

**SAN FERNANDO CITY COUNCIL
MINUTES**

**DECEMBER 7, 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, Deputy City Attorney Richard Padilla, and City Clerk Elena G. Chávez

PLEDGE OF ALLEGIANCE

Led by Police Explorer Alfredo Mendoza

APPROVAL OF AGENDA

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

PRESENTATION

The following presentations were made:

- a) PRESENTATION BY CITY OF VERNON MAYOR W. MICHAEL MCCORMICK REGARDING DONATED VEHICLES
- b) PROGRESS UPDATE ON NEW CITY WEBSITE

PUBLIC STATEMENTS – WRITTEN/ORAL

John Blue discussed growing concerns regarding the West Nile Virus, stated that employers must show a good-faith effort in clearing outdoor areas and spoke about the availability of vector control mobile lab to instruct the public on West Nile Virus.

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Mary Mendoza spoke in support of the moratorium on multi-family housing in the City, referenced an appeal submitted to the City and a resident petition, said public comments and suggestions were not given the due diligence they deserve, and urged the City Council to consider their appeal to the Planning and Preservation Commission.

Ana Lopez agreed with Ms. Mendoza's comments and added reasons for submitting the appeal including that the City Attorney was not present in the hearings to provide fair and balanced guidance, that there was an insufficient review period for the specific plan, and said there was failure to comply with the public hearing notice of the agenda item.

Anatolia B. opposed building multi-family apartments in the mall and instead, supported stores, a theater, and restaurants, she noted challenges with parking in the City, and urged the City to provide information through bulletins and notices regarding projected developments.

Yolanda Haro thanked Councilmember Soto for attending the recent Telethon 2015, noted the budget is important, but so are residents and urged the City to provide interpreters and head sets at meetings to accommodate and serve Spanish-speaking residents.

Pilar Enriquez agreed with Ms. Haro's comments regarding providing translation services for the Spanish-speaking community, spoke in opposition of building more multi-family dwellings, discussed updating the City website, commented on the need for financial transparency, and asked about the City trees that were removed.

CONSENT CALENDAR

Mayor Fajardo pulled Item No. 4, and Councilmember Soto pulled Item No. 5 for further discussion.

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

- 1) CONSIDERATION TO ADOPT RESOLUTION NO. 15-121 APPROVING THE WARRANT REGISTER
- 2) CONSIDERATION TO APPROVE CALENDAR YEAR 2016 BUSINESS LICENSE PERMITS FOR CERTAIN BUSINESS TYPES AS REQUIRED BY THE CITY CODE
- 3) CONSIDERATION TO ADOPT A RESOLUTION APPROVING DESIGNATED LEVEL I RESERVE POLICE OFFICERS
- 6) RATIFICATION AND RE-APPROVAL OF CITY CLERK EMPLOYMENT AGREEMENT ORIGINALLY APPROVED ON NOVEMBER 16, 2015 SUBJECT TO CERTAIN CLARIFYING AMENDMENTS AND MODIFICATIONS TO MORE PRECISELY EFFECTUATE THE INTENT OF THE PARTIES

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- 7) PREPAREDNESS ACTIVITIES FOR PREDICTED EL NIÑO WINTER STORM EVENTS
- 8) CONSIDERATION TO REPLACE HEATING, VENTILATION AND COOLING SYSTEM (HVAC) EQUIPMENT AT CITY FACILITIES
- 9) CONSIDERATION TO ADOPT RESOLUTIONS PERTAINING TO THE ADDITION OF PROPERTY ASSESSED CLEAN ENERGY (PACE) FINANCING PROGRAM PROVIDER TO CITY PACE PROGRAM
- 10) CONSIDERATION TO APPROVE CONSULTANT AGREEMENT AND MEMORANDUM OF UNDERSTANDING RELATED TO STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) COMMUNITY SUSTAINABLE TRANSPORTATION PLANNING GRANT

By consensus, the motion carried.

Items Removed for Further Discussion

- 4) CONSIDERATION TO ADOPT RESOLUTIONS AMENDING THE SALARY SCHEDULE AND THE TABLE OF ORGANIZATION FOR FISCAL YEAR (FY) 2015-2016

Mayor Fajardo stated his opposition to Item 4.b relative to the Wellness Benefit.

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

- a. Adopt Resolution No. 7716 amending the Salary Schedule for FY 2015-2016; and
- b. Adopt Resolution No. 7717 approving the Table of Organization for FY 2015-2016.

