

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**AUGUST 17, 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 6:06 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 Jose Figueroa

**APPROVAL OF AGENDA**

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

**PRESENTATION**

The following presentation was made:

- a) CERTIFICATE OF RECOGNITION TO IYANA ROXONIE "ROXY" VERDUZCO – 2015 JUNIOR OLYMPIC AND PREP NATIONAL CHAMPIONSHIP GOLD MEDAL WINNER

**PUBLIC STATEMENTS – WRITTEN/ORAL**

John Arroyo talked about "skateboard graffiti bandits" and the possibility of using tennis courts for skateboarding to get kids off the streets.

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John Blue talked about a business proposal he presented at a previous meeting, provided an update regarding Julia Arechiga's complaint regarding her previous employer (she was awarded back pay by the Labor Commission), and discussed the proposed High-Speed Rail project.

Michael Remenih expressed his concerns regarding misleading comments made by Councilmember Soto and presented examples of what he called, "Soto-isms".

Michelle Guijarro spoke about the City needing to do something about on-going illegal fireworks and suggested the City put up signs or posters regarding possible fines.

Robert Ortega addressed his comments to Councilmember Soto and said that from what he read in *The Sun*, he would like to get a recall started.

Pilar Enriquez spoke about Councilmembers' actions speak louder than their words, noted they were elected to be leaders and not puppets, and said that the majority of problems are due to a lack of good strategic planning and strong leadership.

**CONSENT CALENDAR**

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

- 1) REQUEST TO APPROVE MINUTES OF:
  - a. AUGUST 3, 2015 – SPECIAL MEETING
  - b. AUGUST 3, 2015 – REGULAR MEETING
  - c. AUGUST 6, 2015 – SPECIAL MEETING
- 2) CONSIDERATION TO ADOPT RESOLUTION NO. 15-082 APPROVING THE WARRANT REGISTER
- 3) CONSIDERATION TO ADOPT ORDINANCE NO. 1643 RELATING TO NON-DISCRIMINATION IN CITY CONTRACTS
- 4) CONSIDERATION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE SAN FERNANDO POLICE CIVILIANS' ASSOCIATION AND ADOPT A RESOLUTION FOR IMPLEMENTING THE COST SHARING FOR EMPLOYER PAID MEMBER CONTRIBUTIONS
- 5) CONSIDERATION TO ADOPT A RESOLUTION SETTING THE PROPERTY TAX RATE REQUIRED TO MEET THE CITY'S OBLIGATION TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR FISCAL YEAR 2015-2016
- 6) CONSIDERATION TO ADOPT A RESOLUTION APPROPRIATING FEDERAL AND STATE ASSET FORFEITURE FUNDS IN FISCAL YEAR 2015-2016

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7) **CONSIDERATION TO APPROVE PROFESSIONAL SERVICES AGREEMENTS FOR ON-CALL ENGINEERING SERVICES**

By consensus, the motion carried.

**ADMINISTRATIVE REPORTS**

Mayor Fajardo announced that the following item was moved up on the agenda.

9) **CONSIDERATION TO APPOINT A MEMBER TO THE DEVELOPMENT ADVISORY COMMITTEE FOR THE TRANSIT ORIENTED DEVELOPMENT OVERLAY ZONE PROJECT**

Mayor Fajardo introduced Veronica Pacheco and addressed her qualifications.

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to appoint Veronica Pacheco as the At-large Community Representative member to the Development Advisory Committee for the Transit Oriented Development Overlay Zone Project. By consensus, the motion carried.

8) **PRESENTATION OF THE CITY OF SAN FERNANDO'S FINANCIAL TRANSPARENCY INITIATIVE**

Finance Director Nick Kimball presented the staff report. He and Deputy City Attorney Padilla replied to questions from Councilmembers.

Discussion followed regarding categorization of the City Attorney's data, updating the City's website and the timeline for completion, the importance of increasing transparency, and the public records request process and related fees.

By consensus, Councilmembers received and filed the report on the City's Financial Transparency Initiative powered by Socrata financial transparency software.

10) **CONSIDERATION TO ADOPT A RESOLUTION SUPPORTING SENATE BILL 3 (VIDAK) THAT WOULD ADD SECTION 2704.69 TO THE STREETS AND HIGHWAYS CODE, RELATING TO TRANSPORTATION**

City Manager Saeki presented the staff report and Councilmembers provided feedback and comments regarding this item.

Discussion followed regarding use of the available proceeds, the costs of the High-Speed Rail Project, support for increased funding for structural repairs and the League of California Cities' position regarding letting voters decide on bills, in general.

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin to adopt Resolution No. 7693 and authorize the City Attorney to add a statement indicating the City's support for increased funding for local transportation, highways, streets, and bridges.

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The motion carried with the following vote:

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

11) UPDATE ON WATER REBATES, INCENTIVES AND GRANTS PROGRAMS FOR RESIDENTS AND BUSINESSES

Councilmember Soto explained why he placed this item on the agenda and Deputy City Manager/Public Works Director Chris Marcarello replied to questions from Councilmembers.

Discussion followed regarding funds allocated for inspections, rebates, incentives and programs available, efforts to educate the community, the number of people taking advantage of the incentives/programs, the possibility of MWD giving a presentation to City Council in the future, and the importance of attending MWD meetings.

