

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**JULY 18, 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 6:03 p.m.

Present:

Council: Mayor Robert C. Gonzales, Vice Mayor Joel Fajardo, and Councilmembers Antonio Lopez (arrived at 6:30 p.m.), Jaime Soto, Sylvia Ballin

Staff: City Manager Brian Saeki, Assistant City Attorney Richard Padilla, and City Clerk Elena G. Chávez

**PLEDGE OF ALLEGIANCE**

Led by San Fernando Police Explorer Samantha Martinez.

**APPROVAL OF AGENDA**

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

**PRESENTATIONS**

The following presentations were made:

- a) PARKS & RECREATION MONTH – JULY
- b) TRIBUTE TO OUR TROOPS (Pulled from the agenda)
- c) CERTIFICATE OF RECOGNITION FOR LITTLE LIBRARY BOOK DONATION – ISABELLA MEZA

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- d) PRESENTATION REGARDING EVENTS IN ORLANDO, FLORIDA, AND DALLAS, TEXAS

**PUBLIC STATEMENTS – WRITTEN/ORAL**

Michael Spann discussed a letter he received from Republic Services regarding a trash bill that had not been paid by his tenant from the previous year and said he was concerned that it will affect his credit and taxes.

Reina Bibber said she received a letter from the City that a lien would be placed on her property (her former tenants left owing a bill) and stated that new tenants moved in and requested service for water, but have not received a bill from the City and she asked for Council's help.

Renato Kahn complained about the same issue noting he received a letter from Republic and another from the City, claiming no payment for one year, but he never received notice. He added amounts due were different, and the City is threatening to place a lien on his property.

Hermes Ayala, on behalf of Assemblywoman Patty Lopez, announced upcoming workshops and events.

Angel Chacon reported the need for increased maintenance and cleaning at San Fernando Park basketball courts and expressed a safety concern regarding a radio near the County pool site.

Ronnie Veliz discussed a recent townhall meeting held by Councilmember Soto and commented positively on the event. He thanked Mayor Gonzales for his prompt response to his concerns.

**CONSENT CALENDAR**

Councilmember Ballin requested to pull Item No. 4 for further discussion.

Motion by Councilmember Ballin, seconded by Councilmember Soto, to approve the remaining Consent Calendar Items:

- 1) CONSIDERATION TO ADOPT RESOLUTIONS APPROVING THE WARRANT REGISTER
- 2) CONSIDERATION TO AWARD A CONTRACT FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM, PEDESTRIAN HEAD REPLACEMENT PROJECT HSIPL-5202(017), JOB NO. 7593
- 3) CONSIDERATION TO AWARD A CONTRACT FOR 2016 CITYWIDE CATCH BASIN CONNECTOR PIPE SCREEN INSTALLATION, JOB NO. 7594, PLAN NO. P-721

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- 5) CONSIDERATION TO ADOPT A RESOLUTION FOR THE PURCHASE OF FOUR CATALYST 3850-48T-L ETHERNET SWITCHES
- 6) CONSIDERATION TO ADOPT A RESOLUTION FOR THE PURCHASE, INSTALLATION AND TRAINING OF TRITECH INFORM RECORDS MANAGEMENT SYSTEM (RMS) AND FIELD BASE REPORTING (FBR)
- 7) CONSIDERATION TO APPROVE SUBAWARD AGREEMENT WITH COUNTY OF LOS ANGELES COMMUNITY AND SENIOR SERVICES FOR ELDERLY NUTRITION PROGRAM SERVICES
- 8) NOTICE OF COMPLETION – BRAND BOULEVARD WATERWISE LANDSCAPING, PROJECT NO. 7591, PLAN NO. 717
- 9) CONSIDERATION TO APPROVE A RESOLUTION ADOPTING A PLAN TO CONSOLIDATE FUTURE ELECTIONS WITH A STATEWIDE ELECTION NO LATER THAN THE NOVEMBER 8, 2022 STATEWIDE GENERAL ELECTION

By consensus, the motion carried.

**Items Pulled for Further Discussion**

- 4) CONSIDERATION TO APPROVE AN AGREEMENT FOR SPECIAL SERVICES WITH LIEBERT CASSIDY WHITMORE

Staff replied to Councilmember Ballin's request for clarification regarding the providers of service.

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

- a. Approve an Agreement for Special Services (Contract No. 1829) with the law firm of Liebert Cassidy Whitmore;
- b. Authorize the City Manager to execute the Agreement; and
- c. Authorize staff to utilize the services of Olivarez Madruga, P.C. for additional representational, litigation, and other employment relations services.

By consensus, the motion carried.

*The following item was moved up on the agenda.*

**ADMINISTRATIVE REPORTS**

- 12) APPOINTMENT TO THE TRANSPORTATION AND SAFETY COMMISSION

Vice Mayor Fajardo introduced David Bernal who made a few comments.

