

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:30 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
JUNE 13, 2006**

CALL TO ORDER

Mayor Weste called to order the special meeting of the City Council at 5:30 p.m.

ROLL CALL

All Councilmembers were present, with the exception of Councilmember Smyth who entered the meeting at 5:31, and Mayor Pro Tem McLean.

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: City of Santa Clarita v. Santa Clarita, LLC et al.
Los Angeles Superior Court Case No. BC 259442

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: Las Lomas Land Company, LLC v. City of Santa Clarita, et al.
Los Angeles Superior Court Case No. BS 097982

RECESS AND RECONVENE

Mayor Weste recessed the meeting to Closed Session at 5:32 p.m. and reconvened the meeting at 6:30 p.m.

CITY ATTORNEY ANNOUNCEMENT

Carl Newton, City Attorney, announced that in Closed Session by a vote of 4-1, Council authorized an appeal of the Superior Court decision in the Las Lomas Land Company, LLC v. City of Santa Clarita et al. case, which involved a challenge by Las Lomas Land Co. of the City's environmental review of its sphere of influence application relating to property in the south portion of the City adjacent to the I-5 freeway.

ADJOURN

Mayor Weste adjourned the meeting at 6:31 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.

CALL TO ORDER

Mayor Weste called to order the regular meeting of the City Council at 6:34 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Councilmember Smyth led the flag salute.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Ferry congratulated Councilmember Smyth on his win in the June primary; provided a status of the community court; commented on the remembrance celebration held at the Youth Grove; and acknowledged his 2 sons and their school activities.

Councilmember Smyth noted an increase in calls and complaints in the Northbridge and Bridgeport areas and requested Captain Patti Minutello to provide a verbal report on outreach about personal safety and increased patrols.

Councilmember Kellar requested Captain Patti Minutello to provide an update on court decisions and findings on the City's graffiti eradication program; and complimented KHTS radio station for their 3rd annual "Capital Clear Speak" program in Sacramento.

Mayor Pro-Tem McLean reported on various meetings and events attended including 5 schools that attained the distinguished school status, an interview process at Arroyo Seco Junior High, the evening of remembrance at the Youth Grove, Memorial Day events at the Veterans Historical Plaza and at Eternal Valley, the wartime romance performance at the College of the Canyons theatre, the Santa Clarita Master Chorale performance on June 4, the SCVPTA Council installation of officers, a North Corridor Cities meeting on transportation and trains, the Boys and Girls Club auction, and the Government Affairs committee meeting. She also congratulated Councilmember Smyth on his June primary win.

Mayor Weste congratulated the 5 schools in the Newhall District on their distinguished school status; noted that the City has received Helen Putnam awards from the League of CA Cities in 2 categories (for the Youth Grove and the mentoring program) which will be presented at the League meeting in September; pointed out new City street signs at Valencia Blvd. and McBean Parkway; acknowledged the efforts toward the United Way telethon where over \$200,000 was raised; acknowledged thank yous from the SCV Veterans Memorial Committee for the City's wreath at Eternal Valley and that the statue of the drummer boy from the Civil War has been

installed at the Veterans Historical Plaza; and noted performances at COC and by the SC Master Chorale. She also requested that the Council authorize \$3,000 for a sound system for the upcoming Fourth of July Parade.

Council concurred to authorize \$3,000 for a sound system for the 2006 Fourth of July Parade.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

There were none.

PRESENTATIONS TO THE CITY

There were none.

PUBLIC PARTICIPATION

Addressing the Council at this time was Lynne Plambeck representing SCOPE with regard to alleged over-trimming of oak trees, advising that photos would be submitted, and the removal of oak trees from the Senior Center; Robin Clough and Gene Dorio representing the Committee Against Closing the transitional care unit (TCU) at Henry Mayo Newhall Memorial Hospital; Charlotte Kleeman against the closing of the TCU; Tammi Mertens regarding traffic calming in the Sky Blue Mesa neighborhood; and James Newman regarding illegal fireworks enforcement.

