

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**MARCH 15, 2012 – 4:00 P.M.  
ADJOURNED SPECIAL MEETING**

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

**CALL TO ORDER/ROLL CALL**

Mayor Mario F. Hernández called the meeting to order 6:13 p.m.

Present:

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

Staff: City Administrator Al Hernández, City Attorney Michael Estrada, and City Clerk Elena G. Chávez

**APPROVAL OF AGENDA**

Motion by Councilmember De La Torre, seconded by Mayor Pro Tem Esqueda, to approve the agenda. By consensus, the motion carried.

**PUBLIC STATEMENTS**

Mayor Hernández read the Rules of Decorum and Order reminding the public that they must observe the same rules applicable to the City Council.

Irwin Rosenberg (San Fernando Police Officers' Association (SFPOA) President) said the process for Chief of Police recruitment should have been transparent, free of bias, and not just looking for someone who would commit to the loyalty of the City Administrator.

Renato Lira (resident) asked that Council take their time to make the right decision and allow residents an opportunity to provide input.

Doude Wysbeek (resident and former Mayor/Councilmember) said the public is concerned that the new person will do the City Council's dirty work and clean up their mess, and asked that they reconsider this decision.

Jesse Avila (resident) asked why wasn't the Pledge of Allegiance recited at this meeting and said it is disrespectful that Councilmembers do not look at the speakers when they're talking.

**SAN FERNANDO CITY COUNCIL  
SPECIAL MEETING MINUTES – March 15, 2012**

**Page 2**

Paul Luna (resident) said this selection was done with the highest of secrecy while keeping the other two Councilmembers in the dark, he is upset about the process, and believes Council's intent is to destroy this town.

Julian Ruelas (resident) said he is shocked at the way Council went about finding the Police Chief candidate (the process was not open and fair) and it concerns him, and said that the community no longer trusts its leadership.

Salvador Ponce (resident and former Councilmember) said he, too, is shocked, there was no transparency in the process, and people are losing trust.

Linda Campenella-Jauron (resident) requested that this be made an open selection process and said it's not that residents don't trust the candidate; they don't trust the Council majority.

(Female speaker – did not state name) believes that Jeff Eley should be brought back from administrative leave and said she wants to be friends with everyone here (doesn't want any problems).

Patty Lopez (resident) asked that Council be more open with the selection process and do what is best for the residents and not for Council. She said she has nothing against the candidate, but there needs to be community involvement.

Samuel Beltran (resident) said he backs up Police Lt. Robert Parks 1000% and said why waste everyone's time if they (Council) have already voted.

Danitza Pantoja (resident) asked why the other two Councilmembers did not have input (all five represent the residents), said she is really disgusted and she feels bad for the Police Chief candidate (he doesn't understand the mess the City is in and doesn't think they were honest with him).

(Female speaker – did not state name) asked what makes the City Council qualified to select a new Police Chief and said that the good men on the police force are not given a chance and it wasn't fair.

In response to Mayor Pro Tem Esqueda's question, City Attorney Estrada stated that the City Administrator is authorized to make the appointment of a Department Head (i.e., Police Chief) with the concurrence of the City Council.

Mayor Pro Tem Esqueda said this is not something that is taken lightly, is not done without hearing from the community, and thanked Police Lt. Robert Parks for stepping up during this time.

Councilmember Lopez expressed extreme disappointment over what had occurred the past few days. He said he was not available for a special meeting on Tuesday afternoon but called the City Administrator that evening to ask about the details. He said Mr. Hernández told him that he was directed by the three Councilmembers to not provide the name or information regarding the candidate to anyone (including the other two Councilmembers). Councilmember Lopez then

**SAN FERNANDO CITY COUNCIL  
SPECIAL MEETING MINUTES – March 15, 2012**

**Page 3**

spoke to the City Attorney Estrada who said he was not aware of such direction given, and stated that information should not be kept from the other Councilmembers.

Councilmember Lopez additional concerns were: 1) before Mr. Carrillo is considered, make sure that a reputable company processes his background check; 2) why is the City Administrator spending valuable time negotiating with this individual (the Council should have multiple potential choices for this position); 3) there appears to be some type of violation by not sharing information known to other Councilmembers; and 4) he finds it difficult to believe that in five days (i.e., there was no one at hand at Monday's Closed Session meeting) we were able to find a candidate.

Councilmember Ballin added that City Administrator Hernández told her that the Council majority had asked him not to inform her or Councilmember Lopez who the candidate was (or anything about the candidate). She said that a transparent government cannot happen in San Fernando when the City Administrator is given direction by the Council majority to not share information with the other two Councilmembers. She said she wondered how many other times important information has been purposely withheld and asked how effective can they (she and Councilmember Lopez) be.

She reminded both City Administrator and the City Attorney that they are obligated to provide information related to City business to all five Councilmembers in a timely manner.

She made a motion to bring back Police Lt. Jeffrey Eley (currently on Administrative leave). There being no second, the motion died.

Councilmember Ballin asked whether she and Councilmember Lopez should waste their time (since a decision had already been made) and go into Closed Session.

*At this time, both Councilmembers Ballin and Lopez left the Council Chambers.*

**RECESS TO CLOSED SESSION (7:04 P.M.)**

By consensus, Councilmembers recessed to the following Closed Session:

- A) PUBLIC EMPLOYEE APPOINTMENT  
G.C. 54957

Title: Interim Chief of Police

**RECONVENE (7:48 P.M.)**

**NEW BUSINESS**

- 1) APPROVAL OF CONTRACT WITH INTERIM CHIEF OF POLICE

**SAN FERNANDO CITY COUNCIL  
SPECIAL MEETING MINUTES – March 15, 2012**

**Page 4**

City Administrator Hernández gave the staff report. He stated that he wanted to make a correction (regarding a public comment made earlier) that when he was recruiting, he made it clear that he was looking for an honest, ethical person and demanded that the individual be independent and approach things with the highest of standards.

Mayor Hernández asked how SFPOA President Rosenberg obtained Mr. Carrillo's name if only a few people knew. He asked whether releasing information provided in a Closed Session was in violation of the Brown Act and if appropriate action should be taken (City Attorney Estrada will follow up).

Motion by Councilmember De La Torre to approve an Employment Agreement between the City of San Fernando and Gilbert Carrillo to serve as Interim Police Chief for a six-month period, from March 16, 2012 through September 15, 2012.

Mayor Hernández requested a friendly amendment that under the term (six-month period), and if both sides agree, to include an option to extend the agreement for another six months.

Councilmember De La Torre accepted the amendment. The motion and amendment was seconded by Mayor Hernández and carried with the following vote:

AYES:	De La Torre, Hernández, Esqueda – 3
NOES:	None
ABSENT:	Ballin, Lopez – 2

Gil Carrillo said he was humbled and honored and thanked the City Council for the opportunity to serve. He hopes to live up to the expectations, win over the citizens of the City, work with the SFPOA and all the members of the department, and at the end of six months everyone (including himself) will be happy with the job.

Councilmembers welcomed and thanked Mr. Carrillo for accepting (and stepping into) the position.

**ADJOURNMENT (8:05 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 March 15, 2012 meeting as approved by the San Fernando City Council.*

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*Elena G. Chávez  
City Clerk*