

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:00 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
OCTOBER 11, 2005**

CALL TO ORDER

Mayor Smyth called to order the special meeting of the City Council at 5:06 p.m.

ROLL CALL

All Councilmembers were present with the exception of Councilmember Ferry.

PUBLIC PARTICIPATION

Addressing the Council was Chris Ball regarding unnecessary litigation in the case of Mr. Von der Ahe.

CLOSED SESSION

Carl Newton, City Attorney, advised of the need to conduct a Closed Session for the purpose of holding a:

CONFERENCE WITH LABOR NEGOTIATOR

Government Code Section 54957.6

Agency Negotiator: City Manager or designee

Unrepresented Employees: All positions not represented by SEIU Local 347

CONFERENCE WITH LEGAL COUNSEL – Pending Litigation

Government Code Section 54956.9(a)

Case Name: City of Santa Clarita v. J & B Wholesale and Building Supplies, Inc.
Los Angeles County Superior Court Case # BC 287642

Case Name: City of Santa Clarita v. Charles Von Der Ahe, et al.
Los Angeles County Superior Court Case # PC 036780

CONFERENCE WITH LEGAL COUNSEL – Potential Litigation

Government Code Section 54956.9 (c) – two matters

Conference with real property negotiator

Government Code Section 54956.8

Property Location: The subject properties are .10-acre each and located east of
Sierra Highway, APN 2842-003-029 and APN 842-03-006

Owner: County of Los Angeles

Under Negotiation: Price and Terms

RECESS AND RECONVENE

Mayor Smyth recessed the meeting to Closed Session 5:10 p.m. and reconvened the meeting at 6:12 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 Smyth adjourned the meeting at 6:12 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

Councilmember Ferry gave the invocation.

CALL TO ORDER

Mayor Smyth called to order the regular meeting of the City Council at 6:18 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Girl Scout Troop 744 and Brownie Troop 664 led the flag salute.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Ferry commented on the Jewish holiday of Yom Kippur; the Wine Auction being held on Saturday, October 15 at Le Chene to benefit the Senior Center Meals on Wheels Program; the Street Art Festival held in Newhall and the great job done by Michael Marks and Phil Lantis; the DADs meeting held at City Hall where parents voluntarily drug test their teenagers; and the successful trip to Washington D.C. that he took with Intergovernmental Relations Officer Mike Murphy for transportation funding.

Councilmember McLean commented on the SCV Resource Center lunch; the Single Mothers Outreach lunch and auction, and commended the hard work of Debbie Quick; the League of California Cities meeting; the Bow Wows and Meows event held at Hart Park; the Street Art Festival; and the Forest Land Management Plan Open House that will be held at the Activities Center on October 18 at 6:00 p.m.

Councilmember Kellar extended his thanks to Councilmember Ferry for the invocation that he gave; commented on the Single Mothers Outreach program and all of the hard work done by Debbie Quick; and the value of the League of California Cities meeting.

Mayor Pro-Tem Weste commented on the proposed Open Space and Parkland Preservation District stating that the ballots have been delivered and asking residents to call with any questions; the Santa Clarita hotel occupancy rate was 90.97% in August; the Lombardi Ranch opening; and that 98 dogs and cats were adopted at the Bow Wows and Meows event at Hart Park on Sunday.

Mayor Smyth commented on the giving spirit of Santa Clarita, and the walks that were held to benefit the Diabetes Association and the Leukemia and Lymphoma Society.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Mayor Smyth and Council recognized Maria Romero for her achievement as a USA Folklorico Champion this past year.

PRESENTATIONS TO THE CITY

There were none.

PUBLIC PARTICIPATION

Addressing the Council was Henry Miller regarding the “Shop Santa Clarita” program and not being able to purchase a car in Santa Clarita due to the higher prices of the Auto Dealers Association; Paul Terras regarding Community Preservation and giving the officers more tools to enforce the codes; Carl Boyer regarding the proposed Open Space and Parkland Preservation District; Cam Noltemeyer regarding the Open Space and Parkland Preservation District; Michael Talbot regarding Old Orchard Shopping Center and the closure of Albertsons; and David Keating regarding the Old Orchard Shopping Center.

STAFF COMMENTS

Ken Pulskamp, City Manager, stated that he would take the feedback given by Mr. Miller to the Auto Dealers; regarding Community Preservation that the process has been both strengthened and streamlined; regarding the proposed Open Space and Parkland Preservation District that 72% of the ballots are from single family homes; and that the City is not in a decision making position for which tenant might occupy the Old Orchard shopping center.

Mayor Smyth indicated that he has sent a letter to Trader Joe’s asking if they would be interested in exploring the option of the tenancy.

EXECUTIVE MEETING

This time has been set aside for Councilmembers to review the agenda and obtain any further information that may be added.

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 Weste, second by Kellar, to approve the minutes of the

September 27, 2005 special and regular City Council meetings as submitted.

Hearing no objections, it was so ordered.

ITEM 1

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 2

CONSENT CALENDAR

COWBOY FESTIVAL FUNDING REQUEST

Roscoe Productions/Deadwood has requested the amount of \$65,000 as compensation for the time and labor required to remove props and set pieces to accommodate the 2006 Santa Clarita Cowboy Festival tentatively scheduled for April 27-30, 2006, at Melody Ranch Motion Picture Studios. Approve funding and authorize City Manager or designee to allocate funds from Council Contingency Fund in the amount of \$65,000, for the 2006 Santa Clarita Cowboy Festival to compensate Roscoe Productions for expenses incurred for removal of props and set pieces from Melody Ranch to accommodate the production of the Cowboy Festival. Approve transfer of \$65,000 from Account Number 2250-7401 to Account Number 7622-8001.

