

**CITY OF SANTA CLARITA
CITY COUNCIL / BOARD OF LIBRARY TRUSTEES
AND CITY COUNCIL ACTING AS THE GOVERNING BOARD OF
THE SUCCESSOR AGENCY TO THE FORMER SANTA CLARITA
REDEVELOPMENT AGENCY
JOINT REGULAR MEETING**

Tuesday, September 8, 2015

6:00 PM

City Council Chambers
23920 Valencia Blvd.
Santa Clarita, CA 91355

AGENDA

PUBLIC FINANCING AUTHORITY – No New Business

How to Address the City Council

You may address the Council during *Public Participation* on any matter within the Council's jurisdiction that is *not* listed on the agenda. Each person wishing to speak should prepare a presentation of not more than three (3) minutes. Public Participation speaker's cards must be submitted to the City Clerk BEFORE this portion of the meeting begins. Public Participation takes place before the consideration of the agenda items and following the consideration of agenda items. However, each person will be allowed to speak only one time during *Public Participation* per meeting.

Anyone wishing to address an *item* on the agenda should fill out a speaker's card and submit it to the City Clerk BEFORE the Mayor announces the item. Each person addressing the Council is given three (3) minutes to speak indicated by a colored light system on the Council dais; a green light appears when the speaker begins; a yellow light appears when 30 seconds remain and a red light appears when time has expired. Comments should be complete at this time. Each presentation may not exceed three (3) minutes.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, (661) 255-4391. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28CFR 35.102-35.104 ADA Title II)

INVOCATION

Boydston

CALL TO ORDER**ROLL CALL****FLAG SALUTE**

EXECUTIVE MEETING

This time has been set aside for Councilmembers to review the agenda and obtain any further information that may be needed. Council will also discuss each individual item during the course of the meeting with the exception of the Consent Calendar, which may be approved in its entirety by one motion, unless there is a request to pull an item for discussion. No action will be taken on public agenda items during the Executive Meeting.

APPROVAL OF AGENDA – Mayor to inquire whether there are any changes to the Agenda or if any member of the Council or the public would like to pull for discussion, any item on the Consent Calendar.

AWARDS AND RECOGNITIONS

Proclaim September 26 as Rubber Ducky Festival Day

Hispanic Heritage Month Proclamation

PUBLIC PARTICIPATION

This time has been set aside for the public to address the City Council on items NOT listed on the agenda. The City Council will not act upon these items at this meeting other than to review and/or provide direction to staff. All speakers must submit a speaker's card to the City Clerk PRIOR to the beginning of this portion of the meeting. Thirty minutes are allotted for public input at this time. The FIRST TEN people to submit a speaker card prior to the beginning of Public Participation will be heard. Speaker cards will be accepted beginning at 5:45 p.m. Any speaker cards received once the first speaker has begun will be heard at the end of the meeting regardless if the ten person limit has been met. Speakers may not exceed three (3) minutes and may only be heard once per meeting under Public Participation.

STAFF COMMENTS

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one motion by the City Council. The items are not individually discussed by the City Council unless a request is made by a member of the public or the Council, in which case, the item(s) will be removed from the Consent Calendar and will be considered separately.

1. **APPROVAL OF SPECIAL MEETING MINUTES** – The minutes are submitted for approval.

RECOMMENDED ACTION:

City Council approve the minutes of the August 25, 2015, Special Meeting.

2. **APPROVAL OF JOINT REGULAR MEETING MINUTES** – The minutes are submitted for approval.

RECOMMENDED ACTION:

City Council, Board of Library Trustees, and Successor Agency approve the minutes of the August 25, 2015, Joint Regular Meeting.

3. **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 agenda, Council may determine that the title has been read.

RECOMMENDED ACTION:

City Council determine that the titles to all ordinances which appear on this public agenda have been read and waive further reading.

4. **STATE LEGISLATION: ASSEMBLY BILL 1236** - If enacted, AB 1236 would require cities and counties with a population of 200,000 or greater to adopt by September 30, 2016, an ordinance establishing an expedited permitting process for electric vehicle charging stations. Cities and counties with populations less than 200,000 would be required to adopt an ordinance by September 30, 2017.

RECOMMENDED ACTION:

City Council adopt the City Council Legislative Subcommittee's recommendation to oppose Assembly Bill 1236 (Chiu) and transmit position statements to Assembly Member Chiu, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Brown, and the League of California Cities.

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5. **FIRST READING OF AN ORDINANCE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS** - First reading of an ordinance in accordance to Assembly Bill 2188, the Expedited Solar Permitting Act, to provide an expedited, streamlined permitting process for small residential rooftop solar energy systems.

RECOMMENDED ACTION:

City Council introduce and pass to second reading an ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, ADDING CHAPTER 25.02 OF TITLE 25, TO THE SANTA CLARITA MUNICIPAL CODE CONCERNING SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS.”

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6. **LOST CANYON ROAD BRIDGE WIDENING, CITY PROJECT S3029, FEDERAL PROJECT BHLO-5450(066) - APPROVE PLANS AND SPECIFICATIONS AND AWARD CONSTRUCTION AND CONSTRUCTION ENGINEERING SUPPORT CONTRACTS** - This project will widen the existing bridge over the Sand Canyon wash at Lost Canyon Road, west of Sand Canyon Road. The project consists of widening the bridge to accommodate roadway improvements that will include two 4-foot shoulders with two 12-foot travel lanes and a 10-foot-wide multi-use pathway for a future trail project connecting to Sand Canyon Road.

RECOMMENDED ACTION:

City Council:

1. Approve the plans and specifications for the Lost Canyon Road Bridge Widening, City Project S3029, Federal Project BHLO-5450(066).
2. Award the construction contract to John S. Meek Company, Inc., in the amount of \$979,593 and authorize a contingency in the amount of \$146,939 for a total contract amount not to exceed \$1,126,532.
3. Award the construction engineering support contract to Tetra Tech, Inc., in the amount of \$117,962 and authorize a contingency in the amount of \$11,796 for a total contract amount not to exceed \$129,758.
4. Increase expenditure and revenue accounts as follows: S3029229-5161.001 (Highway Bridge Program funds) by \$1,143,962; S3029233-5161.001 (TDA Article 8 funds) by \$157,678; S3029230-5161.001 (Gas Tax funds) by \$1,614; 229-4424.009 (Miscellaneous Federal Grant revenue) by \$1,143,962; and 233-4421.002 (TDA Article 8 revenue) by \$157,678.
5. Authorize the City Manager or designee to execute all necessary documents, subject to the approval of the City Attorney.

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7. **EXCESS BOND PROCEEDS EXPENDITURE AGREEMENT BETWEEN THE CITY AND THE REDEVELOPMENT SUCCESSOR AGENCY** - This Agreement is an administrative step in completing the wind-down of the former Redevelopment Agency, made necessary by a recent State Controller’s Office action detailed below and taken to comply with direction previously given by the California Department of Finance.

RECOMMENDED ACTION:

City Council and Successor Agency approve the Excess Bond Proceeds Expenditure Agreement (Agreement) transferring \$6,104,268 in “excess bond proceeds” from the Successor Agency to the City and requiring the City to utilize the “excess bond proceeds” to reimburse other funds currently allocated to the long-completed Newhall Library.

8. **CHECK REGISTER NO. 17 FOR THE PERIOD 07/24/15 THROUGH 08/06/15 AND 08/13/15. ELECTRONIC FUNDS TRANSFERS FOR THE PERIOD 07/31/15 THROUGH 08/13/15.** - Check Register No.17 for the Period 07/24/15 through 08/06/15 and 08/13/15.

Electronic Funds Transfers for the Period 07/31/15 through 08/13/15.

RECOMMENDED ACTION:

City Council approve and ratify for payment the demands presented in Check Register No. 17.

PUBLIC HEARINGS

9. **BOUQUET CANYON SENIOR APARTMENTS TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) HEARING** - Consideration of a Tax Equity and Fiscal Responsibility Act (TEFRA) Resolution approving the proposed financing of a multifamily housing project known as Bouquet Canyon Senior Apartments, through the issuance of bonds by the California Statewide Communities Development Authority (CSCDA).

RECOMMENDED ACTION:

City Council conduct a public hearing and adopt a Tax Equity and Financial Responsibility Act (TEFRA) resolution approving the issuance of tax-exempt obligations by the California Statewide Communities Development Authority (CSCDA) in an aggregate amount not to exceed \$39 million to finance the acquisition and rehabilitation of the Bouquet Canyon Senior Apartments.

PUBLIC PARTICIPATION

This time has been set aside for any speakers that have turned in speaker cards and *were not heard* in the first thirty minutes allotted to address the City Council on items that are NOT on the agenda. No further speaker cards will be accepted once Public Participation begins. Speakers may not address items that have been considered this evening. Speaker cards may not be submitted relating to any items listed on the agenda.

STAFF COMMENTS

ADJOURNMENT

In memory of Gary Wurst

FUTURE MEETINGS

The next regular meeting of the City Council will be held Tuesday, September 22, 2015, at 6:00 p.m. in the Council Chambers, 1st floor of City Hall, 23920 Valencia Blvd., Santa Clarita, CA.

CERTIFICATION

I, Kevin Tonoian, do hereby certify that I am the duly appointed and qualified City Clerk for the City of Santa Clarita and that on September 3, 2015, the foregoing agenda was posted at City Hall.

Kevin Tonoian
City Clerk
Santa Clarita, California



CITY OF SANTA CLARITA
City Council

Special Meeting
~ Minutes ~

Tuesday, August 25, 2015

5:00 PM

City Council Chambers

CALL TO ORDER

The meeting was called to order at 5:01 p.m. by Mayor Marsha McLean

ROLL CALL

All Councilmembers were present.

CLOSED SESSION

Joseph Montes, City Attorney, advised of the need to conduct a Closed Session for the purpose of holding a:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Jim Soliz and Rosemarie Sanchez-Fraser v. City of Santa Clarita;
and DOES 1-100, inclusive

Los Angeles County Superior Court - Central District Case No.: BC 512735

RECESS TO CLOSED SESSION

Mayor McLean recessed the meeting to Closed Session at 5:02 p.m.

RECONVENE TO OPEN SESSION

Mayor McLean reconvened the meeting to Open Session at 6:08 p.m.

CITY ATTORNEY ANNOUNCEMENT

City Attorney Montes announced that no action was taken in Closed Session that was required to be reported.

ADJOURN

Mayor McLean adjourned the meeting at 6:08 p.m.

ATTEST:

MAYOR

CITY CLERK

Minutes Acceptance: Minutes of Aug 25, 2015 5:00 PM (Consent Calendar)



CITY OF SANTA CLARITA
City Council / Board of Library Trustees / and
City Council Acting as the Governing Board of the Successor Agency to the
Former Santa Clarita Redevelopment Agency

Joint Regular Meeting
~ Minutes ~

Tuesday, August 25, 2015

6:00 PM

City Council Chambers

INVOCATION

Mayor McLean invited Sarah Kennedy and Kelsey Feldman from Yes I Can program to provide the invocation about friendship and acceptance.

CALL TO ORDER

Mayor/President/Chair McLean called to order the regular joint meeting of the City Council/Board of Library Trustees/Successor Agency at 6:15 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Mayor McLean led the flag salute.

