

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

**CALL TO ORDER**

Mayor Weste called to order the special meeting of the City Council at 5:03 p.m.

**ROLL CALL**

All Councilmembers were present with the exception of Mayor Pro Tem McLean and Councilmember Smyth.

**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: Assessor's Parcel No. 2833-019-014, 10.17 acres of vacant land on Placerita Canyon Road in the Newhall area

Property Owner: Dana and Tracy Kellstrom

Under Negotiation: Price and Terms

**CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION**

Government Code Section 54956.9(a)

Case Name: William Fessler v. City of Santa Clarita

L A Superior Court Case No. PC 031788Y

**CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION**

Government Code Section 54956.9(b) – one matter

**PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION**

Government Code Section 54957

Position Title: City Manager

**RECESS AND RECONVENE**

Mayor Weste recessed the meeting to Closed Session at 5:04 p.m. and reconvened the meeting at 6:07 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 6:08 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 Pro Tem McLean gave the invocation.

**CALL TO ORDER**

Mayor Weste called to order the regular meeting of the City Council at 6:12 p.m.

**ROLL CALL**

All Councilmembers were present with the exception of Councilmember Smyth.

**FLAG SALUTE**

Mayor Pro Tem McLean invited representatives of Boy Scout Troop 499 to lead the flag salute.

**COMMITTEE REPORTS/COUNCILMEMBER COMMENTS**

Councilmember Ferry commented on the Every 15 Minutes program recently held at Saugus High school and reminded that the DADS program would be held on Monday at City Hall.

Councilmember Kellar acknowledged the attendance of former Planning Commissioner Ralph Killmeyer and US Congressman Brad Sherman; reminded of the upcoming Festival of Trees; and acknowledged the passing of Cheryl Waldron, a former teacher in the Sulphur Springs School District.

Mayor Pro Tem McLean commented on her attendance at recent community events including Oak Tree Day at Heritage Park, the Zonta Tribute honoring the Goldmans and KHHS; a recent meeting of the Newhall Redevelopment Committee and their activities; the Los Angeles Division meeting of the League of CA Cities and a pilot education program being discussed. She acknowledged Cheri Fleming's recent surgery and wished her well and commented on the Healthy Santa Clarita website.

Mayor Weste commented on the upcoming Festival of Trees, the recent trip to Sacramento regarding Cemex and the 45-foot transit bus wrapped with the Cemex ad to education about the impacts of the project; the Transitional Care Unit committee working diligently; the recent SCV Photo Gallery for children at COC; the groundbreaking of Longshore Park in Canyon Country; Make a Difference Day with thank-yous to staff; the tourism group being busy with events

including the upcoming Amgen bike tour. She also requested that the City's animal ordinance be brought into compliance with the County's with regard to spay, neuter and microchipping.

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

Mayor Weste and Councilmembers presented a Key to the City to Assemblyman Dr. Keith Richman for being a strong advocate for our community in Sacramento during his tenure in the legislature. A certificate of appreciation and flowers were also presented to Cathy Kennedy who served as Dr. Richman's liaison to our community.

#### **PRESENTATIONS TO THE CITY**

Mayor Weste and Councilmembers presented a Certificate of Recognition to Cruz Caldera, Community Preservation Officer, for his act of heroism in the community on Monday, November 6, 2006.

Gloria Locke, Chair of the Arts Advisory Committee, presented the Arts Advisory Committee update.

#### **PUBLIC PARTICIPATION**

Addressing the Council at this time was Scott Bruckner representing the Santa Clarita Artist's Association regarding arts in the community; Dr. Michael Millar representing the Santa Clarita Symphony regarding the Symphony's recent opening concert at the Performing Arts Center; Cam Noltemeyer regarding the recent water board election and the amount of money that the incumbents raised; Ralph Killmeyer regarding the traffic and high speeds on Lyons and Valley Streets; James Brush requesting financial support of the arts in the community; Daryl Bibicoff representing the Arts Advisory Committee in support of the arts in the community particularly for children; Carl Kanowsky representing the Gateway Village merchants thanking the City for the short term solution for their center (submitted aerial map); Angelo Romanelli representing Buongusto Italian Eatery expressing thanks for the City's help; Julie Schaefer representing the owner of a store in Gateway Village expressing appreciation for the City's help; Carlos Juarez part-owner of the Pita Pit sharing a large thank-you card from all of the merchants in Gateway Village for the City's help; Tony Natoli regarding traffic and a new home development at the terminus of Benz Road and Copperhill Drive in Los Angeles County (submitted material); Scott Young regarding the Veterans' Memorial and urging opposition to the development at Benz and Copperhill; and Maria Gutzeit regarding consideration of an City ordinance to be more in compliance with the County's animal ordinance.

