

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:30 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
APRIL 25, 2006**

CALL TO ORDER

Mayor Weste called to order the special meeting of the City Council at 5:32 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 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

RECESS AND RECONVENE

Mayor Weste recessed the meeting to Closed Session at 5:33 p.m. and reconvened the meeting at 6:21 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 6:22 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 Weste gave the invocation in honor of Parks, Recreation and Community Services Commissioner Todd Longshore who passed away this morning.

CALL TO ORDER

Mayor Weste called to order the regular meeting of the City Council at 6:32 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Councilmember Kellar invited representatives of Boy Scout Troop 581 to lead the flag salute.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Ferry advised of the next Dads Against Drugs meeting to be held April 27 at 7 p.m. in the Century Room; acknowledged former Mayor JoAnne Darcy's advocating for seniors in the recent protest of the possible closing of the Transitional Care Unit at Henry Mayo Newhall Memorial Hospital; and noted 2 upcoming events at Golden Valley High School: Hispanic Outreach on May 4 and Unity Day on May 20. Also, requested that the City contribute \$7,500 to co-sponsor the Unity Day event.

Councilmember Smyth concurred with co-sponsoring Unity Day in the amount of \$7,500 and commented on the loss of Roberta Gillis for the community.

Mayor Pro Tem McLean commented on the loss of Warren Johnson who worked toward creating the Veteran's Historical Plaza; commented on the project study available from the Orange Line Development Authority for the proposed MagLev line from Orange County to Palmdale; thanked staff for their efforts and participation at the Emergency Expo held last Saturday; commented on the CLEAR program to increase understanding for law enforcement with regard to people with "invisible" disabilities; and invited all to attend and enjoy Cowboy Couture on Wednesday evening and the Cowboy Festival over the weekend.

Councilmember Kellar concurred in supporting Unity Day; and commented on his upcoming trip to Washington D. C. to work with the City's lobbyists and representatives.

Mayor Weste commented on the loss of members in the community including Roberta Gillis and Former Senator Ed Davis and indicated that the meeting would be adjourned in their memory.

Council consensus to contribute \$7,500 to co-sponsor Unity Day on May 20, 2006.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Mayor Weste and Councilmembers presented certificates of recognition to Jean Albrent and Samantha Thomas, Co-executive Directors of the Domestic Violence Center for their receipt of the Soroptomist International of the Santa Clarita Valley, "Making a Difference for Women" Award.

PRESENTATIONS TO THE CITY

Mayor Weste and Councilmembers presented a Municipal Clerk's Week Proclamation to City Clerk Sharon Dawson representing her office and staff.

Mayor Weste and Councilmembers presented a Building and Safety Week Proclamation to Building Official Ruben Barrera, Director of Public Works Robert Newman, and representatives of the Building Staff.

Mayor Weste and Councilmembers presented the Aquatic Center Award for Best Public/Non-profit Outdoor Family Aquatic Center awarded by the Aquatics International Magazine to Pat Haegle, recently retired, and Aquatics Administrator Doug Botton.

PUBLIC PARTICIPATION

Addressing the Council at this time regarding the Mayor's Prayer Breakfast was Bruce McFarland representing Santa Clarita for Separation of Church and State, Karen Blum, David Rhoades, Dick Jeffrey, Sue Burish, Dan Aldrich, Sandra Atwood, and Joe Messina; Cam Noltemeyer regarding issues with the proposed Keystone development since the public hearing has been closed; regarding the death of Drew Gill as a result of drugs was Michael Smith (submitted letter), Michael Gill, Janet Mendenhall for Connie Rovo, Joe Rovo, Deborah Gardiner, and Chris Mendenhall (five written comments were submitted on this topic); regarding the possible closing of the Transitional Care Unit at Henry Mayo Newhall Memorial Hospital was Dr. Gene Dorio, Robin Clough and Lisa Mangiagli; Herbert Spencer representing the CBMC of SCV regarding the Mayor's Prayer Breakfast and drug concerns; and Bob Comer regarding a soft water system.

