

**CITY OF SANTA CLARITA  
CITY COUNCIL  
MINUTES OF SPECIAL MEETING  
5:30 P.M.  
MINUTES OF REGULAR MEETING  
6:00 P.M.  
SEPTEMBER 9, 2008**

**CALL TO ORDER**

Mayor Kellar called to order the special meeting of the City Council at 5:32 p.m.

**ROLL CALL**

All Councilmembers were present.

**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 LEGAL COUNSEL – PENDING LITIGATION**

Government Code Section 54956.9(a)

Case Name: Las Lomas Land Company, LLC v. City of Santa Clarita, et al.

Court of Appeal, 2nd Appellate District, Case Nos. B192984 & B192986

**RECESS AND RECONVENE**

Mayor Kellar recessed the meeting to Closed Session at 5:33 p.m. and reconvened the meeting at 6:02 p.m.

**CITY ATTORNEY ANNOUNCEMENT**

Carl Newton, City Attorney, announced that no action was taken in Closed Session that was required to be reported.

**ADJOURN**

Mayor Kellar adjourned the meeting at 6:02 p.m.

**INVOCATION**

Councilmember Weste gave the invocation.

**CALL TO ORDER**

Mayor Kellar called to order the regular meeting of the City Council at 6:05 p.m.

**ROLL CALL**

All Councilmembers were present.

## **FLAG SALUTE**

Councilmember Weste led the flag salute.

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

Councilmember McLean and Councilmembers presented a certificate of recognition to the new group of ladies from the ongoing Chartered Club of Soroptimist International of Greater Santa Clarita Valley.

Mayor Kellar and Councilmembers presented a certificate of recognition to representatives of the Foundation for Children's Dental Health for their numerous contributions to our community.

Councilmember Ender and Councilmembers presented a proclamation proclaiming September 9, 2008 as Rubber Ducky Regatta Day in anticipation of the Rubber Ducky Regatta fundraiser and festival sponsored by Sam Dixon Family Health Centers, Inc. to be held October 18 at Castaic Lake.

## **PRESENTATIONS TO THE CITY**

There were none.

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

Chief Anthony La Berge provided information on Parenting and Teen Awareness Month.

## **PUBLIC PARTICIPATION**

Addressing the Council at this time was Alan Ferdman representing the Canyon Country Advisory Committee regarding traffic on Canvas St and Benz Road; Tim Ben Boydston regarding the state of our City; Sterling King regarding campaign expenditures by G&L Realty; Tony Newhall requesting Councilmembers Ender and Ferry to recuse themselves from voting on the proposed hospital expansion; Linda Pederson regarding the Edison Towers in the Belcaro community and the proposed hospital expansion; Alex Schmauss requesting Councilmembers to recuse themselves from voting on the proposed hospital expansion; Eryc Fults regarding traffic on Canvas Street; Nadine Teter regarding traffic on Canvas Street (submitted material); Eric Thompson regarding traffic on Canvas Street; Nancy Van Sciver regarding traffic on Canvas Street; Patrick Ikhifa regarding traffic on Canvas Street; Curt Schulte regarding traffic on Canvas Street; Sol Levy regarding traffic on Benz Road; Henry Schultz regarding a recent article in The Signal concerning the land use element in One Valley One Vision; Michael McGrady regarding traffic on Alaminos and Benz Road; Kathy Perez requesting Councilmembers to recuse themselves from voting on the proposed hospital expansion; Martha Willman representing Smart Growth SCV regarding the proposed development agreement with G&L Realty and requesting recusal; Barbara McElmeel regarding Councilmember bias on the proposed hospital expansion and wording in the proposed development agreement; Lisa Robertiello regarding bias and recusal on the proposed hospital expansion; Lynn Vogel regarding bias related to the proposed hospital expansion; David Gauny representing Smart Growth SCV regarding the proposed hospital expansion and Council bias (submitted material); Cam Noltemeyer requesting recusal on the proposed hospital expansion; Laura Miller regarding representative democracy and supporting Councilmember Ender; Audrey Drake speaking as Councilmember Ender's campaign treasurer

offering clarification on contributions and expenditures; and Sabrina Utter speaking in support of Councilmember Ender and urging her not to recuse herself.

