

**CITY OF SANTA CLARITA  
CITY COUNCIL  
MINUTES OF SPECIAL MEETING  
5:00 P.M.  
MINUTES OF REGULAR MEETING  
6:00 P.M.  
AUGUST 26, 2008**

**CALL TO ORDER**

Mayor Kellar called to order the special meeting of the City Council at 5:05 p.m.

**ROLL CALL**

All Councilmembers were present with the exception of Mayor Pro Tem Ferry due to an injured back.

**PUBLIC PARTICIPATION**

There was none.

**CLOSED SESSION**

Carl Newton, City Attorney, advised of the need to conduct a Closed Session for the purpose of holding a:

**CONFERENCE WITH PROPERTY NEGOTIATOR**

Government Code Section 54956.8

**Location of Property:** 24509 Spruce Street, Newhall, CA 91321

Assessor's Parcel No.: 2831-006-032

**Property Owner:** Fitterer

**Under Negotiation:** Price and Terms

**Location of Property:** 34 +/- acres in the Circle J Ranch area

Assessor's Parcel No.: 2836-012-025

**Property Owner:** County of Los Angeles Treasurer and Tax Collector

**Under Negotiation:** Price and Terms

**Location of Property:** 23 +/- acres in the Circle J Ranch area

Assessor's Parcel No.: 2834-018-045

**Property Owner:** Proctor, Moser, Hinebaugh

**Under Negotiation:** Price and Terms

**Location of Property:** 20 acres along Sierra Highway, Agua Dulce Area

Assessor's Parcel No.: 3214-034-008 & 030

**Property Owner:** Shanna Verbiessen

**Under Negotiation:** Price and Terms

**CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION**

Government Code Section 54956.9(a)

**Case Name:** City of Santa Clarita v. Los Angeles County Board of Supervisors, et al.  
US District Court, Central District of California, Western Division  
Case No. CV04-7355 AHM (FMOx)

**Case Name:** In re RFI Realty, Inc. et al.  
US Bankruptcy Court, District of Arizona  
Case No. 2-04-BK 10486-CGC

**Case Name:** Santa Clarita Athletic Club Inc. v. City of Santa Clarita, et al.  
Los Angeles Superior Court, Case No. PC 040555

**RECESS AND RECONVENE**

Mayor Kellar recessed the meeting to Closed Session at 5:06 p.m. and reconvened the meeting at 6:10 p.m.

**CITY ATTORNEY ANNOUNCEMENT**

Carl Newton, City Attorney, announced that in the Closed Session just concluded, the City Council, by a unanimous vote of those present (Mayor Pro Tem Ferry absent), authorized filing an appeal of the trial court decision in City of Santa Clarita v. Los Angeles County, et al., U. S. District Court, Central District of California, Western Division, Case No. CV04-7355 AHM. This is the case in which the City challenged the approval by the County Board of Supervisors of the Soledad Canyon Sand and Gravel Mining Project of Cemex, Inc.

**ADJOURN**

Mayor Kellar adjourned the meeting at 6:11 p.m.

**INVOCATION**

Councilmember Ender gave the invocation.

**CALL TO ORDER**

Mayor Kellar called to order the regular meeting of the City Council at 6:14 p.m.

**ROLL CALL**

All Councilmembers were present with the exception of Mayor Pro Tem Ferry due to an injured back.

**FLAG SALUTE**

Councilmember Ender led the flag salute.

**AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY**

Mayor Kellar and Councilmembers recognized the Santa Clarita Valley Sheriff's Station Office of Traffic Safety (OTS) for receiving the Outstanding Achievement Award at the Police Traffic Services (PTS) Seminar and presented the award to Chief Anthony La Berge.

## **PRESENTATIONS TO THE CITY**

Mayor Kellar and Councilmembers presented certificates of recognition to outgoing Planning Commissioner Mike Berger and outgoing Parks, Recreation, and Community Services Commissioner Laura Hauser and acknowledged their years of service to the City.

