

**SAN FERNANDO CITY COUNCIL
MINUTES**

**FEBRUARY 19, 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 (via teleconference), and Councilmembers Jesse H. Avila, Joel Fajardo, and Robert C. Gonzales

Staff: Interim City Administrator Don Penman, City Attorney Rick R. Olivarez (took a seat with staff after the approval of Item No. 8), and City Clerk Elena G. Chávez

PLEDGE OF ALLEGIANCE

Mayor Lopez

APPROVAL OF AGENDA

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to approve the agenda. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

Mayor Lopez announced that he would be accepting public comments for Item No. 8 only.

Theale Haupt said that the recall committee expected transparency and believes that it was not done on this issue.

Mayor Lopez announced that Item No. 8 would be moved up on the agenda.

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NEW BUSINESS

- 8) APPROVAL OF AGREEMENT FOR CITY ATTORNEY SERVICES WITH THE LAW FIRM OF OLIVAREZ MADRUGA, P.C.

Interim City Administrator Penman presented the agenda report.

Motion by Mayor Lopez, seconded by Mayor Pro Tem Ballin, to:

- a) Approve an Agreement (with a start date of February 19, 2013) for City Attorney services with the Law Firm of Olivarez Madruga, P.C.; and
- b) Appoint Rick R. Olivarez as the City Attorney.

The motion carried with the following vote:

AYES: Lopez, Ballin, Avila, Fajardo, Gonzales – 5
NOES: None
ABSENT: None

PUBLIC STATEMENTS – WRITTEN/ORAL (CONT'D)

Julie Cuellar said she has safety concerns regarding the construction taking place near the charter school on Celis Street.

CONSENT CALENDAR

Motion by Councilmember Avila, seconded by Councilmember Gonzales, to approve the Consent Calendar Items:

- 1) APPROVAL OF THE MINUTES OF:
 - a) FEBRUARY 4, 2013 – SPECIAL MEETING
 - b) FEBRUARY 4, 2013 – REGULAR MEETING
 - c) FEBRUARY 13, 2013 – SPECIAL MEETING
- 2) APPROVAL OF WARRANT REGISTER NO. 13-021
- 3) ANNUAL INVESTMENT POLICY
- 4) ADOPTION OF A RESOLUTION AUTHORIZING THE CITY TREASURER AND DEPUTY CITY TREASURER TO INVEST SURPLUS FUNDS

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- 5) APPOINTMENT OF INTERIM FINANCE DIRECTOR AS SIGNER OR WARRANTS
- 6) ADOPTION OF A RESOLUTION DESIGNATING THE INTERIM CITY ADMINISTRATOR AS THE CITY'S REPRESENTATIVE TO EXECUTE CONTRACTS WITH THE COUNTY OF LOS ANGELES TO PROVIDE SERVICES FOR THE ELDERLY NUTRITION PROGRAM

By consensus, the motion carried.

PUBLIC HEARING

- 7) ADOPTION OF AN ORDINANCE AMENDING CHAPTER 106 AND IMPLEMENTING HOUSING ELEMENT PROGRAM NO. 11

Mayor Lopez declared the Public Hearing open.

City Planner Fred Ramirez presented the agenda report and replied to questions from Councilmembers.

Mayor Lopez called for public testimony in favor or opposition. There being no comments, he closed the public comment portion of the Hearing.

Motion by Councilmember Gonzales, seconded by Mayor Pro Tem Ballin, to adopt a Resolution approving the Initial Study and Negative Declaration for the proposed adoption of an Ordinance Amending Chapter 106 and implementing Housing Element Program No. 11.

The motion carried with the following vote:

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

Motion by Mayor Lopez, seconded by Councilmember Gonzales, to introduce for first reading, in title only, and waive further reading of “An Ordinance of the City of San Fernando Amending Article 1 of Chapter 106 to define Single Room Occupancy Unit, Community Care Facilities, Emergency Homeless Shelters, Manufactured Housing, Transitional Housing and Supportive Housing and Amending Article III of Chapter 106 to Provide that Emergency Shelters are Permitted Uses in the M-2 Light Industrial Zone with Applicable Development Standards, Single Room Occupancy as Conditionally Permitted Uses in the C-1 and C-2 Commercial Zones, Community Care Facilities of Seven or More Persons as Conditionally Permitted Uses in all Residential Zones, and that Manufactured Housing, Transitional and Supportive Housing are and shall be treated as Residential Uses Applicable to the Type of Residential Structure or Use Involved” including an amendment proposed by staff to reduce the number of beds from 50 to 30.

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The motion carried with the following vote:

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

Motion by Councilmember Avila, seconded by Councilmember Gonzales, to direct staff to provide for the notice of a public hearing on the adoption of proposed Ordinance at the City Council's March 18, 2013, meeting.

The motion carried with the following vote:

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

At this time (7:11 p.m.), due to communication problems, Mayor Pro Tem Ballin signed off and no longer participated in the meeting.

NEW BUSINESS (CON'T)

By consensus, the following item was moved up on the agenda.

14) APPROVAL OF MISSION COMMUNITY HOSPITAL SUBLEASE AGREEMENT WITH SAN FERNANDO COMMUNITY HEALTH CENTER

City Planner Fred Ramirez presented the agenda report and replied to questions from Councilmembers.

Motion by Councilmember Avila, seconded by Councilmember Gonzales, to approve the Mission Community Hospital Sublease Agreement with the San Fernando Community Health Center per City Contract No. 1485. The motion carried with the following vote:

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

9) FISCAL YEAR 2012-13 MID-YEAR BUDGET REVIEW

Interim City Administrator Penman presented the agenda report. He and staff replied to questions from Councilmembers.