STAFF COMMENTS

Ken Pulskamp, City Manager, requested that Ms. Plambeck leave the locations of the over-trimmed oak trees with Management Analyst Tina Haddad and indicated that staff would talk with the Senior Center regarding any removal of trees; suggested that the Hospital be made aware of the speakers' views on the transitional care unit; assured that other traffic calming options would be reviewed for the Sky Blue Mesa area; and assured that public safety officials take illegal fireworks seriously and asked Captain Patti Minutello to outline their preparations.

EXECUTIVE MEETING

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

Carl Newton, City Attorney, advised of 2 items for Council consideration to add to the agenda as subsequent need items 13A, approval of sale price for purchase of tax-defaulted property by the Mountains Conservation Authority, and 13B, opposition to Assembly Bill 2987.

Motion by Kellar, second by Ferry, to add Items 13A and 13B to the agenda, finding that there is an immediate need to discuss the matters and that the need arose subsequent to the posting of the agenda for this meeting.

APPROVAL OF AGENDA

Motion by Smyth, second by Ferry, to approve the agenda as amended.

Hearing no objections, it was so ordered.

APPROVAL OF MINUTES

Motion by Smyth, second by Ferry, to approve the minutes of the May 23, 2006 special and regular City Council meetings as submitted.

Hearing no objections, it was so ordered.

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

Mayor/Chair Weste called the meeting of the Redevelopment Agency to order at 7:15 p.m.

ROLL CALL

All Agency Members were present.

PUBLIC PARTICIPATION

There was none.

APPROVAL OF MINUTES

Motion by Smyth, second by McLean, to approve the minutes of the May 9, 2006 meeting as submitted.

Hearing no objections, it was so ordered.

ITEM 1

JOINT PUBLIC HEARING

PROPOSED FISCAL YEAR 2006-2007 ANNUAL OPERATING BUDGET AND FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM

Mayor/Chair Weste opened the public hearing.

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

Ken Pulskamp, City Manager/Executive Director, advised that this item is for the joint public hearing of the City Council and Redevelopment Agency on the proposed Fiscal Year 2006-2007 Operating Budget, Redevelopment Agency Budget and Five-Year Capital Improvement Program.

Addressing the Council/Agency on this item was Tim Ben Boydston representing the Arts Alliance and Canyon Theatre Guild; Deborah Baur representing the Santa Clarita Master Chorale; Dr. Michael Millar representing the Santa Clarita Symphony; Ovington Michael Owston representing the Repertory East Playhouse; and Ruthann Levison representing the Sand Canyon HOA and Trails Committee. One written comment was submitted.

Mayor/Chair Weste closed the joint public hearing.

Motion by Smyth, second by Kellar, to schedule the Fiscal Year 2006-2007 Operating Budget and Five-Year Capital Improvement Program for adoption at the June 27, 2006 Joint 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 meeting at 7:58 p.m.

CONTINUE CITY COUNCIL MEETING

Mayor Weste continued the City Council meeting at 7:58 p.m.

ITEM 2

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 3

CONSENT CALENDAR

PLAYGROUND EQUIPMENT UPGRADES - M0045 AND B0011 PROJECT ACCEPTANCE

This project accomplished three components of improvements: play equipment renovation, a shade canopy installation, and two park sign installations. Accept the work performed by John Burgeson Contractors, Inc., on the Playground Equipment Upgrades, Project Numbers M0045 and B0011; direct the City Clerk to file the Notice of Completion with the County Recorder; direct staff to release the 10% retention 35 days after Notice of Completion is recorded, provided no stop notices, as provided by law, have been filed.

ITEM 4

CONSENT CALENDAR

SAN FERNANDO ROAD MEDIAN IMPROVEMENT, PROJECT NO. C2001 - PROJECT ACCEPTANCE

The San Fernando Road Median Improvement project will enhance the aesthetics of the area, provide a measure of traffic calming, and still allow access to the Keep It Safe Self Storage business. Approve and accept the completion of the San Fernando Road Median Improvement, Project No. C2001; direct the City Clerk to file the Notice of Completion; approve the transfer of \$30,000.00 of LMD Fund 401 T-1 monies to Account No. 2915-8001; direct staff to release the remaining 10 percent retention 35 days after the Notice of Completion is recorded, provided no stop notices, as provided by law, have been filed.

