

**SAN FERNANDO CITY COUNCIL
MINUTES**

**SEPTEMBER 15, 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 6:06 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, Assistant City Attorney Richard Padilla, and City Clerk Elena G. Chávez

PLEDGE OF ALLEGIANCE

Led by Police Explorer Michael Hernandez

APPROVAL OF AGENDA

City Manager Saeki requested that Public Hearing Item No. 9 be postponed until October 20, 2014. He stated that the representative from the California Statewide Communities Development Authority was not able to attend this meeting.

In response to questions from Councilmembers, City Attorney Olivarez reported that members of the public may also provide comments on October 20, 2014.

Motion by Mayor Ballin, seconded by Councilmember Avila, to move up Item No. 9 (before Item No. 7) and approve the agenda as amended. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

Karen Ruvalcaba gave information about a new Los Angeles County online charter school program and she distributed flyers to those interested.

John Blue provided Councilmembers with handouts and asked that they read the information.

SAN FERNANDO CITY COUNCIL

MINUTES – September 15, 2014

Page 2

Richard Arroyo, San Fernando Museum of Art & History, talked about the sale of the museum property, there are items remaining in the building, and suggested that the City Council hold a Study Session with museum volunteers.

CONSENT CALENDAR

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

- 1) REQUEST TO APPROVE WARRANT REGISTER NO 14-092
- 2) CONFLICT OF INTEREST CODE – BIENNIAL REVIEW
- 3) CONSIDERATION TO APPROVE A THREE-YEAR AGREEMENT WITH WINDSTREAM TO PROVIDE T1 VOICE SERVICES
- 4) CONSIDERATION TO ADOPT RESOLUTION NO. 7632 APPOINTING CITY'S REPRESENTATIVES TO THE INDEPENDENT CITIES FINANCE AUTHORITY (ICFA) BOARD OF DIRECTORS
- 5) CONSIDERATION TO ACCEPT A NATIONAL ENDOWMENT FOR THE ARTS GRANT AWARD TO SUPPORT THE CITY OF SAN FERNANDO MARIACHI MASTER APPRENTICE PROGRAM (MMAP)
- 6) CONSIDERATION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR RADIO COMMUNICATION SYSTEM AND WIRELESS BROADBAND NETWORK MAINTENANCE SERVICES

By consensus, the motion carried.

PUBLIC HEARING

- 9) CONSIDERATION TO APPROVE A RESOLUTION APPROVING AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) AND A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE CSCDA OF MULTIFAMILY HOUSING REVENUE BONDS FOR THE PENNY'S APARTMENTS AT 1150 SAN FERNANDO ROAD

City Attorney Olivarez read the title of this item and clarified that this item was taken out of order (under Approval of Agenda).

Mayor Ballin declared the Public Hearing open.

SAN FERNANDO CITY COUNCIL

MINUTES – September 15, 2014

Page 3

Community Development Director Fred Ramirez gave background information and stated the purpose of the Hearing.

City Attorney Olivarez read a letter from resident Irma Montoya who requested that the City Council not approve the financing, acquisition, construction, and development of the 101-unit multifamily rental housing project located at 1150 San Fernando Road.

Miguel Montanez asked the City Council to allow more time and research regarding the zoning changes and the development of the project. He said he talked to residents and business owners (a large percentage were unaware), and reported that they have formed an organization called Residents for the Betterment of San Fernando to present their concerns and to stop the development.

Mary Lou Mendoza said that six weeks ago, she met with staff and Mayor Ballin and she was told that the variance change had to be approved within 20 days and asked why is the developer now asking that the City approve the bond? She said that if the developer wants to build, then he should use his own funds.

Antonio Ruiz said he did his own research by walking the streets and everyone he spoke to was not aware of the project. He believes the City needs to invest in bringing in larger businesses and department stores and that housing will destroy the downtown Mall.

Julie Cuellar asked that the City Council “start all over again” and go beyond 500 foot radius notification guidelines. She said there is no doubt we need retail and housing but we should work together and look at other options.

Erica Navarette said she found about this through a flyer and completely disagrees with entire project. She believes that it will bring more crime, trash, and loitering to an area where we need more businesses.

(Female speaker – did not state name) believes that J.C. Penney is a historical landmark and removing it for residential property would be a disservice. There are enough low-income properties and what we need is affordable single-family homes and businesses that residents can patronize (rather than drive out of town).

Gustavo Franco talked about the problems and crime going on at Celis St. and we will need more public safety if this project goes through.

Margarita Montanez talked about a crime that occurred when she was at a beauty salon and this project will bring more crime to the area. She said we need more police and vigilance (as discussed at Neighborhood Watch meetings).

Ester Hernández also talked about the Celis St. project, said it was a living nightmare, and residents do not want another housing project that will bring more crime.

