



**SAN FERNANDO**

MAYOR/CHAIR MARY MENDOZA  
VICE MAYOR/VICE CHAIR HECTOR A. PACHECO  
COUNCILMEMBER/BOARDMEMBER SYLVIA BALLIN  
COUNCILMEMBER/BOARDMEMBER CINDY MONTAÑEZ  
COUNCILMEMBER/BOARDMEMBER CELESTE T. RODRIGUEZ

## **CITY OF SAN FERNANDO**

### **CITY COUNCIL**

### **SPECIAL MEETING AGENDA SUMMARY MONDAY, DECEMBER 12, 2022 - 6:00 PM**

**REVISED**

**CITY HALL COUNCIL CHAMBERS**

**117 MACNEIL STREET**

**SAN FERNANDO, CALIFORNIA 91340**

**TELECONFERENCE – PURSUANT TO PROVISIONS OF ASSEMBLY BILL 361**

#### ***SPECIAL NOTICE REGARDING COVID-19***

***NOTICE OF TELECONFERENCE:*** Pursuant to Adopted Resolution No. 8098 by the City Council of the City of San Fernando, effective January 12, 2022, the City of San Fernando's Legislative Bodies may participate via teleconference and/or video in Accordance with Government Code Section 54953 as permitted under the provisions of Assembly Bill 361

### **PUBLIC PARTICIPATION OPTIONS**

#### **WATCH THE MEETING**

Live stream with audio and video, via YouTube Live, at:

<https://www.youtube.com/c/CityOfSanFernando>

Note: Comments submitted via YouTube will not be read into the record.

#### **SUBMIT PUBLIC COMMENT IN PERSON**

Members of the public may provide comments in person in the City Council Chambers during the Public Comments section of the Agenda by submitting a comment card to the City Clerk.

#### **SUBMIT PUBLIC COMMENT VIA EMAIL**

Members of the public may submit comments **by email** to [cityclerk@sfcity.org](mailto:cityclerk@sfcity.org) no later than **5:00 p.m. the day of the meeting**, to ensure distribution to the City Council prior to consideration of the agenda. Comments received via email will be distributed to the City Council, read into the record, limited to three minutes, and made part of the official public record of the meeting.

## **SAN FERNANDO CITY COUNCIL/SUCCESSOR AGENCY**

**Special Meeting Notice and Agenda – December 12, 2022**

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### **CALL-IN TO PROVIDE PUBLIC COMMENT LIVE AT THE MEETING**

Members of the public may **call-in between 6:00 p.m. and 6:15 p.m.** Comments will be heard in the order received, and limited to three minutes. If necessary, the call-in period may be extended by the Mayor. Note: This is audio only and no video.

**Call-in Telephone Number: (669) 900-6833**

**Meeting ID: 833 6022 0211**

**Passcode: 924965**

When connecting to the Zoom meeting to speak, you will be placed in a virtual “waiting area,” with your audio disabled, until it is your turn to speak and limited to three minutes.

### **CALL TO ORDER/ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION & BLESSING**

### **APPROVAL OF AGENDA**

Recommend that the City Council approve the agenda as presented and move that all ordinances presented tonight be read in title only as authorized under Government Code Section 36934.

### **PRESENTATIONS**

- A) PRESENTATION OF CERTIFICATES OF APPRECIATION TO COMMISSIONERS FOR THEIR SERVICE TO THE CITY OF SAN FERNANDO AND TO THE COMMUNITY BY VICE MAYOR HECTOR A. PACHECO
- Planning and Preservation Commissioner Hector Pacheco Sr.
  - Education Commissioner Vice Chair Angel Zobel-Rodriguez
  - Parks, Wellness and Recreation Commissioner Natasha Sanchez-Brooks
  - Transportation and Public Safety Commissioner Nicole Mohr
- B) PRESENTATION OF CERTIFICATES OF APPRECIATION TO COMMISSIONERS FOR THEIR SERVICE TO THE CITY OF SAN FERNANDO AND TO THE COMMUNITY BY COUNCILMEMBER SYLVIA BALLIN
- Planning and Preservation Commission Chair Joel Fajardo
  - Education Commissioner David Govea
  - Parks, Wellness and Recreation Commissioner NinaMarie Julia Herrera Ballin
  - Transportation and Public Safety Commissioner Dee Akemon

