

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:00 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
May 26, 2009**

CALL TO ORDER

Mayor Ferry called to order the special meeting of the City Council at 5:38 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)

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section 54956.9(c) - two matters

RECESS

Mayor Ferry recessed the meeting to Closed Session at 5:39 p.m.

CITY ATTORNEY ANNOUNCEMENT

The announcement was made later during the regular meeting.

ADJOURN

Mayor Ferry adjourned the meeting at 6:05 p.m.

INVOCATION

Mayor Ferry 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 Ferry invited Cole Kravitz and Noah Bodner of Boy Scout Troop 583 to lead the flag salute.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Mayor Ferry and Councilmembers acknowledged College of the Canyons Chancellor Dr. Dianne Van Hook for being named 2009 Woman of the Year by the Los Angeles County Commission for Women and County Board of Supervisors.

Councilmember Ender and Councilmembers presented a proclamation to Joe Caso and Frontier Toyota supporting the White Ribbon Drive Safe Campaign.

Mayor Ferry and Councilmembers announced that the 2009 Western States Police & Fire Games would be held at various venues throughout the Santa Clarita Valley, Los Angeles and Ventura Counties on June 13-20, 2009.

PRESENTATIONS TO THE CITY

There were none.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Kellar announced that a new women's soccer team, the Santa Clarita Valley Rooks, members of the Women's Professional Soccer League, would play their kickoff game at Canyon High School on May 30; encouraged attendance at the Summer Showdown golf tournament on July 13 at TPC benefitting the Santa Clarita Valley Senior Foundation; and acknowledged the passing of Ronald Murphy.

Councilmember Ender commented on the success of the Golden Valley High School concert, Summer Meltdown, and congratulated teacher Brett Lieberman and his students for their efforts; brought attention to White Ribbon Week raising awareness about safe driving and congratulated graduating seniors, urging them to drive safely; and encouraged support for this weekend's Relay for Life to benefit cancer research and awareness.

Mayor Pro Tem Weste congratulated Prayer Angels for the Military and Blue Star Mothers for their Armed Forces Day celebrations; commented on the impressive turnout of community members at the Sanitation District meeting this afternoon and advised that more information is to be gathered before a decision is made; and requested the meeting be adjourned in memory of Lucille Whitmore.

Mayor Ferry reminded teenagers to be safe during grad week and urged parents to act responsibly; and encouraged kids to call Safe Rides if needed.

Councilmember McLean thanked all who contributed to the Special Olympics held at the Hart High School football field on May 16; advised that she visited the City of Lawndale's new library as a member of the Los Angeles County Library Commission and requested people to advise their legislators to protect the libraries; reported that transportation issues relevant to the

North County and Antelope Valley were discussed with representatives of various jurisdictions at this morning's meeting of the North County Transportation Coalition in Palmdale.

At this time, all Councilmembers gathered around Mayor Ferry who read a statement in support of the "Save Your City" campaign to prevent the State from borrowing against cities to balance the State budget that was recorded and will be placed on the League of CA Cities website.

CITY ATTORNEY ANNOUNCEMENT

Carl Newton, City Attorney, announced that as a result of the Closed Session concluded prior to this meeting, the City Council, by unanimous vote took two actions to be reported, as follows:

1. To authorize the City Attorney and Burke, Williams & Sorenson to initiate a code enforcement proceeding to appoint a receiver to rehabilitate property located at 28151 Tambora, in the City; and
2. To authorize employment of special counsel to initiate litigation against the County of Los Angeles along with the California Contract Cities Association and all other members of the Association who contract with the County for law enforcement services, to seek repayment by the County to the Liability Trust Fund of \$5.5 million improperly used by the County to reimburse itself for settlement costs to resolve claims arising from sexual assaults committed by a deputy sheriff. The retainer agreement with special counsel will be subject to approval by the City Attorney.

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 Ender, to approve the agenda.

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 6:28 p.m.

ROLL CALL

All Agency Members were present.

PUBLIC PARTICIPATION

There was none.

ITEM 1

CONSENT CALENDAR

APPROVAL OF MEETING MINUTES

The minutes of the previous Redevelopment Agency meeting are submitted for Redevelopment Agency approval. Approve minutes of the May 12, 2009 regular meeting of the Redevelopment Agency.

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

Hearing no objections, it was so ordered.