Representing Assemblymember Cameron Smyth, Ed Masterson presented certificates to Mr. Berger and Mrs. Hauser. Ruthann Levison representing the Sand Canyon community also made comments acknowledging their years of service.

## **PUBLIC SAFETY TOPIC OF THE MONTH**

Sheriff's Deputy Dan Finn presented information on Gang Awareness Month.

## **PUBLIC PARTICIPATION**

Addressing the Council at this time regarding the Belcaro community and the SCE transmission lines, was Hunt Braly representing the Belcaro homeowners (submitted material); Brian Smith (submitted picture), Maynard Davis; Sid Jurmain; and Shari Dickinson.

Also addressing the Council was Jim Farley regarding the City's good graffiti reporting system and the Open Space Preservation District; Alan Ferdman regarding Morris Precision Products receiving the Administrator's Award for Excellence from the US Small Business Administration and presenting a "Santa Clarita Hometown Heroes" plaque to David Peterson for his 5 years of service as the staff liaison for the Canyon Country Advisory Committee; Tim Ben Boydston regarding the One Valley One Vision plan; Patty Crone and Patti Rasmussen representing the SCV Senior Wine Auction Committee urging attendance at the upcoming event to be held at the Mann Biomedical Park on September 27, 2008 (presented items to Council and staff); Nadine Teter thanking Robert Newman, Director of Public Works, for having the RPMs removed from Canvas Street and presenting him with the last RPM removed; Chris Townsley regarding the One Valley One Vision plan; Annette Lucas representing the Calgrove Corridor Coalition requesting clarification on the Land Use Element/Parks section of the Draft EIR for the One Valley One Vision plan (submitted material); Sandra Cattell representing the Sierra Club regarding One Valley One Vision; David Gauny thanking Council for extending the timeline for the G&L/Henry Mayo Hospital proposal and regarding the rewriting of the City's General Plan; Cam Noltemeyer representing SCOPE regarding the Lyons Canyon Project; Richard Smith regarding the public comment deadline for the EIR scoping; Pam Ross regarding the quality of life and the City's General Plan; and Allan Cameron regarding the opening of Lowe's at the Plaza at Golden Valley Ranch, the transmission towers at Belcaro and the Draft One Valley One Vision EIR. One written comment was submitted regarding One Valley One Vision and the deadline for comments.

## **STAFF COMMENTS**

Ken Pulskamp, City Manager, advised that a joint letter was sent out yesterday from the Mayor and Supervisor Antonovich to the Chairman and CEO of Southern California Edison regarding the transmission towers at Belcaro and staff is anticipating a response; suggested that Mr. Farley contact Darren Hernández with regard to the Engineer's Report for the Open Space Preservation District; and provided clarification that the draft EIR on the One Valley One Vision General Plan

amendment is not complete and that there will be ample opportunity for public input in more public community meetings, Planning Commission meetings and City Council meetings.

**Council consensus to extend the time for public comments on the draft One Valley One Vision EIR for 60 days.**

#### **COMMITTEE REPORTS/COUNCILMEMBER COMMENTS**

Councilmember Ender expressed concern for the Belcaro community; commented on activities during the summer break; and commented on her attendance at the recent League of CA Cities Los Angeles County Division meeting where the new President was installed and the outgoing President, Councilmember McLean, was given accolades for her accomplishments.

Councilmember Weste urged the City to do whatever it can with the towers in Belcaro because they don't belong; advised that the Transitional Care Unit is still moving ahead; and asked that the meeting be adjourned in memory of Marsha Aldrich.

Mayor Pro Tem Ferry was absent.

Councilmember McLean commented on her attendance at the SCV Chamber of Commerce membership drive kickoff, the City's food drive to benefit the Food Pantry, and the Meals on Wheels program; requested consensus for staff to put together a transportation forum for all North County decision makers to join together to advocate for transportation needs; advised that she would like the City to review and comment on the Lyons Canyon proposal; and suggested the City do something to acknowledge the Olympians from our community.