Rudy Garcia asked what will the developer bring to the City besides low-income projects (i.e., new jobs, lower taxes).

SAN FERNANDO CITY COUNCIL

MINUTES – September 15, 2014

Page 4

Regarding the last public comment (via cell phone) City Attorney Olivarez stated that, in the future, if someone cannot attend the meeting, they should submit their comments and concerns in writing and they could be read into the record.

Richard Arroyo said that the sale of the museum property is an example of the public not being notified and he is concerned about transparency issues. He said that although this City Council is doing better than the last, there remain many empty buildings that need to be filled.

Brian (last name inaudible) said he works in law enforcement and has seen first-hand what happens with Section 8 Housing and said that the City needs a Target store rather than an apartment complex that's going to invite crime.

John Arroyo said that we need stores in the Mall (not apartment buildings) and said that the City should not sell a landmark (fire station on Brand Blvd.).

There being no further comments, City Manager Saeki said it was appropriate (at this time) that the City Council continue the Public Hearing to October 20, 2014.

Mayor Ballin said that she would go along with the continued Hearing, but would like that staff provide information regarding real estate tax and how it relates to the bond issue and the low income housing building so that the public has all the information.

By consensus, the Public Hearing was continued to October 20, 2014.

- 7) PUBLIC HEARING TO CONSIDER AND APPROVE THE SALE OF SURPLUS CITY-OWNED REAL PROPERTY LOCATED AT 1211 FIRST STREET, SAN FERNANDO, CALIFORNIA SUBJECT TO THE TERM AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT WHICH WILL ALSO BE CONSIDERED FOR APPROVAL AS PART OF THE DISPOSITION OF THE SUBJECT PROPERTY

Mayor Ballin declared the Public Hearing open.

Community Development Director Ramirez presented the staff report.

Assistant City Attorney Padilla provided additional background information and guidance to staff regarding the Public Hearing process. He and staff replied to questions from Councilmembers.

Adriana Gomez, Aszkenazy Development, Inc., stated that their company has been in development for the past 20 years and that they own the land (adjacent to the fire station) and they plan to assemble the land and restore the fire station.

Anna (last name inaudible), attorney for Mauran Ambulance, said that their financing will go through within the timeframe, keeping Mauran Ambulance makes more sense (and more of a benefit) versus Aszkenazy Development. She said had they known the bid amount, they would have bid higher.

SAN FERNANDO CITY COUNCIL

MINUTES – September 15, 2014

Page 5

George (last name inaudible) said he put in a bid for the property and was told that it has a lot of water and plumbing issues that is why his bid is low. He said that if he purchased the property, he would most likely lease it to the current business (Mauran Ambulance).

Mary Lou Mendoza asked about the bidding process and believes that the City is selling the property without full disclosure to residents. She asked that if the City is expanding, then why are we selling?

Eugene (last name inaudible) said that Mauran Ambulance has been an established business since the 1980's, paying taxes, and employing people who also do business here.

Andres Ramirez (Mauran Ambulance employee) said he and his coworkers want to keep their jobs; they provide a good service to the community and patronize the surrounding businesses.

David (last name inaudible) said that he is the general manager for Mauran Ambulance and that they employ 50-60 employees and many of them live in San Fernando.

Antonio (did not state last name) believes that the City should keep every asset and that the City Council is not looking at the "bigger picture". He said that if the City Council is not representing residents, then they're representing the developer.

Miguel Montanez said that the \$5,000 difference between the two bids is not a big difference and in looking at the highest bidder, there are other things to consider. He asked about the developer's "credibility" and he's asking for a bond yet he is putting up nearly \$600,000 for this property.

Linda Campanella-Jauron said she wished there was a resolution for everyone, she knows how hard the City Council has worked to pay down City debt and get out of the mess it's been in for several years. There are three good offers from three credible sources but Aszkenazy Development does beautiful work.

Julie Cuellar said that if the City does consider selling to Aszkenazy Development, then we have to look at the history of his properties that have been vacant for many years.

Richard Arroyo feels that the bottom line is that we have a service that's been here for 40 years, and we need to protect the City's interest in moving forward.

John Arroyo said Mauran Ambulance is like family and does not want the City to sell its landmarks.

Severyn Aszkenazy, Aszkenazy Development, 601 So. Brand Blvd., (bidder) said their intention is to keep and preserve the fire station as a community asset and that it will become part of the development planned for First Street. They are more than happy to continue the lease arrangement with Mauran Ambulance and keep the jobs in town. He stated that between their knowledge of fire stations and the City, he believes they will do great job.

Erica Arroyo said Council should give the bid to Mauran Ambulance; they've been here a long time.

SAN FERNANDO CITY COUNCIL

MINUTES – September 15, 2014

Page 6

Elvira Orozco, San Fernando Museum of Art & History and former City Treasurer, believes it is wrong to sell either of the properties and that the City Council needs to concentrate on sales tax.

