

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**FEBRUARY 1, 2016 – 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 6:01 p.m.

Present:

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

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

Absent: Councilmember Antonio Lopez

**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) RECOGNITION OF POLICE EXPLORERS
- b) YOUTH SPEAK! COLLECTIVE CLUB FUTBOLITO – RECOGNITION OF LEAGUE CHAMPIONS

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**PUBLIC STATEMENTS – WRITTEN/ORAL**

David Bernal proposed a festival on July 3 (in lieu of Fourth of July event), with craft beers and food trucks, similar to the Chili Festival, and asked for volunteers to help with the event.

Dee Akemon discussed the red zone on Eighth Street, reported a house was converted into a charter school, and expressed concerns with increased congestion, traffic, and public safety.

Michael Remenih discussed Councilmember Soto's unethical behavior causing the City to take legal actions against him to protect the City, including obtaining a restraining order. He noted the City has had to pay because of Councilmember Soto's illegal activities including \$42,000 and hundreds of man hours.

Hermes Ayala, on behalf of Assemblywoman Patty Lopez, discussed creation of an affordable housing program and other activities helping businesses in the community.

Joanne Baltierrez Fernandez announced she is running for the 39<sup>th</sup> District Assembly seat and addressed her recent experience and work in the community.

Linda Campanella Jauron referenced Item No. 9 and expressed concerns it will make it harder for businesses in the City.

Mary Mendoza discussed the City newsletter and expressed concerns regarding the costs involved in development, printing and delivery, questioned why local businesses are advertising in it, noted the need for information regarding the status of the new website, and addressed storage and destruction of documents and the recent removal of palm trees

Ricardo Benites, Assemblywoman Patty Lopez office, gave an update of activities and events including her work to bring more businesses into the City.

**CONSENT CALENDAR**

Councilmember Soto in pulled Item No.1 for further discussion.

Motion by Vice Mayor Ballin, seconded by Councilmember Soto, to approve Consent Calendar Item No. 2:

- 2) CONSIDERATION TO ADOPT A RESOLUTION AUTHORIZING AND DIRECTING THE CITY CLERK TO DESTROY CERTAIN CITY RECORDS AND DOCUMENTS PURSUANT TO THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA

By consensus, the motion carried.

**Items Removed for Further Discussion**

- 1) CONSIDERATION TO ADOPT RESOLUTION NO. 16-021 APPROVING THE WARRANT REGISTER

Councilmember Soto asked about a cost regarding a California Association of Public Information Officials conference in Lake Tahoe and requested justification for the expense.

City Manager Saeki discussed the need for his assistant, Julie Fernandez, to attend to stay up to date regarding the latest technology available, noting she is performing her duties an assistant as well as those of a Public Information Officer.

Councilmember Soto discussed other issues that need to take priority, asked for more information, and suggested tabling the item.

Councilmember Gonzales expressed support for staff training and the need to stay up to date on the latest technology trends.

Vice Mayor Ballin spoke in support of the item, verified the position continues to prepare press releases for the media, and noted the need for staff training to stay ahead of the game.

Motion by Mayor Fajardo, seconded by Councilmember Gonzales, to adopt Resolution No. 16-021. The motion carried with the following vote:

AYES: Fajardo, Gonzales, Ballin – 3  
NOES: Soto – 1  
ABSENT: Lopez – 1

**ADMINISTRATIVE REPORTS**

*This item was moved up by Mayor Fajardo.*

- 6) REVIEW OF PILOT PROGRAM LOCATION FOR STUDENT LOADING/ UNLOADING ZONE ADJACENT TO VISTA DEL VALLE DUAL LANGUAGE ACADEMY

Deputy City Manager/Public Works Director Chris Marcarello presented the staff report.

LAUSD Board Member Ratliff gave an update and staff replied to questions from Councilmembers.

Discussion followed regarding an increase in the number of vehicles in line, notifying residents and parents about the pilot program, impacts to levels of service to adjacent intersections, costs for adding a crossing guard at the location, improvements in safety, concerns regarding who pays for the \$10,000 per year cost for the crossing guard, issues that still need to be considered

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regarding safety, additional traffic and street maintenance, and the possibility of tabling the item until assurance is given the project will not cost the City.

Ensuing discussion pertained to the City's Crossing Guard program and costs and creating an Ad Hoc Committee comprised of Mayor Fajardo and Vice Mayor Ballin to study the item further.

