

**SAN FERNANDO CITY COUNCIL
MINUTES**

**FEBRUARY 5, 2018 – 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 6:07 p.m.

Present:

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

Staff: City Manager Alexander P. Meyerhoff, Assistant City Attorney Richard Padilla, and City Clerk Elena G. Chávez

Absent: Vice Mayor Antonio Lopez

PLEDGE OF ALLEGIANCE

Led by Director of Public Works/City Engineer Yazdan (Yaz) Emrani

APPROVAL OF AGENDA

Councilmember Soto requested to move up Item No. 8 on the agenda.

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

PRESENTATIONS

The following presentation was made:

- a) 2018 HOMELESS COUNT – RECOGNITION OF STAFF AND VOLUNTEERS

DECORUM AND ORDER

Assistant City Attorney Padilla provided a brief summary of the decorum rules.

PUBLIC STATEMENTS – WRITTEN/ORAL

Charles Leone, representing SFPEA, Local 721, spoke in support the working people in the City, discussed threats to benefits and job security, and urged Council to help with a contract they can live with.

Ruben Quintana, with SFPEA, spoke about the need for the City's support in having a fair and equitable contract.

Michael Remenih referenced Item No. 7 and spoke about the rights of non-smokers superseding those of smokers.

Julie Cuellar spoke in support of the City Manager and the City's Public Works employees and urged Council to negotiate the fair and equitable contract they deserve.

David Bernal spoke in support of replacing areas of graffiti with art/murals and spoke in support of the City's Public Works employees.

Christie Sandoval, mural artist, spoke in support of the community mural ordinance.

Christina Bernal spoke in support of the community mural ordinance.

City Clerk Chávez read an email from resident Cyndi Lopez, Residents for a Better San Fernando, regarding Item No. 9, the 2017 election, and the distribution of propaganda against several candidates.

The following item was moved up under Approval of Agenda.

ADMINISTRATIVE REPORTS

8) DISCUSSION OF LAND SPACE AVAILABILITY AND ALLOCATION FOR HOUSING OF A LOS ANGELES CITY FIRE STATION IN THE CITY OF SAN FERNANDO

Councilmember Soto introduced the item and deferred to LAFD Deputy Chief Trevor Richmond.

Deputy Chief Richmond gave a presentation regarding the possibility of a new fire station in the City and replied to various questions from Councilmembers.

Discussion ensued regarding the minimum square footage required for a fire station, the necessity to generate a needs assessment, previous stations in San Fernando and related financial challenges, long-term cost savings and benefits, the need for increased public safety, the positive impacts to property values by having a fire station nearby, opportunities for matching grants and other funding and considering non-traditional fire stations.

SAN FERNANDO CITY COUNCIL

MINUTES – February 5, 2018

Page 3

Councilmember Soto requested moving discussions forward with consideration to working with the LAFD in generating a needs assessment and Councilmembers concurred.

CITY COUNCIL - LIAISON UPDATES

Councilmember Gonzales gave an update regarding Independent Cities Association discussions and activities, reported he will be hosting a Metropolitan Water District tour, and noted no updates for Metro Service Council.

Mayor Ballin spoke about a property blessing event by the Catholic church regarding a property they purchased near City Hall.

CONSENT CALENDAR

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

- 1) REQUEST TO APPROVE THE MINUTES OF JANUARY 25, 2018 – SPECIAL MEETING
- 2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
- 3) CONSIDERATION TO APPROVE FISCAL YEAR (FY) 2018-2019 LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT RESOLUTION INITIATING PROCEEDINGS AND ORDERING THE ENGINEER’S REPORT

By consensus, the motion carried.

By consensus, Council agreed to move Item No. 7 forward on the agenda.

ADMINISTRATIVE REPORTS (CONTINUED)

- 7) CONSIDERATION TO ADOPT AN ORDINANCE AMENDING THE CITY CODE REGARDING THE REGULATION OF SMOKING IN OUTDOOR PLACES TO ADD VAPING AND OTHER NON-TRADITIONAL FORMS OF SMOKING

Councilmember Gonzales introduced Intern Angel Morales who made a brief presentation and replied to questions from Councilmembers.

Motion by Councilmember Gonzales, seconded by Councilmember Soto, to introduce for first reading, in title only, and waive further reading of Ordinance No. 1672 titled, “An Ordinance of the City of San Fernando, California, Amending the San Fernando City Code to Add Chapter 23, Regarding the Regulation of Smoking in Outdoor Places.”