ITEM 2

JOINT UNFINISHED BUSINESS

CITY COUNCIL AND REDEVELOPMENT AGENCY CONSIDER WRITTEN FINDINGS TO WRITTEN OBJECTIONS, CONSIDER THE NEGATIVE DECLARATION, AND INTRODUCE FOR FIRST READING AN ORDINANCE FOR AMENDMENT NO. THREE TO EXTEND THE REDEVELOPMENT AGENCY'S EMINENT DOMAIN AUTHORITY

The Redevelopment Agency ("Agency") seeks 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.

Vice Chair/Mayor Pro Tem Weste recused herself from participation and voting on this item due to a potential conflict of interest due to the proximity of her property with the subject property and left the dais.

Addressing the Agency/Council on this item was Alan Ferdman representing the Canyon County Advisory Committee.

Acting as the City Council:

Motion by Kellar, second by Ender, to adopt Resolution 09-27 adopting written findings in response to written objections to Amendment No. Three received from affected taxing entities and property owners, on the proposed Amendment No. Three to the Redevelopment Plan for the Newhall Redevelopment Project Area; and introduce and pass to second reading an Ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, ADOPTING AMENDMENT NO. THREE TO THE REDEVELOPMENT PLAN FOR NEWHALL REDEVELOPMENT PROJECT AREA PERTAINING TO THE POWER OF EMINENT DOMAIN, AND MAKING FINDINGS IN SUPPORT THEREOF, AND APPROVING AND ADOPTING THE NEGATIVE DECLARATION RELATED THERETO."

On roll call vote:

Ayes: McLean, Ender, Kellar, Ferry

Noes: None

Recused: Weste

Absent: None

Motion carried.

Vice Chair/Mayor Pro Tem Weste returned to her place on the dais.

ADJOURN SANTA CLARITA REDEVELOPMENT AGENCY

Mayor/Chair Ferry adjourned the meeting at 6:48 p.m.

RESUME CITY COUNCIL MEETING

Mayor Ferry resumed the City Council meeting at 6:48 p.m.

CONSENT CALENDAR

Based on cards submitted, Mayor Ferry called for speakers or Councilmember comments on Consent Items 6, 10, 12, 13, 16, 18, and 19.

ITEM 3

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 4

CONSENT CALENDAR

APPROVAL OF MEETING MINUTES

The minutes of the previous City Council meeting are submitted for City Council approval. Approve minutes of the May 12, 2009 special and regular meetings of the City Council.

ITEM 5

CONSENT CALENDAR

NEW SANTA CLARITA SUPERIOR COURTHOUSE PROJECT UPDATE

At the March 24, 2009, City Council meeting, the City Council adopted a resolution committing to a land donation of approximately 3.5 acres located on Golden Valley Road for the purposes of a new courthouse. Furthermore, Council directed staff to work with the appropriate agencies and legislators to explore the creation of a new Santa Clarita Judicial District. The Council also created an Ad-Hoc Committee and appointed Mayor Frank Ferry and Councilmember Bob Kellar to serve on the committee. Receive the report regarding the new Santa Clarita Superior Courthouse Project, amend the City Council resolution 09-20 approved on March 24, 2009, with **Resolution 09-28** increasing the land donation for this project from 3.5 acres to approximately 7 acres located on Golden Valley Road, and provide staff direction to continue the necessary process to secure placement of the new courthouse within City of Santa Clarita boundaries.

ITEM 6

CONSENT CALENDAR

ACQUISITION OF 140 +/- ACRES OF REAL PROPERTY FOR OPEN SPACE PRESERVATION, PLACERITA CANYON AREA, ASSESSOR'S PARCELS 2848-012-085 AND 2848-011-010

Consideration of purchase of 140 +/- acres of real property for open space preservation, in Placerita Canyon adjacent to the Angeles National Forest. Approve the purchase of 140 +/- acres of real property for open space preservation, located in Placerita Canyon, Assessor's Parcels 2848-012-085 and 2848-011-010. Appropriate \$736,351 from Open Space Preservation District Fund Balance (Fund 358) to Open Space Preservation District Expenditure Account 12592-5201.004; authorize the expenditure of \$650,000 from the Environmental Mitigation Land Acquisition Account R0002303. Appropriate \$800,000 in Developer Contribution from General

Fund to Non-Departmental Administration Account 19000-5201.004; increase Prop A Revenue Account 262- 4431.002 in the amount of \$250,000. Authorize the City Manager, or designee, to execute all documents, subject to City Attorney approval.

Addressing the Council on this item was Michael Naoum; Jim Farley; Valerie Thomas; and Cam Noltemeyer representing SCOPE.