EXECUTIVE MEETING

This time has been set aside for Councilmembers to review the agenda and obtain any further information that may be needed. Council will also discuss each individual item during the course of the meeting with the exception of the Consent Calendar, which may be approved in its entirety by one motion, unless there is a request to pull an item for discussion. No action will be taken on public agenda items during the Executive Meeting.

APPROVAL OF AGENDA

Mayor McLean requested a correction to the minutes of the July 14 regular meeting to update the Mayor's comments about the potential Measure R2.

Motion by Weste, second by Kellar, to approve the agenda, pulling item 4 for comment.

AWARDS AND RECOGNITIONS

Mayor McLean and Council recognized ATA Martial Arts Songahm World Expo Championship Winners Kierstin Kimbell and Andrei Mojica and presented them with certificates.

Mayor McLean and Council recognized the Sheriff's department team for rescuing a child from a perilous situation and presented them with certificates.

PUBLIC PARTICIPATION

Addressing the Council was Kevin Duxbury, representing veterans of Santa Clarita, regarding a request to relocate the Fallen Warrior plaque; Drake and Von Hougo, regarding pop-up libraries;

Minutes Acceptance: Minutes of Aug 25, 2015 6:00 PM (Consent Calendar)

Gene Dorio, Bill Reynolds, Sharon Ventrice, and Bob Slocum regarding a war memorial proposal; Bridgett Mills, representing Habitat for Humanity of San Fernando and Santa Clarita Valley, and Stephen Daniels regarding the war memorial proposal; and Alan Ferdman, representing Canyon Country Advisory Committee, regarding Laemmle Theatre negotiations.

Written comment cards were received from Jim Hougo in support of pop-up libraries, and Chuck Morris in support of the proposed war memorial proposal.

STAFF COMMENTS

City Manager Ken Striplin commented regarding the Fallen Warrior Bridge Memorial design and placement; commented on the pop-up libraries in the public right-of-way; commented on Laemmle Theatres stating information will be brought to the public after negotiations; and commented on Mr. Reynold's War Memorial proposal.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Boydston congratulated Henry Mayo Newhall Memorial Hospital on their 40th anniversary.

Mayor Pro Tem Kellar commented on Paul's Paint and Hardware moving to a new location within Canyon Country; recognized Henry Mayo Newhall Memorial Hospital on their 40th anniversary; and requested the meeting be adjourned in memory of Wyatt Savaikie.

Councilmember Acosta recognized Henry Mayo Newhall Memorial Hospital on the 40th anniversary and their STEMI Center and NICU; and provided accolades to staff and Congressman Steve Knight for presenting the Small Business Workshop and Expo at the Activities Center.

Councilmember Weste commented on illegal Fourth of July fireworks and their effects on the community and their pets; and commented on a recent Metrolink issue, inquired as to the process and system Metrolink utilizes to provide immediate notification to the City, Sheriff and Fire Department so our first responders have immediate notification and we can keep our citizens aware and safe, and ask Metrolink to let us know what can be done to improve this process.

Mayor McLean commented on the 10th annual Evening of Remembrance at the Youth Grove on September 9 at Central Park and that the Walk of Remembrance will begin at 6:45 p.m.; invited residents to participate at the River Rally Cleanup and Environmental Expo event on Saturday, September 19 at 8:00 a.m. behind the shopping center at 18386 Soledad Canyon Road and encouraged residents to visit www.greensantaclarita.com for more information; and requested the meeting be adjourned in memory of former City Attorney Carl Newton, and Wyatt Savaikie.

CONSENT CALENDAR

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob Kellar, Mayor Pro Tem
SECONDER:	TimBen Boydston, Councilmember
AYES:	Acosta, Boydston, Kellar, Weste, McLean

ITEM 1

APPROVAL OF SPECIAL MEETING MINUTES – The minutes are submitted for approval.

RECOMMENDED ACTION: City Council approve the minutes of the July 14, 2015, Special Meeting.

ITEM 2

APPROVAL OF JOINT REGULAR MEETING MINUTES – The minutes are submitted for approval. **RECOMMENDED ACTION:** City Council, Board of Library Trustees, and Successor Agency approve the minutes of July 14, 2015, Joint Regular Meeting.

ITEM 3

CONTRACT AWARD FOR SEASONS MAGAZINE PRINTING

Award a contract for the printing of the City's SEASONS magazine, which provides listings of sports, programs and recreation offerings, as well as information about what is happening in the City of Santa Clarita. SEASONS is mailed to every household in the City on a quarterly basis.

RECOMMENDED ACTION:

City Council:

1. Award a one-year contract to QWP Direct Mail Services, Inc. (Mellady Direct Marketing), a local Santa Clarita business, for the printing of the City's award-winning SEASONS magazine in the amount of \$152,352, inclusive of \$38,088 for printing the fall 2016 edition which will be funded as part of the Fiscal Year 2016-17 budget, authorize a 5% contingency in the amount of \$7,616, for a total not-to-exceed \$159,968.
 2. Authorize the City Manager or designee to modify the award in the event other issues of impossibility of performance arises, subject to the City Attorney approval.
 3. Authorize the City Manager or designee to execute all documents, including subsequent annual renewals, in accordance with the terms of the contract, contingent upon the appropriation of funds by the City Council as part of the annual budget during subsequent Fiscal Years, subject to City Attorney approval.
-

ITEM 4**AUTHORIZATION TO EXECUTE A THIRD AMENDMENT TO THE GROUND LEASE FOR TEMPORARY FIRE STATION 104**

Authorize a third amendment to the existing Ground Lease Agreement with the County of Los Angeles for approximately two acres of land to be used by the Los Angeles County Fire Department for the purpose of housing temporary Fire Station 104 on real property located at 26201 Golden Valley Road.

RECOMMENDED ACTION:

City Council:

1. Authorize the City Manager or designee to execute, on behalf of the City, a Ground Lease Agreement for a three year term, with the County of Los Angeles in the amount of \$1.00 per year for approximately two acres of land to be used by the Los Angeles County Fire Department for the purpose of housing temporary Fire Station 104 on real property located at 26201 Golden Valley Road, subject to City Attorney approval.
2. Authorize the City Manager or designee to execute a one-year renewal option if needed, subject to City Attorney approval.

Councilmember Weste made comment about the conditions of the temporary buildings that houses the fire station personnel.

ITEM 5**VISTA CANYON REGIONAL TRANSIT CENTER, PROJECT T3021 - AWARD DESIGN CONTRACT**

This action will fund the design of the City's Vista Canyon Regional Transit Center project, which will provide a bus transfer facility within the Vista Canyon development in Canyon Country to enhance service to the east side of the Santa Clarita Valley. The project consists of a seven-bay bus transfer station with amenities, such as canopies, restrooms, lighting, bike lockers, benches, real-time bus arrival monitors, and landscaping.

RECOMMENDED ACTION:

City Council:

1. Award the design contract to Tetra Tech, Inc., for the Vista Canyon Regional Transit Center, Project T3021, in the amount of \$391,930 and authorize a contingency in the amount of \$58,790 for a total contract amount not to exceed \$450,720.
2. Authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 6**CITYWIDE MEDIAN TURF REMOVAL, PROJECT B0014 - AWARD CONCEPT DESIGN CONTRACT**

This action will fund the concept design of the Citywide Median Turf Removal project. This project will remove existing turf in medians throughout the City of Santa Clarita. Existing turf will be replaced with drought tolerant plant material; irrigation systems will be replaced with new, efficient irrigation systems.

RECOMMENDED ACTION:

City Council:

1. Award the concept design contract to ValleyCrest Design Group for the Citywide Median Turf Removal, Project B0014 in the amount of \$340,318 and authorize a contingency in the amount of \$68,000 for a total contract amount not to exceed \$408,318.
2. Appropriate \$498,300 from Landscape Maintenance District 2008-1 fund balance to expenditure account B0014357-5161.001.
3. Authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 7**RESOLUTION TO ESTABLISH NO-STOPPING ANYTIME ZONE ALONG THE EAST SIDE OF CENTRE POINTE PARKWAY BETWEEN GOLDEN TRIANGLE ROAD AND SPIRIT COURT**

The City of Santa Clarita received a request from the William S. Hart School District to establish a no-stopping anytime zone along the east side of Centre Pointe Parkway between Golden Triangle Road and Spirit Court.

RECOMMENDED ACTION:

City Council adopt a resolution establishing a no-stopping anytime zone along the east side of Centre Pointe Parkway extending from 145 feet south of Golden Triangle Road to 726 feet north of Spirit Court for a total length of 964 feet.

Adopted Resolution No. 15-57**ITEM 8****RESOLUTION TO ESTABLISH NO-STOPPING ANYTIME ZONE ON MAGIC MOUNTAIN PARKWAY IN FRONT OF THE HONDA DEALERSHIP**

Establish no-stopping zone for required striping modification project to accommodate installation of second left-turn lane on westbound Magic Mountain Parkway at Valencia Boulevard.

RECOMMENDED ACTION:

City Council adopt a resolution establishing a no-stopping anytime zone along the north side of Magic Mountain Parkway from 283 feet east of Valencia Blvd to 827 feet easterly.

Adopted Resolution No. 15-58**ITEM 9**

EXECUTE RENEWAL OPTION FOR LANDSCAPE MAINTENANCE DISTRICT (LMD) CONTRACT 13-00317 TO PROVIDE LANDSCAPE MAINTENANCE SERVICES FOR ZONES T-20, T-44, T-48, T-62, T-67, T-71, AND T-72

Consideration of approval of renewal option for Landscape Maintenance District (LMD) Contract No. 13-14-01 for landscape maintenance serviced by Venco Western. Terms of this existing contract encompass three (3), one-year renewal options.

RECOMMENDED ACTION:

City Council:

1. Approve renewal option for landscape services under contract 13-00317 to Venco Western for landscape maintenance services encompassing Landscape Maintenance District (LMD) Zones T-20, T-44, T-48, T-62, T-67, T-71, and T-72 in the amount of \$263,148; include a Consumer Price Index (CPI) request of 1%, equaling \$2,631; and authorize a contingency amount of \$52,629 for a total annual amount not to exceed \$318,408.
2. Authorize the City Manager or designee to execute all contracts and associated documents, contingent upon the appropriation of funds by the City Council in the annual budget for such Fiscal Year, and execute all documents subject to City Attorney approval.
3. Authorize the City Manager or designee to execute up to two (2) annual renewal options not to exceed the annual bid amounts, plus CPI adjustments.

ITEM 10

CHECK REGISTER NO. 14 FOR THE PERIOD 06/12/15 THROUGH 06/25/15 AND 07/02/15. ELECTRONIC FUNDS TRANSFERS FOR THE PERIOD 06/19/15 THROUGH 07/02/15. CHECK REGISTER NO. 15 FOR THE PERIOD 6/26/15 THROUGH 07/09/15 AND 07/16/15. ELECTRONIC FUNDS TRANSFERS FOR THE PERIOD 07/03/15 THROUGH 07/16/15. CHECK REGISTER NO. 16 FOR THE PERIOD 07/10/15 THROUGH 07/23/15 AND 07/30/15. ELECTRONIC FUNDS TRANSFERS FOR THE PERIOD 07/17/15 THROUGH 07/30/15.

Check Register No.14 for the Period 06/12/15 through 06/25/15 and 07/02/15.

Electronic Funds Transfers for the Period 06/19/15 through 07/02/15.

Check Register No. 15 for the Period 06/25/15 through 07/09/15 and 07/16/15.

Electronic Funds Transfers for the Period 07/03/15 through 07/16/15.

