

**CITY OF SANTA CLARITA
CITY COUNCIL
MINUTES OF SPECIAL MEETING
5:30 P.M.
MINUTES OF REGULAR MEETING
6:00 P.M.
AUGUST 23, 2005**

CALL TO ORDER

Mayor Smyth 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: Sierra Club et al. v. City of Santa Clarita and Newhall Land
L A County Superior Court Case No. BS 098722

Case Name: Moore Electrical Contracting v. City of Santa Clarita et al.
L A County Superior Court Case No. PC 037122

Case Name: Las Lomas Land Co., LLC v. City of Santa Clarita et al.
L A County Superior Court Case No. BS 097982
(Las Lomas II)

Case Name: City of Santa Clarita v. Charles Von der Ahe et al.
L A County Superior Court Case No. PC 036780

RECESS AND RECONVENE

Mayor Smyth recessed the meeting to Closed Session at 5:32 p.m. and reconvened the meeting at 6:09 p.m.

CITY ATTORNEY ANNOUNCEMENT

Carl Newton, City Attorney, announced that in the matter of:

- Sierra Club et al. v. City of Santa Clarita and Newhall Land
L A County Superior Court Case No. BS 098722
City Council by unanimous vote authorized the City Attorney and Burke, Williams,

and Sorenson to defend a challenge to the environmental action in approval of the Riverpark project of Newhall Land and Farming

- Moore Electrical Contracting v. City of Santa Clarita et al.
L A County Superior Court Case No. PC 037122
City Council by unanimous vote authorized the City Attorney and Burke, Williams and Sorenson to defend a stop notice action between a sub contractor and the prime contractor on a public works project. City is a mere stakeholder.
- Las Lomas Land Co., LLC v. City of Santa Clarita et al.
L A County Superior Court Case No. BS 097982
City Council by unanimous vote authorized the City Attorney and Burke, Williams, and Sorenson to defend a challenge to the environmental action of the City in approving the Sphere of Influence application for the South Santa Clarita area.

ADJOURN

Mayor Smyth adjourned the meeting at 6:12 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 McLean gave the invocation.

CALL TO ORDER

Mayor Smyth called to order the regular meeting of the City Council at 6:17 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Councilmember McLean led the flag salute.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Ferry commented on the upcoming Teen Scene Unplugged which will be held at the Hyatt on September 21; Councilmember McLean's performance in the Canyon Theatre Guild production of Wizard of Oz; recent meetings on the Open Space and Parkland Presentation District; and presented slides of his summer vacation.

Councilmember McLean commented on a July 29 comment letter from City staff to the County on a County project in San Francisquito Canyon and suggested that staff be allowed to follow these projects through to the end; noted upcoming activities at Central Park for the Healthy Cities program; invited attendance at the Town Hall meeting on August 30 sponsored by the Air Quality Management District regarding air quality in the Valley at the Vital Express Center, as

well as the August 31 joint meeting with Supervisor Antonovich at the Activities Center and the Excelencia Awards at the Hyatt on September 21.

Councilmember Kellar commented on the Downed Officers Ride held in the City over the weekend, and encouraged people to write letters to President Bush about the unacceptable behavior of harboring accused killers of American men and women in Mexico, and provided a draft letter for Council review.

Mayor Pro Tem Weste commented on the study for the Open Space and Parkland Preservation District during the break, and thanked staff for the amount and quality of work completed.

STAFF COMMENTS

Ken Pulskamp, City Manager, provided an update on the Senior Center expansion and indicated CDBG savings could be redirected to this project. A report will be placed on the September 13 agenda for consideration.

AWARDS/RECOGNITION TO MEMBERS OF THE COMMUNITY

There were none.

PRESENTATIONS TO THE CITY

Mayor Smyth introduced Louis Madriz, Robin Crabb and Sheriff Ali from the California Alcoholic Beverage Control, along with Sheriff Captain Patti Minutello, who presented the City with a check for \$80,000 as the recipient of a competitive grant from ABC. The grant money will be used to combat alcohol related crimes.

Mayor Smyth and Councilmembers presented the following awards to Darren Hernandez, Director of Administrative Services, and the staff of the Finance Division:

- Investment Policy Certificate of Excellence Award and Certification in Cash Handling from the Association of Public Treasurers-US and Canada.
- Mayor Smyth and Councilmembers Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA).
- Outstanding Financial Reporting Award from the California Society of Municipal Finance Officers (CSMFO).

Patti Minutello, Sheriff Captain, provided an update on the fight against graffiti and advised that 84 arrests have been made.

