

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**OCTOBER 7, 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 6:06 p.m.

Present:

Council: Mayor Joel Fajardo, Vice Mayor Sylvia Ballin, and Councilmembers Hector A. Pacheco, and Robert C. Gonzales

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

**PLEDGE OF ALLEGIANCE**

Led by Director of Recreation and Community Services Julian J. Venegas

**APPROVAL OF AGENDA**

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to approve the agenda including merging City Council Liaison Updates with Council Comments. By consensus, the motion carried.

**PRESENTATIONS**

The following presentation was made:

- a) CERTIFICATES TO THE SPONSORS AND KEY PARTICIPANTS FOR NATIONAL NIGHT OUT EVENT

**PUBLIC STATEMENTS**

Mayor Fajardo announced that audience members would have three minutes to make general comments and, if they choose, an additional three minutes regarding Item No. 5 (they may speak now, or wait until all applicants have spoken).

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 7, 2019**

**Page 2**

Holly Scott referenced Item No. 3 and said that dissolving the Measure A oversight committee is a huge mistake and urged that the committee forum meet and work with all to improve our city.

Maritza Duarte, Las Palmas Club's Chair, thanked Mayor Fajardo for his support for the club and she expressed support for Mary Mendoza, applicant for City Council seat vacancy, who has also helped the club and the community and is deserving to be a Councilmember.

Liana Stepanyan, San Fernando Library Manager, provided updates about library services, resources, and programs.

Michael Remenih said he was very disappointed that two Councilmembers voted against the Measure A review committee. He said that Council's promise to the community was one of the reasons a large group of people got together to promote the measure and he said there will be ramifications if Council tries to move forward with proposing an additional ½ cent sales tax.

Adriana Gomez, San Fernando Chamber of Commerce, urged that Council maintain the trust of the community and reinstate the Measure A Advisory Committee. She said that the Chamber and its businesses gave both monetary support and time, the passage of Measure A was based on the commitment of the Council to allow for an oversight committee and that elimination of the committee is a betrayal of the trust of the residents and business community.

Maria Carrillo said she was voicing her opinion as stakeholder of the city and said that eliminating the committee is a failure of trust and a terrible injustice to the city, stakeholders, and voters. They were promised one thing, and she expressed extreme disappointment that it was taken away.

Julie Cuellar said that the City Council made a good decision to hold town hall meetings regarding Measure A. The meetings would allow everyone an opportunity to attend and voice their opinions in an open setting (instead of behind closed doors). She inquired about her application she submitted early on in the process, and said that she never heard back nor was contacted by staff (that wasn't fair nor right).

**CONSENT CALENDAR**

Councilmember Gonzales requested to pull Item No. 3 for further discussion.

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

- 1) REQUEST TO APPROVE MINUTES OF:
  - a. MAY 6, 2019 – REGULAR MEETING
  - b. AUGUST 19, 2019 – REGULAR MEETING
  - c. SEPTEMBER 16, 2019 – REGULAR MEETING
  - d. SEPTEMBER 23, 2019 – SPECIAL MEETING

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 7, 2019**

**Page 3**

- 2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
  
- 4) CONSIDERATION TO ADOPT A RESOLUTION AMENDING THE FISCAL YEAR (FY) 2019–2020 SALARY PLAN TO IMPLEMENT NEGOTIATED WAGE ADJUSTMENTS FOR THE SAN FERNANDO POLICE OFFICERS’ ASSOCIATION (SFPOA) AND THE SAN FERNANDO PART-TIME EMPLOYEES BARGAINING UNIT (SFPEBU)

By consensus, the motion carried.

*The following items were moved up.*

**ADMINISTRATIVE REPORTS**

- 9) CONSIDERATION AND APPROVAL OF A THIRD AMENDMENT TO THE CITY CLERK EMPLOYMENT AGREEMENT TO AMEND SCHEDULING RESTRICTIONS FOR PERFORMANCE EVALUATION

Assistant City Attorney Padilla presented the staff report.

