

**SAN FERNANDO CITY COUNCIL
MINUTES**

**OCTOBER 19, 2015 – 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 6:02 p.m.

Present:

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

Staff: City Manager Brian Saeki, City Attorney Rick R. Olivarez, Deputy City Attorney Richard Padilla, and City Clerk Elena G. Chávez

PLEDGE OF ALLEGIANCE

Led by Police Explorer Samantha Martinez

APPROVAL OF AGENDA

City Manager Saeki reported that Attachment “A” (the contract) regarding Item No. 4 was submitted after the agenda packet was prepared and was provided at the dais for City Council consideration.

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

PRESENTATIONS

The following presentations were made:

- a) LOS ANGELES FIRE DEPARTMENT OVERVIEW (ANNUAL REPORT)
- b) 5K REWARDS PROGRAM

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PUBLIC STATEMENTS – WRITTEN/ORAL

Khalil Haidarnia, Sylmar, talked about an “underground” taxi that robbed him and he said that he filed a claim against the City.

Dee Akemon said she’s lived in the City since 1960 and it saddens her that the palm trees on Brand Blvd. were cut down and she asked who was responsible.

Margarita Montanez also asked who ordered the removal of the palm trees, is pleased about the police department’s three-minute response time, and thanked Councilmember Soto for his support.

John Arroyo is also upset about the palm tree issue and would like to see the removal of islands that are in the middle of streets because they take away parking spaces and cause accidents.

Tom Ross, Chamber of Commerce and Downtown Association, said he’s disappointed that the palm tree issue has escalated to this point, the trees are not native to California, are water thirsty, and go against conservation efforts, and as a business person, he is more interested in seeing this town beautified, not vilified.

Pilar Enriquez expressed disappointment regarding the Planning Commission’s 3-2 vote in favor of the Transit Oriented District despite the protests and many people speaking (and writing) against the project and said the palm tree issue is very upsetting and asked Council to not let mistakes continue to happen.

Ana Maria Barrosa said the palm tree issue saddens her and asked how it could have happened. She said that she invited people to come to the meeting to speak but they are discouraged because there isn’t enough Spanish content.

Miguel Montanez said he tried to look for information on the City’s website to research how the palm tree mistake occurred and could not find anything and if, according to the press release, the plan was reviewed several times, then how did this mistake happen.

Mary Mendoza said they want to know who authorized the destruction of the trees and whether it was professional incompetence and negligence and residents are demanding the replacement and full cost to be the sole responsibility of those that allowed the destruction (residents should not pay for the damage).

Ronald Rowland, Hope of the Valley Rescue Mission, provided information regarding the organization and reported that there will be shelters opening up in Pacoima and Sylmar.

Brenda Perez is very upset about removal of the palm trees, there are puppet strings above some Councilmembers’ heads and the corruption needs to stop. She added she is happy that the community is coming together, and commended Councilmember Soto for defending the residents.

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Michael Remenih believes that Councilmember Soto has been a thorn in the City and explained why he believed so.

Julie Cuellar said she is very disappointed about the palm tree mistake, residents are upset that they're not being heard, talked about the Transit Oriented Development hearing, and spoke in support of Councilmember Soto.

Richard Arroyo said his family has had roots here since 1911 and is very upset about the removal of palm trees and added it's not just about the six trees, but what they represented.

Paul Luna said he's lived here over 60 years and people are getting emotional about trees that are not historical. We need to get back on track and focus on residents' needs and not on misinformation and lies that people are spreading.

Margarita Servacio is upset about removal of the palm trees, wished Council would pay attention to the residents, and said that she believes that Councilmember Soto is for the community.

A male speaker felt the message is getting lost; acknowledged people are upset about the removal of the palm trees but, indicated they are more upset about not being informed and the lack of transparency.

CONSENT CALENDAR

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

- 1) REQUEST TO APPROVE MINUTES OF:
 - a. SEPTEMBER 16, 2015 – SPECIAL MEETING
 - b. OCTOBER 5, 2015 – SPECIAL MEETING
 - c. OCTOBER 5, 2015 – REGULAR MEETING
- 2) CONSIDERATION TO ADOPT RESOLUTION NO. 15-102 APPROVING THE WARRANT REGISTER
- 3) CONSIDERATION TO ACCEPT THE NATIONAL ENDOWMENT FOR THE ARTS GRANT AWARD TO SUPPORT THE CITY'S MARIACHI MASTER APPRENTICE PROGRAM
- 4) CONSIDERATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL TO PROVIDE FULL SERVICE ADMINISTRATION AND IMPLEMENTATION OF THE CITY OF SAN FERNANDO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
- 5) CONSIDERATION TO APPROVE A VEHICLE DONATION FROM THE CITY OF VERNON

By consensus, the motion carried.

