

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF REGULAR MEETING
6:00 P.M.
May 12, 2009**

INVOCATION

Mayor Pro Tem Weste gave the invocation.

CALL TO ORDER

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

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Mayor Pro Tem Weste led the flag salute.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Councilmember Kellar and Councilmembers presented local professional golfer Richie Contreras a certificate of recognition on his Pro Debut Competition in the 2009 AT&T Champions Classic.

PRESENTATIONS TO THE CITY

Mayor Ferry and Councilmembers acknowledged 3 California Association of Public Information Officials (CAPIO) Awards presented to the City's Communications Division for their public relations work.

Mayor Ferry and Councilmembers acknowledged 4 CAPIO Awards presented to the City's Economic Development Division and 2 California Association for Local Economic Development (CALED) Awards for economic development programs and promotions.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Kellar congratulated Greg Amsler of Salt Creek Grille and Nancy Coulter of the American Cancer Society for being named the Man and Woman of the Year for their service to the community.

Councilmember McLean advised of her participation on the Nominating Committee for the LA County Division of the League of CA Cities and that a new President would be elected in June and also of her participation on the Nominating Committee for the Executive Director of the Orange Line Development Mag Lev with an announcement to be made at their next regular meeting; commented on topics discussed at the LCC LA County Division meeting including the "Save your City" initiatives on the May 19 ballot, AB139, the Clean Beaches initiative and a presentation given by Bill Allen, CEO of the Los Angeles Economic Development Corporation regarding economic development proposals for the State.

Councilmember Ender congratulated the Child and Family Center on their successful Taste of the Town event last weekend and the Teacher Tribute held by the SCV Education Foundation; and advised of the upcoming “Summer Meltdown” on May 23 at Golden Valley High School sponsored by the “Yes I Can” program.

Mayor Pro Tem Weste commented on Assemblymember Smyth’s press conference regarding AB 1464 for regional trails and paseos and encouraged the City to work with local jurisdictions to move ahead with working on the Santa Clarita River Trail across the Heritage Valley and a bikeway to the coast; and asked that the meeting be adjourned in memory of Norman Francis Phillips, Buford “Corky” Randall, E. Mills Whitney, and Robert L. Kennedy, who had recently passed.

Mayor Ferry thanked Councilmember McLean for her service on the League of CA Cities Los Angeles County Division Board; congratulated Joe Messina on another successful Prayer Breakfast last week; requested that Jason Ender be acknowledged for founding the girls volleyball team at the Newhall Community Center; advised of a joint Council/College of the Canyons Board of Trustees meeting to be held on May 20; advised that Mayor Dude would be at Helmers Elementary School next week; suggested those interested email their opinions regarding the Sanitation District’s proposed monthly fee increase; and acknowledged City Manager Ken Pulskamp’s birthday today.

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

Carl Newton, City Attorney, advised that Council may wish to consider adding a subsequent need item to the agenda to review adopting a resolution as proposed by the League of California Cities regarding Local Government Funds in the State Budget.

Motion by Weste, second by Kellar, to add the subsequent need item to the agenda as Item 14A, finding there is an immediate need to consider the matter and that the matter arose subsequent to the posting of the agenda.

On roll call vote:

Ayes: Kellar, Weste, McLean, Ender, Ferry

Noes: None

Absent: None

Motion carried.

Motion by Weste, second by Kellar, to approve the agenda, pulling Items 6 and 9 from the Consent Calendar.

Hearing no objections, it was so ordered.

**CONVENE REDEVELOPMENT AGENCY MEETING
CALL TO ORDER**

Mayor/Chair Ferry called the meeting of the Redevelopment Agency to order at 6:42 p.m.

ROLL CALL

All Agency Members were present.

PUBLIC PARTICIPATION

No requests to speak were submitted.

ITEM 1

CONSENT CALENDAR

APPROVAL OF MINUTES

The minutes of the previous Redevelopment Agency meeting are submitted for Redevelopment Agency approval. Approve the minutes of the April 28, 2009 regular meeting of the Redevelopment Agency.

ITEM 2

CONSENT CALENDAR

TRAFFIC CIRCLE AT 5TH STREET AND NEWHALL AVENUE, PROJECT C2022-AWARD DESIGN CONTRACT- One of the first items identified by the Downtown Newhall Specific Plan was the reconfiguration of the traffic flow through the area. Award the design contract to MNS Engineers, Inc., for civil engineering design services for the 5th Street and Newhall Avenue Traffic Circle, Project C2022, in the amount of \$113,175, and authorize a 15 percent contingency in the amount of \$16,976, for a total amount of \$130,151; authorize additional expenditures in the amount of \$10,000 for project administration costs; appropriate \$112,678 from the Redevelopment Agency Non-Housing fund balance to Expenditure Account C2022390-5161.001; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

Addressing the Agency on this item was David Perry, representing Los Angeles County Supervisor Michael Antonovich; and Valerie Thomas.

