

**CITY OF SANTA CLARITA  
CITY COUNCIL  
MINUTES OF SPECIAL MEETING  
5:00 P.M.  
MINUTES OF REGULAR MEETING  
6:00 P.M.  
April 28, 2009**

**CALL TO ORDER**

Mayor Ferry called to order the special meeting of the City Council at 5:04 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) – two matters

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

**Case Name:** Teri Dixon v. City of Santa Clarita, et al.  
Los Angeles County Superior Court Case No. PC 045124

**RECESS AND RECONVENE**

Mayor Ferry recessed the meeting to Closed Session at 5:05 p.m. and reconvened the meeting at 6:02 p.m.

**CITY ATTORNEY ANNOUNCEMENT**

Carl Newton, City Attorney, announced that as a result of the Closed Session just concluded, the City Council, by unanimous vote, authorized the City Attorney and Burke, Williams & Sorensen to defend the interests of the City in litigation designated as Teri Dixon v. City of Santa Clarita, Los Angeles Superior Court Case No. PC045124. This is a slip and fall case in which the plaintiff claims injury as a result of a fall on a City sidewalk.

**ADJOURN**

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

**INVOCATION**

Marsha McLean gave the invocation.

## **CALL TO ORDER**

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

## **ROLL CALL**

All Councilmembers were present.

## **FLAG SALUTE**

Councilmember McLean led the flag salute.

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

Councilmember McLean and Councilmembers presented a proclamation for Donate Life California Month to Arlienne Hopwood and Melissa Kay from the Donate Life California organization.

## **PRESENTATIONS TO THE CITY**

There were none.

## **COMMITTEE REPORTS/COUNCILMEMBER COMMENTS**

Councilmember Ender commented on the Arthritis Foundation Walk taking place on Sunday, May 3, 2009, at Magic Mountain; the Hart District Parent Volunteer Recognition and gave accolades to all the parent volunteers and specifically to Marybeth Haberman for receiving the Lifetime Achievement award for years of service at Sierra Vista Jr. High, and to Patric Grier for receiving the Parent Volunteer of the Year award for service at Bowman High School; and requested that the City consider doing a regular 12-years-and-under hour at the Skatepark.

Councilmember Kellar commented on the great “Dancing With Our Stars” event that took place at the Hyatt to support several local charities and acknowledged all the work done by Anna Ott and Linda Hafizi; thanked Kim Goldman and the SCV Youth Project for all the phenomenal work they do; acknowledged Valencia Lanes for making the bowling alley available at substantially reduced cost to support many of the local charities; and thanked the Arts Committee for all the time and dedication put into supporting the Arts in the Santa Clarita Valley.

Councilmember McLean reported on the League of California Cities Board meeting she attended and noted that the Board voted to support Propositions 1A and 1B, but that she did not; commented that the League Board passed a resolution endorsing the convening a summit of local government leaders to focus on the reforming of California governance; noted her attendance at Earth Day, “Dancing With Our Stars,” the Cowboy Festival, and the Art at Hart event commenting that the events get better all the time; and acknowledged the students that volunteered 7,000 hours and gave 1,043 rides to teens through the Safe Rides program.

Mayor Pro Tem Weste commented on the Cowboy Festival and the City’s celebration of Arbor Day; and asked that Council adjourn the meeting in honor of Helen Weigel.

Mayor Ferry congratulated the sixth graders at Mountainview Elementary for reaching 1,000 hours of leadership service to the school; commented that there were 70 youth that blogged on the Mayor Dude live blog on what they would do if they were Mayor for a day; noted the

Brownie Olympics taking place at Newhall Park on Saturday; and recognized Terri Deloria, Special Programs Director for the Hart School District for all the work and tutoring of the students she has done; and congratulated Councilmember Kellar on his engagement.

#### **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 Weste, to approve the agenda.**

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

#### **APPROVAL OF MINUTES**

**Motion by McLean, second by Ender, to approve the minutes of the April 13, 2009, joint special City Council/Planning Commission/Parks, Recreation & Community Services Commission meeting, and minutes of the April 14, 2009, special and regular City Council meeting**

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

#### **CONVENE SANTA CLARITA REDEVELOPMENT AGENCY**

##### **CALL TO ORDER**

Mayor/Chair Ferry called the meeting of the Redevelopment Agency to order at 6:35 p.m.