## **SAN FERNANDO CITY COUNCIL/SUCCESSOR AGENCY**

### **Special Meeting Notice and Agenda – December 12, 2022**

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#### **DECORUM AND ORDER**

The City Council, elected by the public, must be free to discuss issues confronting the City in an orderly environment. Members of the public attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council (SF Procedural Manual). Any person making impertinent derogatory or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting, may be removed from the room if the Presiding Officer so directs the sergeant-at-arms and such person may be barred from further audience before the City Council.

#### **PUBLIC STATEMENTS**

Members of the public may **provide comments in person in the City Council Chambers** during the Public Comments section of the Agenda by submitting a comment card to the City Clerk.

Members of the public may submit comments by email to [cityclerk@sfcity.org](mailto:cityclerk@sfcity.org) no later than **5:00 p.m. the day of the meeting** to ensure distribution to the City Council and read into the record.

Members of the public may provide a **live public comment by calling in between 6:00 p.m. and 6:15 p.m. CALL-IN INFORMATION: Telephone Number: (669) 900-6833; Meeting ID: 833 6022 0211; Passcode: 924965**

#### **ADMINISTRATIVE REPORTS**

##### **1) CONSIDERATION TO ADOPT A RESOLUTION RECITING THE FACT OF THE CITY OF SAN FERNANDO GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2022, DECLARING THE RESULTS THEREOF AND SUCH MATTERS AS ARE PROVIDED BY LAW**

Recommended that the City Council adopt Resolution No. 8201 reciting the fact of the November 8, 2022 General Municipal Election, declaring the results thereof and such matters as provided by law.

##### **2) RECOGNITION OF VICE MAYOR HECTOR A. PACHECO FOR HIS SERVICE TO THE CITY OF SAN FERNANDO**

##### **3) RECOGNITION OF COUNCILMEMBER SYLVIA BALLIN FOR HER SERVICE TO THE CITY OF SAN FERNANDO**

## **SAN FERNANDO CITY COUNCIL/SUCCESSOR AGENCY**

**Special Meeting Notice and Agenda – December 12, 2022**

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### **4) ANNUAL REORGANIZATION OF THE CITY COUNCIL - SELECTION OF MAYOR AND VICE MAYOR**

Recommended that the City Council proceed with their annual reorganization for the selection of Mayor and Vice Mayor and follow the procedure per the City Council Procedural Manual.

### **STAFF COMMUNICATION INCLUDING COMMISSION UPDATES**

### **GENERAL CITY COUNCIL/BOARD MEMBER COMMENTS AND LIAISON UPDATES**

**ADJOURNMENT** The meeting will adjourn to its next regular meeting.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 24 hours prior to the special meeting.

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Julia Fritz, CMC

City Clerk

Signed and Posted: December 12, 2022 (10:15 a.m.)

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*The Regular Meetings of the City Council of the City of San Fernando also serves as concurrent Regular Meetings of the Successor Agency to the San Fernando Redevelopment Agency and will be identified as (SA) following the item, and, from time to time, such other bodies of the City composed exclusive of the Members of the City Council.*

*Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet website [www.sfcity.org](http://www.sfcity.org). These are also available for public reviewing prior to a meeting in the City Clerk Department. Any public writings distributed by the City Council to at least a majority of the Councilmembers regarding any item on this regular meeting agenda will also be made available at the City Clerk Department at City Hall located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's website at [www.sfcity.org](http://www.sfcity.org). In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/accommodation to attend or participate in this meeting, including auxiliary aids or services please call the City Clerk Department at (818) 898-1204 or [cityclerk@sfcity.org](mailto:cityclerk@sfcity.org) at least 48 hours prior to the meeting.*

**Special Meeting  
San Fernando City Council  
and Successor Agency to the  
San Fernando Redevelopment Agency**

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## AGENDA REPORT

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**To:** Mayor Mary Mendoza and Councilmembers

**From:** Nick Kimball, City Manager  
By: Julia Fritz, City Clerk

**Date:** December 12, 2022

**Subject:** Consideration to Adopt a Resolution Reciting the Fact of the City of San Fernando General Municipal Election Held on November 8, 2022, Declaring the Results Thereof and Such Matters as are Provided by Law

### RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 8201 (Attachment "A") reciting the fact of the November 8, 2022 General Municipal Election, declaring the results thereof and such matters as provided by law.