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*At this time, Councilmember Soto stepped out of the Chambers.*

Motion by Vice Mayor Fajardo, seconded by Councilmember Ballin, to appoint David Bernal to the Transportation and Safety Commission as Vice Mayor Fajardo's representative.

The motion carried with the following vote:

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

**PUBLIC HEARING**

10) CONSIDERATION TO ADOPT A RESOLUTION FOR THE PLACEMENT OF LIENS ON REAL PROPERTY FOR NON-PAYMENT OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES BILLINGS

Mayor Gonzales declared the Public Hearing open.

City Manager Saeki presented details of the staff report.

Rafael Garcia, Republic Services Municipal Relationship Manager, replied to questions from Councilmembers regarding discrepancies in amounts due, determining the right amounts due and ensuring timely notification to property owners.

City Manager Saeki offered to work with residents and Republic to find solutions and subsequently, provide Council with updates.

Discussion followed regarding the original number of delinquent accounts versus the current number, the possibility offering first-time waivers or grace periods, the importance of keeping property owners in the loop, restructuring the process to bill property owners directly, credit impacts on individual property owners, availability of a payment plan, and establishing a clear, documented process.

Mayor Gonzales called for public testimony.

(Male speaker – did not state name) felt the problem is that the City will not allow Republic to suspend service, reported his tenant was deceased and Republic continued billing her as they could not stop service.

(Female speaker – did not state name) expressed concerns with discrepancies in the billing amounts and asked for clarity.

(Male speaker – did not state name) questioned why Republic took over one year to notify him that his tenants had not paid their bill.

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(Female speaker – did not state name) spoke in opposition to imposing a lien on her property for the failure of a tenant to pay their bills. She opined there is a deficiency in the process and noted the need for improved communication.

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

Discussion continued regarding notifying every landlord that, going forward, they are responsible to the bill, sending notices earlier in the process and considering the ordinance structure and avoiding impacts to property owners' personal credit.

Motion by Vice Mayor Fajardo, seconded by Councilmember Ballin, to adopt Resolution No. 7748 authorizing the placement of a lien against real property as a special assessment on property tax bills for the collection of delinquent solid waste billings after review of an updated list on August 5, 2016, to delete accounts that become current with direction to report back to City Council if there are direct consequences to personal credit.

The motion carried with the following vote:

AYES: Gonzales, Fajardo, Lopez, Ballin – 4

NOES: None

ABSTAIN: Soto – 1

**11) CONSIDERATION OF THE FISCAL YEAR (FY) 2016-2017 LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT PUBLIC HEARING AND CONFIRMATION OF ASSESSMENT**

Mayor Gonzales declared the Public Hearing open.

Deputy City Manager/Public Works Director Chris Marcarello presented the staff report.

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

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

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

- a. Conduct a Public Hearing by following the Order of Procedure;
- b. Adopt Resolution No. 7750 ordering the continued maintenance of the City's streetlights and confirming the annual assessment; and
- c. Adopt Resolution No. 7751 approving the Final Engineer's Report for the FY 2016-2017 Landscaping and Lighting Assessment District.

The motion carried with the following vote:

AYES: Gonzales, Fajardo, Soto, Lopez, Ballin – 5  
NOES: None

**ADMINISTRATIVE REPORTS (CONTINUED)**

**13) CONSIDERATION TO APPROVE NON-EXCLUSIVE LICENSE AGREEMENT WITH THE FERNANDEÑO TATAVIAM BAND OF MISSION INDIANS FOR CULTURAL ENRICHMENT PROGRAMS**

Recreation and Community Services Director Ismael Aguila gave the staff report and replied to questions from Councilmembers.

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

- a. Authorize the City Manager to execute Non-Exclusive License Agreement (Contract No. 1832) with the Fernandeno Tataviam Band of Mission Indians for Cultural Enrichment Programs; and
- b. Adopt Resolution No. 7755 to increase expenditures of Fiscal Year (FY) 2016-2017 Fund 017 budget by \$1,500 to fund staffing costs for Indigenous Day in October of 2016.

By consensus, the motion carried.

**14) CONSIDERATION TO APPROVE A NON-EXCLUSIVE LICENSE AGREEMENT WITH PLAZA COMUNITARIA SINALOA FOR ADULT EDUCATION CLASSES**

Recreation and Community Services Director Aguila gave the staff report and replied to questions from Councilmembers.

Brief discussion followed regarding the term of the agreement and requiring the licensee to provide class statistics.

