

**CITY OF SANTA CLARITA  
CITY COUNCIL  
MINUTES OF SPECIAL MEETING  
5:30 P.M.  
MINUTES OF REGULAR MEETING  
6:00 P.M.  
MAY 23, 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.

**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:** Cemex v. County of Los Angeles, et al.

US District Court Case No. CV 02-00747 DT

**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:** California Water Impact Network v. Newhall County Water District, et al.

Los Angeles Superior Court Case No. BS103167

**RECESS AND RECONVENE**

Mayor Weste recessed the meeting to Closed Session at 5:33 p.m. and reconvened the meeting at 6:00 p.m.

**CITY ATTORNEY ANNOUNCEMENT**

Carl Newton, City Attorney, announced that during Closed Session regarding:

**Case Name:** California Water Impact Network v. Newhall County Water District, et al.

Los Angeles Superior Court Case No. BS103167

City Council, by unanimous vote, authorized the City Attorney and Burke, Williams and Sorensen, to defend the interests of the City in this proceeding. It is a proceeding challenging the validity of the Water Supply Assessment provided by Newhall County Water District related to the Gate-King Project. The Water Supply Assessment will be utilized by the City in its environmental assessment of the project.

### **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**

Councilmember Smyth gave the invocation.

### **CALL TO ORDER**

Mayor Weste called to order the regular meeting of the City Council at 6:01 p.m.

### **ROLL CALL**

All Councilmembers were present.

### **FLAG SALUTE**

Councilmember Smyth led the flag salute.

### **COMMITTEE REPORTS/COUNCILMEMBER COMMENTS**

Councilmember Ferry commented on the success of Unity Day held at Golden Valley High School; and the Youth Grove Memorial Remembrance to be held on May 24, 2006.

Councilmember Smyth commented on the Disney Mobile commercial that was filmed in his home and what a positive experience it was.

Councilmember Kellar encouraged everyone to tune into KHTS and Channel 20 on May 25, from 6:00 p.m. to 9:00 p.m. for the United Way Telethon; and commented on the Memorial Day tribute to veterans held at Eternal Valley.

Mayor Pro-Tem McLean commented on the May 10 MagLev Development Authority meeting and the discussion of a train route from Orange County to Palmdale; the Special Olympics opening ceremonies; and the success of the Hispanic Business Expo held on May 13.

Mayor Weste extended thanks to Councilmember Kellar for acting as Master of Ceremonies for the Special Olympics opening ceremonies; the great work of the Dental Foundation and the success of the Dental Health Foundation Day; the Veterans Historical Plaza installation of Willie Johnson, the Little Drummer Boy, taking place on May 27; the performance of "Wartime Romance" June 2, 3, and 6 at the Performing Arts Center benefiting the Historical Plaza; and the success of the Hispanic Business Expo.

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

Mayor Weste and Councilmembers presented a plaque to Randy Cressall, owner of Valencia Auto Spa in recognition of his recently awarded "2006 Car Care Person of the Year" by Professional Carwashing and Detailing magazine.

### **PRESENTATIONS TO THE CITY**

There was none.

## **PUBLIC PARTICIPATION**

Addressing the Council was Dr. Gene Dorio and Robin Clough regarding the closure of the Transitional Care Unit at Henry Mayo Newhall Memorial Hospital, and Cam Noltemeyer regarding approval of the Keystone project and the decision to forego the bond requirement for the Whitaker Bermite site.

## **STAFF COMMENTS**

Ken Pulkamp, City Manager, stated that he has been able to meet with Roger Seaver, CEO of the hospital and stated that residents have come to Council regarding the Transitional Care Unit, and stated that he has offered his assistance to help in any way; the Keystone Memorandum of Agreement is currently being drafted for his signature; and that although action at Study Sessions does not normally happen, it is perfectly legal as the Study Sessions are noticed in accordance with the Brown Act.

## **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 McLean, to approve the agenda pulling Items 2, 3 and 11A for discussion, and withdrawing Item 5 from the agenda due to new information that has been received since the posting of the agenda.**

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

## **APPROVAL OF MINUTES**

**Motion by Smyth, second by McLean, to approve the minutes of the May 9, 2006 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**

#### **BURRTEC WASTE INDUSTRIES, INC. ANNUAL RATE ADJUSTMENT**

Based on the City's commercial franchise agreement, Burrtec Waste Industries, Inc. is permitted to obtain an annual rate increase for their collection services. The increase is based on a specific formula outlined in the franchise agreement taking into consideration the change in the Consumer Price Index and Producer Price Index for various aspects of their operations. Adopt **Resolution No. 06-48** for the third amendment to the Agreement between City of Santa Clarita and Burrtec Waste Industries, Inc. for Commercial Solid Waste Management Services allowing

Burrtec to increase rates by 4.94 percent based on the formula outlined in the Franchise Agreement. Burrtec is entitled to the rate increase pursuant to Section 6.3 of the Commercial Franchise Agreement.

Ken Pulskamp, City Manager, stated that the recommended rate adjustment is reduced by .1 to 4.93 percent based on the current index numbers. The 4.94 percent recommendation was based on estimates.

