

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:30 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
APRIL 14, 2009**

CALL TO ORDER

Mayor Ferry 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:

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Government Code Section 54956.9(a)

Case Name: City of Santa Clarita v. Santa Clarita, LLC, et al.
Los Angeles Superior Court Case No. BC 259442

Case Name: Chang O. Kim et al. v. City of Santa Clarita et al.
Los Angeles Superior Court Case No. BC 407614

CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION

Government Code Section 54956.9(c) – one matter

Mr. Newton noted that there was no need to discuss the Natural Resources Defense Council Inc. et al. v. County of Los Angeles et al. case as listed on the agenda; therefore that item was removed.

RECESS AND RECONVENE

Mayor Ferry recessed the meeting to Closed Session at 5:33 p.m. and reconvened the meeting at 6:17 p.m.

CITY ATTORNEY ANNOUNCEMENT

Carl Newton, City Attorney, announced that in the Closed Session just concluded the City Council, by unanimous vote, authorized the City Attorney and Burke, Williams & Sorensen to defend the City's interests in the Chang O. Kim, et al. v. City of Santa Clarita, et al., Los Angeles Superior Court Case No. BC407614. This is litigation filed by 91 plaintiffs owning 55 homes in the Canyon Gate Tract located near Sierra Highway and Golden Valley Road claiming damages

by reason of alleged landslides. Co-defendants in this case are D.R. Horton, the developer; Zephyr Newhall; Zephyr Partners; and Draper Partners.

ADJOURN

Mayor Ferry adjourned the meeting at 6:18 p.m.

INVOCATION

Councilmember Ender gave the invocation.

CALL TO ORDER

Mayor Ferry called to order the regular meeting of the City Council at 6:19 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Councilmember Ender invited Ty, Jeremy and Angel, members of Santa Clarita Autism Aspergers Network (SCAAN) to lead the flag salute.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Councilmember Ender and Councilmembers announced the launch of the Project Lifesaver Program and presented the Autism Awareness Month Proclamation to Artie Thompson, Emily Iland, Victoria Berry, Ursula Messick, and Diana Sevanian who helped put the program together.

Councilmember Kellar and Councilmembers congratulated Myrna Condie on being named the 2009 Mother of the Year by the California Association of American Mothers, Inc. (AMI) and presented a certificate of recognition to Mrs. Condie.

PRESENTATIONS TO THE CITY

Rick Gould, Director of Parks, Recreation and Community Services provided an update on the City's Community Court, Graffiti and Anti-Gang Programs.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember McLean commented on a meeting she attended with Robert Newman, Director of Public Works, at General Atomics where she was able to see the many potential uses of the "maglev" technology; noted the progress of AB110 (Smyth) to preserve Elsmere Canyon; complimented Linda Valdez on her environmental awareness program at Rio Vista Elementary School; noted events coming up for the City's Cowboy Festival including Hop Along Cassidy night on April 22 at the Newhall Library; and congratulated Brad Berens and the Senior Center for their services to the community.

Mayor Pro Tem Weste noted that the City will celebrate Arbor Day on Saturday at Central Park with various activities and giveaways; and urged folks to "Cowboy Up" and come and enjoy the many events in the City's Cowboy Festival next week.

Councilmember Ender acknowledged the excellent work done for Monday night's Evening of Remembrance at the Youth Grove in Central Park and the new iPod program with videos; and noted a workshop to be held in Council Chambers on April 22 offering tips and resources to help families and teens cope during this economic crisis.

Councilmember Kellar read a letter from the family of Jill Harper expressing their appreciation for the City's acknowledgment of her passing; provided an update on the City's efforts to find sponsors for the senior golf tournament previously sponsored by AT&T and invited suggestions; and requested Council consider agendaizing an item to consider adding the words "In God We Trust" to the City's logo and distributed material to the Councilmembers on what other cities had done.

