

**SAN FERNANDO CITY COUNCIL
MINUTES**

**MARCH 7, 2016 – 6:00 P.M.
REGULAR MEETING**

City Hall Council Chambers
117 Macneil Street
San Fernando, CA 91340

CALL TO ORDER/ROLL CALL

Mayor Joel Fajardo called the meeting to order at 6:02 p.m.

Present:

Council: Mayor Joel Fajardo, Vice Mayor Sylvia Ballin, and Councilmembers Robert C. Gonzales, and Antonio Lopez

Staff: City Manager Brian Saeki, City Attorney Rick R. Olivarez, and City Clerk Elena G. Chávez

Absent: Councilmember Jaime Soto (notified staff that due to a family emergency, he would not make the meeting)

PLEDGE OF ALLEGIANCE

Led by San Fernando Police Explorer Alberto Barragan

APPROVAL OF AGENDA

City Manager Saeki corrected the dates on two of the staff reports (Item No.s 2 and 8).

Motion by Vice Mayor Ballin, seconded by Councilmember Gonzales, to approve the agenda as amended. By consensus, the motion carried.

PRESENTATIONS

The following presentation was made:

- a) DENTAL ASSISTANTS RECOGNITION WEEK (MARCH 6–12, 2016)

PUBLIC STATEMENTS – WRITTEN/ORAL

Linda Campanella-Jauron spoke against appointing Alvaro Castellon (agenda Item No. 7) and talked about a negative incident that she experienced with him.

City Attorney Olivarez announced that, before the next public comment, he wanted to call to the City Council's attention a Settlement Agreement (dated April 2013) between the City and Mr. Castellon. He reported that Provision No. 22 states, in part, that the parties agree that Mr. Castellon (and his attorneys) and the City (and its attorneys) will not make disparaging remarks about the other. He reported that the City is defined as the Councilmembers, City Administrator, and the Interim Police Chief. Although the public may say what they like, Councilmembers may not comment (nor get into a discussion), regarding Mr. Castellon.

Dee Akemon talked about the traffic issues due to the red curbing zone at the Vista Del Valle School.

Michael Remenih talked about Item No. 7 and said that it was another example of a "Soto scandal" and that Mr. Castellon was part of the group that was recalled.

Dave Bernal said that he was thankful for the opportunity to have served as Planning Commissioner and will continue to assist the City in whatever capacity the Council would like.

Michelle Guijarro talked about her disappointment with the Los Angeles Unified School District and the issues at the Vista Del Valle reunion gate due to the red curbing.

Irwin Rosenberg, Police Officers Association (POA) Secretary, read from a letter from the POA that stated they're against the appointment of Mr. Castellon to the Planning Commission and provided various reasons why they're in opposition.

Jorge Cervantes, Police Officer, continued reading from the POA letter and urged Councilmembers to vote "no" regarding Mr. Castellon's appointment to the Planning Commission.

Jesse Avila said he concurred with the comments made by previous speakers regarding Mr. Castellon and urged that Council "do the right thing".

Yolanda Haro said she is disappointed and saddened to hear that her cousin (Dave Bernal) is no longer on the Planning Commission but hopes that he continues to serve the City one way or another.

Mary Mendoza spoke in favor of Item No. 9, said that contracts should be made public within 10 days of being awarded, and believes that the contractor who accidentally removed City palm trees should pay much more to have them replaced.

Paul Luna also spoke against appointing Mr. Castellon to the Planning Commission and talked about actions of former Councilmembers that were recalled.

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Tom Ross talked about Mr. Bernal, said that the new landscaping on Brand Blvd. looks nice, and suggested that instead of replacing the palm trees, the City should spend the money on other projects.

City Clerk Chávez read a letter by Amy Lemisch, California Film Commission, who commented about Item No. 4 regarding a proposal to institute an application fee for film permits.