Motion by Vice Mayor Ballin, seconded by Mayor Fajardo, to approve the Third Amendment (Contract No. 1804(c)) to the City Clerk Employment Agreement. By consensus, the motion carried.

- 6) CONSIDERATION TO APPROVE THE APPOINTMENT OF AN INTERIM DIRECTOR OF PUBLIC WORKS PENDING COMPLETION OF RECRUITMENT FOR THE POSITION

City Manager Kimball presented the staff report.

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

- a. Approve the appointment of Martin Pastucha as Interim Director of Public Works pending completion of recruitment for the position; and
  
- b. Authorize the City Manager to finalize the interim appointment process, and execute all related documents.

By consensus, the motion carried.

- 7) CONSIDERATION TO DETERMINE A CITY POSITION ON THE 2019 LEAGUE OF CALIFORNIA CITIES RESOLUTIONS

City Manager Kimball presented the staff report and Councilmembers provided brief feedback.

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 7, 2019**

**Page 4**

Motion by Vice Mayor Ballin, seconded by Mayor Fajardo, to give Councilmember Pacheco (City's Voting Delegate) the authority to make a determination on behalf of the City pertaining to the resolutions presented at the League of California Cities Annual Business Meeting. By consensus, the motion carried.

**8) CONSIDERATION TO APPROVE A VETERANS RECOGNITION PROGRAM**

Director of Recreation and Community Services Venegas presented the staff report and Councilmember Gonzales provided additional information.

Councilmembers each gave input and feedback.

In response to Mayor Fajardo's question, City Manager Kimball said that the program was evolving and that staff will continue to meet with the Ad Hoc Committee for additional recommendations and feedback.

Per Councilmember Gonzales' suggestion, copies of the sample banners were distributed to audience members so they could add their names to the banner they liked the most.

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

- a. Approve the Veterans Recognition Program Ad Hoc Committee's recommendation to initiate a Veterans Recognition Program to honor veterans that currently, or previously, reside in the City of San Fernando; and
- b. Adopt Resolution No. 7955 appropriating \$3,500 from Independent Cities Financing Authority Community Outreach Program funds (053-2955) to account 053-420-0000-4300.

By consensus, the motion carried.

**CONSENT CALENDAR (CONTINUED)**

**Item Pulled for Further Discussion**

**3) CONSIDERATION TO ADOPT A RESOLUTION RESCINDING RESOLUTION NO. 7895 AND ESTABLISHING MEASURE "A" TRANSPARENCY FORUM GUIDELINES**

Councilmember Gonzales said that the community was promised that they would be part of the process; the Advisory Committee would present their findings at a City Council meeting where the public would provide input (same as they would at a Council meeting or any other public meeting).

Mayor Fajardo said he would like a town hall forum in which every community member has the same rights and equal voice in the process, and does not want certain community members to have a louder voice (or more influence) than others.

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 7, 2019**

**Page 5**

Councilmember Pacheco encouraged the public to continue to engage in discussions, believes that ultimately we need a public forum where everyone feels welcomed and has a chance to speak, would like to see quarterly meetings and rotation of community members to allow everyone an opportunity to serve on the Advisory Board.

Vice Mayor Ballin believes that a town hall meeting concept would work and allow for increased participation and suggested the meetings could be held possibly an hour before the City Council meetings.

Given there appeared to be a tie vote, Mayor Fajardo recommended this item be tabled until there is additional feedback from staff or when a fifth Councilmember on board.

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to table this item to a subsequent meeting. By consensus, the motion carried.

**ADMINISTRATIVE REPORTS (CONTINUED)**

5) CONSIDERATION TO MAKE AN APPOINTMENT TO FILL A VACANT CITY COUNCIL SEAT

City Manager Kimball read a list of procedures that would be followed.