Council concurred to place an item on a future Council agenda to discuss adding the words "In God We Trust" to the City's logo.

Mayor Ferry reported on his and Councilmember Kellar's trip to Sacramento to meet with legislators with regard to the court expansion proposal; congratulated staff on their efforts toward the latest Neighborhood Extreme Makeover and the opening of the City's Skatepark; reported on a recent Town Council meeting where options for a November ballot measure for the possible "West Side Annexation" was discussed; requested information on "Bike Nights"; commended the City Manager for the 19-point Economic Development Plan to be presented at the April 28 Council meeting and Rabbi Mark Blazer for Temple Beth Ami's sunrise Easter service; encouraged residents to attend public hearings before the Sanitation District in May regarding water softeners and assessments; and announced that his son Nick would celebrate his 17th birthday on Saturday.

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 Kellar, second by McLean, to approve the agenda, pulling Items 2 and 3 from the Consent Calendar.

Hearing no objections, it was so ordered.

APPROVAL OF MINUTES

Motion by McLean, second by Kellar, to approve the minutes of the March 24, 2009 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 that the titles to all ordinances which appear on this public agenda have been read and waive further reading.

ITEM 2

CONSENT CALENDAR

SECOND READING AND ADOPTION OF AN ORDINANCE ADDING CHAPTER 12.96 TO TITLE 12 (VEHICLES AND TRAFFIC) OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING BICYCLES ON SIDEWALKS

Staff has seen a growing number of inquiries from the community regarding bicycles on sidewalks. California Vehicle Code Section 21100(h) allows local authorities to adopt rules and regulations by ordinance or resolution regarding the operation of bicycles on sidewalks. Adopt an ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, ADDING CHAPTER 12.96 TO TITLE 12 OF THE CITY OF SANTA CLARITA MUNICIPAL CODE CONCERNING BICYCLES ON SIDEWALKS."

Addressing the Council on this item was John Lukes; James Bensman; Maria Gutzeit (submitted material); and John Axen. Five written comments were submitted on this item.

In response to concerns addressed, Ken Pulskamp, City Manager, clarified the provisions of the proposed ordinance.

Also, Carl Newton, City Attorney, clarified the provisions of the California Vehicle Code with regard to liability and safety issues and the provisions of the proposed ordinance.

Council consensus to table Item 2 until the item is brought back by the City Manager.

ITEM 3

CONSENT CALENDAR

SAFE ROUTES TO SCHOOL INFRASTRUCTURE, PROJECT T0026 - PROJECT ACCEPTANCE

This project consisted of the construction of physical improvements at crossings near three elementary schools to enhance student safety by reducing the speed of vehicles near school grounds and increasing the visibility of school crossings. Accept the completion of the Safe Routes to School Infrastructure, Project T0026; direct the City Clerk to file the Notice of Completion; and direct staff to release the 10 percent retention balance 35 days after the Notice of Completion is recorded, provided no stop notices have been filed, as provided by law.

Addressing the Council on this item was Dianne Saunders representing Saugus Union School District.

ITEM 4

CONSENT CALENDAR

METRO 2009 CALL FOR PROJECTS APPLICATIONS

Los Angeles County Metropolitan Transportation Authority (Metro) 2009 Call for Projects

Applications. The Call is a competitive grant process that cofunds new regionally significant capital transportation projects. Direct staff to submit grant applications to the Los Angeles County Metropolitan Transportation Authority (Metro) by the April 24, 2009, deadline requesting an estimated \$54,593,000 in the 2009 Metro Call for Projects grant cycle.

ITEM 5

CONSENT CALENDAR

TRACT NO. 68563 (MOBILE HOME PARK CONDOMINIUM CONVERSION - 18035 SOLEDAD CANYON ROAD) – APPROVAL OF TRACT MAP

Tract No. 68563 consisting of approximately 9.6 acres is located on the north side of Soledad Canyon Road, 0.4 miles east of Sierra Highway, and is owned by Newport Pacific Caravilla Limited, a California Limited Partnership. Approve Tract No. 68563; make certain findings; instruct the Deputy City Manager to endorse the Special Assessment Statement on the face of the Tract map; instruct the City Clerk to endorse the Statement on the face of the Tract map; and instruct the City Engineer to endorse the Statement on the face of the Tract map.