SAN FERNANDO CITY COUNCIL

MINUTES – February 5, 2018

Page 4

The motion carried with the following vote:

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

PUBLIC HEARING

- 4) CONSIDERATION TO APPROVE ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR (FY) 2018-2019

Mayor Ballin opened the Public Hearing.

Deputy City Manager/Director of Finance Nick Kimball provided a brief presentation and replied to questions from Councilmembers.

Mayor Ballin called for public testimony; there was none.

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

Discussion ensued regarding availability of other funds for street maintenance, the proposed timeline for street improvements, and changes to ADA rules requiring retrofiting.

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

- a. Adopt Resolution No. 7838 approving the allocation of CDBG Funds for a Public Improvement Project in FY 2018-2019; and
- b. Authorize the City Manager to submit documentation conveying the City Council's Resolution to the Los Angeles County Community Development Commission for approval.

The motion carried with the following vote:

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

ADMINISTRATIVE REPORTS (CONTINUED)

- 5) CONSIDERATION TO ADOPT THE RECREATION AND COMMUNITY SERVICES' PARK AND RECREATION MASTER PLAN

SAN FERNANDO CITY COUNCIL

MINUTES – February 5, 2018

Page 5

Director of Recreation and Community Services Julian Venegas introduced Zachary Middleton, RJM Design Group, Inc., who presented the report and replied to questions from Councilmembers.

Discussion ensued regarding parks missing from the land-use map, corrections to the staff report, the need to fix existing parks before building new parks, considering bicycle paths as parks, the lack of green space in the City, resurfacing turf, the need to replace playground equipment and do a health assessment at Pioneer Park, and the possibility of increasing programs for the City's aging population. Ensuing discussion pertained to the need for a dog park in the City, complaints received regarding field lighting, and use of City facilities by residents and non-residents.

Motion by Councilmember Gonzales, seconded by Councilmember Soto, to direct staff to update the land-use map to include all City parks and reflect corrections discussed, consider the potential of a skate park on non-used tennis courts at Pioneer Park in the future, and adopt the Park and Recreation Master Plan.

The motion carried with the following vote:

AYES: Gonzales, Soto, Fajardo, Ballin – 4

NOES: None

ABSENT: Lopez – 1

6) **CONSIDERATION TO ADOPT AN ORDINANCE REGULATING THE REVIEW AND APPROVAL OF ART MURALS ON PRIVATE PROPERTY**

City Manager Meyerhoff presented the staff report and Councilmember Gonzales provided additional information. Both replied to questions from Councilmembers.

Councilmembers provided their input and agreed there needs to be more of a vetting process.

Discussion followed regarding the review process, getting general direction from Council before ordinances are drafted, the need to ensure high-quality art projects, working with local artists, the possibility of partnering with local art schools, the need for an art board to oversee the process and expanding the program to include public facilities.

Council concurred to direct staff to continue vetting the process and return to Council with a report in the future.

RECESS (8:51 P.M.)

Mayor Ballin called for a brief recess.

RECONVENE (8:59 P.M.)

SAN FERNANDO CITY COUNCIL

MINUTES – February 5, 2018

Page 6

Councilmember Fajardo suggested setting up an ad hoc committee and stated any mural considered should have an artist with experience, comparable to the RFQ, spoke about the need to establish an appropriate budget, discussed establishing a review process that includes Council consideration, and recommended working with both the Community Development and Recreation and Community Services Departments.

It was noted the Ad Hoc Committee would be comprised of Councilmembers Fajardo and Soto.

9) **DISCUSSION REGARDING THE REGULATION OF BUSINESS DISTRIBUTION MATERIALS AND PROPAGANDA ON VEHICLES, CITY, AND PRIVATE PROPERTY**

City Clerk Chávez read a public statement from Marvin Perez with concerns regarding the distribution of flyers defaming him and another candidate during the last election.

Councilmember Soto commented on businesses leaving flyers on cars causing increased trash in the City, spoke about increased politicization in the City, and addressed challenges with enforcement.

Assistant City Attorney Padilla discussed the current ordinance regarding advertising and handbills (there is a licensing requirement for people distributing handbills), commented on enforcement through Code Enforcement or the Police Department, and, in terms of political handbills, there are challenges relative to limiting free speech.