PUBLIC HEARING

6) **CONSIDERATION TO ADOPT AN URGENCY ORDINANCE MAKING FINDINGS AND ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING, AND APPROVAL OF APPLICATIONS AND ISSUANCE OF PERMITS TO ESTABLISH DENTAL OR MEDICAL CLINICS**

City Clerk Chávez read the title of the Ordinance and Deputy City Attorney Padilla presented the staff report and replied to questions from Councilmembers.

Deputy City Attorney Padilla clarified that this urgency ordinance establishes a moratorium, stopping the applications and issuance of permits establishing dental and medical clinics. The basic function of this ordinance is to halt the inclusion of clinics, it freezes any new medical or dental clinics in the City, at a minimum of 45 days in order for staff to conduct more studies on the subject.

Discussion followed regarding the need to study parking issues related to the clinics, complaints received from the public regarding the influx of medical clinics in the City, impacts of the moratorium to existing facilities, analyzing the parking demand the uses generate, the need for additional information and time to review the effects of the moratorium, the need for moving quickly on this matter, and providing additional opportunities for the public to comment.

Mayor Fajardo opened the Public Hearing and called for public testimony.

Gustavo Franco said everyone has families here and no one wants drug clinics in the City.

Pilar Enriquez said the community is concerned about all of the pharmacies and clinics that are opened in the City, asked why so many are needed, and said she believes there is something behind all of this.

John Arroyo said there are enough drug stores and clinics and stated the City does not need more dentists robbing people in the City.

Julie Cuellar agreed there are enough medical clinics and dental offices and asked about how often existing facilities are checked to make certain they are not committing medical fraud and illegal activities.

Brenda Perez agreed with Councilmember Soto, noted the community did not know this was on the agenda and challenged the other four Councilmembers to do what they said during their campaigns.

(Female speaker – did not state name) asked if there are current/pending applications for those types of businesses in the City.

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Michael Remenih said he has attended every meeting for years now and has seen tremendous transparency since the recall election. He encouraged everyone to come to the meetings, listen, and get involved.

Christine Provencio spoke about the need for the City to provide materials in Spanish, as San Fernando is a dominantly Hispanic community.

There being no additional comments, Mayor Fajardo closed the public comment portion of the hearing.

Staff replied to comments and concerns made by audience members.

Motion by Vice Mayor Ballin, seconded by Councilmember Gonzales, to waive full reading and adopt Urgency Ordinance No. U-1646 by title, "An Urgency Ordinance of the City Council of the City of San Fernando, California, making findings and establishing a temporary moratorium on the acceptance, processing, and approval of applications and issuance of permits to establish dental or medical clinics."

The motion carried with the following vote:

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

ADMINISTRATIVE REPORTS

7) **CONSIDERATION TO ACCELERATE LOCAL STREET RESURFACING USING THE TOTAL ROAD IMPROVEMENT PROGRAM (TRIP) USING MEASURE R LOCAL RETURN TRANSPORTATION FUNDS**

Deputy City Manager/Public Works Director Chris Marcarello gave the staff report and replied to questions from Councilmembers.

Discussion followed regarding total costs to repair City streets, funding sources, the possibility of adding striping for safe bicycle lanes, plans for repairing sidewalks, fixing the streets as soon as possible, and collecting information regarding all the needed repairs.

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

- a. Review participation in the Total Road Improvement Program (TRIP) that would include the issuance of tax revenue Certificates of Participation to accelerate local street resurfacing; and
- b. Authorize the City Manager to prepare financing documents under TRIP using Measure R local return funding; and

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- c. Direct the City Manager to present a resolution authorizing participation in the TRIP to the City Council for consideration at a subsequent meeting.

By consensus, the motion carried.

8) UPDATE ON CITYWIDE HOMELESS COUNT FOR 2015

City Manager Saeki gave background information and Police Chief Anthony Vairo replied to questions from Councilmembers.

