

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:30 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
JANUARY 9, 2007**

CALL TO ORDER

Mayor McLean 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(a)

Case Name: Michael J. Nisenbaum v. City of Santa Clarita, et al.

Los Angeles County Superior Court Case # BC 360372

RECESS AND RECONVENE

Mayor McLean recessed the meeting to Closed Session at 5:31 p.m. and reconvened the meeting at 6:03 p.m.

CITY ATTORNEY ANNOUNCEMENT

Carl Newton, City Attorney, announced that in the Closed Session just concluded, the City Council by unanimous vote authorized the City Attorney and Burke, Williams and Sorenson to defend the interests of the City in recently filed litigation, Michael J. Nisenbaum v. the City of Santa Clarita, et al. This case involves a claim against the City regarding the issuance of permits for a project on property adjacent to the residence of the plaintiff.

ADJOURN

Mayor McLean adjourned the meeting at 6:04 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 Ferry gave the invocation acknowledging the efforts of Councilmember Bob Kellar in seeking the extradition of Armando Garcia to stand trial in the US for the murder of Deputy David March in April, 2002. Mr. Garcia was returned to the US this morning.

CALL TO ORDER

Mayor McLean called to order the regular meeting of the City Council at 6:08 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Councilmember Ferry asked the owner of Lamppost Pizza, Ed Plevack, to lead the flag salute.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Boydston expressed his pleasure with this opportunity to serve the public and indicated that his door is open; and requested that the appointment of commissioners be agendized at a future meeting.

Carl Newton, City Attorney, indicated that there were no current vacancies so this action would not be appropriate unless a current Commissioner resigned or was terminated.

Mayor Pro Tem Kellar requested that the video “March for Justice” be presented documenting the efforts to have suspect Jorge Armando Garcia extradited from Mexico to face murder charges for the death of Sheriff’s Deputy David March, honoring Deputy March and commending the efforts of District Attorney Steven Cooley for helping to make it happen.

Councilmember Weste indicated she is glad to be back and commended the child performers in the holiday presentation of “The Nutcracker” at the College of the Canyons Performing Arts Center and acknowledged the Canyon High School players led by head coach Harry Welch.

Councilmember Ferry made no comments.

Mayor McLean reported on the latest general membership meeting of the League of California Cities; acknowledged that the City sent letters to Federal officials providing additional information to support the City’s appeal for additional changes to the Angeles Forest Management Plan in late December; and congratulated all young Santa Clarita athletes for their recent accomplishments.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

Mayor McLean and Councilmembers presented certificates of commendation to six Sheriff Deputies for excellent team work and arrests while conducting surveillance and arresting two Newhall 13 gang members last summer.

Mayor McLean and Councilmembers presented a proclamation honoring Martin Luther King Day to representatives of the Santa Clarita Human Relations Forum and the Santa Clarita Valley

Black Business Committee.

PRESENTATIONS TO THE CITY

Ken Pulskamp, City Manager, introduced Anthony La Berge, newly-appointed Santa Clarita Chief of Police of the L.A. County Sheriff's Department, Santa Clarita Station.

PUBLIC PARTICIPATION

Addressing the Council at this time was John Steffen who welcomed and congratulated Councilmember Boydston and suggested that the City conduct a study to see if having our own Police Department rather than services from the Sheriff's Department would benefit the City; Michele Krantz regarding the annexation of West Ranch and requesting that a dialog be opened to explore annexation; Tony Natoli regarding Council's support of Benz Road, the housing development at the terminus of Benz in the County, and requesting that accurate traffic counts be secured; Scott Young expressing appreciation for Council's support on Benz Road, expressing concern for a traffic counter that has been vandalized and requesting a new traffic count be provided to the County (submitted material); Angelo Romanelli representing buongusto Italian Eatery expressing appreciation for the opportunity to work with the City on various projects and at Central Park for the last 8 years; and Gerald Hall expressing opposition to the building of a new retail center at I-5 and SR-126.

STAFF COMMENTS

Ken Pulskamp, City Manager, noted that the City recently received a letter from B. J. Atkins resigning his position on the North County Transportation Coalition. With Council's okay, staff will proceed with a process to fill that vacancy including setting up an ad-hoc Council subcommittee to review the applications received and make a recommendation to the entire Council.

With regard to Public Comments, Mr. Pulskamp stated that the City has over the years looked into having our own Police Department as opposed to utilizing the services of the County Sheriff and that the cost of Sheriff services is a fraction of the cost of starting up and maintaining our own Department. The City is very pleased with the service provided by the Sheriff's Department and their capability of handling a variety of issues and situations. Regarding West Ranch, he proposed that City Staff take a look at the City's current requirement to obtain the signatures of 60% of the area residents for the annexation to proceed and research other alternatives. Further, Traffic Division staff will be contacted to determine if there is time to provide traffic count and survey information by the County's deadline; and that no businesses have been identified for the proposed development at the I-5 and SR-126.