Eight written comments were submitted regarding the proposed hospital expansion, the Edison towers in the Belcaro community, and traffic on Canvas Street.

### **STAFF COMMENTS**

Ken Pulskamp, City Manager, provided an update on staff's action with regard to Benz Road and advised the diverter should be installed by September 29, 2008; clarified inaccurate information regarding One Valley One Vision; provided an update on the proposed hospital expansion and reminded that the continued public hearing would be conducted on September 23, 2008; thanked the residents of the Canvas Street area for sharing their comments, advised that the City takes their comments seriously, and provided an update including that staff will hold a neighborhood meeting and then will bring a report back to Council on this issue; and assured that the standards for Open Space have not been changed and that wording in the draft OVOV EIR will be clarified.

Carl Newton, City Attorney, addressed the Council with regard to bias indicating that due process requires in quasi-judicial proceedings that the decision maker be fair and impartial. This rule does not preclude holding opinions, philosophies, or strong feelings about issues or specific projects. It also does not proscribe expression of views about matters of importance in the community, particularly during an election campaign. A Councilmember who receives campaign contributions from an applicant that seeks quasi-judicial land use decisions from the City or who is the appellant that brings a matter before the City Council for review is not automatically disqualified from participating due to bias or prejudice. He advised that he had reviewed the letter from Robert Glushon of Luna & Glushon and does not believe the comments cited in the letter serve to establish that any Councilmember has taken a firm position for or against the project.

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

Councilmember McLean provided an update on the success of the City's food drive to benefit the SCV Food Pantry and urged continued donations; encouraged help toward the Senior Center Meals-on-Wheels program; and commented on the opening of the new Lowes in Canyon Country.

Mayor Pro Tem Ferry displayed an example of a typical meal delivered to seniors in the Meals-on-Wheels program and urged attendance, volunteering or donating to support the Senior Center Wine Auction on September 27, 2008.

Councilmember Weste encouraged support of the upcoming fundraiser in support of the Senior Center on September 27; and thanked the City and CLWA for working together to keep the South Fork trail open during replacement of the water lines.

Councilmember Ender congratulated the Michael Hoefflin Foundation for their recent fundraiser; and advised that she had no intention to recuse herself on the proposed hospital expansion.

Mayor Kellar acknowledged the National Association of Clean Water Agencies' Peak Performance Award being awarded to the Sanitation Districts of LA County for the Valencia and Saugus Water Reclamation Plants in recognition of their 100% NPDES permit compliance during 2007; noted a large bus that is touring the nation supporting the battle against cancer and requested Council consensus to send a letter to State and Federal representatives to urge no funding cuts on cancer research.

**Council consensus to direct staff to prepare a letter to State and Federal representatives as requested.**

#### **RECESS AND RECONVENE**

Mayor Kellar called a recess at 7:58 p.m. and reconvened the meeting at 8:11 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.

#### **APPROVAL OF AGENDA**

**Motion by Ferry, second by Ender, to approve the agenda, pulling Item 9 from the Consent Calendar.**

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

#### **APPROVAL OF MINUTES**

**Motion by Weste, second by McLean, to approve the minutes of the August 26, 2008 special and regular City Council meetings as submitted.**

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

#### **CONVENE SANTA CLARITA REDEVELOPMENT AGENCY CALL TO ORDER**

Mayor/Chair Kellar called the meeting of the Redevelopment Agency to order at 8:13 p.m.

#### **PUBLIC PARTICIPATION**

Addressing the Council/Agency at this time was Cam Noltemeyer regarding tax increment financing, the City subsidizing the redevelopment efforts, and the proposed Newhall Library.

#### **STAFF COMMENTS**

Ken Pulskamp, City Manager/Executive Director, clarified that the Agency is paying back the loan from the City in each budget year and that the County of Los Angeles has committed to be a partner with the City for the proposed Newhall Library.

