

**SAN FERNANDO CITY COUNCIL
MINUTES**

**OCTOBER 17, 2016 – 6:00 P.M.
REGULAR MEETING**

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

CALL TO ORDER/ROLL CALL

Mayor Robert C. Gonzales called the meeting to order at 6:01 p.m.

Present:

Council: Mayor Robert C. Gonzales, Vice Mayor Joel Fajardo, and Councilmember Antonio Lopez

Staff: City Manager Brian Saeki, Deputy City Attorney Joaquin Vazquez, and City Clerk Elena G. Chávez

Absent: Councilmembers Sylvia Ballin and Jaime Soto

PLEDGE OF ALLEGIANCE

Led by San Fernando Police Explorer

APPROVAL OF AGENDA

City Manager Saeki requested to pull Item No. 4 (at least four Councilmembers are required to approve an urgency ordinance).

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

PRESENTATIONS

The following presentations were made:

- a) TRIBUTE TO OUR TROOPS
- b) CERTIFICATES OF RECOGNITION – SANTA ROSA BASEBALL LEAGUE CHAMPIONS

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RECESS (6:16 P.M.)

Mayor Gonzales called for a brief recess.

RECONVENE (6:26 P.M.)

PUBLIC STATEMENTS – WRITTEN/ORAL

Mary Mendoza wanted to remind Councilmembers that people are not in favor of the proposed 101 family units at the JC Penney building and that she said that several months ago, the downtown mall businesses submitted a petition against filming.

Marisol Diaz, Recreation and Community Services, invited everyone to the Diabetes Expo on November 12; free flu vaccines and preventative health screenings will be offered.

Lupita Camacho, Alberto's Hair Salon, talked about the filming taking place in the downtown mall and said that merchants are losing money and they're going to compile a list of their losses.

Tom Ross, Chamber of Commerce and Downtown Mall Association, gave input regarding Item No. 8 on the agenda regarding possibly establishing a business tax amnesty program.

Pastor Rudy Trujillo spoke in favor of the Trunk or Treat event and said that it will provide a safe zone for kids to enjoy Halloween night. He thanked the City Council and the Downtown Mall Association for their support.

David Bernal talked about the upcoming craft brew festival and he thanked everyone for being helpful. He said that the proceeds will go to No-Kill Los Angeles animal shelter.

CONSENT CALENDAR

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

- 1) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
- 2) CONSIDERATION TO APPROVE THE PURCHASE OF TWO NEW EMERGENCY POLICE VEHICLES
- 3) CONSIDERATION OF DISPOSITION OF SURPLUS CITY-OWNED PERSONAL PROPERTY

By consensus, the motion carried.

ADMINISTRATIVE REPORTS

By consensus, the following items were moved up on the agenda.

7) UPDATE REGARDING TIME WARNER/CHARTER CABLE MERGER

Steven Sawyer, Director of Government Affairs for Charter Communications, provided background information and replied to questions from Councilmembers regarding the merger of Time Warner Communications, Bright House Networks, and Charter Communications.

Brief discussion ensued but no formal action was taken.

10) CONSIDERATION TO APPROVE CO-SPONSORSHIP OF THE SAN FERNANDO TRUNK-A-TREAT EVENT

Vice Mayor Fajardo gave background on this item and suggested that, going forward, it is worthwhile to include this in the City's budget.

City Manager Saeki said that there have been numerous requests to waive fees and reported that, to date, fees waived are in the range of \$50,000 (not including staff time). He suggested that perhaps, during the mid-year budget review, money be set aside for these types of events.

Discussion ensued regarding the numerous good causes and how to ration City resources. By consensus, Council agreed that the proposed policy on Special Events address this issue.

Motion by Vice Mayor Fajardo, seconded by Councilmember Lopez, to:

- a. Approve City co-sponsorship of the San Fernando Trunk-A-Treat Event;
- b. Approve the use of the City Seal on San Fernando Trunk-A-Treat Event print material;
and
- c. Approve waiving special event fees for implementation of the San Fernando Trunk-A-Treat Event.