**Council consensus to have staff put together a transportation forum next spring as suggested.**

Mayor Kellar asked for consensus to convene a public community meeting for local business leaders to discuss how to help businesses in these tough economic times; consensus to hold Town Hall meetings in the community; and to adjourn the meeting in memory of Jack Winchester.

**Council consensus to have staff put together a local business leaders meeting and to hold Town Hall meetings as requested.**

#### **RECESS AND RECONVENE**

Mayor Kellar called a recess at 7:53 p.m. and reconvened the meeting at 8:12 p.m.

#### **EXECUTIVE MEETING**

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

Carl Newton, City Attorney, advised of a subsequent need item for Council's consideration with regard to Measure R on the November ballot.

**Motion by Weste, second by Ender, to add the subsequent need item regarding Measure R, the ½ cent Sales Tax Increase, to the agenda as Item 9A, finding that the need to take action arose subsequent to the posting of the agenda and that there is an immediate need to take action on this matter.**

**On roll call vote:**

**Ayes: Ender, Weste, McLean, Kellar**

**Noes: None**

**Absent: Ferry**

**Motion carried.**

#### **APPROVAL OF AGENDA**

**Motion by McLean, second by Weste, to approve the agenda, pulling Items 5, 6, and 8 from the Consent Calendar.**

**Hearing no objections, it was so ordered.**

#### **APPROVAL OF MINUTES**

**Motion by McLean, second by Weste, to approve the minutes of the July 8, 2008 special and regular City Council meetings with corrections as requested by Councilmember McLean.**

**Hearing no objections, it was so ordered.**

#### **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**

##### **PARCEL MAP 62683 (COMMERCIAL CONDOMINIUMS - WESTINGHOUSE PLACE) - APPROVAL OF FINAL MAP**

Approval of Parcel Map 62683 (Commercial Condominiums – Westinghouse Place) consisting of approximately 7.7 acres, is located on the northeasterly side of Westinghouse Place, 650 feet southeasterly of Vanderbilt Way, and is owned by Westinghouse Industrial Properties, LLC, a California Limited Liability Company. Approve Parcel Map 62683; make certain findings; instruct the Deputy City Manager/Director of Administrative Services to endorse the Special Assessment Certificate for Parcel Map; instruct the City Clerk to endorse the Certificate for Parcel Map, and instruct the City Engineer to endorse the Statement for the Parcel Map.

**ITEM 3**

**CONSENT CALENDAR**

**MCBEAN PARKWAY, GOLDCREST DRIVE, AND JOHN RUSSELL DRIVE PASEO BRIDGES MAINTENANCE**

The City's Landscape Maintenance District (LMD) is responsible for the maintenance of 30 paseo bridges. Three of these bridges are in need of maintenance work. Authorize a service request and a purchase order with the County of Los Angeles Public Works Department; and authorize the transfer of additional funds in the amount of \$95,369.00 from the Landscape Maintenance District Fund Balance into project Account M0067357-5161.001.

**ITEM 4**

**CONSENT CALENDAR**

**AWARD CONTRACT TO PURCHASE ONE NEW COMPRESSED NATURAL GAS (CNG) VACTOR TRUCK**

This action is for the purchase of a CNG Vactor truck to aid Environmental Services in maintaining the City's stormdrains. Authorize staff to place an order with Haaker Equipment Company under a City of Ontario contract for the purchase of a new CNG Vactor truck in an amount not to exceed \$398,997; and authorize the City Manager or designee to execute all documents subject to City Attorney approval.