The motion carried with the following vote:

AYES: Lopez, Gonzales, Ballin – 3
NOES: Soto, Fajardo – 2

- 5) CONSIDERATION TO ADOPT AN ORDINANCE AMENDING THE CITY CODE REGARDING THE APPOINTMENT, REMOVAL, AND RULES OF DECORUM FOR CITY COMMISSIONERS

Councilmember Soto noted he does not agree with the consortium, believes that it is politically-motivated and targets specific commissioners.

Deputy City Attorney Padilla explained what is before Council is the second reading of the ordinance that was approved during the last City Council meeting.

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Motion by Councilmember Lopez, seconded by Vice Mayor Ballin, to waive full reading of Ordinance No. 1648 and adopt by title only, “An Ordinance of the City Council of the City of San Fernando Amending Division I (Generally) of Article V (Boards, Commissions, Committees, Agencies, and Authorities) of Chapter 2 (Administration) Regarding the Appointment, Removal, and Rules of Decorum for City Commissioners.”

The motion carried with the following vote:

AYES: Lopez, Gonzales, Ballin, Fajardo – 4

NOES: Soto – 1

PUBLIC HEARING

11) CONSIDERATION TO ADOPT AN URGENCY INSTITUTING AN INTERIM MORATORIUM ON THE APPLICATION FILING, PROCESSING, APPROVAL AND ISSUANCE OF PERMITS FOR MULTIPLE-FAMILY DWELLING PROJECTS

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

Discussion followed regarding challenges in the City in terms of sewer and water, details of the proposed moratorium, the EIR review process, caps and limits to developer fees, and clarifying the impacts to infrastructure.

Ensuing discussion pertained to staff's intention to return to Council with a report towards the end of the moratorium, the possibility of extending the moratorium, the need for staff to continue working on development fees, the City's current water and sewer capacity, the need to take inventory of present multi-unit dwellings and garage conversions, the need to collect appropriate information so that Council can make informed decisions, and the possibility of supporting AB 1866, allowing homeowners to convert their garages into living spaces.

Mayor Fajardo noted the moratorium is temporary, limited in nature, and will allow the City to study all aspects of the item (including sewers), to meet everyone's interests, and return to Council with a report.

City Clerk Chávez read title to the proposed urgency ordinance: “An Urgency Ordinance of the City Council of the City of San Fernando Instituting an Interim Moratorium on the Application Filing, Processing, Approval and Issuance of Permits for Multiple-Family Dwelling Projects.” This Ordinance is introduced pursuant to Government Code Section 36937(b) and requires a four-fifths (4/5ths) vote for adoption.

Mayor Fajardo opened the public hearing and invited comments from the public.

John Blue discussed equality and asked whether the moratorium would allow developers to shape laws to benefit themselves and whether there are safeguards against it.

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Louie Mendoza discussed multi-family housing impacting schools in the area noting schools are presently overwhelmed, asked whether that has been taken into consideration, reported that crime will increase as well as demand for Police services, sewer, water and parking.

Yolanda Haro felt the moratorium should last longer than 45 days and suggested placing consideration of converted garages on Council's next agenda.

There being no further comments, Mayor Fajardo closed the public hearing.

Community Development Director Ramirez reported the State is looking at ways of addressing the housing shortage, explained no applications for new developments will be accepted during the moratorium, stated extending the moratorium would need to be part of another public hearing for Council to consider, and addressed garage conversions through Code Enforcement.

Motion by Vice Mayor Ballin, seconded by Mayor Fajardo, to waive full reading and adopt Urgency Ordinance No. U-1649 by title only, “An Urgency Ordinance of the City Council of the City of San Fernando Instituting an Interim Moratorium on the Application Filing, Processing, Approval and Issuance of Permits for Multiple-Family Dwelling Projects.”

The motion failed with the following vote:

AYES: Ballin, Fajardo, Gonzales – 3

NOES: Soto, Lopez – 2

This Ordinance was introduced pursuant to Government Code Section 36937(b) and requires a four-fifths (4/5ths) vote for adoption.

ADMINISTRATIVE REPORTS

12) REVIEW OF TRANSIT SERVICES FOR DEVELOPMENT OF TRANSIT SERVICE PROVIDER REQUEST FOR PROPOSALS (RFP)

Management Analyst Kenneth Jones gave the agenda report. He and Deputy City Manager/Public Works Director Chris Marcarello replied to various questions from Councilmembers.