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

Carl Newton, City Attorney, advised that 4 additional modifications would be included in staff's recommended action with regard to Item 14, and would be explained by staff after the public hearing is opened later during this meeting.

Motion by Kellar, second by Ferry, to approve the agenda pulling Items 4 and 11 from the Consent Calendar.

Hearing no objections, it was so ordered.

APPROVAL OF MINUTES

Motion by Kellar, second by Ferry, to approve the minutes of the December 6, 2006 special City Council meeting and the December 12, 2006 special and regular City Council meetings as submitted and the December 19, 2006 special City Council meeting as amended.

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

FEDERAL ADVOCACY SERVICES: CEMEX

Since February 2001, the City has retained the professional services of Jamison and Sullivan, Inc. for federal advocacy services specifically relating to the CEMEX mining proposal. Authorize the City Manager or designee to execute, subject to City Attorney approval, a contract for continuation of professional services with Jamison and Sullivan, Inc. for the period of January 1, 2007 through June 30, 2007.

ITEM 3

CONSENT CALENDAR

TAX SHARING RESOLUTION FOR SANITATION DISTRICT ANNEXATION NOS. 1010, 1012 AND 1016

The Santa Clarita Valley Sanitation District provides wastewater treatment services within the District's service area. To provide wastewater treatment service to property located outside of the District's service area, the boundary must be expanded through the annexation process. As part of this process, a tax-sharing resolution to provide the required funding to the Sanitation District is adopted by the public agency responsible for providing services to the subject property. Adopt **Resolution No. 07-1** approving and accepting the negotiated exchange of property tax revenues resulting from Sanitation District Annexation No. 1010; adopt **Resolution 07-2** approving and accepting the negotiated exchange of property tax revenues resulting from Sanitation District Annexation No. 1012; and adopt **Resolution No. 07-3** approving and accepting the negotiated exchange of property tax revenues resulting from Sanitation District Annexation No. 1016.

ITEM 4

CONSENT CALENDAR

PARTICIPATE AND CONTRIBUTE TO THE PREPARATION OF AN UPPER SANTA CLARA RIVER WATERSHED INTEGRATED REGIONAL WATER MANAGEMENT PLAN

Contributing funds and entering into a Memorandum of Understanding with local Santa Clarita area agencies to develop a consensus based water plan, allowing the region to be eligible for grant funds under Propositions 50 and 84, and prioritizing water related projects. Approve and authorize the City Manager to execute a Memorandum of Understanding with Los Angeles County Sanitation Districts, Los Angeles County Department of Public Works, Castaic Lake Water Agency, Santa Clarita Water Company, Newhall County Water District, and Valencia Water Company, and other appropriate agencies as required, to develop the Upper Santa Clara River Watershed IRWMP subject to City Attorney approval; approve transferring \$45,000 from Council Contingency 2250-7401 to the Solid Waste Professional Services account number 1291-8110.

Addressing the Council on this item was Cam Noltemeyer representing SCOPE.

ITEM 5

CONSENT CALENDAR

2006-2007 REMOVAL AND REPLACEMENT OF SIDEWALK, CURB AND GUTTER, AND ACCESS RAMPS, PROJECT NOS. M0054, M0053, AND T0024 – AWARD CONSTRUCTION CONTRACT

This capital improvement project consists of the removal and replacement of damaged sidewalks, driveway approaches, and curb and gutter, and the construction of handicapped access ramps at various locations within the City. Approve the contract documents and specifications; award the construction contract for Fiscal Year 2006-2007 Concrete Rehabilitation Program, Project Nos. M0054, M0053, and T0024 to FS Construction in the amount of \$268,386.25, and authorize a 10 percent contingency in the amount of \$26,838.63; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 6

CONSENT CALENDAR

2006-07 MEDIAN LANDSCAPE, PROJECT NO. B0002 - AWARD DESIGN CONTRACT

The median landscape project will construct a raised landscaped median in two phases along San Fernando Road/Bouquet Canyon Road from Oak Ridge Drive to Soledad Canyon Road. This landscaped median will provide traffic flow improvements, and enhance the aesthetics of the traveled corridor leading into the Valencia area. Award the contract to MNS Engineers Inc. for engineering design services for the 2006-07 Median Landscape, Project No. B0002, in the amount of \$200,000.00, and authorize a \$20,000.00 contingency expenditure; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 7