PUBLIC PARTICIPATION

Addressing the Council was Mark Weiss, Rorie Skei representing the Santa Monica Mountains Conservancy, Henry Schultz representing the Santa Clarita Valley Sierra Club (submitted written material), Sandra Cattell, Connie Worden Roberts, Susan Ostrom, Mike Lebecki, Kevin Oliff representing the Santa Clarita Valley Auto Dealers Association, Ken Roelofson, Fire Chief Matt Gil, and L.A. Sheriff Department Captain Patti Minutello regarding the Open Space and

Parkland Preservation District (OSPPD), Cam Noltemeyer regarding OSPPD and the Whittaker/Bermite site, Chris Fall representing Blue Barrel/Waste Management giving an update on recycling efforts, and Jim Ventress representing the Boys and Girls Club regarding maintaining the quality of life and investing in recreation and open space.

Councilmember Weste read and submitted letters from Brad Berens and Maria Gutzeit regarding the OSPPD.

STAFF COMMENTS

Ken Puskamp, City Manager, commented on the Open Space and Parkland Preservation District, and stated that the ballots would be mailed out to property owners in October; and that the Air Quality Management District reported that the City of Santa Clarita has one of the most advanced and well-designed air quality measures in its master plan, and is a Model City within the entire South Coast District.

Carl Newton, City Attorney, announced a hearing would be held September 29 on the Gate King matter in the Court of Appeal.

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 Kellar, second by McLean, to approve the agenda, pulling Item 13 from the Consent Calendar.

Hearing no objections, it was so ordered.

APPROVAL OF MINUTES

Motion by Kellar, second by Weste, to approve the minutes of July 12, 2005 special and regular City Council meetings 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

ACQUISITION OF 24158 SAN FERNANDO ROAD, NEWHALL - ASSESSOR'S PARCEL NO. 2831-019-030

— The proposed acquisition will assist in the implementation of the proposed specific plan and future redevelopment of Downtown Newhall. Authorize the City Manager or designee to sign all required documentation to complete the acquisition of 24158 San Fernando Road, Santa Clarita, CA 91321 (Assessor Parcel #2831-019-030, subject to review by the City Attorney).

ITEM 3

CONSENT CALENDAR

FEDERAL LEGISLATIVE ADVOCACY

The Cemex/TMC mining proposal opposition effort continues to contain a legislative component. Jamison and Sullivan, Inc. have provided federal advocacy services on this issue to the City since February 2001. The Council is requested to authorize continuation of professional services with Jamison and Sullivan, Inc. for the period July 1, 2005 through December 31, 2005. 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 July 1, 2005 through December 31, 2005.

ITEM 4

CONSENT CALENDAR

CONTRACT AMENDMENT WITH CALIFORNIA EMPLOYEES' RETIREMENT SYSTEM (CALPERS) TO PROVIDE 21354.5 (2.7% AT 55 FORMULA) FOR LOCAL MISCELLANEOUS MEMBERS

— Resolution of Intention and first reading of an ordinance to amend the City's CalPERS contract to provide 2.7% @ 55 formula for local miscellaneous members. Adopt **Resolution No. 05-99** for the intent to amend the contract with California Employees' Retirement System (CalPERS) to provide 21354.5 (2.7% at 55 formula) for local miscellaneous members; introduce and pass to second reading an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION, CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL, CITY OF SANTA CLARITA."

ITEM 5

CONSENT CALENDAR

AWARD CONTRACT FOR BIKE RACKS ON BUSES

Retrofit current fleet of local buses with front-loading bike racks. Award contract to Sportworks, Inc. for the purchase and installation of 34 bicycle racks for buses including option two. Option two includes an additional 20 three-bike racks for replacement/upgrade of the bus fleet. Appropriate \$55,700.00 from Fund 801 to 5400-8615. Authorize City Manager or designee to negotiate and execute all documents, subject to City Attorney approval.

ITEM 6

CONSENT CALENDAR

TRANSFER OF STORM DRAIN MTD NO. 1598-U4 AND PD NO. 1971 TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

— These storm drains have been constructed to the satisfaction of the Los Angeles County Flood Control District and are ready for transfer. County procedures require that each storm drain

transfer request be accompanied by a resolution. Adopt **Resolution No. 05-100** for the transfer and conveyance of Miscellaneous Transfer Drain (MTD) No. 1598-U4 and adopt **Resolution No. 05-101** for the transfer and conveyance of Miscellaneous Transfer Drain (MTD) Private Drain (PD) No. 1971 to the Los Angeles County Flood Control District.