### BACKGROUND:

1. On June 21, 2022, the City Council adopted Resolution No. 8156 (Attachment "B") calling for and giving notice of, the City of San Fernando General Municipal Election to be held on Tuesday, November 8, 2022, for the election of three City Councilmembers to each serve a full term of four years; (2) requesting consolidation of such election with the Statewide General Election to be held on the same day; (3) requesting the Board of Supervisors of the County of Los Angeles to issue instructions to the Registrar-Recorder/County Clerk (RR/CC) to take any and all steps necessary for the holding of the consolidated election; and (4) adopting regulations pertaining to Candidate Statements.
2. On November 8, 2022, the City of San Fernando held their General Municipal Election and semi-official results were tabulated. The Los Angeles County Registrar-Recorder/County Clerk (RR/CC) continued counting ballots during the 30-day Official Election Canvass (OEC) period to continue processing, verifying, and counting all outstanding ballots to ensure every eligible ballot cast by Election Day is counted. The OEC official period ended on December 5, 2022.
3. On December 7, 2022, the City Clerk received the Certificate of the Canvass of the Election Returns completed and certified by the RR/CC for the November 8, 2022 General Municipal Election (Exhibit "A" to Attachment "A"), identifying the three candidates elected to serve as City Councilmembers for the full four-year term for the City of San Fernando.

**Consideration to Adopt a Resolution Reciting the Fact of the City of San Fernando General Municipal Election Held on November 8, 2022, Declaring the Results Thereof and Such Matters as are Provided by Law**

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**ANALYSIS:**

The City of San Fernando General Municipal Election was held on Tuesday, November 8, 2022, and registered voters in the City had the opportunity to elect three Councilmembers of the five-member City Council for a term of four-years each. The three expiring Councilmember term seats are presently occupied by, incumbents Sylvia Ballin, Hector A. Pacheco and Mary Mendoza.

Upon delivery of the Certificate of the Canvass of the Election Returns received by Los Angeles County Registrar-Recorder/County Clerk, the City Clerk is required to certify the election results to the City Council, pursuant to the California Elections Code Section 10262(b). In turn, the City Council, as required by Elections Code Section 10263, must meet to adopt a resolution to declare the results of the election. As soon as the result of the election is declared by the City Council, the City Clerk must enter in its records a statement of the election results. Thereafter, the City Clerk must deliver a Certificate of Election and administer the Oath of Office to each of the three elected officials, per Elections Code Section 10265.

**BUDGET IMPACT:**

The Fiscal Year 2022-2023 City Budget includes \$61,641 for the November 8, 2022 General Municipal Election.

**CONCLUSION:**

It is recommended that the City Council adopt a resolution declaring the results of the November 8, 2022 General Municipal Election, accepting the Certificate of the Canvass of the Election Returns issued by the Los Angeles County Registrar-Recorder/County Clerk; and deliver to each of the three newly elected officials, a Certificate of Election and administer the Oath of Office.

**ATTACHMENTS:**

- A. Resolution No. 8201, including:
  - Exhibit A: Certificate of the Canvass of the Election Returns
- B. Resolution No. 8156

**RESOLUTION NO. 8201**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO,  
CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION  
ON TUESDAY, NOVEMBER 8, 2022, DECLARING THE RESULT AND SUCH  
OTHER MATTERS AS PROVIDED BY LAW**

**WHEREAS**, at its regular meeting of June 21, 2022, the City Council of the City of San Fernando ("City Council") approved Resolution No. 8156 which called for a General Municipal Election to be held on November 8, 2022 ("City Election"); and

