropriate \$20,000 from the RDA fund balance to Expenditure Account No. S2044390-5161.001 for this project.

On roll call vote:

Ayes: McLean, Weste, Kellar

Noes: Ferry, Boydston

Absent: None

Motion carried.

ITEM 6

CONSENT CALENDAR

TRACT MAP NO. 60536 (RESIDENTIAL CONDOMINIUMS - SIERRA HIGHWAY) - APPROVAL OF FINAL MAP AND ACCEPTANCE OF OFFERS OF DEDICATION

Approval of Tract Map No. 60536 (Residential Condominiums - Sierra Highway) consisting of approximately 9.2 acres, is located on the northwesterly side of Sierra Highway at the intersection with American Beauty Lane, and is owned by WK Beneda 89, LLC, a California Limited Liability Company. Approve Tract Map No. 60536; accept on behalf of the public, the offers of dedication for public use; make certain findings; instruct the Director of Administrative Services to endorse the Special Assessment Certificate on the face of the Tract Map; instruct the City Clerk to endorse the Certificate on the face of the Tract Map and instruct the City Engineer to endorse the Agreement for Subdivision Improvements and to endorse the Statement on the face of the tract map.

Addressing the Council on this item was Cam Noltemeyer.

Ken Pulskamp, City Manager, provided clarification and suggested that Darren Hernández, Director of Administrative Services, talk with Ms. Noltemeyer regarding her concerns.

ITEM 7

CONSENT CALENDAR

VIA PRINCESSA METROLINK STATION RESTROOMS AND SEWER IMPROVEMENTS, PROJECT F3012 - AWARD CONSTRUCTION CONTRACT

This project is the construction phase for adding restrooms and sewers to the existing Via Princessa Metrolink Station. Approve the contract documents and specifications for the Via Princessa Metrolink Station Restrooms and Sewer Improvements, Project F3012; authorize the appropriation of \$655,850 from Proposition A Local Return fund balance to Expenditure Account F3012261-5161.001; award the construction contract to C.J. Tech Construction, Inc. in the amount of \$719,000, plus a 15 percent contingency in the amount of \$107,850; award various construction support contracts totaling \$104,000; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 8

CONSENT CALENDAR

URGENCY ORDINANCE FOR AN AMENDMENT OF SANTA CLARITA MUNICIPAL CODE SECTION 1.01.260(A) REGARDING NUISANCES: RECOVERY OF ABATEMENT EXPENSES

Government Code Section 38773.5 authorizes cities to adopt an ordinance that allows the recovery of attorneys' fees by the prevailing party in nuisance abatement actions. Pursuant to this state statute, Santa Clarita Municipal Code Section 1.01.260 outlines a procedure for the recovery costs and expenses in such an action. The proposed ordinance amends Section 1.01.260 to clarify that the prevailing party in nuisance abatement actions is entitled to recover attorneys' fees. Adopt **Ordinance No. 08-1** as an urgency ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING SECTION 1.01.260 OF TITLE 1, CHAPTER 1.01 OF THE SANTA CLARITA MUNICIPAL CODE REGARDING NUISANCES: RECOVERY OF ABATEMENT EXPENSES" ("The Urgency Version"); and introduce and pass to second reading an ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING SECTION 1.01.260 OF TITLE 1, CHAPTER 1.01 OF THE SANTA CLARITA MUNICIPAL CODE REGARDING NUISANCES: RECOVERY OF ABATEMENT EXPENSES" ("The Non-Urgency Version").

ITEM 9

CONSENT CALENDAR

RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR THE 2008/2009 CALIFORNIA STATE DEPARTMENT OF TRANSPORTATION COMMUNITY-BASED TRANSPORTATION GRANT

Consideration of adoption of a resolution to accompany grant application. Adopt **Resolution No. 08-18** authorizing an application for the 2008/2009 California Department of Transportation Community-Based Transportation Grant.

ITEM 10

CONSENT CALENDAR

CHECK REGISTER NOS. 3, 4, & 5

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 3, 4, & 5.

Motion by Weste, second by Ferry, to approve the Consent Calendar with the exception of Items 2 and 5.

On roll call vote:

Ayes: McLean, Ferry, Weste, Boydston, Kellar

Noes: None

Absent: None

Motion carried.

ITEM 11

UNFINISHED BUSINESS

NOMINATION AND APPOINTMENT OF FINANCIAL ACCOUNTABILITY AND AUDIT PANEL

Mayor Kellar advised that by the adoption of Resolution 07-31, the City Council established a Financial Accountability and Audit Panel for the Open Space Preservation District. The City Clerk was directed by Council to publish the Notice of Vacancies. The deadline for applications was extended from Friday, October 26, 2007 to Friday, December 28, 2007. A total of nine (9) applications have been received.

Addressing the Council on this item was Jim Farley; Cam Noltemeyer; and Alan Ferdman (as an applicant).

RECESS AND RECONVENE

Mayor Kellar called a recess at 8:10 p.m. and reconvened the meeting at 8:20 p.m.

As applicants, addressing the Council at this time was Wendy Langhans; Jim Farley; Spence Leafdale; and Henry Schultz.

Nomination by Kellar to appoint Spence Leafdale to the Open Space Preservation District Financial Accountability and Audit Panel.

On roll call vote:

Ayes: Boydston, Weste, Ferry, McLean, Kellar

Noes: None

Absent: None

Motion carried.

Nomination by Ferry to appoint Wendy Langhans to the Open Space Preservation District Financial Accountability and Audit Panel.

On roll call vote:

Ayes: Weste, Ferry, McLean, Boydston, Kellar

Noes: None

Absent: None

Motion carried.

Nomination by Weste to appoint Calvin Hedman to the Open Space Preservation District Financial Accountability and Audit Panel.

On roll call vote:

Ayes: Ferry, McLean, Boydston, Weste, Kellar

Noes: None

Absent: None

Motion carried.

Nomination by McLean to appoint Henry Schultz to the Open Space Preservation District Financial Accountability and Audit Panel.

On roll call vote:

Ayes: McLean, Boydston, Weste, Ferry, Kellar

Noes: None

Absent: None

Motion carried.

Nomination by Boydston to appoint Alan Ferdman to the Open Space Preservation District Financial Accountability and Audit Panel.

On roll call vote:

Ayes: Boydston, Weste, Ferry, McLean, Kellar

Noes: None

Absent: None

Motion carried.

ADJOURNMENT

Mayor Kellar adjourned the meeting in memory of Janine Doughlin and John Mann at 8:31 p.m.

MAYOR

ATTEST:

CITY CLERK

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