

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:00 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
SEPTEMBER 23, 2008**

CALL TO ORDER

Mayor Kellar called to order the special meeting of the City Council at 5:04 p.m.

ROLL CALL

All Councilmembers were present with the exception of Councilmember Ender who entered the meeting at 5:05 p.m.

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 – CITY MANAGER

Government Code Section 54956.8

Location of Property: Land and improvements at 24522 San Fernando Road,
Santa Clarita, CA 91321

Property Owner: Title Trust Deed Service Company, Trustee

Under Negotiation: Price and Terms

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Government Code Section 54956.9(a)

Case Name: City of Santa Clarita v. Bermite Recovery, LLC, et al.

City of Santa Clarita v. Santa Clarita, LLC, et al.

L A Superior Court Case Nos. BC278004 and BC257152

Case Name: People & City of Santa Clarita v. Lawrence J. Totter, et al.

L. A. Superior Court Case No. PC040708

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section 54956.9(c), one matter

CONFERENCE WITH LABOR NEGOTIATOR

Government Code Section 54957.6

Agency Negotiator: City Manager or designee

Unrepresented Employees: All positions not represented by SEIU Local 721

Government Code Section 54957.6

Agency Negotiator: City Manager or designee

Represented Employees: All positions represented by SEIU Local 721

RECESS AND RECONVENE

Mayor Kellar recessed the meeting to Closed Session at 5:07 p.m. and reconvened the meeting at 6:01 p.m.

CITY ATTORNEY ANNOUNCEMENT

Carl Newton, City Attorney, announced that in the Closed Session just concluded the City Council, by unanimous vote, authorized participation, at no cost to the City, as an Amicus in litigation in support of the City of Anaheim. The case is: Qualified Patients Association v. City of Anaheim, a case in which a proposed medical marijuana purveyor has challenged the City of Anaheim's ordinance prohibiting medical marijuana dispensaries in the City. Anaheim prevailed at the trial court level, which was appealed to the California Court of Appeal, where our Amicus brief will be filed.

ADJOURN

Mayor Kellar adjourned the meeting at 6:03 p.m.

INVOCATION

Mayor Pro Tem Ferry gave the invocation.

CALL TO ORDER

Mayor Kellar called to order the regular meeting of the City Council at 6:04 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Mayor Pro Tem Ferry requested that a representative from Explorer Post 6 lead the flag salute.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Councilmember Weste and Councilmembers presented certificates of recognition to those residents of Santa Clarita who diligently participated in the JPL Mars Phoenix Program, which was the historic first landing north of the Martian arctic circle, known as the Phoenix Mission.

Mayor Pro Tem Ferry and Councilmembers presented certificates of recognition to representatives of Explorer Post 6 for receiving the Explorer Post of the Year award and for their dedication to our community.

PRESENTATIONS TO THE CITY

There were none.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember McLean invited attendance at the September 30 community workshop for the new Downtown Newhall Library; distributed commemorative gifts from the Boys & Girls Club 40th Year Celebration; commented on her attendance at the recent SCV Trustees Association meeting regarding emergency preparation for schools; announced that the Orange Line Development Authority had voted to hire D L Piper as the project finance law firm for the Orange Line Mag Lev; reported that the Los Angeles County Library Commission is looking to fund improvements to the space formerly used by College of the Canyons at the Canyon Country Library; and encouraged attendance at the Street Art Festival and Pow Wow at Hart Park this weekend.

Mayor Pro Tem Ferry encouraged attendance at Teen Scene Unplugged at the Hyatt tomorrow night; thanked the City Manager and staff for their time and effort on last week's sold-out State of the City luncheon; and encouraged attendance at the Senior Wine Auction to benefit the Senior Meals on Wheels Program this weekend.

Councilmember Weste encouraged attendance at this weekend's Senior Wine Auction, Street Art Festival and the Hart Park Pow Wow; acknowledged the 50th anniversary of Hart Park; and provided the status of the story stations to be installed at the Veterans Historical Plaza.