CONSENT CALENDAR

FISCAL YEAR 2005-2006 MEDIAN MODIFICATION ON VALENCIA BOULEVARD AT

MALL ENTRANCE, PROJECT NO. C0024 - PROJECT ACCEPTANCE

The purpose of the project was to enhance visibility and safety for left-turning vehicles on Valencia Boulevard at the mall entrance by reducing the width of the existing median nose on the westerly leg of the intersection. Accept the work performed by FS Construction for the Median Modification on Valencia Boulevard at Mall Entrance, Project No. C0024; direct the City Clerk to file the Notice of Completion; and 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 8
CONSENT CALENDAR**

SAN FERNANDO ROAD STREET IMPROVEMENTS, PROJECT NO. C2021 - PROJECT ACCEPTANCE

This project includes restriping San Fernando Road from four to six lanes from Railroad Avenue to State Route 14, and widening a segment of San Fernando Road. Accept the work performed by Padilla Paving Company, Incorporated for the San Fernando Road Street Improvements, Project No. C2021; 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.

**ITEM 9
CONSENT CALENDAR**

APPROVAL OF SALE PRICE FOR CHAPTER 8 AGREEMENT NO. 2482 - AGREEMENT TO PURCHASE LOS ANGELES COUNTY TAX-DEFAULTED PROPERTY BETWEEN LOS ANGELES COUNTY AND MOUNTAINS RECREATION AND CONSERVATION AUTHORITY, APN 3210-019-005

Los Angeles County has entered into an agreement with the Mountains Recreation and Conservation Authority (MRCA) to sell a tax-defaulted parcel, APN 3210-019-005. The City of Santa Clarita is partnering with MRCA to provide funds for the purchase. Upon completion of the purchase by MRCA, MRCA will transfer the fee ownership to the City while retaining a conservation easement. Approve the sale price for Chapter 8 Agreement No. 2482, Agreement to Purchase Los Angeles County Tax-Defaulted Property Assessor Parcel Number (APN) 3210-019-005, between the County of Los Angeles and the Mountains Recreation and Conservation Authority; approve the City's participation of \$3,500.00 in exchange for the fee interest in the property; recognize \$3,500.00 in Account No. 450-4027 Quimby Park in Lieu Fees, and appropriate \$3,500 to Account No. 7100-8620 Quimby Fund; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

**ITEM 10
CONSENT CALENDAR**

AWARD CONTRACT FOR CONCESSION SERVICES

This contract will provide concession services at Central Park and the Aquatic Center. Award a contract to operate food concessions at Central Park and the Aquatic Center locations to Lamppost Pizza, authorize the City Manager or designee to execute contract and any subsequent renewals, or modify the award in the event that issues of impossibility of performance arise, subject to City Attorney review.

ITEM 11

CONSENT CALENDAR

JOINT RESOLUTION TRANSFERRING THE MAINTENANCE AND ADMINISTRATION RESPONSIBILITIES FOR NORTH PARK AND STONECREST FROM THE COUNTY OF LOS ANGELES TO THE CITY OF SANTA CLARITA AND APPROPRIATE FUNDS FOR STONECREST LANDSCAPE OPERATIONS INTO THE FY 06-07 BUDGET

During this calendar year, the communities of Northpark and Stonecrest were annexed into the City. Both communities have significant LMD responsibilities within their boundaries, and are currently administered and maintained by the County of Los Angeles, Department of Parks and Recreation. Adopt **Resolution No. 07-4** transferring Landscape Maintenance District (LMD) administration and maintenance responsibilities for Northpark (Zone T-47) and **Resolution No. 07-5** transferring Landscape Maintenance District (LMD) administration and maintenance responsibilities for Stonecrest (Zone T-52) from the County of Los Angeles to the City of Santa Clarita. Authorize increase of revenue account 401-61841 by \$414,700 from funds that will transfer from the County to the City in February and May of 2007; authorize appropriation of \$182,600 for operations and maintenance of Stonecrest through June 30, 2007; authorize City Manager or designee, subject to City Attorney approval, to execute the contract renewals in accordance with the terms of the existing Los Angeles County landscape contract for Stonecrest, and/or modify the contract in the event that issues of impossibility of performance arise for an amount not to exceed \$182,600.

In response to comments from Councilmember Boydston, Ken Pulskamp, City Manager, clarified that the City would not be awarding the bid and advised that Staff will proceed with the existing County landscape contract with 2 option years remaining for Stonecrest.

ITEM 12

CONSENT CALENDAR

AWARD CONTRACT FOR BID NUMBER PS-06-07-23 FOR RESERVE STUDY OF LANDSCAPE MAINTENANCE DISTRICTS AND DRAINAGE BENEFIT ASSESSMENT AREAS

The last full reserve study was conducted in 1999. Over the last seven years, LMD territory has had significant growth, including the transfer of Northpark and Stonecrest from the County to City LMD. Additionally, the DBAAs have never benefited from a full reserve study, and the aging DBAA equipment should be analyzed for replacement. Award a contract to Association Reserves, Inc. to conduct a full reserve study of the City's Landscape Maintenance Districts and Drainage Benefit Assessment Areas. Authorize City Manager or designee to execute the contract or modify the award in the event that issues of impossibility of performance arise, subject to City Attorney approval, for an amount not to exceed \$75,600, plus 5% contingency, for a total of \$79,380; appropriate \$79,380 from unallocated reserve funds 401 (LMD) and 352 (DBAA) to the designated accounts.