STAFF COMMENTS

Ken Pulskamp, City Manager, offered to help the hospital in any way the City can regarding the Transitional Care Unit, stated it is good to know that there are viable alternatives worth exploring with regard to salt-free water softeners; extended sympathies in the death of Drew Gill and invited Capt. Patti Minutello to comment.

Capt. Patti Minutello also extended sympathies in the death of Drew Gill and indicated the Sheriff's Department is following up with an ongoing investigation in this open case.

APPROVAL OF MINUTES

Motion by Smyth, second by McLean, to approve the minutes of the March 22, 2006 special meeting and the March 28, 2006 special and regular City Council meetings as submitted.

Hearing no objections, it was so ordered.

ITEM 1

UNFINISHED BUSINESS

DECLARING RESULTS OF APRIL 11, 2006 GENERAL MUNICIPAL ELECTION

Sharon Dawson, City Clerk, reported that in accordance with Elections Code Sections 10262 and 10263, upon completion of the canvass, the elections official (City Clerk) shall certify the results to the governing body (City Council). The City Council shall meet at its usual place of meeting no later than the third Friday after the election, to declare the results and to install the newly elected officers.

Motion by Smyth, second by Kellar, to adopt Resolution No. 06-29 reciting the fact of the General Municipal Election held on April 11, 2006, declaring the result and such other matters as provided by law.

On roll call vote:

Ayes: Ferry, Smyth, McLean, Kellar, Weste

Noes: None

Absent: None

Motion carried.

CITY CLERK ADMINISTERS OATH OF OFFICE TO NEWLY ELECTED CITY COUNCILMEMBERS

Sharon Dawson, City Clerk, administered the oath of office to newly elected Councilmembers McLean, Ferry and Weste.

NEWLY ELECTED CITY COUNCILMEMBERS ARE SEATED

The Councilmembers took their seats on the dais.

REMARKS BY NEWLY ELECTED CITY COUNCILMEMBERS

Councilmembers McLean, Ferry and Weste made comments on their re-election, their dedication to the City and thanked their many supporters.

RECESS AND RECONVENE

Mayor Weste called a recess at 7:55 p.m. and reconvened the meeting at 8:20 p.m.

EXECUTIVE MEETING

This time has been set aside for Councilmembers to review the agenda and obtain any further information that may be added. Councilmember McLean commented on Item 4, supporting Proposition 42 Initiative.

APPROVAL OF AGENDA

Motion by Kellar, second by McLean, to approve the agenda.

Hearing no objections, it was so ordered.

**CONVENE SANTA CLARITA REDEVELOPMENT AGENCY MEETING
CALL TO ORDER**

Chair Weste called the meeting of the Redevelopment Agency to order at 8:23 p.m.

ROLL CALL

All Agency Members were present.

PUBLIC PARTICIPATION

There was none.

APPROVAL OF MINUTES

Motion by Smyth, second by Kellar, to approve the minutes of the February 14, 2006 meeting as submitted.

Hearing no objections, it was so ordered.

ITEM 2

JOINT CONSENT CALENDAR

NORTH NEWHALL SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT (EIR)

In report, Jason Mikaelian, Associate Planner, advised that this item is consideration of a contract for completion of a Specific Plan and of an Environmental Impact Report for a 213-acre portion of the City north of the Downtown Newhall area. Staff needs additional time to select the consultant and requests the item be continued to the May 9, 2006 City Council/Redevelopment Agency meeting.

Motion by Smyth, second by Kellar, to continue this item to the May 9, 2006 City Council/Redevelopment Agency meeting.

On roll call vote:

Ayes: Smyth, McLean, Kellar, Ferry, Weste

Noes: None

Absent: None

Motion carried.

ADJOURN SANTA CLARITA REDEVELOPMENT AGENCY

Chair Weste adjourned the Redevelopment Agency meeting at 8:24 p.m.

CONTINUE CITY COUNCIL MEETING

Mayor Weste continued the Council meeting at 8:24 p.m.

