

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:30 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
OCTOBER 28, 2008**

CALL TO ORDER

Mayor Kellar called to order the special meeting of the City Council at 5:31 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 – ANTICIPATED LITIGATION

Government Code Section 54956.9 (c) – one matter

RECESS AND RECONVENE

Mayor Kellar recessed the meeting to Closed Session at 5:32 p.m. and reconvened the meeting at 6:05 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 6:05 p.m.

INVOCATION

Councilmember McLean gave the invocation.

CALL TO ORDER

Mayor Kellar called to order the regular meeting of the City Council at 6:07 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Mayor Kellar invited Cub Scout Pack 494 forward to lead the flag salute.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Mayor Pro Tem Ferry and Councilmembers presented plaques of congratulation to local Olympians, Crystl Bustos, Kim Rhode, David Neville and Allyson Felix, for their achievements at the 2008 Beijing Olympics. Also making presentations to the Olympians were Congressman Buck McKeon; Jackie Bick on behalf of Senator George Runner, Ed Masterson on behalf of Assemblyman Cameron Smyth, and Dave Perry on behalf of Supervisor Mike Antonovich.

Councilmember McLean and Councilmembers presented a certificate of recognition to Ian Swift for his commitment and dedication over the years at the Placerita Nature Center. Representing the Sierra Club, Sandra Cattel also made a presentation to Mr. Swift.

PRESENTATIONS TO THE CITY

Mayor Kellar and Councilmembers presented the Investment Policy Certification of Excellence from the Association of Public Treasurers US and Canada to representatives of the Finance Division.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember McLean commented on the recent Rubber Ducky Regatta fund-raiser for the Sam Dixon Health Center, the Centennial Celebration for Saugus Union School District, and the upcoming rummage sale on November 1 to benefit the Senior Center.

Mayor Pro Tem Ferry encouraged involvement in the current election process and expressed appreciation for the participation he has seen displayed; encouraged support for the November 1 SCV Youth Project fund-raiser, the November 8 fund-raiser for the Gunning family at the Hyatt, and for Measure SA on the November 4 ballot to provide needed improvements to schools. He also clarified his intent with regard to the proposed policy to be considered under Item 16 on this agenda.

Councilmember Weste offered congratulations to the Filipino-American Association for their Silver Anniversary Grand Ball held last weekend, to the Sheriff's Station for the Haunted Jail House, and to the Historical Society for the ongoing Heritage Haunt at Heritage Junction at Hart Park. She encouraged support of the SC Artists Association at their event on November 9 and requested this meeting be adjourned in memory of former Deputy Sheriff Randy Hamson.

Councilmember Ender encouraged support of the Saugus High School fund-raiser on November 1 and 2 to benefit scholarship students and reminded that October is Breast Cancer Awareness Month and acknowledged the contributions of Diane Crawford and Gail McCloskey in this community.

Mayor Kellar reported on his attendance at the Saugus School District Centennial Celebration and encouraged participation at the SC Artists Association event on November 9; acknowledged the recently held Town Hall Meetings and the two remaining to be held on Monday, November 3 and 10; encouraged support of the annual Festival of Trees event on November 15 at the Hyatt to benefit the Boys and Girls Club as well as the Birdies for the Brave golf fund-raising event for our military on November 24 at Valencia Country Club.

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 that Item 2 should be deleted from the agenda.

APPROVAL OF AGENDA

Motion by McLean, second by Weste, to approve the agenda, deleting Item 2 from the agenda, pulling Items 4, 10 and 11 from the Consent Calendar, with Item 10 to be voted on separately.

Hearing no objections, it was so ordered.

APPROVAL OF MINUTES

Motion by McLean, second by Ender, to approve the minutes of the October 14, 2008 special and regular City Council meetings as submitted.

Hearing no objections, it was so ordered.

Motion by Weste, second by Ferry, to approve the minutes of the October 16, 2008 special City Council meeting 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 that the titles to all ordinances which appear on this public agenda have been read and waive further reading.

ITEM 2

CONSENT CALENDAR

APPROVE GRAPHIC DESIGN SERVICES CONTRACT FOR RED ROCKET LA

This action approves graphic design contract for design services which will be used by various city departments. Award contract to Red Rocket LA for graphic design services in amounts not to exceed \$150,000 annually, authorize the City Manager or designee to execute the contract and associated documents, and execute up to three 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.

This item was deleted from the agenda.

