

**CITY OF SANTA CLARITA  
CITY COUNCIL  
MINUTES OF SPECIAL MEETING  
5:30 P.M.  
MINUTES OF REGULAR MEETING  
6:00 P.M.  
SEPTEMBER 8, 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 a:

**CONFERENCE WITH PROPERTY NEGOTIATOR**

Government Code Section 54956.8

**Property Location:** Potential Open Space Acquisition:

Assessor's Parcel No. 2834-023-014 10 +/- Acres

Assessor's Parcel No. 2834-024-005 Easement for access

Property Owner: P B & F Rawlins Family Trust

Under Negotiation: Price and Terms

**CONFERENCE WITH LEGAL COUNSEL – Potential Litigation**

Government Code Section 54956.9(c) – 3 matters

**RECESS AND RECONVENE**

Mayor Ferry recessed the meeting to Closed Session at 5:32 p.m. and reconvened the meeting at 6:15 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 6:16 p.m.

**CITY CLERK'S ANNOUNCEMENT**

Sharon Dawson, City Clerk, announced that anyone wishing to address an item on the agenda should complete a speaker's slip and submit it to the City Clerk before the item is announced by the Mayor.

## **INVOCATION**

Mayor Ferry gave the invocation.

## **CALL TO ORDER**

Mayor Ferry called to order the regular meeting of the City Council at 6:22 p.m.

## **ROLL CALL**

All Councilmembers were present.

## **FLAG SALUTE**

Mayor Ferry invited representatives from Cub Scout Pack 494 to lead the flag salute.

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

Councilmember Kellar and Councilmembers recognized Brett Shields for administering CPR to a victim of cardiac arrest until paramedics arrived with a defibrillator.

## **PRESENTATIONS TO THE CITY**

Ken Pulskamp, City Manager, provided an update on the City of Santa Clarita's 21-Point Business Plan for Progress since approval in April 2009.

## **COMMITTEE REPORTS/COUNCILMEMBER COMMENTS**

Councilmember Ender commented on the recent SCV Economic Summit and invited participation at a special ceremony "2,974 Reasons to Never Forget" at the Veterans' Historical Plaza on Friday for those who lost their lives on 9/11.

Councilmember Kellar expressed his appreciation for staff's efforts on the 21-point Business Plan and encouraged all to shop local.

Councilmember McLean commented on the City's recent Youth Sports Festival and looks forward to this as an annual event; provided information on the Anaheim Regional Transportation Intermodal Center as discussed at the SCAG Transportation Committee meeting and hopes something similar might be implemented in the North County in the future; and commented on this morning's ribbon cutting for the I-5/Magic Mountain interchange.

Mayor Pro Tem Weste congratulated and thanked staff for their efforts toward the I-5/Magic Mountain interchange project completion; encouraged attendance and participation at the American Red Cross "Hometown Heroes" recognition breakfast at the Hyatt on September 11, the River Rally on September 12, and the Michael Hoefflin fund-raiser on September 12; and requested the meeting be adjourned in memory of 2 Fire officials who lost their lives as a result of the Station Fire, Captain Tedmund "Ted" Hall and Firefighter Specialist Arnaldo "Arnie" Quinones.

Mayor Ferry commented on last week's opening of Phase I of the Newhall Streetscape project as well as today's opening of the I-5/Magic Mountain Interchange project; and reminded of the Texas Hold 'em at TPC on September 12 to benefit the SCV Youth Project and Teen Scene Unplugged on September 23 at the Hyatt.

**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.**

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

**ITEM 1**

**CONSENT CALENDAR**

**APPROVAL OF MEETING MINUTES**

The minutes of the previous City Council meetings are submitted for City Council approval. Approve minutes of the August 25, 2009 special and regular meetings of the City Council.

**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 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**

**AGREEMENT WITH THE COUNTY OF LOS ANGELES TO PROVIDE PUBLIC TRANSPORTATION SERVICES FOR FISCAL YEAR 2009-10**

In August 1991, the City assumed responsibility for public transportation services in the Santa Clarita Valley from the County of Los Angeles Department of Public Works. In return, the County provides funds for service in the unincorporated areas. The Agreement is renewed annually. Approve an Agreement with the County of Los Angeles to provide public transportation services in unincorporated areas in an amount not to exceed \$2,093,000, authorize the City Manager or designee to execute the Agreement, or modify the award in the event that issues of impossibility of performance arise, subject to City Attorney approval, and reduce the fiscal year 2009-10 County Contributions revenue account 700-4425.001 by \$307,000 to correctly reflect the \$2,093,000 revenue to be received from the County of Los Angeles for public transportation services.

**ITEM 4**

**CONSENT CALENDAR**

**STORMWATER POLLUTION PREVENTION FEE TABULATION RESULTS**

Stormwater fees and charges are considered to be “property-related” fees under Proposition 218 and Article XIID of the California Constitution. The City is required to follow certain procedural and substantive requirements to the imposition or modification of such property-related fees and charges, including the requirements of (i) holding a public hearing, and (ii) to the extent no majority protest exists, receiving voter approval for such fees and charges. Pass,

approve, and adopt **Resolution No. 09-78** declaring the results of the Stormwater Pollution Prevention Fee (the “Fee”) ballot tabulation.

**ITEM 5**

**CONSENT CALENDAR**

CHECK REGISTER NOS. 33 & 34

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 33 & 34.

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

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

**ITEM 6**

**PUBLIC HEARING**

LANDSCAPE MAINTENANCE DISTRICT PROCEEDINGS

Mayor Ferry opened the public hearing.