ITEM 5

CONSENT CALENDAR

2005-2006 ANNUAL OVERLAY AND SLURRY SEAL PROGRAM, PROJECT NOS. M0046 AND M0049 - AWARD CONSTRUCTION CONTRACT

The Annual Overlay and Slurry Seal project is an integral part of the City's pavement management program and adds pavement and slurry seal asphalt maintenance treatments to selected City streets. Approve the plans and specifications; award the construction contract for the 2005-2006 Annual Overlay and Slurry Seal Program, Project Nos. M0046 and M0049, to Security Paving Company, Inc., the lowest responsive bidder, in the amount of \$7,306,572.10, and authorize a 10 percent contingency in the amount of \$730,657.21; approve the expenditure of \$223,500.00 from Account No. M0046001-8001 for construction management services; transfer \$200,000.00 from Account No. M0039001-8001 to Account No. M0046001-8001; increase Revenue Account No. 455-4511 by \$800,000.00 and appropriate to Account No. M0046455-8001; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 6

CONSENT CALENDAR

APPROPRIATE FUNDS FOR BOUQUET CANYON BRIDGE AND THOROUGHFARE DISTRICT REIMBURSEMENT

Williams Homes, Inc. has requested that the City reimburse the costs of constructing roadway improvements on Bouquet Canyon Road. Appropriate \$166,814.12 from the Bouquet Canyon Bridge and Thoroughfare (B&T) District to Account No. 4361-8001 for payment to Williams Homes, Inc. for reimbursement of the costs to complete public improvement projects within the District.

ITEM 7

CONSENT CALENDAR

FEDERAL LEGISLATION: H.R. 5471

Representative Howard P. "Buck" McKeon has introduced federal legislation, H.R. 5471, regarding the Cemex mining proposal. The bill contains a number of provisions, including, canceling the existing leases between the Bureau of Land Management and Cemex; providing a mechanism for Cemex to recover and transfer to other federal resources appropriate values, which they have expended in acquiring the leases and attempting to bring the mine into operation; and, restricting mining at the site to historical levels. Adopt **Resolution No. 06-58** in support of H.R. 5471 and direct staff to transmit copies of the resolution to Representative Howard P. "Buck" McKeon, Senator Boxer, Senator Feinstein, appropriate congressional committees and administration officials.

ITEM 8

CONSENT CALENDAR

SECOND READING AND ADOPTION OF ORDINANCE TO AMEND THE NORTH VALENCIA 2 DEVELOPMENT AGREEMENT

The addendum would remove the requirement to construct a pedestrian bridge that is no longer warranted, and to install eight field lights at Heritage Park, plus dedicate the remaining 36.8 acres of the Upland Preserve Zone, which the City was originally required to purchase under the

Development Agreement. Adopt **Ordinance No. 06-5** 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".

ITEM 9

CONSENT CALENDAR

CITY OF SANTA CLARITA'S FISCAL YEAR 2006-07 STATEMENT OF INVESTMENT POLICY

Per California Government Code Section 53646, the City Treasurer may annually present the City's Investment Policy to the City Council to reaffirm or make any changes to the existing policy. Adopt the City of Santa Clarita's Fiscal Year 2006-07 Statement of Investment Policy, and direct staff to submit the policy to the Association of Public Treasurers United States & Canada (APT US&C) for certification in their award program.

One written comment was submitted on this item.

ITEM 10

CONSENT CALENDAR

SANTA CLARITA VALLEY COMMITTEE ON AGING AGREEMENTS

As part of the City's Fiscal Year 2006-07 budget, City Council allocated \$300,000.00 to the Santa Clarita Committee on Aging. This appropriation provides the Senior Center with transit-related services, as well as recreational wellness programs for the community's senior citizens. Approve agreement and MOU between the City of Santa Clarita and the Santa Clarita Valley Committee on Aging in the amount of \$150,000.00 each and authorize the City Manager or designee to execute all documents, subject to City Attorney approval. Funds are identified in Accounts No. 2100-8110 (\$150,000.00) and 7100-8001 (150,000.00) in the Fiscal Year 2006-07 annual budget.

