

**SAN FERNANDO CITY COUNCIL
MINUTES**

**FEBRUARY 19, 2019 – 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 6:09 p.m.

Present:

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

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

PLEDGE OF ALLEGIANCE

Led by Student of the Month Melissa Villegas

APPROVAL OF AGENDA

Mayor Fajardo stated that the order of the items would be changed to 9, 7, 5, 6, 4, 10, and 8.

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

PRESENTATIONS

Mayor Fajardo announced that Presentations F and D were postponed to a subsequent meeting.

The following presentations were made:

- a) CERTIFICATE OF RECOGNITION – STUDENT OF THE MONTH MELISSA VILLEGAS

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- b) PRESENTATION REGARDING EXPANDED POLYSTYRENE FOODWARE AND A GREEN CITY CONCEPT

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin to create an Ad Hoc Committee (Ballin and Fajardo) to work with Dr. Rosa Furumoto regarding this issue.

The motion carried with the following vote:

AYES: Pacheco, Fajardo, Lopez, Ballin – 4

NOES: Gonzales – 1

ABSENT: None

- c) PEDESTRIAN FENCING AT GLENOAKS BOULEVARD BRIDGE OVER PACOIMA WASH FEASIBILITY STUDY RESULTS
- d) PRESENTATION BY GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT

Postponed to a subsequent meeting.

- e) PRESENTATION BY FilmLA – VICE PRESIDENT OF OPERATIONS DONNA WASHINGTON
- f) AIR QUALITY UPDATE - SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Postponed to a subsequent meeting.

PUBLIC STATEMENTS – WRITTEN/ORAL

Christina Bernal talked about current issues and asked that the Council move forward to create a business friendly City.

Orlando Martinez talked about his cannabis license, dispensaries (does not agree with the 1,000 feet distance from schools), and said that comparing alcohol to cannabis is insulting.

Julie Cuellar talked about speeding cars and said that the City needs more traffic officers on the streets.

Mary Mendoza asked that Council not make a hasty decision when selecting a new City Manager, suggested hiring a consultant to search for the best candidate, and agrees with the City Administrator form of government.

Tom Ross, San Fernando Chamber of Commerce, spoke in support of FilmLA and Nick Kimball as City Manager, and said the Chamber is strongly against going back to the City Administrator form of government.

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Jon (did not state last name), owner Jon's Towing, said he's been in the business for 21 years and recently opened a fourth location in the City, asked that Council not extend the contract with Black & White Towing because he would like an opportunity to bid, and suggested that the City allow two companies for towing.

City Clerk Chávez read a statement from resident Jesse Avila who stated that three items of concern were the minimum wage ordinance, modification of the administrative structure of the City, and the appointment of a City Manager. These items deserve a broader public discussion and warrant more opportunity for public input.

City Clerk Chávez read a statement from resident Dave Bernal who expressed disappointment that the former City Manager was released. He said we need businesses such as a movie theater, music venue, diverse restaurants, and unique retail options to attract people from other communities, and need tax revenue without inundating the City with apartment buildings.

CITY COUNCIL - LIAISON UPDATES

Councilmember Gonzales talked about the San Fernando Valley Metro Service Council event and said it was interesting to see different concepts and ideas regarding future transportation.

CONSENT CALENDAR

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

- 1) REQUEST TO APPROVE MINUTES OF:
 - a. FEBRUARY 4, 2019 – SPECIAL MEETING
 - b. FEBRUARY 12, 2019 – SPECIAL MEETING
- 2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
- 3) CONSIDERATION TO APPROVE A SECOND AMENDMENT TO THE WILLDAN ENGINEERING PROFESSIONAL SERVICES AGREEMENT FOR THE SAN FERNANDO TRAFFIC SIGNAL IMPROVEMENT PROJECT

By consensus, the motion carried.

RECESS (7:40 P.M.)

Mayor Fajardo called for a brief recess.

RECONVENE (7:49 P.M.)

The following items were moved up on the agenda.

ADMINISTRATIVE REPORTS

9) DISCUSSION AND POSSIBLE ACTION TO MODIFY THE ADMINISTRATIVE STRUCTURE OF THE CITY

Assistant City Attorney Padilla presented the staff report and replied to various questions from Councilmembers.

Discussion ensued amongst Councilmembers and each provided input and comments.

Mayor Fajardo allowed for additional comments from the public.

Michael Remenih asked what was the problem, why are we talking about this, he doesn't see the necessity, and did not think this was a good idea and it should be left as is.

Tom Ross asked why the change in the form of government and believes that the more Council is consumed with day-to-day operations, the less employees will trust that they can do their work without worrying about their jobs and said it's not an environment that makes productive work.

Irwin Rosenberg, representing the Police Officers' Association, spoke against changing back to the City Administrator form of government (or the modified form), they have serious concerns, and said that if the City moves forward with the change, the association will issue a letter of opposition.

Motion by Councilmember Gonzales, seconded by Vice Mayor Ballin, to close the "Public Hearing". By consensus, the motion carried.

Discussion ensued amongst Councilmembers and each provided input and comments.

No motion was made; no action taken.

7) DISCUSSION REGARDING SAN FERNANDO CREDIT DOWNGRADE, FINANCIAL STABILITY AND USE OF MEASURE A FUNDS

Interim City Manager Kimball presented the agenda item and replied to various questions from Councilmembers.

Discussion ensued amongst Councilmembers and each provided input and comments.

No motion was made; no action taken.

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5) **CONSIDERATION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE SAN FERNANDO MANAGEMENT GROUP**

Mayor Fajardo made brief comments regarding why he asked that this item be listed as an Administrative Report.

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

- a. Approve a Memorandum of Understanding (Contract No. 1905) between the City of San Fernando and the San Fernando Management Group for a three-year term (July 1, 2018 through June 30, 2021); and
- b. Authorize the City Manager to make non-substantive corrections and execute all related documents.

