

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:30 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
JULY 11, 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.

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(c) – two (2) matters

RECESS AND RECONVENE

Mayor Weste recessed the meeting to Closed Session at 5:31 p.m. and reconvened the meeting at 6:13 p.m.

CITY ATTORNEY ANNOUNCEMENT

Carl Newton, City Attorney, made the following announcements with regard to the Closed Session just concluded: (1) By unanimous vote, the City Council authorized contingent litigation to be initiated to seek a restraining order against Comcast's proposed transfer of its cable TV franchise to Time Warner unless a suitable agreement is reached with the City in compliance with the CATV franchise ordinance; and (2) By unanimous vote, the City Council authorized litigation to be initiated to seek a restraining order to be obtained against an individual whose identity will not be revealed in the interest of effective action being taken.

ADJOURN

Mayor Weste adjourned the meeting at 6:14 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

Councilmember Kellar gave the invocation.

CALL TO ORDER

Mayor Weste called to order the regular meeting of the City Council at 6:21 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Councilmember Kellar led the flag salute.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Kellar commented on the 4th of July celebrations.

Mayor Pro Tem McLean reported on the opening of the Bouquet Canyon Bridge and the pedestrian and bicycle accommodation included in this project; a meeting of the High Country JPA regarding the open space preserve; the 4th of July Parade; and a recent luncheon of the Single Mothers Outreach and their needs for assistance.

Councilmember Ferry suggested that Council authorize the City Manager to meet with the Chief Executive Officer/owner of Magic Mountain to explore whether annexation to the City might entice the business to continue in the area.

Council concurred to authorize the City Manager to meet with the CEO/owner of Magic Mountain to explore whether annexation to the City might entice the business to continue in the area.

Councilmember Smyth made no comments.

Mayor Weste reported on the great attendance at this year's 4th of July Parade, the Elks Club distributing over 17,000 American flags during the parade, and the rave reviews received over the fireworks; recent meetings with the Interfaith Council, the Regional Water Board and the AQMD; the opening of the Bouquet Canyon Bridge; the Santa Monica Mountains Conservancy JPA that includes over 6,000 acres of open space around the City; and a new feature of green waste collection which will now include pickup of raw fruit and vegetable cuttings. She also encouraged everyone to complete postcards available in the back of the Chamber to send to legislators in opposition to Cemex and announced that the meeting would be adjourned in memory of J'Nette Ellis who passed away over the weekend.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Mayor Weste and Councilmembers presented Certificates of Recognition to participants in the 2006 Youth in Government Program.

Mayor Weste and Councilmembers recognized community members and medical practitioners for their outstanding volunteerism and assistance on the City of Santa Clarita's Sister Cities International Medical Mission to Tena, Ecuador, and presented each with a special recognition certificate.

Mayor Weste and Councilmembers recognized Newhall Land, represented by Glenn Adamick, for partnering to successfully meet critical transportation needs in our valley including the Cross Valley Connector and projects along the I-5 corridor.

PRESENTATIONS TO THE CITY

Olga Vigdorichik, Health Educator with the LA County Department of Health Services, gave a presentation on West Nile Virus.

PUBLIC PARTICIPATION

Addressing the Council at this time was Cam Noltemeyer suggesting that accurate information be provided to the public with regard to chlorides in the river to be discussed at the upcoming meeting of the Regional Water Quality Control Board; Ed Shalom regarding the expenditure of City funds on banners thanking Congressman McKeon for introducing HR 5471; and Gene Dorio M.D. and Robin Clough regarding their efforts against the potential closure of the Transitional Care Unit at the hospital.

STAFF COMMENTS

Ken Pulskamp, City Manager, detailed the number of ways accurate information regarding chlorides has been disseminated to the public; clarified that the banners thanking Congressman McKeon were to bring the public's attention to this topic and advised that staff had verified that there was no violation of Federal Election Law in the creation or display of the banners; and reiterated that the City has offered assistance to the hospital and stands ready to help regarding the TCU.

