

**CITY OF SAN FERNANDO  
CITY COUNCIL  
MINUTES**

**MAY 16, 2022 – 6:00 P.M.  
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBER  
117 MACNEIL STREET  
SAN FERNANDO, CALIFORNIA 91340  
TELECONFERENCE – PURSUANT TO PROVISIONS OF ASSEMBLY BILL 361**

**CALL TO ORDER/ROLL CALL** Mayor Mary Mendoza called the meeting to order at 6:05 p.m.

Present: Council: Mayor Mary Mendoza, Vice Mayor Hector A. Pacheco (joined at 6:21 p.m. via teleconference) and Councilmembers Sylvia Ballin (via teleconference) and Cindy Montañez (via teleconference), Celeste Rodriguez (joined at 7:10 p.m. via teleconference)

Absent: None

Staff: City Manager Nick Kimball, Assistant City Attorney Richard Padilla, Police Chief Fabian Valdez, Director of Public Works Matt Baumgardner, Director of Community Development Kanika Kith, Interim/Acting Director of Finance Sonia Garcia, Director of Recreation and Community Services Julian Venegas, and City Clerk Julia Fritz

**PLEDGE OF ALLEGIANCE**

Led by Cub Scout Troop 911 (Northridge, California)

**APPROVAL OF AGENDA**

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

**PRESENTATIONS**

- A. EDUCATION COMMISSION CERTIFICATE OF RECOGNITION FOR MAY STUDENTS OF THE MONTH  
Noah Rosales (San Fernando Elementary School)  
Alfonse-John Bumakil (Cesar E. Chavez - ArTES Magnet School)

It was noted that Vice Mayor Hector A. Pacheco arrived via teleconference at 6:21 p.m.

**SAN FERNANDO CITY COUNCIL**  
**MINUTES – Regular Meeting May 16, 2022**

Page 2 of 8

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- B. PRESENTATION BY FERNANDO LOPEZ, HISTORY TEACHER AT CESAR CHAVEZ LEARNING ACADEMIES - SOCIAL JUSTICE HUMANITAS ACADEMY REGARDING THE ANTHOLOGY BOOK HIS STUDENTS WROTE ON THE DIVERSE EXPERIENCES OF THE PEOPLE LIVING IN OUR COMMUNITY
- C. PRESENTATION OF A CERTIFICATE OF PROCLAMATION DECLARING THE WEEK OF MAY 15 THROUGH MAY 21, 2022 AS, NATIONAL POLICE WEEK
- D. PRESENTATION OF A CERTIFICATE OF PROCLAMATION DECLARING THE WEEK OF MAY 15 THROUGH MAY 21, 2022 AS, NATIONAL PUBLIC WORKS WEEK

It was noted that Councilmember Celeste Rodriguez arrived via teleconference at 7:10 p.m.

**PUBLIC STATEMENTS**

Victoria Garcia commented on traffic conditions around Foothill Boulevard and the new Target store coming into the area will add more traffic.

Liana Stepanyan, San Fernando Library Manager, submitted a public comment that provided information regarding current library programs and activities.

Mayor Mendoza read a statement of expectations on Decorum and Order amongst Councilmembers.

**CONSENT CALENDAR**

Councilmember Montañez requested to pull Consent Item No. 3 for discussion.

Motion by Councilmember Ballin, seconded by Vice Mayor Pacheco to approve Consent Item Nos. 1, 2, 4, 5, 6, 7 and 8:

- 1) CONSIDERATION TO APPROVE CITY COUNCIL AND REDEVELOPMENT AGENCY MEETING MINUTES FOR:
  - a. May 19, 2008 Redevelopment Agency Regular Meeting
  - b. May 19, 2008 - Special Meeting
  - c. May 22, 2008 - Special Meeting
  - d. April 4, 2022 - Special Meeting
  - e. May 2, 2022 - Regular Meeting
  - f. May 2, 2022 - Special Meeting
- 2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER

**SAN FERNANDO CITY COUNCIL**

**MINUTES – Regular Meeting May 16, 2022**

Page 3 of 8

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- 4) CONSIDERATION TO ADOPT A RESOLUTION EXPRESSING SUPPORT FOR THE PEOPLE OF UKRAINE, URGING PRESIDENT BIDEN TO SUPPORT CONTINUED EFFORTS OF THE GOVERNMENT OF UKRAINE TO RESTORE A SECURE, DEMOCRATIC, AND INDEPENDENT UKRAINE AND AUTHORIZE THE CITY MANAGER TO TRANSMIT THE RESOLUTION ON BEHALF OF THE CITY COUNCIL TO LOCAL, STATE AND FEDERAL LEGISLATORS (Continued from May 2, 2022)
- 5) CONSIDERATION TO APPROVE AN AGREEMENT WITH THE SANTA MONICA MOUNTAINS CONSERVANCY FOR FUNDING RELATED TO THE ADDITION OF A BIORETENTION SWALE ALONG THE PACOIMA WASH BIKEWAY PROJECT
- 6) CONSIDERATION TO ADOPT RESOLUTIONS APPROVING THE ENGINEER’S REPORT AND DECLARING THE CITY’S INTENTION TO ORDER THE ANNUAL ASSESSMENTS AND SETTING A PUBLIC HEARING TO CONSIDER THE LEVY OF ASSESSMENTS FOR THE FISCAL YEAR 2022-2023 LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
- 7) CONSIDERATION TO APPROVE A CONTRACT SERVICES AGREEMENT FOR FLOORING REMOVAL AND CONCRETE STAINING AND POLISHING SERVICES AT THE POLICE DEPARTMENT FACILITY
- 8) CONSIDERATION TO APPROVE A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH TOM BROHARD AND ASSOCIATES FOR TRAFFIC ENGINEERING SERVICES

The motion carried, unanimously.

**Item Pulled for Discussion**

- 3) CONSIDERATION TO AUTHORIZE A NOTICE INVITING BIDS FOR CONSTRUCTION OF THE LAYNE PARK REVITALIZATION PROJECT (Continued from May 2, 2022)

Motion by Councilmember Montañez, seconded by Councilmember Ballin to authorize release of the Notice Inviting Bid, as amended to add an alternative bid line item, to include building hardscape, canvas fence, plant trees or shrubs to act as a landscape barrier. The motion carried, unanimously.

**PUBLIC HEARING**

- 9) A CONTINUED PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE ADDING CHAPTER 24 TO THE SAN FERNANDO MUNICIPAL CODE TO PROHIBIT SMOKING IN MULTI-UNIT HOUSING (Continued from May 2, 2022)

Mayor Mendoza opened the public hearing.

**SAN FERNANDO CITY COUNCIL**  
**MINUTES – Regular Meeting May 16, 2022**

Page 4 of 8

---

Director of Community Development Kith presented the staff report and responded to City Councilmember inquiries.

Mayor Mendoza requested that a friendly amendment be considered to Councilmember Montañez’s motion made at the May 2, 2022 City Council meeting to fully exempt single family residential with Accessory Dwelling Units (ADU).

Councilmember Rodriguez withdrew her call to the question and re-opened for discussion.

Vice Mayor Pacheco requested clarifications on changes and Police Department enforcement.

Mayor Mendoza opened public comment. The following speakers provided public statements:

GENERAL COMMENTS

Victoria Garcia

IN SUPPORT

Ruben Rodriguez

Sandy Logan

Silverio Pelayo

Aurora Hernandez

Eddie Martinez

Mayor Mendoza closed public comment. Motion by Councilmember Rodriguez, seconded by Councilmember Ballin to close public comment. The motion carried unanimously.

Motion by Councilmember Montañez, seconded by Councilmember Rodriguez to introduce for first reading, in title only, and waive further reading of Ordinance No. 1710 titled, “An Ordinance of the City Council of the City of San Fernando, California, adding Chapter 24 to the San Fernando Municipal Code to prohibit smoking in multi-unit housing.”, as presented.

The motion failed by the following vote:

ROLL CALL

AYES: Rodriguez, Montañez - 2

NAYES: Ballin, Pacheco, Mendoza - 3

ABSENT: None

ABSTAIN: None

**SAN FERNANDO CITY COUNCIL**  
**MINUTES – Regular Meeting May 16, 2022**

Page 5 of 8

---

Motion by Vice Mayor Pacheco, seconded by Councilmember Ballin to introduce for first reading, in title only, and waive further reading of Ordinance No. 1710 titled, “An Ordinance of the City Council of the City of San Fernando, California, adding Chapter 24 to the San Fernando Municipal Code to prohibit smoking in multi-unit housing” as amended to a) exempt single family residential properties with ADUs attached or detached and rented or not rented; b) penalties only remain at infractions and would not escalate beyond a \$500 penalty no matter the number of fines issued; and c) keep designated smoking areas outdoors in apartment buildings indefinitely. No vote/roll call was taken at this time. Councilmember Montañez requested to reopen public comment.

Motion by Councilmember Montañez, seconded by Councilmember Rodriguez to reopen public comment. The motion carried 4-1, with Councilmember Ballin voting no.