One written comment was submitted by Ken Pusch with various concerns request response.

#### **STAFF COMMENTS**

Ken Puskamp, City Manager, commented that the City has historically been very supportive and has placed an emphasis on and resources toward the arts; acknowledged that staff would request the Sheriff's Department to monitor the Lyons/Valley intersection; expressed appreciation for the Gateway Village business owners taking their time to come down and thank the City; advised that City staff would monitor the development in the Benz Road/Copperhill Road area.

Mayor Weste indicated staff would read through Mr. Pusch's letter and respond at a later date.

**RECESS AND RECONVENE**

Mayor Weste called a recess at 7:34 p.m. and reconvened the meeting at 7:56 p.m.

**EXECUTIVE MEETING**

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

**APPROVAL OF AGENDA**

**Motion by McLean, second by Ferry, to approve the agenda, pulling Items 2 and 6 from the Consent Calendar.**

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

**APPROVAL OF MINUTES**

**Motion by McLean, second by Kellar, to approve the minutes of the October 19, 2006 special joint City Council meeting with Supervisor Antonovich and the October 24, 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**

**PRESERVATION OF UNDEVELOPED LAND AD-HOC COMMITTEE**

At the October 24, 2006 City Council meeting, a number of community members spoke in support of preserving undeveloped land and asked the Council to once again consider pursuing creation of a mechanism to finance the preservation of undeveloped land. Create an ad-hoc committee of the City Council, composed of Bob Kellar and Laurene Weste, for the preservation of undeveloped land; approve a budget transfer in the amount of \$100,000 from Council Contingency Account 2250-7401 to Administrative Services Administration account 2100-8001 for professional consultant services.

Addressing the Council on this item was Cam Noltemeyer; Connie Worden-Roberts; Ruthann Levison; Laura Hauser (also spoke in support of the recommended action for Item 17); Christine Kudija; Diane Trautman; and Maria Gutzeit.

In response to questions from Councilmembers, City Manager Pulskamp provided additional information.

**ITEM 3**

**CONSENT CALENDAR**

**BURRTEC ANNUAL PERFORMANCE EVALUATION**

Pursuant to Article 7 of the "Agreement Between the City of Santa Clarita and Burrtec Waste Industries, Inc. for Commercial Solid Waste Management Services" (Franchise Agreement) the City may hold an annual Solid Waste Services and Performance Review Hearing. The hearing gives the City the opportunity to discuss and review the services provided by Burrtec. Direct staff to continue working with Burrtec Waste Industries in implementing programs and to increase the City's commercial diversion rate; direct staff to grant Burrtec a "Good Faith Effort" for their efforts to divert waste and to not levy a fine with Burrtec for not diverting 25 percent of their waste for the first half of the 2006 calendar year. In addition, adopt **Resolution No. 06-102** to amend Burrtec's Franchise Agreement to grant a time extension to meet the 25 percent diversion requirement by January 1, 2007 (extended from January 1, 2006) and the 50 percent diversion requirement by July 1, 2007 (extended from January 1, 2007). None of these actions will allow an increase in Burrtec's collection rates.

**ITEM 4**

**CONSENT CALENDAR**

**SECOND READING OF AN ORDINANCE AMENDING AND RESTATING CHAPTER 11.68 (GRAFFITI) AND AMENDING SECTION 23.30.040(G) OF TITLE 23 (NEIGHBORHOOD PRESERVATION) OF THE SANTA CLARITA MUNICIPAL CODE PERTAINING TO GRAFFITI AS A PUBLIC NUISANCE**

Graffiti on private property is a growing problem in the City of Santa Clarita. It is a blight that affects the aesthetics of a neighborhood and lowers property values. During the enforcement process, graffiti was allowed to remain for prolonged periods of time. A more effective process was sought to eradicate graffiti in a more timely manner. Conduct second reading and adopt **Ordinance No. 06-8** entitled: "AN ORDINANCE AMENDING AND RESTATING CHAPTER 11.68 (GRAFFITI) AND AMENDING SECTION 23.30.040(G) OF TITLE 23 (NEIGHBORHOOD PRESERVATION) OF THE SANTA CLARITA MUNICIPAL CODE PERTAINING TO GRAFFITI AS A PUBLIC NUISANCE."

