

**SAN FERNANDO CITY COUNCIL
MINUTES**

**AUGUST 5, 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 6:01 p.m.

Present:

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

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

PLEDGE OF ALLEGIANCE

Led by City Manager Nick Kimball

APPROVAL OF AGENDA

Motion by Councilmember Gonzales, seconded by Councilmember Lopez, to approve the agenda. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

Sandra Garcia expressed concerns regarding the lack of progress relative to a movie theater that was proposed over three years ago and a cannabis dispensary that was previously proposed.

Egiberto Perla reported approaching the City for a permit to build a fence around his house for added privacy, but stated it was approved for a height of three feet, which is insufficient.

Antonio Moreno said that he previously addressed Council regarding police calls to his house because of a report that his wife was playing a radio too loudly. He thanked Council for following up on the matter noting he has had no additional visits from the police.

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Anthony King, Director of The Camp Transformation Center, discussed services provided by his company and police calls for service by his neighbor complaining about loud music. He asked for help from the City indicating they are in compliance with regulations regarding noise.

Arturo Garcia, field representative for Assemblymember Luz Rivas, provided district information and updates on their activities.

Michael Remenih announced National Night Out and urged the public to attend.

David Bernal referenced Item No. 11 and spoke in support of moving the project forward, discussed the need for housing, indicated residents should be included in terms of Item No. 6, and advised residents to always be vigilant.

CITY COUNCIL - LIAISON UPDATES

Councilmember Gonzales gave an update regarding the recent Independent Cities Association Conference, addressed a Census panel on which he participated, and discussed a Census Ad Hoc Committee meeting.

Councilmember Lopez gave an update regarding a recent Library Commission meeting.

Vice Mayor Ballin said that the California Latino Water Coalition hosted an exciting event for the Metropolitan Water District Chair, and she shared a text from relatives that live in El Paso regarding the recent shooting and talked about her concerns.

Mayor Fajardo gave an update regarding a San Fernando Valley Council of Governments meeting and said they discussed Regional Housing Needs Assessment (RHNA) numbers and announced that the City Council Liaison Assignments list will be placed on the next meeting agenda.

CONSENT CALENDAR

Vice Mayor Ballin pulled Item No. 5, and Councilmember Gonzales pulled Item No. 3, for further discussion.

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to approve the remaining Consent Calendar Items:

- 1) REQUEST TO APPROVE MINUTES OF JULY 15, 2019 – REGULAR MEETING
- 2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
- 4) CONSIDERATION TO APPROVE THE PURCHASE OF A 2019 DODGE CHARGER POLICE VEHICLE

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By consensus, the motion carried.

Items Pulled for Further Discussion

3) CONSIDERATION TO APPROVE THE UPDATED CITY COUNCIL AD HOC COMMITTEE ASSIGNMENTS

Councilmember Gonzales could not immediately locate his notes on this item and will bring it up at a later day if necessary.

Motion by Mayor Fajardo, seconded by Councilmember Gonzales, to approve the updated City Council Ad Hoc Committee Assignments. By consensus, the motion carried.

5) CONSIDERATION TO APPROVE A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION TO PREPARE A SAFE AND ACTIVE STREETS IMPLEMENTATION PLAN

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

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to:

- a. Accept a grant award in the amount of \$141,680 from Caltrans to prepare a Safe and Active Streets Implementation Plan;
- b. Approve a Resolution No. 7941 authorizing the City to enter into an agreement with the California Department of Transportation for the preparation of City of San Fernando's Safe and Active Streets Implementation Plan;
- c. Approve Resolution No. 7943 appropriating the grant funds in the FY 2019-2020 Budget; and
- d. Authorize the City Manager to execute the Agreement and all related documents on behalf of the City.

By consensus, the motion carried.

The following item was moved up on the agenda.

ADMINISTRATIVE REPORTS

10) HOMELESS OUTREACH UPDATE IN THE CITY OF SAN FERNANDO

City Manager Kimball deferred to Police Chief Anthony Vairo for a report.

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Police Chief Vairo introduced Police Sergeant Irwin Rosenberg who gave an update on homeless outreach in the City.

Discussion ensued and staff replied to questions from Councilmembers.

By consensus, Councilmembers requested an update after every Service Planning Area meeting attended and concurred to receive and file the report.