##### **ROLL CALL**

All Agency Members were present.

##### **PUBLIC PARTICIPATION**

There was none.

#### **APPROVAL OF MINUTES**

**Motion by Weste, second by Kellar, to approve the minutes of the March 24, 2009, regular Redevelopment Agency meeting as submitted.**

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

#### **ITEM 1**

##### **JOINT NEW BUSINESS**

**PROPOSED OLD TOWN NEWHALL LIBRARY, PROJECT F2007 - AUTHORIZE INCREASE IN SPENDING AUTHORITY AND AWARD DESIGN SUPPORT CONTRACTS**  
The Downtown Newhall Specific Plan proposes and identifies a site for a new library to be built to service the area. Design phase support contracts include geotechnical investigation, land survey services, fire flow water line design, and an increase in the architectural services for the final library design and site improvements.

**Motion by Weste, second by Ender, to authorize an increase of \$1,225,000, plus a contingency in the amount of \$184,000, to the existing LPA, Inc., contract for a total of \$1,749,000 for architectural design and civil engineering services; award professional services contracts totaling \$38,500; authorize spending authority in the amount of \$150,000 to Newhall County Water District for fire flow waterline design; authorize an increased expenditure of \$100,000 for staff management and oversight; appropriate funds in the amount of \$1,697,500 from Redevelopment Agency Non-Housing fund balance to Expenditure Account F2007390-5161.001; and authorize the City Manager or designee to modify the award in the event other issues of impossibility of performance arise, and execute all documents, subject to City Attorney approval.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

## **ADJOURN SANTA CLARITA REDEVELOPMENT AGENCY**

Mayor/Chair Ferry adjourned the meeting at 6:37 p.m.

## **RESUME CITY COUNCIL MEETING**

Mayor Ferry resumed the City Council meeting at 6:37 p.m.

### **ITEM 2**

#### **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 3**

#### **CONSENT CALENDAR**

#### **PROPOSITION 83 AND PROPOSED CITY ORDINANCE RESTRICTING RESIDENCY OF REGISTERED SEX OFFENDERS**

At the direction of the City Council, City staff was requested to examine the restrictions of Proposition 83, as well as any further residency restrictions the City may legally enact pursuant to the provisions of Proposition 83. Direction was given to research the consideration of restricting residency of sex offenders within 2,000 feet of trails, parks, paseos, and open space within the City. Introduce and pass to second reading an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING THE SANTA CLARITA MUNICIPAL CODE BY ADDING CHAPTER 11.74 TO TITLE 11 "RELATING TO REGISTERED SEX OFFENDER RESIDENCY RESTRICTIONS."

#### **ITEM 4**

##### **CONSENT CALENDAR**

SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) (TITLE 17) TO CREATE A HOMELESS SHELTER OVERLAY ZONE AND TO MEET THE INTENT OF SENATE BILL 2

At the March 24, 2009 meeting, the City Council introduced and passed to a second reading an amendment to the UDC for the establishment of a Homeless Shelter Overlay zone. Adopt the of an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA APPROVING MASTER CASE 09-002, UNIFIED DEVELOPMENT CODE AMENDMENT 09-001, ZONE CHANGE 09-001 AMENDING TITLE 17 (THE UNIFIED DEVELOPMENT CODE) OF THE SANTA CLARITA MUNICIPAL CODE, CREATING A HOMELESS SHELTER OVERLAY ZONE AND ADOPTING A NEGATIVE DECLARATION."

#### **ITEM 5**

##### **CONSENT CALENDAR**

AWARD CONTRACT FOR CITYWIDE STREET SWEEPING

This item will award a four-year contract to Clean Sweep Environmental for street sweeping services. Award a four-year contract for Citywide street sweeping to Clean Sweep Environmental, based on Option B, in an amount not to exceed \$562,224 annually; and authorize the City Manager or designee to execute one annual renewal not to exceed \$562,224 each, 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.

Councilmember McLean requested that the street sweeping schedule be placed on the website so that citizens may voluntarily move their vehicles.