No formal action was taken (staff will look at alternatives and bring back budget amendments for review and approval by the City Council).

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By consensus, Councilmembers concurred to receive and file the report.

10) APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH VERONICA TAM AND ASSOCIATES TO PREPARE THE 2013-2012 HOUSING ELEMENT UPDATE

City Planner Ramirez presented the agenda report and replied to questions from Councilmembers.

Motion Councilmember Avila, seconded by Councilmember Gonzales, to:

- a) Approve a Professional Services Agreement with the firm of Veronica Tam and Associates to prepare the 2013-2012 Housing Element Update, per the approved scope of work, in amount not to exceed \$38,495; and
- b) Authorize the Interim City Administrator to execute a Professional Services Agreement with the firm of Veronica Tam and Associates per the approved scope of work, in an amount not to exceed \$38,495 with an additional 10% contingency for unforeseen, additional work.

By consensus, the motion carried.

11) AWARD OF CONTRACT – PROFESSIONAL SERVICES FOR ON-CALL MAINTENANCE AND REPAIR SERVICES FOR WATER WELL AND BOOSTER PUMP ASSEMBLIES

Public Works Director Ron Ruiz presented the agenda report and replied to questions from Councilmembers.

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

- a) Award a contract to General Pump Company, Inc. to provide On-Call Maintenance and Repair Services for Water Well and Booster Pump Assemblies; and
- b) Authorize the City Administrator to execute a Professional Services Agreement with General Pump Company, Inc. for an amount not to exceed \$60,000.

By consensus, the motion carried.

12) AWARD OF CONTRACT – PARK AVENUE STREET IMPROVEMENTS

Public Works Director Ruiz presented the agenda report and replied to questions from Councilmembers.

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

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- a) Accept the lowest responsive bid from Toro Enterprises Inc. for construction of these improvements;
- b) Authorize the City Administrator to execute a Construction Contract with Toro Enterprises Inc. for an amount not to exceed \$164,725; and
- c) Authorize the City Administrator to approve change orders not to exceed 10% of contract amount.

By consensus, the motion carried.

13) AWARD OF CONTRACT - VARIABLE FREQUENCY DRIVES AT THE POOL FACILITY

Recreation and Community Service Operations Manager Ismael Aguila presented the agenda report and replied to questions from Councilmembers.

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

- a) Award a Contract to Sea Clear Pools, Inc. for the purchase and installation of Variable Frequency Drives (VFD) at the San Fernando Regional Pool Facility;
- b) Authorize the Interim City Administrator to execute a Construction Contract/Agreement with Sea Clear Pools, Inc. for an amount not exceed \$23,696.84; and
- c) Adopt a Resolution approving an allocation of Quimby Funds for a pump upgrade at the San Fernando Regional Pool Facility in an amount of \$11,848.42.

By consensus, the motion carried.

CONTINUED BUSINESS

15) APPROVAL OF REFUSE CONTRACT ONE-YEAR EXTENSION

Public Works Director Ruiz said this was the subject of the Study Session held at 4:00 p.m.

Motion by Mayor Lopez, seconded by Councilmember Avila to approve an amendment to the existing agreement (Contract No. 1465) with Crown Disposal, Inc. extending City refuse services through February 15, 2014, under the existing terms and conditions (including staff's recommended changes that Pavement Impact Fees be paid quarterly and drop-off events to include collection of electronic waste). By consensus, the motion carried.

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16) FICUS TREES – FOLLOW-UP DISCUSSION

Public Works Director Ruiz presented the agenda report and he and City Planner Ramirez replied to questions from Councilmembers.

Motion by Mayor Lopez, seconded by Councilmember Gonzales, to declare that Ficus Trees within the San Fernando Corridors Specific Plan, SP-4 Zone, are not Heritage Trees as defined in Section 98-30 of the City Municipal Code and are also not consistent with the capital improvements as envisioned for the Specific Plan. The motion carried with the following vote:

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

STANDING COMMITTEE UPDATES

No. 1 Budget, Personnel and Finance (BPF)

Councilmember Avila – no updates.

No. 2 Housing, Community & Economic Development and Parking (HCEP)

Mayor Lopez – no updates.

No. 3 Natural Resources, Infrastructure, Water, Energy and Waste Management (NRIW)

Councilmember Fajardo – topics at their last meeting included possibly retaining engineering services and the deferred maintenance study list.

No. 4 Public Safety, Veteran Affairs, Technology and Transportation (PVTT)

Councilmember Fajardo requested to add an item to their upcoming regarding whether Mission Blvd. is being utilized effectively (signal lights do not coincide with traffic). By consensus, Council agreed.

No. 5 Education, Parks, Arts, Health and Aging (EPAH)

Councilmember Gonzales – Recreation and Community Services Operations Manager Aguila requested to add items to their upcoming meeting agenda (i.e., 4th of July fundraising, staffing for the pool facility, and virtual patrol cameras at Pioneer Park). By consensus, Council agreed.

GENERAL COUNCIL COMMENTS

Councilmember Avila thanked staff (for the agenda) and constituents (for coming to the meeting), and he encouraged everyone to get more involved with our local library. Mayor Lopez asked to adjourn the meeting in memory of Ashley Davidson (daughter of Public Works Senior Maintenance Worker Robert Davidson).

STAFF COMMUNICATION

Recreation and Community Services Operations Manager Aguila announced that he will be going to the White House to accept an award on behalf of the City regarding the 100 Citizens Let's Move Challenge.

ADJOURNMENT (8:56 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 February 19, 2013 meeting as approved by the San Fernando City Council.

*Elena G. Chávez
City Clerk*