In response to inquiries from Councilmembers, staff provided additional information.

ITEM 7

CONSENT CALENDAR

AWARD SECURITY SERVICES CONTRACT

Awarding this contract will provide the presence of an appropriately uniformed security guard who will serve as a visible deterrent to reduce the threat of injury to the public, and prevent damage and loss of property at each service location. Award the contract for security services to North American Security in the amount of \$282,833, plus a 5 percent contingency of \$14,142, for a total amount not to exceed \$296,975 per year, plus annual Consumer Price Index (CPI) increases; and authorize the City Manager or designee to modify the award in the event that issues of impossibility of performance arise, execute up to four annual renewals not to exceed \$296,975 per year, plus annual CPI increases, 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 8

CONSENT CALENDAR

INTELLIGENT TRANSPORTATION SYSTEM (ITS) PHASE II, PROJECT I0004 - PROJECT ACCEPTANCE

The ITS Phase II project built upon the success of the Intelligent Transportation Management System and Thoroughfare Signal Interconnect projects previously completed by staff in 2006. This phase installed the necessary infrastructure for traveler information data collection, integration, and dissemination systems in the City. Accept the work performed by TDS Engineering on ITS Phase II, Project I0004; direct the City Clerk to file the Notice of Completion; and 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.

ITEM 9

CONSENT CALENDAR

INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, PROTECTING PUBLIC HEALTH, SAFETY, AND WELL-BEING WITH RESPECT TO INDUSTRIAL WASTE DISPOSAL PERMITS, PLAN REVIEWS, INSPECTIONS, AND OTHER NECESSARY SERVICES BY AMENDING SECTIONS 15.20.010, 15.20.020, 15.20.030, 5.20.040, AND 15.20.050 OF CHAPTER 15.20 SANITARY SEWERS AND INDUSTRIAL WASTE ADOPTING THE COUNTY OF LOS ANGELES CODE TITLE 20, UTILITIES, DIVISION 2, SANITARY SEWER AND INDUSTRIAL WASTE BY REFERENCE, AND REPEALING SECTIONS 15.20.060 - 15.40.040 OF THE SANTA CLARITA MUNICIPAL CODE, TITLE 15, DIVISION 2

The City has a formal agreement in effect with the County of Los Angeles to perform industrial waste permitting, inspection, and enforcement consistent with federal law, state law, and the Santa Clarita Municipal Code. In turn, the County of Los Angeles bills the City for the cost of the service provided. 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 INDUSTRIAL WASTE DISPOSAL PERMITS, PLAN REVIEWS, INSPECTIONS, AND OTHER NECESSARY SERVICES BY AMENDING SECTIONS 15.20.010, 15.20.020, 15.20.030, 15.20.040, AND 15.20.050 OF CHAPTER 15.20 SANITARY SEWERS AND INDUSTRIAL WASTE, ADOPTING THE COUNTY OF LOS ANGELES CODE TITLE 20, UTILITIES, DIVISION 2, SANITARY SEWER AND INDUSTRIAL WASTE BY REFERENCE, AND REPEALING SECTIONS 15.20.060 - 15.40.040 OF THE SANTA CLARITA MUNICIPAL CODE, TITLE 15, DIVISION 2."

ITEM 10

CONSENT CALENDAR

RESOLUTION ESTABLISHING NO-STOPPING ZONES ALONG THE SOUTH CURB OF LYONS AVENUE AND THE EAST CURB OF BOUQUET CANYON ROAD

Staff is proposing to restripe roadway segments of Lyons Avenue and Bouquet Canyon Road to install an additional third travel lane to increase roadway capacity and improve traffic flow. These improvements require the removal of on-street parking along the south curb of Lyons Avenue and the east curb of Bouquet Canyon Road. Adopt **Resolution 09-29** to establish approximately 630 feet of no-stopping zone along the south curb of Lyons Avenue between Wiley Canyon Road and Peachland Avenue and establish approximately 1,000 feet of no-stopping zone along the east curb of Bouquet Canyon Road from 500 feet south of Cinema Drive to 500 feet north of Cinema Drive.

Addressing the Council on this item was Jeff Wilson.

