

**SAN FERNANDO CITY COUNCIL
MINUTES**

**JUNE 15, 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 6:14 P.M.

Present:

Council: Mayor Joel Fajardo, Vice Mayor Hector A. Pacheco and Councilmembers Sylvia Ballin, Robert C. Gonzales, 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, Director of Finance Diego Ibanez, and City Clerk Julia Fritz

Absent: None

PLEDGE OF ALLEGIANCE

Led by Mayor Joel Fajardo

INVOCATION

Led by Reverend Father Thomas Rush, and Reverend Father Victor Patricio, of Santa Rosa Church

APPROVAL OF AGENDA

Councilmember Ballin requested correcting Item No. 16 to reflect the item was placed on the agenda at her request and delete Item No. 14, to be placed on a future agenda.

Motion by Mayor Fajardo, seconded by Councilmember Ballin, to approve the agenda as amended. By consensus, the motion carried.

PUBLIC STATEMENTS

City Clerk Fritz read statements received via email from:

Liana Stepanyan, San Fernando Library Manager provided information on free lunch service for youth and provided an update of library services available.

SAN FERNANDO CITY COUNCIL

MINUTES – June 15, 2020

Page 2

Daniela Juarez suggested distributing the budget towards community resources, Police accountability, social services, and educational programs.

Yolanda Haro thanked Councilmember Ballin and the San Fernando Police Department for participating in a recent drive-by graduation event for her son.

Tisha Bianchi stated opposition to the proposed closure to the 1100 block of the San Fernando Mall due to the inability for customers to access store front parking and noted 10 businesses are also opposed to the closure.

Jason Hayes is in support of creation of a community theater.

Arturo Garcia-Mendoza, Field Representative for the office of Assemblymember Luz Rivas provided updates on the Assemblywoman's activities and programs.

Katie Gibson, Urban Place Consulting, submitted a letter in support for Agenda Item No. 11.

CONSENT CALENDAR

Councilmember Mendoza pulled Item No. 6 for separate discussion.

Motion by Mayor Fajardo, seconded by Vice Mayor Pacheco, to approve Consent Calendar Items 1 -5, and 7. By consensus, the motion carried.

- 1) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
- 2) CONSIDERATION TO ADOPT A RESOLUTION SETTING THE FISCAL YEAR 2020-2021 ARTICLE XIIIIB APPROPRIATIONS (GANN) LIMIT
- 3) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE RENEWAL OF THE GENERAL SERVICES AGREEMENT WITH THE COUNTY OF LOS ANGELES
- 4) CONSIDERATION OF APPROVAL TO WRITE-OFF BAD DEBT FOR FISCAL YEAR 2019-2020
- 5) CONSIDERATION TO ADOPT RESOLUTIONS APPROVING THE SALARY PLAN AND TABLE OF ORGANIZATION FOR FISCAL YEAR 2020-2021
- 7) CONSIDERATION TO APPROVE A CONTRACT WITH ATHENS SERVICES FOR STREET SWEEPING SERVICES

ITEM PULLED FOR SEPARATE DISCUSSION

- 6) CONSIDERATION TO APPROVE THE INSTALLATION OF SPEED HUMPS ON ALLEY NORTH OF SAN FERNANDO ROAD BETWEEN SAN FERNANDO MISSION BOULEVARD AND BRAND BOULEVARD

Motion by Councilmember Mendoza, seconded by Mayor Fajardo, to approve Consent Item No. 6, as presented. By consensus, the motion carried.

PUBLIC HEARINGS

- 8) A PUBLIC HEARING TO CONSIDER FISCAL YEAR 2020-2021 LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT AND ADOPT RESOLUTIONS APPROVING ASSESSMENTS

City Manager Kimball presented the staff report.

Mayor Fajardo opened the public hearing at 6:45 p.m. There being no public comments, Mayor Fajardo motioned, seconded by Councilmember Ballin, to close the public hearing 6:46 p.m. By consensus, the motion carried.

Motion by Mayor Fajardo, seconded by Councilmember Ballin, to adopt Resolution No. 8008 ordering the continued maintenance of the City's streetlights and confirming the annual assessment; and adopt Resolution No. 8009 approving the Final Engineer's Report for the Fiscal Year 2020-2021 Landscaping and Lighting Assessment District.

- 9) A PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION APPROVING THE FISCAL YEAR 2020-2021 CITY BUDGET OR, ALTERNATIVELY, CONSIDERATION AND APPROVAL TO ADOPT A RESOLUTION CONTINUING THE FISCAL YEAR 2019-2020 CITY BUDGET, PENDING FINAL APPROVAL OF THE FISCAL YEAR 2020-2021 CITY BUDGET

Mayor Fajardo opened the public hearing at 6:50 p.m.

City Manager Kimball presented the staff report.

Councilmembers discussed restoring the funding of \$25,000 towards Police Department training, the tree fund, setting Councilmember travel allowance to \$1,500, research the possibility of using Proposition A funds toward sidewalk repairs, and allowing the carry-over of Community Investment Funds to include flexibility in spending by each Councilmember.