Councilmember Ender congratulated Liz Seipel on her retirement from the Child and Family Center and welcomed Darrell Paulk to his new position as their CEO; thanked representatives of other elected officials for their attendance at the City's State of the City luncheon; and congratulated the Democratic and Republican Parties for opening their new headquarters in the City.

Mayor Kellar encouraged participation at the Farmers Market in Old Town Newhall on Thursday afternoons; announced that a Town Hall meeting would be held in each community starting on October 6 at Highlands Elementary School; and thanked Councilmembers for their participation at last week's team building session.

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 Weste, to approve the agenda.

Hearing no objections, it was so ordered.

APPROVAL OF MINUTES

Motion by Weste, second by Ender, to approve the minutes of the September 9, 2008 special and regular City Council meetings as submitted.

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

ITEM 2

CONSENT CALENDAR

FISCAL YEAR 2008 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

The City of Santa Clarita has been awarded a grant for \$12,805 by the U.S. Department of Justice, Bureau of Justice Assistance through the Fiscal Year 2008 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program allows states and local governments to support a broad range of activities to prevent and control crime based on their local needs and conditions. Accept Fiscal Year 2008 Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the U.S. Department of Justice, Bureau of Justice Assistance; increase estimated revenues in Account 206-4461.009 by \$12,805; increase estimated expenditures in Account 16109-5161.001 (Contractual Services) by \$12,158, and in Account 16109-5191.001 (Travel and Training) by \$647; and authorize City Manager, or designee, to execute any contract documents, change orders, or amendments arising out of this program, subject to City Attorney approval.

ITEM 3

CONSENT CALENDAR

APPROVE CONTRACT AMENDMENT OF ARBORPRO INC. TO INCREASE CONTRACT AMOUNT FOR TREE INVENTORY DATA COLLECTION

Increasing ArborPro Inc.'s contract amount by \$76,000 will allow the collection of tree data on an additional 25,350 trees within the City's urban forest. The collected data will provide necessary information for analysis of tree maintenance needs. Approve the amendment to Contract 08-00026 with ArborPro Inc. for tree inventory data collection in the amount of \$76,000; authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 4

CONSENT CALENDAR

AWARD CONTRACT TO MNS ENGINEERS INC. FOR PLAN REVIEW, INSPECTION, AND PERMIT-RELATED PROFESSIONAL SERVICES

The Development Services Division is tasked with reviewing and inspecting a variety of projects throughout the year. Some of these projects require contracts with outside consultants. Consultants are used when a project requires specialized expertise that is unavailable in-house, when outside assistance is needed to help expedite projects, or when a third party is needed to perform inspection or review services. Award contract to MNS Engineers Inc. for plan review, inspection, and permit-related professional services for the Development Services Division, in an annual amount not to exceed \$200,000; authorize the City Manager or designee to execute up to four annual renewal options not to exceed \$200,000 each, plus consumer price index

adjustments, contingent on the appropriation of funds by the City Council in the annual budget for each fiscal year; and authorize the City Manager or designee to execute the contract and associated documents, or modify the awards in the event that issues of impossibility of performance arise, and execute renewals, in accordance with the terms provided herein, subject to City Attorney approval.

ITEM 5

CONSENT CALENDAR

AWARD CONTRACTS FOR ANNUAL SANTA CLARA RIVER ARUNDO REMOVAL PROGRAM

The City received grant funds from the Los Angeles Regional Water Quality Control Board and the Natural Resources Conservation Service for removing invasive plants from City-owned river property. This property serves as a community demonstration site for invasive plant removal. Award contract to Wildscape Restoration for the annual removal of invasive plants from City-owned river property up to \$150,000, and award contract to California Conservation Corps for cleaning up and chipping of invasive plants up to \$50,000; authorize the City Manager or designee to modify the awards in the event that issues of impossibility of performance arise, and execute up to three annual renewal options plus consumer price index adjustments, contingent upon the appropriation of funds by the City Council in the annual budget for each fiscal year; and authorize the City Manager or designee to execute all contracts and associated documents.

