

**SAN FERNANDO CITY COUNCIL
MINUTES**

**AUGUST 7, 2017 – 6:00 P.M.
REGULAR MEETING**

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

CALL TO ORDER/ROLL CALL

Mayor Sylvia Ballin called the meeting to order at 6:02 p.m.

Present:

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

Staff: Interim City Manager Nick Kimball, City Attorney Rick Olivarez, Assistant City Attorney Richard Padilla and City Clerk Elena G. Chávez

Absent: Councilmember Jaime Soto (notified staff that, due to personal reasons, he could not attend the meeting)

PLEDGE OF ALLEGIANCE

Led by Recreation Supervisor Maribel Perez

APPROVAL OF AGENDA

Interim City Manager Kimball reported that Item No. 14 would be removed from the agenda and tabled to the next meeting.

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

PRESENTATIONS

The following presentations were made:

- a) STAFF ACKNOWLEDGEMENT – NATIONAL NIGHT OUT
- b) STAFF ACKNOWLEDGEMENT – PUBLIC WORKS SEWER CREW

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PUBLIC STATEMENTS – WRITTEN/ORAL

Jorge Cervantes, Police Officers' Association Vice President, talked about the success of the National Night Out event and thanked Police Chief Anthony Vairo and the majority of the City Council for their support.

Liz Seelman, Southern California Edison Government Affairs Rep., thanked the Council for tabling Item No. 14 and stated that they'll be working with Interim City Manager Kimball regarding this issue.

Michael Remenih talked about the City's Neighborhood Watch program and invited audience members to attend the monthly meetings to get answers to their questions.

Patty Lopez said that Councilmembers have not responded to two letters (submitted at Council meetings) regarding her complaint against Councilmember Fajardo and an appeal pertaining to the Yolanda Haro lawsuit settlement.

Marcela Rodriguez said she was here to give thanks to City employees and she applauded their dedication.

Robert Ortega talked about Councilmember Soto and said he doesn't believe that he cares for the City.

Tom Ross talked about Item No's 11 and 15 and asked if the Chamber of Commerce could offer input and said that he is in favor of keeping the current City Manager form of government.

City Clerk Chávez read an email from resident Paul Luna who stated that the lawsuit brought against the City was due to Councilmember Soto's actions and irresponsibility.

CITY COUNCIL - LIAISON UPDATES

Councilmember Gonzales provided updates regarding the Library Commission and the Metro Service Council.

CONSENT CALENDAR

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to approve the Consent Calendar Items:

- 1) REQUEST TO APPROVE THE MINUTES OF:
 - a) JULY 17, 2017 – SPECIAL MEETING
 - b) JUNE 5, 2017 – REGULAR MEETING

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- 2) CONSIDERATION TO ADOPT RESOLUTION NO. 17-081 APPROVING THE WARRANT REGISTER
- 3) CONSIDERATION TO APPROVE A THREE-YEAR AGREEMENT WITH WILLDAN ENGINEERING FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM COMPLIANCE SERVICES AND REPRESENTATION WITHIN THE UPPER LOS ANGELES ENHANCED WATERSHED MANAGEMENT GROUP
- 4) CONSIDERATION TO ADOPT A RESOLUTION SETTING THE PROPERTY TAX RATE REQUIRED TO MEET THE CITY'S OBLIGATION TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR FISCAL YEAR 2017-2018
- 5) CONSIDERATION TO AWARD A CONTRACT TO LECHOWICZ & TSENG MUNICIPAL CONSULTANTS FOR WATER & SEWER UTILITY RATE STUDY
- 6) CONSIDERATION TO APPROVE A CO-SPONSORSHIP AND USE OF THE CITY SEAL FOR HELP-PORTRAIT SAN FERNANDO EVENT WITH ALAS MEDIA
- 7) CONSIDERATION TO APPROVE THE USE OF CERTAIN STREET LIGHT POLES BY DISCOVERY CUBE LOS ANGELES FOR BANNERS TO PROMOTE THEIR DINOSAURS UNEARTHED EXHIBITION

By consensus, the motion carried.