ITEM 11

CONSENT CALENDAR

AWARD CONTRACT FOR MCBEAN PARKWAY MEDIAN IMPROVEMENTS

This project includes the removal of existing shrubs and turf from each side of the median, replacing it with 18-inch stamped concrete buffer strips. The irrigation will then be modified, and the shrubs and turf will be refurbished. Phase I of this project includes medians on McBean Parkway between Decoro and Copperhill. Phase II includes medians on McBean Parkway between Arroro Parkway and Tournament Road. Approve plans and specifications, and award the construction contract for the McBean Parkway Median Buffer Strip Improvement, Project No. B1005, to Trademark Concrete Systems in the amount of \$325,942; approve a contingency amount of 10% (\$32,594); increase the project's budget from \$329,828 to \$358,536; allocate \$28,708 to account B1005401-8001 for the inclusion of contingency amount which will come

from Landscape Maintenance District's reserve fund balance; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 12

CONSENT CALENDAR

CHECK REGISTER NOS. 20 AND 21

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Registers 20 and 21.

ITEM 13

CONSENT CALENDAR

RIM OF THE VALLEY STUDY ACT

The Rim of the Valley Corridor Study Act would allow for a study to be conducted by the Secretary of the Interior to evaluate the feasibility of establishing the Rim of the Valley Corridor as part of the Santa Monica Mountains National Recreation Area. Support S. 153 and H.R. 355 which provide for the Rim of the Valley Corridor Study Act. Statements of support shall be sent to Senator Dianne Feinstein, Senator Barbara Boxer, Representative Howard P. "Buck" McKeon, Representative Adam Schiff, and appropriate congressional committees and administration officials.

SUBSEQUENT NEED ITEM 13A

CONSENT CALENDAR

APPROVAL OF SALE PRICE FOR CHAPTER 8 AGREEMENT NO. 2501 – AGREEMENT TO PURCHASE LOS ANGELES COUNTY TAX-DEFAULTED PROPERTY BETWEEN LOS ANGELES COUNTY AND MOUNTAINS RECREATION AND CONSERVATION AUTHORITY, APN 2807-038-040

In accordance with the Chapter 8 process, the City must approve the sale price and sign the Agreement in order for the transaction to take place, as the property is within the City's boundary. Approve the sale price for Chapter 8 Agreement No. 2501, Agreement to Purchase Los Angeles County Tax-Defaulted Property APN 2807-038-040, between the County of Los Angeles and the Mountains Recreation and Conservation Authority; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

SUBSEQUENT NEED ITEM 13B

CONSENT CALENDAR

STATE LEGISLATION: ASSEMBLY BILL 2987

This bill is designed to establish a statewide franchise for new entrants into the telecommunications market. Adopt "opposed" position to Assembly Bill 2987 (Nuñez) and transmit statements of position to Assembly Speaker Nuñez, Assembly Member Richman, Senator McClintock, Senator Runner, members of appropriate legislative committees, Governor Schwarzenegger and the League of CA Cities.

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

On roll call vote:

Ayes: McLean, Kellar, Ferry, Smyth, Weste

Noes: None

Absent: None

Motion carried.

Motion by Kellar, second by Smyth, to reconsider action on Item 13B.

Hearing no objections, it was so ordered.

SUBSEQUENT NEED ITEM 13B

CONSENT CALENDAR

STATE LEGISLATION: ASSEMBLY BILL 2987

This bill is designed to establish a statewide franchise for new entrants into the telecommunications market. Adopt "opposed" position to Assembly Bill 2987 (Nuñez) and transmit statements of position to Assembly Speaker Nuñez, Assembly Member Richman, Senator McClintock, Senator Runner, members of appropriate legislative committees, Governor Schwarzenegger and the League of CA Cities.

Addressing the Council on this item was Ron Tropicich representing AT&T and Stephen Sawyer representing Comcast.

Motion by Smyth, second by Kellar, to take no position on Assembly Bill 2987 until such time as other amendments are placed on the bill; or, if no amendments are made, staff to bring the item back before the bill goes to the full Senate.

On roll call vote:

Ayes: Kellar, Ferry, Smyth

Noes: McLean, Weste

Absent: None

Motion carried.

ITEM 14

PUBLIC HEARING

ANNUAL ADJUSTMENT TO FEES AND AMENDMENTS TO THE FEE SCHEDULE

Mayor Weste opened the public hearing.

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

Council consensus to waive staff report.