ITEM 6

CONSENT CALENDAR

RESOLUTION AUTHORIZING THE INSTALLATION OF A MULTIWAY STOP CONTROL FOR THE INTERSECTION OF VALLEY STREET AND 8TH STREET

Requests have been received from area residents to investigate the possibility of installing a multiway stop control at the intersection of Valley Street and 8th Street. Adopt **Resolution 08-90** authorizing the installation of a multiway stop control for the intersection of Valley Street and 8th Street.

Two written comments were submitted on this item.

ITEM 7

CONSENT CALENDAR

AWARD CONTRACT FOR THE PURCHASE OF NINE LIGHT-DUTY TRUCKS

The 2008/2009 fiscal year budget provided funds for the purchase of nine light-duty vehicles for various departments. Award a contract to Theodore Robins Ford, in an amount not to exceed \$238,175, for the purchase of nine light-duty trucks, and authorize the City Manager or designee to modify the award in the event other issues of impossibility of performance arise, subject to City Attorney approval; transfer \$33,565.12 from account 12001-5151.002 Claims Payment to account 12001-5201.003 Automotive Equipment.

ITEM 7a

CONSENT CALENDAR

APPROVAL OF REAL PROPERTY PURCHASE OF 34 ACRES FROM LOS ANGELES

COUNTY TREASURER AND TAX COLLECTOR, ASSESSORS PARCEL NO. 2836-012-025. 2008C SEALED BID SALE ITEM NO. 00113

County of Los Angeles Department of the Treasurer and Tax Collector offered APN 2836-012-025, a 34 acre parcel, for purchase using a sealed bid process. The City of Santa Clarita was the successful in the bidding process and has received the Agreement with the sale price and all fees totaling \$1,010.60. Approve the acquisition of 34 acres and purchase price of \$1,010.60 for Sealed Bid 2008C Item #00113, Agreement to Purchase from the County of Los Angeles Department of the Treasurer and Tax Collector APN No. 2836-012-025, approve transfer of \$1,010.60 from account 19300 5401.001 to account number 14502 5201.004, and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 8

CONSENT CALENDAR

CHECK REGISTER NOS. 35 & 36

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 35 & 36.

Motion by Ferry, second by Weste, to approve the Consent Calendar.

On roll call vote:

Ayes: Ender, Weste, Ferry, McLean, Kellar

Noes: None

Absent: None

Motion carried.

ITEM 9

PUBLIC HEARING

HEARING ON OBJECTIONS TO PROPOSED REMOVAL OF A NON-CONFORMING SIGN LOCATED AT 24811 RAILROAD AVENUE

Mayor Kellar opened the public hearing.

Carl Newton, City Attorney, announced that a request to continue the public hearing had been received and recommended the public hearing be continued to October 14, 2008.

Motion by Weste, second by McLean, to continue the public hearing to the October 14, 2008 meeting.

Hearing no objections, it was so ordered.

ITEM 10

PUBLIC HEARING

MASTER CASE 04-325: HENRY MAYO NEWHALL MEMORIAL HOSPITAL MASTER PLAN, DEVELOPMENT AGREEMENT AND 2008 REVISED DRAFT EIR AND AUTHORIZATION TO MODIFY THE PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING FOR PREPARATION OF THE HMNMH EIR

Mayor Kellar announced that the public hearing was open. The original public hearing was opened on September 25, 2007, continued to January 8, 2008, and then continued to a date uncertain with required noticing to be done.

Lisa Webber, Planning Manager, advised that the project applicants, Henry Mayo Newhall Memorial Hospital (HMNMH) and G&L Realty, propose a long-range Master Plan for the buildout of the HMNMH medical campus. The HMNMH Master Plan will increase the existing square footage of the campus from 340,071 square feet to 667,434 square feet, a 327,363 net square-foot increase over a 15-year timeframe. The Master Plan includes the construction of nine new structures on the existing 30.4-acre hospital campus over a 15-year period, which include three medical office buildings, one inpatient building, a central plant building and four parking structures. Other project components include the construction of two helipads, landscaping improvements, and traffic improvements. A 15-year Development Agreement is also requested.

Sharon Sorenson, Senior Planner, provided information on the components of the draft environmental impact report.