ADMINISTRATIVE REPORTS

- 8) CONSIDERATION TO DESIGNATE A VOTING DELEGATE AND ALTERNATE(S) FOR THE 2017 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Motion by Mayor Ballin, seconded by Councilmember Gonzales, to:

- a. Designate Vice Mayor Lopez as the Voting Delegate for the 2017 League of California Cities Annual Conference;
- b. Designate Councilmember Fajardo as the Alternate Voting Delegate (in the event that the designated Delegate is unable to serve in that capacity);
- c. Authorize the City Clerk to execute and submit the 2017 Annual Conference Voting Delegate/Alternate Form; and
- d. Direct that staff bring back the resolutions that will be voted on and considered at the conference so that the Council may have a brief discussion and input.

By consensus, the motion carried.

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- 9) CONSIDERATION TO ADOPT AN ORDINANCE TO REPEAL ORDINANCE NO. 1452 AND MOVE THE DATE OF GENERAL MUNICIPAL ELECTIONS FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MARCH OF ODD-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EVEN-NUMBERED YEARS BEGINNING NOVEMBER 6, 2018

Assistant City Attorney Richard Padilla provided an update and Councilmembers gave input.

Motion by Councilmember Gonzales, seconded by Vice Chair Lopez, to approve and introduce for first reading, in title only, and waive further reading of Ordinance No. 1668, “An Ordinance of the City Council of the City of San Fernando Repealing Ordinance No. 1452 and Moving the Date of General Municipal Elections from the First Tuesday after the First Monday in March of Odd-Numbered Years to the First Tuesday after the First Monday in November of Even-Numbered Years Beginning November 6, 2018.”

The motion carried with the following vote:

AYES: Gonzales, Lopez, Ballin – 3
NOES: Fajardo – 1
ABSENT: Soto – 1

- 10) CONSIDERATION TO ADOPT A RESOLUTION AMENDING RESOLUTION NO. 7692 TO INCLUDE THE POLICE CHIEF IN THE EXECUTIVE COMPENSATION PLAN FOR DEPARTMENT HEAD CLASSIFICATIONS

Interim City Manager Nick Kimball presented the staff report and replied to questions from Councilmembers.

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to:

- a. Adopt Resolution No. 7807, amending Resolution No. 7692 to include the Police Chief in the Executive Compensation Plan for Department Head classifications; and
- b. Authorize the Interim City Manager to make non-substantive corrections and execute all related documents.

The motion carried with the following vote:

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

- 11) CONSIDERATION TO APPOINT AN AD HOC COMMITTEE TO REVIEW THE USER FEE AND DEVELOPMENT IMPACT FEE STUDIES

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

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Motion by Mayor Ballin, seconded by Councilmember Gonzales, to appoint both Vice Mayor Lopez and Councilmember Fajardo to an Ad Hoc Committee regarding User Fee and Development Impact Fee studies. By consensus, the motion carried.

12) CONSIDERATION TO TAKE VARIOUS ACTIONS IN SUPPORT OF THE PARIS AGREEMENT

Mayor Ballin provided an update and a brief discussion ensued amongst Councilmembers.

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to approve Mayor Ballin's recommendations to:

- a. Adopt Resolution No. 7806 in support of the Paris Agreement;
- b. Approve signing on to the Open Letter to President Trump committing to adopt, honor and uphold Paris Agreement goals;
- c. Approve signing on to the Open Letter to the United Nations Framework on Climate Change;
- d. Approve signing on to the Open Letter to the International Community and Parties to the Paris Agreement from U.S. State, Local, and Business Leaders; and
- e. Authorize staff to complete all related online documents.

By consensus, the motion carried.

13) CONSIDERATION TO REDISTRIBUTE INDEPENDENT CITIES FINANCE AUTHORITY'S COMMUNITY OUTREACH PROGRAM FUNDS FOR A VETERANS RECOGNITION EVENT AND EDUCATION COMMISSION SCHOLARSHIPS

Mayor Ballin presented the staff report and a brief discussion ensued amongst Councilmembers.

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to redistribute \$7,500 (Fiscal Year 2015-2016 ICFA allocation) in the following manner: \$3,500 for a veteran's recognition event in the City and \$4,000 for scholarships for the Education Commission's 3rd Annual Scholarship Awards Program. By consensus, the motion carried.

14) CONSIDERATION TO APPROVE A LETTER OF OPPOSITION TO SOUTHERN CALIFORNIA EDISON'S 2018 GENERAL RATE INCREASE BEING PROPOSED TO THE PUBLIC UTILITIES COMMISSION

This item was removed under Approval of Agenda.

