

**SAN FERNANDO CITY COUNCIL
MINUTES**

**OCTOBER 20, 2014 – 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, Mayor Pro Tem Robert C. Gonzales, and Councilmembers Jesse H. Avila, Joel Fajardo, and Antonio Lopez

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

PLEDGE OF ALLEGIANCE

Led by Police Explorer Samantha Martinez

APPROVAL OF AGENDA

Motion by Councilmember Fajardo, seconded by Mayor Pro Tem Gonzales, to approve the agenda. By consensus, the motion carried.

PRESENTATION

The following presentation was made:

- a) PROCLAMATION IN HONOR AND MEMORY OF NATI CANO

PUBLIC STATEMENTS – WRITTEN/ORAL

Battalion Chief Rick Combs highlighted significant calls for service to the Fire Department and noted he looks forward to working with the City Council.

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Ava Lopez spoke in opposition to the JC Penney apartments (Item No. 7) and concerns regarding congestion and increased taxes. (Ms. Lopez requested that her comments be incorporated into the official record under Item No. 7.)

Maria Avalos, Community Relations Coordinator, Community Integration Services, spoke about her organization, thanked Councilmember Avila for the recent Health Fair, discussed services and activities for seniors, and invited the San Fernando senior community to contact them for information.

Carlos Calderon referenced construction of an apartment project across his street and asked if they will be low-income housing, such as Section 8. He was referred to staff for additional information.

Julie Cuellar spoke in opposition to Item No. 7, thanked Council for postponing the item to obtain additional information, noted residents wanted (and continue to want) a department store, and discussed other apartment projects in the City.

Louis Lopez referenced his campaign running for City Council noting he spoke with hundreds of residents and business owners who were upset that JC Penney was closing and were opposed to building affordable housing on the site. He urged Council to listen to the community and deny Item No. 7.

Vernie Watson spoke in opposition to the proposed apartment complex at the old JC Penney site and expressed concerns with the condition of her street.

Peter Cerda referenced a construction project on Harding Street, reported residents were not notified of (and were opposed to) the project, and spoke about blocked off streets, lack of parking, dirt and construction occurring on Sundays.

CONSENT CALENDAR

Mayor Ballin pulled Item No. 3 for further discussion.

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

- 1) REQUEST TO APPROVE MINUTES OF:
 - a. SEPTEMBER 2, 2014 – SPECIAL MEETING
 - b. SEPTEMBER 15, 2014 – SPECIAL MEETING
 - c. SEPTEMBER 15, 2014 – REGULAR MEETING
 - d. SEPTEMBER 29, 2014 – SPECIAL MEETING
 - e. OCTOBER 6, 2014 – SPECIAL MEETING

- 2) CONSIDERATION TO ADOPT RESOLUTION NO. 14-102 APPROVING THE WARRANT REGISTER

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- 4) CONSIDERATION TO ADOPT A RESOLUTION AUTHORIZING AMENDMENTS TO THE JOINT POWERS AUTHORITY AGREEMENT WITH THE SAN FERNANDO VALLEY COUNCIL OF GOVERNMENTS
- 5) CONSIDERATION TO ADOPT A RESOLUTION ENDORSING PROPOSITION P SAFE NEIGHBORHOOD PARK MEASURE
- 6) SAN FERNANDO REGIONAL POOL FACILITY LEASE UPDATE

By consensus, the motion carried.

Item Pulled for Further Discussion

- 3) ADOPTION OF ORDINANCE NO. 1638 AMENDING THE CITY’S WATER CONSERVATION AND MANAGEMENT PROGRAM – SAN FERNANDO MUNICIPAL CODE CHAPTER 94, ARTICLE III, DIVISION 4

In response to Mayor Ballin’s question, Deputy City Manager/Public Works Director Chris Marcarello discussed residents washing their cars on their lawns and provisions requiring nozzles that turn the water on and off.

Motion by Mayor Ballin, seconded by Councilmember Lopez, to waive full reading of Ordinance No. 1638 and adopt by title only, “An Ordinance of the City Council of the City of San Fernando, California, Amending Chapter 94 (Utilities), Article III (Water), Division 4 (Wastage) of the San Fernando Municipal Code”. By consensus, the motion carried.

PUBLIC HEARING

- 7) CONSIDERATION TO APPROVE A RESOLUTION APPROVING AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) AND A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE CSCDA OF MULTIFAMILY HOUSING REVENUE BONDS FOR THE PENNEY’S APARTMENTS AT 1150 SAN FERNANDO ROAD

City Attorney Olivarez read the title of this item, suggested changes to the staff report which were accepted without objection, and noted residents may speak for, or against, the item during public comments.