ITEM 7

CONSENT CALENDAR

PARCEL MAP NOS. 61686, 61689, AND 61693, (COMMERCIAL CONDOMINIUM MAPS - RYE CANYON COMMERCE CENTER, LOTS 24, 10, AND 25 RESPECTIVELY) - APPROVAL OF FINAL MAPS AND ACCEPTANCE OF OFFERS OF DEDICATION

Parcel Map No. 61686 consisting of approximately 4.89 acres located at the intersection of Constellation Road and Alta Vista Avenue, Parcel Map No. 61689 consisting of approximately 8.86 acres located on Kelly Johnson Parkway, and Parcel Map No. 61693 consisting of approximately 5.02 acres located on Constellation Road north of Alta Vista Avenue. Approve Parcel Map Nos. 61686, 61689, and 61693; 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 Parcel Maps; instruct the City Clerk to endorse the Certificate on the face of the Parcel Maps; and instruct the City Engineer to endorse the Certificate on the face of the Parcel Maps.

ITEM 8

CONSENT CALENDAR

MULTI-WAY STOP INSTALLATION - WALNUT STREET AND 14TH STREET

Installing a multi-way stop at the intersection of Walnut Street and 14th Street. Adopt **Resolution No. 05-102** authorizing the installation of a multi-way stop control at the intersection of Walnut Street and 14th Street.

ITEM 9

CONSENT CALENDAR

MEMORANDUM OF UNDERSTANDING WITH THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY TO ALLOW FOR THE MITIGATION OF IMPACTS FROM THE BOUQUET BRIDGE WIDENING, PROJECT NO. S1035

The Bouquet Canyon Road Bridge Widening project over the Santa Clara River caused the requirement by the California Department of Fish and Game to mitigate for the removal of approximately 2.27 acres of riparian habitat. Enter into a Memorandum of Understanding (MOU) with the Mountains Recreation and Conservation Authority (MRCA) to satisfy the City's obligation to replace 2.27 acres of riparian habitat required by the California Department of Fish and Game (CDFG); appropriate \$110,000.00 from the Bouquet Canyon Bridge and Thoroughfare District, Fund 301, to Account No. S1035301-8001; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 10

CONSENT CALENDAR

AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PACSUN, LLC FOR THE MODIFICATION DESIGN OF THE GOLDEN VALLEY ROAD

INTERCHANGE AT STATE ROUTE 14

The modification of the Golden Valley Road Interchange at State Route 14 project is being designed by PacSun, LLC with the California Department of Transportation (Caltrans) and the City providing design oversight. Caltrans requires that the City execute a design Cooperative Agreement for this project. Also, the City is requiring PacSun, LLC to execute a Consent and Assumption Agreement with the City for this project. Approve the design Cooperative Agreement with the California Department of Transportation (Caltrans) and the Consent and Assumption Agreement with PacSun, LLC for the modification design of the Golden Valley Road Interchange at State Route 14; and authorize the City Manager or designee to execute the agreements, subject to City Attorney approval.

ITEM 11

CONSENT CALENDAR

SAN FERNANDO ROAD MEDIAN IMPROVEMENT, PROJECT NO. C2001 - AWARD CONSTRUCTION CONTRACT

In October 1997, Development Review No. 97-152 was approved to expand an existing self-storage property located at 25333 San Fernando Road. As a condition of the project, the applicant was required to pay the City a fee for future construction of a median along the property's frontage in lieu of the applicant installing the median. Approve the plans and specifications, and award the construction contract for the San Fernando Road Median Improvement, Project No. C2001, to Security Paving Company in the amount of \$387,705.00 and other associated project costs for a total project cost of \$439,069.00; continue to Fiscal Year 2005-06 the total remaining unused San Fernando Road Median appropriations of \$360,069.00, and appropriate accordingly \$310,344.00 to C2001001-8001 from Fund 001 General Fund Balance, and \$49,725.00 to C2001201-8001 from Fund 201 Gas Tax fund balance; appropriate additional funds in the amount of \$79,000.00 from Fund 303 Via Princessa Bridge and Thoroughfare to C2001303-8001; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 12

CONSENT CALENDAR

FIRST READING OF AN ORDINANCE AMENDING THE MUNICIPAL CODE REGARDING PURCHASING

Ordinance to amend the Municipal Code regarding purchasing to streamline the procurement of Information Technology goods and services. Introduce and pass to second reading an ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTER 3.12 OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING PURCHASING."

ITEM 13

CONSENT CALENDAR

RESOLUTION ESTABLISHING AN ENVIRONMENTALLY PREFERABLE PURCHASING (EPP) PROGRAM

Consideration of adopting a Resolution to establish an Environmentally Preferable Purchasing (EPP) program to raise awareness of the impact of City spending on the environment and how we can do better. Adopt **Resolution No. 05-103** establishing an Environmentally Preferable

Purchasing (EPP) Program.

