

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**NOVEMBER 16, 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 6:41 p.m.

Present:

Council: Mayor Joel Fajardo, Vice Mayor Hector A. Pacheco (joined at 6:52 p.m.), 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, Director of Public Works Matt Baumgardner, Director of Recreation and Community Services Julian Venegas and City Clerk Julia Fritz

Absent: None

**PLEDGE OF ALLEGIANCE**

Led by Mayor Fajardo

**APPROVAL OF AGENDA**

Motion by Mayor Fajardo, seconded by Councilmember Ballin to approve the agenda. The motion carried with Vice Mayor Pacheco absent.

**PRESENTATION**

- A) EDUCATION COMMISSION CERTIFICATES OF RECOGNITION - STUDENTS OF THE MONTH
  - Eric Murguia (Vista Del Valle Dual Language Academy)
  - Izabella Barrera (Social Justice Humanitas Academy)
- B) RECEIVE AN INFORMATIONAL PRESENTATION REGARDING THE NOVEMBER 3, 2020, GENERAL ELECTION ACTIVITY UPDATES

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City Clerk Julia Fritz provided an update regarding the recent November 3, 2020, General Election.

Vice Mayor Pacheco joined the meeting at 6:52 p.m.

**PUBLIC STATEMENTS – WRITTEN**

City Clerk Fritz read statements from the following:

Nanette B. expressed concerns regarding private parties occurring in her neighborhood during the COVID-19 pandemic; reported people are not complying with public health orders and asked for daily updates regarding the number of COVID-19 cases in the City.

Rosa Gutierrez discussed the importance of mental health for immigrant communities and in support of the Immigrants Mental Health Act.

Eduardo Salcedo, Community Administrator, Los Angeles Unified School District, discussed the school districts commitment to reopen as soon as it is safe to do so and offered appointments for COVID-19 testing for students and families.

David Bernal, addressed the review and approval of murals on private property.

Adriana Gomez, opposed the extension of the Memorandum of Understanding for the swap meet property and urged City Council to work with the property owner to develop the site.

Nicholas Cardenas, opposed the extension of the Memorandum of Understanding for the swap meet property and requested an update on the matter.

Christina Bernal, opposed the extension of the Memorandum of Understanding for the swap meet property and urged City Council to work with the property owner to develop the site.

**CONSENT CALENDAR**

City Manager Kimball pulled Item No. 7 from the Consent Calendar for separate discussion.

Motion by Councilmember Pacheco, seconded by Mayor Fajardo to approve:

- 1) REQUEST TO APPROVE MEETING MINUTES OF NOVEMBER 2, 2020 – SPECIAL MEETING
- 2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER
- 3) CONSIDERATION TO ADOPT A RESOLUTION UPDATING THE CITY’S CONFLICT OF INTEREST CODE

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- 4) CONSIDERATION TO APPROVE CALENDAR YEAR 2021 BUSINESS PERMITS FOR CERTAIN BUSINESS ACTIVITIES AS REQUIRED BY THE CITY CODE
- 5) CONSIDERATION TO AUTHORIZE A NOTICE OF COMPLETION FOR THE LAS PALMAS PARK BANQUET ROOM AND LOBBY RENOVATION PROJECT
- 6) CONSIDERATION TO APPROVE A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KOA CORPORATION FOR THE GLENOAKS BOULEVARD RESURFACING AND HIGHWAY IMPROVEMENT SAFETY PROJECT

The motion carried unanimously.

**CONSENT ITEM PULLED FOR FURTHER DISCUSSION**

- 7) DISCUSSION AND CONSIDERATION TO ADOPT A RESOLUTION EXPRESSING THE CITY'S SUPPORT FOR CALIFORNIA CITIZENS FOR LOCAL CONTROL AND ACTIONS TO STRENGTHEN LOCAL AUTHORITY AND CONTROL AS RELATED TO LOCAL ZONING AND HOUSING ISSUES

City Manager Kimball introduced the item and discussed recent efforts by several cities to urge SCAG to talk about potential litigation regarding the State's RHNA allocations.