ITEM 3

CONSENT CALENDAR

SECOND READING AND ADOPTION OF AMENDMENTS TO TITLE 15, DIVISION 2 OF THE SANTA CLARITA MUNICIPAL CODE, SANITARY SEWERS AND INDUSTRIAL WASTE

As part of the City's ongoing efforts to comply with the statewide Waste Discharge Requirements (WDR) for sanitary sewer systems, staff is proposing amendments to the existing ordinance relating to sanitary sewers and industrial waste. Minor revisions are recommended to make the municipal code consistent with the language contained in the WDR. Conduct second reading and adopt **Ordinance No. 08-15** entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTER 24.080 AND CHAPTER 36.400 OF TITLE 15, OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING SANITARY SEWERS AND INDUSTRIAL WASTE."

ITEM 4

CONSENT CALENDAR

SAFE ROUTES TO SCHOOL INFRASTRUCTURE, PROJECT T0026 - AWARD CONSTRUCTION CONTRACT

This project consists of the construction of physical improvements at crossings near Santa Clarita Elementary School, Newhall Elementary School, and Cedar Creek Elementary School to enhance student safety by reducing the speed of vehicles near school grounds and increasing the visibility of school crossings. Approve the plans and specifications and award the construction contract for the Safe Routes to School Infrastructure, Project T0026, to R.C. Becker & Son, Inc., in the amount of \$504,082 plus a contingency in the amount of \$90,735, for a total not to exceed \$594,817; appropriate federal grant funds in the amount of \$496,382 to Account T0026229-5161.001; authorize the transfer of Transportation Development Act Article 8 funds in the amount of \$180,000 from Project Account B0004233-5161.001 to Project Account T0026233-5161.001; award various construction support contracts totaling \$66,000; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

Addressing the Council on this item was Carla Hicks representing Newhall Elementary School; and Rudy Ramirez representing the Saugus Union School District.

ITEM 5

CONSENT CALENDAR

2008-09 ANNUAL OVERLAY AND SLURRY SEAL PROGRAM, PROJECT M0063 - AWARD DESIGN CONTRACT

The Annual Overlay and Slurry Seal Program improves various streets throughout the City by resurfacing and sealing surface cracks to enhance skid resistant properties and increase pavement life. This results in a smoother ride for traffic, an enhanced appearance of the area, and extends the economic life of the roadway. Award the contract for engineering design services to Pavement Engineering Inc. for the 2008-09 Annual Overlay and Slurry Seal Program, Project M0063 in the amount of \$244,624 plus a \$24,462 contingency expenditure for a total not to exceed \$269,086; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 6

CONSENT CALENDAR

SANTA CLARITA SPORTS COMPLEX PHASE IV GYMNASIUM, PROJECT P3011 - AWARD DESIGN SERVICES AND LEED COMMISSIONING CONTRACTS

This portion of the project is for expanded design services and LEED commissioning of the 22,500 square foot gymnasium. Award the Green Building/LEED commissioning contract to TRC for the Santa Clarita Sports Complex Phase IV Gymnasium, Project P3011, in the amount of \$36,000; increase the architectural design services contract with Meyer and Associates in the amount of \$270,000 to include expanded design services and LEED design; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 7

CONSENT CALENDAR

LIGHT EMITTING DIODE (LED) REPLACEMENT PROGRAM FOR TRAFFIC SIGNALS PROJECT M0066, PHASE III - AWARD CONTRACT

This is the third phase of a five-year program to replace incandescent traffic signal lamps with energy efficient LED modules and install pedestrian countdown modules at 30 intersections out of Santa Clarita's existing 172 signalized intersections. Approve the plans and specifications for the Light Emitting Diode (LED) Replacement Program, Project M0066; award the contract to Metro Parking & Traffic Systems, for \$150,912.00, plus a 15 percent contingency in the amount of \$22,637.00, for a total of \$173,549.00; authorize the expenditure from Account M0066354-5161.001; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 8

CONSENT CALENDAR

SIERRA HIGHWAY BRIDGES OVER THE RAILROAD, PROJECT S3009 - PROJECT ACCEPTANCE

This project constructed the replacement of the northbound structure and rehabilitated the southbound structure of the Sierra Highway bridges over the Metrolink tracks while eliminating the existing gap between the two structures and providing a raised median in its place. Accept the work performed by Griffith Company on the Sierra Highway Bridges Over the Railroad, Project S3009; direct the City Clerk to file the Notice of Completion; direct staff to release the retention 35 days after the Notice of Completion is recorded, provided no stop notices have been filed, as provided by law; increase the contract for Aquatic Consulting Services from \$19,800 to \$49,800; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 9