Carl Newton, City Attorney, advised that his staff had also researched and reviewed election laws and had confirmed that no violation of codes had occurred as a result of the banners thanking Congressman McKeon.

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 McLean, second by Kellar, to approve the agenda, pulling Items 2, 3, and 5 from the Consent Calendar, and moving Item 13 to follow the Consent Calendar, preceding the public hearings.

Hearing no objections, it was so ordered.

APPROVAL OF MINUTES

Motion by Smyth, second by McLean, to approve the minutes of the June 27, 2006 regular City Council meeting 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

RESOLUTION IN SUPPORT OF EXTENDING SANTA PAULA BRANCH LINE RAILROAD TRACKS INTO SANTA CLARITA FOR FILLMORE AND WESTERN RAILWAY TOURISM USAGE

Consideration of a resolution to support the extension of the Santa Paula Branch Line railroad tracks into the City of Santa Clarita for tourism usage by the Fillmore and Western Railway. Adopt a resolution in support of extending the Santa Paula Branch Line railroad tracks into Santa Clarita for tourism usage by the Fillmore and Western Railway.

This item was pulled from the Consent Calendar for discussion at this time.

Addressing the Council at this time was Glenn Adamick representing Newhall Land; Valerie Thomas; Connie Worden-Roberts representing the Chamber of Commerce Transportation Committee and the North County Transportation Coalition; and A. J. Farrar representing the Fillmore & Western Railway Company. One written comment was received.

In response to inquiries from Councilmembers, additional information and clarification was provided by Ken Pulskamp, City Manager, who suggested that the language in the resolution be changed to be “in support of investigating the extension of the Santa Paula Branch Line railroad tracks into the Santa Clarita Valley for tourism usage by the Fillmore and Western Railway.”

Motion by Smyth, second by Ferry, to adopt Resolution No. 06-79 in support of investigating the extension of the Santa Paula Branch Line railroad tracks into the Santa Clarita Valley for tourism usage by the Fillmore and Western Railway.

On roll call vote:

Ayes: Ferry, Smyth, McLean, Kellar, Weste

Noes: None

Absent: None

Motion carried.

ITEM 3

CONSENT CALENDAR

INTELLIGENT TRANSPORTATION MANAGEMENT SYSTEM AND THOROUGHFARE SIGNAL INTERCONNECT, PROJECT NOS. I0001 AND C0018 - CONSTRUCTION ACCEPTANCE

These projects installed closed-circuit television incident cameras at critical sites, added an appropriate communications system to link to the City's Traffic Operations Center (TOC), and developed signal timing to address recurring and nonrecurring congestion. Additionally, traffic

signal interconnects were installed to close interconnect gaps along major roadways throughout the City, and retimed all traffic signals along those roads to improve traffic flow. Accept the work performed by Taft Electric Company on the Intelligent Transportation Management System and Thoroughfare Signal Interconnect, Project Nos. I0001 and C0018; direct the City Clerk to file the Notice of Completion; and direct staff to release the retention 35 days after the Notice of Completion is recorded, provided no stop notices have been filed, as provided by law.

This item was pulled from the Consent Calendar for discussion at this time.

At the request of Council, Curtis Nay, Assistant City Engineer, provided a detailed report on the capabilities this project will provide to City staff and to City residents.

ITEM 4

CONSENT CALENDAR

TRACT MAP NO. 61811-02 (CONDOMINIUMS, MILESTONE AT GOLDEN VALLEY ROAD) - APPROVAL OF FINAL MAP AND ACCEPTANCE OF OFFERS OF DEDICATION

Approval of Tract Map No. 61811-02 (Condominiums, Milestone at Golden Valley Road) consisting of approximately 7.34 acres, at the intersection of Golden Valley Road and Robert C. Lee Parkway, owned by Centex Homes. Approve Tract Map No. 61811-02; accept on behalf of the public, the offers of dedication for public use; 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 Agreement for Subdivision Improvements.

