

**SAN FERNANDO CITY COUNCIL
MINUTES**

**JUNE 1, 2020 – 6:00 P.M.
REGULAR MEETING**

Teleconference Per Governor Executive Order N-29-20

CALL TO ORDER/ROLL CALL

Mayor Joel Fajardo called the meeting to order at 6:09 P.M.

Present:

Council: Mayor Joel Fajardo, Vice Mayor Hector A. Pacheco and Councilmembers Sylvia Ballin and Mary Mendoza

Staff: City Manager Nick Kimball, Assistant City Attorney Richard Padilla, Chief of Police Anthony Vairo, Deputy City Manager/Director of Community Development Tim Hou, and City Clerk Julia Fritz

Absent: Councilmember Robert C. Gonzales

PLEDGE OF ALLEGIANCE

Led by Mayor Joel Fajardo

INVOCATION

Led by Councilmember Sylvia Ballin

APPROVAL OF AGENDA

City Manager Kimball reported declaring a local emergency and activating the City's Local Emergency Management System relative to the recent civil unrest and implementation of curfews for today and tomorrow; noted the action must be ratified by City Council and deferred to the Assistant City Attorney for an explanation.

Assistant City Attorney Padilla explained one item concerns the affirmation of a proclamation relative to the City Manager's declaration of a local emergency and the other item concerns authorizing the City Manager's ability to declare a curfew. He discussed the County order; noted the City cannot have a more-relaxed order but can impose more-stringent orders and reported a 4/5ths vote is needed to add the items to the meeting agenda for City Council action as emergency items, as they came to the attention of the City after the agenda was published.

Motion by Mayor Fajardo, seconded by Councilmember Mendoza, to approve the agenda with the emergency item as described by the City Attorney, labeled Item No. 8, and the motion carried by roll call vote with Councilmember Gonzales, absent.

PUBLIC STATEMENTS:

City Clerk Fritz read the following public comments submitted via email:

David Govea, Chair, San Fernando Education Commission, expressed appreciation for City Councils continued support; highlighted current programs and mentioned recent Education Commission accomplishments.

Christina Bernal, Chair, San Fernando Mall Association, referenced a proposal for restaurants to offer outdoor dining to allow restaurants to continue operations at a reduced capacity during the COVID-19 pandemic protocols in place and urged City Council to support the proposal.

Adriana Gomez, San Fernando Mall Association, addressed negative impacts affecting small businesses due to COVID-19; referenced a proposal requesting to allow outdoor shopping spaces that would allow businesses to continue operations and urged the City to continue its support.

Mayor Fajardo read the above statements in Spanish.

City Clerk Fritz listed businesses that declared support declaring support for Ms. Gomez' request.

Lorena Soto expressed disappointment at having received various parking citations and indicated having her family targeted and followed by another community member, due to her contacting the City Manager for assistance to resolve any issues.

Cristal Ludena, opposed increasing the Police Department budget and suggested that the funds be redistributed back into the community and spoke about discussing the Black Lives Matter movement with the City.

Arturo Garcia-Mendoza, Field Representative with the office of Assemblywoman Luz Rivas provided resources and information to keep residents safe and informed of the COVID-19 pandemic and addressed upcoming virtual meetings hosted by the Assemblywoman.

CONSENT CALENDAR

Vice Mayor Pacheco pulled Consent Calendar Item 3 for separate discussion.

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Motion by Mayor Fajardo to approve Consent Calendar Item Nos. 1, 2 and 4, seconded by Vice Mayor Pacheco to approve:

- 1) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
- 2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING A COOPERATION AGREEMENT WITH LOS ANGELES COUNTY DEVELOPMENT AUTHORITY TO CONTINUE PARTICIPATION IN THE LOS ANGELES URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
- 4) SECOND READING OF ORDINANCE NO. 1695 APPROVING THE AMENDMENT TO SECTION 2-121(2) AND SECTION 2-161 OF THE SAN FERNANDO CITY MUNICIPAL CODE TO PERMIT THE APPOINTMENT OF A CITY CLERK BY THE CITY MANAGER

The motion carried by roll call vote with Councilmember Gonzales, absent.

ITEM PULLED FOR DISCUSSION

- 3) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE PROJECT LIST TO RECEIVE CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE PROJECT LIST AND EXPENDITURE PLAN FOR THE ROAD MAINTENANCE AND REHABILITATION ACCOUNT (RMRA) SENATE BILL (SB 1) FUNDS FOR FISCAL YEAR (FY) 2020-2021

In response to Vice Mayor Pacheco's request, City Manager Kimball discussed the City's reliance on highway funds and gas taxes; spoke about the process for selecting streets for which the funds are allocated and noted the importance of accurate Census reporting for the allocation of State funds. Additionally, he identified the streets included in the projects list for (FY) 2020-2021.

Motion by Vice Mayor Pacheco, seconded by Councilmember Ballin to:

- a. Accept \$470,622 in Senate Bill 1 (SB 1) Funds and approve the proposed project list to be funded by the SB 1 Local Streets and Roads Program;
- b. Adopt Resolution No. 8005 approving the list of projects for Fiscal Year (FY) 2020-2021 funded by SB 1, The Road Repair and Accountability Act of 2017; and
- c. Authorize staff to submit all required documents to the California Transportation Commission.

