

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**SEPTEMBER 4, 2018 – 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 6:11 p.m.

Present:

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

Staff: City Manager Alexander P. Meyerhoff, Assistant City Attorney Richard Padilla and City Clerk Elena G. Chávez

**PLEDGE OF ALLEGIANCE**

Led by Director of Public Works/City Engineer Yazdan (Yaz) Emrani

**APPROVAL OF AGENDA**

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to approve the agenda.

Assistant City Attorney Padilla reported that there was a need to add a walk-on item (Item 9a) regarding appointing another delegate to vote on behalf of the City at the League of California Cities conference since neither delegate (Lopez and Fajardo) would be attending. The item came to staff's attention after the agenda was posted and there is a need for immediate action.

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

**PRESENTATIONS**

The following presentations were made:

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- a) CITY OF SAN FERNANDO MARIACHI TESORO (MMAP) AWARDED 1<sup>ST</sup> PLACE AT THE INAUGURAL CALIFORNIA STATE FAIR YOUTH MARIACHI COMPETITION “MARIACHI PROUD”
- b) PRESENTATION BY METRO ON THE NORTH SAN FERNANDO VALLEY BUS RAPID TRANSIT

**DECORUM AND ORDER**

Assistant City Attorney Padilla provided a brief summary of the rules.

**PUBLIC STATEMENTS – WRITTEN/ORAL**

Gilbert Perez talked about the potholes throughout the City and said he’s tired of having to get wheel alignments on his car.

Dee Akemon said that a hero was buried this week and she read a letter from Mayor Ballin to Senator John McCain dated November 2017.

Rodolfo Salinas began to talk about Public Hearing Item No. 7 but said he would instead wait to speak during the discussion of the item.

Mary Mendoza asked Council to be considerate of audience members present to speak on the public hearing items and not make them wait several hours.

Jaime Soto expressed several concerns including: selling of land should not be done in Closed Session; he believes that City Attorney Rick Olivarez appears to be embroiled in political malfeasance and has failed the City; and Mr. Soto called on the City Council to immediately terminate the contract.

Michael Remenih said he’s been attending the meeting for years and has watched the City come out of the brink of bankruptcy and corruption and he finds it ironic that Mr. Soto is talking about wasting taxpayer money while Mr. Soto has cost taxpayers over \$150,000.

City Clerk Chávez read a letter/email (submitted by Katherine Silva) who spoke against agenda Item No. 12.

**CITY COUNCIL - LIAISON UPDATES**

Councilmember Gonzales gave updates regarding the Independent Cities Association and the Ad Hoc Committees that he serves.

Councilmember Soto also gave updates regarding the Ice Cream Truck and Fire Station Ad Hoc Committees.

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Councilmember Fajardo also talked about the Ad Hoc Committees and the League of California Cities conference.

Vice Mayor Lopez also gave an update regarding the Fire Station Ad Hoc Committee.

Mayor Ballin reported that the Metropolitan Water District Board would be meeting next week.

**CONSENT CALENDAR**

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

- 1) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
- 2) CONSIDERATION TO APPROVE THE DISPOSITION OF SURPLUS CITY-OWNED VEHICLES
- 3) CONSIDERATION TO AUTHORIZE A NOTICE OF COMPLETION FOR THE SAN FERNANDO DOWNTOWN REVITALIZATION PROJECT, TRUMAN STREET FROM BRAND BOULEVARD TO SAN FERNANDO MISSION BOULEVARD, FEDERAL PROJECT NO. TCSP-09CA (005), JOB NO. 7579, PLAN NO. P-750
- 4) CONSIDERATION TO APPROVE A PURCHASE ORDER WITH VERSATILE INFORMATION PRODUCTS, INC. FOR THE PURCHASE OF VOICE RECORDERS
- 5) CONSIDERATION TO APPROVE ADDITIONAL SCOPE OF WORK ASSOCIATED WITH THE REHABILITATION OF HUBBARD BOOSTER PUMP NO. 2
- 6) CONSIDERATION TO APPROVE A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE-PURCHASE AGREEMENT TO FINANCE THE ACQUISITION OF PARKING METERS AND RELATED EQUIPMENT

By consensus, the motion carried.