#### **APPROVAL OF MINUTES**

**Motion by Ferry, second by Weste, to approve the minutes of the June 24, 2008 regular meeting as submitted.**

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

**ITEM 1**

**JOINT CONSENT CALENDAR**

**APPROVAL OF PARKING AGREEMENT AND RESOLUTION ADOPTING TWO HOUR PARKING RESTRICTIONS FOR 24513 MAIN STREET AND 24158 NEWHALL AVENUE IN DOWNTOWN NEWHALL**

This item involves a parking agreement between the Redevelopment Agency and City Council and establishes parking restrictions for properties in downtown Newhall.

In response to inquiries from Council/Agencymembers, Chris Price, Assistant City Engineer, provided information.

**Motion by Weste, second by Ender, to**

**City Council: approve a parking agreement for 24513 Main Street and 24158 Newhall Avenue; adopt Resolution 08-82 authorizing the parking agreement; and adopt Resolution 08-83 establishing two hour parking restrictions between the hours of 7:00 a.m. and 7:00 p.m. for 24513 Main Street and 24158 Newhall Avenue in downtown Newhall.**

**Redevelopment Agency: approve a parking agreement for 24513 Main Street and 24158 Newhall Avenue; and adopt Resolution RDA 08-10 authorizing the parking agreement.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

**ITEM 2**

**JOINT NEW BUSINESS**

**APPROVE LOAN OF REDEVELOPMENT AGENCY LOW/MOD HOUSING SET-ASIDE FUNDS AND AFFORDABLE HOUSING DEVELOPER FEE FUNDS TO MERCY HOUSING CALIFORNIA FOR THE ACQUISITION AND REHABILITATION OF HIDAWAY APARTMENTS**

Erin Moore-Lay, Housing Program Administrator, advised that Mercy Housing California, a national non-profit affordable housing developer plans to acquire the Hidaway Apartments in Canyon Country and invest 2.3 million dollars renovating the buildings and surrounding grounds. After the renovation is complete all 67 units will be made available at affordable rates for 55 years. Mercy Housing is requesting a loan of \$2,079,255 in Redevelopment Agency low/mod housing funds and \$670,331 in Affordable Housing Developer Fee funds for this project.

Addressing the Council/Agency on this item was Ben Phillips representing Mercy Housing; Larry Schellert representing the Child and Family Center; Gina Woltman representing the Child and Family Center; Alan Ferdman representing the Canyon Country Advisory Committee; Brenda Gagnon; Anthony Ciochetti; and Cam Noltemeyer representing SCOPE (submitted material).

In response to public comments and inquiries from Council/Agencymembers, Ms. Moore-Lay and Paul Brotzman, Director of Community Development, provided information and clarification. Additional information was provided by John Cutler representing Overland Pacific Cutler, relocation specialists, and Ben Phillips representing Mercy Housing.

**Motion by Ferry, second by Ender, to**

**City Council: adopt Resolution 08-84 stating that the use of housing developer fee funds for the acquisition and rehabilitation of Hidaway Apartments, which is outside the RDA project area, benefits the Redevelopment Agency per Health and Safety Code 33334.2(g) and 3334.3(j); approve the loan of \$670,331 in developer fees to Mercy Housing California, subject to the Terms and Conditions, to assist in the acquisition and rehabilitation of Hidaway Apartments; appropriate \$670,331 from Developer Fee Fund Balance (Fund 306) to account 13002-5161.001; authorize the City Manager and City Attorney to draft and execute loan documents and other related agreements as needed based on the resolution and project description.**

**Redevelopment Agency: adopt Resolution RDA 08-11 stating that the use of the Santa Clarita Redevelopment Agency (RDA) low/mod housing funds for the acquisition and rehabilitation of Hidaway Apartments, which is outside the RDA project area, benefits the Redevelopment Agency per Health and Safety Code 33334.2(g), approve the loan of 2,079,255 in Santa Clarita Redevelopment Agency low/mod housing funds to Mercy Housing California to assist in the acquisition and rehabilitation of Hidaway Apartments; appropriate \$2,079,255 from CRA-Low/Moderate Housing Fund Balance (Fund 391) to account 13401-5161.001; authorize the City Manager and City Attorney to draft and execute loan documents and other related agreements as needed based on the resolution and project description.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

**ADJOURN SANTA CLARITA REDEVELOPMENT AGENCY**

Chair Kellar adjourned the meeting at 9:16 p.m.

