

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:00 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
AUGUST 25, 2009**

CALL TO ORDER

Mayor Ferry called to order the special meeting of the City Council at 5:03 p.m.

ROLL CALL

All Councilmembers were present with the exception of Councilmembers Ender and Weste who entered the meeting at 5:04 p.m.

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 PROPERTY NEGOTIATOR

Government Code Section 54956.8

Location of Property: The AF Main block in Old Town Newhall, bounded by Lyons Avenue, Main Street, Railroad Avenue, and 9th Street, 1.70 acres consisting of Assessor's Parcel Nos.: 2831-007-014, 015, 016, 017, 018, 019, & 032.

AF Main owns 1.23 acres, and controls the .46 acres of the Wiese parcels through a Purchase and Sale/Escrow Agreement consisting of Assessor's Parcel Nos.: 2831-007-025 & 023

Property Owner: Gary and Sandra Avery and Akki and Marcia Frimmerman (AF Main, LLC)

Under Negotiation: Price and Terms

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: In re: RFI Realty, Inc., et al.

US Bankruptcy Court, District of Arizona

Case No. 2-04-BK-10486 – CGC

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Government Code Section 54956.9(a) (continued listing)

Case Name: M. Jorgezian Investments, Inc. v. City of Santa Clarita
Los Angeles Superior Court Case No. BC 402173

Case Name: Community Advocates for Healthcare SCV, et al. v. City of Santa Clarita et al.
Los Angeles Superior Court Case No. BS 118344

Case Name: Santa Clarita Redevelopment Agency v. General Parts, Inc. dba Carquest Auto Parts, et al.
Los Angeles Superior Court Case No. BC 407980

RECESS AND RECONVENE

Mayor Ferry recessed the meeting to Closed Session at 5:05 p.m. and reconvened the meeting at 6:34 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 Ferry adjourned the meeting at 6:35 p.m.

INVOCATION

Mayor Pro Tem Weste gave the invocation.

CALL TO ORDER

Mayor Ferry called to order the regular meeting of the City Council at 6:37 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Mayor Ferry invited representatives from Boy Scout Troop 499 to lead the flag salute.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Mayor Ferry invited Anna Fructos-Sanchez of Southern California Edison to make a presentation of a \$30,000 grant to the Boys and Girls Club and of a \$25,000 grant to the Valley Industrial Association and provided information on the grant programs (submitted material).

Mayor Pro Tem Weste and Councilmembers recognized various local businesses that achieved a special "Certificate of Recognition" by the County Sanitation District for maintaining full compliance with all Sanitation District's industrial waste requirements for a minimum of the 2008 calendar year.

PRESENTATIONS TO THE CITY

Mayor Ferry recognized Mayor Pro Tem Weste for winning the Government Leadership Award at the San Fernando Valley Business Journal 2009 Women in Business Awards.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Ender congratulated Mayor Pro Tem Weste on her award; invited participation on Saturday at Central Park for the “Celebrating Youth Sports Festival” and on September 23 for “Teen Scene Unplugged” at the Hyatt. She also discussed the benefits of being active in your local PTA.

Councilmember Kellar thanked the community for its past support of various non-profit organizations and reminded those who are able to continue with that support in these tough economic times; and advised that the City continues to work on the Cemex and Whitaker-Bermite issues. He also requested that the meeting be adjourned in memory of Susan Clemmer.

Councilmember McLean provided an update on the impact of the State budget decisions; commented on her participation at last Saturday’s Hot August Night for the Senior Center and at last Sunday’s Downed Officer’s Ride; and commented on topics discussed at the recent meeting of the Los Angeles County Library system.

Mayor Pro Tem Weste commented on her participation in a new project with Blue Barrel Disposal to encourage recycling of waste from large animals which diverts the material from going into the landfills. She also requested that the meeting be adjourned in memory of Rudy Ortega, Sr.

Mayor Ferry provided information on upcoming grand openings in the City including the old Town Newhall Streetscape on September 3, the dedication of the new building at Blessed Kateri, and the Magic Mountain/I-5 improvements on September 8. He also commented that former Mayor and Councilmember Jan Heidt visited City Hall 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

Motion by Kellar, second by Ender, to approve the agenda pulling Items 7, 8 and 9 from the Consent Calendar.

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 7:08 p.m.

ITEM 1

JOINT CONSENT CALENDAR

APPROVAL OF MEETING MINUTES

The minutes of the previous Redevelopment Agency meeting are submitted for Redevelopment Agency approval.

Redevelopment Agency: Approve minutes of the July 14, 2009 regular meeting of the Redevelopment Agency.