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

ITEM 11

CONSENT CALENDAR

RESOLUTION AUTHORIZING THE INSTALLATION OF MULTIWAY STOP CONTROLS FOR THE INTERSECTIONS OF ALAMINOS DRIVE AT WELLSTON DRIVE, CENTURION WAY AT SCALLION DRIVE, BERNINA AVENUE AT OAKMOOR STREET, AND LAS MANANITAS DRIVE AT GARZOTA DRIVE

Requests have been received from area residents to investigate the possibility of installing multiway stop controls at the intersections of Alaminos Drive at Wellston Drive, Centurion Way at Scallion Drive, Bernina Avenue at Oakmoor Street, and Las Mananitas Drive at Garzota Drive. Adopt **Resolution 09-30** authorizing the installation of multiway stop controls for the following intersections: Alaminos Drive at Wellston Drive, Centurion Way at Scallion Drive, Bernina Avenue at Oakmoor Street, and Las Mananitas Drive at Garzota Drive.

ITEM 12

CONSENT CALENDAR

RATE ADJUSTMENT FOR FRANCHISED SOLID WASTE SERVICE PROVIDERS

Pursuant to the Section 6.3 of the respective franchise agreements, Blue Barrel Disposal and Burrtec Waste Industries, Inc. may request an adjustment of their maximum rates for the rate year of July 1, 2009 through June 30, 2010. Adopt **Resolution 09-31** for the Fourth Amendment to the Agreement Between the City of Santa Clarita and USA Waste of California, Inc. (dba Blue Barrel Disposal), for Residential Solid Waste Management Services allowing an increase of their single-family rates by 0.29 percent and an increase of their multifamily rates by 0.06 percent based on the formula outlined in their Franchise Agreement and an extraordinary rate increase request. The Fourth Amendment also modifies the Franchise Agreement to alter one existing program and add an additional five programs, subject to City Attorney Approval; adopt **Resolution 09-32** for the Ninth Amendment to the Agreement Between the City of Santa Clarita and Burrtec Waste Industries, Inc., for Commercial Solid Waste Management Services allowing an adjustment in rates by -0.06 percent based on the formula outlined in their Franchise Agreement, subject to City Attorney approval.

In response to inquiries from Councilmembers, Travis Lange, Environmental Services Manager, provided additional information.

ITEM 13

CONSENT CALENDAR

SEWER SYSTEM MANAGEMENT PLAN (SSMP) - STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

The California State Water Resources Control Board adopted statewide Waste Discharge Requirements (WDRs) 2006-0003 for Sanitary Sewer Systems. According to the WDRs, each agency must develop and implement a system-specific sanitary Sewer System Management Plan (SSMP). The Santa Clarita SSMP is a summary of both the Los Angeles County Sewer Maintenance District's and the City of Santa Clarita's management and operational practices. The SSMP will ensure the sewer systems are properly maintained to prevent or significantly reduce the occurrence of Sanitary Sewer Overflows (SSOs). Approve the proposed Sewer System Management Plan and authorize the Director of Public Works to make future changes as needed.

One written comment was submitted on this item.

ITEM 14

CONSENT CALENDAR

SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING THE MUNICIPAL CODE REGARDING PURCHASING

Conduct a second reading, and adopt **Ordinance 09-6** amending the Municipal Code regarding Purchasing to reflect current public agency best practices and facilitate local economic development. Conduct a second reading, and adopt 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 15

CONSENT CALENDAR

AWARD CONTRACT FOR PURCHASE OF IN-STUDIO PRODUCTION CAMERA PACKAGE FOR CHANNEL 20

The purpose of this item is to award a contract for the purchase of an In-Studio Production Camera Package for Channel 20 for use in producing local television programming for the community. Make finding deeming Markertek Video and Hitachi Kokusai as non-responsive to Bid No. PS 08-09-43; Award a contract to Visual Interactive Dynamics for the purchase of an in-studio production camera package for Santa Clarita Community Television Channel 20, Bid No. PS 08-09-43, in the amount of \$71,320; Authorize the City Manager or designee to execute all contract documents, or modify the award in the event that issues of impossibility of performance arise, subject to City Attorney approval.

ITEM 16

CONSENT CALENDAR

ANNUAL LEVY OF ASSESSMENTS FOR THE OPEN SPACE PRESERVATION DISTRICT

This recommended action orders and approves the assessment Engineer 's Report and sets a public hearing on the annual levy for the Open Space Preservation District. Adopt **Resolution 09-33** initiating proceedings for the levy and collection of assessments within the Open Space Preservation District for Fiscal Year 2009-10; Adopt **Resolution 09-34** declaring the City's intention to levy assessments and preliminarily approving an Engineer's Report in connection with the Open Space Preservation District for Fiscal Year 2009-10.

