

**CITY OF SANTA CLARITA  
CITY COUNCIL  
MINUTES OF SPECIAL MEETING  
5:00 P.M.  
MINUTES OF REGULAR MEETING  
6:00 P.M.  
NOVEMBER 22, 2005**

**CALL TO ORDER**

Mayor Smyth called to order the special meeting of the City Council at 5:00 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:** RFI Realty, Inc., et al. Bankruptcy  
US Bankruptcy Court for the District of Arizona  
Case # 2:04-10486-CGC
- Case Name:** City of Santa Clarita v. Charles Von Der Ahe, et al.  
Los Angeles County Superior Court Case # PC 036780
- Case Name:** Bradley Leber v. City of Santa Clarita  
Los Angeles County Superior Court Case # PC 035083
- Case Name:** Mitzie L. Dobson et al. v. City of Santa Clarita  
Los Angeles County Superior Court Case # PC 037300
- Case Name:** City of Santa Clarita v. Department of Interior Board of Land Appeals  
U S. District Court Central District of CA, Case # CV02-00697 DT

**RECESS AND RECONVENE**

Mayor Smyth recessed the meeting to Closed Session at 5:01 p.m. and reconvened the meeting at 6:02 p.m.

**CITY ATTORNEY ANNOUNCEMENT**

Carl Newton, City Attorney, announced that, in Closed Session by unanimous vote, the Council authorized the City Attorney and Burke Williams & Sorenson to defend the case of Mitzie L. Dobson et al. v. City of Santa Clarita, LA Superior Court Case No. PC 037300, involving the death of a bicycle rider who was hit in the parking lot of the Valencia Town Center. The City was named as a party defendant because it maintains the landscaping adjacent to the parking lot and the bicycle rider entered the parking area from the landscaped area.

## **ADJOURN**

Mayor Smyth adjourned the meeting at 6:03 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 Smyth gave the invocation.

## **CALL TO ORDER**

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

## **ROLL CALL**

All Councilmembers were present.

## **FLAG SALUTE**

Representatives of Boy Scout Troop 499 presented the colors and led the pledge to the flag.

## **COMMITTEE REPORTS/COUNCILMEMBER COMMENTS**

Councilmember Kellar commented on the Festival of Trees held over the weekend and the upcoming Tree Lighting Ceremony at Henry Mayo Newhall Memorial Hospital.

Mayor Pro Tem Weste commented on the Festival of Trees; commented on the upcoming Lighted Toy Train stop at the Newhall Metrolink Station at 8:25 p.m. on Friday; thanked the community and others for their response regarding the Open Space and Parkland Preservation District; commented on the affordable housing tour; commented on the MDA lockup and the groundbreaking for the Youth Memorial at Central Park and wished all a Happy Thanksgiving. She also requested that the Council meeting be adjourned in memory of Dave Holland.

Councilmember McLean commented on the affordable housing tour, the CCIM regarding redevelopment, and the meeting with State Senator Runner; encouraged participation for the Toy Train stop, holiday happenings in Old Town Newhall, the Placerita Nature Center Craft Fair; and advised that as a member of the Orange Line MagLev Authority, she would have the opportunity to visit the Shanghai MagLev in January, 2006.

Councilmember Ferry commented on the meeting with State Senator Runner; thanked Congressman McKeon for his efforts toward the granting of Federal dollars for the City's Cross Valley Connector; thanked the VIP teen advisory group and others for their efforts and contributions for the Youth Memorial in Central Park; and commented on the Every 15 Minutes program and the efforts toward the City's Open Space and Parkland Preservation District.

Mayor Smyth acknowledged the upcoming grand opening of the Golden Valley Bridge on December 2 and thanked the students and deputies in the STAR program who met with him earlier this afternoon.

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

Mayor Smyth and Councilmembers presented certificates to the winners of the Bookmark Contest from the Canyon Country, Newhall and Valencia Libraries.

**PRESENTATIONS TO THE CITY**

There were none

**PUBLIC PARTICIPATION**

There was none.

**STAFF COMMENTS**

There were none.