Deputy City Manager/Director of Community Development Tim Hou talked about being contacted by other Southern California cities to join in an effort to submit correspondence to SCAG to discuss recommendations that resulted in a SCAG/RHNA Litigation Committee formulated last fall regarding the final RHNA allocation and methodology.

Motion by Councilmember Mendoza, seconded by Mayor Fajardo, as amended to adopt Resolution No. 8044 and submit a letter in support of efforts made by several cities about potential litigation regarding opposing states legislative actions on the final RHNA allocation and methodology.

The motion carried unanimously.

**ADMINISTRATIVE REPORTS**

- 8) DISCUSSION REGARDING COVID-19 RESPONSE EFFORTS AND APPROVAL OF PROPOSED RECOMMENDATIONS

City Manager Kimball presented an update regarding the City's COVID-19 efforts and guidelines, testing, the number of cases, deaths, and availability of vaccines. The City Council received and filed the report.

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- 9) CONSIDERATION OF A MEMORANDUM OF UNDERSTANDING WITH SAN FERNANDO GATEWAY, LLC, RELATED TO CAPITAL IMPROVEMENTS AND OPERATION OF THE SAN FERNANDO SWAP MEET AT 585 GLENOAKS BOULEVARD

City Manager Kimball presented the staff report and a representative of Robinson Property Group addressed plan concepts and improvements, responded to Councilmember questions and received staff feedback.

Motion by Mayor Fajardo, seconded by Vice Mayor Pacheco to approve a Memorandum of Understanding between the City of San Fernando and San Fernando Gateway, LLC, related to capital improvements and operation of the San Fernando Swap Meet (Contract No. 1971); and authorize the City Manager to execute all related documents.

The motion carried with the following vote:

ROLL CALL

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

- 10) CRIME STATISTICS UPDATE

Item continued to the next regular City Council meeting.

- 11) DISCUSSION OF THE USE OF PROPOSITION 'A' TRANSIT FUNDS DURING FISCAL YEAR 2020-2021

Director of Public Works Baumgardner presentation information regarding use of Proposition A Transit Funds during FY 2020-2021.

Motion by Mayor Fajardo, seconded by Councilmember Gonzales to approve staff recommendation, as amended to authorize Councilmembers the flexibility to contribute his or her funds, a portion of the Proposition 'A' transit funds for Fiscal Year 2020-2021 towards shelters or bench installation sites, as agreed upon by the Councilmember and staff.

The motion carried with the following vote:

ROLL CALL

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

**12) CONSIDERATION TO ADOPT AN ORDINANCE REGULATING THE REVIEW AND APPROVAL OF ART MURALS ON PRIVATE PROPERTY**

Mural Ad Hoc Committee members Vice Mayor Pacheco and Councilmember Gonzales presented committee recommendations.

Motion by Councilmember Gonzales and seconded by Councilmember Ballin to introduce for first reading, in title only, and waive further reading of, Ordinance No. 1700 titled, “An Ordinance of the City Council of the City of San Fernando, California, amending Chapter 22 (Businesses) of the San Fernando Municipal Code by the addition of a new Article IX (Art Murals on Private Property);” as amended, to clarify the following provision: “Murals shall only be permitted on 1) properties in commercial, industrial, service commercial, and mixed-use zones that are not zoned exclusively residential, and 2) residential fencing directly adjacent to a city-designated alleyway.”; adopt Resolution No. 8042 establishing a Mural Permit Application Fee; and authorize the City Manager to execute all related documents.

The motion carried with the following vote:

**ROLL CALL**

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

**13) DISCUSSION OF POTENTIAL OPTIONS FOR A WHISTLEBLOWER PROTECTION POLICY**

Assistant City Attorney Padilla presented the staff report and responded to Councilmember questions.