**PUBLIC HEARING**

- 7) CONSIDERATION TO ADOPT AN ORDINANCE APPROVING A REQUEST FOR THE APPROVAL OF A TENTATIVE PARCEL MAP TO SUBDIVIDE A 15,800 SQUARE FOOT PROPERTY INTO THREE LOTS – TENTATIVE PARCEL MAP 2017-01 (NO. 74153); 927 SEVENTH STREET

Mayor Ballin declared the Public Hearing open.

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Director of Community Development Timothy T. Hou introduced Associate Planner Gerardo Marquez who presented the staff report. Both replied to questions from Councilmembers.

Discussion ensued amongst Councilmembers and staff.

Mayor Ballin called for public testimony.

Rodolfo Salinas expressed concern regarding the proposed three lots on one parcel, lack of current parking and increased parking issues, the process (only three Commissioners were present to vote on the item), and his attempt to file an appeal and the \$1,500 cost to do so.

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to close the Public Hearing. By consensus, the motion carried.

Discussion ensued amongst Councilmembers and staff.

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

- a. Introduce for first reading, in title only, and waive further reading of Ordinance No. 1680, “An Ordinance of the City Council of the City of San Fernando, California, approving a request for the approval of a tentative parcel map to subdivide a 15,800 square foot property into three lots as follows: Parcel 1 will consist of approximately 3,879 square feet and Parcel 2 will consist of approximately 4,909 square feet and Parcel 3 will consist of approximately 4,910 square feet, each. The project site consists of a 79-foot by 200-foot lot and is located at the corner of Seventh Street and Macneil Street within the single-family residential zone (R-1 Zone)”; and
- b. Affirm the City’s determination that the proposed Ordinance is subject to the California Environmental Quality Act (CEQA), and that staff has conducted the appropriate environmental analysis in compliance with CEQA requirements. Based on that assessment, staff has adopted a mitigated negative declaration for the project. The environmental analysis notes possible short term impacts during the construction phase of the project which will be mitigated in order to provide less than a significant impact on the environment. The public review period for the Negative Declaration was from December 27, 2017 and ended on January 17, 2018.

The motion carried with the following vote:

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

- 8) CONSIDERATION TO ADOPT AN ORDINANCE AND RESOLUTION AMENDING THE SAN FERNANDO MUNICIPAL CODE PERTAINING TO SERVING AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN CITY FACILITIES

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Mayor Ballin declared the Public Hearing open.

Director of Recreation & Community Services Julian J. Venegas presented the staff report and replied to questions from Councilmembers.

Mayor Ballin called for public testimony; there were no public comments.

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to close the Public Hearing. By consensus, the motion carried.

Discussion ensued amongst Councilmembers.

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

- a. Introduce for first reading, in title only, and waive further reading of Ordinance No. 1681, “An Ordinance of the City Council of the City of San Fernando, California, amending Section 54-18 (Intoxicating Liquor Prohibited) of Article I (General) of Chapter 54 (Parks and Recreation) of the San Fernando Municipal Code to authorize the presence and consumption of alcohol at City recreational facilities subject to permit conditions.”;
- b. Adopt Resolution No. 7885 adopting a Management Policy/Procedure for regulating the Serving and Consumption of Alcoholic Beverages in City Facilities;
- c. Adopt Resolution No. 7886 adopting a processing fee for issuing an alcohol use permit; and
- d. Include an amendment to implement a 10% surcharge for non-residents provided that such plan is feasible and within the jurisdiction that the Finance Director and City Attorney authorize.

The motion carried with the following vote:

AYES: Gonzales, Fajardo, Soto, Lopez, Ballin – 5  
NOES: None  
ABSENT: None

**ADMINISTRATIVE REPORTS**

- 9) CONSIDERATION TO DETERMINE A CITY POSITION ON THE 2018 LEAGUE OF CALIFORNIA CITIES RESOLUTIONS
- 9a) DESIGNATION OF A VOTING DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES GENERAL ASSEMBLY MEETING ON SEPTEMBER 13, 2018.

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City Manager Meyerhoff presented the staff report and stated that both voting delegates (Lopez and Fajardo) were unable to attend the League of California Cities Annual Business Meeting to vote on the City's behalf on the two resolutions.

No other Councilmembers were available to attend; no action taken on either item.

The following item was taken out of order.