**ITEM 3**

**CONSENT CALENDAR**

**MEMORANDUM OF UNDERSTANDING WITH THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY TO ALLOW FOR THE MITIGATION OF IMPACTS FROM FUTURE PROJECTS**

In participation with the Mountains and Rivers Conservancy Authority to purchase 1,012 acres to offset the future mitigation requirements of City projects, as determined by the California Department of Fish and Game. Enter into a Memorandum of Agreement with the Mountains Recreation and Conservation Authority to offset the City's future obligations to replace, restore, or acquire property for habitat conservation and mitigation as required by the California Department of Fish and Game; transfer \$200,000.00 from Account No. S4013301-8001 to Account No. S4013301-8620; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

Mayor Weste suggested that the City Manager be given more latitude when participating in the auction process for acquisition of property.

Ken Pulskamp, City Manager, stated that any potential acquisition would be held as an escrow item subject to City Council approval.

**ITEM 4**

**CONSENT CALENDAR**

**BRIGHTON LANE ROAD IMPROVEMENT, PROJECT NO. S1008 - AWARD CONSTRUCTION CONTRACT**

The scope of this project is to repair the area near the intersection of Brighton Lane and Wilmington Court, where the underlying soil has failed and surface improvements, such as street asphalt and concrete sidewalks and driveways, have settled and cracked. Approve the plans and specifications for the Brighton Lane Road Improvement, Project No. S1008; award the construction contract to General Pavement Management in the amount of \$258,232.00; authorize a 10 percent contingency of \$25,824.00 for a total of \$284,056.00; authorize other associated project management costs in the amount of \$33,000.00 for a total project cost of \$317,056.00; authorize the transfer of \$125,000.00 from the 2004-2005 Overlay Program Account No. M0039001-8001 to Account No. S1008001-8001; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

**ITEM 5**

**CONSENT CALENDAR**

**SUMMARY VACATION OF A PORTION OF RUTHSPRING DRIVE WITHIN TRACT MAP NO. 28531**

Yousif Jacob, the current owner, has requested to vacate a portion of Ruthspring Drive dedicated

to the County of Los Angeles by Tract Map No. 28531. Per Section 8331 of the Streets and Highways Code, "The legislative body of a local agency may summarily vacate a street or highway if both of the following conditions exist: (a) For a period of five consecutive years, the street or highway has been impassable for vehicular travel. (b) No public money was expended for maintenance on the street or highway during such period." Both conditions exist on this portion of Ruthspring Drive. Adopt a resolution for the summary vacation of a portion of Ruthspring Drive dedicated to the County of Los Angeles by Tract Map No. 28531; and direct the City Clerk to record the certified original resolution in the office of the Registrar-Recorder of the County of Los Angeles.

This item was withdrawn from the agenda.

**ITEM 6**

**CONSENT CALENDAR**

**RESOLUTION PROCLAIMING SEPTEMBER 11 OF EVERY YEAR TO BE "RECOGNITION DAY" FOR ALL FIRST CALL RESPONDERS**

In light of the terrorist attacks on our soil on September 11, 2001 and the integral part played by hundreds, if not thousands, of First Call Responders who answered the call, many cities across the nation have passed a resolution proclaiming September 11 of every year as Recognition Day to honor First Call Responders. Adopt **Resolution No. 06-49** proclaiming September 11 of every year to be "Recognition Day" for all First Call Responders.

**ITEM 7**

**CONSENT CALENDAR**

**2006 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

The City has been awarded a grant by the U.S. Department of Justice, Bureau of Justice Assistance through the 2006 Edward Byrne Memorial (JAG) Program. Accept Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the U.S. Department of Justice, Bureau of Justice Assistance. Increase estimated revenues in Account Number 109-5271 by \$20,397. Increase estimated expenditures in Account Number 74956-8001 (Contractual Services) by \$20,397. Authorize City Manager, or designee, to execute any contract documents, change orders, or amendments arising out of this program, subject to City Attorney approval.

**ITEM 8**

**CONSENT CALENDAR**

**COMMISSION VACANCIES**

The terms of Planning Commissioners Diane Trautman, Timothy Burkhart and Dennis Ostrom and Parks, Recreation and Community Services Commissioners Ed Redd, Laurie Ender and the position formerly held by Todd Longshore will expire on July 31, 2006. This item will initiate the process to fill these vacancies. Declare three vacancies on the Planning Commission and three vacancies on the Parks, Recreation and Community Services Commission and approve the appointment process.

**ITEM 9**

**CONSENT CALENDAR**

**CORRIDOR LANDSCAPE BEAUTIFICATION PROGRAM: NEWHALL RANCH ROAD - CROSS VALLEY CONNECTOR; SAN FERNANDO ROAD; VALENCIA INDUSTRIAL CENTER; GOLDEN VALLEY ROAD; AND VALENCIA BOULEVARD**

Annexation of territories into the City's landscape maintenance districts and zones. Adopt **Resolution No. 06-50** to: 1) Initiate the annexation of territories into the City's Landscape Maintenance District Nos. 1 and T1 and adopt **Resolution No. 06-51** to: 2) Approve the Preliminary Engineer's Report. 3) Declare the City's intention to annex territory, and 4) Set a public hearing for July 11, 2006.