Addressing the Council on this item was Jim Farley; and Cam Noltemeyer.

ITEM 17

CONSENT CALENDAR

ANNUAL LEVY OF ASSESSMENTS FOR SPECIAL DISTRICTS

This required procedural matter orders and approves the assessment engineer's reports and sets a public hearing on the annual levy for the Landscape Maintenance Districts (LMD), Street Light Maintenance District (SMD), Golden Valley Ranch Open Space Maintenance District (GVROSMD) and the Drainage Benefit Assessment Areas (DBAA). Adopt the following resolutions initiating proceedings for the levy and collection of assessments for Fiscal Year 2009-10. **Resolution 09-35** for the Streetlight Maintenance District (SMD), **Resolution 09-36** for Golden Valley Ranch Open Space Maintenance District (GVROSMD), **Resolution 09-37** for Landscape Maintenance Districts (LMD), and **Resolution 09-38** for the Drainage Benefit Assessment Areas (DBAA); Adopt **Resolution 09-39** declaring the City's intention to levy assessments and preliminarily approving engineer's reports for the Landscape Maintenance Districts.

ITEM 18

CONSENT CALENDAR

AWARD LANDSCAPE MAINTENANCE SERVICE CONTRACTS FOR LMD ZONE 1, 15, 16, 18, and 2008-1

Award of LMD landscape maintenance contracts. Award two-year landscape maintenance service contracts for the landscape maintenance zones to the companies and amounts as listed in the agenda report; authorize the two-year amounts, plus a 20 percent contingency for

maintenance and repairs to the awarded contractors for unanticipated repairs, vandalism, disease control, and emergencies; authorize the City Manager or designee to execute all contracts and associated documents, or modify the awards in the event that issues of impossibility of performance arise, and execute up to three (3) annual renewal options not to exceed the annual bid amounts 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.

Addressing the Council on this item was Steve Guise, Vice President of Operations of Marina Landscape.

Ken Pulskamp, City Manager, offered clarification and additional information.

Kevin Tonoian, Technology Services Manager, provided additional information.

ITEM 19

CONSENT CALENDAR

CITY COUNCIL AUTHORIZATION TO: A) AUGMENT TWO EXISTING OVOV RELATED CONTRACTS, ONE TO IMPACT SCIENCES AND ONE TO LILBURN CORPORATION INCLUDING CONTINGENCY EXPENDITURES; AND B) EXTEND TERM OF EACH CONTRACT BY TWO YEARS; AND C) APPROVE BUDGET TRANSFER REQUESTS

Due to unforeseen factors in preparing the final One Valley One Vision (OVOV) and Environmental Impact Report (EIR) products, including work items requested by staff, additional environmental studies, further field work, and increased mapping have resulted in the need for these augments. Authorize augment of existing contract to Impact Sciences for the preparation of the OVOV EIR in the amount of \$59,000 plus a 15% contingency expenditure amounting to a total budgeted increase of \$67,850; extend term of the Impact Sciences contract two years to May 1, 2011; and Approve budget transfers of: \$19,000 from 13000-5161.002 to 13100-5161.002; \$1,000 from 13100-5121.001 to 13100-5161.002; \$35,000 from 13100-5161.001 to 13100-5161.002; \$1,000 from 13100-5161.004 to 13100-5161.002; and authorize augment of existing contract to Lilburn Corporation for the preparation of the OVOV General Plan in the amount of \$13,296 plus a 15% contingency expenditure amounting to a total budgeted increase of \$15,290.40; extend term of the Lilburn contract two years to January 31, 2011; authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

Councilmember McLean requested that the 60-day circulation time period be extended to 90 days.

Council concurred to increase the number of days from 60 to 90.

ITEM 20

CONSENT CALENDAR

SUBMISSION OF THE DRAFT 2009-2010 ANNUAL ACTION PLAN AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING RECOMMENDATIONS

The U.S. Department of Housing and Urban Development (HUD) requires an Annual Action

Plan outlining how CDBG funds will be used in our community primarily to benefit lower income individuals. Approve the Draft 2009-2010 Annual Action Plan and the Community Development Block Grant (CDBG) funding recommendations contained therein, and authorize the City Manager or designee to execute all required documents, subject to the approval of the City Attorney.

ITEM 21

CONSENT CALENDAR

CHECK REGISTER NOS. 17 & 18

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 17 & 18.