**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, pulling Items 3 and 9 from the Consent Calendar.**

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

**APPROVAL OF MINUTES**

**Motion by McLean, second by Weste, to approve the minutes of the November 8, 2005 special and regular City Council meetings as corrected by Councilmember McLean.**

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

**RECESS TO SANTA CLARITA REDEVELOPMENT AGENCY**

Mayor Smyth recessed the meeting to the Redevelopment Agency meeting at 6:36 p.m.

**RECONVENE CITY COUNCIL MEETING**

Mayor Smyth reconvened the meeting of the City Council at 6:37 p.m.

**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**

**TAX SHARING RESOLUTION FOR SANITATION DISTRICT ANNEXATION NO. 340**

The Santa Clarita Valley Sanitation District (formerly known as County Sanitation District

Nos. 26 and 32) 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. As part of this process, a tax-sharing resolution to provide the required funding to the Sanitation District is adopted by the public agency responsible for providing services to the subject property. Adopt **Resolution No. 05-134** approving and accepting the negotiated exchange of property tax revenues resulting from Sanitation District Annexation No. 340.

### **ITEM 3**

#### **CONSENT CALENDAR**

##### **BURRTEC'S ANNUAL PERFORMANCE REVIEW**

Pursuant to Article 7 of the "Agreement Between the City of Santa Clarita and Burrtec Waste Industries, Inc., for Commercial Solid Waste Management Services" beginning on or around October 2005, the City may hold a hearing to review Burrtec's performance. Direct staff to continue working with Burrtec in; (1) identifying alternative locations for a Materials Recovery Facility (MRF), (2) the siting and construction of a MRF, and (3) implementing programs to increase the City's commercial diversion rate to achieve 25 percent diversion in their waste stream for the 2006 calendar year.

In response to inquiries from Council, Mike Harrigan representing Burrtec Industries Inc. provided information.

### **ITEM 4**

#### **CONSENT CALENDAR**

##### **PLAYGROUND EQUIPMENT UPGRADES - PROJECT NUMBER: M0045 - AWARD CONSTRUCTION CONTRACT**

This project comprises three components of improvements; play equipment renovation, a shade canopy installation, and two park sign installations. Approve the appropriation of \$30,000 from Council Contingency Account Number 2250-7401 to Account Number M0045001-8001 (Playground Equipment Upgrades Project M0045) to fully fund the project with a 10% contingency. Award construction contract to John Burgeson Contractors, Inc., in the amount of \$237,119, and authorize a 10% contingency in the amount of \$23,712 from Account Number M0045001-8001. Authorize the City Manager, or designee, to execute all documents, subject to City Attorney approval. Authorize staff to increase estimated revenues by \$25,000 in Account Number 453-5112 and appropriate \$25,000 to Account Number M0045453-8001 to properly account for the California Integrated Waste Management Board Grant.

### **ITEM 5**

#### **CONSENT CALENDAR**

##### **2005-06 ANNUAL OVERLAY AND SLURRY SEAL PROGRAMS, PROJECT NOS. M0046 AND M0049 - AWARD DESIGN CONTRACT**

The Annual Overlay and Slurry Seal Programs improve various streets throughout the City by resurfacing and sealing surface cracks to enhance skid resistant properties and increase pavement life. This results in a smoother ride for traffic, an enhanced appearance of the area, and extends the economic life of the roadway. Award the contract to Pavement Engineering Inc. for engineering design services for the 2005-06 Annual Overlay and Slurry Seal Programs, Project

Nos. M0046 and M0049, in the amount of \$135,465.00, and authorize a \$19,535.00 contingency expenditure; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

**ITEM 6**

**CONSENT CALENDAR**

**GEOTECHNICAL ENGINEERING, GEOLOGIC REPORT REVIEW, AND SOILS TESTING SERVICES - AWARD PROFESSIONAL SERVICES CONTRACTS**

The purpose of this item is to select consultants for geotechnical engineering, geologic report review, and soils testing services. To initiate the consultant selection process, staff prepared a Request for Proposals (RFP) for the subject services. The RFP's were sent to 19 firms on the City's Soils Consultants List. Seven firms submitted proposals for review. Award contracts to Alan Seward Engineering Geology, Fugro West, GeoDynamics, and R.T. Frankian & Associates for geotechnical engineering geologic report review services and soils testing services. Authorize the City Manager or designee to execute and sign all documents, subject to City Attorney approval.