ITEM 2

JOINT CONSENT CALENDAR

CONTINUED APPROPRIATIONS - FISCAL YEAR 2008-2009 TO FISCAL YEAR 2009-2010

Each year after the budget is adopted, and as part of the year-end process, each department reviews prior-year expenditures to determine if any appropriations should be continued into the new fiscal year. Continued appropriations represent funds authorized for appropriation in the 2008-2009 fiscal year that were not expended but are still required to complete the projects previously authorized by City Council.

City Council: Adopt **Resolution No. 09-75** authorizing continued appropriated funds from fiscal year 2008-2009 to fiscal year 2009-2010.

Redevelopment Agency: Adopt **Resolution No. RDA 09-13** authorizing continued appropriated funds from fiscal year 2008-2009 to fiscal year 2009-2010.

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

On roll call vote:

Ayes: Ender, Kellar, Weste, McLean, Ferry

Noes: None

Absent: None

Motion carried.

ADJOURN SANTA CLARITA REDEVELOPMENT AGENCY

Chair Ferry adjourned the Redevelopment Agency meeting at 7:10 p.m.

RESUME CITY COUNCIL MEETING

Mayor Ferry resumed the City Council meeting at 7:10 p.m.

ITEM 3

CONSENT CALENDAR

APPROVAL OF MEETING MINUTES

The minutes of the previous City Council meetings are submitted for City Council approval. Approve minutes of the July 14, 2009 special and regular meetings of the City Council.

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

RENEW CONTRACT WITH LOS ANGELES COUNTY SHERIFF'S DEPARTMENT FOR LAW ENFORCEMENT SERVICES WITH SPECIAL INDEMNITY AGREEMENT BETWEEN CONTRACT CITIES AND THE COUNTY OF LOS ANGELES REGARDING MUNICIPAL LAW ENFORCEMENT SERVICES

Since incorporation, the City of Santa Clarita has contracted with the Los Angeles County Sheriff's Department for law enforcement services. Per the terms of the Law Enforcement Agreement, the County provides law enforcement services within the incorporated limits of the City. Customarily the Agreement is renewed for five (5) year periods. Due to the ongoing issues with the Limited Liability Trust Fund (LTF) and possible future changes in the language of the contract, the California Contract Cities Association (CCCA) has requested that contract cities support actions by the CCCA to resolve the LTF issues prior to renewing a five (5) year period Law Enforcement Agreement contract. Renew contract with Los Angeles County for Enforcement Services with the additional provisions in the Special Indemnity Agreement and authorize the City Manager or designee to sign the contract and the Special Indemnity Agreement, subject to City Attorney approval; and authorize the City Manager or designee to execute all documents, including subsequent renewals in accordance with the terms of the contract, subject to City Attorney approval.

ITEM 6

CONSENT CALENDAR

TAX-SHARING RESOLUTION FOR SANITATION DISTRICT ANNEXATION 1047

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. 09-76** approving and accepting the negotiated exchange of property tax revenues resulting from Sanitation District Annexation 1047.

ITEM 7

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH IMPACT SCIENCES, INC., TO PREPARE THE ENVIRONMENTAL IMPACT REPORT FOR THE VIA PRINCESSA EAST EXTENSION

The Via Princessa extension will be one of the primary east-west arterials through the City of Santa Clarita. Authorize the City Manager or designee to enter into a professional services agreement between the City and Impact Sciences, Inc., to prepare an Environmental Impact Report (EIR) for the Via Princessa continuation from Rainbow Glen Drive to Golden Valley

Road in the amount of \$422,000, plus a 15 percent contingency in the amount of \$63,000, for a total not to exceed \$485,000; appropriate \$535,000 from Eastside Bridge and Thoroughfare District Fund Balance (Fund 301) to expenditure Account S3026301-5161.001; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

Addressing the Council on this item was Deborah Chastain representing homeowners of Shadow Oaks (submitted material); Henry Schorz, President of Shadow Oaks HOA (submitted material); Kurt Wilson and John Berry representing residents of Shadow Oaks.

In response to inquiries from Councilmember Kellar, Paul Brotzman, Director of Community Development, provided additional information.

ITEM 8

CONSENT CALENDAR

APPROVE THE DEFERMENT OF CERTAIN DEVELOPMENT IMPACT FEES FOR ONE YEAR TO STIMULATE ECONOMIC GROWTH IN THE CITY OF SANTA CLARITA

On April 28, 2009, the City Council approved the Economic Development 21-Point Business Plan for Progress. One of the items in this plan is to implement several recommendations of the Development Process Advisory Committee, including an alternative method of fee collection for development impact fees. Approve the deferment of the collection of Quimby, Bridge & Thoroughfare, and Transit Impact development fees to building permit for one year to help stimulate economic growth in the City of Santa Clarita.

Addressing the Council on this item was Diane Trautman. One written comment was submitted on this item.