#### **ITEM 6**

##### **CONSENT CALENDAR**

SANTA CLARITA ACTIVITIES CENTER TENANT IMPROVEMENT, PROJECT F3015 - PROJECT ACCEPTANCE

This project was the construction phase for the improvements at the Santa Clarita Activities Center creating additional work space for City staff by moving Community Services Division and the Recreation Division staff from City Hall to the Activities Center. Accept the completion of the Santa Clarita Activities Center Tenant Improvements, Project F3015; direct the City Clerk to file the Notice of Completion; 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; and decrease expenditure budget in Account F3015601-5161.001 by \$613,664, and increase expenditure budget in Account F3015723-5161.001 by \$613,664.

#### **ITEM 7**

##### **CONSENT CALENDAR**

SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 15.44 (INTEGRATED WASTE MANAGEMENT) OF THE SANTA CLARITA MUNICIPAL CODE AND ADOPTING RESOLUTIONS

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. Adopt 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"; adopt a resolution establishing a schedule of fees and charges related to the programs and activities prescribed by Chapter 15.44, ratifying the existence of the current franchises, and setting the application procedure for obtaining franchises; and adopt a resolution to permit staff to allow additional enterprises to apply to join the Nonexclusive Temporary Bin and Roll-Off Box Franchise on an annual basis.

**ITEM 8**

**CONSENT CALENDAR**

**APPROVE CONTRACT AMENDMENT FOR TREE TRIMMING SERVICES**

Amending the City's contract with United Pacific Services, Inc., will provide additional tree trimming services. Approve the amendment to renew Contract 06-00355 with United Pacific Services, Inc., in the amount of \$550,000 for tree trimming services, and increase the contract amount by \$50,000 for a total of \$600,000; authorize the transfer of \$50,000 from Account M0063601-5161.001 to Urban Forestry Account 14507-5161.001. Increase Transfer In Account 100-4711.601 by \$50,000 and increase Transfer Out Account 60119500-5501.100 by \$50,000; and authorize the City Manager or designee to execute up to two annual renewal options not to exceed \$600,000 each, 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 9**

**CONSENT CALENDAR**

**LOCAL PUBLIC TELEVISION MANAGEMENT – UPDATE**

At the December 9, 2008 regular meeting, the City Council directed the City Manager to initiate efforts with community stakeholders to work towards the creation of a broad-based Joint Powers Authority (JPA) to collaborate and economically support Channel 20 and return with an update by the end of April 2009. Accept report, and direct the City Manager to continue efforts towards the creation of a broad-based Joint Powers Authority to fund and oversee the operation of Channel 20.

Nine written comments were submitted on this item.

**ITEM 10**

**CONSENT CALENDAR**

**ANNEXATION OF TERRITORIES INTO STREETLIGHT MAINTENANCE DISTRICT**

**NO. 1**

Annexation of parcels receiving benefit into Streetlight Maintenance District No. 1. Adopt resolution to initiate annexation proceedings for 101 parcels into Streetlight Maintenance District

(SMD) No. 1; approve the Engineer's Report, and call for and set the Public Hearing for June 23, 2009.

**ITEM 11**

**CONSENT CALENDAR**

CHECK REGISTER NOS. 13 & 14

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 13 & 14.

**Motion by Weste, second by Kellar, to approve the Consent Calendar.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

**ITEM 12**

**PUBLIC HEARINGS**

MASTER CASE 06-157 - CONSIDERATION OF A FOUR-LOT SUBDIVISION, AS REVISED BY THE CITY COUNCIL, AT 23327 8TH STREET IN THE HAPPY VALLEY COMMUNITY

Request for approval of a revised tentative tract map to allow for the subdivision of one lot into four residential lots at 23327 8th Street.

Due to prior business transaction with the applicant, Councilmember McLean recused herself from this item and left the dais.

Mayor Ferry opened the public hearing.

Susan Caputo, Deputy City Clerk, stated that all notices required have been provided.

Addressing the Council on this item was the applicant Norris Whitmore.

Addressing the Council opposing the project was Perry Mangers and Wayne Purcell.

Four written comments were submitted.

Addressing the Council at this time was Troy Meldrum, consultant to Mr. Whitmore, and Mike Shapiro.

The applicant, Norris Whitmore, made rebuttal comments.

Mayor Ferry closed the public hearing.