CONSENT CALENDAR

TAX-SHARING RESOLUTIONS FOR SANITATION DISTRICT ANNEXATIONS 1025, 1029, AND 1034

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 No. 08-96** approving and accepting the negotiated exchange of property tax revenues resulting from Sanitation District Annexation 1025; adopt the Sanitation

District's **Resolution No. 08-97** approving and accepting the negotiated exchange of property tax revenues resulting from Sanitation District Annexation 1029; and adopt the Sanitation District's **Resolution No. 08-98** approving and accepting the negotiated exchange of property tax revenues resulting from Sanitation District Annexation 1034.

ITEM 10

CONSENT CALENDAR

LOCAL PUBLIC TELEVISION MANAGEMENT

Due to changes in California law, effective January 2, 2009, Time Warner Cable will no longer be legally obligated to provide any production support for Channel 20, including the day to day operation and funding of the City's existing Public Television. In light of this fact on June 11, 2008 the City issued a Request for Proposal (RFP) document to solicit proposals from parties potentially interested in assuming the daily operation and management of public television production in Santa Clarita. Reject all proposals; appropriate funds in the amount of \$116,000 from Public, Education, and Government Fund Balance (330) to Account 12205-5201.002, and appropriate \$25,000 from Council Contingency Account 19300-5401.001 to the Communication Division's Professional Services Account 11500-5161.002; and direct the City Manager to proceed with efforts to oversee the management of the City's Public Television Operation.

Addressing the Council on this item was Kelly Nish; Philip Scorza; Leon Worden representing SCVTV; Jonathan Amador; Jon Dell representing KHTS AM-1220 Radio; Erin Fitzgerald; Tim Ben Boydston; Alan Ferdman representing the Canyon Country Advisory Committee; Susan Shapiro; Ian Lamont representing The Signal; Kathy Crone representing the SCV Senior Center; Bruce Fortine representing the Board of Trustees of College of the Canyons; Gloria Mercado-Fortine representing the William S. Hart School District Board of Trustees; and Annette Lucas. Two written comments were submitted on this item.

Ken Pulskamp, City Manager, explained the reasoning behind his recommendation.

In response to inquiries from the Council, Kevin Tonoian, Technology Services Manager, provided additional information.

In response to request from the Council, Leon Worden provided additional information.

Motion by Weste, second by McLean, to return the item to staff to set up a meeting with various stakeholders on this issue and report back to the Council before the end of the calendar year.

On roll call vote:

Ayes: Weste, Ferry, McLean, Ender, Kellar

Noes: None

Absent: None

Motion carried.

ITEM 11

CONSENT CALENDAR

LMD ZONE T-47 NORTHPARK SLOPE IMPROVEMENT

Since 2007 the City's Landscape Maintenance District has been working with the Northpark HOA to improve a naturally occurring erosion condition exacerbated by the rains of 2005. Studies have recommended a landscape improvement that will eliminate this erosion concern. Increase revenue Account 357-4022.021 (LMD Zone T-47) by \$132,560, and appropriate \$49,000 to LMD Zone T-47 in expenditure Account 12521-5141.001 for the execution of a contract to address slope erosion issues within LMD Zone T-47.

One written comment was submitted on this item.

ITEM 12

CONSENT CALENDAR

CHECK REGISTER NOS. 40 & 41

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 40 & 41.

Motion by Ferry, second by Weste, to approve the Consent Calendar, noting the deletion of Item 2, and with the exception of Item 10.

On roll call vote:

Ayes: Ender, Weste, Ferry, McLean, Kellar

Noes: None

Absent: None

Motion carried.

RECESS AND RECONVENE

Mayor Kellar called a recess at 8:04 p.m. and reconvened the meeting at 8:14 p.m.

Council concurrence to proceed with Item 17 at this time.

ITEM 17

NEW BUSINESS

REVIEW OF SANTA CLARITA VALLEY SANITATION DISTRICT SEWERAGE SERVICE POLICY

Through action taken previously, Item 17 was considered at this time.

ITEM 13

PUBLIC HEARING

FORMATION OF DRAINAGE BENEFIT ASSESSMENT AREA (DBAA) NO. 2008-2 (GOLDEN VALLEY COMMERCIAL)

Mayor Kellar opened the public hearing.