Ruth Arroyo said that if it is just a matter of \$5,000 between the bidders, then she would finance the money (rather than have an empty lot).

There being no further comments, Mayor Ballin closed the Public Hearing.

At this time, Assistant City Attorney Padilla explained this Public Hearing process and that the City had gone above and beyond what was required.

Discussion ensued and staff and proposers replied to various questions from Councilmembers.

In response to City Attorney Olivarez' question, Councilmember Avila stated that he reserved his decision (regarding who to award the property to) until he considered all factors (including public testimony, staff's presentation and report).

Councilmember Lopez also reported that he reserved his decision (regarding who to award the property to) until he heard all public testimony, staff's presentation and report. He is looking at this from both sides and believes that staff's recommendation is appropriate.

Councilmember Fajardo reiterated that he also reserved judgment until he dissected every issue that came forward. He said that one of the most important aspects is fairness and he believes in the process and the system (no one would have benefitted from a bidding war at the dais).

Mayor Pro Tem Gonzales also stated that he did not make his decision until today (after hearing all testimony) and he talked about transparency and fairness.

Mayor Ballin said she did not make her decision in advance and that it was important to hear all testimony. She said that at a moments notice, she may have a need for an ambulance service but said this is a business decision and a lot of work and thought was put into this. She's hoping that a lease could be negotiated with the current tenant (Mauran Ambulance).

There being no further comments, Mayor Ballin closed the Public Hearing.

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

- a. Adopt Resolution No. 7636 designating the property at 1211 First Street (Los Angeles County Assessor's Parcel Number 2520-024-902) as City surplus property;
- b. Approve the sale of City-owned property located at 1211 First Street from the City of San Fernando to Aszkenazy Development, Inc. for a sale amount of \$590,000, subject to the terms and conditions of the proposed Purchase and Sale Agreement (Contract No. 1761); and
- c. Find that the sale is exempt under California Environmental Quality Act (CEQA) for the reasons stated in the staff report and in the corresponding resolutions; and

SAN FERNANDO CITY COUNCIL

MINUTES – September 15, 2014

Page 7

- d. Direct the City Manager in conjunction with the City Attorney to take all actions necessary to execute the Purchase and Sale Agreement and associated documents.

The motion carried with the following vote:

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

- 8) PUBLIC HEARING TO CONSIDER AND APPROVE THE SALE OF SURPLUS CITY-OWNED REAL PROPERTY LOCATED AT 519 SOUTH BRAND BOULEVARD, SAN FERNANDO, CALIFORNIA SUBJECT TO THE TERM AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT WHICH WILL ALSO BE CONSIDERED FOR APPROVAL AS PART OF THE DISPOSITION OF THE SUBJECT PROPERTY

Community Development Director Ramirez presented the staff report.

Mayor Ballin declared the Public Hearing open and Community Development Director Ramirez continued with the presentation.

Kim Segel, prospective buyer, said that he has no intention of changing the structure/architecture of the firehouse and plans to use the facility as a low (or free) intern training program for teen/adult residents to deal with FEMA, LAPD, and handicap sports. He also plans reach out to the current tenant to stay until the transition.

Mary Lou Mendoza asked questions about the appraiser and Community Development Director Ramirez replied.

Gian Starita, Colliers International (Commercial Real Estate Brokerage Services), said it was important to give information from a broker's perspective and he explained the sealed bid process and the bidding system.

Richard Arroyo, San Fernando Museum of Art & History, said he is one of the many volunteers at the museum and suggested keeping tenants in the loop next time.

Assistant City Attorney Padilla replied to Mr. Arroyo's questions regarding the 45 day escrow period (everything is contained within the 45 day window).

Motion by Councilmember Lopez, seconded by Mayor Pro Tem Gonzales, to close the Public Hearing. By consensus, the motion carried.

A brief discussion ensued and staff replied to questions from Councilmembers.

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

SAN FERNANDO CITY COUNCIL

MINUTES – September 15, 2014

Page 8

- a. Adopt Resolution No. 7635 designating the property at 519 South Brand Boulevard (Los Angeles County Assessor's Parcel Number 2522-012-900) as City surplus property;
- b. Approve the sale of City-owned property located at 519 South Brand Boulevard from the City of San Fernando to Kim Segel for a sale amount of \$490,000, subject to the terms and conditions of the proposed Purchase and Sale Agreement (Contract No. 1760);
- c. Find that the sale is exempt under California Environmental Quality Act (CEQA) for the reasons stated in the staff report and in the corresponding resolutions; and
- d. Direct the City Manager in conjunction with the City Attorney to take all actions necessary to execute the Purchase and Sale Agreement and associated documents.

By consensus, the motion carried.