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

In report, Kevin Tonoian, Technology Services Manager, advised that this item is for a public hearing on modifications, annexations, and rate changes to various LMD zones.

Addressing the Council on this item was Charles Werner; and Alan Ferdman representing the Canyon Country Advisory Committee. One written comment was submitted.

Mayor Ferry closed the public hearing.

Mayor Ferry announced at this time, the City Clerk is directed to tabulate the ballots. Due to the thousands of ballots received, the tabulation of the ballots will not be completed by the end of this meeting. Tabulation will begin on Wednesday, September 9 in the Main Conference Room on the 3<sup>rd</sup> floor of City Hall. The results of the ballot tabulation will be reported at the September 22, 2009 Council meeting.

**ITEM 7**

**PUBLIC HEARING**

ADOPTION OF SEWER CONNECTION FEE FOR SIERRA HIGHWAY

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

Mayor Ferry opened the public hearing.

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

**Motion by Weste, second by McLean, to waive staff presentation.**

**Without objection, it was so ordered.**

In report, Robert Newman, Director of Public Works, advised that the proposed sewer connection fee is a mechanism for the developer to recover costs associated with installing a sewer main line as a condition of development.

No requests to speak were submitted on this item.

Mayor Ferry closed the public hearing.

**Motion by Weste, second by Ender, to adopt Resolution No. 09-79 to establish the sewer connection fee and its associated administrative fee for certain properties near Sierra Highway and Newhall Avenue.**

**On roll call vote:**

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

**Noes: None**

**Recused: Kellar**

**Absent: None**

**Motion carried.**

## **ITEM 8**

### **PUBLIC HEARING**

MASTER CASE NO. 09-073, CRYSTAL SPRINGS ANNEXATION – CONSIDERATION OF GENERAL PLAN AMENDMENT 09-004, PREZONE 09-003, AND REQUEST FOR AUTHORIZATION TO SUBMIT AN APPLICATION FOR ANNEXATION TO THE LOCAL AGENCY FORMATION COMMISSION (LAFCO)

Mayor Ferry opened the public hearing.

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

**Motion by Weste, second by Ender, to waive staff presentation.**

**Without objection, it was so ordered.**

In report, James Chow, Associate Planner, advised that this item is for a request to submit an application for annexation for the Crystal Springs area to LAFCO.

Addressing the Council on this item was Robert Benjamin; Susan Carey; and Elizabeth Smith.

**Motion by Kellar, second by Weste, to continue the public hearing to a date uncertain with proper notice to be given of the new public hearing date, to allow City staff to host a meeting with the Crystal Springs community in order to provide information regarding annexation and to answer any questions the community may**

**have.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

## **ITEM 9**

### **PUBLIC HEARING**

APPEAL OF MASTER CASE 08-051, A REQUEST FOR A 136,559 SQUARE FOOT HOTEL BUILDING WITH 200 ROOMS IN THE COMMERCIAL TOWN CENTER (VALLEY CENTER OVERLAY) ZONE

Mayor Ferry opened the public hearing.

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

Jeff Hogan, Senior Planner, advised that this item is an appeal of the Planning Commission decision of approval for the Sheraton Hotel project, described the proposal and explained the site plan and site restrictions.

Representing the applicant, Jeff Lambert and Michael Goldstein of Brisam Valencia, LLC, highlighted aspects of the proposal and advised that various consultants were available to answer any questions the Council might have.

Representing the appellant, Allan Cameron and Robert Silverstein, explained the reasons for the appeal and questioned certain procedural issues concerning documents requested under the Public Records Act and the project description in the public hearing notice.

### **RECESS AND RECONVENE**

Mayor Ferry called a recess at 8:10 and reconvened the meeting at 8:35 p.m.

In response to Mayor Ferry, Carl Newton, City Attorney, suggested the Council defer making a decision on this item until such time as further information is received to resolve the procedural issues in question.

Representatives of the applicant and the appellant indicated their willingness to participate in a further extension to resolve procedural issues.

**Council consensus to delay action on this item until the procedural issues can be resolved.**

Addressing the Council on this item was Tim Ben Boydston; Reena Newhall (submitted material); Sandra Cattell representing the Sierra Club; Berta Gonzalez-Harper; Martha Willman; Ed Griffin; David Lanz; Kathy Brown; Sarah McKnight; Barbara McElmeel; Chuck Payne; Donald Wiggins (submitted material); Peggy Hill; Chris Aldieri; Tim Wildey (submitted material); Amanda Benson; Lynn McCracken; Linda Pedersen; Beverly Kielty; and Donald

Stevens. Five written comments were submitted on this item.

**Motion by Kellar, second by Ender, to continue the public hearing to a date uncertain with proper notice to be given of the new public hearing date, to allow City staff to resolve the procedural issues raised tonight and provide additional information.**

**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 Linda Ejedawe regarding the City's bus service, drivers and advocacy for the riders; Victor Guillen Paredes regarding the City's bus service (submitted material); and Alan Ferdman regarding bike nights at Route 66.

### **STAFF COMMENTS**

Ken Pulskamp, City Manager, advised that Darren Hernandez, Deputy City Manager, was talking with the first 2 speakers regarding the City's bus service and that Mr. Thomas agreed to the conditions of approval for the bike nights at Route 66.

### **ADJOURNMENT**

Mayor Ferry adjourned the meeting at 9:53 p.m. in memory of Captain Tedmund "Ted" Hall and Firefighter Specialist Arnaldo "Arnie" Quinones.

### **FUTURE MEETINGS**

The next regular meeting of the City Council will be held Tuesday, September 22, 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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