**Motion by Kellar, second by Ender, to adopt Resolution No. 09-22 adopting a Mitigated Negative Declaration and approving Master Case No. 06-157 (Tentative**

**Tract Map 67310, Oak Tree Permit 06-026), a request to subdivide one residential parcel into four residential parcels at 23327 8th Street, with changes to the conditions of approval to include additional landscaping and added height to the property line.**

**On roll call vote:**

**Ayes: Kellar, Weste, Ferry**

**Noes: Ender**

**Recused: McLean**

**Absent: None**

**Motion carried.**

### **ITEM 13**

#### **UNFINISHED BUSINESS**

##### **TOLLING AGREEMENT**

Ken Pulskamp, City Manager, reported that in 2006 California Contract Cities Association became aware that the County of Los Angeles used the Liability Trust Fund (LTF) to pay for claims that the California Contract Cities Association feels is an inappropriate use of funds. These funds were used to pay for three settlements regarding improper behavior of a deputy who raped and sexually assaulted three women during the period from March 2002 to January 2003. California Contract Cities Association has argued that the liability for the conduct of the deputies who clearly act outside of the course and scope of their duties, such as committing sex crimes or any other type of criminal activity. To date, approximately \$5.7 million have been withdrawn from the LTF for the three claims involving the rape and sexual assault by the Sheriff's Deputy.

No requests to speak were submitted on this item.

**Motion by Kellar, second by Ender, to approve and authorize the City Manager to execute a Tolling Agreement between the County of Los Angeles, including its Sheriff, and Sheriff Department on the one hand and the California Contract Cities Association, the Liability Trust Fund Oversight Committee and each of the cities that contract with the County for municipal law enforcement services provided by the Los Angeles County Sheriff's Department on the other hand, for the purpose of continuing discussions to return the Liability Trust Fund monies used for settlements in relation to inappropriate behavior on behalf of the Los Angeles County Sheriff 's Department Deputies.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

#### **RECESS AND RECONVENE**

Mayor Ferry recessed the meeting at 7:07 p.m. and reconvened at 7:15 p.m.

## **ITEM 14**

### **NEW BUSINESS**

#### **ECONOMIC DEVELOPMENT 21-POINT BUSINESS PLAN FOR PROGRESS**

Ken Pulskamp, City Manager, reported that the City of Santa Clarita's 21-Point Business Plan for Progress programs were developed as a way to enhance the economy, build upon Santa Clarita's current successes, improve the infrastructure of the City, and develop the local workforce. The goal is to implement these programs now to meet today's needs so that when the economy picks up, Santa Clarita is in a position to succeed post-recession.

Addressing the Council on this item was Alan Ferdman, TimBen Boydston, John Shaffery, Don Fleming, Jim McClafferty, Bill Kennedy, and Paul De La Cerda.

Eight written comments were submitted on this item.

In response to inquiries from Councilmembers, staff provided information and clarification.

**Motion by Weste, second by Kellar, to approve the Economic Development 21-Point Business Plan for Progress; approve transfer of \$300,000 from Contingency Account 19300-5401.001 to Economic Development account 11301-5161.002 for Enterprise Zone marketing and Think Santa Clarita Valley campaign; approve transfer of \$150,000 from Contingency Account 19300-5401.001 to Film Account 11303-5161.002 for film fee waiver incentive; approve transfer of \$50,000 from Contingency Account 19300-5401.001 to Economic Development Account 11301-5171.005 for economic development incentives; approve appropriation of \$300,000 from LMD fund balance to account B1010357-5161.001 for CIP/BDI WayFinding Signage project.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

### **PUBLIC PARTICIPATION**

Addressing the Council was Alan Ferdman, regarding Route 66 event permit, Rosemary Marazitto regarding the need for a year round homeless shelter; and Sandra Cattell, representing the Sierra Club, regarding the waiving of space fee for non-profits on Earth Day.

### **STAFF COMMENTS**

Ken Pulskamp, City Manager, advised that Route 66 Temporary Use Permit had expired and that the renewal process is not a new one and commented that he and Captain La Berge met with Mr. Thomas and are exploring areas of agreement and are trying to balance conflicting needs; advised that the Council recently amended the Zoning Code to make it easier for a Homeless Shelter to be located in Los Angeles County and that it is not a service that the City is responsible for; and stated that staff will look at waiving fees for non-profit organizations at River Rally and Earth Day.

**ADJOURNMENT**

Mayor Ferry adjourned the meeting at 8:32 p.m. in memory of Helen Wiegel.

**FUTURE MEETINGS**

A City Council Study Session will be held Tuesday, May 5, 2009, 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, May 12, 2009, 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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