**ITEM 7**

**CONSENT CALENDAR**

**SECOND READING AND ADOPTION OF ORDINANCE FOR PREZONE 05-001 (MASTER CASE 05-270) FOR THE EAST SANTA CLARITA ANNEXATION**

General Plan Amendment and Prezone for the approximately 1,885-acre, undeveloped area known as the East Santa Clarita Annexation. Adopt **Ordinance No. 05-17** entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA TO APPROVE PREZONE NO. 05-001 (MASTER CASE 05-275) FOR THE EAST SANTA CLARITA ANNEXATION AREA GENERALLY LOCATED IN CANYON COUNTRY ABUTTING THE EASTERN PROPOSED STONECREST BOUNDARY EAST AND WEST OF STATE ROUTE 14.

**ITEM 8**

**CONSENT CALENDAR**

**PROFESSIONAL SERVICES AGREEMENT WITH IMPACT SCIENCES, INC. TO COMPLETE THE ENVIRONMENTAL IMPACT REPORT AND RELATED DOCUMENTS FOR THE MASTER'S COLLEGE MASTER PLAN**

Authorization to enter into a professional services contract with Impact Sciences, Inc. Authorize the City Manager or designee to enter into a professional services contract between the City and Impact Sciences, Inc. for the completion of an Environmental Impact Report and related documents, for a total contract amount not to exceed \$250,000.00.

**ITEM 9**

**CONSENT CALENDAR**

**SECOND READING AND ADOPTION OF ORDINANCE FOR DOWNTOWN NEWHALL SPECIFIC PLAN**

(Master Case 05-029) Specific Plan designed to revitalize and redevelop Downtown Newhall into a thriving, mixed-use, pedestrian-oriented urban village with a series of economic engines. Conduct second reading and adopt **Ordinance No. 05-18** entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA APPROVING ZONE CHANGE 05-001 AND UNIFIED DEVELOPMENT CODE AMENDMENT 05-001 (MASTER

CASE 05-029) TO CHANGE THE PROPOSED DOWNTOWN NEWHALL SPECIFIC PLAN BOUNDARY FROM COMMUNITY COMMERCIAL (CC), RESIDENTIAL SUBURBAN (RS), RESIDENTIAL MEDIUM (RM), RESIDENTIAL MEDIUM HIGH (RMH), RESIDENTIAL LOW (RL), INDUSTRIAL COMMERCIAL (IC), AND OPEN SPACE (OS), TO SPECIFIC PLAN (SP) GENERALLY LOCATED AS 50 BLOCKS BOUNDED BY NEWHALL CREEK TO THE EAST, 14TH STREET TO THE NORTH, NEWHALL AVENUE AND WILLIAM S. HART PARK TO THE WEST AND THE INTERSECTION OF PINE STREET AND SAN FERNANDO ROAD TO THE SOUTH IN THE CITY OF SANTA CLARITA.

Addressing the Council at this time was Belia Pulido and Adriana Gammert.

In response to public comment, Ken Pulskamp, City Manager, provided additional information.

**ITEM 10  
CONSENT CALENDAR**

**AWARD OF CONTRACT FOR UPGRADE OF CITY FINANCIAL SYSTEM**

Consideration of awarding contract to upgrade the City's Financial System. Authorize the upgrade of the City's current Automated Financial System, and award a contract to Sunguard Pentamation in the amount of \$266,500, plus a 10% contingency in the amount of \$29,000, for a total contract value of \$295,500, subject to approval by the City Attorney; appropriate \$44,500 from Fund 601 (Technology Replacement) to the Technology Services budget, Account No. 2311-8610 (Computer Replacement Fund) in order to fund the total cost associated with the upgrade of the Financial System. The total cost of upgrading the City's Financial system (inclusive of the contract with Sunguard Pentamation, plus additional hardware, training and potential temporary staff) is \$315,500, plus contingency in the amount of \$29,000, for a total project cost not to exceed \$344,500.

