

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**OCTOBER 15, 2012 – 6:00 P.M.  
REGULAR MEETING**

City Hall Council Chambers  
117 Macneil Street  
San Fernando, CA 91340

**CALL TO ORDER/ROLL CALL**

Mayor Brenda Esqueda called the meeting to order at 6:15 p.m.

Present:

Council: Mayor Brenda Esqueda, Mayor Pro Tem Antonio Lopez, and Councilmembers Maribel De La Torre, and Sylvia Ballin

Staff: City Administrator Al Hernández, City Attorney Maribel S. Medina, and City Clerk Elena G. Chávez

**PLEDGE OF ALLEGIANCE**

Mayor Esqueda

**PRESENTATION**

The following presentations were made:

- A) RECOGNITION OF SCHOOL PRINCIPALS – CESAR E. CHÁVEZ LEARNING ACADEMIES
- B) OCTOBER – LIGHTS ON! AFTERSCHOOL DAY

**APPROVAL OF AGENDA**

City Administrator Hernández requested to move up Item No. 8 on the agenda before Public Statements.

Motion by Councilmember De La Torre, seconded by Mayor Pro Tem Lopez, to approve the agenda including moving up Item No. 8. By consensus, the motion carried.

**CITY COUNCIL ITEMS**

*By consensus, Item No. 8 was moved up on the agenda.*

**8) PRESENTATION BY RESIDENT REGARDING CONVERTING MISSION COLLEGE TO A FOUR-YEAR UNIVERSITY**

Mayor Esqueda invited public comments on this item.

Resident Sam Cordova made a presentation to City Council regarding converting Mission College into a four-year university; distributed information, and requested the City's endorsement.

Discussion followed regarding a previous master plan which included converting Mission College into a four-year university and the need to meet a growing demand.

Councilmember Ballin spoke about needing more information regarding the benefits and impacts and Mayor Pro Tem Lopez agreed he will review the facts.

No action taken.

**PUBLIC STATEMENTS – WRITTEN/ORAL**

Adrians Serrano, Event Chair, 2015 Relay for Life, thanked the City for its sponsorship and presented a plaque to the City for its support.

Joe Ruelas referenced Item No. 7, discussed how this matter could have been avoided, offered recommendations for a reduction in wages and benefits and the need for forward-thinking, and urged Council to consider the matter, seriously.

Sam Beltran congratulated Councilmember De La Torre, referenced a newspaper article regarding Aszkenazy spending \$9.5 million on two properties and wanting a loan from the City and discussed a letter from Patty Lopez degrading a Councilmember.

Robert Ortega spoke about Councilmember De La Torre letting her son drive her car without a driver's license, and spoke about the City Attorney taking care of her personal bills.

Councilmember De La Torre clarified the previous comments and urged the speaker to stop lying about her.

City Attorney Maribel S. Medina urged the public to limit their comments to subjects under the jurisdiction of City Council and Council not to engage in dialogues with public speakers.

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Margie Carranza spoke positively about this Council, discussed the lack of credibility of comments against Councilmembers, noted the reason for the recall was because of a love affair and felt that it does not prevent the parties from doing their jobs.

Victoria Mojica referenced comments by Mr. Beltran and Mr. Ortega, who are allowed to speak even though their comments are not under Council's jurisdiction and declared opposition to Item No. 7, noting concern with people losing their jobs.

Tom Ross, Treasurer, San Fernando Downtown Association, announced their upcoming quarterly meeting and invited Council and City representatives to attend.

Councilmember De La Torre requested that Mr. Ross provide downtown merchants a copy of the Association's By-laws.

City Attorney Medina reiterated direction to Council not to engage in a dialogue with public speakers.

Julian Ruelas spoke about the importance of leadership and the need for the City to protect its image, referenced an article in the L.A. Weekly, alleged that one Councilmember went against the City Attorney's advice and stops people from making slanderous remarks, only when convenient, and spoke about a conversation he had with the director of properties for J.C. Penney and the need to work with the City.

Patty Lopez spoke about residents celebrating November 6<sup>th</sup>, claimed Margie Carranza defamed her during previous public comments, referenced a newspaper article as evidence, declared she has dignity and principles and wondered why Council is only now, discussing education if they are so much about it.

Renato Lira discussed a closed session agenda about City staff layoffs, said it should be continued until after November, noted the holidays are around the corner and urged Council to consider impacts to staff, addressed a recent accident, and suggested cutting the City Manager's salary.

Carolina Perez spoke about not missing Mayor Esqueda and Councilmember De La Torre, noting they have caused residents a lot of pain, and voiced support for converting Mission College into a four-year university but felt low-income students should be given priority.

Irwin Rosenberg, San Fernando Police Officers Association, urged Council to continue the matter regarding layoffs until after November, the new Council takes its seat and has an opportunity to make unbiased decisions. He added the department's resources are already taxed, they are running lean, reported on a recent murder in the City. and spoke about the spread of lies.

**CONSENT CALENDAR**

Mayor Pro Tem Lopez pulled Item No. 1, and Councilmember Ballin pulled Item No. 3, for further discussion.

Motion by Councilmember De La Torre, seconded by Mayor Pro Tem Lopez, to approve the remaining Consent Calendar Item No. 2:

- 1) ADOPTION OF ORDINANCE NO. 1624 – ORDINANCE AMENDING ARTICLE II (CABLE COMMUNICATIONS FRANCHISING) OF CHAPTER 86 (TELECOMMUNICATIONS) OF THE SAN FERNANDO CITY CODE IN ACCORDANCE WITH THE DIGITAL INFRASTRUCTURE AND VIDEO COMPETITION ACT OF 2006

By consensus, the motion carried.