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

In report, Dennis Luppens, Special Districts Administrator, advised that this is a public hearing on the formation of DBAA 2008-2 Golden Valley (Commercial). Commercial property owners would fund the maintenance of certain storm drains not accepted by the County of Los Angeles.

No requests to speak were submitted on this item.

Mayor Kellar closed the public hearing.

Mayor Kellar directed the City Clerk to tabulate the ballots and announced that after the tabulation is complete, the Council would return to this item to announce the results.

Following Item 16, Sharon Dawson, City Clerk, announced results of the ballot count with 100% of the assessment amount (\$26,375.23) voting “YES” and 0% of the assessment amount voting “NO”. Therefore, there is no majority protest.

Motion by Weste, second by Ferry, to adopt Resolution No. 08-99 approving the Engineers Report for DBAA 2008-2, and authorize the annual levy and collection of assessments within the District.

On roll call vote:

Ayes: Ferry, McLean, Ender, Weste, Kellar

Noes: None

Absent: None

Motion carried.

ITEM 14

PUBLIC HEARING

**ANNEXATION OF TERRITORY INTO STREETLIGHT MAINTENANCE DISTRICT NO. 1
(ANNEXATION L-87)**

Mayor Kellar opened the public hearing.

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

In report, Dennis Luppens, Special Districts Administrator, advised that this item is for the consideration of annexing 17 parcels receiving benefit into Streetlight Maintenance District No. 1.

No requests to speak were submitted on this item.

Mayor Kellar closed the public hearing.

Mayor Kellar directed the City Clerk to tabulate the ballots and announced that after the tabulation is complete, the Council would return to this item to announce the results.

Following Item 13, Sharon Dawson, City Clerk, announced results of the ballot count with 72% of the assessment amount (\$1,250.45) voting “YES” and 28% of the assessment amount (\$477.70) voting “NO”. Therefore, there is no majority protest.

Motion by McLean, second by Ferry, to adopt Resolution No. 08-100 ordering said annexation, and authorize the annual levy and collection of assessments within the District.

On roll call vote:

Ayes: McLean, Ender, Weste, Ferry, Kellar

Noes: None

Absent: None

Motion carried.

ITEM 15

PUBLIC HEARING

APPEAL OF THE PLANNING COMMISSION'S DENIAL OF MASTER CASE NO. 06-157, A PROPOSED FIVE-LOT SUBDIVISION AT 23328 8TH STREET IN THE HAPPY VALLEY COMMUNITY

Mayor Kellar opened the public hearing.

Councilmember McLean advised that after consulting with the City Attorney, she has determined to not participate in this matter based upon the fact that the applicant was a source of income to her business within the past 12 months and left the dais.

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

James Chow, Associate Planner, advised that this is an appeal of the Planning Commission's denial of Master Case No. 06-157 for a five-lot subdivision at 23328 8th Street and provided background information on the project. Three additional letters from residents had been received by the Planning Division and were distributed to the Council.

Norris Whitmore, the applicant and appellant, outlined his proposal for a five-lot subdivision.

Addressing the Council on this item was Linda Pursell (submitted material); Perry Mangers (submitted material); Rudy Losorelli; Ed Poulin; Jon Neeley; Richard Dunn; Jimmie Fortner; Jake Young; Fran Fecske; Janet Allen; B.J. Atkins; Dave Hetzel; Bob Crockett; Troy Meldrum; Dave Davis; and Fred Allen. Twenty-six written comment cards were submitted on this item.

In response to Council inquiries, Mr. Whitmore provided additional information.

In response to other Council inquiries, Lisa Webber, Planning Manager, provided additional information.

Mayor Kellar closed the public hearing.

Motion by Weste, second by Ferry, to direct staff to work with the applicant as discussed in alternative action 2 for consideration of a 4-lot subdivision, looking at the historic nature of the area, the architecture, and plantings, encouraging moving forward with a special standards district for the area.

On roll call vote:
Ayes: Ender, Weste, Ferry, Kellar
Noes: None
Absent: None
Disqualified: McLean
Motion carried.

RECESS AND RECONVENE

Mayor Kellar called a recess at 9:39 p.m. and reconvened the meeting at 9:47 p.m.

ITEM 16

NEW BUSINESS

ADOPT POLICY I-16 TO PROHIBIT INSTALLATION OF CLOSURES, GATES, OR OTHER PHYSICAL BARRIERS ON PUBLIC STREETS

Mayor Pro Tem Frank Ferry advised that at the September 30, 2008, special City Council meeting, the City Council discussed the possible development of a comprehensive policy regarding closures, gates, or other physical barriers on public streets. Due to recent requests from neighborhoods to implement traffic-calming measures that restrict traffic on public streets, this is an appropriate time for the City Council to consider a policy that prohibits gates or other physical barriers on public streets.