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

- a. Continue the pilot program establishing a student loading/unloading zone on Eighth Street (from Macneil Street to Brand Boulevard) through April; and
- b. Create an Ad Hoc Committee consisting of Mayor Fajardo and Vice Mayor Ballin.

The motion carried with the following vote:

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

**PUBLIC HEARING**

*The following two items were taken out of order.*

- 4) CONSIDERATION TO ADOPT AN ORDINANCE AMENDING DIVISION 5 (TEMPORARY USES AND STRUCTURES) OF CHAPTER 106 (ZONING) OF THE CITY CODE IN ORDER TO ESTABLISH REGULATIONS FOR UNATTENDED COLLECTION BOXES

Community Development Director Fred Ramirez gave the staff report and replied to questions from Councilmembers.

Discussion followed regarding locations of the collection boxes, consideration by and recommendations from, the Planning Commission.

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

There being no comments, he closed the public comment portion of the Hearing.

Motion by Vice Mayor Ballin, seconded by Councilmember Gonzales to introduce for first reading, in title only, and waive further reading of Ordinance No. 1651 by title, “An Ordinance of the City Council of the City of San Fernando, California, Amending Division 5 (Temporary Uses and Structures) of Chapter 106 (Zoning) of the San Fernando City Code to Regulate Unattended Collection Boxes.”

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The motion carried with the following vote:

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

3) CONSIDERATION TO APPROVE ALLOCATION OF CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR (FY) 2016-2017

Community Development Director Ramirez gave the staff report and replied to questions from Councilmembers.

Discussion followed regarding when the funds are expected, allocating the funds to priority projects, the need to address sewage issues, and focusing on the south side of the City.

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

Jess Avila spoke about the need to use the funds, properly, and urged Council to move forward with projects it intends to complete.

There being no other speakers, Mayor Fajardo closed the public comment portion of the Hearing.

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

- a. Adopt Resolution No. 7723 approving the allocation of City CDBG Funds an Economic Development Project in FY 2016-2017; and
- b. Authorize the City Manager to submit documentation conveying the City Council's Resolution to the Los Angeles County Community Development Commission for approval.

The motion carried with the following vote:

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

**ADMINISTRATIVE REPORTS (CONTINUED)**

5) REQUEST FOR CITY COUNCIL DIRECTION PERTAINING TO DELINQUENT SOLID WASTE COLLECTION SERVICES ACCOUNTS

Deputy City Manager/Public Works Director Marcarello introduced Republic Services representatives Rafael Garcia and Tanya Ragland who presented a report and responded to questions from Councilmembers.

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Discussion followed regarding possible options for Council actions, the possibility of Council directing staff to look into a lien process on landlords and their property, taking a mild approach towards collections by focusing on landlords to pay or collect fees, evaluating timelines for third-party collections, notifying landlords they are ultimately responsible for trash collection, the number of delinquent residential and commercial accounts, impacts of delinquent accounts to the City's franchise fees, the need for the City to help Republic collect on delinquent accounts, options for commercial accounts including "minimum service plans", the health and safety issues related to removing containers for non-payment, and providing a list of delinquent accounts and a copy of the draft letter.

City Manager Saeki reported he will need to check with the City Attorney regarding confidentiality and privacy issues and will return with report to Council.

Councilmember Gonzales suggested a list of delinquent accounts, only.

Staff was directed to return with more recommendations and suggestions to Council, by the last City Council meeting in April.

**7) REQUEST FOR CITY COUNCIL SUPPORT FOR SECOND ANNUAL LGBTQ PANEL**

Mayor Fajardo presented a brief report, addressed two medications available in preventing HIV and the need for education regarding the medications. The item will be discussed at the LGBTQ Panel and Mayor Fajardo asked for Council's support via 20 hours of staff time.

Discussion followed regarding the location of the event, the importance of the event, and fees associated with the venue.

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to support the Second Annual LGBTQ Panel by co-sponsoring it, approve use of the City logo on materials, and approve 20 hours of staff time for planning and coordinating the event. By consensus, the motion carried.

**8) REQUEST FOR INFORMATIONAL UPDATE REGARDING SAN FERNANDO'S WATER QUALITY**

Vice Mayor Ballin asked for an update regarding San Fernando's water quality.

Deputy City Manager/Public Works Director Marcarello introduced Water Superintendent Tony Salazar who provided an update and replied to questions from Councilmembers.

