

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:30 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
FEBRUARY 14, 2006**

CALL TO ORDER

Mayor Weste called to order the special meeting of the City Council at 5:02 p.m.

ROLL CALL

All Councilmembers were present with the exception of Councilmember Ferry.

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: 11+ acres adjacent to new Community Center/Newhall Metrolink Station; 2 parcels: APN 2833-014-014 and 2831-011-037

Property Owner: Swett, Stefano & Parks

Under Negotiation: Price and Terms

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Government Code Section 54956.9(a)

Case Name: Bankruptcy RFI Realty, Inc., et al., Debtors
US Bankruptcy Court for the District of Arizona
Case No. 2:04-10486-CGC

Case Name: Cemex Inc. v. County of Los Angeles, et al.
US Court of Appeals, Ninth Circuit, Appeals Case No 04-56050

Case Name: City of Santa Clarita v. Dept of Interior Board of Land Appeals
(ESA Litigation)
US Court of Appeals, Ninth Circuit, Appeals Case No. 06-55006

Case Name: City of Santa Clarita v. US Dept of Interior (NEPA Litigation)
US District Court Case No. CV 04-1572 DT (on appeal)

Case Name: City of Santa Clarita v. County of Los Angeles (CEQA Litigation)
US District Court Case No. CV 04-7355 DT (FMOx)

RECESS AND RECONVENE

Mayor Weste recessed the meeting to Closed Session at 5:04 p.m. and reconvened the meeting at 6:04 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 Weste adjourned the meeting at 6:09 p.m.

CITY CLERK'S ANNOUNCEMENT

Susan Coffman, Deputy 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 Pro-Tem McLean gave the invocation.

CALL TO ORDER

Mayor Weste called to order the regular meeting of the City Council at 6:10 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Mayor Pro-Tem McLean led the flag salute.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Ferry commended Sheriff Captain Patti Minutello and deputies for the DUI check point conducted last weekend; thanked Council, Parks, Recreation and Community Services Commission, City staff Adele Macpherson, Tess Simgen and Glenn Bogna, the Blue Ribbon Task Force, and financial contributors Charlie Rasmussen, Newhall Land, and the Auto Row for all the work on the Santa Clarita Youth Grove and the dedication that took place at Central Park; commented on the meeting with the City Manager and Parks, Recreation, and Community Services Manager regarding the parks and recreation fees for residents of the City versus non-residents that use the City's facilities, and asked that staff return to Council with a report on this issue.

Councilmember Smyth made no comments at this time.

Councilmember Kellar complimented Councilmember Ferry for his leadership on the Santa Clarita Youth Grove; and commented on the fine production of "To Kill a Mockingbird" by the Canyon Theatre Guild.

Mayor Pro-Tem McLean commented on the upcoming walk being held for the Arthritis Foundation and stated anyone interested should contact Cheri Fleming at Valencia Acura; the SCV Committee on Aging Senior Center 2006 annual meeting and the presentation of a check by the City for the expansion of the center; the dedication of the Oak Hills Elementary School; the Healthy Kids Walk held by the Newhall School District; attending the SCV School Trustees Association meeting and obtaining information on what is happening with the various schools; the success of the National Groundhog Job Shadow Day held on February 2; attending the

Orange Line Mag Lev meeting regarding transportation for the future; the League of California Cities, Los Angeles Division, and her appointment as Vice President on the Executive Board.

Mayor Weste offered thanks to Councilmember Ferry for his diligent work on the Santa Clarita Youth Grove.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

There were none.

PRESENTATIONS TO THE CITY

Ed Redd, Chair of the Parks, Recreation, and Community Services Commission, gave a presentation on the Commission's 2006 priorities.