ITEM 3

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 4

CONSENT CALENDAR

SUPPORT FOR PROPOSITION 42 INITIATIVE TO ENSURE STATE SALES TAXES ON GASOLINE ARE USED TO FUND TRANSPORTATION IMPROVEMENTS AND TO PREVENT THE LEGISLATURE AND GOVERNOR FROM DIVERTING PROPOSITION 42 FUNDS TO NON-TRANSPORTATION PROGRAMS

Eliminates Proposition 42 provision which allows funds to be redirected to the state general fund during times of fiscal emergency. Support voter initiative protecting Proposition 42 funding and

closing the provision allowing funds to be redirected to non-transportation expenditures.

ITEM 5

CONSENT CALENDAR

ADJUSTMENT TO PROGRAM GUIDELINES FOR FIRSTHOME, THE CITY'S FIRST-TIME HOMEBUYER PROGRAM

The current FirstHOME program guidelines are not aligned with current home prices. Program guideline adjustments are needed to make the program workable in today's housing market. Suggested changes in the guidelines will allow the program to adjust to changes in the housing market as they occur. Approve adjusted FirstHOME Program Guidelines; limit the deferred-payment second mortgage to a maximum of 50% of the sale price of the home; and adopt the maximum assistance per household limits for purchase price and number of bedrooms as established by the State of California.

ITEM 6

CONSENT CALENDAR

CANYON VIEW REGIONAL TRAIL ACCESS, PROJECT NO. T3002- PROJECT ACCEPTANCE

This project is phase 1 of the Discovery Park site project and it consists of constructing 0.5 mile of Class 1 bike trail and pedestrian path along the Santa Clara River in Canyon Country. Accept the completion of Canyon View Regional Trail, Project No. T3002; direct the City Clerk to file the Notice of Completion; direct staff to release the 5 percent retention 35 days after the Notice of Completion is recorded, provided no stop notices have been filed, as provided by law; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 7

CONSENT CALENDAR

SIERRA HIGHWAY BRIDGES OVER THE RAILROAD, PROJECT NO. S3009 - AWARD CONTRACT FOR SURVEYING SERVICES

Sierra Highway Bridges over the railroad consists of two structures separated by approximately twelve feet. This project consists of the replacement of the northbound structure, rehabilitation of the southbound structure, and the closure of the twelve-foot gap. Award the contract for surveying services to Sikand Engineering Associates for the Sierra Highway Bridges over the Railroad, Project No. S3009, in the amount of \$168,241.00, and authorize a contingency in the amount of \$16,824.00; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 8

CONSENT CALENDAR

TRACT MAP NO. 62464 (CONVERSION TO RESIDENTIAL/COMMERCIAL CONDOMINIUMS - SOUTHWESTERLY CORNER OF MCBEAN PARKWAY AND MAGIC MOUNTAIN PARKWAY) - APPROVAL OF FINAL MAP

Tract Map No. 62464, consisting of approximately 7.86 acres located at the southwesterly corner of McBean Parkway and Magic Mountain Parkway, and owned by Prado Town Center West, LLC, a Delaware Limited Liability Company. Approve Parcel Map No. 62464; make

certain findings; instruct the City Treasurer to endorse the Special Assessment Certificate on the face of the Tract Map; instruct the City Clerk to endorse the Certificate on the face of the Tract Map; and instruct the City Engineer to endorse the Certificate on the face of the Tract Map.

ITEM 9

CONSENT CALENDAR

ANNUAL ANNEXATION OF TERRITORIES INTO THE FOLLOWING SPECIAL DISTRICTS: LANDSCAPE MAINTENANCE DISTRICTS 1, T-1, A-2, AND T1A, AND STREETLIGHT MAINTENANCE DISTRICT NO. 1

Resolutions initiating the formation proceedings and assessments. Adopt **Resolution Nos. 06-30 and 06-31** to initiate the annexation and formation proceedings for eight streetlight maintenance developments and nine developments for landscape maintenance. Approve the Engineers' Reports and set the Public Hearing for June 13, 2006.

Carl Newton, City Attorney, advised that the correct date for the public hearing is May 9, 2006.