Discussion followed regarding projections for supplying water, in the future, as the City grows in population, regulations for municipal water versus bottled water, dealing with water shortages, conservation and water-quality issues, the need to review water rates in the near future as well as sewage rates.

No formal action was taken on this item.

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9) **CONSIDERATION TO LEVY A FEE AGAINST PROPERTY OWNERS WHOSE COMMERCIAL AND RETAIL PROPERTIES REMAIN VACANT FOR A PERIOD OF TIME**

Councilmember Soto discussed blight in connection with commercial and retail properties that remain vacant for a long period of time and felt Council should work on a policy for dealing with blighted properties.

Community Development Director Ramirez addressed possible reasons for vacancies and reported staff is working to identify potential businesses to fill those vacancies.

City Manager Saeki did not recommend assessing a fee to property owners merely because their property is vacant, when there have been no other Code Enforcement violations and spoke about needing to be business-friendly.

City Attorney Olivarez reported a fee may be charged if the property has become a public nuisance.

Discussion followed regarding challenges with getting good tenants, focusing on being business-friendly and the importance of vetting items before placing them on the agenda.

Councilmember Soto requested a list of vacant properties, perspective businesses and a report on how other cities deal with the issue.

Motion by Councilmember Soto to direct staff to review fees for vacancies of more than six months, of retail and commercial properties, and implement a contractual obligation for the City and the owners of buildings who have vacancies for greater than six months. The motion failed for lack of a second.

Mayor Fajardo explained there is no direction from Council and in order for the item to be re-agendized, there must be a change in circumstances.

10) **REQUEST FOR INFORMATION PERTAINING TO THE CITY'S GRAFFITI REMOVAL PROCESS**

Councilmember Soto reported receiving many calls about graffiti not being removed and asked for an update.

Community Development Director Ramirez gave an update regarding graffiti removal process and staff and replied to questions from Councilmembers.

Discussion followed regarding the notification process, the possibility of providing notice to business owners regarding their responsibility in graffiti removal and considering allocating funds for adding a staff member for graffiti removal during the upcoming budget process.

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11) REQUEST FOR AN UPDATE PERTAINING TO THE CITY’S SEWER SYSTEM

Deputy City Manager/Public Works Director Marcarello presented a report.

Motion by Mayor Fajardo, seconded by Councilmember Gonzales, to wait until recertification of the moratorium (within 45 days) for staff to return with a full report regarding the status of the City's sewer system.

The motion carried with the following vote:

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

12) CONSIDERATION OF THE BRAND BOULEVARD MEDIAN PROJECT TREE REPLACEMENT

Deputy City Manager/Public Works Director Marcarello presented the report and responded to questions from Councilmembers.

Discussion followed regarding replacing the trees with comparable trees, identifying other locations for planting the trees, cost of the replacement, and directing staff to return with additional information including recommendations for planting six replacement palm trees or utilizing the replacement funds to establish a fund for other tree planting work in the community.

City Manager Saeki clarified direction from Council is to not proceed with planting the six trees in the Brand Blvd. median, at this time.

**COMMITTEE/COMMISSION LIAISON UPDATES**

Councilmember Gonzales discussed a recent Los Angeles County Library Commission meeting and reported he was unable to attend the ICA Winter Seminar.

Mayor Fajardo reported on a recent Chamber of Commerce meeting including efforts to attract more members.

**GENERAL COUNCIL COMMENTS**

Councilmember Soto spoke about the City regaining its posture with vibrant businesses and people walking the streets, discussed upcoming events, commented on the costs related to the City newsletter, and offered to continue informing the public as to what is happening in San Fernando.

Councilmember Gonzales discussed the progress in the City during the last few year, felt the newsletter adds to the City's transparency, and noted there is still much work to do.

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Vice Mayor Ballin noted the City was on the brink of bankruptcy, stated the community is looking at Council, as a whole, and said she is not afraid of what may happen in the future.

Mayor Fajardo thanked everyone who participated in the recent homeless count.

**STAFF COMMUNICATION**

City Manager Saeki discussed the City newsletter, felt that new businesses in the community should be celebrated, addressed the City website, noted Council is not always going to agree and asked that going forward, if any Councilmember has a question about staff, to talk with him, directly.

**ADJOURNMENT (9:55 P.M.)**

Motion by Councilmember Gonzales, seconded by Vice Mayor Ballin, 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 February 1, 2016, meeting as approved by the San Fernando City Council.*

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*Cynthia Alba  
Deputy City Clerk/Management Analyst*