CONSENT CALENDAR

Motion by Vice Mayor Ballin, seconded by Councilmember Lopez, to approve the following Consent Calendar Items:

- 1) REQUEST TO APPROVE MINUTES OF:
 - a. FEBRUARY 16, 2016 – SPECIAL MEETING
 - b. FEBRUARY 22, 2016 – SPECIAL MEETING
- 2) CONSIDERATION TO ADOPT RESOLUTION NO. 16-031 APPROVING THE WARRANT REGISTER
- 3) CONSIDERATION TO APPROVE FISCAL YEAR (FY) 2016-2017 LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT RESOLUTION INITIATING PROCEEDINGS AND ORDERING THE ENGINEER'S REPORT

By consensus, the motion carried.

ADMINISTRATIVE REPORTS

Mayor Fajardo reported that the following two items were moved up on the agenda.

- 7) APPOINTMENT TO THE PLANNING AND PRESERVATION COMMISSION

Discussion ensued amongst Councilmembers and staff regarding this item.

In response to questions from Councilmembers, City Attorney Olivarez reported that the item on the agenda is to consider the appointment of Councilmember Soto's nominee. If Councilmembers want to consider appointing someone else, then that item would have to be agendaized. He added that if a Councilmember continues to appoint someone that the majority of the City Council does not approve, then (at some point) it would have to be taken out of the hands of the Councilmember because State law requires that the City have five Planning Commissioners.

Motion by Mayor Fajardo, seconded by Councilmember Lopez, to appoint someone by a timeframe specified by the City Attorney.

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City Manager Saeki suggested an amendment to the motion to change the current City Council Procedural Manual to include that if the Council majority does not support an appointment by an individual Councilmember, then the City Council (as a whole) may take action to appoint. Staff to bring this item back for City Council consideration.

By consensus, the motion, and amendment, was approved.

9) CONSIDERATION TO SUPPORT THE FEDERAL RECOGNITION OF THE FERNANDEÑO TATAVIAM BAND OF INDIANS

Kimia Fatehi, Director of Public Relations for the Fernandeno Tataviam Band of Indians, provided information and replied to questions from Mayor Fajardo.

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to approve a letter of support, as drafted by the City Manager, in support of Federal recognition of the Fernandeno Tataviam Band of Indians

The motion carried with the following vote:

AYES:	Fajardo, Ballin, Lopez, Gonzales – 4
NOES:	None
ABSENT:	Soto – 1

PUBLIC HEARING

4) CONSIDERATION TO ADOPT A RESOLUTION ESTABLISHING PHOTOGRAPHY AND FILM PRODUCTION APPLICATION FEES

Mayor Fajardo declared the Public Hearing open.

Finance Director Nick Kimball presented the staff report and replied to questions from Councilmembers.

Mayor Fajardo called for public testimony.

Dee Akemon spoke in support and said it will help with the City's coffers.

City Attorney Olivarez requested that the letter from Amy Lemisch, read into the record earlier by the City Clerk, be incorporated into this hearing.

There being no further comments, by consensus the Hearing was closed.

Motion by Councilmember Gonzales, seconded by Vice Mayor Ballin, to adopt Resolution No. 7727, establishing photography and film production application fees and allow the City Manager to determine fee waivers (on a case-by-case basis) for non-profit organizations and students.

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The motion carried with the following vote:

AYES: Gonzales, Ballin, Lopez, Fajardo – 4
NOES: None
ABSENT: Soto – 1

ADMINISTRATIVE REPORTS (CONTINUED)

- 5) CONSIDERATION TO ADOPT AN ORDINANCE AMENDING IN ITS ENTIRETY DIVISION 6 (PURCHASING) OF ARTICLE IV (FINANCE) OF CHAPTER 2 (ADMINISTRATION) OF THE SAN FERNANDO CITY CODE RELATING TO THE PROCEDURES FOR PURCHASING AND CONTRACTING

Finance Director Kimball gave the staff report and replied to questions from Councilmembers.