In response to inquiries from Councilmembers, Ken Pulskamp, City Manager, provided additional information.

Mayor Ferry indicated his wish to address the Planning Commission and the Parks, Recreation and Community Services Commission reviewing the norms and procedures.

ITEM 9

CONSENT CALENDAR

SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, ADDING CHAPTER 2.29 TO TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING THE ESTABLISHMENT OF AN ARTS COMMISSION FOR THE CITY OF SANTA CLARITA

At the July 14, 2009, City Council meeting, City Council introduced and passed the ordinance to a second reading. Adopt **Ordinance No. 09-13** titled, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, ADDING CHAPTER 2.29 TO TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING THE ESTABLISHMENT OF AN ARTS COMMISSION FOR THE CITY OF SANTA CLARITA.

Addressing the Council on this item were Gloria Locke and Sherry Klahs representing the Arts Advisory Committee. One written comment was submitted on this item.

ITEM 10

CONSENT CALENDAR

CHECK REGISTER NOS. 26 through 32

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 26 through 32.

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

On roll call vote:

Ayes: Kellar, Weste, McLean, Ender, Ferry

Noes: None

Absent: None

Motion carried.

ITEM 11

PUBLIC HEARING

APPEAL OF MASTER CASE 08-033, A REQUEST FOR A 99,000 SQUARE-FOOT COMMERCIAL DEVELOPMENT IN THE COMMUNITY COMMERCIAL (PLANNED DEVELOPMENT OVERLAY) ZONE

Mayor Ferry opened the public hearing.

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

Councilmember Kellar recused himself from participation and voting on this item due to his having conducted business with one of the parties involved.

Ben Jarvis, Associate Planner, advised that a public hearing was heard before the Planning Commission on June 2, 2009, and the project was approved with a 4-1 vote. On June 8, 2009, the project was appealed and referred to the City Council for further discussion and review.

No requests to speak were submitted on this item.

Motion by Ender, second by Weste, to continue the public hearing to October 27, 2009, to allow additional time for the applicant and the adjoining property owner to discuss the potential of changing the project to include other parcels in the Newhall Gateway area.

On roll call vote:

Ayes: Weste, McLean, Ender, Ferry

Noes: None

Recused: Kellar

Absent: None

Motion carried.

ITEM 12

PUBLIC HEARING

2009 CONGESTION MANAGEMENT PROGRAM LOCAL DEVELOPMENT REPORT

Mayor Ferry opened the public hearing.

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

Motion by Kellar, second by Weste, to waive the staff presentation.

Hearing no objections, it was so ordered.

In report Andrew Yi, City Traffic Engineer, advised that the Congestion Management Program is a state-mandated program administered in Los Angeles County by the Los Angeles County Metropolitan Transportation Authority.

No requests to speak were submitted on this item.

Mayor Ferry closed the public hearing.

Motion by Kellar, second by Ender, to adopt Resolution No. 09-77 finding the City to be in conformance with the Congestion Management Program; and direct staff to deliver the adopted resolution and the 2009 Local Development Report to the Los Angeles County Metropolitan Transportation Authority on or before September 1, 2009.

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:

Sandra Tracey regarding traffic in the city (also submitted video and written comment card concerning illegal immigrants);

Heidi Prinsze, Michael Froggatt; Maureen Savo, Brad Knipp, Corey Frederickson, Barbara Lewis and Tamra Schneider regarding traffic and the bicycle lanes installed on Decoro Drive;

Doug Fraser regarding changes to the City's mobilehome ordinance (submitted petition with 65 signatures); and

Dr. Donald Stevens, Peggy Hill, and Don Wiggins representing Positive Solutions Association, Chris Aldieri representing Noble Investments and employees of the Hyatt Regency Valencia, Kathy Brown, Sarah McKnight, and Diane Trautman requesting that the appeal on the Sheraton

proposal be moved from September 8 to November 24 or January 12. Two written comments were submitted on this issue.

COUNCIL COMMENTS

Councilmembers provided comments on the changes made to Decoro and directed staff to meet with both HOAs involved.

STAFF COMMENTS

Ken Pulskamp, City Manager, advised that staff would talk with the various people involved on Decoro and bring the information back to the Council; that staff would meet with Mr. Fraser and see if a solution could be worked out; that the Sheraton appeal had already been noticed for the September 8 meeting but that Council can continue the appeal to another date; and that staff would review the video submitted by Ms. Tracey and get back in contact with her.

ADJOURNMENT

Mayor Ferry adjourned the meeting at 8:30 p.m. in memory of Susan Clemmer and Rudy Ortega, Sr.

FUTURE MEETINGS

The next regular meeting of the City Council will be held Tuesday, September 8, 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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