PUBLIC HEARING

- 6) CONSIDERATION TO ADOPT AN ORDINANCE AND RESOLUTION TO CREATE A SIDEWALK VENDING PROGRAM AND REGULATIONS IN THE CITY OF SAN FERNANDO IN COMPLIANCE WITH SENATE BILL 946

Mayor Fajardo declared the Public Hearing open.

Deputy City Manager/Director of Community Development Timothy Hou gave the staff report and replied to various questions from Councilmembers.

Discussion followed regarding prohibiting the imposition of caps on the number of permits allowed, the need to allow for free movement of pedestrians on sidewalks, permitted hours of operation, effects on vendors at City and nonprofit events, the importance of ADA accessibility, "Ability-to-pay determinations", hand-washing and restrooms, requirements for liability insurance, negative effects on small businesses, additional burdens on Code Enforcement, and consequences of non-compliance.

Mayor Fajardo called for public testimony and requested to incorporate comments made earlier during general public comments.

Michael Remenih stated he is not in favor of the Sidewalk Vending Program but noted it is a state mandate, reported he was extremely impressed with the presentation and questions asked, and indicated he is confident the ordinance will be manageable when it comes to fruition.

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

Ensuing discussion pertained to the possibility of extending hours of operation for Code Enforcement and amending the budget to allow for same, enforcing regulations relative to being 15' from a fire hydrant, separations from vendor to vendor, beginning discussions to give exclusive use rights to local sports teams, research the use of propane in parks and having a preventative tarp on the ground, and the possibility of charging for pressure washing public areas, if necessary. Additionally, Council requested the hours of operation in residential areas be limited during the week as in the weekend.

Staff will return to Council with a resolution detailing the provisions discussed above along with second reading of the ordinance.

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Motion by Vice Mayor Ballin seconded by Councilmember Lopez, to introduce for first reading, in title only, and waive full reading of Ordinance No. 1688, “An Ordinance of the City Council of the City of San Fernando, California, Repealing in Part and Amending in Part Chapter 58 (Peddlers and Solicitors) of the San Fernando Municipal Code to Create a Sidewalk Vending Program in Compliance with Senate Bill 946.”

The motion carried with the following vote:

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

7) CONSIDERATION TO ADOPT A RESOLUTION ESTABLISHING USER FEES FOR FISCAL YEAR 2019-2020 AND RESCIND PRIOR USER FEE RESOLUTIONS

Mayor Fajardo declared the Public Hearing open.

City Manager Kimball presented a brief staff report.

Mayor Fajardo called for public testimony; there were none.

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

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to:

- a. Adopt Resolution No. 7944 incorporating all current fees for City services into a FY 2019-20 Annual Fee Schedule, amending certain fees and charges; and
- b. Rescind Resolution No. 7849 and all parts of resolutions in conflict with Resolution No. 7944.

The motion carried with the following vote:

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

ADMINISTRATIVE REPORTS (CONTINUED)

8) CONSIDERATION TO DESIGNATE A VOTING DELEGATE AND ALTERNATE(S) FOR THE 2019 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

City Manager Kimball presented a brief staff report.

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

- a. Designate Councilmember Pacheco as the Voting Delegate for the 2019 League of California Cities Annual Conference;
- b. Designate Vice Mayor Ballin as the Alternate Voting Delegate (who may vote in the event that the designated Delegate is unable to serve in that capacity);
- c. Authorize the City Clerk to execute and submit the 2019 Annual Conference Voting Delegate/Alternate Form.

By consensus, the motion carried.

9) DISCUSS EFFORTS TO ESTABLISH A PROPERTY BASED IMPROVEMENT DISTRICT (PBID)

City Manager Kimball presented a brief staff report and replied to various questions from Councilmembers.

Discussion ensued regarding allowing the Mall Association to research the matter and provide feedback regarding what the members want in terms of maintenance, focusing on what exists and how to work better, membership participation in the Mall Association, the need for a Mall Association or PBID, compiling a list of extra services mall merchants receive, and changing Council priorities to remove this item from the list.

City Manager Kimball reported an update will be provided to Council within 90 days.

Staff was provided with general direction and no formal action was taken.

11) CONSIDERATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH KOSMONT & ASSOCIATES, INC., DBA KOSMONT COMPANIES, TO PROVIDE REAL ESTATE ADVISORY SERVICES

Deputy City Manager/Director of Community Development Hou gave the staff report and replied to various questions from Councilmembers.

Discussion followed regarding the importance of serving the needs of the community, creating safe zones and the importance of private/public partnerships.