Motion by Councilmember Gonzales, seconded by Councilmember Lopez, to introduce for first reading, in title only, and waive further reading of Ordinance No. 1653 titled, “An Ordinance of the City Council of the City of San Fernando, California Amending in Its Entirety Division 6 (Purchasing) of Article IV (Finance) Of Chapter 2 (Administration) of the San Fernando City Code Relating to the Procedures for Purchasing and Contracting.” By consensus, the motion carried.

- 6) CONSIDERATION OF BRAND BOULEVARD MEDIAN PROJECT TREE REPLACEMENT

Deputy City Manager/Public Works Director Chris Marcarello gave the staff report and replied to questions from Councilmembers.

Motion by Councilmember Gonzales, seconded by Mayor Fajardo, to utilize one-half of the replacement funds, provided by the landscape architect, for tree planting on Harding and Eighth Streets (as recommended by staff) and the other half of the funds to be used towards requests by residents currently on the tree planting waiting list. Staff to report back with an update. By consensus, the motion carried.

- 8) CONSIDERATION OF A STUDENT INTERNSHIP PROGRAM POLICY AND OTHER RELATED PROGRAMS

City Manager Saeki presented the staff report and replied to questions from Councilmembers.

Discussion ensued regarding proposed changed to the Student Internship Program Policy.

Motion by Mayor Fajardo, seconded by Councilmember Gonzales, to make the following changes to the Student Internship Program Policy: adjust the language regarding the GPA; correct the eligibility status (whether the person is documented/undocumented); provide a certificate of some sort as opposed to guaranteeing a letter of recommendation at the end of the program; to include those who have just graduated; to clarify the application process and

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internship duration; clarify the semester (not all schools use semesters); and remove the requirement that students must be enrolled not less than half time in a course of study, etc. By consensus, the motion carried.

10) FISCAL YEAR 2016-2017 BUDGET PLANNING REGARDING ELECTRICAL UPGRADES ON SAN FERNANDO MISSION BOULEVARD AND MACLAY AVENUE FOR HOLIDAY EVENTS

Councilmember Soto was not in attendance to present his item; therefore the item was tabled.

COMMITTEE/COMMISSION LIAISON UPDATES

Councilmember Gonzales gave an update regarding Los Angeles County Library activities.

Mayor Fajardo gave an update regarding the League of Cities meeting that he recently attended.

GENERAL COUNCIL COMMENTS

Councilmember Gonzales thanked staff and Mr. Bernal for their work.

Councilmember Lopez gave an update regarding the National Association of Latino Elected and Appointed Officials conference that both he and Councilmember Gonzales attended.

Vice Mayor Ballin talked about those that run for office, spoke against presidential candidate Donald Trump, and said she is really upset about the lack of professionalism and that the Councilmember did not check with the City Attorney whether he could recommend this person be appointed to the Planning Commission.

Mayor Fajardo talked about the upcoming Council reorganization and said that his mayor ship has been a wonderful experience but there is so much more work to be done.

STAFF COMMUNICATION

City Manager Saeki thanked Council for their support and reported that the Mall Association will hold their quarterly meeting at City Hall to voice their concerns regarding this past year's activities.

Deputy City Manager/Public Works Director Marcarello talked about an upcoming CSUN event regarding climate action planning issues, reported that upcoming agenda items include the safe routes to school project, sidewalk/curb/gutter/ striping work improvements and the street resurfacing project.

Community Development Director Fred Ramirez said he appreciated David Bernal's time and effort in participating on the Planning Commission and wanted to personally thank him.

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ADJOURNMENT (8:14 P.M.)

Motion by Mayor Fajardo, seconded by Councilmember Gonzales, to adjourn the meeting. By consensus, the motion carried.

I do hereby certify that the foregoing is a true and correct copy of the minutes of March 7, 2016, meeting as approved by the San Fernando City Council.

Elena G. Chávez
City Clerk