Discussion followed regarding the maximum capacity of the trolley versus the bus, maintenance challenges and costs with the trolley and busses, the possibility of purchasing another bus to decrease waiting times, dial-a-ride service, adding drop-off locations within a five-mile radius of the point of origin, the possibility of expanding the program for residents, increasing early-hour service for the trolley, exploring ways to improve the service, the possibility of adding drop-off locations at Mission College and Holy Cross Hospital, establishing partnerships with Metro, and understanding the long-term costs of the project.

Mayor Fajardo directed staff to move forward with Councilmembers' feedback and there was no formal motion taken.

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13) CONSIDERATION TO SUBMIT AN APPLICATION FOR THE FOOD INSECURITY NUTRITION INCENTIVE GRANT PROGRAM AND POTENTIAL IMPLEMENTATION OF A FARMER'S MARKET

Mayor Joel Fajardo announced there is a new vendor, Evans, Brooks and Associates, who has offered to submit a grant application for the City.

14) DISCUSSION OF PIONEER PARK - PLAY EQUIPMENT UPGRADES AND FENCING

Councilmember Soto asked about the status of Pioneer Park upgrades and Recreation and Community Services Director Ismael Aguila addressed an upcoming item related to developing a 10-15 year agreement with the Little League and the need for funding.

Discussion followed regarding costs for replacing playground equipment and rubber matting at Pioneer Park, the possibility of grant funding opportunities, and development of a parks master plan.

15) DISCUSSION OF AN APPEAL OF THE PLANNING AND PRESERVATION COMMISSION'S ACTION ON OCTOBER 6, 2015 RELATED TO THE TRANSIT ORIENTED DEVELOPMENT OVERLAY PROJECT

Councilmember Soto referenced the October 16th Planning and Preservation Commission meeting, discussed transparency, due process, an insufficient review period, and lacking an appeal process related to an EIR. He expressed concerns that the City Attorney was not present to provide legal advice and direction, noted the public feels the City does not listen to their concerns, and asked for Council's support in hearing the appeal.

Deputy City Attorney Padilla reported direction given on October 6th was memorialized in the form of a resolution, noted a determination on the matter was not appealable, had nothing to do with the public not being able to participate, stated the process is just beginning, and there will be other opportunities for discussion and public comment.

It was noted that the Planning and Preservation Commission does not decide, but rather makes recommendations to Council which will be considered at a public hearing where the public will have the opportunity to provide input.

No formal action was taken on this item.

COMMITTEE/COMMISSION LIAISON UPDATES

Councilmember Gonzales discussed an upcoming Independent Cities winter seminar including topics for discussion and a wine-tasting event in Santa Barbara.

Mayor Fajardo discussed a meeting regarding High Speed Rail in Shadow Hills and discussions regarding emergency preparedness related to earthquake safety.

GENERAL COUNCIL COMMENTS

Councilmember Soto discussed meeting preparedness, noting it takes a lot of work, indicated it is the City's responsibility to be truthful with residents, alleged there is constant maneuvering and wished everyone Happy Holidays.

Councilmember Gonzales agreed it takes a lot of work to prepare for Council meetings, thanked City staff for their work, and commented positively on the recent Christmas Tree Lighting celebration.

Vice Mayor Ballin noted she has a busy schedule but reads agenda packets and asks questions of staff, discussed the recent shooting in San Bernardino and, noted Police presence is critical.

Mayor Fajardo thanked everyone who participated in the Christmas Tree Lighting celebration, discussed the recent tragedy in San Bernardino, hoped the Federal government can develop solutions to stop mass shootings, and said that the City and Council is working to make sure everyone's needs are met.

STAFF COMMUNICATION

City Manager Saeki discussed the recent tragedy in San Bernardino and the possibility of offering training to City staff and wished everyone Happy Holidays.

Community Development Director Ramirez announced an upcoming Planning and Preservation Commission meeting.

ADJOURNMENT (9:33 P.M.)

Mayor Fajardo called for a moment of silence for the victims of the recent shooting in the City of San Bernardino.

Motion by Councilmember Gonzales, seconded by Councilmember Lopez, 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 December 7, 2015, meeting as approved by the San Fernando City Council.

Elena G. Chávez
City Clerk