Motion by Councilmember Ballin and seconded by Mayor Fajardo to direct staff to bring back a presentation from the consultant that the City of Santa Monica uses, regarding options along with a potential ordinance or resolution if applicable, to a future City Council meeting date uncertain.

The motion carried with the following vote:

**ROLL CALL**

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

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**14) UPDATE ON BALLOT MEASURE SF INCREASING THE CITY'S EXISTING GENERAL PURPOSE HALF-CENT TRANSACTIONS AND USE TAX**

This item was placed on the agenda by Mayor Joel Fajardo.

Mayor Fajardo commented positively on the passing of Measure SF and addressed the increase in revenue and use of the funds.

Councilmember Ballin thanked everyone for supporting the measure and discussed investment of the additional revenue from Measure SF in the City and City services.

City Manager Kimball presented an update on Measure SF; noted it was overwhelmingly supported by San Fernando voters; addressed the effective date and the timeline for receiving the funds and discussed potential Wi-Fi improvements, upgrades in street lighting and increases in the City's labor force for improved public safety and maintenance.

Discussion followed regarding the importance of meeting pension obligations, ensuring goals of the measure are met, cuts in the tree fund during the last budget process and the possibility of reallocating funds back into the tree fund, potentially combining the Tree Ad Hoc and the Green City Ad Hoc committees, and creating a Measure SF oversight committee.

Members of the City Council thanked residents for their support.

City Council gave general direction to staff.

**15) UPDATE REGARDING THE ISSUANCE OF PENSION OBLIGATION BONDS AND FILING OF THE JUDICIAL VALIDATION PROCEEDINGS**

This item was placed on the agenda by Mayor Joel Fajardo.

Director of Finance Ibanez presented an update regarding the issuance of pension obligation bonds and the filing of the judicial validation proceedings; addressed the timeline and discussed the RFP process. The City Council received and filed the report.

**STAFF COMMUNICATION INCLUDING COMMISSION UPDATES**

City Manager Kimball recognized Deputy City Manager/Director of Community Development Tim Hou on the birth of a daughter and his return from paternity leave.

Deputy City Manager/Director of Community Development Hou recognized Building and Safety Supervisor Francisco Villalva on his retirement after 25 years of service to the City.

Director of Recreation and Community Services Venegas recognized Virginia Diediker on her retirement after 20 years of service to the City and discussed upcoming events.

Director of Public Works Baumgardner provided an update on the methane leaks.

City Manager Kimball addressed upcoming retirements and discussed planning for and scheduling of a swearing in ceremony during an upcoming City Council meeting.

#### **GENERAL COUNCIL COMMENTS AND LIAISON UPDATES**

Councilmember Gonzales spoke about consideration of murals on public property, licensing fees and charging a development fee to fund a public art fund, noted he attended the East San Fernando Transportation Board meeting and the Independent Cities Association meeting.

Councilmember Mendoza asked to add consideration of a letter in support of the Immigrants Mental Health Act to City Council's next meeting agenda; thanked and congratulated retirees and urged everyone to stay safe and follow safety protocols.

Councilmember Ballin thanked retirees, and wished them well and discussed a summary she will distribute to the City Clerk for staff and Council regarding the Metropolitan Water District.

Councilmember Gonzalez thanked City staff and Council for their support over the years; stated he would like to donate his Community Investment Funds for a mural in remembrance of Eli Rodriguez and towards a symbol on the welcome sign for the American Legion.

Vice Mayor Pacheco thanked City staff and looked forward to the election results

Mayor Fajardo spoke about the Presidential election.

Vice Mayor Pacheco left the meeting at 10:19 p.m.

#### **ADJOURNMENT (10:21 p.m.)**

Motion by Mayor Fajardo, seconded by Councilmember Gonzales, to adjourn the meeting. By consensus, the motion carried.

I do hereby certify that the foregoing is a true and correct copy of the minutes of November 16, 2020, meeting as approved by the San Fernando City Council.

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Julia Fritz, City Clerk