**ITEM 10**

**CONSENT CALENDAR**

**ANNUAL LEVY OF ASSESSMENTS FOR SPECIAL DISTRICTS**

Resolutions of Intention to levy fees and preliminarily approve the Engineers' Reports which detail the annual levy of assessments for the specified districts and the zones within those districts for Fiscal Year 2006/07. Adopt the Resolutions of Intention for the annual levy of assessments for the following special districts: adopt **Resolution No. 06-52** for Landscape Maintenance District Nos. 1, T1, T1A and A2; adopt **Resolution No. 06-53** for Drainage Benefit Assessment Area Nos. 3, 6, 18, 19, 20, and 22; adopt **Resolution No. 06-54** for Streetlight Maintenance District No. 1; and adopt **Resolution No. 06-55** for Golden Valley Ranch Open Space Maintenance District, and preliminarily approve the Assessment Engineers' Reports for the same districts as required by California State Law.

**ITEM 11**

**CONSENT CALENDAR**

**CHECK REGISTER NOS. 17, 18, AND 19**

Approval of the Check Registers. Adopt **Resolution No. 06-56** to approve and ratify for payment the demands presented in Check Registers 17, 18, & 19.

**ITEM 11A**

**CONSENT CALENDAR**

**RESPONSE TO MAY 1, 2006 LETTER FROM THE CASTAIC AREA TOWN COUNCIL TO MAYOR WESTE**

The Castaic Area Town Council is exploring the option of annexation into the City of Santa Clarita. Direct the City Manager to respond to the Castaic Area Town Council informing them of the City's annexation policy and the need to obtain signatures in support of annexation from 60% of the property owners within the annexation area prior to the City initiating the annexation process.

Addressing the Council on this item was Charles Anderson.

**Motion by Smyth, second by Kellar, to approve the Consent Calendar.**

**On roll call vote:**

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

**Noes: None**

**Absent: None**

**Motion carried.**

Councilmember Kellar excused himself from the meeting at 6:39 p.m. to attend an important community meeting.

**ITEM 12  
PUBLIC HEARING**

**AMENDMENT TO NV 2 DEVELOPMENT AGREEMENT AND CUP FOR HERITAGE PARK LIGHTS AND WIRELESS EQUIPMENT INSTALLATION**

Mayor Weste opened the public hearing.

Susan Coffman, Deputy City Clerk, stated that all notices required have been provided.

Council consensus to waive the staff report.

In report, Aimee Schwimmer, Associate Planner, advised that this item is a request for the approval of a conditional use permit to allow the installation of 80-foot-high lights at Heritage Park, one light pole would carry wireless communication antenna, an Addendum to the North Valencia 2 Specific Plan EIR, and an amendment to the North Valencia 2 Specific Plan Development Agreement.

Addressing the Council on this item was Glenn Adamick, representing Newhall Land and Farming Co.

Mayor Weste closed the public hearing.

**Motion by Smyth, second by Ferry, to approve Resolution No. 06-57 to consider the Addendum to the Final Environmental Impact Report (SCH No. 98111201) prepared for the North Valencia 2 Specific Plan and approve Master Case No. 04-205 consisting of Conditional Use Permit 04-015, for the installation of eight light poles with a 80-foot maximum height limit with a wireless communication antenna in Heritage Park in compliance with the site plan, subject to the conditions of approval, and authorize the City Manager or designees to execute the lease agreement with Nextel Communications for the lease of one of the light poles and area for equipment cabinet at Heritage Park; introduce and pass to second reading an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA APPROVING DEVELOPMENT AGREEMENT AMENDMENT 04-001 (MASTER CASE 04-205) TO AMEND THE NORTH VALENCIA 2 DEVELOPMENT AGREEMENT TO CHANGE THE PUBLIC BENEFITS PROVIDED BY NEWHALL LAND WHICH WOULD REMOVE THE REQUIREMENT TO CONSTRUCT A PEDESTRIAN BRIDGE ON COPPERHILL DRIVE, AND REQUIRE THE INSTALLATION OF FIELD LIGHTS AT HERITAGE PARK PLUS THE DEDICATION OF 36 .8 ACRES OF LAND DESIGNATED AS THE UPLAND PRESERVE IN THE CITY OF SANTA CLARITA".**

**On roll call vote:**

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

**Noes: None**

**Absent: Kellar**

**Motion carried.**

**ITEM 13**

**UNFINISHED BUSINESS**

SOLEDAD VILLAGE PROJECT, MASTER CASE 04-444

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.

Addressing the Council on this item was Cam Noltemeyer.

**Motion by Smyth, second by McLean, to continue the item to the June 13, 2006 City Council meeting.**

**On roll call vote:**

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

**Noes: None**

**Absent: Kellar**

**Motion carried.**

**ADJOURNMENT**

Mayor Weste adjourned the meeting at 6:50 p.m.

**FUTURE MEETINGS**

The next regular meeting of the City Council will be held Tuesday, June 13, 2006 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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