In report, Gina Schuchard, Finance Manager, advised that this public hearing is to consider fees for fiscal year 2006-07, including adjusting current fees for service by the percent change in the annual Consumer Price Index - All Urban Consumers for the Los Angeles - Riverside - Orange County area for the year ending December 2005. That percent increase is 4.5%.

Addressing the Council on this item was Lynne Plambeck.

Mayor Weste closed the public hearing.

Motion by Ferry, second by Kellar, to adopt Resolution No. 06-59 establishing a schedule of fees and charges for City services, and adopt Resolution No. 06-60 establishing fees and charges for the storm drainage utility services for fiscal year 2006-2007.

On roll call vote:

Ayes: Ferry, Smyth, McLean, Kellar, Weste

Noes: None

Absent: None

Motion carried.

ITEM 15

PUBLIC HEARING

ANNUAL LEVY OF ASSESSMENTS FOR SPECIAL DISTRICTS

Mayor Weste opened the public hearing.

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

Dennis Luppens, Special Districts Administrator, advised that this item is for the consideration of resolutions approving the Engineers' Reports for the annual levy of assessments and the continued maintenance for the specified districts and the zones within those districts for Fiscal Year 2006/07.

Addressing the Council on this item was Lynne Plambeck. One written comment was submitted. Mr. Luppens will contact the person who submitted the written comment to provide further information.

Mayor Weste closed the public hearing.

Motion by Ferry, second by Smyth, to adopt Resolution No. 06-61 for Landscape Maintenance District Nos. 1, T1, T1A and A2, and approve the Engineers' Report for the annual levy of assessments and continued maintenance for the special districts; adopt Resolution No. 06-62 for Drainage Benefit Assessment Area Nos. 3, 6, 18, 19, 20, and 22, and approve the Engineers' Report for the annual levy of assessments and continued maintenance for the special districts; adopt Resolution No. 06-63 for Streetlight Maintenance District No. 1, and approve the Engineers' Report for the annual levy of assessments and continued maintenance for the special

districts; and adopt Resolution No. 06-64 for Golden Valley Ranch Open Space Maintenance District for Fiscal Year 2006/2007, and approve the Engineers' Report for the annual levy of assessments and continued maintenance for the special districts.

On roll call vote:

Ayes: Smyth, McLean, Kellar, Ferry, Weste

Noes: None

Absent: None

Motion carried.

ITEM 16

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 04-006, Zone Change 04-004, Tentative Tract Map 62322, Conditional Use Permit 05-021 and an Environmental Impact Report 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. Mr. Mikaelian also provided new wording for Condition EN24 and advised that all items listed in the letter from SCOPE dated June 13, 2006 received in the City Clerk's Office at 4:56 p.m. this afternoon were addressed by staff as part of the review on this item.

Addressing the Council on this item was Lynne Plambeck representing SCOPE; Dan Masnada representing CLWA; and Glenn Adamick representing Newhall Land.

Motion by Kellar, second by Ferry, to adopt Resolution No. 06-65 to certify the Environmental Impact Report (EIR) State Clearinghouse Number 2005041100 and adopt 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, adopt Resolution No. 06-66 approving Master Case 04-444, General Plan Amendment 04-006, Tentative Tract Map 62322 and Conditional Use Permit 05-021; and introduce and pass to second reading on June 27, 2006 an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA APPROVING ZONE CHANGE 04-004 (MASTER CASE 04-444) TO AMEND THE CITY'S ZONING MAP AND CHANGE THE ZONING FROM COMMERCIAL OFFICE WITH A PLANNED DEVELOPMENT OVERLAY (CO-PD) TO COMMERCIAL NEIGHBORHOOD (CN) AND RESIDENTIAL MEDIUM HIGH (RMH), MAINTAINING THE PD OVERLAY, ON A 30-ACRE PROPERTY ON THE NORTH SIDE OF SOLEDAD CANYON ROAD AT GLADDING WAY IN THE CITY OF SANTA CLARITA".

On roll call vote:

Ayes: McLean, Kellar, Ferry, Smyth, Weste

Noes: None

Absent: None

Motion carried.

ADJOURNMENT

Mayor Weste adjourned the meeting at 8:40 p.m.

FUTURE MEETINGS

The next regular meeting of the City Council will be held Tuesday, June 27, 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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