

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**JUNE 19, 2017 – 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 6:05 p.m.

Present:

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

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

Absent: Vice Mayor Antonio Lopez (notified staff that he was out of town and would not attend the meeting)

**PLEDGE OF ALLEGIANCE**

Led by LAUSD Board Member Elect – Kelly Gonez

**APPROVAL OF AGENDA**

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

**PRESENTATIONS**

The following presentations were made:

- a) CERTIFICATE OF EXCELLENCE – LAUSD BOARD MEMBER MONICA RATLIFF
- b) CERTIFICATE OF RECOGNITION – UCLA EARLY HEAD START PROGRAM

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**PUBLIC STATEMENTS – WRITTEN/ORAL**

City Clerk Chávez read a letter from resident Patty Lopez who was displeased about the way Councilmember Fajardo treated her at the last meeting and she asked that he be removed from the Ad Hoc Committee on Affordable Housing.

Robert Montanez said that he received a letter regarding a proposed lien to be placed on his rental property for nonpayment of waste fees by a former tenant. He said he will pay, but needs a more time and he suggested that in the future, the City notify the property owners.

Elsa Valdez also received a letter from Consolidated Disposal Services stating they will be placing a lien on her parent's property. Staff was directed to work with her as well.

Brenda Perez hopes that the bullet proof vests (Item No. 6) are funded via the Police Department's budget and not the General Fund. As far as the Closed Session item, she believes that it's a frivolous lawsuit and said that there is no recourse for Commissioners that serve at the pleasure of the Council.

City Clerk Chávez read a letter from Latham and Watkins, representing the Coalition for Veterans Land, stating they are troubled by the discussion that occurred during the last Council meeting and the manner in which the City appears to be treating their housing project.

Assistant City Attorney Padilla clarified that the items related to veteran housing were added by Councilmember Soto. The transcript will show that none of the other Councilmembers made comments (positive or negative) with respect to the mentioned project. As far as the content of tonight's agenda item, Councilmembers and staff will be finding out the substance of the discussion when it's heard for the first time from Councilmember Soto.

**CITY COUNCIL - LIAISON UPDATES**

Councilmember Gonzales reported that the Independent Cities Association conference was great and announced that he was appointed president. He also gave updates regarding the Library Commission and Metro Service Council activities.

Mayor Ballin gave updates regarding Metropolitan Water District meetings. At her request, Education Commissioner David Govea provided information regarding the PUC Triumph Charter High School graduation ceremony and noted that 78% of their students are accepted to four-year universities.

Mayor Ballin reported that she attended a Chamber of Commerce lunch with Interim City Manager Kimball.

Mayor Ballin announced that attorneys are expected to show up for the Closed Session meeting. At that time, the City Council will recess into Closed Session. She will have to leave the

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meeting when Council reconvenes into open session, and Councilmember Fajardo will serve as Presiding Officer in her absence.

**CONSENT CALENDAR**

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

- 1) REQUEST TO APPROVE MINUTES OF:
  - a) MARCH 20, 2017 – REGULAR MEETING
  - b) JUNE 5, 2017 – SPECIAL MEETING
  - c) JUNE 13, 2017 – SPECIAL MEETING
- 2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
- 3) CONSIDERATION TO ADOPT RESOLUTIONS AMENDING THE SALARY SCHEDULE AND TABLE OF ORGANIZATION FOR FISCAL YEAR (FY) 2017-2018
- 4) CONSIDERATION TO APPROVE AN AGREEMENT FOR SPECIAL SERVICES WITH LIEBERT CASSIDY WHITMORE FOR FISCAL YEAR (FY) 2017-2018
- 5) CONSIDERATION TO ADOPT A RESOLUTION SETTING THE FISCAL YEAR (FY) 2017-2018 ARTICLE XIII B APPROPRIATIONS (GANN) LIMIT
- 6) CONSIDERATION TO ACCEPT GRANT FUNDS AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE BULLETPROOF VEST PARTNERSHIP GRANT ACT OF 1988
- 7) CONSIDERATION TO ACCEPT ALCOHOLIC BEVERAGE CONTROL GRANT FOR AN UNDER AGE ALCOHOL PURCHASE PREVENTION PROGRAM AND MERCHANT EDUCATION PROGRAM
- 8) CONSIDERATION TO ADOPT A RESOLUTION SETTING A PUBLIC HEARING DATE TO CONSIDER THE PLACEMENT OF LIENS ON REAL PROPERTY FOR NON-PAYMENT OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES BILLINGS

By consensus, the motion carried.

By consensus, Item No.s 12 and 13 were moved up due to L.A. County and Metro representatives in the audience.

**ADMINISTRATIVE REPORTS**

12) PRESENTATION BY THE COUNTY OF LOS ANGELES REGARDING THE LOS ANGELES COMMUNITY CHOICE ENERGY PROGRAM

Matt Skolnik, County of Los Angeles, made a presentation regarding the newly formed Los Angeles Community Choice Energy Program, the potential risks and benefits of participating in the program, and replied to various questions from Councilmembers.