Applicants were then asked to turn off their electronic devices (to be secured with Police Chief Anthony Vairo during the interview process), and were escorted to a conference room where they were sequestered and accompanied by two City staff members. It was noted that electronic devices would be returned to each after completion of the interviews and the applicants would then take a seat in the Council Chambers.

To determine the order in which the applicants would be called upon, a random drawing was held by City Clerk Chávez and Deputy City Clerk Cynthia Alba and names were drawn in the following order:

David Govea  
John Phillips  
Rachel Reyes  
Angel Granados  
Yvonne Mejia Pena  
Aida Montes  
Rodolfo Trujillo  
Mary Mendoza

At this time, staff distributed sample questions to the City Council.

**RECESS (7:06 P.M.)**

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 7, 2019**

**Page 6**

Mayor Fajardo called for a brief recess to allow Councilmembers to review the sample questions and identify which they would ask (whether these or their own).

**RECONVENE (7:29 P.M.)**

Mayor Fajardo reconvened the meeting and reported that the next steps were: 1) discuss the number of questions and/or the length of time, 2) reviewing the questions that Councilmembers will ask and 3) a brief update from the City Attorney as to the protocol to follow.

A brief discussion ensued and Council agreed to a three-minute opening statement per applicant, an additional 20 minutes Q&A per applicant, and all would be afforded a one-minute closing statement if they choose. Mayor Fajardo stated he would rotate who would ask questions first.

The following applicants were each called upon, one at a time, and interviewed by Council:

David Govea  
John Phillips  
Rachel Reyes  
Angel Granados

**RECESS (9:08 P.M.)**

At this time, Mayor Fajardo called for a brief recess.

**RECONVENE (9:17 P.M.)**

Interviews continued with the following applicants:

Yvonne Mejia Pena  
Aida Montes  
Rodolfo Trujillo  
Mary Mendoza

Mayor Fajardo thanked the applicants and all were given a round of applause. He then reopened public comments to allow audience members to comment on the proceedings and either for, or against, candidates.

**PUBLIC STATEMENTS (CONTINUED)**

Michael Remenih said he was very impressed with the candidates, it is a tough decision, but personally believes that David Govea is extremely qualified.

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 7, 2019**

**Page 7**

Mr. Montes reported that he and his children were present to support Aida Montes, a loyal, reliable, lifelong community member, and read a letter from his daughter who could not be present.

Julie Cuellar said it is a very hard decision for Council to make, but she believes Mary Mendoza would be the best choice as she has been attending Council meetings since 2014, is very passionate and aware of what is going on in the City.

Christina Bernal said that although being involved and attending meetings is important, the candidate should also have ideas and bring knowledge to the table and believes the best person for the job is David Govea.

Oswaldo Pena stated that although they are all great candidates, Yvonne Mejia Pena is genuine, sincere, has passion and dedication, noted that close to 2,000 residents agreed and voted for her at the last election, and said she would make a great Councilmember.

Gustavo Mendoza said that Mary Mendoza cares a lot about the City, she stays up until 2:00 a.m. sometimes reviewing meeting agendas, Spanish-speaking and senior residents reach out to her for assistance and representation, and she always wants to give 100%.

Discussion ensued amongst Councilmembers, each provided input and expressed support for certain candidates, and applicants were thanked for their time. Council discussed deferring making an appointment to a future date, reviewed potential meeting dates, and noted that the candidate that received the most votes would receive the nomination.

Motion by Vice Mayor Ballin to direct the City Clerk to poll each Councilmember to vote for an applicant to fill the vacant City Council seat, the applicant that receives the most votes would fill the vacant seat until the November 2020 election is certified.

Mayor Fajardo said he would second the motion with a friendly amendment that if an applicant does not receive the most votes, that Council will go a second round.

The amendment was accepted by Vice Mayor Ballin, and the motion carried with the following vote:

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

Councilmember Pacheco nominated Rachel Reyes.