**ITEM 5**

**CONSENT CALENDAR**

**SECOND READING AND ADOPTION OF ORDINANCES TO AMEND THE MUNICIPAL CODE INCLUDING ADDITIONAL REGULATIONS FOR THE HEALTH AND SAFETY CODE (TITLE 9), UPDATES TO THE CITY'S FLOODPLAIN ORDINANCE (TITLE 10), ADDITIONAL DEVELOPMENT STANDARDS FOR THE HIGHWAY CODE (TITLE 13), AND ANNUAL AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE (TITLE 16 AND 17)**

Staff conducts an annual review and update of the City's Unified Development Code (UDC) to keep consistent with new state requirements, keep current with development and planning trends, and make modifications to clarify the intent of the UDC. Conduct second reading and adopt (1) **Ordinance No. 08-9** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, ADOPTING CHAPTER 9.60 OF TITLE 9 OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING THE PROHIBITION OF FIREWORKS"; (2) **Ordinance No. 08-10** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, ADOPTING CHAPTER 9.70 OF TITLE 9 OF THE SANTA CLARITA MUNICIPAL CODE REQUIRING STRUCTURES AND MULTI-UNIT SECURED COMMUNITIES TO HAVE AN EMERGENCY KEY SYSTEM INSTALLED ON THE PREMISES FOR FIRE SAFETY AND EMERGENCY PURPOSES"; (3) **Ordinance No. 08-11** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTER 10 OF THE SANTA CLARITA MUNICIPAL CODE UPDATING THE FLOODPLAIN MANAGEMENT ORDINANCE AS A FLOOD DAMAGE PREVENTION MEASURE AND ADOPTING A NEGATIVE DECLARATION"; (4) **Ordinance No. 08-12** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING TITLE 13 OF THE SANTA

CLARITA MUNICIPAL CODE MODIFYING DEVELOPMENT STANDARDS FOR RESIDENTIAL DRIVE APPROACHES AND CONSTRUCTION ON NEW OR RECENTLY REHABILITATED ROADWAYS"; and (5) **Ordinance No. 08-13** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, APPROVING MASTER CASE 08-038, UNIFIED DEVELOPMENT CODE AMENDMENT 08-001, AMENDING TITLE 16 AND 17 (THE UNIFIED DEVELOPMENT CODE) OF THE SANTA CLARITA CLARITA MUNICIPAL CODE AND ADOPTING A NEGATIVE DECLARATION".

Addressing the Council on this item was Tim Ben Boydston (submitted material).

Paul Brotzman, Director of Community Development, and Christina Monde, Assistant Engineer, provided clarification in response to public comment and Council inquiries.

#### **ITEM 6**

##### **CONSENT CALENDAR**

DECLARATION OF NON-CONFORMING SIGNS AS PUBLIC NUISANCES; INTENT TO ABATE; ESTABLISHMENT OF DATE TO HEAR OBJECTIONS

The City's Sign Compliance Program is intended to improve the aesthetic appearance of the community and reduce competitive streetscape signage clutter along the City's roadway corridors. Through this program, the City may abate the nuisances created on various properties by non-conforming signs. Adopt **Resolution No. 08-79** declaring Council's intention to abate the public nuisances created by non-conforming signs, setting September 23, 2008, as the date for a public hearing on objections to the proposed abatement.

Addressing the Council on this item was Pamela Hamilton representing Laurence Miller, urging that the sign on Mr. Miller's property not be declared a nuisance and instead be considered an exception (submitted pictures).

Carl Newton, City Attorney, provided information on the abatement and hearing process.

In response to inquiry from Councilmembers, Ken Pulskamp, City Manager, advised that staff would be happy to meet with the owner or his representative prior to the September 23, 2008 public hearing.