No formal action taken; staff will bring back more information.

13) PRESENTATION BY METRO REGARDING THE STATUS OF THE EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR PROJECT

Representative from Metro, Karen Swift, Community Relations Manager, and Walt Davis, Project Manager, East San Fernando Valley Transit Corridor made a presentation regarding the status of the East San Fernando Valley Transit Corridor Project.

Discussion item only; no formal action taken.

**PUBLIC HEARING**

9) CONSIDERATION TO ADOPT AN URGENCY ORDINANCE NO. U-1666 MAKING FINDINGS AND ESTABLISHING AN INTERIM MORATORIUM PROHIBITING NEW ACCESSORY DWELLING UNITS (CURRENTLY REFERRED TO AS “SECOND DWELLING UNITS” IN THE ZONING ORDINANCE) EXCEPT THOSE MEETING SPECIFIED DEVELOPMENT STANDARDS NOTED IN SAID URGENCY ORDINANCE CONSISTENT WITH RECENTLY ADOPTED STATE LAW

Discussion ensued amongst Councilmembers whether to continue this item to a future date when all Councilmembers are present to participate and vote.

Councilmember Soto disagreed and made a motion to continue with the Public Hearing so that Councilmembers present vote today. There being no second, the motion died.

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to continue the Public Hearing for the proposed Urgency Ordinance No. U-1666 to a subsequent meeting. If there is consensus of all five Councilmembers for a Special Meeting to be held, then it shall be agendized at the Special Meeting. Mayor Ballin concurred; Councilmember Soto did not.

10) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE FISCAL YEAR (FY) 2017-2018 CITY BUDGET

Mayor Ballin declared the Public Hearing open.

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Interim Finance Director Sonia Gomez-Garcia presented the staff report and replied to questions from Councilmembers.

Mayor Ballin called for public testimony.

Brenda Perez asked that the budget not be adopted until all five Councilmembers are present. She stated that they need more time to organize and get people out and she added that the Police Department needs to stop sending officers to work at the Swap Meet.

Patty Lopez said that Council needs to be more transparent, there aren't enough youth programs, asked how much outreach was done regarding the budget, and said she hopes the project at the Vista Del Valle School is finished and results are in place.

(Female speaker – did not state name) said she would like Council to be more transparent, this should be in a language that people understand so they could contribute to the budget and work together for the great of the community.

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

In response to various comments made, Interim City Manager Kimball reported that this is the fourth budget meeting. All meetings have been recorded; audios and budget information is readily available on the City's website (he encouraged those interested to contact him for information or copies of anything they'd like).

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to adopt Resolution No. 7801 adopting the Fiscal Year 2017-2018 Budget.

The motion carried with the following vote:

AYES:	Gonzales, Fajardo, Ballin – 3
NOES:	Soto – 1
ABSENT:	Lopez – 1

**RECESS TO CLOSED SESSION (8:37 P.M.)**

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

**A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

G.C. §54956.9(d)(1)

Name of Case: Haro v. City of San Fernando, et al

Case No.: LASC Case No. BC653761

**B) CONFERENCE WITH LEGAL COUNSEL TO DISCUSS FACTS AND CIRCUMSTANCES WHICH MAY FORM THE BASIS FOR INITIATING LITIGATION**

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G.C. §54956.9(d)(4)

One (1) Matter

**C) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

G.C. §54956.9(d)(2) and G.C. §54956.9(e)(3)

One (1) Matter

**D) CONFERENCE WITH LABOR NEGOTIATOR**

G.C. §54957.6

Designated City Negotiators:

Interim City Manager Nick Kimball

Personnel Manager Michael Okafor

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

**E) PUBLIC EMPLOYMENT (EMPLOYEE RECRUITMENT)**

G.C. §54957(b)(1)

Title of Position Under Consideration: City Manager

**F) PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

G.C. §54957

Title of Employee: City Clerk

**RECONVENE/REPORT OUT FROM CLOSED SESSION (9:50 P.M.)**

Assistant City Attorney Padilla reported that Councilmember Lopez was absent and Mayor Ballin left immediately following the Closed Session meeting. He also reported the following:

Item A – General direction was given to special legal counsel but no final action was taken.

Item B – General direction was given to legal counsel but no final action was taken.

Item C – A general update was provided to the City Council, general direction was given, but no final action taken.

Item D, E, and F – Reports were given by staff (City Manager and Assistant City Attorney), direction was given, but no final action was taken.

**PUBLIC HEARING (CONTINUED)**

11) CONSIDERATION OF THE FISCAL YEAR (FY) 2017-2018 LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT PUBLIC HEARING AND CONFIRMATION OF ASSESSMENT

Councilmember Fajardo declared the Public Hearing open.

Public Works Management Analyst Ken Jones presented the staff report and replied to questions from Councilmembers.

Councilmember Fajardo called for public testimony; there were no public comments.