**WHEREAS**, the City of San Fernando ("City") conducted the City Election on Tuesday, November 8, 2022, which was consolidated with the Los Angeles County Registrar-Recorder/County Clerk ("County") in conjunction with the Statewide General Election held on the same day; and

**WHEREAS**, notice of the City Election was given in time, form and manner as provided by law; the candidates were nominated to fill the vacancies as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the City Election was held and conducted; the votes were cast, received and canvassed; returns made and declared in time, form and manner as required by provisions of the State of California Elections Code for the holding of elections in general law cities; and

**WHEREAS**, the City Election was conducted for the purpose of electing three Councilmembers to serve on the City Council for the full term of four years; and

**WHEREAS**, pursuant to Elections Code Section 15300 et seq., the County canvassed the returns of the City Election and has certified the results and issued a Certificate of Canvass of the Election Returns, which is attached hereto as **Exhibit "A"** and is incorporated by this reference as though fully set forth herein.

**WHEREAS**, pursuant to Elections Code Section 10263, upon completion of the canvass and before installing new officers, the City Council must adopt a Resolution reciting the fact of the City General Municipal Election and declaring the persons for whom the highest number of votes cast for each office.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** The Recitals stated above are true and correct and incorporated herein by this reference.

**SECTION 2.** On November 8, 2022, the City undertook the City General Municipal Election, administered by the Los Angeles County Registrar-Recorder/County Clerk.

**SECTION 3.** On December 7, 2022, the County Registrar issued a Certificate of Canvass of the Election Returns (“Canvass”) for the City General Municipal Election. A true and correct copy of the Canvass (**Exhibit “A”**) attached hereto and incorporated by this reference as though fully set forth herein. In satisfaction of Elections Code Section 10264, the City Council hereby adopts findings, calculations, and determinations of the Canvass related to the City General Municipal Election. This includes: (1) the number of ballots cast in the City; (2) the names of the persons voted for; (3) what office each person was voted for; and (4) the total number of votes given to each person.

**SECTION 4.** At its November 8, 2022 General Municipal Election, three of the five member City Council four-year full term seats were up for election. The three incumbent Councilmembers are Sylvia Ballin, Mary Mendoza, and Hector A. Pacheco. The qualified Candidate Nominee names of the persons voted for at the City Election for Members of the City Council for the full term of four-years were Sylvia Ballin, Mary Solorio, Mary Mendoza, Joel Fajardo, and Victoria Garcia.

**SECTION 5.** The City Council does declare and determine that Joel Fajardo, Mary Mendoza and Mary Solorio were elected as Members of the City Council to serve the full term of four-years each. Joel Fajardo received the most votes with 2175; Mary Mendoza received the second most votes with 1713; Mary Solorio received the third most votes with 1556; Sylvia Ballin received the fourth most votes with 1413; and Victoria Garcia received the fifth most votes with 1346.

**SECTION 6.** This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**SECTION 7.** Pursuant to Elections Code Section 10265, the City Clerk shall immediately sign and deliver to each person elected a Certificate of Election and administer to each person elected the Oath of Office as prescribed in the Constitution of the State of California.

**PASSED, APPROVED, AND ADOPTED** this 12<sup>th</sup> day of December 2022.

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Mary Mendoza, Mayor of the City  
San Fernando, California

**ATTEST:**

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Julia Fritz, City Clerk

**CERTIFICATION**

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 8201 which was regularly introduced and adopted by the City Council of the City of San Fernando, California, at a special meeting thereof held on the 12<sup>th</sup> day of December, 2022, by the following vote of the City Council:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAINED:**

IN WITNESS WHEREOF, I have here unto set my hand and affixed the official seal of the City of San Fernando, California, this \_\_\_\_\_ day of December, 2022.