**RESUME CITY COUNCIL MEETING**

Mayor Kellar resumed the regular City Council meeting at 9:16 p.m.

### **ITEM 3**

#### **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 the titles to all ordinances which appear on this public agenda have been read, and waive further reading.

### **ITEM 4**

#### **CONSENT CALENDAR**

##### **AWARD RENEWAL OF BANNER HANGING CONTRACT**

Consideration of awarding renewal of street pole and paseo banner hanging services. Award a contract to Dangling Carrot Creative for the City of Santa Clarita banner services in the amount not to exceed \$150,000, authorize the City Manager or designee to execute all contracts and associated documents, and execute up to three (3) annual renewal options not to exceed the above annual amount plus Consumer Price Index (CPI) adjustments, contingent upon the appropriation of funds by the City Council in the annual budget for such Fiscal Year, subject to City Attorney approval.

### **ITEM 5**

#### **CONSENT CALENDAR**

##### **LOST CANYON RIVER PARK - PROJECT P3004 - APPROVE THE MAINTENANCE AGREEMENT BETWEEN THE CITY OF SANTA CLARITA AND THE COUNTY OF LOS ANGELES FOR ROAD AND LANDSCAPE IMPROVEMENTS**

On August 2, 2002, Los Angeles County Board of Supervisors approved the City's grant application for the Lost Canyon Park Trailhead and Development Project. Los Angeles County requires a Maintenance Agreement be accepted by City Council prior to issuing a construction permit. Approve the maintenance agreement for the landscaped area within Los Angeles County right-of-way for the Lost Canyon Trailhead Project, and authorize the City Manager to approve minor changes to the agreement subject to City Attorney approval.

### **ITEM 6**

#### **CONSENT CALENDAR**

##### **WORKFORCE INVESTMENT ACT (WIA) ADULT AND DISLOCATED WORKER - FISCAL YEAR 2008-09 GRANT AMENDMENT**

The City of Santa Clarita has been receiving annual WIA funding for the operation of the Santa Clarita WorkSource Center since it entered into a subcontract with the Antelope Valley Workforce Development Consortium in 1998. Accept Workforce Investment Act (WIA) Grant Amendment in the amount of \$156,223; increase estimated revenue in Account 259-4441.002 by \$6,223; decrease estimated expenditures in Account 15303 by \$51,413, based on the Antelope Valley Workforce Development Consortium's final allocation from the County of Los Angeles for Fiscal Year 2008-09; and authorize City Manager, or designee, to execute any contract agreements, extensions, or change orders arising out of this program, subject to City Attorney approval.

**ITEM 7**

**CONSENT CALENDAR**

**VIDEO DETECTION REPLACEMENT PROGRAM FOR TRAFFIC SIGNALS - AWARD CONTRACT**

This is the third and last phase of a program to replace existing video detection equipment that has surpassed its service-life expectancy with equipment that features new motorized and non-motorized vehicle detection technology. Authorize the renewal of the purchase contract with Iteris Inc., and approve the order of additional video detection equipment at the original contract price in an amount not to exceed \$70,000; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

**ITEM 8**

**CONSENT CALENDAR**

**TAX-SHARING RESOLUTIONS FOR SANITATION DISTRICT ANNEXATIONS 1022 AND 1027**

The Santa Clarita Valley Sanitation District provides wastewater treatment services within the District's service area. To provide wastewater treatment service to property located outside of the District's service area, the boundary must be expanded through the annexation process. Adopt the Sanitation District's **Resolution 08-85** and **Resolution 08-86** approving and accepting the negotiated exchange of property tax revenues resulting from Sanitation District Annexations 1022 and 1027.