ADMINISTRATIVE REPORTS

10) CONSIDERATION TO ADOPT A RESOLUTION SUPPORTING COMMERCIAL PROPERTY TAX REFORM

Kelly Osajima, Evolve organizer, gave a presentation and replied to questions from Councilmembers.

Motion by Councilmember Fajardo, seconded by Mayor Pro Tem Gonzales, to adopt Resolution No. 7626. By consensus, the motion carried.

11) PRESENTATION OF MEASURE "A" ANNUAL REPORT

Finance Director Nick Kimball presented the staff report.

Motion by Councilmember Fajardo, seconded by Councilmember Lopez, to receive and file the report. By consensus, the motion carried.

12) CONSIDERATION TO APPROVE AN AMENDED AGREEMENT FOR COMPREHENSIVE FIRE AND EMERGENCY MEDICAL SERVICES WITH THE CITY OF LOS ANGELES FIRE DEPARTMENT (LAFD)

Community Development Director Ramirez presented the staff report replied to questions from Councilmembers.

Accolades were given by City Councilmembers to individuals (i.e., Councilmember Lopez, Community Development Director Ramirez, City Manager Saeki, and former Interim City Administrator Don Penman) and the Los Angeles City Council who were instrumental and played significant roles in securing the contract between both cities.

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

SAN FERNANDO CITY COUNCIL

MINUTES – September 15, 2014

Page 9

- a. Void the Agreement for Comprehensive Fire and Emergency Medical Services (Contract No. 1717) with the LAFD, approved by the San Fernando City Council on August 5, 2013;
- b. Approve an Agreement for Comprehensive Fire and Emergency Medical Services (Contract No. 1757) between the City of San Fernando and LAFD;
- c. Approve Amendment No. 1 (Contract No 1757(a)) to the Agreement for Comprehensive Fire and Emergency Medical Services between the City of San Fernando and LAFD;
- d. Authorize the Mayor to execute said Agreements between the City of San Fernando and LAFD; and
- e. Authorize the City Manager to undertake any activities necessary in order to implement said Agreements.

By consensus, the motion carried.

COMMITTEE/COMMISSION LIAISON UPDATES

Councilmember Avila gave an update on SFVCOG.

Mayor Pro Tem Gonzales reported that staff will be attending the California High-Speed Rail meeting tomorrow in Palmdale.

Mayor Ballin gave an update on a recent Metropolitan Water District meeting and said she is proud of Councilmembers' participation in their committee/commission liaison meetings.

GENERAL COUNCIL COMMENTS

Councilmember Avila thanked staff and community members for sticking it through this meeting and providing feedback.

Councilmember Lopez also thanked the community for voicing their opinions and said that people want to see change and change is coming.

Councilmember Fajardo thanked staff for putting the meeting together and is more than happy to stay behind and answer questions from remaining audience members. He reported that the League of California Cities held an excellent and informative event.

Mayor Pro Tem Gonzales thanked staff (a lot of business was handled today) and reported that Assemblymember Raul Bocanegra wrote a letter of support for San Fernando regarding the California High Speed Rail project. He also invited everyone to sign up for the Relay for Life 5K event.

SAN FERNANDO CITY COUNCIL

MINUTES – September 15, 2014

Page 10

Mayor Ballin thanked staff (especially the City’s outstanding attorneys), is excited that we now have our complete management team (the bar has been set high) and is looking forward to all the great things ahead.

STAFF COMMUNICATION

City Manager Saeki introduced the new Deputy City Manager/Public Works Director Christopher Marcarello and thanked him (along with Recreation and Community Services Operations Manager Ismael Aguila, Councilmembers, and volunteers) that assisted with the clean-up of the Cesar Chavez Memorial.

Recreation and Community Services Operations Manager Aguila also thanked the Public Works Department, Kiwanis Club of San Fernando, Pueblo y Salud, Church of Latter Day Saints, and 68 volunteers for assisting with the clean-up.

Community Development Director Ramirez also mentioned the California High Speed Rail meeting tomorrow and encouraged residents to attend as well. He reported that the Community Development Commission would be holding a meeting at the aquatics center regarding CDBG funds. He thanked staff members for prepping the Lopez Adobe building for an impromptu visit called by the State.

Deputy City Manager/Public Works Director Marcarello thanked Councilmembers for the warm welcome. He had a busy first week, was excited to be here and build upon what we’re doing for San Fernando.

Finance Director Kimball reported that staff drafted a set of comprehensive financial policies to be reviewed by the Budget, Personnel, and Finance Standing Committee and brought back to the City Council for consideration.

Personnel Manager Michael Okafor reported that open enrollment starts today and that a new Associate Planner has been hired.

ADJOURNMENT (9:40 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 September 15, 2014, meeting as approved by the San Fernando City Council.

Elena G. Chávez
City Clerk