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Julia Fritz, City Clerk

**EXHIBIT "A"**

**LOS ANGELES COUNTY  
REGISTRAR-RECORDER/COUNTY CLERK**

**CERTIFICATE OF CANVASS OF THE ELECTION RETURNS**

**AND**

**OFFICIAL STATEMENT OF VOTES CAST**



*Los Angeles County*  
*Registrar-Recorder/County Clerk*

**Certificate of the Canvass of the Election Returns**

*I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, of the State of California, DO HEREBY CERTIFY that pursuant to the provisions of Section 15300 et seq. of the California Elections Code, I did canvass the returns of the votes cast for each elective office and/or measure(s) for*

*San Fernando City*

*at the General Election, held on the 8th day of November, 2022.*

*I FURTHER CERTIFY that the Statement of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in said jurisdiction, and that the whole number of votes cast for each candidate and/or measure(s) in said jurisdiction in each of the respective precincts therein, and the totals of the respective columns and the totals as shown for each candidate and/or measure(s) are full, true and correct.*

*IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 5th day of December, 2022.*



*Dean C. Logan*  
DEAN C. LOGAN  
Registrar-Recorder/County Clerk  
County of Los Angeles

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**RESOLUTION NO. 8156**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA (1) CALLING AND GIVING NOTICE OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, FOR THE ELECTION OF THREE CITY COUNCILMEMBERS; (2) REQUESTING CONSOLIDATION OF SUCH ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DAY; (3) REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO ISSUE INSTRUCTIONS TO THE REGISTRAR-RECORDER/COUNTY CLERK TO TAKE ANY AND ALL STEPS NECESSARY FOR THE HOLDING OF THE CONSOLIDATED ELECTION; AND (4) ADOPTING REGULATIONS PERTAINING TO CANDIDATE STATEMENTS**

**WHEREAS**, under the provision of the laws relating to General Law cities in the State of California, a General Municipal Election of the City of San Fernando (the "City") shall be conducted on Tuesday, November 8, 2022, for the purpose of electing three (3) members of the City Council for the full term of four years; and

**WHEREAS**, it is desirable that said election be consolidated with the County-administered General Election to be held on the same date and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the Registrar-Recorder/County Clerk of the County of Los Angeles ("County Registrar") canvass the returns of the City's General Municipal Election and that it be held in all respects as if it were part and parcel of the County-administered General Election; and

**WHEREAS**, it is necessary to secure the consent and order of the Board of Supervisors of the County of Los Angeles (the "Board of Supervisors") to effectuate such consolidation; and

**WHEREAS**, the City shall compensate the County Registrar for all necessary expenses incurred by the County in performing election services for the City; and

**WHEREAS**, the City Council approves the printing of the information for said election in the foreign languages requiring translation pursuant to the Voting Rights Act of 1965; and

**WHEREAS**, Elections Code Section 13307 provides that the City may adopt regulations pertaining to the recovery of certain costs associated with the printing, handling, translation, and mailing of candidate statements as filed with the elections officer; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** The recitals above and findings therein are true and correct and incorporated into the body of this Resolution by this reference.

**SECTION 2.** That pursuant to the requirements of the laws of the State of California relating to General Law cities, the City Council hereby orders and calls a General Municipal Election to be held in the City of San Fernando, California on Tuesday, November 8, 2022, to be consolidated with the County-administered General Election to be held on the same day for the purpose of electing three (3) members of the City Council for the full term of four years.

**SECTION 3.** Pursuant to the requirements of Section 10403 of the Elections Code, it is respectfully requested that the Board of Supervisors consent and agree to the consolidation of the City's General Municipal Election on Tuesday, November 8, 2022, with the County-administered election to be held on the same date.

**SECTION 4.** In connection with the County Registrar's administration of the City's November 8, 2022 General Municipal Election, the City further requests that the County Registrar be authorized and directed to: (a) review and verify vote by mail applications and signatures; (b) conduct registered voter verifications (including signature verifications) associated with the processing of any proposed General Municipal Election ballot measure; (c) provide the City with the appropriate election precinct data, to the extent required; (d) make available to the City such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law and the Board of Supervisor's approval; (e) canvass the election returns; (f) print and supply ballots for the election; (g) mail the City's sample ballots, including ballot measure question, arguments, rebuttals and impartial analysis; and (h) administer the City's General Municipal Election in all respects as if it were part and parcel of any other County Registrar administered election, implementing all such legally required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

**SECTION 5.** The City shall reimburse the Country Registrar for any costs associated with the administration of said election upon presentation to the City of a properly approved bill.