**Items Removed for Further Discussion:**

- 2) APPROVAL OF WARRANT REGISTER NO. 12-102

City Administrator Hernández responded to various questions from Councilmembers regarding 13 of 91 payments to City of Los Angeles for services rendered and discussed cell phone reimbursements, car allowances for Councilmembers, lie-detector exam costs and tap cards.

City Attorney Medina advised Council to develop a policy that is transparent and clear, in the near future, addressed the current policy noting it is loosely written, and should be rewritten.

Motion by Councilmember De La Torre, seconded by Mayor Pro Tem Lopez, to approve the Warrant Register No. 12-102. By consensus, the motion carried.

City Attorney Medina stated she will bring back a policy for Council's consideration, including best practices.

- 3) APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH MARTIN & CHAPMAN CO. FOR SERVICES RELATING TO THE GENERAL MUNICIPAL ELECTION ON MARCH 5, 2013

In response to Councilmember Ballin's question, City Attorney Medina explained that once the County certifies election results on December 4<sup>th</sup>, Council is required to swear in the new Councilmembers at the next regular meeting which is scheduled for December 17<sup>th</sup>.

Motion by Councilmember Ballin, seconded by Mayor Pro Tem Lopez, to approve a professional services agreement with Martin & Chapman Co. for an amount not to exceed \$35,000 for election services and supplies relating to the General Municipal Election on March 5, 2013. By consensus, the motion carried.

**NEW BUSINESS**

4) AWARD OF CONTRACT FOR THE ELDERLY NUTRITION PROGRAM

Recreation and Community Services Operations Manager Ismael Aguila presented the staff report and responded to questions from Councilmembers.

Motion by Mayor Pro Tem Lopez, seconded by Councilmember Ballin, to award and approve a professional services agreement with Morrison Management Specialists for an amount not to exceed \$84,877 to provide meals for the Elderly Nutrition Program operating from Las Palmas Park. By consensus, the motion carried.

5) CO-SPONSORSHIP OF HELP-PORTRAIT SAN FERNANDO 2012

Recreation and Community Services Operations Manager Aguila presented the staff report and Alas Media representatives made a presentation.

By consensus, Councilmembers:

- a. Approved a City co-sponsorship of Help-Portrait San Fernando 2012 with Alas Media; and
- b. Approved the use of the City seal on Alas Media print material.

6) SLURRY SEAL PROJECT - UPDATE

Public Works Director Ron Ruiz presented the staff report and responded to questions from Councilmembers.

Regarding additional public comments, City Attorney Medina noted that Council can reopen public comments.

Roberta Jensen discussed speeding near Fifth Street and Glenoaks Blvd., increased traffic, and the poor conditions of the streets.

**CONTINUED BUSINESS**

7) FISCAL YEAR 2012-13 CITY BUDGET AND STAFF REDUCTIONS

City Administrator Hernández reported that he would request to defer this item until after Closed Session.

**RECESS TO CLOSED SESSION (8:53 P.M.)**

By consensus, Councilmembers recessed to the following Closed Session:

**A) CONFERENCE WITH LABOR NEGOTIATOR G.C. 54957.6**

City Negotiator: City Administrator Al Hernandez  
Employee Organizations: 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 (SEIU, Local 721)  
San Fernando Part-time Employees' Bargaining Unit (SEIU, Local 721)

**B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
G.C. 54956.9(b) (3 cases)**

**RECONVENE (10:35 P.M.)**

City Attorney Medina reported that City Council, by a vote of 4 - 0, authorized the City Administrator to submit a Form 8821 to the IRS to get clarification on an inquiry the City received. There was no other reportable action taken.

**STANDING COMMITTEE UPDATES**

**No. 1 Budget, Personnel and Finance (BPF)**

Councilmember De La Torre – no updates.

**No. 2 Housing, Community & Economic Development and Parking (HCEP)**

Councilmember De La Torre discussed scheduling a joint HCEP and BFP Committee meeting to discuss parking in-lieu fees as they relate to the Maclay corridor, and requested agendaizing the alleyway that extends from behind City Hall to Maclay.

Mayor Esqueda asked about rents at nearby senior housing units and reported the City Attorney will work with staff regarding an encroachment fee that was paid.

**No. 3 Natural Resources, Infrastructure, Water, Energy and Waste Management (NRIW)**

Councilmember Ballin – no updates.

**No. 4 Public Safety, Veteran Affairs, Technology and Transportation (PVTT)**

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Mayor Pro Tem Lopez – the next meeting will be on October 18<sup>th</sup>.

No. 5 Education, Parks, Arts, Health and Aging (EPAH)

Mayor Esqueda – Discussed the Alas Media presentation and addressed upcoming events.

**GENERAL COUNCIL COMMENTS**

Councilmember De La Torre asked Tom Ross to provide downtown merchants a copy of the Mall Association's By-laws, requested agendaing the matter of the City holding the Associations' funds, and clarified previous statements about her contact with LAUSD.

**STAFF COMMUNICATION**

Public Works Director Ruiz reported on a recent Northeast Valley Corridor meeting and addressed upcoming meetings and discussions.

City Planner Fred Ramirez announced an upcoming San Fernando Valley Council of Governments Mobility Summit and offered to send additional information to Council.

City Administrator Hernández reported City auditors will be in the City the first week of November to conclude their field work related to the City audit and addressed two items rejected by the Department of Finance and working with the City Attorney to resolve them.

**AJOURNMENT (10:46 P.M.)**

By consensus, the meeting was adjourned.

*I do hereby certify that the foregoing is a true and correct copy of the minutes of October 15, 2012 meeting as approved by the San Fernando City Council.*

\_\_\_\_\_  
*Cynthia Alba*  
*Deputy City Clerk/Management Analyst*