

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**DECEMBER 2, 2013 – 6:00 P.M.  
REGULAR MEETING**

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

**CALL TO ORDER/ROLL CALL**

Mayor Antonio Lopez called the meeting to order at 6:15 p.m.

Present:

Council: Mayor Antonio Lopez, Mayor Pro Tem Sylvia Ballin, and Councilmembers Jesse H. Avila, Joel Fajardo, and Robert C. Gonzales

Staff: Interim City Manager Don Penman, City Attorney Rick R. Olivarez, and City Clerk Elena G. Chávez

**PLEDGE OF ALLEGIANCE**

Mayor Lopez

**PRESENTATION**

The following introductions were made:

- a) INTRODUCTION OF POLICE PERSONNEL
- Acting Police Lieutenant Nichole Hanchett
  - Police Sergeant William Bailey
  - Police Sergeant Alvaro Martinez
  - Desk Officer Genesis Rueda
  - Desk Officer Javier Ruvalcaba
  - Desk Officer Anel Maldonado
  - Junior Cadet Anthony Rodriguez
  - Junior Cadet Nestor Garcia
  - Junior Cadet Jesus Robles

**APPROVAL OF AGENDA**

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Interim City Manager Penman requested to pull agenda Item No. 8 and continue the item to a date uncertain at this time (a special meeting will be called).

Motion by Councilmember Fajardo, seconded Councilmember Avila, to approve the agenda as amended. By consensus, the motion carried.

**PUBLIC STATEMENTS – WRITTEN/ORAL**

Steve Kapuscinski said his towing company is in the City and will be interested in submitting a bid. He said they have the necessary equipment to cover all City vehicles and has towed for the highway patrol for several years.

John Blue gave a Beatles book, as a “birthday present”, to Interim Police Chief Bob Parks and asked that he share it with police staff and jail inmates.

Charles Leone, SEIU Local 721, said it was good to know Interim City Manager Penman (is looking forward to working with the next City Manager), it would mean the world to employees if they don’t have to use a partial social security number for the time clocks, said he loved the Council and wished them happy holidays.

Linda Campanella-Jauron said happy holidays to all, thanked the City Council, City Treasurer, and Interim City Manager Penman for restoring integrity and raising the City’s image.

Brenda Esqueda talked about the presentation that was made earlier and prior comments she said that were made to her by the Interim Police Chief regarding the same individuals acknowledged.

Susan Lopez, Young Champions Gym, talked about their success and thanked City Council and staff for their support.

Gloria Mosquera, owner of Young Champions Gym, said it was an honor to work with the City but stated there were traffic issues/concerns near her business.

**CONSENT CALENDAR**

Motion by Mayor Pro Tem Ballin, seconded by Councilmember Avila, to approve the following Consent Calendar Items:

- 1) REQUEST TO APPROVE WARRANT REGISTER NO. 13-121
- 2) CONSIDERATION TO APPROVE AN AGREEMENT FOR SPECIAL SERVICES (CONTRACT NO. 1732) WITH LIEBERT CASSIDY WHITMORE

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- 3) CONSIDERATION TO ADOPT RESOLUTION NO. 7574 FOR THE ACCEPTANCE AND EXECUTION OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM LOCAL SOLICITATION
- 4) CONSIDERATION TO AWARD CONTRACT NO. 1728 TO FS CONSTRUCTION FOR SIGN INSTALLATION PROJECT

By consensus, the motion carried.

At this time Councilmember Fajardo requested to bump up Item No. 12 on the agenda. By consensus, Councilmembers agreed.

**CITY COUNCIL ITEMS**

- 12) APPOINTMENT TO THE EDUCATION COMMISSION

Motion by Councilmember Fajardo, seconded by Mayor Pro Tem Ballin, to appoint Brenda Montes to the Education Commission. By consensus, the motion carried.

**NEW BUSINESS**

- 5) CONSIDERATION TO AUTHORIZE PURSUIT OF AN AGREEMENT WITH THE CITY OF LOS ANGELES UPPER LOS ANGELES RIVER ENHANCED WATERSHED MANAGEMENT PLAN GROUP

Interim Public Works Director Bob Dickey presented the staff report and replied to questions from Councilmembers.