11) DISCUSSION REGARDING VIOLATION OF CITY POLICY PERTAINING TO DONATIONS FROM EL SUPER, CITY COUNCIL DIRECTIVES, AND OTHER RULES AND PROCEDURES

Councilmember Fajardo expressed concern whether policies are being broken, if appropriate disciplinary action would be taken, wondered if employees are treated equally, and asked at what point would the City Manager get involved.

Mayor Ballin said these are important policy questions but expressed concern and suggested that the discussion be held off-line in a meeting with the City Attorney, City Manager and Police Chief.

No action taken (a meeting would be held with staff).

By consensus, Council agreed with Councilmember Gonzales' suggestion to receive an update regarding the labor group and whether the issue had been resolved with El Super.

10) DISCUSSION REGARDING BADGES FOR CITY COUNCILMEMBERS

Councilmember Fajardo explained why he added the item to the agenda and asked if there was a true necessity to provide police-type badges to Councilmembers since they already have identification badges as well and suggested ending the practice.

Police Chief Anthony Vairo added that the badges very much resemble a police badge and suggested, if Council decides to keep them, they be redesigned.

Discussion ensued amongst Councilmembers and staff.

Motion by Vice Mayor Lopez, seconded by Councilmember Gonzales, to keep the Councilmember badges as-is, but if (in the future) they are misused, they are to be removed immediately from all Councilmembers.

The motion carried with the following vote:

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

*At this time (8:57 p.m.) Councilmember Fajardo left the Council Chambers.*

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- 12) DISCUSSION AND REQUEST TO PREPARE AND SUBMIT A LETTER IN SUPPORT OF ISRAEL AND PRIME MINISTER BENJAMIN NETANYAHU THAT CORRELATES WITH ROSH HASHANAH AND THE SABBATH OF YOM KIPPUR

Councilmember Soto gave a brief presentation and said that he would like to show that the City is in one partnership and has unwavering support for the state of Israel.

Discussion ensued amongst Councilmembers and staff.

Motion by Vice Mayor Lopez that staff work with Councilmember Soto on drafting a letter to be circulated to Councilmembers and each may sign if they choose.

Mayor Ballin seconded the motion with the recommendation that Councilmember Soto draft the letter to be circulated. Vice Mayor Lopez accepted the amendment and the motion carried with the following vote:

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

- 13) DISCUSSION REGARDING THE ROLE OF CHIEFS OF POLICE WITH RESPECT TO THE U.S. CONSTITUTION AND THE BILL OF RIGHTS

Councilmember Soto inquired whether Chief Vairo brought the penal code with him (he did not) and suggested tabling the item for the next time. Mayor Ballin asked if Councilmember Soto would include additional information and either submit it to the City Clerk or attach to the report.

- 14) DISCUSSION REGARDING THE GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT PROGRAM AND SAFETY PROTOCOLS

Councilmember Soto talked about his concerns regarding mosquitos, vector control protocols and regulations, asked about the chemicals being sprayed and whether they're potentially harmful to wildlife, domestic animals, and children. Staff will contact the County for more information and Mayor Ballin announced that a new representative would be appointed at the upcoming meeting.

**STAFF COMMUNICATION INCLUDING COMMISSION UPDATES**

Director of Recreation and Community Services Julian Venegas reported that the Recreation and Community Service Commission would be meeting on September 11.

Director of Community Development Hou reported that the Planning and Preservation Commission will be back here tomorrow to discuss a conditional use permit for a restaurant expanding their outdoor dining.

Director of Public Works/City Engineer Emrani reported that the FEMA grant application was

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submitted for the water tank reservoir and he said there will be a Transportation & Safety Commission meeting next Wednesday.

City Manager Meyerhoff asked that Councilmembers respond to Executive Assistant Julie Fernandez as she was reaching out to them to schedule various Ad Hoc Committee meetings.

**GENERAL COUNCIL COMMENTS**

Councilmember Soto said that the Mariachi Tesoro band sounded great and wished everyone in the Jewish community a happy Yom Kippur and Rosh Hashanah.

Mayor Ballin wished everyone a good evening.

**ADJOURNMENT (9:25 P.M.)**

Motion by Councilmember Gonzales, seconded by Vice Mayor Lopez, to adjourn both special and regular meetings. By consensus the motion carried.

*I do hereby certify that the foregoing is a true and correct copy of the minutes of September 4, 2018, meeting as approved by the San Fernando City Council.*

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*Elena G. Chávez, CMC*  
*City Clerk*