Councilmember Gonzales nominated Yvonne Mejia Pena.

Vice Mayor Ballin nominated John Phillips.

Mayor Fajardo nominated Aida Montes.

None of the applicants nominated received the most votes; therefore, Council went a second round.

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 7, 2019**

**Page 8**

Councilmember Pacheco nominated Mary Mendoza.  
Councilmember Gonzales nominated Yvonne Mejia Pena.  
Vice Mayor Ballin nominated Mary Mendoza.  
Mayor Fajardo nominated Mary Mendoza.

Being that Mary Mendoza received the most votes, City Clerk Chávez then administered the Oath of Office to Mrs. Mendoza.

Councilmember Mendoza said it is an honor to represent the city she loves and where her children and grandchildren were born and raised, she has been attending the meetings wholeheartedly, and will make the best decisions that will benefit the city, community, and residents.

Councilmembers congratulated Councilmember Mendoza and said they look forward to working with her.

Mayor Fajardo said it was difficult but believes that Council made the right choice in a field of so many well-qualified and passionate candidates. What resonates with him is that Councilmember Mendoza has always been on the side of the people, never been shy to share her views, he enjoys hearing and learning from his colleagues and looks forward to learning from her as well.

**STAFF COMMUNICATION INCLUDING COMMISSION UPDATES**

City Clerk Chávez noted that the Education Commission will be holding a special meeting next Tuesday pertaining to the upcoming Principals Brunch on October 25, and reminded all to RSVP.

Director of Recreation and Community Services Venegas reported that the October meeting of the Parks, Wellness, and Recreation Commission, was cancelled (due to staff training in Sacramento) and reported that the next meeting will be on November 12.

Deputy City Manager/Director of Community Development Timothy Hou announced that October is National Community Planning Month and said the department has displays at the planning counter.

City Manager Kimball congratulated Councilmember Mendoza and also thanked and congratulated Council on the difficult process. He was very heartened by the level of citizens involved, Council could not have made a bad choice, and it says a lot about the people that live here.



**GENERAL COUNCIL COMMENTS AND LIAISON UPDATES**

Councilmember Gonzales thanked everyone who came out and interviewed, and the audience members that stayed. He noted that he recently participated in the NALEO conference and provided updates regarding Metro Service Council, Independent Cities Association, and the ad hoc committees that he serves.

Councilmember Mendoza thanked City Council, said she is ready, and looks forward to working with Council and staff.

Mayor Fajardo thanked everyone for staying late; said it shows a deep passion for civic engagement.

**RECESS TO CLOSED SESSION (11:12 P.M.)**

By consensus, Councilmembers recessed to the following Closed Session:

**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

**B) CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

G.C. §54956.8

Property: 13441 Foothill Blvd., Sylmar, City of Los Angeles

Agency Negotiator: City Manager Nick Kimball, Lead Negotiator

City Attorney Rick Olivarez

Assistant City Attorney Richard Padilla

Negotiating Parties: Brian Board and Christina Garay of Rodeo Realty on behalf of Richard C. Patterson, as to an undivided 50% interest in the subject property and David M. Kull and Ronna Kull, Trustees of the David and Ronna Kull Trust dated March 30, 2007, as to an undivided 50% interest in the subject property

Under Discussion: Price and Terms of Payment as relates to Option to Purchase Agreement

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 7, 2019**

**Page 10**

**RECONVENE/REPORT OUT FROM CLOSED SESSION (11:27 P.M.)**

Assistant City Attorney Padilla noted that all were present (including newly appointed Councilmember Mendoza) and reported the following:

Item A – General update was given by the City Manager, no feedback was given, receive and file matter.

Items B – Update was provided to City Council, feedback and authority given by the City Council, but no final action was taken.

**ADJOURNMENT (11:28 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 October 7, 2019, meeting as approved by the San Fernando City Council.*

---

*Cynthia Alba  
Deputy City Clerk/Management Analyst*