ITEM 10

CONSENT CALENDAR

INITIATE PROCEEDINGS TO DECLARE THE INTENT TO ORDER PRELIMINARY ENGINEERS REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR SPECIAL DISTRICTS, LANDSCAPE MAINTENANCE DISTRICT NOS. 1. T1, T1A AND A-2; DRAINAGE BENEFIT ASSESSMENT AREA NOS. 3, 6, 18, 19, 20, AND 22; STREETLIGHT MAINTENANCE DISTRICT NO. 1; AND GOLDEN VALLEY RANCH OPEN SPACE MAINTENANCE DISTRICT

Resolutions initiating the proceedings to levy fees and calling for Engineers' Reports which detail the annual levy of assessments for the above districts and the zones within those districts for Fiscal Year 2006/07. Adopt **Resolution Nos. 06-32, 06-33, 06-34 and 06-35** to initiate proceedings for the annual levy of assessments, and direct staff to engage assessment engineering firms to create Assessment Engineers' Reports as required by California State Law.

ITEM 11

CONSENT CALENDAR

CHECK REGISTER NOS. 12, 13, AND 14

Approval of the Check Registers. Adopt **Resolution No. 06-36** to approve and ratify for payment the demands presented in Check Registers 12, 13, and 14.

Motion by Smyth, second by Kellar, to approve the Consent Calendar, noting the change in the public hearing date in item 9.

On roll call vote:

Ayes: McLean, Kellar, Ferry, Smyth, Weste

Noes: None

Absent: None

Motion carried.

**ITEM 12
PUBLIC HEARING**

EXTENSION OF THE URGENCY ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA DISPENSARIES

Mayor Weste opened the public hearing.

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

Patrick Leclair, Associate Planner advised that this is a request to adopt an ordinance to extend the 45 day moratorium by 22 months and 15 days to allow for a moratorium on the issuance of permits for medical marijuana dispensaries for a total of 2 years.

Addressing the Council on this item was Stephanie Weiss.

Mayor Weste closed the public hearing.

Motion by Ferry, second by Kellar, to extend the urgency ordinance extending the temporary moratorium on the issuance of permits for medical marijuana dispensaries within the City of Santa Clarita by 22 months and 15 days and adopt an Ordinance No. 06-3 entitled: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, EXTENDING THE URGENCY ORDINANCE TO EXTEND A TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA DISPENSARIES”.

On roll call vote:

Ayes: Kellar, Ferry, Smyth, McLean, Weste

Noes: None

Absent: None

Motion carried.

**ITEM 13
PUBLIC HEARING**

SOLEDAD VILLAGE PROJECT, MASTER CASE 04-444

Mayor Weste opened the public hearing.

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

Jason Mikaelian, Associate Planner, advised that this item is for the consideration of a General Plan Amendment, Zone Change, Tentative Tract Map and Conditional Use Permit for a 407-unit residential condominium complex (including 22 live-work units) and an 8,000 square foot commercial center on a 30-acre property on the north side of Soledad Canyon Road at Gladding Way in the City of Santa Clarita.

Representing the applicant Newhall Land, Glenn Adamick made a presentation on the proposed project.

Addressing the Council on this item was Cam Noltemeyer, and Lynne Plambeck representing SCOPE.

In response to inquiries from Councilmembers, Mr. Adamick and staff provided additional information.

Mayor Weste closed the public hearing.

Motion by Smyth, second by Kellar, direct staff to return to the May 23, 2006 City Council meeting with final responses to comments and a resolution certifying the Environmental Impact Report State Clearinghouse Number 2005041100 and adopting the Mitigation and Monitoring Program and Statement of Overriding Considerations for a 407-unit residential condominium complex and an 8,000 square foot commercial center on a 30-acre property on the north side of Soledad Canyon Road at Gladding Way in the City of Santa Clarita. Additionally, direct staff to prepare a resolution for the May 23, 2006 City Council meeting approving Master Case 04-444, General Plan Amendment 04-006, Tentative Tract Map 62322 and Conditional Use Permit 05-021, subject to the conditions of approval; and direct staff to prepare an ordinance for the approval of Zone Change 04-004.

On roll call vote:

Ayes: Ferry, Smyth, McLean, Kellar, Weste

Noes: None

Absent: None

Motion carried.