**ITEM 9**

**CONSENT CALENDAR**

**SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE FOR HISTORIC PRESERVATION REVIEW**

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 potential historic resources. Conduct a second reading and adopt **Ordinance 08-14** entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA CONSISTING OF MASTER CASE 08-103, UNIFIED DEVELOPMENT CODE AMENDMENTS 08-003 FOR HISTORIC PRESERVATION REVIEW, AND ADOPTING A NEGATIVE DECLARATION."

Addressing the Council on this item was Molly Hodson; TimBen Boydston representing Canyon Theatre Guild; Tony Newhall; David Poole representing Queen of Angels Catholic Church (submitted material); Father Dominic Radechi representing Queen of Angels Catholic Church; Cynthia Harris (submitted material); Virginia Compton; and Norman Harris. One written comment was submitted.

In response to inquiries from Councilmembers, Alex Hernandez, Administrative Analyst, and Paul Brotzman, Director of Community Development, and Ken Pulskamp, City Manager, provided additional information.

**Motion by Weste, second by Ender, to approve the recommended action on Item 9.**

**On roll call vote:**

**Ayes: McLean, Ender, Weste**

**Noes: Ferry, Kellar**

**Absent: None**

**Motion carried.**

**ITEM 10**

**CONSENT CALENDAR**

**ANNEXATION OF TERRITORIES INTO STREETLIGHT MAINTENANCE DISTRICT NO. 1**

Annexation of parcels receiving benefit into the Streetlight Maintenance District No. 1. Adopt **Resolution 08-87** initiating annexation proceedings for 17 parcels into Streetlight Maintenance District (SMD) No. 1; approve the Engineer's Report, and call for and set the Public Hearing for October 28, 2008.

**ITEM 11**

**CONSENT CALENDAR**

**RESOLUTION OF INTENT TO FORM DRAINAGE BENEFIT ASSESSMENT AREA (DBAA) NO. 2008-2 (GOLDEN VALLEY RANCH COMMERCIAL)**

Maintenance and operation of two water quality basins required by the Urban Storm Mitigation Plan (USMP) and the project mitigation measures outlined in the Environmental Impact Report to reduce the amount of pollutants in urban runoff prior to its discharge in the Santa Clara River. Adopt **Resolution 08-88** initiating proceedings to form Drainage Benefit Assessment Area Number 2008-2 (DBAA 2008-2), approve the Engineer's Report, and set a public hearing for October 28, 2008; appropriate \$5,000 from DBAA Fund Balance (351) to expenditure account 12583-5161.002 for district formation administrative costs; and approve an increase of \$5,000 to the existing contract with Harris & Associates for Special Districts Assessment Engineer Services.

**ITEM 12**

**CONSENT CALENDAR**

**CHECK REGISTER NOS. 33 & 34**

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 33 & 34.

**Motion by Weste, second by McLean, to approve the Consent Calendar with the exception of Item 9.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

**ITEM 13**

**PUBLIC HEARING**

**AMENDMENT TO THE VALENCIA BRIDGE AND MAJOR THOROUGHFARE  
CONSTRUCTION FEE DISTRICT**

Mayor Kellar opened the public hearing.

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

**Council concurrence to waive the staff presentation.**

In report, Andrew Yi, City Traffic Engineer, advised that this public hearing is to consider amendments to the adopted Valencia Bridge and Major Thoroughfare Construction Fee District.

No requests to speak were submitted on this item.

Mayor Kellar closed the public hearing.

**Motion by Ferry, second by Ender, to adopt Resolution 08-89 amending the adopted Valencia Bridge and Major Thoroughfare Construction Fee District and instruct the City Clerk to record a certified copy of the adopted resolution with the County Recorder.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

**ADJOURNMENT**

Mayor Kellar adjourned the meeting at 10:13 p.m.

**FUTURE MEETINGS**

The next regular meeting of the City Council will be held Tuesday, September 23, 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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