ITEM 3

CONSENT CALENDAR

CHAPTER 8 AGREEMENT NO. 2502 AND 2507 TO PURCHASE LOS ANGELES COUNTY TAX-DEFAULTED PROPERTIES, APN 2842-003-029 AND 2842-003-006, VACANT PROPERTY EAST OF SIERRA HIGHWAY

Subject properties are vacant land located adjacent to or near County owned property the City has under option to purchase. Approve Chapter 8 Agreement Nos. 2502 and 2507 to purchase Los Angeles County Tax-Defaulted Property, APN 2842-003-029 and 2842-003-006; transfer funds in the amount of \$4,300.00 from Account No. 2250-7401 to Account No. 4100-8620 for the purchase of the properties (2842-003-006/\$1,309.00 and 2842-003-029/\$2,139.00), including \$852.00 for publication and additional fees necessary to facilitate the transfer; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 4

CONSENT CALENDAR

COOPERATIVE AGREEMENT WITH LOS ANGELES COUNTY FOR CONSTRUCTION OF SIERRA HIGHWAY BRIDGES OVER THE RAILROAD, PROJECT NO. S3009

The City is the lead agency in the Sierra Highway Bridges Over the Railroad project. This project encompasses property in the City, Metrolink, and Los Angeles County jurisdictions. Separate agreements for construction have been drafted by the State and Metrolink for the City to construct the project. The Cooperative Agreement with the County authorizes the City to construct this project on behalf of the County. Authorize the City Manager or designee to

execute the Cooperative Agreement with Los Angeles County (County) related to construction within the jurisdiction of the County for the Sierra Highway Bridges Over the Railroad, Project No. S3009, subject to City Attorney approval.

ITEM 5

CONSENT CALENDAR

CROSS VALLEY CONNECTOR GAP CLOSURE, PROJECT NO. S1001- GRANTING OF EASEMENTS, CONSENTS, AND THE TRANSFER OF NECESSARY PROPERTY RIGHTS TO UTILITY COMPANIES

Granting of easements, consents, and the transfer of necessary property rights as required for the utilities, including access and maintenance in conjunction with construction of the Cross Valley Connector Gap Closure project. Approve the granting of utility easements, consents, and the transfer property rights as required for utility providers for the Cross Valley Connector Gap Closure, Project No. S1001, including but not limited to, Southern California Edison, Valencia Water, MCI , Pacific Pipeline, LA County Flood Control District, and The Gas Company; and authorize the City Manager or designee to execute utility easements, consent agreements, and all other documents related to the transfer of property rights, subject to City Attorney approval.

ITEM 6

CONSENT CALENDAR

PLACERITA CANYON SEWER, PHASE 1, PROJECT NO. S2036 - PROJECT ACCEPTANCE OF CONSTRUCTION

This project installed a sewer main line, including house laterals, in the Placerita Canyon Road area. Phase 1 allows connection to The Master's College dormitories, as well as the properties along the main line to include the existing dry sewer lines in the area. Accept the work performed by TEMCO on the Placerita Canyon Sewer, Project No. S2036; authorize the City Manager or designee to accept easement documents and acquisition of sewer easements within Metropolitan Water District's (MWD) property; direct the City Clerk to file a Notice of Completion; and direct staff to release the retention amount 35 days after the Notice of Completion is recorded, provided no stop notices have been filed, as provided by law.

ITEM 7

CONSENT CALENDAR

THIS ITEM NUMBER NOT USED

ITEM 8

CONSENT CALENDAR

POLICY GUIDELINES REGULATING THE USE OF PUBLIC FINANCING MECHANISMS TO FINANCE PUBLIC FACILITIES

The Mello-Roos Act requires that a public agency must first consider and adopt local goals and policies prior to initiating proceedings to form a Community Facilities District. Adopt **Resolution No. 05-119** revising and approving the adoption of policy guidelines regulating the use of public financing mechanisms to finance public facilities.

ITEM 9

CONSENT CALENDAR

CHECK REGISTER NOS. 38 AND 39

Approval of the Check Registers. Adopt **Resolution No. 05-120** to approve and ratify for payment the demands presented in Check Registers 38 and 39.

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

On roll call vote:

Ayes: Ferry, McLean, Weste, Kellar, Smyth

Noes: None

Absent: None

Motion carried.

ITEM 10

PUBLIC HEARING

CROSS VALLEY CONNECTOR GAP CLOSURE, PROJECT NO. S1001 - RESOLUTION OF NECESSITY, SOUTHERN CALIFORNIA GAS COMPANY (SEMPRA)

Mayor Smyth opened the public hearing.

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

Council consensus to waive staff report.

In report, Curtis Nay, Assistant City Engineer, advised that this item is for the consideration of a resolution finding and determining that the public interest, convenience, and necessity require acquisition of an easement for public utility purposes for the construction of the road and required infrastructure improvements. A new draft resolution was distributed with a corrected legal description.

There were no requests to speak on this item.

Mayor Smyth closed the public hearing.

Motion by Weste, second by Kellar, to adopt Resolution No. 05-121 authorizing the condemnation proceedings necessary for the acquisition of a public utility easement for completion of the Newhall Ranch Road/Cross Valley Connector - Copper Hill to Interstate 5 (I-5) "Gap Closure" segment, Project No. S1001; and authorize the deposit of \$8,100 from Account No. S1001304 with the Los Angeles Superior Court to initiate immediate taking proceedings.

On roll call vote:

Ayes: McLean, Weste, Kellar, Ferry, Smyth

Noes: None

Absent: None

Motion carried.

ADJOURNMENT

Mayor Smyth adjourned the meeting at 6:58 p.m.

FUTURE MEETINGS

The next regular meeting of the City Council will be held Tuesday, October 25, 2005 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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