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

- a. Approve a Professional Services Agreement (Contract No. 1925) with Kosmont & Associates, Inc., dba Kosmont Companies in an amount not-to-exceed \$45,000 to provide real estate advisory services; and
- b. Authorize the City Manager to execute all related documents.

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By consensus, the motion carried.

STAFF COMMUNICATION INCLUDING COMMISSION UPDATES

City Clerk Chávez reported effective March 2020, L.A. County will transition from polling places to vote centers (the Los Angeles County Clerk has selected Las Palmas Park as a vote center), and reported that on September 16, Jeff Klein, L.A. County Voter Education Outreach, will attend the City Council meeting to make a presentation on upcoming changes to elections.

Police Chief Vairo announced National Night Out on August 6, and urged the public to participate (noted security will be the Department's major priority), and he provided an update on the officers that were injured during a recent incident.

Director of Recreation and Community Services Julian Venegas announced that the City received grants from Habitat Conservation Fund (to implement the Family Hike Environment Program) and from L.A. Education Partnership (to provide outreach opportunities for parents and service providers targeting the First Five community), and reported that the next meeting of the Parks and Recreation Commission will be on Tuesday, August 13.

Deputy City Manager/Director of Community Development Hou reported that the Planning and Preservation Commission will be meet on Tuesday, August 20.

City Manager Kimball provided updates on the Public Works Director and Finance Director recruitment.

GENERAL COUNCIL COMMENTS

Councilmember Pacheco requested updates on financing the tax revenue and leveraging it for more Public Works funds, on the tree fund and plans for reforestation, and on the status of a Farmers Market. He commended the Police Department on its response to the recent incident.

Councilmember Lopez requested an update on the Public Works pothole repair project and commented positively on the quality of the City's Summer Day Camp program.

Councilmember Gonzales wished a speedy recovery to injured police officers and commended them for their restraint during the recent incident.

Vice Mayor Ballin talked about the loud parties, and City Manager Kimball addressed public outreach to educate the public regarding the City's noise ordinance.

Mayor Fajardo commended the Police Department for its bravery and response during the recent incident, and asked to adjourn in memory of the victims of the recent El Paso and Ohio shootings and in memory of Barbara Torres.

RECESS TO CLOSED SESSION (9:31 P.M.)

A) CONFERENCE WITH LABOR NEGOTIATOR

G.C. §54957.6

Designated City Negotiators:

City Manager Nick Kimball

City Attorney Rick Olivarez

Assistant City Attorney Richard Padilla

Employees and Employee Bargaining Units that are the Subject of Negotiation:

San Fernando Management Group (SEIU, Local 721)

San Fernando Public Employees' Association (SEIU, Local 721)

San Fernando Police Officers Association

San Fernando Police Officers Association Police Management Unit

San Fernando Police Civilian Association

San Fernando Part-time Employees' Bargaining Unit (SEIU, Local 721)

All Unrepresented Employees

B) CONFERENCE WITH REAL PROPERTY NEGOTIATOR

G.C. §54956.8

Property: 13441 Foothill Blvd., Sylmar, City of Los Angeles

Agency Negotiator: City Manager Nick Kimball, Lead Negotiator

City Attorney Rick Olivarez

Assistant City Attorney Richard Padilla

Negotiating Parties: Brian Board and Christina Garay of Rodeo Realty on behalf of Richard C. Patterson, as to an undivided 50% interest in the subject property and David M. Kull and Ronna Kull, Trustees of the David and Ronna Kull Trust dated March 30, 2007, as to an undivided 50% interest in the subject property

Under Discussion: Price and Terms of Payment as relates to Option to Purchase Agreement

C) CONFERENCE WITH LEGAL COUNSEL – CONSIDERATION OF INITIATION OF LITIGATION

G.C. §54956.9(d)(4)

One (1) Matter

RECONVENE/REPORT OUT FROM CLOSED SESSION (10:25 P.M.)

Assistant City Attorney Padilla reported the following:

Items A, B, and C – General updates given by the City Manager and Deputy City Manager, feedback was given by the City Council, but no final action was taken.

ADJOURNMENT (10:25 P.M.)

Motion by Vice Mayor Ballin, seconded by Councilmember Lopez, to adjourn the meeting in memory of Barbara Torres. By consensus, the motion carried.

I do hereby certify that the foregoing is a true and correct copy of the minutes of August 5, 2019, meeting as approved by the San Fernando City Council.

Elena G. Chávez, CMC
City Clerk