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

On roll call vote:

Ayes: Kellar, Weste, McLean, Ender, Ferry

Noes: None

Absent: None

Motion carried.

ITEM 3

JOINT PUBLIC HEARING

CITY OF SANTA CLARITA CITY COUNCIL AND REDEVELOPMENT AGENCY JOINT PUBLIC HEARING ON THE PROPOSED AMENDMENT NO. THREE TO THE REDEVELOPMENT PLAN FOR THE NEWHALL REDEVELOPMENT PROJECT AREA

Council/Agencymember Weste recused herself from participation and voting on this item due to

the proximity of her property to the subject property and left the dais.

Armine Chaparyan, Redevelopment Manager, advised that this item is for the Redevelopment Agency (“Agency”) to amend the Redevelopment Plan (“Plan”) for the Newhall Redevelopment Project Area (“Project Area”) in order to reinstitute its eminent domain authority for a period of 12 additional years. She indicated that City Planning staff member, Ray Barragan, is present at the meeting to provide Spanish translation to anyone who desires it.

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

Mayor/Chair Ferry opened the public hearing.

Addressing the Council/Agency at this time was Kelly Davis; Marina Tapia; Jocelyn Custodio; Barbara Meehan; David Grant; Robert Lawson; Estela Gonzalez (translation provided by Ray Barragan); Martin Jimenez (translation provided by Ray Barragan); Manuel Escobedo (translation provided by Ray Barragan); Juan Jimenez (translation provided by Ray Barragan); and Manuel Santana. One written comment was submitted.

Discussion followed among the Council/Agency members and staff with Mr. Barragan providing a Spanish translation in the Century Room to anyone interested.

Motion by Ender, second by Kellar, to close the public hearing and to continue this matter to the May 26, 2009 Agency and City Council meeting.

Hearing no objections, it was so ordered.

Council/Agencymember Weste returned to her seat on the dais.

ADJOURN SANTA CLARITA REDEVELOPMENT AGENCY

Mayor/Chair Ferry adjourned the meeting at 7:34 p.m.

RESUME CITY COUNCIL MEETING

Mayor Ferry resumed the City Council meeting at 7:34 p.m.

ITEM 4

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 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 5

CONSENT CALENDAR

APPROVAL OF MEETING MINUTES

The minutes of the previous City Council meeting are submitted for City Council approval. Approve minutes of the April 28, 2009 special and regular meetings of the City Council.

ITEM 6

CONSENT CALENDAR

SUBMISSION OF THE 2009-2013 CONSOLIDATED PLAN (CON PLAN) FOR THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT FUNDS

The U.S. Department of Housing and Urban Development (HUD) requires a Consolidated Plan (Con Plan) from each entitlement City outlining the priorities for the expenditure of CDBG funds to meet the needs of the low and moderate-income residents in our community. The City's current five-year Con Plan is due to expire on June 30, 2009. The new Con Plan will cover program years 2009-2013. Approve the Draft 2009-2013 Consolidated Plan for the City's use of Community Development Block Grant (CDBG) entitlement funds.

Addressing the Council on this item was Alan Ferdman.

In response to request from Council, Erin Moore-Lay, Housing Program Coordinator, provided additional information.

ITEM 7

CONSENT CALENDAR

NEWHALL RANCH ROAD AND MCBEAN PARKWAY POLE RELOCATION, PROJECT C1001- PROJECT ACCEPTANCE

This project consisted of the relocation of a traffic signal pole at the southeast corner of Newhall Ranch Road and McBean Parkway and the restriping of a dual right-turn lane to a single right-turn lane improving the safety at the intersection. Accept the completion of the Newhall Ranch Road and McBean Parkway Pole Relocation, Project C1001; 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.

ITEM 8

CONSENT CALENDAR

PARCEL MAP NO. 70993 (COMMERCIAL DEVELOPMENT – VALLEY STREET) – APPROVAL OF PARCEL MAP AND ACCEPTANCE OF OFFERS OF DEDICATION

Parcel Map No. 70993 consisting of approximately 2.75 acres is located in the southeasterly corner of the intersection of Valley Street and Lyons Avenue and is owned by Bank of America National Trust and Savings Association, a National Banking Corporation. Approve Parcel Map No. 70993; accept on behalf of the public the offers of dedication; make certain findings; instruct the Deputy City Manager to endorse the Special Assessment Statement on the face of the parcel map; instruct the City Clerk to endorse the Statement on the face of the parcel map; and instruct the City Engineer to endorse the Statement on the face of the parcel map.

ITEM 9

CONSENT CALENDAR

TAX-SHARING RESOLUTIONS FOR SANITATION DISTRICT ANNEXATION 1045

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 **Resolution 09-25** approving and accepting the negotiated exchange of property tax revenues resulting from Sanitation District Annexation 1045.

Mayor Pro Tem Weste recused herself from participation and voting on this item due to the proximity of her property to the subject property.

Addressing the Council on this item was Alan Ferdman.