ITEM 5

CONSENT CALENDAR

SUMMARY VACATION OF AN EASEMENT FOR PUBLIC ROAD AND HIGHWAY PURPOSES (EAST OF BOUQUET CANYON ROAD AT RUSS JAY STREET)

Ruth Camargo, the current owner of Assessor Parcel No. 2812-008-021, has submitted a Street/Easement Vacation Application requesting the City of Santa Clarita to summarily vacate a portion of the 40-foot wide easement granted to the County of Los Angeles for public road and highway purposes, as described in a deed recorded October 23, 1922 with the Los Angeles County Recorder. Deny the request made by Ruth Camargo to summarily vacate a portion of the 40-foot wide easement granted to the County of Los Angeles for public road and highway purposes, as described in a deed recorded October 23, 1922 in Book 1256 of Official Records, page 308, in the office of the County Recorder, County of Los Angeles, State of California.

This item was pulled from the Consent Calendar for discussion at this time.

Addressing the Council at this time was Ed Bolden representing Ruth Camargo.

ITEM 6

CONSENT CALENDAR

LYONS AVENUE - ESTABLISH NO-PARKING ZONE/NO-STOPPING ZONE ALONG THE NORTH CURB EXTENDING BETWEEN AVENIDA ROTELLA AND WILEY CANYON ROAD

Establish parking restrictions on the north side of Lyons Avenue between Avenida Rotella and

Wiley Canyon Road. Adopt **Resolution No. 06-80** establishing a "no-parking between the hours of 12:00 a.m. and 4:00 a.m." zone along the north curb of Lyons Avenue from Avenida Rotella to 200 feet west of Old Orchard Park, and a "no-stopping any time" zone along the north curb of Lyons Avenue from 200 feet west of Old Orchard Park to Wiley Canyon Road.

ITEM 7

CONSENT CALENDAR

AWARD ANNUAL CONTRACT FOR OFFICE SUPPLIES UNDER A U.S.COMMUNITIES CONTRACT

Periodically, purchasing reviews annual contracts for rebid. The office supply contract was awarded July 10, 2001. Examination of various alternatives indicated participating in a large national contract, "piggybacking", would provide the best pricing to the City. Approve the ordering of office supplies from Office Depot under U.S. Communities contract Master Agreement #42595 in an amount not to exceed \$75,000 from account number 2220-7307. Authorize the City Manager to execute renewals in accordance with the terms of the contract.

ITEM 8

CONSENT CALENDAR

LANDSCAPE MAINTENANCE DISTRICTS FISCAL YEAR 2006-2007 RENEWAL OF LANDSCAPE CONTRACTS

Currently, the City of Santa Clarita contracts with five landscape maintenance companies. The term of each contract is for two (2) years, plus the option to renew for three (3) additional years, one (1) option year at a time. Authorize the continuation of all existing contracts for landscape maintenance of the LMDs as follows: American Landscape, extend existing contract terms from August 6, 2006 until October 1, 2007; TruGreen LandCare, extend existing contract terms from August 6, 2006 until October 1, 2007; Wurzel Landscape, extend existing contract terms from August 6, 2006 until October 1, 2007; Oak Springs Landscape, exercise third-year renewal option of existing contract from November 1, 2006 through November 1, 2007; Stay Green, Inc., exercise third-year renewal option of existing contract from January 7, 2007 through January 1, 2008; authorize City Manager, or designee, to execute any contract documents, change orders, or amendments arising out of extension to the above contracts, subject to City Attorney approval.

ITEM 9

CONSENT CALENDAR

CHECK REGISTER NOS. 24 AND 25

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 24 and 25.

Motion by Ferry, second by Kellar, to approve the Consent Calendar with the exception of Item 2 which was voted on separately.