Check Register No. 16 for the Period 07/10/15 through 07/30/15 and 07/30/15.

Electronic Funds Transfers for the Period 07/17/15 through 07/30/15.

RECOMMENDED ACTION:

City Council approve and ratify for payment the demands presented in Check Register Nos. 14, 15, and 16.

PUBLIC PARTICIPATION II

Addressing the Council was Dana Schlumpberger regarding parking in Newhall; David Keating, Ana Keating, Mylene Aboulafia, James Aboulafia, and Chermaine Fontonette, regarding noise and trespassing from clients of the Santa Clarita Soccer Center adjacent to the Villa Metro community; and Steve Petzold regarding various topics.

Written Comments cards were received from Jacob Crusson, Luc Landrum, John Vierra, Emma Bahr, Christopher James Westenhofer, Luke Wilke, and Ryan Tate, in support of pop-up libraries; and Robin Clough and Michael Mayo in support of a proposed war memorial.

STAFF COMMENTS

City Manager Ken Striplin commented regarding Villa Metro, indicated City staff has been working with residents on enforcement issues, working with the developer on remedies, and commented he was scheduled to meet with Mr. and Mrs. Keating to discuss their concerns.

Councilmember Boydston requested a copy of the Santa Clarita Soccer Center's permit.

Council commented on quality of life issues for the Villa Metro residents and the City's attempts to resolve the issue.

ADJOURNMENT

Mayor McLean adjourned in memory of Carl Newton and Wyatt Savaikie at 7:53 p.m.

ATTEST:

MAYOR

CITY CLERK

Minutes Acceptance: Minutes of Aug 25, 2015 6:00 PM (Consent Calendar)

Agenda Item: 3

**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT
CALENDAR

Ken Stripling

APPROVAL:

DATE: September 8, 2015

SUBJECT: READING OF ORDINANCE TITLES

DEPARTMENT: Administrative Services

PRESENTER: Kevin Tonoian

RECOMMENDED ACTION

City Council determine that the titles to all ordinances which appear on this public agenda have been read and waive further reading.

BACKGROUND

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. In addition, by placing an item on the Consent Calendar to waive further reading of all ordinances whose titles appear on the public agenda, the reading requirement set forth in the Government Code is satisfied once Council approves the Consent Calendar item.

This provides an opportunity to streamline the process and shorten Council meetings and is in compliance with the Government Code regarding the introduction and adoption of ordinances.

ALTERNATIVE ACTION

The City Attorney or City Clerk would read aloud all ordinance titles prior to Council introducing or adopting any ordinance.

FISCAL IMPACT

None by this action.



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT
CALENDAR

Ken Stripling

APPROVAL:

DATE: September 8, 2015

SUBJECT: STATE LEGISLATION: ASSEMBLY BILL 1236

DEPARTMENT: City Manager's Office

PRESENTER: Michael Murphy

RECOMMENDED ACTION

City Council adopt the City Council Legislative Subcommittee's recommendation to oppose Assembly Bill 1236 (Chiu) and transmit position statements to Assembly Member Chiu, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Brown, and the League of California Cities.

BACKGROUND

Assembly Bill 1236 (AB 1236) was introduced by Assembly Member David Chiu (D-17-San Francisco) on February 27, 2015.

If enacted, AB 1236 would require cities and counties with a population of 200,000 or greater to adopt by September 30, 2016, an ordinance establishing an expedited permitting process for electric vehicle charging stations. Cities and counties with populations less than 200,000 would be required to adopt an ordinance by September 30, 2017.

More specifically, the provisions of AB 1236 require that a streamlined permitting process include a checklist of all requirements with which electric vehicle charging stations shall comply in order to be eligible for expedited review, and allow for electronic signature and submittal of applications. Review of a permit application by cities and counties would be limited to compliance with health and safety standards. Upon receipt of a complete application, AB 1236 would require every city and county to approve the installation of electric vehicle charging stations unless the city or county makes written findings, based on substantial evidence, that the proposed installation would have an adverse impact upon the public health or safety and that those impacts cannot be mitigated.

AB 1236 would create an additional category of building permits that are required to receive preferential treatment by cities and counties, further eroding local control by imposing a new

state mandate that is in addition to the passage of Assembly Bill 2188 (AB 2188) Chapter 521, Statutes of 2014, requiring cities and counties to adopt an ordinance allowing for streamlined permitting of residential rooftop solar systems. The new requirements that would be imposed under AB 1236 come during a period when local governments are still in the process of adopting ordinances to be in compliance with AB 2188. The City currently processes approximately 100 applications for rooftop solar systems per month; however, AB 1236 does not provide explanation as to how cities and counties are to determine which permit applications are to receive preference over the other, establishing competing categories for permit review.

The City Council has previously expressed support for developing and enhancing alternative fueling stations in Santa Clarita. There is a concern relative to a new state mandate limiting local authority by requiring that permitting for electric vehicle charging stations be handled in a specified preferential manner.

AB 1236 is currently awaiting second reading in the Senate prior to being taken up for a vote. The League of California Cities has taken an “oppose unless amended” position on the bill due to concerns over the costs associated with adopting an ordinance and how the bill would set a tiered level of service for permit review.

The City Council Legislative Subcommittee met on August 31, 2015, and recommends that the City Council adopt an “oppose” position for AB 1236

ALTERNATIVE ACTION

1. Adopt a "Support" position on AB 1236
2. Take no position on AB 1236
3. Refer AB 1236 back to the Legislative Subcommittee
4. Other direction as determined by the City Council

FISCAL IMPACT

No additional resources, beyond those contained within the adopted FY 2015/16 City budget, are required for implementation of the recommended action.

ATTACHMENTS

Assembly Bill 1236, as amended August 27, 2015

AMENDED IN SENATE AUGUST 27, 2015

AMENDED IN SENATE AUGUST 18, 2015

AMENDED IN SENATE JULY 9, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1236

**Introduced by Assembly Members Chiu and Low
(Coauthor: Assembly Member Linder)**

February 27, 2015

An act to add Section 65850.7 to the Government Code, relating to local ordinances.

LEGISLATIVE COUNSEL'S DIGEST

AB 1236, as amended, Chiu. Local ordinances: electric vehicle charging stations.

The Planning and Zoning Law, among other things, requires the legislative body of each county and city to adopt a general plan for the physical development of the county or city and authorizes the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities. Existing law, the Electric Vehicle Charging Stations Open Access Act, prohibits the charging of a subscription fee on persons desiring to use an electric vehicle charging station, as defined, and prohibits a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station, except as specified.

The bill would require a city, county, or city and county to approve an application for the installation of electric vehicle charging stations,

as defined, through the issuance of specified permits unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The bill would provide for appeal of that decision to the planning commission, as specified. The bill would provide that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern. The bill would require electric vehicle charging stations to meet specified standards. The bill would require a city, county, or city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that creates an expedited and streamlined permitting process for electric vehicle charging stations, as specified. The bill would require a city, county, or city and county with a population of less than 200,000 residents to adopt this ordinance by September 30, 2017. *The bill would authorize the city, county, or city and county, in developing the ordinance, to refer to guidelines contained in a specified guidebook. The bill would also authorize the adoption of an ordinance that modifies the checklists and standards found in the guidebook due to unique conditions.* By increasing the duties of local officials, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 65850.7 is added to the Government
- 2 Code, to read:
- 3 65850.7. (a) The Legislature finds and declares all of the
- 4 following:
- 5 (1) The implementation of consistent statewide standards to
- 6 achieve the timely and cost-effective installation of electric vehicle
- 7 charging stations is not a municipal affair, as that term is used in

1 Section 5 of Article XI of the California Constitution, but is instead
2 a matter of statewide concern.

3 (2) It is the intent of the Legislature that local agencies not adopt
4 ordinances that create unreasonable barriers to the installation of
5 electric vehicle charging stations and not unreasonably restrict the
6 ability of homeowners and agricultural and business concerns to
7 install electric vehicle charging stations.

8 (3) It is the policy of the state to promote and encourage the use
9 of electric vehicle charging stations and to limit obstacles to their
10 use.

11 (4) It is the intent of the Legislature that local agencies comply
12 not only with the language of this section, but also the legislative
13 intent to encourage the installation of electric vehicle charging
14 stations by removing obstacles to, and minimizing costs of,
15 permitting for ~~such~~ charging stations.

16 (b) A city, county, or city and county shall administratively
17 approve an application to install electric vehicle charging stations
18 through the issuance of a building permit or similar
19 nondiscretionary permit. Review of the application to install an
20 electric vehicle charging station shall be limited to the building
21 official's review of whether it meets all health and safety
22 requirements of local, state, and federal law. The requirements of
23 local law shall be limited to those standards and regulations
24 necessary to ensure that the electric vehicle charging station will
25 not have a specific, adverse impact upon the public health or safety.
26 However, if the building official of the city, county, or city and
27 county makes a finding, based on substantial evidence, that the
28 electric vehicle charging station could have a specific, adverse
29 impact upon the public health or safety, the city, county, or city
30 and county may require the applicant to apply for a use permit.

31 (c) A city, county, or city and county may not deny an
32 application for a use permit to install an electric vehicle charging
33 station unless it makes written findings based upon substantial
34 evidence in the record that the proposed installation would have
35 a specific, adverse impact upon the public health or safety, and
36 there is no feasible method to satisfactorily mitigate or avoid the
37 specific, adverse impact. The findings shall include the basis for
38 the rejection of potential feasible alternatives of preventing the
39 adverse impact.

1 (d) The decision of the building official pursuant to subdivisions
2 (b) and (c) may be appealed to the planning commission of the
3 city, county, or city and county.

4 (e) Any conditions imposed on an application to install an
5 electric vehicle charging station shall be designed to mitigate the
6 specific, adverse impact upon the public health or safety at the
7 lowest cost possible.

8 (f) (1) An electric vehicle charging station shall meet applicable
9 health and safety standards and requirements imposed by state and
10 local permitting authorities.

11 (2) An electric vehicle charging station shall meet all applicable
12 safety and performance standards established by the California
13 Electrical Code, the Institute of Electrical and Electronics
14 Engineers, and accredited testing laboratories such as Underwriters
15 Laboratories and, where applicable, rules of the Public Utilities
16 Commission regarding safety and reliability.