PUBLIC PARTICIPATION

Addressing the Council at this time was Anthony Michaelides representing the residents on Cross Creek Drive regarding Benz Road traffic issues; Sharon Ruxton, David Lutness, Ed Dunn, and Carole Lutness representing the SCV Clean Money for Better Government Committee, and Matthew Waggnar, Isaac Lieberman, Lynne Plambeck, and Bruce McFarland representing the Democratic Alliance For Action Committee, regarding clean money/publicly financed election campaigns; Ralph Edson regarding Benz Road; and Mark Hershey regarding Cemex Inc.

Ten written comments regarding the Clean Money Campaign were submitted.

STAFF COMMENTS

Ken Pulskamp, City Manager, commented that the Benz Road traffic issue will be returning to Council on a future agenda and that Council continues to oppose the Cemex mega mining project.

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 Smyth, second by Kellar, to approve the agenda pulling Item 4 from the Consent Calendar.

Hearing no objections, it was so ordered.

APPROVAL OF MINUTES

Motion by Kellar, second by Smyth, to approve the minutes of the January 24, 2006 special and regular City Council meetings as submitted.

Hearing no objections, it was so ordered.

RECESS TO SANTA CLARITA REDEVELOPMENT AGENCY

Mayor Weste recessed the meeting to the Redevelopment Agency meeting at 6:58 p.m.

RECONVENE CITY COUNCIL MEETING

Mayor Weste reconvened the meeting of the City Council at 7:00 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

RUBBERIZED ASPHALT CONCRETE GRANT PROGRAM

The Targeted Rubberized Asphalt Concrete (RAC) Incentive Grant Program is administered through the California Integrated Waste Management Board (CIWMB). Projects will compete for approximately \$3,577,000 to fund portions of projects in \$150,000 maximum increments throughout the state. Adopt **Resolution No. 06-12** authorizing the City's 2005/2006 Targeted Rubberized Asphalt Concrete (RAC) Incentive Grant Program application, a part of the Annual Overlay and Slurry Seal Programs; direct staff to submit the completed grant application to the California Integrated Waste Management Board; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 3

CONSENT CALENDAR

2005-2006 BRIDGE MAINTENANCE PROGRAM, PROJECT NO. M4004 - AWARD DESIGN CONTRACT

The Bridge Maintenance Program will improve various bridges throughout the City by repairing and sealing surface cracks in the concrete bridge deck and repairing other maintenance items. Maintenance of the bridges will enhance the appearance of the area, and extend the economic life of the bridge. Award the engineering design services contract to Tetra Tech, Inc. for the 2005-2006 Bridge Maintenance Program, Project No. M4004, in the amount of \$98,000.00; approve a \$12,000.00 contingency expenditure; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 4

CONSENT CALENDAR

AWARD CONTRACT FOR NON-MOTORIZED PLAN

The goal of the Non-Motorized Plan is to develop a framework that fosters an environment of non-motorized transportation (bicycle and walking), and enhanced recreational bicycle use in the City. Award the contract for the Non-Motorized Plan to Alta Planning + Design for an amount not to exceed \$140,000.00 from Account No. 4100-8110; authorize a contingency in the amount of \$10,000.00; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

Addressing the Council on this item was Maria Gutzeit representing the Los Angeles County Bike Coalition, Brian Thomson, and John Lukes representing the Los Angeles County Bike Coalition.

ITEM 5

CONSENT CALENDAR

AMENDMENTS TO SECTIONS 6.02 AND 6.04 OF THE CITY OF SANTA CLARITA MUNICIPAL CODE REGARDING MANUFACTURED HOMES

The proposed amendments would clarify rights for owners of manufactured homes as well as provide an administrative process for issues other than rent control. Introduce and pass to second reading an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING SECTIONS 6.02 AND 6.04 OF THE CITY OF SANTA CLARITA MUNICIPAL CODE REGARDING MANUFACTURED HOMES".

ITEM 6

CONSENT CALENDAR

COUNCIL COMMITTEE APPOINTMENTS

At the January 10, 2006 meeting, Council reviewed and updated the Council Committee Appointments List for 2006. The updated list is submitted for final Council review and approval, including changes to the delegate and alternate to the standing Budget Committee and various staff assignments. Review and approve the final City Council Committee Appointments list for 2006.

