

**SAN FERNANDO CITY COUNCIL
MINUTES**

**SEPTEMBER 16, 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 6:15 p.m.

Present:

Council: Mayor Joel Fajardo, Vice Mayor Sylvia Ballin, and Councilmembers Antonio Lopez (via teleconference through Item No. 5 only), and Robert C. Gonzales

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

Absent: Councilmember Hector A. Pacheco

PLEDGE OF ALLEGIANCE

Led by Deputy City Manager/Director of Community Development Timothy Hou

APPROVAL OF AGENDA

Motion by Vice Mayor Ballin, seconded by Councilmember Gonzales, to approve the agenda. By consensus, the motion carried.

Mayor Fajardo announced that some items would be moved out of order.

ADMINISTRATIVE REPORTS

10) CONSIDERATION TO APPOINT A TRANSPORTATION AND SAFETY COMMISSIONER

Mayor Fajardo introduced Clarisa Tolentino who made a few comments.

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Mayor Fajardo asked if there were audience members who wished to speak on the item; there were no public comments.

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to appoint Clarisa Tolentino as Mayor Fajardo's representative to the Transportation and Safety Commission. The motion carried with the following vote:

AYES: Lopez, Gonzales, Ballin, Fajardo – 4
NOES: None
ABSENT: Pacheco – 1

At this time, Assistant City Attorney Padilla reminded the City Council that the Brown Act requires that roll call votes be taken at teleconferenced meetings.

RECESS (6:20 P.M.)

Mayor Fajardo called for a brief recess to retake the Successor Agency votes.

RECONVENE (6:21 P.M.)

Motion by Councilmember Gonzales, seconded by Vice Mayor Ballin, to reapprove the City Council meeting agenda. The motion carried with the following vote:

AYES: Lopez, Gonzales, Ballin, Fajardo – 4
NOES: None
ABSENT: Pacheco – 1

ADMINISTRATIVE REPORTS

5) CONSIDERATION TO APPROVE PHASE ONE WATER RATE AND SEWER RATE PLANS

City Manager Kimball made brief comments and introduced Catherine Tseng, Lechowicz and Tseng, who presented the staff report.

Mayor Fajardo asked if there were audience members who wished to speak on the item.

Michael Remenih said he's curious whether there is monitoring on the water table and asked if it is a sustainable asset for the City. He believes this is another example of why it's good to live in San Fernando.

Mary Mendoza shared her experience regarding the Metropolitan Water District state water project inspection trip tour, was enlightened to learn about how the water system is maintained,

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and suggested that if water and sewer rates are increased, residents must be educated and allowed to voice their opinions.

Discussion ensued amongst Councilmembers and staff. Both Ms. Tseng and City Manager Kimball replied to various questions from Councilmembers.

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

- a. Approve the Phase One Water Rate Plan recommended by the Ad Hoc Committee;
- b. Approve the Phase One Sewer Rate Plan recommended by the Ad Hoc Committee;
- c. Approve the Income-Based Assistance Program recommended by the Ad Hoc Committee;
- d. Authorize the City Manager to direct Lechowicz & Tseng to commence the Proposition 218 process; and
- e. Adopt Resolution No. 7951 Approving a Water and Sewer Rate Study Justifying the Recommended Rate Increases; Declaring Intention to Adjust Water and Sewer Rates; Setting a Public Hearing Date and Directing City Staff to Undertake All Other Procedures and Measures Legally Required to Conduct a Majority Protest Hearing.

The motion carried with the following vote:

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

At this time, Councilmember Lopez no longer participated in the meeting.

6) RECEIVE A PRESENTATION BY THE LOS ANGELES COUNTY REGISTRAR-RECORDER/ COUNTY CLERK REGARDING UPCOMING CHANGES TO ELECTIONS

Mayor Fajardo asked if there were audience members who wished to speak on the item; there were no public comments.

Jeff Klein, Civic Engagement and Legislation Manager with the Los Angeles County Registrar Recorder/County Clerk, gave a presentation regarding upcoming changes to elections and replied to questions from Councilmembers.

By consensus, Councilmembers concurred to receive and file the report.

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PUBLIC STATEMENTS – WRITTEN/ORAL

Jesse Avila, City liaison to the Greater L.A. County Vector Control District, gave an update regarding GLACVCD activities and said he hopes to have a representative attend the next City Council meeting.

Mary Mendoza requested that lights also be included in the downtown mall when the City has the tree lighting ceremony. She added that the Measure “A” committee should be amended to reflect the residents who voted to approve the measure.

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

CITY COUNCIL - LIAISON UPDATES

Councilmember Gonzales reported that the Independent Cities Association will be installing their board members next week and said a recent meeting was held by the Ad Hoc on Veterans’ Recognition Program to discuss implementing a plan to have banners/recognition on the street poles along the mall and Maclay Ave.