Motion by Mayor Pro Tem Ballin, seconded by Councilmember Avila, to:

- a. Authorize the Interim City Manager and Interim Public Works Director to pursue an agreement with the City of Los Angeles' led Upper Los Angeles River Enhanced Watershed Management Plan Group;
- b. Accept the terms of the Memorandum of Understanding (MOU) between 17 Public Agencies Regarding the Administration and Cost Sharing for the Development of an Enhanced Watershed Management Plan and Coordinated Integrated Monitoring Plan for Upper Los Angeles River Watershed;
- c. Authorize the City Manager to execute an MOU with the City of Los Angeles to join with the 17 Public Agencies, upon final approval of the MOU by the City Attorney; and

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- d. Authorize staff to prepare an amendment to the Stormwater Ordinance to incorporate Low Impact Development criteria and a Green Street program.

By consensus, the motion carried.

- 6) **CONSIDERATION TO AWARD CONTRACT NO. 1729 TO ENVIROGEN TECHNOLOGIES, INC. FOR MAINTENANCE, REPAIR, AND EXTENDED WARRANTIES WATER SERVICES AGREEMENT**

Interim Public Works Director Dickey presented the staff report and replied to questions from Councilmembers.

Motion by Councilmember Fajardo, seconded by Councilmember Avila, to:

- a. Approve the Maintenance, Repair, and Warranties Water Services Agreement (Contract No. 1729) with Envirogen Technologies, Inc. to provide operation and oversight of the nitrate removal system installed at 12900 Dronfield Avenue, Sylmar (Well 4 Site); and
- b. Authorize the Interim City Manager to execute Contract No. 1729 with Envirogen for operation and oversight of the nitrate removal system. Operation of the nitrate removal system is expected to commence in April 2014.

By consensus, the motion carried.

- 7) **CONSIDERATION OF APPOINTMENT OF INTERIM CITY MANAGER**

Interim City Manager Penman presented the staff report.

Motion by Mayor Lopez, seconded by Councilmember Gonzales, to appoint Fred Ramirez as Interim City Manager with a five percent pay increase until the City Council hires a permanent City Manager. By consensus, the motion carried.

**CONTINUED BUSINESS**

- 8) **CONSIDERATION TO AWARD FRANCHISE CONTRACT NO. 1731 TO CONSOLIDATED DISPOSAL SERVICE, LLC FOR RESIDENTIAL AND COMMERCIAL REFUSE, RECYCLABLE MATERIALS, AND ORGANIC WASTE COLLECTION SERVICES**

This item was pulled under Approval of Agenda.

- 9) **CONSIDERATION TO ADOPT RESOLUTION NO. 7577 APPROPRIATING FUNDS FOR IPADS FOR CITY COUNCIL AND DESIGNATED STAFF MEMBERS**

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Interim City Manager Penman presented the staff report. He and City Attorney Olivarez replied to questions from Councilmembers.

Motion by Councilmember Avila, seconded by Councilmember Gonzales, to adopt Resolution No. 7577 amending the Fiscal Year 2013-14 City Budget to appropriate \$7,800 from Fund 190 (Non-Departmental) to cover the cost of purchasing iPads for Councilmembers and designated staff to be utilized as part of the agenda process. The motion carried with the following vote:

AYES: Avila, Gonzales, Fajardo, Lopez – 4

NOES: Ballin – 1

- 10) CONSIDERATION TO ADOPT RESOLUTION NO. 7576 TO AMEND THE CITY COUNCIL PROCEDURAL MANUAL BY REVISING SECTION 2.2 (RELATED TO CITIZEN'S REQUEST TO PLACE AN ITEM ON THE AGENDA) AND SECTION 5.1 (MANNER OF ADDRESSING THE CITY COUNCIL)

Interim City Manager Penman presented the staff report.

Councilmember Fajardo requested deleting Section 1.7 in the Manual, changing the title *Mayor Pro Tem* to *Vice Mayor*, and he recommended tabling this item until next year (City Council to hold one last Study Session regarding this item).