#### **ITEM 7**

##### **CONSENT CALENDAR**

AWARD FIVE LANDSCAPE MAINTENANCE SERVICE CONTRACTS FOR LMD ZONES T-42A, T-42B, T-42 C, 3, 6, 7 AND 19

Invitations to bid were advertised during the month of July 2008 for the purpose of competitively awarding maintenance contracts for multiple Landscape Maintenance Zones managed by the City's Administrative Services Department. Staff is recommending the award of five contracts that will result in lower maintenance costs for each of these zones and keep future potential cost increases to a minimum. Make determination that Grace Building Maintenance was not the lowest responsive, responsible bidder for Zone 7. Award two-year landscape maintenance service contracts for the specified landscape maintenance zones to the companies and for the

amounts listed in the agenda report; authorize a 20% contingency to the awarded contractors for unanticipated repairs, vandalism, disease control and emergencies; authorize the City Manager or designee to execute all contracts and associated documents, or modify the awards in the event that issues of impossibility of performance arise, and execute up to three (3) annual renewal options not to exceed the above annual amounts plus Consumer Price Index (CPI) adjustments, contingent upon the appropriation of funds by the City Council in the annual budget for such Fiscal Year, and execute all documents subject to City Attorney approval.

#### **ITEM 8**

##### **CONSENT CALENDAR**

##### **CONTINUED APPROPRIATIONS - FISCAL YEAR 2007-2008 TO FISCAL YEAR 2008-2009**

Each year after the budget is adopted, City staff reviews prior year expenditures and revenues to determine if monies are required to continue or complete Council approved programs or projects in the current fiscal year. Adopt **Resolution No. 08-80** authorizing continued appropriated funds from fiscal year 2007-08 to fiscal year 2008-09, as specified.

Councilmember Weste recused herself from participation on this item due to a possible conflict of interest as a result of the North Newhall Specific Plan.

**Motion by McLean, second by Ender, to approve the recommended action for Item 8.**

**On roll call vote:**

**Ayes: McLean, Ender, Kellar**

**Noes: None**

**Absent: Ferry**

**Disqualified: Weste**

**Motion carried.**

#### **ITEM 9**

##### **CONSENT CALENDAR**

##### **CHECK REGISTER NOS. 26, 27, 28, 29, 30, 31, & 32**

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 26, 27, 28, 29, 30, 31, & 32.

#### **ITEM 9A**

##### **CONSENT CALENDAR**

##### **MEASURE R – ONE-HALF CENT SALES TAX INCREASE**

This item was added to the agenda by action taken earlier during this meeting.

The Los Angeles County Board of Supervisors Sales Tax Rebuttal Argument is asking that municipalities within Los Angeles County vote “NO” on Measure R and encourage the Metropolitan Transportation Authority to revisit the apportionment formula and consider density, air quality, and where transportation issues occur throughout the County of Los Angeles for more equitable distribution of funds. Take a position in opposition of the Los Angeles County

Metropolitan Transportation Authority (Metro) one-half cent sales tax increase proposal, Measure R.

**Motion by Weste, second by Ender, to approve the Consent Calendar with the exception of Item 8.**

**On roll call vote:**

**Ayes: Weste, McLean, Ender, Kellar**

**Noes: None**

**Absent: Ferry**

**Motion carried.**

## **ITEM 10**

### **PUBLIC HEARING**

#### **2008 CONGESTION MANAGEMENT PROGRAM LOCAL DEVELOPMENT REPORT**

Mayor Kellar opened the public hearing.

Sharon Dawson, City Clerk, stated that all notices required have been provided.

Andrew Yi, City Traffic Engineer, advised that the Congestion Management Program is a state-mandated program administered in Los Angeles County by the Los Angeles County Metropolitan Transportation Authority.

No requests to speak were submitted on this item.

Mayor Kellar closed the public hearing.

**Motion by Weste, second by Ender, to adopt Resolution No. 08-81 finding the City to be in conformance with the Congestion Management Program, and direct staff to deliver the adopted resolution and the 2008 Local Development Report to the Los Angeles County Metropolitan Transportation Authority on or before September 1, 2008.**

**On roll call vote:**

**Ayes: Ender, Weste, McLean, Kellar**

**Noes: None**

**Absent: Ferry**

**Motion carried.**

## **ITEM 11**

### **PUBLIC HEARING**

#### **AMENDMENT TO THE UNIFIED DEVELOPMENT CODE FOR HISTORIC PRESERVATION REVIEW**

Mayor Kellar opened the public hearing.