The motion carried by roll call vote with Councilmember Gonzales, absent.

ADMINISTRATIVE REPORTS

- 5) STUDY SESSION NO. 1 TO REVIEW AND DISCUSS THE CITY’S PROPOSED FISCAL YEAR (FY) 2020-2021 BUDGET

City Manager Kimball presented the staff report and responded to questions from Councilmembers.

Discussion followed regarding the Police Department budget compared with other City Department budgets, the possibility of adding a line item under the Recreation Department to include a Theater Group, reducing the Councilmember travel budget from \$2,000 to \$1,000 per year, exploring funds for Community Theater, continuing to allocate funds towards the Tree fund, and the importance of continuing training.

City Manager Kimball stated that City Council’s input will be incorporated into the City’s draft Proposed Fiscal Year 2020-2021 budget and would be brought back at the June 15, 2020 City Council meeting.

- 6) EVALUATION OF CITY OF SAN FERNANDO’S COVID-19 RESPONSE EFFORT AND POLICY INITIATIVES (INCLUDING FINANCIAL ASSISTANCE PROGRAMS AND THE PURSUIT OF FUNDING OPPORTUNITIES) AND APPROVAL OF RECOMMENDATIONS, MODIFICATIONS AND/OR DIRECTION PROPOSED BY CITY STAFF OR BY COUNCILMEMBERS IN CONNECTION WITH THE SAME, INCLUDING THE CREATION OF AN AD HOC COMMITTEE AND THE APPOINTMENT OF COMMITTEE MEMBERS TO STUDY AND ADVISE ON RECOMMENDATIONS AND PROPOSED MODIFICATIONS

Mayor Fajardo presented the staff report and suggested creating a Community Development Block Grant (CDBG) Ad hoc committee to discuss recommendations for use of the funds, consideration of outdoor dining alternatives, and suggested the City subsidize the potential purchase of biodegradable utensils to help stop the spread of COVID-19 and be provided to local businesses.

Discussion followed regarding developing a pilot program for outdoor dining. Staff will return to the next City Council meeting regarding details for a pilot program.

Motion by Mayor Fajardo, seconded by Councilmember Ballin to approve formation of a CDBG Ad hoc committee and to select Mayor Fajardo and Councilmember Mendoza to serve as members of the committee.

The motion carried by roll call vote with Councilmember Gonzales, absent.

7) DISCUSSION REGARDING A POSSIBLE COMMERCIAL AND RESIDENTIAL RENT FREEZE

Councilmember Mendoza presented the staff report and discussed the need to help residents and businesses during the current pandemic and suggested setting an appropriate time period for a potential rent freeze.

Assistant City Attorney Padilla reported many cities have implemented an anti-eviction moratorium coupled with rent freezes tied to the pandemic; noted there are limits cities can set in terms of the scope and announced the previous eviction moratorium approved by City Council expired yesterday and that the City is subject to the County's eviction moratorium currently in place.

City Manager Kimball stated staff would return with a draft ordinance, reaffirming the County's eviction moratorium reflecting the rent freeze provision.

8) EMERGENCY ITEMS – (Added by City Council action as the items came to staff's attention after publication of the agenda.) (See Approval of Agenda.)

City Manager Kimball presented the report and responded to questions from Councilmembers.

Assistant City Attorney Padilla added this would be parallel to the prior declaration of emergency to deal specifically, with the civil unrest and listed the recommended actions below:

- a. Ratify the City Manager's emergency proclamation declaring a Local Emergency to address recent civil unrest until the next regularly scheduled City Council meeting.
- b. Authorize the City Manager to declare curfews as appropriate.

Motion by Mayor Fajardo, seconded by Councilmember Ballin to approve Assistant City Attorney Padilla's recommendations as stated.

The motion carried by roll call vote with Councilmember Gonzales, absent.

STAFF COMMUNICATION INCLUDING COMMISSION UPDATES

Deputy City Manager/Director of Community Development Hou presented an update on L.A. County orders relative to COVID-19 and encouraged the public to continue following safety protocols including social distancing and face coverings.

GENERAL COUNCIL COMMENTS AND LIAISON UPDATES

Councilmember Mendoza thanked event organizers, sponsors and volunteers, who provided grab-and-go meals for San Fernando residents and surrounding communities and expressed her condolences to the family and friends of George Floyd.

City Manager Kimball addressed the reopening of the San Fernando Swap Meet and Councilmember Ballin urged the public to continue following safety protocols.

Vice Mayor Pacheco commented on the recent civil unrest surrounding the tragic incident of George Floyd, on the efforts of the San Fernando Mall to obtain support for outdoor dining, and requested adjourning the meeting in memory of George Floyd.

Mayor Fajardo spoke about the tragic incident of George Floyd and stated his support in the efforts bringing awareness to racial injustices around the nation.

ADJOURNMENT (8:17 P.M.)

Motion by Councilmember Mendoza to adjourn the meeting at 8:17 p.m. in memory of Mr. George Floyd, Vice Mayor Pacheco seconded the motion. The motion carried by roll call vote with Councilmember Gonzales, absent.

I do hereby certify that the foregoing is a true and correct copy of the minutes of June 1, 2020, meeting as approved by the San Fernando City Council.

Julia Fritz, City Clerk