ITEM 14

UNFINISHED BUSINESS

MASTER CASE 03-358, KEYSTONE PROJECT, REQUEST FOR A GENERAL PLAN AMENDMENT, ZONE CHANGE, VESTING TENTATIVE TRACT MAP, CONDITIONAL USE PERMIT, HILLSIDE REVIEW PERMIT AND OAK TREE PERMIT

Heather Waldstein, Associate Planner, advised that this item is for the consideration of construction of 499 residential units; a General Plan Arterial Roadway a 6-acre Turnkey Park and graded and prepared lots for a future YMCA and junior high school. The public hearing on this item was closed on March 28, 2006.

Andrew Yi, Traffic Engineer, commented on possible traffic calming measures that could be included in the project.

In response to inquiries from Councilmembers, staff and Adrian Foley representing Brookfield Homes provided additional information.

Addressing the Council on this item was John O'Connell representing the Santa Clarita Valley Family YMCA; Chris Austin; Curt Howard; Lynne Plambeck representing SCOPE (submitted letter); Cam Noltemeyer (submitted letter) and Adrian Foley representing Brookfield Homes.

Councilmember Kellar recused himself from further discussion and voting on this item and left the Council Chamber due to having done work previously for the SCV Facilities Foundation.

Motion by Smyth, second by Ferry, to certify the Final Environmental Impact Report prepared for the Keystone project through the adoption of Resolution No. 06-37, which includes the CEQA Environmental Findings and the Statement of Overriding Considerations; adopt Resolution No. 06-38 (including the Final Conditions of Approval) that approves General Plan Amendment 03-002, Vesting Tentative Tract Map 60258, Conditional Use Permit 03-016, Hillside Review 03-006 and Oak Tree Permit 03-066, with changes to condition EN73; introduce and pass to second reading on May 9, 2006, an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA APPROVING ZONE CHANGE NO. 03-002 (MASTER CASE 03-358) FOR THE KEYSTONE PROJECT SITE LOCATED ON 246 ACRES OF LAND AT THE WESTERN TERMINUS OF ERMINE STREET, NORTH OF SOLEDAD CANYON ROAD IN THE CITY OF SANTA CLARITA", with clarification on the dedication of property.

On roll call vote:

Ayes: Smyth, McLean, Ferry, Weste

Noes: None

Absent: None

Disqualified: Kellar

Motion carried.

ITEM 15

NEW BUSINESS

SECOND AMENDMENT TO COMMERCIAL FRANCHISE AGREEMENT WITH BURRTEC WASTE INDUSTRIES TO EXECUTE NEW IMPLEMENTATION DEADLINES

Travis Lange, Environmental Services Manager, advised that the City's Commercial Hauler has identified a location for the construction of a Materials Recovery Facility (MRF). Due to unforeseen circumstances and legal issues, the Commercial Hauler has been unable to break ground by the deadline as set forth in the conditions of Section 1 in the First Amendment to the Agreement Between the City of Santa Clarita and Burrtec Waste Industries, Inc. for Commercial Solid Waste Management Services.

No requests to speak were submitted on this item.

Motion by Smyth, second by Ferry, to adopt Resolution No. 06-39 approving the Second Amendment to the Agreement Between City of Santa Clarita and Burrtec Waste Industries, Inc. for Commercial Solid Waste Management Services (Franchise Agreement). This resolution requires Burrtec to begin construction no

later than January 11, 2007 (six months from July 11, 2006) and to have the MRF constructed and operational no later than November 11, 2007 (ten months from the start of construction).

On roll call vote:

Ayes: McLean, Kellar, Ferry, Smyth, Weste

Noes: None

Absent: None

Motion carried.

ADJOURNMENT

Mayor Weste adjourned the meeting in memory of Warren Johnson, Roberta Gillis, former Senator Ed Davis and Parks, Recreation and Community Services Commissioner Todd Longshore at 9:45 p.m.

FUTURE MEETINGS

A City Council Study Session will be held Tuesday, May 2, 2006 at 5:30 p.m. in the Century Room, 1st floor of City Hall, 23920 Valencia Blvd., Santa Clarita CA.

The next regular meeting of the City Council will be held Tuesday, May 9, 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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