Mayor Fajardo opened public comments at 8:05 p.m.

Mayor Fajardo requested incorporating public comments submitted by Daniela Juarez and Jason Hayes into the public comments for this hearing.

SAN FERNANDO CITY COUNCIL

MINUTES – June 15, 2020

Page 4

There being no further comments, motion by Mayor Fajardo, seconded by Vice Mayor Pacheco, to close the public hearing at 8:06 p.m. By consensus, the motion carried.

Motion by Vice Mayor Pacheco, seconded by Mayor Fajardo, to allocate \$5,000 to the tree fund during this fiscal year and include it as a line item, at \$5,000, in future budgets, going forward.

The motion failed with the following vote:

ROLL CALL

AYES: Pacheco and Fajardo - 2
NOES: Mendoza, Gonzales and Ballin - 3
ABSENT: None
ABSTAIN: None

Motion by Councilmember Ballin, seconded by Councilmember Gonzales, to adopt Resolution No. 8011 approving the Fiscal Year 2020-2021 Budget, subject to such modifications or amendments as may be stated by the City Council in its motion to approve the Resolution including to restore funding of \$25,000 for Police Department training, decrease meetings and travel budget to \$1,500 for each Councilmember, to not allocate additional fund for trees, approve the roll-over of Community Investment Funds and to allow Councilmembers flexibility to determine use of funds and research use of Proposition A funds for buses or sidewalk improvements.

The motion carried with the following vote:

ROLL CALL

AYES: Mendoza, Gonzales, Ballin and Fajardo - 4
NOES: Pacheco - 1
ABSENT: None
ABSTAIN: None

It was noted that the public hearing was closed 8:23 p.m.

ADMINISTRATIVE REPORTS

10) CONSIDERATION TO ADOPT A RESOLUTION AUTHORIZING THE ISSUANCE OF PENSION OBLIGATION BONDS AND FILING OF THE JUDICIAL VALIDATION PROCEEDINGS TO DETERMINE VALIDITY OF SUCH BONDS

City Manager Kimball presented details of the staff report.

Motion by Mayor Fajardo, seconded by Councilmember Gonzales to adopt Resolution No. 7994 authorizing the issuance of Pension Obligation Bonds by the City, to refund its outstanding CalPERS Obligations in an aggregate principal amount not-to-exceed the aggregate amount of the unfunded accrued actuarial liability represented by the CalPERS Obligations, and approving a form of Indenture of Trust relating to such bonds; and authorize the City Manager to approve Jones Hall and the City Attorney, to file and prosecute to completion an action to determine the validity of the Pension Obligation Bonds and the Indenture of Trust (Contract No. 1956) in Los Angeles County Superior Court. By consensus, the motion carried.

The motion carried with the following vote:

ROLL CALL

AYES: Ballin, Gonzales, Mendoza, Pacheco and Fajardo - 5
NOES: None
ABSENT: None
ABSTAIN: None

11) CONSIDERATION TO CREATE A SIDEWALK DINING PILOT PROGRAM IN THE CITY OF SAN FERNANDO AND DISCUSSION OF TEMPORARY STREET CLOSURES TO PROMOTE OUTDOOR DINING

Deputy City Manager Tim Hou presented details of the staff report.

Discussion followed regarding outdoor dining pilot program, continuing to research shutting down a portion of the San Fernando Mall, seek input from businesses owners, ADA regulations, setting street closures only during specific hours and days and on the general re-opening of city facilities.

Motion by Mayor Fajardo, seconded by Vice Mayor Pacheco, to ratify Executive Order No. 2020-06-12, enacting COVID-19 Restaurant Outdoor Dining Service Regulations.

The motion carried with the following vote:

ROLL CALL

AYES: Ballin, Gonzales, Mendoza, Pacheco and Fajardo - 5
NOES: None
ABSENT: None
ABSTAIN: None

ITEMS REORDERED ON THE AGENDA

- 12) DISCUSSION REGARDING COVID-19 RESPONSE EFFORTS AND APPROVAL OF PROPOSED RECOMMENDATIONS, INCLUDING THE CREATION OF AD HOC COMMITTEE AND THE APPOINTMENT OF MEMBERS

City Manager Kimball that the item is an informational update and staff would address comments under Staff Communications.

- 13) CONSIDERATION TO ADOPT AN URGENCY ORDINANCE ENACTING A TEMPORARY MORATORIUM ON COMMERCIAL AND RESIDENTIAL EVICTIONS, SUBJECT TO MODIFICATION BY CITY COUNCIL

Assistant City Attorney Padilla presented details of the urgency ordinance.

Mayor Fajardo opened the public hearing. There being no public comments, motion by Mayor Fajardo, seconded by Councilmember Ballin, to close the public hearing.

