

**SAN FERNANDO CITY COUNCIL
MINUTES**

**SEPTEMBER 3, 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 6:31 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

APPROVAL OF AGENDA

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

PUBLIC STATEMENTS – WRITTEN/ORAL

Tom Ross, Downtown Mall Association President, said that the current production filming is bringing in business and he thanked everyone for coming out on Thursdays to support the Food Truck Night events.

CONSENT CALENDAR

Mayor Pro Tem Ballin pulled Item No. 4 for further discussion.

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

- 1) APPROVAL OF MINUTES OF:
 - a) JANUARY 22, 2013 – REGULAR MEETING
 - b) AUGUST 5, 2013 – REGULAR MEETING
 - c) AUGUST 19, 2013 – SPECIAL MEETING
 - d) AUGUST 19, 2013 – REGULAR MEETING
- 2) APPROVAL OF WARRANT REGISTER NO. 13-091
- 3) CONSIDERATION AND POSSIBLE ACCEPTANCE OF KAISER COMMUNITY BENEFITS GRANT

By consensus, the motion carried.

Items Removed for Further Discussion:

Interim City Manager Penman responded to Mayor Pro Tem Ballin's question clarifying a small typo in the staff report.

- 4) CONSIDERATION TO APPROVE AN AMENDMENT TO THE JOINT POWERS AGREEMENT WITH THE INDEPENDENT CITIES FINANCE AUTHORITY

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

- a) Adopt Resolution No. 7559 approving Amendment No. 8 to the Joint Powers Agreement with the Independent Cities Finance Authority which changes the position of Program Administrator to Executive Director, adds clarifying language regarding housing authorities and deletes the word *Lease* from the title of the Authority; and
- b) Authorize the Interim City Manager to execute Amendment No. 8 to the Joint Powers Agreement.

By consensus, the motion carried.

NEW BUSINESS

- 5) CONSIDERATION TO APPROVE AND IMPLEMENT CITY POLICY REGARDING PROFESSIONAL SERVICES PROCUREMENT

Interim City Manager Penman presented the agenda report and replied to questions from Councilmembers.

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Motion by Mayor Pro Tem Ballin, seconded by Councilmember Avila, to approve a Professional Services Procurement Policy and include the proposed additions as stated by City Attorney Olivarez:

- a) The *Presiding Officer* is the *City Manager* or his/her designee;
- b) Days should be *working days*; and
- c) As part of the annual budget process, staff shall provide a complete list of all annual contracts to the City Council.

By consensus, the motion carried.

- 6) CONSIDERATION TO AWARD CONTRACT NO. 1722 WITH HALL & FOREMAN, INC. TO PROVIDE SANITARY SEWER MASTER PLAN DEVELOPMENT SERVICES

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

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

- a) Award a Professional Services Agreement (Contract No. 1722) to Hall & Foreman, Inc. to provide Sanitary Sewer Master Plan Development Services, in an amount not to exceed \$176,649;
- b) Authorize the Interim City Manager to execute the Agreement with Hall & Foreman, Inc.; and
- c) Accept Mayor Pro Tem Ballin's friendly amendment to include reallocating other budgeted funds for this project.

By consensus, the motion carried.

- 7) CONSIDERATION TO ADOPT RESOLUTION NO. 7560 APPROVING THE COOPERATIVE AGREEMENT FOR ADVANCE AND REIMBURSEMENT OF ADMINISTRATIVE, OVERHEAD AND OTHER EXPENSES (CONTRACT NO. 1723) BETWEEN THE CITY AND THE SUCCESSOR AGENCY

Interim Finance Director Rafaela King presented the agenda report.

Motion by Mayor Pro Tem Ballin, seconded by Councilmember Gonzales, to adopt Resolution No. 7560 approving the Cooperative Agreement for Advance and Reimbursement of

Administrative, Overhead and Other Expenses (Contract No. 1723) between the City and the Successor Agency and take certain other related actions. By consensus, the motion carried.

CITY COUNCIL ITEMS

8) DISCUSSION AND CONSIDERATION OF PROMOTING AND PRODUCING EFFICIENT ENERGY SOLUTIONS

Councilmember Gonzales gave a brief presentation.

Richard Montes, Eco Sol, Inc., described the services provided by his company and replied to questions from Councilmembers.

Councilmember Avila: 1) believes it's a good idea but in fairness to other agencies that offer the same services, this should go out for an RFP (Request for Proposals); 2) expressed concern regarding the lack of company information on the internet; and 3) would like to see more specific information including staff time involved.

In response to Mayor Lopez' question, City Attorney Olivarez said that based upon the contract presented, there is no cost to the City (would involve only minor tweaks).

Councilmember Fajardo thanked Councilmember Gonzales for bringing this up but stated that he has a number of concerns including: 1) why would the City be better off going with this company versus opening up to RFPs; 2) the company's operations and lack of information on the internet; 3) the proposal poses major concerns (i.e., typos, company name misspelled, does not list of all their projects, nor employees and background information); and 4) and he expects that the quality of the presentation may correlate with the final report.

Mayor Pro Tem Ballin: 1) expressed concern regarding the cost (i.e., tweaking the agreement, actual staff time involved); 2) has also been approached by other agencies and, in fairness, this should go through an RFP process; and 3) talked about focusing more on the City Council's annual adopted priorities and perhaps look at this in the future.

Mayor Lopez disagreed and said that now is the appropriate time to look at ways to save money. This is only the first phase (collection of data) and would not involve moving forward on any projects.

Councilmember Gonzales believes it is extremely important that we look into this and look at everything to try to save costs for the City.

Motion by Mayor Lopez, seconded by Councilmember Gonzales, to consider the proposal /recommendation to create Phase I of the project.

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City Attorney Olivarez added, and Mayor Lopez agreed, to approve the Letter of Agreement subject to the City Attorney’s approval.

The motion failed with the following vote:

AYES: Lopez, Gonzales – 2
NOES: Ballin, Fajardo, Avila – 3

GENERAL COUNCIL COMMENTS

Councilmember Avila thanked Councilmember Gonzales for the item he brought forward but, again stated that he needs a comparison and more time to look at additional companies.

Councilmember Gonzales gave an update regarding an economic development conference he attended held by the California League of Cities.

Councilmember Fajardo: 1) commended Recreation & Community Services Manager Ismael Aguila for the hard work he put into cleaning up Heritage Park; 2) is glad that the City received additional funds for the health fitness programs; and 3) said every issue before Council is important but not every one warrants the same level of passion, expressed regret but thanked his colleagues for their congeniality.

Mayor Lopez said he would like to create an Ad Hoc Committee (he appointed Mayor Pro Tem Ballin and Councilmember Avila) to review the proposals that were previously submitted for labor and employment legal services. A Study Session will then be scheduled to discuss the Ad Hoc Committee’s findings.

STAFF COMMUNICATION

Interim City Manager Penman gave an update regarding the current issues with Time Warner, CBS and Channel 9.

ADJOURNMENT (7:36 P.M.)

Motion by Mayor Pro Tem Ballin, seconded by Councilmember Avila, to adjourn the meeting. By consensus, the meeting was adjourned.

I do hereby certify that the foregoing is a true and correct copy of the minutes of September 3, 2013 meeting as approved by the San Fernando City Council.

Elena G. Chávez
City Clerk