17 (g) (1) On or before September 30, 2016, every city, county,
18 or city and county with a population of 200,000 or more residents,
19 and, on or before September 30, 2017, every city, county, or city
20 and county with a population of less than 200,000 residents, shall,
21 in consultation with the local fire department or district and the
22 utility director, if the city, county, or city and county operates a
23 utility, adopt an ordinance, consistent with the goals and intent of
24 this section, that creates an expedited, streamlined permitting
25 process for electric vehicle charging stations. In developing an
26 expedited permitting process, the city, county, or city and county
27 shall adopt a checklist of all requirements with which electric
28 vehicle charging stations shall comply to be eligible for expedited
29 review. An application that satisfies the information requirements
30 in the checklist, as determined by the city, county, or city and
31 county, shall be deemed complete. Upon confirmation by the city,
32 county, or city and county of the application and supporting
33 documents being complete and meeting the requirements of the
34 checklist, and consistent with the ordinance, a city, county, or city
35 and county shall, consistent with subdivision (b), approve the
36 application and issue all required permits or authorizations.
37 However, the city, county, or city and county may establish a
38 process to prioritize competing applications for expedited permits.
39 Upon receipt of an incomplete application, a city, county, or city
40 and county shall issue a written correction notice detailing all

1 deficiencies in the application and any additional information
 2 required to be eligible for expedited permit issuance. ~~A city,~~
 3 ~~county, or city and county, that owns and operates electric utility~~
 4 ~~services within its service territory shall comply with the electric~~
 5 ~~utility interconnection policy. An application submitted to a city,~~
 6 ~~county, or city and county that owns and operates an electric utility~~
 7 ~~shall demonstrate compliance with the utility's interconnection~~
 8 ~~policies prior to approval.~~

9 (2) The checklist and required permitting documentation shall
 10 be published on a publicly accessible Internet Web site, if the city,
 11 county, or city and county has an Internet Web site, and the city,
 12 county, or city and county shall allow for electronic submittal of
 13 a permit application and associated documentation, and shall
 14 authorize the electronic signature on all forms, applications, and
 15 other documentation in lieu of a wet signature by an applicant. In
 16 developing the ordinance, the city, county, or city and county may
 17 ~~reasonably conform its expedited, streamlined permitting process~~
 18 ~~with the recommendations for expedited permitting, including the~~
 19 ~~checklists and standard plans refer to the recommendations~~
 20 contained in the most current version of the “Plug-In Electric
 21 Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission
 22 Vehicles in California: Community Readiness Guidebook”
 23 published by the ~~Governor's~~ Office of Planning and Research. A
 24 city, county, or city and county may adopt an ordinance that
 25 modifies the checklists and standards found in the guidebook due
 26 to unique climactic, geological, seismological, or topographical
 27 conditions. If a city, county, or city and county determines that it
 28 is unable to authorize the acceptance of an electronic signature on
 29 all forms, applications, and other documents in lieu of a wet
 30 signature by an applicant, the city, county, or city and county shall
 31 state, in the ordinance required under this subdivision, the reasons
 32 for its inability to accept electronic signatures and acceptance of
 33 an electronic signature shall not be required.

34 (h) A city, county, or city and county shall not condition
 35 approval for any electric vehicle charging station permit on the
 36 approval of an electric vehicle charging station by an association,
 37 as that term is defined in Section 4080 of the Civil Code.

38 (i) The following definitions shall apply to this section:

39 (1) “A feasible method to satisfactorily mitigate or avoid the
 40 specific, adverse impact” includes, but is not limited to, any

1 cost-effective method, condition, or mitigation imposed by a city,
 2 county, or city and county on another similarly situated application
 3 in a prior successful application for a permit.

4 (2) “Electronic submittal” means the utilization of one or more
 5 of the following:

6 (A) Email.

7 (B) The Internet.

8 (C) Facsimile.

9 (3) “Electric vehicle charging station” or “charging station”
 10 means any level of electric vehicle supply equipment station that
 11 is designed and built in compliance with Article 625 of the
 12 California Electrical Code, as it reads on the effective date of this
 13 section, and delivers electricity from a source outside an electric
 14 vehicle into a plug-in electric vehicle.

15 (4) “Specific, adverse impact” means a significant, quantifiable,
 16 direct, and unavoidable impact, based on objective, identified, and
 17 written public health or safety standards, policies, or conditions
 18 as they existed on the date the application was deemed complete.

19 SEC. 2. No reimbursement is required by this act pursuant to
 20 Section 6 of Article XIII B of the California Constitution because
 21 a local agency or school district has the authority to levy service
 22 charges, fees, or assessments sufficient to pay for the program or
 23 level of service mandated by this act, within the meaning of Section
 24 17556 of the Government Code.

O



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT
CALENDAR

Ken Stripless

APPROVAL:

DATE: September 8, 2015

SUBJECT: FIRST READING OF AN ORDINANCE TO PROVIDE AN
EXPEDITED, STREAMLINED PERMITTING PROCESS FOR
SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS

DEPARTMENT: Public Works

PRESENTER: Ruben Barrera

RECOMMENDED ACTION

City Council introduce and pass to second reading an ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, ADDING CHAPTER 25.02 OF TITLE 25, TO THE SANTA CLARITA MUNICIPAL CODE CONCERNING SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS.”

BACKGROUND

On September 21, 2014, Governor Jerry Brown signed into law Assembly Bill (AB) 2188, the Expedited Solar Permitting Act, modifying the Solar Rights Act of 1978. The intent of this new law is to promote and encourage the installation and use of solar energy systems by minimizing obstacles to the permit and inspection process.

AB 2188 requires local jurisdictions adopt an ordinance that creates a streamlined, expedited permitting process for small residential rooftop solar energy systems that substantially conforms to recommendations contained in the current version of the California Solar Permitting Guidebook.

Currently the City of Santa Clarita (City) accepts and approves such applications at the City’s Permit Center and/or electronically through the City’s website. The City has been very proactive in expediting the permitting process and providing timely inspections for such installations. However, the City is required to adopt an ordinance that codifies the requirements set forth in AB 2188.

AB 2188 provisions include the following:

- Requires the local jurisdiction provide a checklist of requirements for a solar energy system to be eligible for expedited review. The checklist and required permitting documents must be available on the City's website.
- Requires the City Building Official approve an application and issue a permit in a timely manner upon determining the application is complete and meets all prescribed requirements.
- Allows for electronic submittal of the expedited permit documents.
- Allows for the use of electronic signatures on relevant permitting documents.
- Requires a single inspection, subject to certain exceptions, that must be performed in a timely manner.
- Prohibits the City from restricting or prohibiting the installation of such systems regardless of a local homeowner association restriction.

In an effort to further streamline the review process for these projects, the City has assumed the responsibility for reviewing applications for small residential rooftop solar energy systems for conformance with applicable Fire Department requirements. The local Fire Prevention Office previously conducted these reviews. The change has resulted in a significant time savings for customers obtaining permits for solar energy systems.

By adopting this ordinance, the City Council will not only satisfy the requirements of AB 2188 but will promote and encourage the installation of solar energy systems within the City of Santa Clarita and help meet the climate action goals set by the state.

ALTERNATIVE ACTION

Other action as directed by the City Council.

FISCAL IMPACT

There is no anticipated fiscal impact, as the costs would be recovered through existing building permit fees.

ATTACHMENTS

Ordinance

ORDINANCE NO. 15-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA,
 ADDING CHAPTER 25.02 OF TITLE 25, TO THE SANTA CLARITA MUNICIPAL CODE
 CONCERNING SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS

WHEREAS, the City Council of the City of Santa Clarita wishes to advance the use of solar energy by all of its citizens, businesses, and industries; and

WHEREAS, the City Council of the City of Santa Clarita seeks to meet the climate action goals set by the State; and

WHEREAS, the City Council of the City of Santa Clarita recognizes solar energy provides reliable energy and pricing for its residents and businesses; and

WHEREAS, solar energy systems create local jobs and economic opportunity; and

WHEREAS, it is in the interest of the health, welfare, and safety of the people of the City of Santa Clarita to provide an expedited permitting process to assure the effective deployment of solar technology; and

WHEREAS, the City Council of the City of Santa Clarita seeks to implement Assembly Bill 2188 (Chapter 521, Statutes 2014) through the creation of an expedited, streamlined permitting process for small residential rooftop solar energy systems.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA CLARITA,
 CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That Chapter 25.02 of Title 25 is added to the Santa Clarita Municipal Code to read as follows:

Chapter 25.02 SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS

25.02.010 PURPOSE

The purpose of this chapter is to provide an expedited, streamlined solar permitting process that complies with the Solar Rights Act and Assembly Bill 2188 (Chapter 521, Statutes 2014) to achieve timely and cost-effective installations of small residential rooftop solar energy systems.

25.02.020 APPLICABILITY

This chapter applies to the permitting and inspecting of all small residential rooftop solar energy systems in the City of Santa Clarita.

25.02.030 DEFINITIONS

1. A “small residential rooftop solar energy system” means a solar energy system that meets all of the following:
 - a. The system is installed on the roof of a single or duplex family dwelling.
 - b. The system is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
2. “Electronic submittal” means the utilization of one or more of the following:
 - a. The City of Santa Clarita’s ePlans system
 - b. Email

- c. The internet
- d. Facsimile

25.02.040 SOLAR ENERGY SYSTEM REQUIREMENTS

1. A solar energy system designed for producing electricity shall meet all applicable safety and performance standards established by:
 - a. The City of Santa Clarita Electrical Code
 - b. The City of Santa Clarita Building Code
 - c. The City of Santa Clarita Fire Code
2. The module array or individual solar panel shall not exceed the maximum legal building height as defined by the Santa Clarita Municipal Code.
3. The system shall be tested and labeled by an accredited testing laboratory such as Underwriters Laboratories, and be installed in accordance with any applicable rules of the Public Utilities Commission.
4. A solar energy system for heating water in a single family residence and solar collectors used for heating water in swimming pool applications shall be certified by an accredited listing agency as defined by the City of Santa Clarita Plumbing and Mechanical Codes.

25.02.050 SUBMITTAL DOCUMENTS

All forms, checklists, or other documentation required for the submission of an expedited solar energy system application shall be made available to the public on the City of Santa Clarita's website. All required documents may be submitted either in paper hard copy format or as an electronic submittal.

25.02.060 ELIGIBILITY CHECKLIST

To be eligible for expedited solar photovoltaic (PV) permitting a small residential rooftop solar energy system must comply with all of the following requirements:

1. General Requirements
 - a. The system size is 10 kW AC CEC rating or less.
 - b. The solar array is roof-mounted on a one- or two-family dwelling or accessory structure.
 - c. The solar panel/module arrays will not exceed the maximum legal building height.
 - d. The solar system is utility interactive and without battery storage.
 - e. A completed application for a permit from the City of Santa Clarita is attached with the required documentation.
2. Electrical Requirements
 - a. No more than four PV module strings are connected to each Maximum Power Point Tracking (MPPT) input where source circuit fusing is included in the inverter.
 - b. No more than two strings per MPPT input where source circuit fusing is not included in the inverter.
 - c. Fuses (if needed) are rated to the series fuse rating of the PV module.
 - d. No more than one noninverter-integrated DC combiner is utilized per inverter.
 - e. For central inverter systems, no more than two inverters are utilized.
 - f. The PV system is interconnected to a single-phase AC service panel of nominal 120/220 Vac with a bus bar rating of 225 A or less.

- g. The PV system is connected to the load side of the utility distribution equipment.
 - h. A Solar PV Standard Plan and supporting documentation is completed and attached to the application.
3. Structural Requirements
The applicant has verified through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, dead, and live loads associated with the system to the roof and building structure and foundation. Supporting documentation is available if requested.
4. Fire Safety Requirements
- a. Clear access pathways are provided and shown on the roof plan around the rooftop system in accordance with Los Angeles County Fire Department requirements.
 - b. The fire classification of the solar system meets the requirements for a Class ‘B’ roof or, if located in the City’s Fire Zone, the requirements for a Class ‘A’ roof.
 - c. Any new roofing installed shall meet or exceed the existing roof’s fire safety classification for Class ‘A’ or Class ‘B’ materials.
 - d. A note must be shown on the plans that all required markings and labels will be provided to the building inspector in the field.
 - e. A diagram of the roof layout of all panels, modules, clear access pathways and approximate locations of electrical disconnecting means and roof access points is completed and attached.