Sharon Dawson, City Clerk, stated that all notices required have been provided.

Alex Hernandez, Administrative Analyst, advised that the City of Santa Clarita is preparing amendments to the Unified Development Code (UDC) that provides temporary measures to protect historic resources. The proposed code amendments provide a heightened level of discretion to evaluate the potential demolition or alteration to the City's list of historic resources and potentially historic resources.

Addressing the Council on this item was Duane Harte; Leon Worden; Pat Saletore representing the SCV Historical Society; Alan Pollack representing the SCV Historical Society; Carol Rock; and Molly Hodson.

Carl Newton, City Attorney, read a section from the US Code with regard to land use restrictions upon religious institutions and suggested a clause be added to the ordinance to comply with this section.

Mayor Kellar closed the public hearing.

**Motion by Weste, second by McLean, to introduce and pass to second reading an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA CONSISTING OF MASTER CASE 08-103, UNIFIED DEVELOPMENT CODE AMENDMENT 08-003 FOR HISTORIC PRESERVATION REVIEW, AND ADOPTING A NEGATIVE DECLARATION", including the clause recommended by the City Attorney; and approve a fee program whereby the Community Development Department pays for costs to residential property owners that may undergo historic preservation review.**

**On roll call vote:**

**Ayes: Weste, McLean, Ender, Kellar**

**Noes: None**

**Absent: Ferry**

**Motion carried.**

## **ITEM 12**

### **UNFINISHED BUSINESS**

#### **BENZ ROAD TRAFFIC ISSUES AND RESPONSE TO NEIGHBORHOOD MEETING**

Ken Striplin, Assistant City Manager, advised that at the June 10, 2008, City Council meeting, staff was directed to develop a proposed plan for additional traffic-calming measures to address the concerns of the residents along Benz Road. He reviewed a list of 13 potential options developed by staff and the 4 most practical options presented at a neighborhood meeting on August 5, 2008 and staff's observations from that meeting.

Addressing the Council on this item was Nels Jacobson (submitted material); Alan Ferdman representing the Canyon Country Advisory Committee; Tim Ben Boydston; Nadine Teter; David Stradling; Kerry Charves; Scott Young; Tony Natoli; Kathryn Swope; Ralph Edson; Kathy Meyer; Joe Choo; Bob Werner; Barbara Prindle; Ken Kolt; Jeff Pievet; Richard Smith (submitted 36 written comment cards); Marivic Francis; Susan Waehter; Allan Cameron; Valerie Thomas representing the Placerita Canyon Property Owners Association; Annette Lucas; Dave

Lyznick; Linda Adrian; and Robert English. Four additional written comments were submitted.

**Motion by Weste, second by Ender, to try the diverter for 3 months removing the turn restrictions, with staff to evaluate and bring back a report to Council in 3 months, and giving staff the latitude to use speed humps if deemed necessary; and authorize the appropriation of \$150,000 from City Council Contingency Account 19300-5401.001 to Account C4007601-5161.001, increase Transfers Out Account 10019500-5501.601, and increase Transfers In Account 601-4711.100.**

**On roll call vote:**

**Ayes: Ender, Weste, Kellar**

**Noes: McLean**

**Absent: Ferry**

**Motion carried.**

#### **ADJOURNMENT**

Mayor Kellar adjourned the meeting in memory of Jack Winchester and Marsha Aldrich at 11:25 p.m.

#### **FUTURE MEETINGS**

A City Council Study Session will be held Tuesday, September 2, 2008, at 5:30 p.m. in the Century Room, 1st floor of City Hall, 23920 Valencia Blvd., Santa Clarita CA.

The next regular meeting of the City Council will be held Tuesday, September 9, 2008, at 6:00 p.m. in the Council Chamber, 1st floor of City Hall, 23920 Valencia Blvd., Santa Clarita, CA.

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**MAYOR**

**ATTEST:**

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**CITY CLERK**

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