Motion by Councilmember Gonzales, seconded by Councilmember Soto, to close the public comment portion of the Hearing. By consensus, the motion carried.

Motion by Councilmember Soto, seconded by Councilmember Gonzales, to adopt Resolution No. 7799 ordering the continued maintenance of the City's streetlights and confirming the annual assessment.

The motion carried with the following vote:

AYES: Gonzales, Fajardo, Soto – 3

NOES: None

ABSENT: Ballin, Lopez – 2

Motion by Councilmember Soto, seconded by Councilmember Gonzales, to adopt Resolution No. 7800 approving the Final Engineer's Report for the FY 2017-2018 Landscaping and Lighting Assessment District.

The motion carried with the following vote:

AYES: Gonzales, Fajardo, Soto – 3

NOES: None

ABSENT: Ballin, Lopez – 2

**ADMINISTRATIVE REPORTS (CONTINUED)**

14) DISCUSSION REGARDING CITY-INITIATED CENSUS COUNT

Councilmember Soto would like that staff look into having a company take an extensive/accurate count of the City's population (including second dwelling units and veteran housing and data collection). He stated that the City is in the midst many proposed housing projects and if we're going to consider any type of housing, we should put together a preferential list that includes City residents.

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Discussion ensued regarding the cost for a population count and how this proposed count would be different than the upcoming Federal government 2020 census.

Interim City Manager Kimball reported that, to save time and money, staff could check with other cities to inquire how they've engaged in census data collection and possibly get a list of potential vendors and cost.

By consensus, staff was directed to check with various list serves, get feedback, and provide the City Council with an update by a meeting in July.

**15) DISCUSSION REGARDING VETERANS HOUSING SURVEY STUDY OR DATA COLLECTION FOR THE CITY**

Councilmember Soto stated that if we're going to build veteran housing, we need to do a survey (i.e., number of female/male veterans and their children, housing needs, and specific resources required). He suggested putting together a preferential list to, first and foremost, help the veterans in the City.

In response to Councilmember Soto's request whether both surveys (Item No.s 14 and 15) could be done simultaneously, Interim City Manager Kimball suggested checking with other cities and perhaps partnering with non-profits.

By consensus, staff will report back with follow up information.

**16) PRESENTATION BY STATE LEGISLATOR TO DISCUSS ASSEMBLY BILL 2685 AND ITS RELATION TO SENATE BILL 1069**

Councilmember Soto reported that the Speaker Rendon's representative was not able to attend; therefore the item would be tabled.

**17) PROPOSITION OF A WATER TOUR DATE FOR THE CITY COUNCIL AND THE PUBLIC FOR THE DRONFIELD SITE AND POSSIBLY INCLUDE ALL OTHER FACILITIES IN SYLMAR OR RELATED**

Councilmember Soto would like staff to provide a thorough educational water presentation and possibly a tour (for staff and the public) of the City's water facilities.

Discussion ensued regarding both Item No.s 17 and 18 and Councilmembers agreed that a tour would be a great opportunity for Councilmembers, staff, and the public and that bus allocation funds could be used.

Interim City Manager Kimball reported that staff would report back regarding a presentation of the Water Master Plan and an update regarding the Nitrate Removal System.

**18) DISCUSSION REGARDING DEVELOPING A COMPREHENSIVE REPORT TO THE CITY COUNCIL ON THE STATUS OF THE WATER FILTRATION SYSTEM AND CAPACITY TO SUSTAIN CITY USAGE**



This item was discussed along with Item No. 17.

**DEPARTMENT HEADS - COMMISSION UPDATES**

Interim City Manager Kimball informed the City Council that he'd like to consider going dark the next meeting which falls between a Sunday and holiday and will be a minimally staffed day.

Interim Senior Planner Humberto Quintana reported that the Planning and Preservation Commission meeting falls on the 4<sup>th</sup> of July and will be cancelled as well.

**GENERAL COUNCIL COMMENTS**

Councilmember Gonzales said he realizes that we are short-staffed and thanked employees for their continued hard work and dedication.

Councilmember Soto said that positions need to be filled and the quicker we move to get a new City Manager, the better off for the City. He talked about the heatwave and inquired about the cooling centers.

Interim City Manager Kimball reported that information on the City's cooling centers was included on Facebook, Twitter, etc. and posted at City parks. He wished everyone a happy 4<sup>th</sup> of July holiday and he reported that the Police Department will have more leverage this year to cite individuals regarding illegal fireworks.

Councilmember Fajardo thanked staff and colleagues for their assistance and participation in the Resist March event (it was an extraordinary event).

**ADJOURNMENT (10:57 P.M.)**

Councilmember Soto suggested that the meeting close in memory of actor Adam West.

Motion by Councilmember Soto, seconded by Councilmember Gonzales, to adjourn the meeting in memory of Adam West. By consensus, the meeting was adjourned.

*I do hereby certify that the foregoing is a true and correct copy of the minutes of June 19, 2017, meeting as approved by the San Fernando City Council.*

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*Elena G. Chávez, CMC*  
*City Clerk*