Councilmember McLean thanked staff for their work on this program.

ITEM 14

CONSENT CALENDAR

AWARD RENEWAL CONTRACT FOR PARKS AND RECREATION POOL CHEMICALS

Consideration of awarding renewal contract for parks and recreation pool chemicals. Approve the renewal of the contract for pool chemicals to Inter-Valley Pool Supply, in an amount not to exceed \$68,517.87, from account number 7220-7312. Authorize the City Manager or designee to approve subsequent renewals in accordance with the terms of the contract.

ITEM 15

CONSENT CALENDAR

CHECK REGISTER NOS. 27, 28, 29, 30 AND 31

Approval of the Check Registers. Adopt **Resolution No. 05-104** to approve and ratify for payment the demands presented in Check Registers 27, 28, 29, 30 and 31.

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

On roll call vote:

Ayes: Ferry, McLean, Weste, Kellar, Smyth

Noes: None

Absent: None

Motion carried.

ITEM 16

PUBLIC HEARING

2005 CONGESTION MANAGEMENT PROGRAM LOCAL DEVELOPMENT REPORT

Mayor Smyth opened the public hearing.

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

Council consensus to waive staff presentation.

In report, Robert Newman, Director of Building and Engineering, 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 Smyth closed the public hearing.

Motion by Weste, second by Kellar, to adopt Resolution No. 05-105 finding the City to be in conformance with the Congestion Management Program; and direct staff to deliver the adopted resolution and the 2005 Local Development Report to the Los

Angeles County Metropolitan Transportation Authority on or before September 1, 2005.

On roll call vote:

Ayes: McLean, Weste, Kellar, Ferry, Smyth

Noes: None

Absent: None

Motion carried.

ITEM 17

UNFINISHED BUSINESS

NOMINATION AND APPOINTMENT OF PLANNING COMMISSIONER

Sharon Dawson, City Clerk, advised that as a result of Rick Winsman's resignation from the Planning Commission effective August 1, 2005, applications were accepted until Friday, August 12, 2005 for consideration of filling the vacancy.

Councilmember Kellar explained the committee review process utilized to fill this vacancy, thanked the committee members and nominated Bill Kennedy to fill the position.

No requests to speak were submitted on this item.

Motion by Kellar, second by Weste, to ratify the nomination of Bill Kennedy to fill an unexpired term on the Planning Commission (to July 31, 2008).

On roll call vote:

Ayes: Weste, Kellar, Ferry, McLean, Smyth

Noes: None

Absent: None

Motion carried.

Mr. Kennedy expressed his appreciation for the appointment and acknowledged the other applicants.

ITEM 18

UNFINISHED BUSINESS

REQUEST FOR PROPOSALS (RFP) FOR A FRANCHISE PROGRAM FOR TEMPORARY TRASH BIN AND ROLL-OFF BIN PROVIDERS

Travis Lange, Environmental Services Manager, advised that this item is to help bring the City into compliance with the 50 percent diversion goal as required by AB 939, the City is proposing a franchise system for temporary trash bin and roll-off bin providers. Staff has implemented the recommendations made by the Council during the July 12, 2005 Council meeting and is now requesting approval from the Council on the RFP.

No requests to speak were submitted on this item.

Motion by Kellar, second by Weste, to approve the proposed RFP and direct staff to proceed with the franchise process.

On roll call vote:
Ayes: Kellar, Ferry, Weste
Noes: McLean, Smyth
Absent: None
Motion carried.

ITEM 19

NEW BUSINESS

STATE LEGISLATION: SCA 15/ACA 22

Mayor Smyth advised that Senator Tom McClintock has introduced Senate Constitutional Amendment (SCA) 15 and Assembly Member Doug LaMalfa has introduced Assembly Constitutional Amendment (ACA) 22, identical measures which specify the conditions under which eminent domain may be used by a government jurisdiction.

Due to amendments being submitted today in the State legislature, Council consensus to table this item.

ADJOURNMENT

Mayor Smyth adjourned the meeting at 7:59 p.m.


FUTURE MEETINGS

A City Council Study Session will be held Tuesday, September 6, 2005 at 5:30 p.m. in the Century Room, 1st floor of City Hall, 23920 Valencia Blvd., Santa Clarita CA.

The next regular meeting of the City Council will be held Tuesday, September 13, 2005 at 6:00 p.m. in the Council Chamber, 1st floor of City Hall, 23920 Valencia Blvd., Santa Clarita, CA.


MAYOR

ATTEST:


CITY CLERK