**ITEM 5**

**CONSENT CALENDAR**

**TRACT MAP NO. 52986, LOT 83 - VACATE THE RIGHT TO RESTRICT RESIDENTIAL CONSTRUCTION IN A SMALL AREA OF BRIDGEPORT**

Richmond American Homes has requested to vacate the right to restrict residential construction within an area of Lot 83 dedicated to the City of Santa Clarita by Tract Map No. 52986. It was determined that the landscape improvements did not match the existing lot line and that a vacation of the right to restrict residential construction is necessary in order to adjust the lot line. Adopt **Resolution No. 06-103** for the abandonment of the dedication made to the City of Santa Clarita under Tract Map No. 52986, Lot 83, and direct the City Clerk to record the certified original resolution in the Office of the Registrar-Recorder of the County of Los Angeles.

**ITEM 6**

**CONSENT CALENDAR**

**TRACT MAP NOS. 53425-01 AND 53425-02 (RIVER VILLAGE - PHASES 1 AND 2) - APPROVAL OF FINAL MAPS AND ACCEPTANCE OF OFFERS OF DEDICATION**

Tract Map No. 53425-01, consisting of approximately 90.4 acres, is located east of Bouquet Canyon Road and north of the Newhall Ranch Road extension. Tract Map No. 53425-02, consisting of approximately 85.2 acres, is located east of Bouquet Canyon Road and south of the Newhall Ranch Road extension. The property contained by both tract maps is owned by The Newhall Land Company, a California Limited Partnership. Approve Tract Map Nos. 53425-01 and 53425-02; accept on behalf of the public the offers of dedication; make certain findings; instruct the City Treasurer to endorse the Special Assessment Certificate on the face of the tract maps; instruct the City Clerk to endorse the Certificate on the face of the tract maps; and instruct the City Engineer to endorse the Agreement for Subdivision Improvements.

Addressing the Council on this item was Cam Noltemeyer; Lynne Plambeck representing SCOPE; and Glenn Adamick representing Newhall Land.

**ITEM 7**

**CONSENT CALENDAR**

**TRACT MAP NO. 65058 (COMMERCIAL CONDOMINIUMS - RYE CANYON BUSINESS PARK) - APPROVAL OF FINAL MAP**

Tract Map No. 65058, consisting of approximately 5.43 acres, is located on the northeast corner of Kelly Johnson Parkway and Constellation Road intersection, and owned by Rye Canyon Office Condos, LLC, a California Limited Liability Company. Approve Tract Map No. 65058; 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 8**

**CONSENT CALENDAR**

**ROBINSON RANCH TRAIL REPAIRS, PROJECT NO. E3004 - PROJECT ACCEPTANCE**

The Robinson Ranch Trail was washed out during the January 2005 storms. The work included grading, fence repair, fence replacement, and drainage improvements. Accept the completion of the Robinson Ranch Trail Repairs, Project No. E3004; direct the City Clerk to file the Notice of Completion; direct staff to release the 10 percent retention 35 days after the Notice of Completion is recorded, provided no stop notices have been filed, as provided by law.

**ITEM 9**

**CONSENT CALENDAR**

**OVERHEAD STREET NAME SIGNS, PROJECT NO. C0029 - REJECT ALL BIDS**

152 reflective overhead mast street name signs will be installed at gateway locations within the City. The new signs will provide greater visibility to motorists. Reject all bids for the Overhead Street Name Signs, Project No. C0029.

**ITEM 10**

**CONSENT CALENDAR**

**PURCHASE OF EXCESS PROPERTY FROM LOS ANGELES COUNTY, ASSESSOR PARCEL NOS. 2842-003-900 THROUGH -905**

Pursuant to the provisions of the Sale and Purchase Agreement Chapter between the County of Los Angeles and the City of Santa Clarita, the County has agreed to sell 4.6 acres in the 25000 block of Sierra Highway, south of Golden Valley Road in the City of Santa Clarita. Approve the Sale and Purchase Agreement with Los Angeles County to purchase Assessor's Parcels Numbered 2842-003-900 through 905; authorize the purchase price of \$183,000.00; appropriate \$188,000.00 in funds from Council Contingency Account No. 2250-7401 to expenditure Account No. 4100-8620 for the purchase of the property and additional fees necessary for title transfer, if any, not to exceed \$5,000.00; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

**ITEM 11**

**CONSENT CALENDAR**

**INTERSECTION MODIFICATION PROJECT, FEDERAL PROJECT NO. STPLH-5450(027), CITY PROJECT NO. C0025 - PROJECT ACCEPTANCE**

This project included the improvements at nine signalized intersections to enhance pedestrian safety and access. Accept the work performed by Kalban, Inc. for the Hazard Elimination Safety (HES) project known as the Intersection Modification, Federal Project No. STPLH-5450(027), City Project No. C0025; 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, as provided by law, have been filed.