The motion carried with the following vote:

ROLL CALL

AYES:	Ballin, Gonzales, Mendoza, and Fajardo - 4
NOES:	None
ABSENT:	None
ABSTAIN:	Pacheco - 1

Motion by Councilmember Mendoza, seconded by Mayor Fajardo, to waive full reading and adopt Urgency Ordinance No. 1696 by title only, "An Uncodified Urgency Ordinance of the City Council of the City of San Fernando, California, affirming effective as of June 1, 2020, the application of the eviction moratorium of the County of Los Angeles to the City of San Fernando relating to the non-payment of rent due to the COVID-19 pandemic and its related effects and extending rent freeze protections to San Fernando tenants."

The motion carried with the following vote:

ROLL CALL

AYES:	Ballin, Gonzales, Mendoza, and Fajardo - 4
NOES:	None
ABSENT:	None
ABSTAIN:	Pacheco - 1

This Ordinance was introduced pursuant to Government Code Sections 36934 and 36937 and requires a four-fifths (4/5ths) vote for adoption.

16) DISCUSSION AND DIRECTION RELATED TO CHANGING THE CITY'S REGULAR ELECTION FROM NOVEMBER IN EVEN YEARS TO THE PRIMARY ELECTION IN EVEN YEARS

Councilmember Ballin spoke briefly to introduce the item for discussion.

Assistant City Attorney Padilla provided legislative information regarding changing the City's regular election from November in even years to the primary election (March) in even years, and stated that any change made at this time would affect the terms of office by extended or shortened terms for current Councilmembers.

City Council directed staff to provide additional information associated with certain voter turn-out statistics and agendaize for the next City Council meeting for discussion and potential action.

12) DISCUSSION REGARDING COVID-19 RESPONSE EFFORTS AND APPROVAL OF PROPOSED RECOMMENDATIONS, INCLUDING THE CREATION OF AD HOC COMMITTEE AND THE APPOINTMENT OF MEMBERS

Mayor Fajardo requested to continue this matter to the next regular City Council meeting.

17) DISCUSSION AND DIRECTION RELATED TO THE CITY'S WHISTLEBLOWER PROCEDURES

Mayor Fajardo requested to continue this matter to the next regular City Council meeting.

15) CONSIDERATION AND APPROVAL OF THE CREATION OF A PUBLIC SAFETY COMMISSION AD HOC COMMITTEE FOR THE STUDY OF, AND RECOMMENDATIONS RELATED TO, ESTABLISHING A PUBLIC SAFETY COMMISSION, AND DESIGNATION OF AD HOC MEMBERS

Vice Chair Pacheco presented the staff report.

Motion by Vice Mayor Pacheco, seconded by Mayor Fajardo, to approve a Public Safety Commission Ad Hoc Committee to study the establishment of a new Public Safety Commission or Committee and select Mayor Fajardo and Vice Mayor Pacheco to serve on the Ad Hoc Committee.

The motion carried with the following vote:

ROLL CALL

AYES:	Gonzales, Mendoza, Pacheco and Fajardo - 4
NOES:	None
ABSENT:	None
ABSTAIN:	Ballin - 1

17) CONSIDERATION TO ADOPT RESOLUTIONS SETTING THE STATUTORY MAXIMUM SALARY AND OTHER BENEFITS FOR CITY COUNCILMEMBERS

This item was removed from the agenda at the request of Councilmember Ballin.

STAFF COMMUNICATION INCLUDING COMMISSION UPDATES

Deputy City Manager Hou presented an update of State and County health orders related to COVID-19.

Police Chief Vairo announced the City was awarded a State OTS grant in the amount of \$33,000.

City Manager Kimball announced a soft opening of City Hall.

GENERAL COUNCIL COMMENTS AND LIAISON UPDATES

Councilmember Gonzalez discussed a recent Metro meeting and requesting placing consideration of cancelling the Open Streets campaign due to COVID-19 and the possibility of using the money saved for street improvements, on the next meeting agenda; announced an upcoming Census Car Caravan event and requested an update on fireworks.

Councilmember Mendoza discussed a recent meeting of the COVID-19 CDBG Ad Hoc Committee.

Councilmember Ballin commended Police Lieutenant Hanchett on the recent peaceful protests and asked staff to send a postcard to residents reminding them of laws regarding fireworks and letting them know the Parking Forgiveness Program will end on June 30, 2020.

Vice Mayor Pacheco hoped for better results from sales tax revenue, in the future, to fund the City's tree program and commented on the importance of public safety, increasing transparency, and increasing community engagement.

Mayor Fajardo committed to spending some of his community investment funds towards trees; thanked the Police Department for their work during recent protests; thanked the peaceful protestors and discussed a recent meeting of the CDBG Ad Hoc Committee.

ADJOURNMENT (10:49 p.m.)

Motion by Mayor Fajardo, seconded by Councilmember Gonzales, to adjourn the meeting at 10:49 p.m. By consensus, the motion carried.

I do hereby certify that the foregoing is a true and correct copy of the minutes of June 15, 2020, meeting as approved by the San Fernando City Council.