By consensus, the motion carried.

PUBLIC HEARING

- 4) CONSIDERATION TO ADOPT AN URGENCY ORDINANCE No. U-1657 PROHIBITING THE PERSONAL CULTIVATION OF MARIJUANA IN CERATIN OUTDOOR AREAS OF PRIVATE RESIDENCES, ADOPTING RELATED STANDARDS, AND DECLARING THE URGENCY THEREOF, SUBJECT TO CALIFORNIA VOTER APPROVAL OF PROPOSITION 64

This item was pulled under Approval of Agenda.

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- 5) CONSIDERATION TO ADOPT A RESOLUTION ESTABLISHING A PERMIT APPLICATION FEE FOR MEDICAL CANNABIS DELIVERIES ORIGINATING FROM LEGAL MEDICAL CANNABIS DISPENSARIES LOCATED OUTSIDE OF THE CITY OF SAN FERNANDO

Deputy City Attorney Joaquin Vazquez presented the staff report and replied to questions from Councilmembers.

Mayor Gonzales declared the Public Hearing open.

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

Motion by Vice Mayor Fajardo, seconded by Mayor Gonzales, to close the public comment portion of the Hearing. By consensus, the motion carried.

Motion by Vice Mayor Fajardo, seconded by Councilmember Lopez, to adopt Resolution No. 7765 Establishing a Permit Application Fee for Medical Cannabis Deliveries Originating from Legal Medical Cannabis Dispensaries Located Outside of the City of San Fernando.

The motion carried with the following vote:

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

ADMINISTRATIVE REPORTS

- 6) CONSIDERATION OF OPTIONS REGARDING THE GENERAL MUNICIPAL ELECTION ON MARCH 7, 2017

City Clerk Chávez presented the agenda report and recommended that the City Council consider options for conducting the General Municipal Election on March 7, 2017 (i.e., either consolidate with the County of Los Angeles or conduct a stand-alone concurrent election).

Deputy City Attorney Vazquez replied to questions from Councilmembers and added that, it is unknown at this time whether the County will call a special election (the Board of Supervisors has until December 6, 2016 to decide).

No formal action was taken. Staff will report back in the middle of next month, or sooner, with an update.

- 8) CONSIDERATION TO ESTABLISH A BUSINESS TAX AMNESTY PROGRAM

Finance Director Nick Kimball presented the staff report and replied to questions from Councilmembers.

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Motion by Vice Mayor Fajardo, seconded by Councilmember Lopez, to:

- a. Consider establishing a Business Tax Amnesty Program;
- b. Adopt Resolution No. 7764 implementing the proposed Business Tax Amnesty Program; and
- c. Authorize the City Manager, or designee, to finalize and execute all documents related to the Business Tax Amnesty Program.

By consensus, the motion carried.

9) **CONSIDERATION THAT THE CITY ASSUME OPERATIONS OF THE LAS PALMAS SENIOR CLUB**

Recreation and Community Services Director Ismael Aguila presented the staff report. Both he and City Manager Saeki replied to questions from Councilmembers.

Motion by Vice Mayor Fajardo, seconded by Councilmember Lopez, to:

- a. Approve that the City assume operations of the Las Palmas Senior Club;
- b. Authorize the City to accept the Senior Club's existing bank account balance of approximately \$30,600 to fund Las Palmas Senior Club operations and trips; and
- c. Adopt Resolution No. 7768 to appropriate revenues and expenditures for Fiscal Year 2016-2017 to fund the cost of assuming operations.

By consensus, the motion carried.

11) **CONSIDERATION TO ADOPT A RESOLUTION IN OPPOSITION OF CALIFORNIA STATE PROPOSITION 57, "CRIMINAL SENTENCES: JUVENILE CRIMINAL PROCEEDINGS AND SENTENCING"**

Mayor Gonzales gave brief background information and Police Chief Anthony Vairo replied to questions from Councilmembers.