Discussion followed regarding reaching out to businesses, initially, to let them know about the ordinance, the possibility of recovering City staff costs to clean up the debris for distributing commercial handbills, the need for increased enforcement, and the need to further study the possibility of limiting distribution of negative political materials.

Council concurred to direct staff to return with a memo with additional information regarding First Amendment issues and the possibility of regulating elements (manner and place) of the distribution of negative political materials and election do's and don'ts.

10) **REQUEST FOR AN UPDATE REGARDING ICE CREAM TRUCK VENDOR OPERATIONS AND THEIR POLLUTION/EMISSION IMPACTS IN THE CITY**

Councilmember Soto addressed the hazardous health effects of pollution and emissions, suggested the City be proactive regarding ice cream truck vendors, spoke about the lack of economic benefits to the City by the operation of ice cream trucks, and asked Council to consider the possible elimination of ice cream trucks.

Discussion ensued regarding limiting the operating hours for ice cream truck vendors, getting a survey on the subject in surrounding cities and the need to comply with the City's noise ordinance.

By consensus, Council directed staff to report back (by the end of March) regarding the City's noise ordinance, limiting operating hours, and state regulations regarding emissions.

SAN FERNANDO CITY COUNCIL

MINUTES – February 5, 2018

Page 7

11) CONSIDERATION TO AMEND THE CITY COUNCIL PROCEDURAL MANUAL

Councilmember Fajardo explained he brought this item forward to review the rotation of Mayor and Vice Mayor, to discuss the rules of using the City's letterhead, and to address the rules of decorum. He referenced the recent changes in the City's election to November and opined the rotation of Mayor and Vice Mayor should occur in December versus March, with a provision for discussion.

Assistant City Attorney Padilla noted Council is not under any obligation to rotate the Mayor or Vice Mayor in any particular order, although the government code requires a decision be made every year.

Discussion ensued and staff was directed to report back the first meeting in March (Councilmembers Fajardo and Soto will work with City Manager Meyerhoff on rules of decorum).

12) DISCUSSION REGARDING ALLOWING ALCOHOL AT CITY FACILITIES FOR PRIVATE EVENTS

Councilmember Fajardo provided a brief report and discussed County provisions relative to requiring security on site and insurance for events serving alcohol and suggested the City could model its policy similarly, rather than outright disallowing alcohol at City facilities for private events.

Discussion followed regarding considering allowing alcohol at community events as well, the possibility of requiring a licensed vendor to serve alcohol, and considering regulations against selling alcohol in City parks.

Staff will return with a comprehensive report to Council at a future meeting.

13) DISCUSSION REGARDING INCREASING MINIMUM WAGE

Councilmember Fajardo requested tabling this matter to a future meeting.

14) DISCUSSION REGARDING THE CITY'S LETTER OF SUPPORT TO LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO) PERTAINING TO THE EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR PROJECT

Councilmember Fajardo provided a brief report, reported sending out a letter to Los Angeles County Metropolitan Transportation Authority in support of their project, and suggested sending a revised letter listing concerns regarding potential revenue and job losses and addressing the environmental justice component of the project.

Councilmember Gonzales added to include discussions with Metro relative to options to relocate the bike path and only do one track to the East San Fernando Valley Transit Corridor.

DEPARTMENT HEADS - COMMISSION UPDATES

City Clerk Chávez provided updates regarding the Education Commission activities including the Principals' Brunch event and upcoming scholarship opportunities, and addressed the April 3rd Special Primary Election for Assembly District 39.

GENERAL COUNCIL COMMENTS

Councilmember Soto discussed the Principals' Brunch and requested a moment of silence for Manuela Nellie de Rodriguez (a brief moment of silence was held).

Councilmember Gonzales thanked staff for their great work.

Councilmember Fajardo discussed an updated list of deferred maintenance items for City facilities and parks as well as an updated street improvement plan, spoke about vacancies in Code Enforcement, and announced the upcoming Open Streets event in March.

Mayor Ballin thanked staff for their hard work.

STAFF COMMUNICATION

City Manager Meyerhoff announced the upcoming Cannabis workshop and two bicycle skills workshops to be held as part of the Open Streets event.

ADJOURNMENT (10:34 P.M.)

Motion by Councilmember Gonzales, seconded by Councilmember Soto, 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 February 5, 2018, meeting as approved by the San Fernando City Council.

Elena G. Chávez, CMC
City Clerk