**ITEM 11  
CONSENT CALENDAR**

**MEMORANDUM OF UNDERSTANDING WITH LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (MTA)**

Santa Clarita Transit (SCT), in partnership with the MTA San Fernando Valley Service Sector, has successfully pursued federal funding to establish all-day fixed-route bus service connecting Santa Clarita with the San Fernando Valley. Approve the MOU with the Metropolitan Transportation Authority (MTA) to provide public transportation services to and from the San Fernando Valley, and authorize the City Manager or designee to execute the Agreement with the MTA, subject to City Attorney approval.

**ITEM 12  
CONSENT CALENDAR**

**LOCAL APPOINTMENTS LIST**

Section 54970 of the Government Code, also known as "The Maddy Act" requires that the legislative body must cause to be prepared a list of appointments of all ongoing boards, commissions and committees which are appointed by the City Council. Approve the Local Appointments List and designate the Valencia Public Library to receive a copy of the list.

**ITEM 13**

**CONSENT CALENDAR**

GENERAL MUNICIPAL ELECTION - APRIL 11, 2006

The City of Santa Clarita will hold a general municipal election on April 11, 2006 to elect three members of the City Council for seats currently held by Councilmembers Frank Ferry, Laurene Weste and Marsha McLean. Adopt **Resolution No. 05-135** calling and giving notice of the General Municipal Election to be held April 11, 2006; adopt **Resolution No. 05-136** requesting the County of Los Angeles to render specified services to the City; adopt **Resolution No. 05-137** adopting regulations for candidates for elective office; and authorize the City Manager or designee to execute a contract with Martin & Chapman Company to provide election services in an amount not to exceed \$90,650 as budgeted in account 2802-8110, subject to City Attorney approval.

**ITEM 14**

**CONSENT CALENDAR**

CHECK REGISTER NOS. 44 AND 45

Approval of the Check Registers. Adopt **Resolution No. 05-138** to approve and ratify for payment the demands presented in Check Registers 44 and 45.

**ITEM 15**

**CONSENT CALENDAR**

CONSUMER PRICE INDEX (CPI) INCREASE FOR CONSOLIDATED DISPOSAL SERVICES

Based on the City's current residential franchise agreement, Consolidated Disposal Services is permitted to obtain an annual CPI rate increase for their collection services. This will not increase the rates for most single-family home or mobile home residents located in Consolidated's franchised areas, as the City's new franchise agreement with Blue Barrel Disposal requires them to absorb the cost of Consolidated's rates for those residents at their current rate. However, this will create an increase in rates for all multi-family residents not subscribing to the three can system located within Consolidated's franchised area. Adopt **Resolution No. 05-139** for the 19th amendment to the City's Residential Franchise Agreement with Consolidated Disposal Services allowing Consolidated to increase the funds they will receive by the maximum of five percent based on the CPI percentage increase between October of 2004 and October of 2005 (5.40 percent). Pursuant to Section 21 (B) of the Residential Franchise Agreement, Consolidated is entitled to the rate increase.

**Motion by Kellar, second by Weste, to approve the Consent Calendar with the exception of Item 9.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

Due to a potential conflict of interest, Mayor Pro Tem Weste disqualified herself from participating on Item 9.

**Motion by Kellar, second by Ferry, to approve Item 9 of the Consent Calendar.**

**On roll call vote:**

**Ayes: Kellar, Ferry, McLean, Smyth**

**Noes: None**

**Absent: None**

**Disqualified: Weste**

**Motion carried.**

## **ITEM 16**

### **PUBLIC HEARING**

PROPOSED FORMATION OF THE CITY OF SANTA CLARITA OPEN SPACE AND PARKLAND PRESERVATION ASSESSMENT DISTRICT

Mayor Smyth opened the public hearing.

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

Ken Pulskamp, City Manager, provided background on the formation of the proposed district, its purpose and the process utilized.