Motion by Kellar, second by Weste, to approve the Consent Calendar, with the change to Item 19 as requested by Councilmember McLean.

On roll call vote:

Ayes: Weste, Kellar, McLean, Ender, Ferry

Noes: None

Absent: None

Motion carried.

RECESS AND RECONVENE

Mayor Ferry called a recess at 7:28 p.m. and reconvened the meeting at 7:45 p.m.

ITEM 22

PUBLIC HEARING

STORMWATER POLLUTION PREVENTION FEE RATE AND METHODOLOGY ADJUSTMENT

Mayor Ferry opened the public hearing.

Mary Cusick, Records Technician, advised that all required notices have been provided.

Travis Lange, Environmental Services Manager, advised that this item is to conduct the public hearing to hear public testimony, receive written and/or oral property owner protests, and consider all protests against the proposed Fee. Pursuant to Article XIID of the California Constitution (Proposition 218) the City is required to go through a two-step process. The first step is a Public Hearing, and the second step is a property owner election. In the absence of a majority protest the City Council may order a mailed ballot election on the proposed Stormwater Pollution Prevention Fee.

Addressing the Council on this item was Walter Watson; Michael Naoum (submitted material); John Ferreira; Hugh Rose; Sandra Cattell; Kathy Crandall; Valerie Thomas representing the Placerita Canyon Property Owners Association; and Eugene Leary. Also, 17 written comment cards were submitted.

In response to inquiries from Council, Ken Pulskamp, City Manager, explained how the fee is calculated. Following discussion, Mr. Pulskamp changed his recommended action to allow staff

time to review the methodology for those single-family residential parcels where an increase is anticipated.

Motion by Weste, second by Ender, to continue the public hearing to a date to be determined by the City Manager. (June 9, 2009)

On roll call vote:

Ayes: Kellar, McLean, Ender, Weste, Ferry

Noes: None

Absent: None

Motion carried.

ITEM 23

UNFINISHED BUSINESS

AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH IMPACT SCIENCES, INC. TO PREPARE THE STAGE I EIR FOR THE LYONS AVENUE AT-GRADE RAIL CROSSING/EXTENSION AND THE STAGE II EIR FOR THE NORTH NEWHALL SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT

Mayor Pro Tem Weste recused herself from participation and voting on this item due to a potential conflict of interest due to the proximity of her property with the subject property and left the dais.

Paul Brotzman, Director of Community Development, advised that staff is recommending Impact Sciences to prepare a Staged EIR for the proposed Stage I Lyons Avenue At-Grade Rail Crossing/Extension and the proposed Stage II North Newhall Specific Plan.

Addressing the Council on this item was Eugene Leary; Del Nelson representing Placerita Canyon Property Owners Association; Valerie Thomas representing Placerita Canyon Property Owners Association (submitted picture); Sandra Cattell; Larry Mankin representing the Santa Clarita Valley Chamber of Commerce (submitted material); and Dennis Verner representing the Old Town Newhall Association (submitted material). Seven written comments were submitted on this item.

In response to inquiries from the Council, Mr. Brotzman and Mr. Pulskamp provided additional information.

Motion by Kellar, second by McLean, to authorize the City Manager or designee to enter into a professional services agreement with Impact Sciences, Inc. to prepare the Stage I EIR for the Lyons Avenue At-Grade Rail Crossing/Extension and the Stage II EIR for the the North Newhall Specific Plan (NNSP) Project for a contract amount not to exceed \$628,211, which includes a 15% contingency totaling \$81,940. EIR preparation costs will be borne by the co-applicant, Casden Santa Clarita, LLC.

On roll call vote:

Ayes: McLean, Ender, Kellar, Ferry

Noes: None

Recused: Weste
Absent: None
Motion carried.

Mayor Pro Tem Weste returned to her place on the dais.

PUBLIC PARTICIPATION

Addressing the Council at this time was Sandra Cattell regarding her understanding with regard to the Wiley Canyon Bridge and the Lyons Avenue/Dockweiler connection.

STAFF COMMENTS

There were none.

ADJOURNMENT

Mayor Ferry adjourned the meeting at 8:56 p.m. in memory of Ronald Murphy and Lucille Whitmore.

FUTURE MEETINGS

A City Council Study Session will be held Tuesday, June 2, 2009, at 5:30 p.m. in the Streetscape Construction Office, 24261 1/2 Main Street, Newhall, CA.

The next regular meeting of the City Council will be held Tuesday, June 9, 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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