25.02.070 PLAN REVIEW AND PERMIT ISSUANCE

1. An application with associated plans, drawings, and other documentation that satisfies all requirements set forth in the eligibility checklist for expedited permitting shall be deemed complete upon review of the associated documents by the City Building Official. Such review shall be performed in a timely manner and in conformance with Assembly Bill 2188 (Chapter 521, Statutes 2014). Should the application be deemed incomplete, the City Building Official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
2. Upon confirmation by the City Building Official of the application and supporting documentation being complete and meeting the requirements of the checklist, the City Building Official shall administratively approve the application and issue a permit to perform the work.
3. Such approval for the installation of the solar PV system does not authorize an applicant to connect the energy system to the local utility provider’s electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.
4. The City of Santa Clarita shall not condition approval of an application on the approval of a homeowner’s association, as defined in Section 4080 of the Civil Code.

25.02.080 INSPECTIONS

1. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required. The inspection shall be performed in a timely manner

and will be scheduled within two (2) business days of a request. A four (4) hour inspection window may be provided upon request.

- 2. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however, the subsequent inspection need not conform to the requirements of this subsection.
- 3. A reinspection fee may be assessed under any of the following conditions:
 - a. The installation is not complete and ready for inspection at the scheduled time.
 - b. The equipment is not open and accessible for the inspector to view at the time of inspection.
 - c. The inspection has failed on two previous occasions.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days from its passage and adoption.

SECTION 3. SEVERABILITY. If any portion of this chapter is found to be unconstitutional or invalid, the City Council hereby declares that it would have enacted the remainder of this chapter regardless of the absence of any such invalid part.

SECTION 4. The City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published as required by law.

PASSED, APPROVED, AND ADOPTED this day of 2015.

MAYOR

ATTEST:

CITY CLERK

DATE:_____

Attachment: Ordinance (1179 : Solar Permitting Ordinance- First Reading)

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SANTA CLARITA)

I, Kevin Tonoian, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Ordinance 15- was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the day of 2015. That thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council on the day of 2015, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

AND I FURTHER CERTIFY that the foregoing is the original of Ordinance and was published in The Signal newspaper in accordance with State Law (G.C. 40806).

CITY CLERK

Attachment: Ordinance (1179 : Solar Permitting Ordinance- First Reading)

Agenda Item: 6

**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT
CALENDAR

APPROVAL:

Ken Strippler

DATE:

September 8, 2015

SUBJECT:

LOST CANYON ROAD BRIDGE WIDENING, CITY PROJECT S3029, FEDERAL PROJECT BHLO-5450(066) - APPROVE PLANS AND SPECIFICATIONS AND AWARD CONSTRUCTION AND CONSTRUCTION ENGINEERING SUPPORT CONTRACTS

DEPARTMENT:

Public Works

PRESENTER:

Damon Letz

RECOMMENDED ACTION

City Council:

1. Approve the plans and specifications for the Lost Canyon Road Bridge Widening, City Project S3029, Federal Project BHLO-5450(066).
2. Award the construction contract to John S. Meek Company, Inc., in the amount of \$979,593 and authorize a contingency in the amount of \$146,939 for a total contract amount not to exceed \$1,126,532.
3. Award the construction engineering support contract to Tetra Tech, Inc., in the amount of \$117,962 and authorize a contingency in the amount of \$11,796 for a total contract amount not to exceed \$129,758.
4. Increase expenditure and revenue accounts as follows: S3029229-5161.001 (Highway Bridge Program funds) by \$1,143,962; S3029233-5161.001 (TDA Article 8 funds) by \$157,678; S3029230-5161.001 (Gas Tax funds) by \$1,614; 229-4424.009 (Miscellaneous Federal Grant revenue) by \$1,143,962; and 233-4421.002 (TDA Article 8 revenue) by \$157,678.
5. Authorize the City Manager or designee to execute all necessary documents, subject to the approval of the City Attorney.

BACKGROUND

The existing Lost Canyon Road bridge over the Sand Canyon wash (Los Angeles County Bridge B1318) was constructed in 1960. The structure has a two-way asphalt road surface with metal guard rails along each side. In their semi-annual inspection, Los Angeles County identified this bridge as Functionally Obsolete. Functionally Obsolete is a term used to describe the operation of the bridge, not its structural integrity.

This project will widen the bridge by an additional 16 feet. Upon completion, the bridge will have two 4-foot shoulders, two 12-foot travel lanes, and a 10-foot wide multi-use path to accommodate a future trail project connecting to Sand Canyon Road. This project is funded by a grant from the Federal Highway Administration. This project supports the “Sustaining Public Infrastructure” theme of the City of Santa Clarita’s (City) five-year strategic plan, Santa Clarita 2020.

In an effort to reduce the impact the project may have on traffic in the area, staff has carefully phased the project to maintain an open driving lane in each direction at all times during construction.

An invitation to bid was published three times: June 15, 19, and 24, 2015, and was advertised on the City’s website. There were a total of eight bids submitted to the City and opened by Purchasing on July 29, 2015. The bid results are shown below:

<u>Company</u>	<u>Location</u>	<u>Base Bid</u>
John S. Meek Company, Inc.	Gardena, CA	\$ 979,593.25
C.A. Rasmussen, Inc.	Santa Clarita, CA	\$ 996,145.00
Beador Construction Company	Corona, CA	\$1,043,700.00
Peterson-Chase Construction	Irvine, CA	\$1,078,033.94
CPO Enterprises Inc.	Covina, CA	\$1,139,254.50
Toro Enterprises Inc.	Oxnard, CA	\$1,174,988.50
Granite Construction Inc.	Lancaster, CA	\$1,228,205.00
Union Engineering Company Inc.	Ventura, CA	\$1,552,326.80

Staff recommends awarding the construction contract to the lowest responsive bidder, John S. Meek Company, Inc. The contractor possesses a valid state contractor license and is in good standing with the Contractors State License Board. The bid from John S. Meek Company, Inc., was reviewed for accuracy and conformance to the contract documents and found to be complete.

While the City maintains a “Support of Local Businesses” policy that can be utilized by the City Council when permissible, the City is governed by the State Public Contract Code with regard to public works project procurement. In these types of procurements, the State Public Contract Code does not permit a city to utilize a “Support of Local Businesses” policy and instead requires the contract be awarded to the “lowest responsive bidder.”

The requested construction contingency will cover costs of unforeseen site conditions uncovered during excavation associated with the bridge widening; potential conflicts with unknown utilities; site and traffic control modification; potential removal of unsuitable soil; and the importation of soil for stabilization.

To ensure efficient and proper procedures in construction inspection and materials testing, costs for these services were anticipated and identified in the original budget. A Request for Proposal (RFP) for Construction Engineering Support was sent to four qualified engineering firms on May 19, 2015. Construction Engineering Support includes structural engineering support; environmental monitoring; construction staking; material inspection and testing; and geotechnical support. The RFP asked firms to identify their relevant experience in similar projects and demonstrate their approach to this project. Of the four companies, only two firms, Tetra Tech, Inc., and Biggs Cardosa Associates, Inc., submitted proposals. Staff reviewed both proposals and based on their evaluations, scored the firms on a 100-point scale.

<u>Ranking</u>	<u>Company</u>	<u>Location</u>	<u>Score</u>
1	Tetra Tech, Inc.	Irvine, CA	96
2	Biggs Cardosa Associates, Inc.	Orange, CA	87

The scoring system for the consultant selection purposes is heavily emphasized on the understanding of the required scope of work provided in the City’s RFP; consulting firm experience with bridge design and construction; quality and completeness of the consultant’s proposal; qualifications of the project team and their resources; and responsiveness to the contractor and project action items. Tetra Tech, Inc.’s proposal clearly illustrated their approach and their ability to meet all of the City’s requirements. Tetra Tech, Inc., also demonstrated a clear understanding of both City and California Department of Transportation (Caltrans) construction requirements. Tetra Tech, Inc. has previously worked on City projects and proven themselves responsive to City staff and contractors.

California Government Code 4526 prescribes selection of architectural and engineering services to be based on competence and professional qualifications necessary for the satisfactory performance of the services required and does not authorize the selection of professional architectural and engineering services based on cost. California Government Code 4526 does not require cost proposals to be sealed; however, federally funded design projects such as this, require the City to follow strict federal guidelines in the Caltrans Local Assistance Procedure Manual (LAPM). The Consultant Selection section of the LAPM states “Each consultants’ cost proposal must remain sealed until negotiations commence with that particular consultant.” Per these requirements, staff only opened Tetra Tech, Inc.’s sealed cost proposal and negotiated a final contract at a fair and reasonable price for the services requested in the RFP.

The existing budget with the additional requested funding creates a budget of \$1,375,392, which allows for awarding the construction and construction engineering support contracts totaling \$1,256,290. The balance of \$119,102 will provide for staff time for project management, public works inspection, labor compliance, and miscellaneous project administrative costs.

ALTERNATIVE ACTION

Other action as determined by the City Council.

FISCAL IMPACT

The recommended action to increase the project budget by \$1,303,254 combined with the existing budget of \$72,138 provides a total budget of \$1,375,392 for Fiscal Year 2015-16. This amount will adequately provide for the award of the construction and construction support contracts, staff time for project management, public works inspection, labor compliance, and miscellaneous project administrative costs.

ATTACHMENTS

Location Map

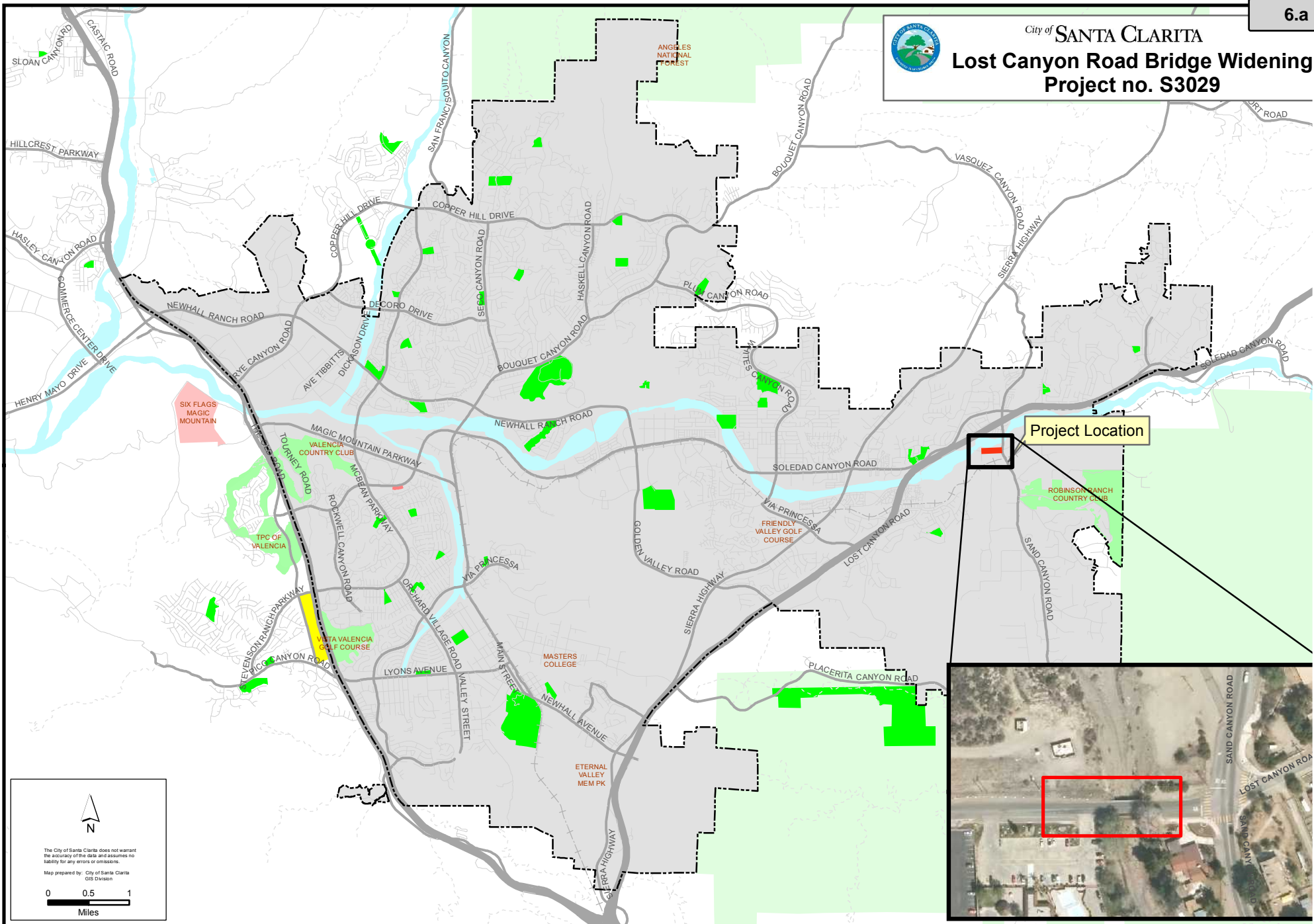
Project Plans and Specifications (available in the City Clerk's Reading File)