Addressing the Council on this item was Linda Pursell; TimBen Boydston; Tony Natoli; Alan Ferdman representing the Canyon Country Advisory Committee; Richard Smith representing the Sunset Heights HOA; Annette Lucas; Valerie Thomas (letter from Ms. Thomas was read by the City Clerk at Council's direction); Nadine Teter; and Shannon Thompson. Six written comment cards were submitted on this item.

In response to inquiries from Council, Andrew Yi, Traffic Engineer, provided additional information.

Motion by Ferry, second by Ender, to adopt Policy I-16 to prohibit the installation of closures, gates, or other physical barriers on public streets, with the understanding that this action does not apply to private streets, the status quo, any traffic calming measures including bulb-outs and speed cushions, or private neighborhoods that maintain their own streets, and being proactive with speed enforcement.

On roll call vote:
Ayes: Weste, Ferry, Ender
Noes: McLean, Kellar
Absent: None
Motion carried.

ITEM 13

PUBLIC HEARING

FORMATION OF DRAINAGE BENEFIT ASSESSMENT AREA (DBAA) NO. 2008-2 (GOLDEN VALLEY COMMERCIAL)

At this time, Council returned to Item 13 for the ballot tabulation.

ITEM 14

PUBLIC HEARING

ANNEXATION OF TERRITORY INTO STREETLIGHT MAINTENANCE DISTRICT NO. 1 (ANNEXATION L-87)

At this time, Council returned to Item 14 for the ballot tabulation.

ITEM 17

NEW BUSINESS

REVIEW OF SANTA CLARITA VALLEY SANITATION DISTRICT SEWERAGE SERVICE POLICY

Steve Maguin, Chief Engineer and General Manager of the Sanitation Districts, reviewed the current Sanitation District Annexation policy applicable in Santa Clarita and outlined a proposed change to reduce administrative costs.

No requests to speak were submitted on this item.

Motion by Ferry, second by Weste, to authorize the Mayor to send a response letter to Sanitation District with Council's decision to concur with the proposed change.

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 Lori Denman regarding building a proposed Museum of the First Californians (submitted material); Richard Angulo regarding loss of architectural sites and building a proposed Museum of the First Californians; Phil Rawlins regarding open space and fire safety; Eugene Taylor Jr. regarding Council endorsements of partisan elected officials; Alan Ferdman representing the Canyon Country Advisory Committee thanking the Mayor and staff for their time and effort toward the Mayor's Town Hall meetings; Tony Natoli expressing appreciation for the Mayor's Town Hall Meetings and commenting on the turn restrictions placed on Benz Road; and Annette Lucas regarding the lack of stop signs in the Wiley/Calgrove neighborhood, bus stops on a gravel road with no shelters, and requesting new street signs.

STAFF COMMENTS

Ken Pulskamp, City Manager, advised staff would review the proposal submitted for the Museum of the First Californians; advised staff has removed material from around the oak trees around Mr. Rawlin's property in accordance with Department of Fish and Game instructions; clarified that no candidates have been officially endorsed by the City Council and noted that the

Council has no control over what is printed in a political flyer; will ask Captain LaBerge what enforcement is taking place with regard to turn restrictions on Benz; clarified that the new street signs are still being installed typically on the weekends; and advised staff would contact Ms. Lucas with regard to the bus shelter location.

Carl Newton, City Attorney, offered that a Councilmember, upon election to that position, does not give up his or her constitutional rights to participate in elections.

Mayor Kellar noted the degree of trash on the on- and off- ramps in the City and requested that staff prepare a letter to CalTrans with regard to the litter.

Councilmember Weste commented on the opportunity to have staff work with the folks proposing a Museum for the First Californians.

ADJOURNMENT

Mayor Kellar adjourned the meeting at 11:05 p.m. in memory of former Deputy Sheriff Randy Hamson.

FUTURE MEETINGS

The City Council Study Session regularly scheduled for Tuesday, November 4, 2008, has been cancelled.

The City Council meeting regularly scheduled for Tuesday, November 11, 2008, has been cancelled due to the Veteran's Day Holiday.

The City Council will hold a special meeting on Wednesday, November 19, 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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