Community Development Director Fred Ramirez provided details of the staff report and reported a representative from CSCDA is in attendance to respond to Councilmember's questions.

Caitlyn Longtow, CSCDA, offered to respond to questions from Councilmembers.

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In response to Councilmember Avila's question, Ms. Longtow explained the City could issue the bonds but CSCDA will do so, instead, and reported there will be no financial responsibility by the City, the bonds will be repaid by the project revenue and there will be no tax increases.

Replying to Councilmember Lopez's question, Ms. Longtow addressed other cities assisted by CSCDA.

Discussion followed regarding city and county jurisdiction and it was stressed that the City will have no financial responsibility in the process. Ensuing discussion pertained to Citibank as the source of bond funds, low-income housing exemptions, impacts to commercial property taxes, and the EIR process and categories under affordable housing projects.

Mayor Ballin declared the Public Hearing open.

Linda Campanella spoke in support of project, noted the building has been vacant for two years, addressed the vacancy rate for rentals, stressed the need for young residents who will add vibrancy to the community, stated the bond program does not place the City in any jeopardy, and discussed the project benefits to the City.

Louie Mendoza, Pacoima, spoke in opposition to the project, urged Council to listen to residents and reminded Councilmembers to consider their re-election when making decisions.

Julie Cuellar spoke in opposition to the project noting residents want retail and not apartments and expressed concerns regarding increased traffic and the cost of City services.

Mary Mendoza discussed the important decision that will change the dynamics of the City, said the project is not a way of revitalizing the City, spoke in opposition to the project, reminded Councilmembers of their responsibility to serve the public interest, and urged Council to listen to residents' requests.

Eric Tovar noted he cares about what happens in the City and spoke in opposition to the project and urged Council to deny it.

Chris Matye spoke in support of the project, noted the need to provide affordable housing for single moms, students, and those in need, and stated the City is historic and visionary.

Vanessa Ceballos, resident and business owner, spoke in support of the project as it will bring more people to the mall, discussed keeping money within the City, and suggested there is a lot of misinformation being dispersed.

Irene Tovar expressed concerns about rising costs in City services as a result of the project, disagreed with the atmosphere of the meeting and prohibiting people from displaying signs, alleged intimidation and urged Council to listen to the concerns of residents.

Louis Gallegos agreed with the previous speaker, spoke about promises made by Councilmembers that have not been kept, discussed concerns with rising crime and parking problems, opposed the project and urged the City to keep residents informed and involved.

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Pedro Santana, Jr. urged Council to pay attention to residents over businesses and spoke in opposition to the project.

Rosa Ruvalcaba spoke in support of the project, noted the need for affordable housing to attract young people into the City, discussed the quality products of the developer, and urged Council to increase options for low-income residents.

Rosemary Jenkins, Chair, Northeast Valley Green Alliance, stated she is dismayed by threats from public speakers, urged Councilmembers to vote their conscience, noted those speaking in opposition to the project do not represent the majority of residents, spoke in support of multi-use facilities, discussed resident and visitor parking, and felt people have been misled with misinformation about the project.

Miguel Montanez reported he has talked with many residents who overwhelmingly oppose the project and believe it is detrimental to the public interest, noted residents are concerned with increased traffic, parking problems, and public safety, and stated business are concerned with the negative impacts during construction and urged Council to deny the project.

Maxine Perez spoke in opposition to the project, expressed concerns that the dwellings will be for low-income residents, noted problems with traffic and parking, spoke about existing challenges to retail businesses, and urged Council to deny the project.

Tony Ruiz spoke about improvements in the City, alleged lack of transparency on this project, discussed the uniqueness of the City, and urged Council to deny the project.

Michael Duarte discussed the need for more businesses in the City, said low-income people do not spend money, and urged Council to listen to residents' concerns.

Tom Ross, President of the San Fernando Downtown Mall Association and of the San Fernando Chamber of Commerce, spoke in support of the project, reported JC Penney's was a poorly-managed organization, indicated there will be retail on the first floor with residential on the second floor, stressed the need to be a catalyst for change, and urged Council to approve the project.

Nancy Meza discussed the correlation between low-income housing and crime, spoke about transients living in the parks, stressed the need for more businesses in the City instead of housing units, expressed concerns with lack of parking, and urged Council to deny the project.

Rudy Garcia spoke positively regarding the developer, suggested the need for a crime impact statement, expressed concerns regarding increased traffic, and urged Council to listen to residents' concerns.

Louie Lopez presented a petition with 608 signatures of residents opposing the project, read a letter from Rebecca Martinez, and expressed concerns regarding decreased property values.

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Rudy Trujillo noted there is no correlation between poverty and crime, reported on the need to consider human dignity and the increasing need for affordable housing, urged residents to be open to progress, and spoke in support of the project.