Motion by Mayor Gonzales, seconded by Councilmember Lopez to:

- a. Authorize the City Manager to execute a Non-exclusive License Agreement (Contract No. 1825) with Plaza Comunitaria Sinaloa to grant access for implementation of adult education programs at Las Palmas Park;
- b. Consider waiving facility-use fees for a total of \$2,420 and also budget \$270 in City staff salaries for use of the Community Lab Room at Las Palmas Park; and
- c. Amend the agreement requiring licensees to provide a report of class statistics.

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By consensus, the motion carried.

**15) CONSIDERATION OF AWARD OF CONTRACT FOR COMPRESSED NATURAL GAS (CNG) FUELING STATION UPGRADE PROJECT**

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

Motion by Councilmember Ballin, seconded by Councilmember Soto to:

- a. Approve specifications related to the City's Request for Proposal;
- b. Award a contract to Clean Energy for CNG Fueling Station Improvements at 120 Macneil Street;
- c. Authorize the City Manager, or designee, to negotiate and execute a design-build agreement in a form approved by the City Attorney (Contract No. 1824) with Clean Energy in the amount of \$1,356,683;
- d. Establish an amount of 15% of the contract amount (\$203,502), as a contingency, to cover the cost of unforeseen construction expenses; and
- e. Accept funds in the amount of \$387,091 awarded to the City by the Mobile Source Air Pollution Review Committee (MSRC) via the Clean Transportation Funding Grant Program and authorize the City Manager or designee to execute the grant agreement with MSRC.

By consensus, the motion carried.

**16) UPDATE REGARDING POTENTIAL DEVELOPMENT OF A RENT CONTROL ORDINANCE AND PROGRAM**

Community Development Director Fred Ramirez presented the staff report and replied to questions from Councilmembers.

Discussion followed regarding the importance of being proactive with Code Enforcement, offering waivers for owner-occupied units, getting the community involved, and the possibility of scheduling a study session for Council to thoroughly discuss the subject.

City Manager Saeki announced he would meet with individual Councilmembers to obtain input regarding a possible study session.

**17) CONSIDERATION OF BUSINESS LICENSE CERTIFICATES FOR SPECIAL EVENTS**

Vice Chair Fajardo presented the staff report.

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Discussion followed regarding staff returning with several options to minimize costs for special events.

Vice Chair Fajardo offered to meet with Mayor Gonzales and City Manager Saeki, review the pros and cons of each suggestion and return to Council with a presentation.

**18) DISCUSSION OF TIMELINE FOR PRESENTING THE TRANSIT ORIENTED DEVELOPMENT (TOD) OVERLAY ZONE PROJECT**

Assistant City Attorney Padilla gave an update of the City's TOD efforts and offered a timeline of the environmental impact review process and the project.

Discussion followed regarding avoiding rushing the project, expectations relative to the required water-supply assessment, sewer assessments and considering the effects of drought.

**CITY COUNCIL - LIAISON UPDATES**

Councilmember Lopez discussed a recent Metro Service Council meeting and Southern California Association of Governments meeting.

Councilmember Ballin discussed receipt of a copy of the Metropolitan Water District Board summary by the City Clerk and noted it is available for review by anyone interested.

Vice Mayor Fajardo reported no new Chamber meetings and referenced an upcoming Council of Governments meeting.

Mayor Gonzales discussed the upcoming Library Commission meeting and he reported he was elected to serve as the president of the Independent Cities Association.

**DEPARTMENT HEADS - COMMISSION UPDATES**

Recreation and Community Service Director Ismael Aguila reported on a recent Parks, Wellness, and Recreation and Community Services meeting, addressed items discussed, and listed upcoming events.

City Clerk Chávez announced an upcoming meeting of the Education Commission.

**GENERAL COUNCIL COMMENTS**

Councilmember Soto cautioned San Fernando Police Officers to be extra careful during patrols, reported on a recent townhall meeting and addressed an upcoming Movie Night at Casa Lopez.

Councilmember Ballin spoke about recent tragic events and spoke in support of being prepared and having lines of communication open to all the diversity within the City.



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Vice Mayor Fajardo thanked the Police Department for their good work and community members who participated in the recent Relay for Life event and discussed the possibility of a Pokémon event in City schools.

Mayor Gonzales commented on the Pokémon craze and commented positively on the recent Relay for Life event.

Brief discussion followed regarding Police Department calls for service during the 4<sup>th</sup> of July holiday.

**STAFF COMMUNICATION**

Staff presented a brief update on the City's Master Mariachi program.

**ADJOURNMENT (9:30 P.M.)**

Mayor Gonzales called for a moment of silence in honor of victims of the recent tragedies in Orlando, Florida and Dallas, Texas.

Motion by Councilmember Soto, seconded by Councilmember Ballin, 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 July 18, 2016, meeting as approved by the San Fernando City Council.*

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*Elena G. Chávez*  
*City Clerk*