**ITEM 12**

**CONSENT CALENDAR**

**INTRODUCTION OF ORDINANCE AMENDING CHAPTERS 2.26 AND 2.28 OF THE SANTA CLARITA MUNICIPAL CODE**

Proposed amendments to the municipal code for consistency and to reflect current practices for the Planning and Parks, Recreation and Community Services Commissions. Introduce and pass to second reading an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTER 2.26, PLANNING COMMISSION, AND CHAPTER 2.28, PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION."

**ITEM 13**

**CONSENT CALENDAR**

**APPROVE RENEWAL FOR YOUTH SPORTS UNIFORMS CONTRACT**

Approve renewal of the annual contract for the purchase of uniforms for the City's youth sports programs. Award youth sports uniform contract renewal to Idea Factory, and authorize City Manager to execute the contract renewal and one future renewal in accordance with the terms of the contract, subject to City Attorney approval. Approve contract amount not to exceed \$72,669, plus an additional 10% contingency amount of \$7,269 from account number 7242-7312.

**ITEM 14**

**CONSENT CALENDAR**

CHECK REGISTER NOS. 41 AND 42

Approval of the Check Registers. Approve and ratify for payment the demands presented in Check Register Nos. 41 and 42.

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

**On roll call vote:**

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

**Noes: None**

**Absent: Smyth**

**Motion carried.**

**ITEM 15**

**PUBLIC HEARING**

APPEAL OF THE MATERIALS RECOVERY FACILITY (MRF)

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 an appeal of a Planning Commission decision to adopt a fully enclosed materials recovery facility. Staff is recommending that the hearing be continued while other potential sites for a MRF are being explored.

No speakers spoke at this time. One written comment was received.

**Motion by Kellar, second by Ferry, to continue the hearing to the January 23, 2007 City Council meeting.**

**On roll call vote:**

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

**Noes: None**

**Absent: Smyth**

**Motion carried.**

**ITEM 16**

**UNFINISHED BUSINESS**

ORDER ABATEMENT OF NON-CONFORMING SIGNS, DECLARED AS PUBLIC NUISANCES

James Chow, Associate Planner, advised that this item is to update the City Council on the status of the eight non-conforming signs, declared as public nuisances on August 22, 2006.

No speakers spoke at this time.

**Motion by Ferry, second by Kellar, to adopt Resolution Nos. 06-104, 06-105 and 06-106 ordering the abatement of the remaining three (3) public nuisances.**

**On roll call vote:**

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

**Noes: None**

**Absent: Smyth**

**Motion carried.**

**ITEM 17**

**NEW BUSINESS**

**INTRODUCTION OF AN ORDINANCE REGARDING NO SMOKING IN SANTA CLARITA PARKS**

Rick Gould, Director of Parks and Recreation, advised that this item is for the introduction of an Ordinance amending Chapter 9.50 "Tobacco Control."

Addressing the Council on this item was Maria Gutzeit.

In response to inquiries from Councilmembers, Mr. Gould provided additional information.

**Motion by Kellar, second by Ferry, to introduce and pass to second reading an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTER 9.50 "TOBACCO CONTROL."**

**On roll call vote:**

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

**Noes: None**

**Absent: Smyth**

**Motion carried.**

**ITEM 18**

**NEW BUSINESS**

**CITY COUNCIL VACANCY**

Ken Pulskamp, City Manager, advised that this item is for the discussion of options to fill the upcoming City Council vacancy as a result of Councilmember Smyth being elected to the California State Assembly.

Address the Council on this item was Nick Zigler; Cam Noltemeyer; John Steffen; Connie Worden-Roberts; TimBen Boydston; Deanna Hanashiro; Michael Cruz; Lynne Plambeck; and Paul Strickland.

In response to Council inquiries, City Manager Pulskamp and City Attorney Newton provided additional information, including that Government Code Section 36512 allows the Council to start the process in anticipation of the vacancy.

**Council consensus to open the application period and to direct staff to frame an appointment process to come back for discussion at the November 28, 2006 meeting.**

**ADJOURNMENT**

Mayor Weste adjourned the meeting at 9:23 p.m. in memory of Cherilyn Waldron.

**FUTURE MEETINGS**

The next regular meeting of the City Council will be held Tuesday, November 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**

s:\city\min\06nov14m.doc