Joe Montes, Assistant City Attorney, provided information on the development agreement and modifications made.

Representing the applicant, Roger Seaver, President/CEO of HMNMH, Craig Peters, Vice Chair of the Hospital Board, and Jim Barber, President of the Hospital Association of Southern California, provided information on the proposed hospital expansion and the need for quality physicians and services.

Addressing the Council on this item was John Barstis M.D.; Jodi Monte Leone; Stephen Colf; Wayne Crawford; Glenn Debatos; Sue Walroth; Nick Ruso M.D.; David Brennan; David Henry M.D.; Bob Benjamin; Roscoe Marter M.D.; Jonathan Miller; Edward Pechter M.D.; and Robert Hill.

RECESS AND RECONVENE

Mayor Kellar called a recess at 8:07 p.m. and reconvened the meeting at 8:22 p.m.

Addressing the Council on this item was Terri Sullivan; Jeanne Wray; Todd Hoover; Martha Willman representing Smart Growth SCV; Jerry Noltemeyer; Cam Noltemeyer representing SCOPE; Gene Dorio M.D.; Barbara McElmeel; Lindsay Newhall; Anthony Newhall representing Smart Growth SCV (submitted material); Reena Newhall representing Smart Growth SCV; Linda Pedersen representing Smart Growth SCV; Tony Natoli; Robin Clough; TimBen Boydston; Alan Zada; Minerva Williams; Henry Schultz; Alan Wright representing Smart Growth SCV; Sandra Cattell; Valerie Thomas representing Placerita Canyon Property Owners Assn; Robin Stevenson (submitted pictures); Annette Lucas; Richard North; and Sheryl Lucas.

Thirteen written comment cards were submitted on this item.

Roger Seaver provided information on operating rooms; heliport use; arrangements for off-site parking availability during construction; proposed parking arrangements; and will provide additional information in a supplemental memo.

In response to inquiries from Councilmembers, Paul Brotzman, Director of Community Development, provided additional information regarding eminent domain, bridge and thoroughfare fees and conditions in the development agreement.

Motion by Weste, second by Ender, to continue the public hearing to a City Council special meeting on November 19, 2008 at 6:00 p.m.

On roll call vote:

Ayes: Weste, Ferry, McLean, Ender, Kellar

Noes: None

Absent: None

Motion carried.

Motion by Weste, second by Ender, to authorize the City Manager or designee to enter into a professional services contract amendment between the City and RBF Consulting for the preparation of the Environmental Impact Report (EIR) for the Henry Mayo Newhall Memorial Hospital Master Plan project, for a revised contract amount not to exceed \$536,795.00, subject to City Attorney approval. EIR preparation costs will be borne by the applicant.

On roll call vote:

Ayes: Ferry, McLean, Ender, Weste, Kellar

Noes: None

Absent: None

Motion carried.

PUBLIC PARTICIPATION

Addressing the Council at this time was Cam Noltemeyer regarding the hospital development agreement; Annette Lucas regarding the public comment period being moved to the end of the agenda; Valerie Thomas regarding minutes of the Newhall Redevelopment Committee; and TimBen Boydston regarding the public comment period being moved to the end of the agenda and the One Valley One Vision plan. One written comment was submitted regarding moving Public Participation to the end of the agenda.

STAFF COMMENTS

Ken Pulskamp, City Manager, commented that a variety of cities schedule Public Participation at various times on their Council agendas and noted that there are many ways to contact the Council other than at a Council meeting; pointed out that Councilmember Weste was not precluded from attending Newhall Redevelopment Committee meetings; and noted that a dedicated area for parking was considered an amenity and convenience at parks.

Councilmember Weste pointed out that her property is not within the City's redevelopment area.

ADJOURNMENT

Mayor Kellar adjourned the meeting at 10:29 p.m.

FUTURE MEETINGS

A City Council Study Session will be held Tuesday, October 7, 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, October 14, 2008, at 6:00 p.m. in the Council Chamber, 1st floor of City Hall, 23920 Valencia Blvd., Santa Clarita, CA.

MAYOR

ATTEST:

CITY CLERK

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