

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**MAY 5, 2014 – 6:00 P.M.  
REGULAR MEETING**

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

**CALL TO ORDER/ROLL CALL**

Mayor Sylvia Ballin called the meeting to order at 6:08 p.m.

Present:

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

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

**PLEDGE OF ALLEGIANCE**

Led by Police Explorer Samantha Martinez

**PRESENTATIONS**

The following presentations were made:

- A) MAY – OLDER AMERICANS MONTH
- B) MAY – CalFRESH AWARENESS MONTH
- C) NATIONAL PUBLIC WORKS WEEK (MAY 18-24)

**APPROVAL OF AGENDA**

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

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**PUBLIC STATEMENTS – WRITTEN/ORAL**

Benita Rivera talked about the Senior Citizen lunch program and said that sometimes there aren't enough meals for all of the seniors that show up.

Elizabeth Rosen invited everyone to the High-Speed Rail meeting to be held at the Pool Facility on May 20<sup>th</sup>.

Patty Lopez said she protested the meeting held last week, at a public facility, for State Senate candidate.

Carolina Perez said she was also disappointed and outraged and asked that elected officials not use their titles or City facilities when endorsing candidates for office.

Ricardo Benitez, Sylmar, agreed with comments made by Patty Lopez and Carolina Perez.

Councilmember Fajardo thanked the speakers for their comments and for keeping communication lines open and would be happy to meet with them and go over their concerns.

**CONSENT CALENDAR**

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

- 1) REQUEST TO APPROVE MINUTES OF:
  - a) MARCH 24, 2014 – SPECIAL MEETING
  - b) APRIL 21, 2014 – REGULAR MEETING
- 2) REQUEST TO APPROVE WARRANT REGISTER NO 14-051
- 3) CONSIDERATION TO ACCEPT SUPPLEMENTAL FUNDS FOR THE ELDERLY NUTRITION PROGRAM FOR FISCAL YEAR (FY) 2013-2014
- 4) CONSIDERATION TO ADOPT A RESOLUTION AND APPROVE A COOPERATION AGREEMENT BETWEEN LOS ANGELES COUNTY AND THE CITY
- 5) CONSIDERATION TO PURCHASE REPLACEMENT FIREARMS FOR SWORN PERSONNEL
- 6) UPDATE REGARDING TRAFFIC MODIFICATION REQUEST FROM VISTA DEL VALLE DUAL LANGUAGE ACADEMY

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- 7) CONSIDERATION TO AMEND THE CONTRACT WITH TECS ENVIRONMENTAL COMPLIANCE SERVICES, INC. FOR MUNICIPAL NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) COMPLIANCE ASSISTANCE

By consensus, the motion carried.

**ADMINISTRATIVE REPORTS**

- 8) USE OF THE COMMUNITY INVESTMENT FUND – RECYCLING REVENUE SHARING FUND TO OFFSET COSTS RELATED TO THE UPCOMING 5K RELAY RACE

City Manager Brian Saeki presented the staff report.

Discussion ensued and, by consensus, staff was directed to come back with a policy (guidelines) that would clarify all concerns.

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

- 9) CONSIDERATION TO ADOPT A RESOLUTION TO SUPPORT FILM TAX CREDIT (AB 1839)

Motion by Mayor Pro Tem Gonzales, seconded by Councilmember Avila, to adopt Resolution 7598. By consensus, the motion carried.

- 10) RATIFICATION OF CITY COUNCIL LIAISON ASSIGNMENTS FOR 2014-2015

Motion by Councilmember Lopez, seconded by Councilmember Gonzales, to approve the City Council Liaison Assignments for 2014-2015 and to add Personnel Manager Michael Okafor as a sub-alternate to ICRMA (in the event that neither the Mayor nor City Manager are able to attend meetings). By consensus, the motion carried.

**COMMITTEE/COMMISSION LIAISON UPDATES**

Councilmember Avila talked about the traffic and gymnasium issues that have come up at the Transportation and Safety Commission meetings.

Councilmember Fajardo reported that the Education Commission meeting was postponed.

Mayor Pro Tem Gonzales reported that ICA (Independent Cities Association) will meet this week.

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In response to Mayor Ballin’s suggestion, City Manager Saeki agreed that staff will report back at a Study Session regarding City Commissions (i.e., perhaps consolidating and/or dissolving some).

**GENERAL COUNCIL COMMENTS**

Councilmember Fajardo thanked Public Works employees and is looking forward to seeing everyone at the barbeque.

Councilmember Avila said he welcomed dissent and encourages public participation.

Mayor Pro Tem Gonzales thanked those that assisted on the bikepath clean-up event.

Mayor Ballin said she is excited about the direction that the City going.

**STAFF COMMUNICATION**

None

**RECESS TO CLOSED SESSION (7:06 P.M.)**

By consensus, Councilmembers recessed to the following Closed Session as announced by City Attorney Olivarez.

- A) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (G.C. §54956.8)  
Property Location: City-owned parking lot property (Parking Lot No. 3 at San Fernando Mission Blvd. and Celis St.), APNs 2521-031-901 and 2521-031-902 and Other City-owned Real Property with APN 2521-031-903  
City Negotiator: Brian Saeki, City Manager  
Negotiating Parties: Severyn Aszkenazy, Aszkenazy Development  
Under Discussion: Price and Terms of Payment as relates to potential use and/or disposition of City-owned real properties
  
- B) CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(2) AND 54956.9(e)(1)  
Conference with Legal Counsel to Discuss Facts and Circumstances to Discuss Facts and Circumstances Unknown to a Potential Plaintiff that Create a Significant Exposure to Litigation and/or Anticipated Litigation for the City  
One (1) matter.
  
- C) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
G.C. §54956.9(d)(1)

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Name of Case: City of San Fernando et al. v. Wendy L. Wantanabe, in her official capacity as the Auditor-Controller of the County of Los Angeles

LASC Case No.: 34-2013-80001550-CU-WM-GDS

**RECONVENE/REPORT OUT FROM CLOSED SESSION**

City Attorney Olivarez reported the following:

- Item A – City Council received a briefing from the City Manager and staff on various issues concerning proposed price and terms relating to the subject property. The City Council asked questions of staff regarding specific details of the status and timing of negotiations with the property owner and gave unanimous direction to the City Manager to continue negotiating with the property owner concerning the subject property. The City Council did not take any final action. There is nothing further to report at this time.
- Item B – City Council received a report from the City Attorney on a matter which may lead to potential litigation against the City. The City Council asked the City Attorney a number of questions regarding this item which he answered. The City Council gave the City Attorney unanimous direction, but did not take any final action. There is nothing further to report at this time.
- Item C – City Council received a report from the City Attorney on this matter. The City Attorney advised the City Council that although the Judge’s tentative ruling was in favor of the City, the Judge, at the request of opposing counsel, ordered additional briefing on certain legal issues. The City Council gave the City Attorney unanimous direction to continue to litigate the matter. The City Council did not take any final action. There is nothing further to report at this time.

**ADJOURNMENT (8:01 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 May 5, 2014, meeting as approved by the San Fernando City Council.*

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*Elena G. Chávez*  
*City Clerk*