On roll call vote:

Ayes: Smyth, McLean, Kellar, Ferry, Weste

Noes: None

Absent: None

Motion carried.

ITEM 13

NEW BUSINESS

NOMINATION AND APPOINTMENT OF COMMISSIONERS

Through action taken earlier during the meeting, this item was moved to be considered at this time.

Councilmember Ferry excused himself from the meeting and left the Chamber at 7:56 p.m.

ITEM 11

PUBLIC HEARING

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

This item was begun at this time.

ITEM 10

PUBLIC HEARING

RE-CERTIFICATION OF GATE KING INDUSTRIAL PARK FEIR

Mayor Weste opened the public hearing.

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

Jeff Hogan, Senior Planner, advised that this item is for a presentation from staff on the Industrial Park's approval and litigation history, the new water analysis for the Industrial Park per the direction of the Court, and consideration of adopting a resolution re-certifying the project's Final Environmental Impact Report with the Additional Analysis. Three letters were received this afternoon regarding this project; also the Final State Water Project Delivery Reliability Report 2005 dated April 2006 was also received today and copies have been provided to the Council and is available on the table in the back of the Council Chamber.

Addressing the Council on this item was Steve Cole representing the Newhall County Water District; Connie Worden Roberts; Sandra Cattell; Henry Schultz; Andrew Fried representing Safe Action for the Environment Inc.; Lynne Plambeck representing SCOPE; Cam Noltemeyer; and Dan Masnada representing the Castaic Lake Water Agency. Two written comments were submitted.

Mayor Weste closed the public hearing.

Motion by Kellar, second by Smyth, to re-certify the Final Environmental Impact Report with the new water supply analysis prepared for the Gate King Industrial Park project through the adoption of Resolution No. 06-81.

On roll call vote:

Ayes: Kellar, Smyth, McLean, Weste

Noes: None

Absent: Ferry

Motion carried.

**ITEM 11
PUBLIC HEARING**

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

Mayor Weste opened the public hearing.

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

In report, Dennis Luppens, Special Districts Administrator, advised that this item is for the annexation of territories into the City's landscape maintenance Districts Numbers 1 and T-1 and various zones.

No requests to speak were submitted on this item and no additional ballots were submitted.

Mayor Weste closed the public hearing and directed that the ballots be tabulated. Council will return to this item for action after the tabulation is completed.

Upon completion of the ballot tabulation and at the conclusion of Item 10, Sharon Dawson, City Clerk, announced that the assessment amount of all ballots received totaled \$728,911 with "YES" votes representing 76% or an assessment amount of \$553,932, and "NO" votes representing 24% or an assessment amount of \$174,979. Therefore, there is no majority protest.

Motion by Smyth, second by Kellar, to adopt Resolution No. 06-82 to: 1) Annex territories into the City's Landscape Maintenance Districts (Numbers 1, T1, and various zones), 2) Approve the Engineer's Report, and 3) Authorize the annual levy and collection of assessments.

On roll call vote:

Ayes: Smyth, McLean, Kellar, Weste

Noes: None

Absent: Ferry

Motion carried.

**ITEM 12
PUBLIC HEARING**

2006 CONGESTION MANAGEMENT PROGRAM LOCAL DEVELOPMENT REPORT

Mayor Weste opened the public hearing.

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

Council concurred to waive the staff report.

In report, Andrew Yi, City Traffic Engineer, advised that the Congestion Management Program is a state-mandated program administered in Los Angeles County by the Los Angeles County Metropolitan Transportation Authority.

No requests to speak were submitted on this item.

Mayor Weste closed the public hearing.

Motion by Kellar, second by Smyth, to adopt Resolution No. 06-83 finding the City to be in conformance with the Congestion Management Program; and direct staff to deliver the adopted resolution and the 2006 Local Development Report to the Los Angeles County Metropolitan Transportation Authority on or before September 1, 2006.