No requests to speak were submitted on this item. Additional ballots were received by the City Clerk.

Mayor Smyth closed the public hearing and announced that the tabulation of the ballots would commence on November 23, 2005 at 8:00 a.m. or as soon thereafter as possible, in the Main Conference Room located on the third floor of City Hall. It is anticipated that the tabulation will be complete by December 1, 2005, and an announcement if a majority protest exists will be made at the December 13, 2005 City Council meeting.

## **ITEM 17**

### **PUBLIC HEARING**

ANNUAL UPDATE OF THE CITY OF SANTA CLARITA UNIFIED DEVELOPMENT CODE INCLUDING THE ADDITION OF THE MIXED USE OVERLAY ZONE, THE VEHICLE SERVICES OVERLAY ZONE, AND THE RIDGELINE PRESERVATION OVERLAY ZONE

Mayor Smyth opened the public hearing.

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

Lisa Hardy, Planning Manager, advised that this item is for the consideration of an annual update of the City's Unified Development Code. Heather Waldstein, Associate Planner, reviewed changes in the Mixed Use Overlay Zone; Fred Follstad, Senior Planner, reviewed changes in the Vehicle Services and Ridgeline Preservation Overlay Zones; and Patrick LeClair, Assistant Planner II, reviewed miscellaneous changes to the Unified Development Code.

Addressing the Council on this item was Holly Schroeder representing the Building Industry Association (submitted letter).

In response to inquiries from the Councilmembers, Lisa Hardy, Planning Manager, provided additional information.

Mayor Smyth closed the public hearing.

**Motion by Weste, second by Kellar, to adopt Resolution No. 05-140 adopting the Mitigated Negative Declaration; conduct first reading of an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA CALIFORNIA, AMENDING TITLE 16 AND 17 (THE UNIFIED DEVELOPMENT CODE) OF THE SANTA CLARITA MUNICIPAL CODE, CONCERNING THE ANNUAL MODIFICATION OF THE UNIFIED DEVELOPMENT CODE AND THE ADDITION OF THE MIXED USE OVERLAY ZONE, THE RIDGELINE PRESERVATION OVERLAY ZONE, AND THE VEHICLE SERVICES OVERLAY ZONE TO THE UNIFIED DEVELOPMENT CODE; and pass ordinance to second reading on December 13, 2005.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

## **ITEM 18**

### **PUBLIC HEARING**

**BOUQUET JUNCTION INTERSECTION/SOLEDAD CANYON ROAD IMPROVEMENTS, PROJECT NO. S1036 - RESOLUTION OF NECESSITY, L.A. PROPERTIES II, LLC**

Mayor Smyth opened the public hearing.

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

#### **Council consensus to waive staff presentation.**

In report, Christopher Price, 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 certain property for public purposes for the construction of the Bouquet Junction Intersection/Soledad Canyon Road Improvements.

No requests to speak were submitted on this item.

Mayor Smyth closed the public hearing.

**Motion by Kellar, second by Weste, to adopt Resolution No. 05-141 authorizing the condemnation proceedings necessary for the right-of-way acquisition for completion of the Bouquet Junction Intersection/Soledad Canyon Road improvements, Project No. S1036; and authorize the deposit of \$30,000.00 with the Los Angeles County Superior Court to initiate immediate taking proceedings.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

**ITEM 19**

**UNFINISHED BUSINESS**

**HURRICANE RELIEF**

Rick Gould, Director of Parks, Recreation and Community Services, advised that this item is for the consideration of City relief efforts for Hurricane Katrina evacuees.

Addressing the Council on this item was Carl Goldman representing KHTS Radio and the SCV Disaster Coalition.

**Motion by Ferry, second by Kellar, to allocate the \$34,000 to the SCV Disaster Coalition to provide disaster relief to the victims of Hurricane Katrina.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

**ADJOURNMENT**

Mayor Smyth adjourned the meeting at 7:50 p.m.

**FUTURE MEETINGS**

The City Council Study Session scheduled for Tuesday, December 6, 2005 has been cancelled.

The next regular meeting of the City Council will be held Tuesday, December 13, 2005 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**