In response to request from Council, Ken Pulskamp, City Manager, provided additional information.

ITEM 10

CONSENT CALENDAR

FIRST READING OF AN ORDINANCE AMENDING THE MUNICIPAL CODE REGARDING PURCHASING

Introduce an Ordinance amending the Municipal Code regarding Purchasing to reflect current public agency best practices and facilitate local economic development. Introduce and pass to second reading an ordinance entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTERS 3.12 and 3.14 OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING PURCHASING."

ITEM 11

CONSENT CALENDAR

AWARD CONTRACT FOR PROFESSIONAL AUDITING SERVICES

Award contract for Audit Services to Caporicci & Larson, Certified Public Accountants, for an amount not to exceed \$148,990 over three fiscal years. Award contract for audit services to Caporicci & Larson, Certified Public Accountants, for an amount not to exceed \$148,990 over three fiscal years, 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.

ITEM 12

CONSENT CALENDAR

CITY OF SANTA CLARITA'S FISCAL YEAR 2009-10 STATEMENT OF INVESTMENT POLICY

The Investment Policy provides guidelines for the management of the City's cash and the investment of its idle funds. Adopt the City of Santa Clarita's Fiscal Year 2009-10 Statement of Investment Policy, and direct staff to submit the policy to the Association of Treasurers United States and Canada (APT US&C) for certification in their award program.

ITEM 13

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. The introduction and first reading of this ordinance took place at the April 28, 2009, City Council meeting. Adopt **Ordinance 09-5** 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 14

CONSENT CALENDAR

CHECK REGISTER NOS. 15 & 16 - Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 15 & 16.

ITEM 14A

CONSENT CALENDAR

STATE BUDGET: LOCAL GOVERNMENT FUNDS

On May 5, 2009, the Department of Finance announced it had proposed to the Governor that the state "borrow" over \$2 billion in local property taxes from cities, counties and special districts to balance the state budget, causing deeper cuts in local public safety and other vital services. In order to start that process, the Governor would have to issue a proclamation declaring the existence of a "severe fiscal hardship." Adopt **Resolution 09-26** finding a severe fiscal hardship will exist if additional local property tax funds are seized and additional unfunded mandates are adopted by the State of California; and direct staff to forward the resolution to the Santa Clarita legislative delegation, Governor, and the League of California Cities.

Motion by Kellar, second by McLean, to approve the Consent Calendar, with the exception of Item 9, and including Item 14A.

On roll call vote:

Ayes: Weste, McLean, Ender, Kellar, Ferry

Noes: None

Absent: None

Motion carried.

Motion by Kellar, second by Ender, to approve Item 9.

On roll call vote:

Ayes: McLean, Ender, Kellar, Ferry

Noes: None

Recused: Weste

Absent: None

Motion carried.

ITEM 15

NEW BUSINESS

"IN GOD WE TRUST"

Councilmember Kellar advised that during the April 14, 2009, meeting of the City Council, he brought forth for Council consideration, the idea of incorporating the phrase "In God We Trust"

into the City logo, and suggested the City place the matter before the public as a voter initiative on the ballot for the City's General Municipal Election on April 13, 2010. Following Councilmember Kellar's suggestion, the Council agreed to place the matter on a future agenda for discussion.

Carl Newton, City Attorney, advised that a review of applicable law reveals that it would be legal to add this language to the City logo. The federal courts have held the placement of "In God We Trust" language on US currency does not violate the First Amendment. The Supreme Court has also stated that the use of the motto is not an endorsement of religious belief, and accordingly does not violate the Constitution. Accordingly, it is legal for the City to add this language above the City logo in the City Council Chamber.

Addressing the Council on this item were Dale Summerhays; Joe Messina; Corene Malloy; Andre Hollings (submitted written comments); Jim Pilarski; Herbert Spencer representing CBMC of SCV; and Paul Butler. Thirteen written comments were submitted.

Motion by Weste, second by Ender, to approve placing the national motto "In God We Trust" on the wall in the Council Chamber adjacent to the City logo and in other appropriate locations.

On roll call vote:

Ayes: McLean, Ender, Kellar, Weste, Ferry

Noes: None

Absent: None

Motion carried.

PUBLIC PARTICIPATION

Addressing the Council at this time was Paul Strickland representing the 38th Assembly District Central Committee, requesting support of a resolution supporting an economic stimulus proposal with respect to the purchase of new or used automobiles, trucks and motorcycles in the City of Santa Clarita (submitted material); Joe Messina and Errol Vallardes were also present on behalf of the Committee in support of Mr. Strickland's request.

STAFF COMMENTS

There were none.

ADJOURNMENT

Mayor Ferry adjourned the meeting at 8:14 p.m. in memory of Norman Francis Phillips, Buford "Corky" Randall, E. Mills Whitney, and Robert L. Kennedy.

FUTURE MEETINGS

The next regular meeting of the City Council will be held Tuesday, May 26, 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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