On roll call vote:

Ayes: McLean, Kellar, Smyth, Weste

Noes: None

Absent: Ferry

Motion carried.

ITEM 13

NEW BUSINESS

NOMINATION AND APPOINTMENT OF COMMISSIONERS

In report, Sharon Dawson, City Clerk, advised that at the regular meeting of May 23, 2006, the City Council declared vacancies and directed the City Clerk to post and publish the Notice of Vacancy for three Planning Commission positions and three Parks, Recreation and Community Services Commission positions.

No requests to speak were submitted on this item.

Councilmember Ferry nominated current Commissioners Tim Burkhart to the Planning Commission and Laurie Ender to the Parks, Recreation and Community Services Commission.

Mayor Pro Tem McLean nominated current Commissioners Diane Trautman to the Planning Commission and Ed Redd to the Parks, Recreation and Community Services Commission.

Mayor Weste nominated current Commissioner Dennis Ostrom to the Planning Commission and Ruthann Levison to the Parks, Recreation and Community Services Commission.

Motion by Ferry, second by McLean, to approve the nominations of Councilmember Ferry, Mayor Pro Tem McLean and Mayor Weste to the Planning Commission and the Parks, Recreation and Community Services Commission as stated.

On roll call vote:

Ayes: McLean, Kellar, Ferry, Smyth, Weste

Noes: None

Absent: None

Motion carried.

ITEM 14

NEW BUSINESS

PROPOSED PUBLIC BENEFITS AGREEMENT WITH AT&T CALIFORNIA

Kevin Tonoian, Technology Services Manager, advised that in March of 2006, City staff was

approached by representatives of AT&T with the specific interest of working with the City to execute a Public Benefits Agreement that would allow AT&T California (AT&T) to provide competitive television video services for residents by means on the Internet. This proposed agreement would allow AT&T to provide television video services, via their Project LightSpeed initiative, to residents without a formal cable franchise agreement.

Addressing the Council on this item was Ron Tropicich representing AT&T.

In response to Council inquiry, staff indicated that language could be added to the agreement language with regard to graffiti cleanup, which would need to be agreed to by both parties as well as their attorneys.

Motion by Smyth, second by Kellar, to approve Public Benefits Agreement with AT&T California, subject to the approval of the City Attorney.

On roll call vote:

Ayes: Kellar, Smyth, McLean, Weste

Noes: None

Absent: Ferry

Motion carried.

ITEM 15

NEW BUSINESS

NORTH NEWHALL SPECIFIC PLAN CITY COUNCIL AD HOC COMMITTEE

In report, Jason Mikaelian, Associate Planner, advised that this item is for the consideration of an ad-hoc committee of the City Council for the preparation of the North Newhall Specific Plan.

No requests to speak were submitted on this item.

Motion by Smyth, second by McLean, to create an ad-hoc committee of the City Council for the purpose of consideration of issues relating to the preparation of the North Newhall Specific Plan and appoint Councilmember Kellar and Mayor Pro Tem McLean to the committee, with Councilmember Ferry as alternate.

On roll call vote:

Ayes: Smyth, McLean, Kellar

Noes: None

Absent: Ferry

Disqualified: Weste (due to a potential conflict of interest based on the location of her personal residential property)

Motion carried.

ITEM 16

NEW BUSINESS

ENTERPRISE ZONE PROGRAM OVERVIEW

Carrie Rogers, Economic Development Manager, presented an overview of the proposed Enterprise Zone Program for the City of Santa Clarita.

No requests to speak were submitted on this item.

Council received the Enterprise Zone Program overview.

ADJOURNMENT

Mayor Weste adjourned the meeting at 9:00 p.m. in memory of J'Nette Ellis.

FUTURE MEETINGS

City Council will be on Summer Recess from July 12, 2006 through August 21, 2006.

The next regular meeting of the City Council will be held Tuesday, August 22, 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

06Jul11m.doc