By consensus, the item was tabled.

12) **CONSIDERATION OF A SISTER CITY PROPOSAL**

City Manager Saeki presented the staff report and discussion ensued.

Motion by Councilmember Lopez, seconded by Mayor Gonzales, to allow Mayor Gonzales to travel (at his own expense) to the cities of Tonalá and Tlaquepaque, Jalisco, Mexico, to explore a potential sister city relationship and report back to the City Council. By consensus, the motion carried.

CITY COUNCIL - LIAISON UPDATES

Councilmember Lopez said that the Metro Service Council announced that a new line that will travel from the Metro Station to L.A. Mission College.

Vice Mayor Fajardo reported that the Chamber of Commerce held a meeting and discussed various topics such as new events lined up for next year.

Mayor Gonzales announced that the Library Commission will be meeting next week and that the Independent Cities Association will be holding a press conference in opposition of Prop. 57.

DEPARTMENT HEADS - COMMISSION UPDATES

Deputy City Manager/Public Works Director Chris Marcarello stated that Public Works is actively paving streets throughout the City.

City Clerk Chávez said that Councilmember Ballin reported that the California Latino Water Coalition Foundation voted to contribute \$4,000 to the Education Commission for the Gabriel Fernandez Memorial Scholarship.

Community Development Director Fred Ramirez reported that the San Fernando Brewery was approved for a conditional use permit.

Recreation and Community Services Director Aguila said that the Parks, Wellness, and Recreation Commission will be meeting tomorrow to discuss the Parks Master Plan, the Metro Open Streets Grant, and to appoint cultural arts advisors.

STAFF COMMUNICATION

City Manager Saeki said that he misspoke earlier; event fees waived to date are in the range of \$35,000 to \$40,000 (he will provide Councilmembers with a full breakdown, including staff time).

RECESS TO CLOSED SESSION (8:04 P.M.)

By consensus, Councilmembers recessed to the following Closed Session as announced by Deputy City Attorney Vazquez:

- A) CONFERENCE WITH LABOR NEGOTIATOR
G.C. §54957.6

Designated City Negotiators:

City Manager Brian Saeki

Deputy City Manager/Public Works Director Chris Marcarello

Finance Director Nick Kimball

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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

RECONVENE/REPORT OUT FROM CLOSED SESSION (8:27 P.M.)

Deputy City Attorney Vazquez reported the following:

Item A – The City Council received an update from staff, direction was given, but no final action taken.

GENERAL COUNCIL COMMENTS

Councilmember Lopez expressed concerned about the on-going blanket statement that businesses in the downtown mall area are losing revenue during filming and asked that staff provide information regarding past revenues generated. He thanked RCS Director Ismael Aguila and staff for the stupendous 5k Relay Event; it serves as an example for city-sponsored events that cost the City zero dollars.

Vice Mayor Fajardo talked about Indigenous Peoples day and reported that McDonald's (through their spare change collection boxes) has raised over \$52 million to help families throughout the world.

Mayor Gonzales agreed that the 5K Relay Event was quite amazing and Indigenous People Day was also a great event.

ADJOURNMENT (8:36 P.M.)

Police Chief Vairo asked if the meeting could adjourn in memory of L.A. County Sheriff's Dept. Sergeant Steven Owen and Palm Springs Police Dept. Officers Gilbert Vega and Lesley Zerebny who were all killed in the line of duty. Mayor Gonzales called for a brief moment of silence.

Motion by Councilmember Lopez, seconded by Vice Mayor Fajardo, to adjourn the meeting. By consensus, the motion carried.

I do hereby certify that the foregoing is a true and correct copy of the minutes of October 17, 2016, meeting as approved by the San Fernando City Council.

*Elena G. Chávez
City Clerk*