No formal action was taken on this item.

12) SEWER SYSTEM FOLLOW UP CONCERNS

Councilmember Soto explained why he placed this item on the agenda and provided details of proposed solutions.

Discussion ensued and Deputy City Manager/Public Works Director Marcarello replied to questions from Councilmembers.

By consensus, staff was directed to: 1) provide a copy of a map and timeline for the remaining work for the closed captioned television and root cleaning; 2) check to see if there are any studies by the Environmental Protection Agency regarding water quality issues; and 3) attempt to make videos available to the public.

13) SECURITY CONCERNS REGARDING THE CITY OF SAN FERNANDO'S WATER WELL ON DRONFIELD AVENUE AND HUBBARD STREET

Councilmember Soto explained why he placed this item on the agenda and talked about his concerns regarding security issues. He asked that Deputy City Manager/Public Works Director Marcarello conduct a Council tour of the facilities and execute a heightening of security measures including virtual patrol.

Deputy City Manager/Public Works Director Marcarello discussed existing security measures including use of the SCADA system.

Police Chief Vairo acknowledged some break-ins and warned about discussing security measures in public as it may compromise the sites.

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Councilmember Lopez spoke about not alarming the community, noted the City's facilities are secure, security issues should be discussed at staff-level, and reported that Council should consider only items that have been vetted.

Vice Mayor Ballin reported taking at tour, along with some staff members, of the EOC of the MWD and stressed that the City is serious about securing water resources and addressed the City's partnership with MWD.

City Manager Saeki reported that San Fernando's water supply is safe; multiple times during the day, City employees check the chemistry. He reported that there are numerous safety precautionary measures that obviously could not be discussed in a public meeting.

Councilmember Soto discussed the need to work together to forge an alliance to have the best solution to a system that could be improved.

Vice Mayor Ballin discussed the virtual patrol, noted money was misspent, but staff has done a good job of maintaining the integrity of the system.

Mayor Fajardo agreed and urged colleagues to vet issues with staff to ensure that all facts are checked, and that accurate and pertinent information is provided.

Councilmember Lopez urged Councilmember Soto to contact the City Manager or Police Department with issues related to security.

Councilmember Soto noted the item was on the agenda, stated that others had a chance to table it prior to the meeting and reported he will continue to be honest and transparent.

No formal action was taken on this item.

**14) DISCUSSION AND REQUEST FOR DIRECTION REGARDING THE DEVELOPMENT OF COMPREHENSIVE DECORUM AND CODE OF CONDUCT POLICY**

City Manager Saeki requested direction relative to developing comprehensive rules of decorum and a code of conduct policy.

Councilmember Soto discussed the need for specific examples and City Manager Saeki clarified these would be rules Council would adopt, relative to interactions with the public, staff and Council colleagues, not to place restrictions, but to set ground rules.

Deputy City Attorney Padilla reported other cities have adopted similar rules which have been proven helpful.

Councilmember Soto expressed concerns with any regulation that would limit free speech and voiced opposition of the item.

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Vice Mayor Ballin discussed the importance of having rules of conduct and noted the policy should include the opportunity to remove a commissioner who conducts in such a manner as to put the City at risk for a lawsuit.

Mayor Fajardo expressed concerns with limiting free speech, reported the City Council Procedural Manual includes rules of decorum, rules should apply to commissioners and Councilmembers, spoke about the need to move Council priorities forward, and suggested clarifying the removal process when the City updates committees/commissions.

Councilmember Soto agreed with Mayor Fajardo's comments and stated he would not want to see colleagues restricted, addressed existing rules and regulations, and felt that people need to be reminded of them, periodically.

Motion by Vice Mayor Ballin, seconded by Councilmember Lopez, to develop a comprehensive decorum and code of conduct policy which can be returned to the City Council within the next 30-45 days for discussion, deliberation, and possible approval, including opportunities for removal of commissioners.

The motion carried with the following vote:

AYES: Ballin, Lopez, Gonzales – 3

NOES: Soto, Fajardo – 2

**COMMITTEE/COMMISSION LIAISON UPDATES**

Councilmember Gonzales gave an update on a recent ICA meeting, reported there was no Library Commission meeting and noted an upcoming Education Commission meeting.

Vice Mayor Ballin presented an update on a recent MWD meeting, highlighted the Water Planning Committee partnership with member agencies in terms of water conservation.

**GENERAL COUNCIL COMMENTS**

Councilmember Soto spoke about working together, as a Council and community, to improve the City, discussed securing the City's infrastructure, addressed the need for street repairs, and noted he will continue to work to improve the City and be transparent.

Councilmember Gonzales congratulated Roxy Verduzco on her personal achievements and discussed the San Fernando 5K Relay.

Councilmember Lopez thanked staff for all the great work.

Vice Mayor Ballin asked about informing residents of the location of cooling centers.

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**STAFF COMMUNICATION**

None

**ADJOURNMENT (8:16 P.M.)**

Motion by Councilmember Gonzales, 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 August 17, 2015, meeting as approved by the San Fernando City Council.*

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*Cynthia Alba  
Deputy City Clerk/Management Analyst*