Donna Prince stated she is grateful to live in San Fernando, noted she lives in affordable housing, patronizes local businesses, and spoke in support of the project.

Gustavo Franco spoke in opposition of the project, expressed concerns regarding increased congestion, said the Police Department and other City resources will be overwhelmed, and urged the City to bring in more businesses to the area.

City Clerk Elena Chávez read letters from Cindy Lopez, Mr. and Mrs. Travino, Kelly Dugan and Lauren Sherrie who opposed the project.

Motion by Councilmember Lopez, seconded by Councilmember Avila, to close the Public Hearing. By consensus, the motion carried.

RECESS/RECONVENE

Mayor Ballin called for a recess at 8:27 p.m. The meeting was reconvened at 8:35 p.m. with all Councilmembers, present.

City Manager Saeki reported Sev Aszkenazy, Development, Inc., is in the audience and available to respond to Council questions.

In response to an inquiry from Councilmember Avila, Mr. Aszkenazy presented details of the proposed project including background, retail and residential components; reported most retailers like to go into modern structures and addressed parking for the development.

Discussion followed demands on City resources including the Police and Fire Departments, creating a safer zone for the community, security, the possibility of providing market-rate housing in addition to low-income housing, the criteria for qualifying residents, determining residents' discretionary income, the types of businesses that will be attracted, impacts to public safety, calls for service at other low-income complexes and the need to properly staff the Police Department to handle calls for service.

Ensuing discussion pertained to capping the number of residents per unit to two, enforcement of regulations and potential economic benefits.

City Manager Saeki addressed critical mass to sustain businesses, noted the project will provide for increased foot traffic to restaurants and shops and spoke about the project's effect in promoting safety, businesses and other developments.

Discussion continued regarding renting versus homeownership, what would happen if the developer were to default, lack of parking, the possibility of building a parking structure, hiring additional Police Officers and staff, and levels of service for intersections in surrounding areas.

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Mayor Ballin expressed concerns the City will be known for low-income housing, acknowledged receipt of the petition and over 30 emails from residents opposing the project, and noted the need to consider what the community wants.

Councilmember Avila did not agree with Mayor Ballin relative to the City being known for low-income housing, noted a lack of trust and discussed wants and needs.

Councilmember Lopez spoke about the need to stimulate the economy by creating density, noted the need to bring all types of people to the City, addressed the need to bring big businesses to the City and discussed the need to embrace change.

Councilmember Fajardo discussed allowing clapping at meetings, thanked residents for attending and providing input, expressed concern with the low-income aspect of the project, said the project seems rushed and spoke about the need for more evidence in terms of projections related to discretionary income and public benefits. He hoped everyone will work together to make San Fernando a better City.

Mayor Pro Tem Gonzales acknowledged receipt of many telephone calls and emails, noted the majority of people he spoke with were in favor of the project as the mall needs revitalization, and expressed disappointment at some of the racist remarks he received.

Motion by Councilmember Lopez, Councilmember Avila, to:

- a. Adopt Resolution No. 7633 approving the CSCDA Amended and Restated Joint Exercise of Power Agreement;
- b. Adopt Resolution No. 7634 approving the proposed issuance of multifamily housing revenue obligations bonds by the CSCDA in an amount not to exceed \$12,000,000 for the benefit of Aszkenazy Development, Inc. (the Borrower); and
- c. Direct the City Manager to take all actions necessary to execute the Joint Exercise of Power Agreement and bond documents.

The motion carried with the following vote:

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

COMMITTEE/COMMISSION LIAISON UPDATES

Councilmember Avila encouraged residents to vote on November 4th.

Mayor Pro Tem Gonzales discussed a recent ICA Board meeting where the board voted to oppose Proposition 47, reported he was voted to serve as Chair of the High Speed Rail and

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invited the public to an upcoming meeting regarding the East San Fernando Transportation Corridor.

GENERAL COUNCIL COMMENTS

Councilmember Avila asked to adjourn the meeting in memory of Nati Cano.

Mayor Pro Tem Gonzales discussed the recent San Fernando 5K Relay and a brick sale to raise funds to refurbish the Cesar Chávez Memorial.

Mayor Ballin thanked Mayor Pro Tem Gonzales for his and his family's hard work.

STAFF COMMUNICATION

City Manager Saeki thanked Council for the spirited debate this evening and discussed the success of the recent San Fernando 5K Relay.

ADJOURNMENT (10:02 P.M.)

By consensus, the meeting was adjourned in memory of Nati Cano.

I do hereby certify that the foregoing is a true and correct copy of the minutes of October 20, 2014, meeting as approved by the San Fernando City Council.

*Elena G. Chávez
City Clerk*