Motion by Mayor Lopez, seconded by Mayor Pro Tem Ballin, to table this item to a future date. By consensus, the motion carried.

- 11) CONSIDERATION TO ADOPT ORDINANCE NO. 1630 REPEALING ORDINANCE NO. 1617 WHICH AMENDED THE MUNICIPAL CODE BY ADDING A NEW DIVISION 3 – RULES OF DECORUM FOR MEETINGS

Interim City Manager Penman presented the staff report.

Motion by Mayor Lopez, seconded by Mayor Pro Tem Ballin, to introduce for first reading, in title only, and waive further reading of Ordinance No. 1630 “An Ordinance of the City of San Fernando, California, Repealing Ordinance No. 1617 Amending the San Fernando Municipal Code by Adding a New Division 3 – Rules of Decorum for Meetings to Chapter 2 and Amending Section 1-10 (General Penalty; Infraction)”. By consensus, the motion carried.

**GENERAL COUNCIL COMMENTS**

Councilmember Avila thanked staff for their work and thanked Interim Police Chief Parks for introducing new police personnel.

Councilmember Gonzales said his first year in office has changed his life and he thanked staff for making the job easier. He agreed that there is a traffic issue near the gym (mentioned earlier) and it should be looked into.

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Councilmember Fajardo also commented on his one year mark. He said that so much has changed; not owed simply to the resolve of the Council, but also due to the City's exceptional workforce. He especially thanked Interim City Manager Penman on the amazing and priceless job he has done. He said that he has learned much from him and Mr. Penman has inspired him to be a better public servant.

Mayor Pro Tem Ballin said that both she and Mayor Lopez are still recovering from their first year and a half as Councilmembers. She said this last year, staff has been fantastic, showing the true integrity and transparency moving the City forward. She also thanked residents, business owners and stakeholders. She said it breaks her heart that Mr. Penman is leaving but is happy for him and grateful that he was able to come on board, take on such a huge challenge, but has set the foundation for us to move forward. She also thanked the Fire Department for attending the meeting and thanked the Police Department (it's good to see the new young faces).

Mayor Lopez also thanked Interim City Manager Penman; he helped us resolve issues and move forward and City Council followed his lead. He has impacted this community tremendously affirming to the Council that they definitely made the right choice. He also invited everyone to the upcoming Tree Lighting Ceremony and wished all happy holidays.

**STAFF COMMUNICATION**

Interim City Manager Penman thanked the City Council for their kind remarks, said it's a team effort, and staff deserves a tremendous amount of credit for having to endure a lot before this Council was seated. He said the City took a chance on him when he was a 31-year-old City Administrator and it was a privilege and honor to return and be part of the team to help. The City is headed in the right direction and wished nothing but the best.

Community Development Director Ramirez said that Mr. Penman brought a calming presence and knowledge which instilled confidence in the remaining management staff. With his leadership and mentorship, staff was able to get a lot of things done. For him personally, it's been a great experience and Mr. Penman has reinstilled in him what it means to be a public servant and good manager and leader.

Recreation and Community Services Operations Manager Ismael Aguila echoed Mayor Lopez' invitation to the Annual Tree Lighting Ceremony. He also reiterated staff's comments regarding Mr. Penman's leadership and knowledge and said that he was the right fit at the right time for the City.

Jack Weise, Battalion Chief (Battalion 12) thanked everyone for the warm welcome and will ensure the City has a fire truck for upcoming Tree Lighting Ceremony.

Interim Police Chief Robert Parks thanked Mr. Penman for everything he's taught and mentored him and said he is a leader who has made a difference and will be missed.

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Personnel Manager Michael Okafor said that Mr. Penman is one of the best decisions the City Council has made over the past year and appreciates the time he spent in the City and the leadership he's brought forward.

Interim Finance Director Rafaela King also stated that she appreciated Mr. Penman's leadership.

City Clerk Chávez shared that Mr. Penman hired her in 1989.

**ADJOURNMENT (7:35 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 December 2, 2013 meeting as approved by the San Fernando City Council.*

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*Elena G. Chávez*  
*City Clerk*