**SECTION 6.** Pursuant to Section 13307 of the Elections Code, each candidate for elective office to be voted for at the City's November 8, 2022, General Municipal Election may prepare a candidate statement on a form acceptable to the County Registrar, as applicable, and made available through the City Clerk.

**SECTION 7.** Pursuant to Section 13307(a)(1) of the Elections Code candidate statements **may** include the following:

- (A) The name, age, and occupation of the candidate; and
- (B) A brief description of no more than 200 words of the candidate's education and qualifications as expressed by the candidate himself or herself.

**SECTION 8.** Pursuant to Elections Code Section 13307(a)(1), candidate statements **shall not** include the following:

- (A) The party affiliation of the candidate; or
- (B) References to membership or activity in partisan political organizations.

**SECTION 9.** All prospective candidates should be aware of the holding in *Dean v. Superior Court* (1998) 62 Cal.App.4th 638, which holds that a statement prepared by a candidate for inclusion in the voters' pamphlet **may not** include comments or statements concerning the qualifications (or alleged lack of qualifications) of one's opponents. Candidates, in an abundance of caution, should avoid making any reference to opponents in their candidate statements. Candidates should seek the advice of private legal counsel if unsure as to whether their candidate statement does or does not comply with applicable law before filing.

**SECTION 10.** The candidate statement shall be filed in typewritten form at the Office of the City Clerk at the time the candidate's nomination papers are filed. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

**SECTION 11.** Subject to any logistical constraints imposed by the County Registrar by virtue of consolidation, the City Clerk shall have translated (from the English to relevant foreign languages authorized under the Voting Rights Act of 1965) and printed in the voters' pamphlet only the candidate statements of those candidates who request such translation and printing at the time of filing of the candidate statements.

**SECTION 12.** No candidate for any elected office of the City shall be permitted to include additional materials in the voters' pamphlet and sample ballot package.

**SECTION 13.** Each candidate for any of the offices to be elected at the General Municipal Election to be conducted on November 8, 2022, who files a candidate statement shall, as a condition of having his or her candidate statement included in the voters' pamphlet, concurrently deposit with the City Clerk an amount, as reasonably estimated by the City Clerk, to pay in advance his or her estimated *pro rata* share of the actual costs of printing and handling such candidate statements incurred by the City and/or the County Registrar as a result of providing such service at the time of filing such statement with the City Clerk. In the event that the amount paid as a deposit by a candidate includes overpayment of actual costs incurred by the City and/or the County Registrar, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days following the date of the election.

**SECTION 14.** The City Clerk shall provide each candidate or candidate's representative a copy of this Resolution at the time nominating petitions are issued.

**SECTION 15.** The ballots to be used at the election shall be in form and content as required by law.

**SECTION 16.** The City Clerk is authorized, instructed and directed to coordinate with the County Registrar to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**SECTION 17.** The polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code.

**SECTION 18.** In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 19.** In the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County Registrar, the City Council, in accordance with Elections Code Section 15651(a), shall set a date and time and place and summon the candidates who have received the tie votes to appear and will determine the tie by lot (i.e., coin toss, draw straws, drawing of names).

**SECTION 20.** The City Clerk shall forward without delay, a copy of this Resolution to the appropriate public agency which shall be assisting the City with the conduct of its General Municipal Election.

**SECTION 21.** This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED AND ADOPTED** this 21<sup>st</sup> day of June, 2022.

DocuSigned by:

*Mary Mendoza*

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Mary Mendoza, Mayor of the City of  
San Fernando, California

**ATTEST:**

DocuSigned by:

*Julia Fritz*

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Julia Fritz, City Clerk

CERTIFICATION

I, Julia Fritz, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 8156 which was approved and adopted by the City Council of the City of San Fernando, California, at a regular meeting thereof held on the 21st day of June, 2022 by the following vote of the City Council:

**AYES:** Rodriguez, Montañez, Ballin, Mendoza - 4

**NAYS:** None

**ABSENT:** Pacheco - 1

**ABSTAINED:** None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this 23rd day of June 2022.

DocuSigned by:

*Julia Fritz*

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Julia Fritz, City Clerk

**RECOGNITION OF VICE MAYOR  
HECTOR A. PACHECO FOR HIS SERVICE TO THE  
CITY OF SAN FERNANDO**

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**RECOGNITION OF COUNCILMEMBER  
SYLVIA BALLIN FOR HER SERVICE TO THE  
CITY OF SAN FERNANDO**

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## AGENDA REPORT

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**To:** City Councilmembers

**From:** Nick Kimball, City Manager  
**By:** Julia Fritz, City Clerk

**Date:** December 12, 2022

**Subject:** Annual Reorganization of the City Council - Selection of Mayor and Vice Mayor

### RECOMMENDATION:

It is recommended that the City Council proceed with their annual reorganization for the selection of Mayor and Vice Mayor in accordance with Section 11.1 Reorganization of the City Council Procedural Manual (Attachment "A").

### BACKGROUND:

The San Fernando City Council is composed of five Councilmembers directly elected by the voters in the City to serve a four-year term. The City Council selects the Mayor and Vice Mayor annually in December. The terms of office of the Mayor of the City Council and Vice Mayor shall be for one year, or until their successors have been chosen. Please refer to San Fernando City Council Procedural Manual, Section 11.1 Reorganization (Attachment "A").

Pursuant to Government Code §36801 states that *"The City Council shall meet at the meeting at which the declaration of the election results for a general municipal election is made pursuant to Elections Code Sections 10262 and 10263 and, following the declaration of the election results and the installation of elected officials, choose one of its members as Mayor and one of its members as Mayor Pro Tempore."*

### ANALYSIS:

In accordance with Section 11.1 of the City Council Procedural Manual, the City Council shall meet annually to choose one of its members as Mayor and another of its members as Vice Mayor. In those years in which a general municipal election is not held, the City Council shall choose a Mayor and Vice Mayor at a regular meeting in December.

## **Annual Reorganization of the City Council – Selection of Mayor and Vice Mayor**

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Any member of the City Council may make nominations for the office of Mayor and Vice Mayor. The City Clerk will conduct a roll call vote and each Councilmember will announce their vote for Mayor and Vice Mayor until each is elected by three or more affirmative votes.

Currently, the position of Mayor is held by Mary Mendoza and the Vice Mayor is held by Hector A. Pacheco. The terms of office of the Mayor and Vice Mayor shall be for one year, or until their successors have been chosen.

### **BUDGET IMPACT:**

There is no additional budget impact associated with City Council reorganization. This is included in the City Clerk's regular work plan and, therefore, included in the Fiscal Year 2022-2023 Adopted Budget.

### **CONCLUSION:**

The City Council shall meet annually to choose one of its members as Mayor and another of its members as Vice Mayor. The City Council shall choose a Mayor and Vice Mayor at a regular City Council meeting, in December, in accordance with Section 11.1 of the City Council Procedural Manual (Attachment "A").

### **ATTACHMENT:**

A. City Council Procedural Manual Section 11.1 Reorganization



**ATTACHMENT "A"**

**CITY COUNCIL REORGANIZATION**

*San Fernando City Council Procedural Manual, Section 11.1 Reorganization*

**1. Election of Mayor:**

- A. City Clerk opens the nominations for the position of Mayor
- B. Nomination(s) is/are made for Mayor, and seconded
- C. Hearing no objections, motion to close nominations
- D. City Clerk conducts a roll call vote in the order in which nominations are received until a Mayor is elected by majority vote
- E. City Clerk announces the results

**2. Election of Vice Mayor:**

- A. City Clerk opens the nominations for the position of Vice Mayor
- B. Nomination(s) is/are made for Vice Mayor, and seconded
- C. Hearing no objections, motion to close nominations
- D. City Clerk conducts a roll call vote in the order in which nominations are received until a Vice Mayor is elected by majority vote
- E. City Clerk announces the results

**3. Council Changes Seats as Follows:**

- A. Vice Mayor takes his/her seat at the Mayor's right side

**4. City Council Comments/Remarks**

**5. Resume City Council Meeting**