Bid Proposal for John S. Meek Company, Inc. (available in City Clerk's Reading File)

Bid Proposal for Tetra Tech, Inc. (available in the City Clerk's Reading File)


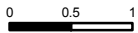


City of SANTA CLARITA Lost Canyon Road Bridge Widening Project no. S3029



Project Location




 The City of Santa Clarita does not warrant the accuracy of the data and assumes no liability for any errors or omissions.
 Map prepared by: City of Santa Clarita GIS Division

 Miles

Attachment: Location Map (1302 : LOST CANYON ROAD BRIDGE WIDENING, PROJECT S3029)



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT
CALENDAR

Ken Stripling

APPROVAL:

DATE: September 8, 2015

SUBJECT: EXCESS BOND PROCEEDS EXPENDITURE AGREEMENT
BETWEEN THE CITY AND THE REDEVELOPMENT SUCCESSOR
AGENCY

DEPARTMENT: Administrative Services

PRESENTER: Carmen Magana

RECOMMENDED ACTION

City Council and Successor Agency approve the Excess Bond Proceeds Expenditure Agreement (Agreement) transferring \$6,104,268 in “excess bond proceeds” from the Successor Agency to the City and requiring the City to utilize the “excess bond proceeds” to reimburse other funds currently allocated to the long-completed Newhall Library.

BACKGROUND

On March 18, 2014, the Successor Agency’s statutory Oversight Board approved Resolution No. 14-02, committing \$6,104,268 in Series 2008 Tax Allocation bond proceeds to the construction of the Old Town Newhall Library project (Project). The Project was long since completed and found to be consistent with the California Redevelopment Law (CRL) and Assembly Bills 26 and 1484 (collectively the Dissolution Act). The Oversight Board accomplished these actions by adopting Oversight Board Resolution No. 14-02 (Exhibit A attached).

In March 2011, the former Redevelopment Agency transferred to the City \$16,603,312 of Series 2008 Tax Allocation bond proceeds for use in the Project. As of June 28, 2011, \$6,104,268 of the total amount transferred to the City had not been contractually obligated to third parties constructing the Project. The City continued to utilize the bond proceeds for the Project notwithstanding the adoption of the first bill in the Dissolution Act on June 28, 2011, so as not to incur delay claims or other contractual claims arising from the Project.

On June 20, 2013, the Successor Agency received a “finding of completion” from the Department of Finance. Health and Safety Code Section 34191.4(c) provides that a successor agency that has been issued a finding of completion by the California Department of Finance may use proceeds of bonds issued before December 31, 2010, for the purposes for which the bonds were sold. Further, the Successor Agency may designate the use of and commit indebtedness obligation proceeds that were derived from bonds issued for redevelopment purposes on or before December 31, 2010, and that remain available after the satisfaction of enforceable obligations that have been approved on a Recognized Obligation Payment Schedule (ROPS) and that are consistent with the bond obligation covenants. Health and Safety Code Section 34191.4(c) further provides that the expenditure of excess bond proceeds must be listed separately on the ROPS.

Resolution 14-02 recognized that, rather than requiring the City to transfer \$6,104,268 to the Successor Agency and then have the Successor Agency re-transfer that amount to the City, administrative ease and the reality of the completed Project would simply allow the “ratification” of the prior transfer and the recognition that the Project was a legal and proper use of the excess bond proceeds under the Dissolution Act.

The California Department of Finance agreed, approving Resolution 14-02, but recognizing that a secondary review of the former Redevelopment Agency’s and current Successor Agency’s finances were being undertaken by the State Controller’s Office (SCO). The Controller’s Office had issued a preliminary finding that the \$6,104,268 that had been uncommitted on June 28, 2011, had to be transferred back to the Successor Agency. In approving Resolution 14-02, the Department of Finance stated: *“In the event the SCO makes this preliminary determination final; the Agency will execute an Excess Bond Proceeds Expenditure Agreement with the City. The expenditure of these bond proceeds should then be placed on a future ROPS.”* (A copy of the Department of Finance letter approving Resolution 14-02 and giving this direction is attached hereto as Exhibit B.)

On February 24, 2015, the SCO did issue a final determination that the \$6,104,268 had to be returned to the Successor Agency. Therefore, in order to complete the transfer of the funds to the City so that the City’s Finance Division can close the books on the Project, the Agreement (Exhibit C attached) is required.

ALTERNATIVE ACTION

Other actions as determined by the City Council.

FISCAL IMPACT

There is no fiscal impact as a result of this item. The \$6,104,268 in bond funds has already been spent on the completion of the Library Project. This is simply an administrative step required by the manner in which the State Controller’s Office has interpreted the Dissolution Acts and by the Department of Finance’s previous instructions to the City on implementing that Controller’s Office interpretation.

ATTACHMENTS

Exhibit A - Oversight Board Resolution 14-02

Exhibit B - Department of Finance Letter 5-1-14

Exhibit C - Excess Bond Proceeds Expenditure Agreement

EXHIBIT A

RESOLUTION NO. 14-02

**RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR
AGENCY TO THE CITY OF SANTA CLARITA REDEVELOPMENT
AGENCY RATIFYING EXPENDITURE OF BOND PROCEEDS AND
DETERMINING A PORTION AS DETERMINED BY THE STATE
CONTROLLERS OFFICE AS "EXCESS BOND PROCEEDS"**

WHEREAS, the Redevelopment Dissolution Law (AB1x 26, enacted June 28, 2011, as amended by AB 1484, enacted June 26, 2012) provided for creation of the Successor Agency ("Successor Agency") to the former City of Santa Clarita Redevelopment Agency ("RDA") and required the Successor Agency to expeditiously wind-down the affairs of the former RDA as directed by the oversight board created pursuant to Section 34179 of the California Health and Safety Code ("Oversight Board"); and

WHEREAS, following the successful completion of certain statutory prerequisites, the Successor Agency received a Finding of Completion from the State of California Department of Finance by letter dated June 20, 2013; and

WHEREAS, Health and Safety Code Section 34191.4(c) provides that once the finding of completion has been issued by the Department of Finance, the successor agency is authorized to use bond proceeds for the purposes for which the bonds were sold; and

WHEREAS, the Successor Agency may designate the use of and commit indebtedness obligation proceeds that were derived from indebtedness issued for redevelopment purposes on or before December 31, 2010, and that remain available after the satisfaction of enforceable obligations that have been approved on a Recognized Obligation Payment Schedule ("ROPS") and that are consistent with the indebtedness obligation covenants (hereafter, "Excess Bond Proceeds"); and

WHEREAS, pursuant to an Indenture of Trust dated as of June 1, 2008; and executed by and between the RDA and The Bank of New York Mellon Trust Company, N.A., as successor Trustee ("Indenture"), the RDA issued Tax Allocation Bonds, Series 2008, in the original principal amount of \$29,860,000 ("Bonds"); and

WHEREAS, pursuant to the Indentures the Bonds proceeds were deposited into the Project Funds and are required to be used solely in the manner provided by the California Redevelopment Law to provide financing for certain redevelopment activities within the RDA's former project area; and

WHEREAS, The "Financing Plan" section of the Indenture provides that "Proceeds from the sale of the Bonds will be used to fund certain redevelopment projects within the Newhall Redevelopment Project Area (the "Project Area");" and

WHEREAS, prior to the adoption of the Redevelopment Dissolution Law, the RDA had transferred to the City of Santa Clarita ("City") a portion of the redevelopment bond proceeds, totalling \$16,603,312, for use in completing the construction of and outfitting of a new public library in the former redevelopment project area; and

WHEREAS, the bond proceeds were used for the library project and that library is now open to the public; and

WHEREAS, on February 26, 2014, the California State Controller's Office completed the field audit of the Successor Agency finances required by Sections 34167.5 and 34178.8 of the California Health & Safety Code and made a preliminary finding that the \$6,104,268 in bond proceeds were uncommitted as of June 28, 2011 and thereafter expended on the library project constitute funds available for "clawback" under the Redevelopment Dissolution Law; and

WHEREAS, the State Controller's Office could order a "clawback" of less or more than the currently-anticipated \$6,104,268; and

WHEREAS, if the "clawback" that the State Controller's Office has preliminarily found to be necessary were to take place, it would require the City to transfer the "clawed back" amount to the Successor Agency, at which time that amount would constitute Excess Bond Proceeds; and

WHEREAS, the Oversight Board, having received a report on the use of the costs related to the construction and related outfitting of the public library in the former project area of the RDA can make a determination that such use is consistent with the Indenture and can approve the use as a proper use of Excess Bond Proceeds.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Oversight Board of the Successor Agency to the City of Santa Clarita Redevelopment Agency as follows:

1. Based on the foregoing recitals, the Oversight Board hereby finds that the use of the entire \$16,603,312 in bond proceeds transferred to the City by the former RDA and spent by the City on the library project in the RDA's former project area is a valid use of the bond proceeds.
2. The Oversight Board hereby finds that should the State Controller's Office determine an amount deemed to be "clawed back," this amount would constitute "Excess Bond Proceeds" for purposes of Health and Safety Code Section 34191.4(c).

3. The Oversight Board approves and ratifies the use of the entire \$16,603,312 in bond proceeds, or such lesser portion as is “clawed back” by the State Controller’s Office, as a proper use of “Excess Bond Proceeds” under the Redevelopment Dissolution Law.
4. Should the State Controller’s Office issue a final finding that the an amount of non-housing bond proceeds related to the Old Town Newhall Library must be “clawed back” or otherwise returned to the Successor Agency, the Oversight Board will authorize no use of those funds except for the execution of an Agreement Regarding Expenditure of Excess Bond Proceeds between the Successor Agency and the City, which agreement shall authorize only the reimbursement of the City for library project costs for which the funds were previously expended.
5. The staff of the Successor Agency is hereby directed to advise the State Controller’s Office and California Department of Finance of these determinations and to take such other and further actions as are deemed necessary to carry out the purposes and intent of this Resolution.