Vice Mayor Ballin said that her last update on Metropolitan Water District was incorrect; she is Vice Chair of the Operations and Personnel Committee.

Mayor Fajardo reported that the Ad Hoc on Pension and Retiree Health Program Review met and discussed outstanding pension obligations; there appear to be potential solutions (will provide more updates at the end of the year).

CONSENT CALENDAR

Motion by Vice Mayor Ballin, seconded by Councilmember Gonzales, to approve the Consent Calendar Items:

- 1) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
- 2) CONSIDERATION TO APPROVE THE STREET AND PARKWAY TREE AD HOC COMMITTEE SCOPE OF DUTIES
- 3) CONSIDERATION TO APPROVE A PROFESSIONAL SERVICE AGREEMENT WITH VALLEY CARE COMMUNITY CONSORTIUM TO MANAGE THE SAN FERNANDO STREET FESTIVAL NOCTURNAL RIDE EVENT
- 4) CONSIDERATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH SIEMENS MOBILITY, INCORPORATED FOR ON-CALL TRAFFIC SIGNAL MAINTENANCE SERVICES

By consensus, the motion carried.

ADMINISTRATIVE REPORTS (CONTINUED)

7) DISCUSSION TO CONSIDER THE PROCESS FOR FILLING THE IMPENDING CITY COUNCIL VACANCY

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

Staff was directed to make changes to the application and, by consensus, Council agreed:

- If the application is submitted unsigned via email, the applicant may sign at the meeting;
- The applicant should be encouraged to submit a candidate statement (200 words or less);
- Allow public input during public comments or after all applicants have spoken;
- Applicants will have three minutes for opening remarks;
- Councilmembers should each have 2-4 questions; three minutes per Councilmember;
- Allow the applicant one minute for closing remarks; and
- City Attorney to look into the possibility of a tie vote.

8) PRESENTATION OF MEASURE “A” ANNUAL REPORT

City Manager Kimball presented the staff report.

Mayor Fajardo would like City Manager Kimball to look into bringing back Measure “A” to try to capture the last quarter cent and he gave kudos to Mr. Kimball and staff for the wonderful report and for the promising future to which it alludes.

9) CONSIDERATION TO APPOINT MEASURE “A” COMMUNITY ADVISORY COMMITTEE MEMBERS OR AMEND THE RESOLUTION ESTABLISHING THE COMMITTEE

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

Discussion ensued amongst Councilmembers and each provided input.

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to amend Resolution No. 7895 regarding the advisory committee, instead, have a resolution that would establish study sessions or town hall meetings (once/twice per year), and allow community members to also meet with the Financial/Pension Ad Hoc Committee to continue discussions, and finally place this item on Consent Calendar for next meeting.

The motion carried with the following vote:

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AYES: Fajardo, Ballin – 2
NOES: Gonzales – 1
ABSENT: Lopez, Pacheco – 2

STAFF COMMUNICATION INCLUDING COMMISSION UPDATES

Director of Recreation and Community Services Julian Venegas said he misspoke at the last meeting; the Parks, Wellness, and Recreation Commission meeting was postponed to tomorrow.

Deputy City Manager/Director of Community Development Hou reported that the Planning and Preservation Commission changed the date of their monthly meeting to the second Monday of every month, and he gave an update regarding the upcoming Community Meeting to be held at the San Fernando Library on September 24th.

City Manager Kimball clarified that the Transportation and Safety Commission meets the first Wednesday of each month, and said that he looks forward to working with City Council regarding the process to fill the Councilmember vacancy and move forward with City business.

GENERAL COUNCIL COMMENTS

Councilmember Gonzales was extremely happy that the City has a reserve fund and reminded everyone of the upcoming Calling All Super Heroes event at Layne Park on September 27th.

Vice Mayor Ballin said she is looking forward to appointing a Councilmember.

Mayor Fajardo thanked Police Lieutenant Chris Colelli for attending the meeting.

RECESS TO CLOSED SESSION (8:47 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

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B) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

G.C. §54957

Title of Employee: City Clerk

C) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

G.C. §54956.9(d)(1)

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

LASC Case No: 18STCV07932

RECONVENE/REPORT OUT FROM CLOSED SESSION (9:23 P.M.)

Assistant City Attorney Padilla announced that both Councilmembers Lopez and Pacheco were absent and he reported the following:

Item A – An update was provided by the City Manager, feedback was given by City Council, but no final action was taken.

Item B – Preliminary discussion was had regarding preparations for the evaluation and direction was given (will be reflected on an upcoming agenda).

Item C – Legal Counsel gave an update on the status of the litigation, direction was given, but no final action was taken.

ADJOURNMENT (9:24 P.M.)

Motion by Vice Mayor Ballin, seconded by Councilmember Gonzales, 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 September 16, 2019, meeting as approved by the San Fernando City Council.

*Elena G. Chávez, CMC
City Clerk*