By consensus, the motion carried.

6) **CONSIDERATION TO ADOPT A RESOLUTION AMENDING THE FISCAL YEAR 2018-2019 SALARY SCHEDULE TO INCLUDE THE POLICE RESERVE PROGRAM STIPENDS AND THE NEGOTIATED WAGE ADJUSTMENTS FOR THE SAN FERNANDO MANAGEMENT GROUP**

Interim City Manager Kimball gave a brief report and replied to questions from Vice Mayor Ballin.

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

- a. Adopt Resolution No. 7904 amending the Fiscal Year 2018-2019 Salary Schedule to include the Police Reserve Program stipends and the negotiated wage adjustments for certain job classifications in the San Fernando Management Group;
- b. Approve the implementation of the updated and negotiated wages for all applicable employees; and
- c. Authorize the City Manager to make non-substantive corrections and execute all related documents.

By consensus, the motion carried.

4) **CONSIDERATION TO APPROVE A FIVE-YEAR EXTENSION TO THE FRANCHISE AGREEMENT WITH BLACK & WHITE TOWING, INC. FOR TOWING AND STORAGE SERVICES**

Police Chief Anthony Vairo presented the staff report. Both he and Interim City Manager Kimball replied to various questions from Councilmembers.

Discussion ensued amongst Councilmembers and each provided input and comments.

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Motion by Mayor Fajardo to try to leverage a contract extension with Black & White Towing, Inc. between six months or (maximum) through December 31st, prepare a Request for Qualifications (RFQ), reach out to companies that may qualify, and report back to Council with updates.

He added that in the event the City is unable to get a six-month extension, or extension through December 31st, staff look at other companies that would provide the services during the process.

Mayor Fajardo clarified the motion, seconded by Vice Mayor Ballin, that Interim City Manager Kimball to try to obtain a contract extension with Black & White Towing, Inc. between six months or (maximum) through December 31st, to begin the RFQ process, and to look into other aspects of the towing contract that can be broken down to allow for different bids.

The motion carried with the following vote:

AYES: Pacheco, Ballin, Fajardo – 3
NOES: Lopez, Gonzales – 2
ABSENT: None

8) DISCUSSION REGARDING OVERVIEW OF LEGAL AUTHORITY AND OTHER CONSIDERATIONS RELEVANT TO THE IMPLEMENTATION OF A LOCAL MINIMUM WAGE ORDINANCE

Mayor Fajardo announced this item will be postponed to a later date.

RECESS (9:35 P.M.)

Mayor Fajardo called for a brief recess.

RECONVENE (9:41 P.M.)

10) CONSIDERATION AND POSSIBLE APPROVAL OF CITY MANAGER APPOINTMENT AND APPROVAL OF RELATED EMPLOYMENT AGREEMENT PENDING CLOSED SESSION DISCUSSION AND DELIBERATION

Assistant City Attorney Padilla stated that the City Council agreed to consider a proposed employment contract for Nick Kimball as permanent City Manager. He reported that the salient terms of contract are as follows:

- Base salary is \$185,000;
- City will pay the employee portion of the CalPERS contribution;
- Salary will be adjusted by percentage equal to annual percentage change to the May Consumer Price Index (first increase to take effect July 1, 2020);
- Five-year term;

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- Six months' severance; and
- CalPERS adjusted to reflect Mr. Kimball's class CalPERS member status.

Motion by Vice Mayor Ballin, seconded by Mayor Fajardo, to appoint Nick Kimball as City Manager and to approve the terms of employment as set forth in the Employment Agreement, subject to the modifications read into the record.

The motion carried with the following vote:

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

STAFF COMMUNICATION INCLUDING COMMISSION UPDATES

Police Chief Vairo gave an update regarding new hires and asked if the meeting could be adjourned in the memory of Police Officer Benny Simonzad's son Liam.

Director of Recreation and Community Services Julian Venegas gave an update regarding the department's activities and said they will be hosting a series of meetings to get public input pertaining to park improvements identified in the Park Master Plan.

Director of Community Development Timothy Hou talked about Metro's East San Fernando Valley Transit Corridor Project walk audit for the first/last mile planning project and he reported that the Kosmont consultant will be present their findings and overview regarding the City's economic development.

Director of Public Works/City Engineer Yazdan Emrani gave an update regarding the now filled vacancies in Public Works and about Metropolitan Water District's turf removal program.

GENERAL COUNCIL COMMENTS

Councilmember Gonzales also spoke about Metro's walk audit, agreed there was great participation, and he congratulated Mr. Kimball.

Councilmember Lopez congratulated Nick Kimball and said he will do a great job.

Councilmember Pacheco thanked staff, congratulated Nick Kimball, talked about Metro's walk audit, and said he's looking forward to discussing the agenda items that were postponed to a later date.

Vice Mayor Ballin believes that Mr. Kimball will do a good job and said that the difference (this time around), is that he has the support of a full staff. She talked about her wonderful experience regarding career day at O'Melveny Elementary School.

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Mayor Fajardo agreed that the City has a great City Manager and staff, said that he spoke with Mr. Kimball regarding the Parking Improvement Business District (PBID) item and asked that staff reach out to the businesses and property owners, and said that he met with a business associate regarding Republic Services and hopes to find solutions regarding some of the issues.

ADJOURNMENT (10:00 P.M.)

Motion by Ballin, seconded by Councilmember Gonzales, to adjourn the meeting in memory of Liam Simonzad. By consensus the motion carried.

I do hereby certify that the foregoing is a true and correct copy of the minutes of February 19, 2019, meeting as approved by the San Fernando City Council.

Elena G. Chávez, CMC
City Clerk