PASSED, APPROVED, AND ADOPTED this 18th day of March 2014.



Ken Striplin
Chairman

ATTEST:



Terasa Sullivan
Oversight Board Meeting Clerk

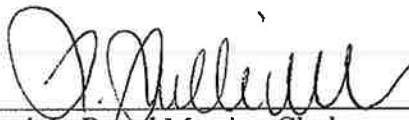
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SANTA CLARITA)

I, Terasa Sullivan, Oversight Board Meeting Clerk, do hereby certify that the foregoing Resolution was duly adopted by the Oversight Board of the Successor Agency to the Former Redevelopment Agency of the City of Santa Clarita at a regular meeting thereof, held on the 18th day of March 2014, by the following vote:

AYES: CHALLINOR, COLEAL, DORTCH, HERNANDEZ, KOEGLE, STRIPLIN, SWARTZ

NOES: NONE

ABSENT: NONE



Oversight Board Meeting Clerk

Attachment: Exhibit A - Oversight Board Resolution 14-02 (1338 : Excess Bond Proceeds Expenditure Agreement)

EXHIBIT B



DEPARTMENT OF
FINANCE

EDMUND G. BROWN JR. • GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

May 1, 2014

Ms. Armine Chaparyan, Redevelopment Manager
City of Santa Clarita
23920 Valencia Boulevard, Suite 300
Santa Clarita, CA 91355

Dear Ms. Chaparyan:

Subject: Approval of Oversight Board Action

The City of Santa Clarita Successor Agency (Agency) notified the California Department of Finance (Finance) of its March 18, 2014 Oversight Board (OB) resolution on March 19, 2014. Pursuant to Health and Safety Code (HSC) section 34179 (h), Finance has completed its review of the OB action.


Based on our review and application of the law, OB Resolution No. 14-02 is approved. It is our understanding; the former redevelopment agency transferred \$16,603,312 of 2008 Tax Allocation bond proceeds to the City of Santa Clarita (City) for completion of the Old Town Newhall Library project. On February 26, 2014, the SCO made a preliminary finding that \$6,104,268 of the bond proceeds that was expended on the Library project were uncommitted as of June 28, 2011 and constitute funds available for claw-back.

The Agency received a Finding of Completion on June 20, 2013. In the event, the SCO makes this preliminary determination final; the Agency will execute an Excess Bond Proceeds Expenditure Agreement with the City. The expenditure of these bond proceeds should then be placed on a future ROPS.

This is our determination with respect to the OB action taken.

Please direct inquiries to Kylie Oltmann, Supervisor or Hugo Lopez, Lead Analyst at (916) 445-1546.

Sincerely,


JUSTYN HOWARD
Assistant Program Budget Manager

cc: on the following page

Ms. Carmen Magana, Finance Manager, City of Santa Clarita
Ms. Kristina Burns, Manager, Department of Auditor-Controller, Los Angeles County
California State Controller's Office

Attachment: Exhibit B - Department of Finance Letter 5-1-14 (1338 : Excess Bond Proceeds Expenditure Agreement)

EXHIBIT C

EXCESS BOND PROCEEDS EXPENDITURE AGREEMENT

This Agreement Regarding Expenditure of Excess Bond Proceeds (this “**Agreement**”) is entered into effective as of September __, 2015 (“**Effective Date**”) by and between the Successor Agency to the Redevelopment Agency of the City of Santa Clarita (“**Successor Agency**”) and the City of Santa Clarita, a general law city and municipal corporation (“**City**”). The Successor Agency and the City are hereinafter collectively referred to as the “**Parties**.”

RECITALS

- A. Pursuant to authority granted under Community Redevelopment Law (California Health and Safety Code Section 33000 *et seq.*) (“**CRL**”), the former Redevelopment Agency of the City of Santa Clarita (“**Redevelopment Agency**”) had responsibility to implement the Redevelopment Plan for the Newhall Redevelopment Project (the “**Project Area**”), originally approved by Ordinance No. 89.27 enacted by the City Council of the City of Santa Clarita (the “**City Council**”) on November 28, 1989 and subsequently amended.
- B. By operation of law, the City assumed the role of Successor Agency to the Redevelopment Agency commencing upon dissolution of the Redevelopment Agency on February 1, 2012 pursuant to Assembly Bill x1 26 (“**AB 26**”).
- C. On June 20, 2013 the Successor Agency received its finding of completion from the Department of Finance.
- D. Health and Safety Code Section 34191.4(c) provides that a successor agency that has been issued a finding of completion by the California Department of Finance may use proceeds of bonds issued before December 31, 2010 for the purposes for which the bonds were sold. Further, the Successor Agency may designate the use of and commit indebtedness obligation proceeds that were derived from bonds issued for redevelopment purposes on or before December 31, 2010, and that remain available after the satisfaction of enforceable obligations that have been approved on a Recognized Obligation Payment Schedule (“**ROPS**”) and that are consistent with the bond obligation covenants (“**Excess Bond Proceeds**”).
- E. Health and Safety Code Section 34191.4(c) further provides that the expenditure of Excess Bond Proceeds must be listed separately on the ROPS.
- F. On March 18, 2014, the Successor Agency’s statutory Oversight Board approved Resolution No. 14-02, committing the amount of \$6,104,268 in Series 2008 Tax Allocation bond proceeds to the construction of the Old Town Newhall Library project (“**Project**”), notwithstanding the completion of that Project, as the Project was found to be consistent with the CRL and AB 26 and Assembly Bill 1484 (collectively with AB 26 the “**Dissolution Act**”).
- G. The amount of \$16,603,312 of the Series 2008 Tax Allocation bond proceeds had, in March of 2011, been transferred from the Redevelopment Agency to the City for use in the Project; as of June 28, 2011, the amount of \$6,104,268 had not been contractually obligated to third parties. The City continued to utilize the bond proceeds for the Project notwithstanding the

adoption of AB 26 so as not to incur delay claims or other contractual claims arising from the Project.

H. On February 26, 2014 the California State Controller's Office ("SCO") made a preliminary finding that the \$6,104,268 of the bond proceeds that was uncommitted as of June 28, 2011 but that was used for the Project constituted funds available for "claw-back" under the Dissolution Act.

I. On May 1, 2014, the California Department of Finance approved Oversight Board Resolution No. 14-02. In approving the resolution, the Department of Finance stated: *"In the event the SCO makes this preliminary determination final; the Agency will execute an Excess Bond Proceeds Expenditure Agreement with the City. The expenditure of these bond proceeds should then be placed on a future ROPS."*

J. On February 24, 2015, the SCO issued a final determination that the \$6,104,268, having been uncommitted on June 28, 2011, must be returned to the Successor Agency for disposition pursuant to the Dissolution Act.

K. Upon return of the \$6,104,268 from the City to the Successor Agency, that amount became Excess Bond Proceeds ("**Series 2008 Excess Bond Proceeds**") pursuant to Health and Safety Code Section 34191.4(c) and must be disposed of by the Successor Agency.

L. Based upon Oversight Board Resolution No. 14-02 and the Department of Finance's letter of May 1, 2014, the Parties are obligated to enter into this Agreement to transfer the Series 2008 Excess Bond Proceeds back to the City, at which time the City may close its financial books on the Project.

M. The execution of this Agreement was approved by the City Council acting in its capacity as the legislative body of the City and in its capacity as the governing board of the Successor Agency on September 8, 2015.

NOW, THEREFORE, in consideration of the mutual covenants, conditions and promises herein contained, the Parties hereby agree as follows.

1. Incorporation of Recitals. The Parties acknowledge the truth of the foregoing Recitals which by this reference are incorporated into this Agreement.
2. Term. The term of this Agreement shall commence on the Effective Date, and shall continue in effect until the date that all Series 2008 Excess Bond Proceeds are expended in accordance with the requirements of this Agreement.
3. Use of Series 2008 Excess Bond Proceeds. The City agrees that it shall use the Series 2008 Excess Bond Proceeds solely for the Project.
4. Transfer of Excess Bond Proceeds. Within 120 days of the execution of this Agreement, subject to DOF approval of the inclusion of this Agreement on the ROPS 15-16A, the Successor

Agency shall transfer the remaining Series 2008 Excess Bond Proceeds to the City, and the City shall utilize such funds to reimburse those accounts from which the City drew the amount of \$6,104,268 to pay the Successor Agency pursuant to the State Controller’s Office’s February 24, 2015 demand for those funds.

5. Project Approvals; Environmental Review. This Agreement is not intended to limit in any manner the discretion of City in connection with the issuance of approvals and entitlements for the projects described in this Agreement, including without limitation, the undertaking and completion of any required environmental review pursuant to CEQA and NEPA, as applicable, and the review and approval of plans and specifications.

6. Severability. If any term, provision, covenant, or condition set forth in this Agreement is held by the final judgment of a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions, covenants, and conditions shall continue in full force and effect to the extent that the basic intent of the Parties as expressed herein can be accomplished. In addition, the Parties shall cooperate in good faith in an effort to amend or modify this Agreement in a manner such that the purpose of any invalidated or voided provision, covenant, or condition can be accomplished to the maximum extent legally permissible.

7. No Third-Party Beneficiaries; Assignments. Nothing in this Agreement is intended to create any third-party beneficiaries to this Agreement, and no person or entity other than the Successor Agency and the County, and the permitted successors and assigns of either of them, shall be authorized to enforce the provisions of this Agreement.

8. Further Assurances. Each Party agrees to execute, acknowledge and deliver all additional documents and instruments, and to take such other actions as may be reasonably necessary to carry out the intent of the transactions contemplated by this Agreement.

9. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

10. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which shall constitute but one and the same instrument.

11. Amendments. This Agreement may be modified or amended, in whole or in part, only by an instrument in writing, executed by the Parties.

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IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the date first written above.

CITY:
City of Santa Clarita

SUCCESSOR AGENCY:
Successor Agency to the Redevelopment
Agency of the City of Santa Clarita

By: _____
_____, Mayor

By: _____
_____, Executive Director

Dated: _____

Dated: _____

APPROVED AS TO LEGAL FORM

APPROVED AS TO LEGAL FORM

By: _____
Joseph M. Montes
City Attorney

By: _____
Joseph M. Montes
Successor Agency Counsel

Attachment: Exhibit C - Excess Bond Proceeds Expenditure Agreement (1338 : Excess Bond Proceeds Expenditure Agreement)



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT
CALENDAR

APPROVAL:

Ken Stripling

DATE: September 8, 2015

SUBJECT: CHECK REGISTER NO. 17 FOR THE PERIOD 07/24/15 THROUGH 08/06/15 AND 08/13/15. ELECTRONIC FUNDS TRANSFERS FOR THE PERIOD 07/31/15 THROUGH 08/13/15.

DEPARTMENT: Administrative Services

PRESENTER: Carmen Magana

RECOMMENDED ACTION

City Council approve and ratify for payment the demands presented in Check Register No. 17.

BACKGROUND

Check Register No. 17 for the Period 07/24/15 through 08/06/15 and 08/13/15 in the aggregate amount of \$4,309,452.86.

Electronic Funds Transfers included in Check Register No. 17 for the Period 07/31/15 through 08/13/15 in the aggregate amount of \$609,414.61.

FISCAL IMPACT

No Fiscal Impact.