15) DISCUSSION REGARDING REINSTITUTION OF THE CITY ADMINISTRATOR POSITION AND ABSOLVING THE CITY MANAGER FORM OF GOVERNMENT

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A brief discussion ensued amongst Councilmembers and all expressed satisfaction with the current City Manager form of government. No action was taken.

Regarding Councilmember Soto's remaining agenda items, Mayor Ballin and Interim City Manager Kimball reiterated that, going forward, Councilmembers must follow Section 2.2(a)(ii) of the City Council Procedural Manual and were reminded that their items will not be placed on an agenda without (at minimum) a general description of the item to be discussed and the desired action/outcome being recommended by the requesting Councilmember.

The following items submitted for discussion by Councilmember Soto (who was absent) were pulled from the agenda:

- 16) REQUEST FOR AN UPDATE PERTAINING TO SEWER SYSTEM REPAIRS TO SEVENTH STREET, FOURTH STREET, AND HUBBARD AVENUE
- 17) REQUEST FOR UPDATE REGARDING THE MOTORBIKE OFFICER PROGRAM
- 18) REQUEST TO POSTPONE SALARY INCREASES FOR CITY COUNCIL AND DEPARTMENT HEADS UNTIL PERMANENT EXECUTIVE POSITIONS ARE FILLED
- 19) DISCUSSION REGARDING ELECTED OFFICIALS' AND CITY STAFF'S PARTICIPATION IN THE SAN FERNANDO POLICE DEPARTMENT NATIONAL NIGHT OUT EVENT
- 20) REQUEST FOR AN UPDATE PERTAINING TO HOMELESS ACTIVITY IN THE CITY AND POLICE RESPONSE TIMES

DEPARTMENT HEADS - COMMISSION UPDATES

Interim Planning Director Jack Wong talked about the Metro Transit Oriented Development (TOD) Grant and reported that staff is scheduling two community workshops (August 28 and September 15) to discuss the TOD Overlay Zone and the draft Corridors Specific Plan Amendment which provides a vision for the San Fernando Mall and San Fernando/Sylmar Metrolink Station.

Cultural Arts Supervisor Virginia Diediker reported that the Recreation Department has kicked off Sizzling Summer Nights events which include activities on Friday nights.

City Clerk Chávez reported that the Education Commission met last week to review their budget and priorities and she said that they will be pleased to hear that the City Council approved another \$4,000 for the scholarship program.

GENERAL COUNCIL COMMENTS

Councilmember Fajardo said it was great to have Spanish translation service for the meeting, suggested that the City Council Procedural Manual be brought back for an update, reported that he and his new intern are discussing a Day With Seniors event, and (regarding offensive comments made at the last meeting), he said there are amazing people who have a world of experience that no college degree could come close to replicating.

Councilmember Gonzales thanked community members, volunteers, police officers and fellow Councilmembers for donating their time, energy, and funds for the National Night Out event. Again, he thanked staff for their hard work and thanked fellow Councilmembers for their dedication in working towards getting the right City Manager candidate to begin filling desperately needed positions.

Vice Mayor Lopez also thanked his colleagues for participating in the City Manager interviews, said it's critical to be part of the process and important to our community, and said it's unfortunate that a Councilmember chose not to show up.

Mayor Ballin also thanked all of the volunteers for a successful National Night Out event and stated that four Councilmembers sat in on the City Manager interviews on both Friday and Saturday, and said that the City Council is looking out for the residents during the recruitment process.

City Attorney Olivarez said he'd like to take a moment to recognize Assistant City Attorney Richard Padilla for his hard work and dedication to the City (especially over the last couple of months) and said that Mr. Padilla is one of the top lawyers in this field and their law firm is lucky to have him.

Mayor Ballin added that she has great respect for our City Attorney law firm, Olivarez Madruga and the City is very fortunate.

STAFF COMMUNICATION

Interim City Manager Kimball reported that Congressman Tony Cardenas' office will be hosting a free immigration workshop on August 10 (information will be included on the City's website and social media).

Police Chief Vairo reported that the murder suspect (from an incident in June) is now in custody and reported that if members of the public would like to speak with him regarding police related issues, he has an open door policy and encouraged the public to contact him at any time.

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ADJOURNMENT (7:27 P.M.)

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to adjourn the meeting. By consensus, the meeting was adjourned.

I do hereby certify that the foregoing is a true and correct copy of the minutes of August 7, 2017, meeting as approved by the San Fernando City Council.

Elena G. Chávez, CMC
City Clerk