Discussion followed regarding challenges with staffing, Police Officer training, the possibility of holding a count, annually, an upcoming summit on homelessness, the process for cleaning up encampments, storage of personal belongings, the possibility of giving written notice, collaborating with the County, other agencies and neighboring cities, focusing on permanent, supportive housing, needing to address mental-health issues, securing City parks at night, the process for dealing with people living in their cars, directing people to available resources and services, other problems related to homelessness, and the need for extra outreach.

No formal action was taken on this item.

9) CONSIDERATION OF AN INTERIM URGENCY ORDINANCE RELATED TO THE PHOTOGRAPHY AND FILM PRODUCTION PERMIT PROCESS IN THE CITY OF SAN FERNANDO

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

Discussion followed regarding small businesses impacted by the film industry, getting input from business owners in the community, the revenue received by the City from the film industry during the last several years, compensating small businesses for revenue losses, the need for increased public input, downtown sales tax revenue received by the City, offering staging in City parks, offering options for making up the loss of revenue from the film industry, understanding best practices in other cities, and the possibility to wait until the second Council meeting in November to determine the need for a moratorium.

Council directed staff to return with a full report on this matter, no later than the second City Council meeting in November.

No formal action was taken on this item.

10) CONSIDERATION TO ADOPT A RESOLUTION AMENDING THE CITY COUNCIL PROCEDURAL MANUAL BY ADDING A POLICY AS TO THE USE OF CITY LETTERHEAD AND OTHER OFFICIAL STATIONERY

Deputy City Attorney Padilla gave the staff report and replied to questions from Councilmembers.

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Motion by Vice Mayor Ballin, seconded by Mayor Fajardo, to adopt Resolution No. 7704 to add a new chapter to the City Council Procedural Manual entitled "Official Letterhead and Other Stationery Use Policies" to officially memorialize appropriate use of the City seal, logo and letterhead.

The motion carried with the following vote:

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

At this time, Councilmember Soto momentarily left the Council Chambers.

11) CONSIDERATION TO APPOINT COUNCILMEMBER ROBERT C. GONZALES TO THE DISASTER COUNCIL

Motion by Vice Mayor Ballin, seconded by Councilmember Lopez, appoint Councilmember Gonzales to the Disaster Council. By consensus, the motion carried.

12) APPOINTMENT TO THE PARKS, WELLNESS, AND RECREATION COMMISSION

Motion by Vice Mayor Ballin, seconded by Mayor Fajardo, to appoint Joe Ponce as Mayor Fajardo's representative to the Parks, Wellness, and Recreation Commission. By consensus, the motion carried.

COMMITTEE/COMMISSION LIAISON UPDATES

At this time, Councilmember Soto returned to the Council Chambers.

Councilmember Gonzales presented an update on recent events at the ICA, announced an upcoming press conference, and an upcoming meeting of the Library Commission.

GENERAL COUNCIL COMMENTS

Councilmember Soto discussed the need to issue an official statement from the City to businesses regarding film production, addressed the removal of palm trees, and believes City Manager Saeki should consider resigning.

City Manager Saeki provided a brief report on the matter and explained it was a clerical mistake that included the removal of the subject palm trees and apologized to Council and the community. He added that the trees will be replaced, along with other planned improvements.

Councilmember Gonzales discussed positive things going on in the City including a recent community cleanup, the Chili Festival, the 5K Relay and upcoming events, and spoke about working to make San Fernando a better community.

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Councilmember Lopez commended Councilmember Gonzales for the community cleanup event, spoke about needing more similar events in the community, and voiced his support of staff relative to the removal of trees, adding that he is confident staff will come up with an acceptable solution.

Vice Mayor Ballin spoke in support of the City Manager and noted his accomplishments in the City and reported she will continue to support the City Manager, the City Attorney and staff.

Mayor Fajardo announced an upcoming Chalk Art Celebration, discussed Heritage Park and the possibility of installing a community garden, and spoke in support of the City Manager and his efforts in investigating the issue of the trees and finding a solution.

STAFF COMMUNICATION

None

ADJOURNMENT (9:39 P.M.)

Motion by Councilmember Lopez, 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 October 19, 2015, meeting as approved by the San Fernando City Council.

*Cynthia Alba
Deputy City Clerk/Management Analyst*