ITEM 13

CONSENT CALENDAR

CHECK REGISTER NOS. 48, 49, 50, 51 AND 52

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

Check Register Nos. 48, 49, 50, 51, and 52.

Motion by Ferry, second by Weste, to approve the Consent Calendar.

On roll call vote:

Ayes: Ferry, Weste, Kellar, Boydston, McLean

Noes: None

Absent: None

Motion carried.

ITEM 14

PUBLIC HEARING

ANNUAL UNIFIED DEVELOPMENT CODE AMENDMENTS 2006

Mayor McLean opened the public hearing.

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

Council consensus to waive the staff report with the exception of the 4 additional modifications.

Lisa Hardy, Planning Manager, reviewed 4 additional modifications proposed with the revisions to the Unified Development Code (UDC) that are proposed annually to incorporate new policies and clarify the intent of existing code language.

Addressing the Council on this item was Cam Noltemeyer representing SCOPE.

Mayor McLean closed the public hearing.

Motion by Weste, second by Kellar, to adopt Resolution No. 07-6 adopting the Negative Declaration prepared for this project; and conduct first reading of an Ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTERS 16 AND 17 OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING THE ANNUAL AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE".

On roll call vote:

Ayes: Weste, Kellar, Boydston, Ferry, McLean

Noes: None

Absent: None

Motion carried.

ITEM 15

PUBLIC HEARING

COMMUNITY COURT DIVERSION PROGRAM FEE SCHEDULE

Mayor McLean opened the public hearing.

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

Adele Macpherson, Community Services Superintendent, advised that the Community Court Diversion Program targets first-time, non-violent juvenile offenders and ensures that youth who commit petty crimes in Santa Clarita pay restitution and serve their community service locally.

Councilmember Ferry clarified that this is a fee program for the offenders to pay for services they will be utilizing and not a fine acting as a penalty for the offense.

No requests to speak were submitted on this item.

Mayor McLean closed the public hearing.

Motion by Ferry, second by Kellar, to adopt Resolution No. 07-7 approving Community Court Diversion Program fees.

On roll call vote:

Ayes: Kellar, Boydston, Ferry, Weste, McLean

Noes: None

Absent: None

Motion carried.

ITEM 16

NEW BUSINESS

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND AMERICAN RETAIL DEVELOPMENTS

Paul Brotzman, Director of Community Development, advised that this item is for the Memorandum of Understanding (MOU) between the City and American Retail Developments regarding possible future development on ten acre site in the northwestern portion of the City.

Addressing the Council on this item was Kerry Seidenglanz representing American Retail Developments.

Motion by Weste, second by Kellar, to direct the City Manager to execute the MOU between the City of Santa Clarita and American Retail Properties subject to City Attorney review.

On roll call vote:

Ayes: Boydston, Ferry, Weste, Kellar, McLean

Noes: None

Absent: None

Motion carried.

ITEM 17

NEW BUSINESS

CONTRACT TO PREPARE AN INDEPENDENT HOSPITAL AND MEDICAL OFFICE

BUILDING SPACE STUDY FOR THE HENRY MAYO NEWHALL MEMORIAL HOSPITAL MASTER PLAN

Lisa Hardy, Planning Manager, advised that at the October 24, 2006, City Council meeting, Councilmember Keller requested that staff return to the City Council with an item that would include a contract to prepare an independent review and analysis of the Hospital's Master Plan. The report would include an analysis of the hospital's future growth and the correlation to the community's needs in the future.

Addressing the Council on this item was Cam Noltemeyer representing SCOPE (submitted letter); David Gauny representing Smart Growth SCV; and Anthony Newhall.

Gordon Johnson representing HFS consultants provided his background and experience as well as his understanding of the goals of this study.

Motion by Kellar, second by Weste, to direct the City Manager to execute a contract between the City and HFS Consultants to prepare an independent hospital analysis, subject to the review of the City Attorney.

On roll call vote:

Ayes: Ferry, Weste, Kellar, Boydston, McLean

Noes: None

Absent: None

Motion carried.

ADJOURNMENT

Motion by Weste, second by Boydston, to adjourn the meeting at 8:47 p.m.

Hearing no objections, it was so ordered.

FUTURE MEETINGS

The next regular meeting of the City Council will be held Tuesday, January 23, 2007 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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