ITEM 7

CONSENT CALENDAR

AWARD CONTRACT TO PARTICIPATE IN LOS ANGELES REGION – IMAGERY ACQUISITION PROGRAM

The City of Santa Clarita seeks to participate in the Los Angeles Region – Imagery Acquisition Program (LAR-IAP) organized by the County of Los Angeles Chief Information Office. Participation in this program will provide the City with high quality and accurate aerial imagery and elevation data products at significant cost savings of 60-70%. Appropriate \$92,059 from the Technology Services Replacement Fund (Fund 601) to the Technology Services Replacement Account (Account No. 2311-8601), direct staff to execute a Memorandum of Understanding with Los Angeles County, and award contract to Los Angeles County in the amount of \$92,059 for the purchase of high-quality aerial imagery and elevation datasets.

ITEM 8

CONSENT CALENDAR

JUNE 30, 2005 COMPREHENSIVE ANNUAL FINANCIAL REPORT, MANAGEMENT LETTER, AND AUDIT COMMITTEE LETTER

The City's independent audit firm, Diehl, Evans and Company, has completed the City's annual audit for fiscal year ending June 30, 2005. Based on the audit performed, Diehl, Evans & Company issued an unqualified audit opinion letter. Receive and approve Comprehensive Annual Financial Report and the Management Letter for Fiscal Year ended June 30, 2005.

ITEM 9

CONSENT CALENDAR

CHECK REGISTER NOS. 03 AND 04

Approval of the Check Registers. Adopt **Resolution No. 06-13** to approve and ratify for payment the demands presented in Check Registers 03 and 04.

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

On roll call vote:

Ayes: Ferry, Smyth, McLean, Kellar, Weste

Noes: None

Absent: None

Motion carried.

ITEM 10

PUBLIC HEARING

INTERSTATE 5 AT MAGIC MOUNTAIN PARKWAY, PHASE II IMPROVEMENTS, PROJECT NO. S1003 - RESOLUTION OF NECESSITY, NATIONAL CREDIT TENANT INVESTMENT LLC

Mayor Weste opened the public hearing.

Susan Coffman, Deputy 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 certain property for public purposes for the construction of the I-5 at Magic Mountain Parkway Phase II right-of way-improvements.

Addressing the Council on behalf of the property owner was Russell Allyn, Esq.

Mayor Weste closed the public hearing.

Ken Pulskamp, City Manager, clarified that the City is handling the acquisition of the property and construction of the project which is outside of the City limits, in order to revise the crossing of I-5 and related roads in the area. The City is handling this project by request of the County of Los Angeles and the developer, Newhall Land and Farming Co.

Motion by Smyth, second by Kellar, to adopt Resolution No. 06-14 authorizing the condemnation proceedings necessary for the right-of-way acquisition for the right-of-way improvements associated with Magic Mountain Parkway/I-5 Intersection Improvements Phase II, Project No. S1003; authorize the deposit of \$460,500 from Account No. S1003304-8001 to the Los Angeles County Superior Court to initiate immediate taking proceedings; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

On roll call vote:

Ayes: Ferry, Smyth, McLean, Kellar, Weste

Noes: None

Absent: None

Motion carried.

ITEM 11

NEW BUSINESS

CITIZENSHIP VERIFICATION

Carl Newton, City Attorney, advised that this item is for the consideration of options proposed by the City Attorney regarding undocumented workers in the City.

There were no requests to speak on this item.

Motion by Smyth, second by Kellar, to implement the additional wording to City contracts that in compliance with state and federal law that undocumented workers will not be hired by contractors doing business with the City.

On roll call vote:

Ayes: Kellar, Ferry, Smyth, McLean, Weste

Noes: None

Absent: None

Motion carried.

ADJOURNMENT

Mayor Weste adjourned the meeting at 7:26 p.m.

FUTURE MEETINGS

The next regular meeting of the City Council will be held Tuesday, February 28, 2006 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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