ITEM 6

CONSENT CALENDAR

CHECK REGISTER NOS. 11 & 12

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 11 & 12.

Motion by Weste, second by Ender, to approve the Consent Calendar with the exception of Item 2.

On roll call vote:

Ayes: Ender, Kellar, Weste, McLean, Ferry

Noes: None

Absent: None

Motion carried.

RECESS AND RECONVENE

Mayor Ferry called a recess at 7:55 p.m. and reconvened the meeting at 8:05 p.m.

ITEM 7

NEW BUSINESS

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

In report, Michael Murphy, Intergovernmental Relations Officer, advised that on February 17, 2009, President Barack Obama signed into law the American Recovery and Reinvestment Act (Recovery Act) of 2009. The Recovery Act's total package is \$787 billion. City staff will be aggressive in the pursuit of Recovery Act funds, so that the maximum amount of federal funds reach the community.

Council consensus to waive staff presentation.

No requests to speak were submitted on this item.

Motion by Ender, second by Weste, to receive report and direct staff to proceed as indicated in the report.

On roll call vote:

Ayes: Kellar, Weste, McLean, Ender, Ferry

Noes: None

Absent: None

Motion carried.

ITEM 8

NEW BUSINESS

INTRODUCTION OF AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 15.44 (INTEGRATED WASTE MANAGEMENT) OF THE SANTA CLARITA MUNICIPAL CODE
Travis Lange, Environmental Services Manager, advised that Chapter 15.44 "Integrated Waste Management" of the Santa Clarita Municipal Code was written in 1991. The most recent updates to this chapter were completed over nine years ago and some portions of the Ordinance have not been updated for close to 18 years. With all of the changes in the solid waste industry and the changes locally, there is a need for the City to update, define, redefine, and add to Chapter 15.44.

Addressing the Council on this item was Chris Fall representing Rent-a-Bin.

Motion by Weste, second by Ender, to introduce and pass to second reading an Ordinance entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, PROTECTING PUBLIC HEALTH, SAFETY, AND WELL-BEING WITH RESPECT TO SOLID WASTE AND RECYCLING AND AUTHORIZING THE FURNISHING OF SUCH SERVICES PURSUANT TO FRANCHISE, BY AMENDING IN ITS ENTIRETY CHAPTER 15.44, "INTEGRATED WASTE MANAGEMENT," OF THE SANTA CLARITA MUNICIPAL CODE."

On roll call vote:

Ayes: Weste, McLean, Ender, Kellar, Ferry

Noes: None

Absent: None

Motion carried.

PUBLIC PARTICIPATION

Addressing the Council at this time was Pamela Ross and Annette Lucas representing the Calgrove Corridor Coalition requesting information regarding the Smiser Ranch property as described in their letters (material submitted); Debbie Brenner regarding Pamela Johnston's Dance Studio being listed in the Season's brochure; and Pamela Johnston regarding her Dance Studio and use of various types of music. Two written comments were submitted.

STAFF COMMENTS

Ken Pulskamp, City Manager, advised that staff is scheduled to meet with the Calgrove Corridor Coalition on April 27 and will get whatever information is available to them prior to the meeting; advised that staff will look into the situation with the Dance Studio; and provided background on a pending application before the Planning Commission for “Bike Night”.

Anthony LaBerge, Police Chief, provided additional information on the “Bike Night” events involving motorcycle gangs.

ADJOURNMENT

Mayor Ferry adjourned the meeting at 8:35 p.m.

FUTURE MEETINGS

The next regular meeting of the City Council will be held Tuesday, April 28, 2009, 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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