ATTACHMENTS

Memo

Check Register No. 17 (available in the City Clerk's Reading File)

CITY OF SANTA CLARITA
INTEROFFICE MEMORANDUM

TO: Kenneth W. Striplin, City Manager
FROM: Darren Hernandez, Deputy City Manager
DATE: August 11, 2015
SUBJECT: Check Register No 17 for the Period 7/24/15 through 8/06/15 and 08/13/15; and Electronic Funds Transfers for the Period 7/31/15 through 8/13/15. Purchase Orders between \$20,000 and \$50,000 for the Period 7/26/15 through 8/09/15.

Check Register No 17 for the Period 7/24/15 through 8/06/15 and 08/13/15; and Electronic Funds Transfers for the Period 7/31/15 through 8/13/15. Purchase Orders between \$20,000 and \$50,000 for the Period 7/26/15 through 8/09/15.

CHECK REGISTER CERTIFICATE

Pursuant to the Government Code Section 37202, I hereby certify that the demands or claims covered by Check numbers 314051, 314399 through 314697, Voucher numbers V1006849 through V1006920 and other EFTs in the aggregate amount of \$4,309,452.86 are accurate and that the funds are legally liable for payment thereof.



Deputy City Manager



City Manager

DH:BG:jm

S:\FIN\Accounts Payable\Accounts Payable Procedures\Check Register Memo Packet\Check Register Memo\2015\Check Register Memo 08-13-15.doc

Attachment: Memo (1350 : CHECK REGISTER NO. 17)

**Electronic Funds Transfers
For the Period 7/31/15 through 8/13/15**

<u>DATE</u>	<u>ACCOUNT</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
8/11/15	100-2003.007	PERS	Retirement Benefits	217,354.34
8/11/15	100-2003.002	IRS	Federal Payroll Taxes	181,620.04
8/11/15	100-2003.011	ICMS-457	Deferred Compensation	114,116.53
8/11/15	100-2003.004	EDD	State Payroll Taxes	54,476.53
8/11/15	100-2003.007	PERS	Retirement Benefits	21,076.80
8/11/15	100-2003.021	Benesyst	Health Care	7,529.36
8/11/15	100-2003.011	ICMA-401	Deferred Compensation	5,671.34
8/11/15	100-2003.017	Benesyst	Dependent Care	3,286.88
8/11/15	100-2003.015	CA SDU	Child Support Garnishments	2,989.61
8/11/15	100-2003.011	ICMS-ROTH	Deferred Compensation	1,293.18
			TOTAL	\$ 609,414.61



**CITY OF SANTA CLARITA
AGENDA REPORT**

PUBLIC HEARING

APPROVAL:

Ken Stripless

DATE:

September 8, 2015

SUBJECT:

BOUQUET CANYON SENIOR APARTMENTS TAX EQUITY AND
FISCAL RESPONSIBILITY ACT (TEFRA) HEARING

DEPARTMENT:

Administrative Services

PRESENTER:

Kevin Tonoian

RECOMMENDED ACTION

City Council conduct a public hearing and adopt a Tax Equity and Financial Responsibility Act (TEFRA) resolution approving the issuance of tax-exempt obligations by the California Statewide Communities Development Authority (CSCDA) in an aggregate amount not to exceed \$39 million to finance the acquisition and rehabilitation of the Bouquet Canyon Senior Apartments.

BACKGROUND

The California Statewide Communities Development Authority (CSCDA) is a joint exercise of powers authority created under the California Joint Powers Authority Act. More than 500 California cities and counties (including Santa Clarita) are members of the CSCDA, which issues bonds on behalf of their members and to nonprofit and private entities within the members' geographical jurisdictions where public benefit projects are proposed to be located.

The CSCDA has requested that the City Council approve the issuance of tax-exempt obligations by CSCDA in an aggregate amount not to exceed \$39 million to finance the acquisition and rehabilitation of the Bouquet Canyon Senior Apartments by Vintage at Bouquet Canyon, L.P. In addition to financing this acquisition, rehabilitation identified by Vintage includes improvements to the residents' units and common-area amenities.

Bonds issued by CSCDA are limited obligations of the borrower, not CSCDA or the Program Participant. Member agencies of the CSCDA are not responsible for any repayment of debt by borrowers, nor are they named in any of the bond documents. Therefore, no City revenues are considered or at risk by this bond issuance.

Federal tax law and the CSCDA joint powers agreement require that a Tax Equity and Financial Responsibility (TEFRA) public hearing be held in the jurisdiction where any public benefit project funded by the CSCDA is located. This hearing provides members of the public and the governing board with the ability to comment and approve or disapprove the issuance of bonds for the project. Any project not approved by the local jurisdiction will not be financed through the CSCDA.

The Bouquet Canyon Senior Apartments is a 264-unit senior multifamily rental housing complex located in the Saugus community. This complex was originally approved on May 12, 1998, by the City Council as part of a development agreement executed with the project applicant. The public benefits conveyed by this development agreement require the applicant to restrict the project to persons 55 years of age or older and 100% of all units affordable at or below 60% of area median income for a term of 30 years from the date of completion of the project.

Records associated with the City Council's original approval of this project, including the May 12, 1998, staff report and the approved development agreement, are available for review in the City Clerk's Reading File.

Adoption of the TEFRA Resolution to approve the issuance of the tax-exempt revenue bonds does not place the City or CSCDA under any pecuniary liability. Finally, the City's credit and bond ratings are not at risk by adopting the attached TEFRA Resolution.

ALTERNATIVE ACTION

1. City Council decline approval of the issuance of bonds by the CSCDA for the Bouquet Canyon Senior Apartments.
2. Other direction as determined by City Council.

FISCAL IMPACT

None.

ATTACHMENTS

Public Hearing Notice

TEFRA Resolution

Bouquet Canyon Senior Apartments Report - May 12, 1998 (available in the City Clerk's Reading File)

Bouquet Canyon Senior Apartments Development Agreement (available in City Clerk's Reading File)

CITY OF SANTA CLARITA
NOTICE OF PUBLIC HEARING
REGARDING ISSUANCE OF
MULTIFAMILY HOUSING REVENUE BONDS FOR
BOUQUET CANYON SENIOR APARTMENTS

NOTICE IS HEREBY GIVEN that, at 6:00 p.m., or as soon thereafter as the matter can be heard, on Tuesday, September 8, 2015, at the City Council Chambers, 23920 Valencia Boulevard, 1st Floor, Santa Clarita, California, the City Council of the City of Santa Clarita (the “City”) will conduct a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, at which it will hear and consider information concerning a proposed plan of financing providing for the issuance by the California Statewide Communities Development Authority of multifamily housing revenue bonds in one or more series issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, and at no time to exceed \$39,000,000 in outstanding aggregate principal amount, to finance the acquisition and rehabilitation of a 264-unit senior multifamily rental housing project located at 26705 Bouquet Canyon Road, Santa Clarita, California. The facilities are to be owned by Vintage at Bouquet Canyon, L.P. (the “Borrower”), operated by FPI Management, Inc., and are generally known as Bouquet Canyon Senior Apartments (the “Project”).

Those wishing to comment on the proposed financing and the nature and location of the Project may either appear in person at the public hearing or submit written comments, which must be received by the City prior to the hearing. Written comments should be sent to City of Santa Clarita at 23920 Valencia Boulevard, Suite 120, Santa Clarita, California 91355, Attention: City Clerk.

If you wish to challenge the action taken on this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Santa Clarita at, or prior to, the public hearing.

Dated: August 25, 2015

Kevin Tonoian,
City Clerk

Publish Date: August 25, 2015

Attachment: Public Hearing Notice (1340 : Bouquet Canyon Senior Apartments TEFRA Hearing)

RESOLUTION NO. 15- _____

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA CLARITA, CALIFORNIA,
APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE
COMMUNITIES DEVELOPMENT AUTHORITY OF MULTIFAMILY HOUSING
REVENUE BONDS FOR THE BOUQUET CANYON SENIOR APARTMENTS

WHEREAS, the California Statewide Communities Development Authority (Authority) is authorized pursuant to the provisions of California Government Code Section 6500 et seq. and the terms of an Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988, (Agreement), among certain local agencies throughout the State of California, including the City of Santa Clarita (City), to issue revenue bonds in accordance with Chapter 7 of Part 5 of Division 31 of the California Health and Safety Code for the purpose of financing multifamily rental housing projects; and

WHEREAS, Vintage at Bouquet Canyon, L.P., a limited partnership or related entities, has requested that the Authority adopt a plan of financing providing for the issuance of multifamily housing revenue bonds (Bonds) in one or more series issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, and at no time to exceed \$39,000,000 in outstanding aggregate principal amount, to finance the acquisition and rehabilitation of a 264-unit senior multifamily rental housing project located at 26705 Bouquet Canyon Road, Santa Clarita, California, generally known as Bouquet Canyon Senior Apartments (Project) and operated by FPI Management, Inc.; and

WHEREAS, the Bonds or a portion thereof will be “private activity bonds” for purposes of the Internal Revenue Code of 1986 (Code); and

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, private activity bonds are required to be approved by the “applicable elected representative” of the governmental units on whose behalf such bonds are expected to be issued and by a governmental unit having jurisdiction over the entire area in which any facility financed by such bonds is to be located, after a public hearing held following reasonable public notice; and

WHEREAS, the members of this City Council (City Council) are the applicable elected representatives of the City of Santa Clarita; and

WHEREAS, there has been published, at least 14 days prior to the date hereof, in a newspaper of general circulation within the City, a notice that a public hearing regarding the Bonds would be held on a date specified in such notice; and

WHEREAS, such public hearing was conducted on such date, at which time an opportunity was provided to interested parties to present arguments for and against the issuance of the Bonds; and

WHEREAS, the Authority is also requesting that the City Council approve the issuance of any refunding bonds hereafter issued by the Authority for the purpose of refinancing the Bonds which financed the Project (Refunding Bonds), but only in such cases where federal tax laws would not require additional consideration or approval by the City Council;

WHEREAS, it is intended that this resolution shall constitute the approval of the issuance of the Bonds required by Section 147(f) of the Code and Section 9 of the Agreement; and

WHEREAS, the Bonds will not constitute a debt, liability, or obligation of the City.

NOW, THEREFORE, the City Council of the City of Santa Clarita does hereby resolve as follows:

SECTION 1. The above recitals are true and correct.

SECTION 2. The City Council hereby approves the issuance of the Bonds and the Refunding Bonds by the Authority. It is the purpose and intent of the City Council that this resolution constitutes approval of the Bonds for the purposes of (a) Section 147(f) of the Code and (b) Section 9 of the Agreement.

SECTION 3. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to, and comply with the terms and intent of this resolution and the financing approved hereby.

SECTION 4. The City Clerk shall forward a certified copy of this Resolution and a copy of the affidavit of publication of the hearing notice to:

Justin Cooper, Esq.
Orrick, Herrington & Sutcliffe LLP
405 Howard Street
San Francisco, CA 94105

SECTION 5. This resolution shall take effect immediately upon its passage.

PASSED, APPROVED, AND ADOPTED this 8th day of September 2015.

MAYOR

ATTEST:

CITY CLERK

DATE:_____

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SANTA CLARITA)

I, Kevin Tonoian, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Santa Clarita at a regular meeting thereof, held on the 8th day of September 2015, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

CITY CLERK

Attachment: TEFRA Resolution (1340 : Bouquet Canyon Senior Apartments TEFRA Hearing)