IN SUPPORT

Ruben Rodriguez

Motion by Vice Mayor Pacheco, seconded by Councilmember Ballin to close public comment. The motion carried 4-1 with Councilmember Montañez voting no.

Councilmember Montañez requested that a friendly amendment be considered to Vice Mayor Pacheco’s motion to eliminate the designated smoking areas as written by staff on multi-family properties. Vice Mayor Pacheco rejected the friendly amendment.

Councilmember Montañez made a substitute motion to accept exempt single family residential properties with ADUs attached or detached and rented or not rented; penalties only remain at infractions and would not escalate beyond \$500 penalty no matter the number of fines issued; and eliminate the designated smoking areas as written by staff on multi-family properties. Councilmember Rodriguez seconded the motion.

The motion failed by the following vote:

ROLL CALL

AYES:	Rodriguez, Montañez - 2
NAYES:	Ballin, Pacheco, Mendoza - 3
ABSENT:	None
ABSTAIN:	None

Councilmember Rodriguez made a substitute motion to adopt the ordinance as presented with Mayor Mendoza’s friendly amendment, which was offered at the beginning of the public hearing, to fully exempt single family residential with ADUs.

Vice Mayor Pacheco requested a call for the question prior to Councilmember Rodriguez’s substitute motion to approve introduction and first reading, in title only, and waive further reading of Ordinance No. 1710 titled, “An Ordinance of the City Council of the City of San Fernando, California, adding Chapter 24 to the San Fernando Municipal Code to prohibit smoking in multi-unit housing”, as amended to: a) exempt single family residential

properties with ADUs attached or detached and rented or not rented; b) penalties only remain at infractions and would not escalate beyond \$500 penalty no matter the number of fines issued; and c) keep designated smoking areas outdoors in apartment buildings indefinitely. Councilmember Ballin seconded the motion.

The motion carried by the following vote:

ROLL CALL

AYES:	Ballin, Pacheco, Mendoza - 3
NAYES:	Montañez - 1
ABSENT:	None
ABSTAIN:	Rodriguez - 1

It was noted that Councilmember Rodriguez left the meeting at 9:25 p.m.

**ADMINISTRATIVE REPORTS**

- 10) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE ANNUAL INVESTMENT POLICY FOR FISCAL YEAR 2022-2023 (Continued from May 2, 2022)

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

Motion by Councilmember Ballin, seconded by Vice Mayor Pacheco to adopt Resolution No. 8143, approving the annual Investment Policy for Fiscal Year 2022-2023. The motion carried, with Councilmember Rodriguez absent.

- 11) CONSIDERATION TO ADOPT A RESOLUTION APPROPRIATING ASSET SEIZURE FUNDS AND AUTHORIZE A PURCHASE ORDER WITH PROFORCE LAW ENFORCEMENT FOR THE PURCHASE OF TASER CONDUCTED ENERGY WEAPON AND RELATED ACCESSORIES (Continued from May 2, 2022)

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

Motion by Councilmember Ballin, seconded by Vice Mayor Pacheco to adopt Resolution No. 8146 appropriating \$10,067 in State Asset Forfeiture funds and \$8,856 in Federal Asset Forfeiture funds to offset the purchase of Taser Conducted Energy Weapons and accessories; authorize a Purchase Order with Proforce Law Enforcement in the amount of \$30,563 for the purchase of 15 Taser X2 Conducted Energy Weapons, 15 Taser X2 Duty Belt holsters, 50 Taser X2 cartridges, and 15 Bluetooth enabled batteries; and authorize the City Manager to execute the Purchase Order and all related documents. The motion carried, with Councilmember Rodriguez absent.

**SAN FERNANDO CITY COUNCIL**  
**MINUTES – Regular Meeting May 16, 2022**

Page 7 of 8

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It was noted that City Council recessed at 9:35 p.m. and reconvened at 9:41 p.m. with Councilmember Rodriguez absent.

12) DISCUSSION REGARDING WATER ENTERPRISE FUND BALANCES AND CONSERVATION OUTREACH EFFORTS

Director of Public Works Baumgardner presented the staff report and responded to Councilmember questions.

By consensus, the City Council provided recommendations and directed staff to bring back a resolution mandating water use restrictions in June, 2022.

**STAFF COMMUNICATION INCLUDING COMMISSION UPDATES**

City Clerk Fritz announced the Vote-by-Mail Drop Boxes have been opened and are available to receive ballots regarding the Statewide June 7, 2022 Election and the vote center at Las Palmas Park will be opened for in-person voting on May 28, 2022.

Police Chief Valdez announced the Police Department is initiating discussions Los Angeles Unified School District regarding the school resource officer program; commented on illegal fireworks enforcement would begin next month; noted Police Officers will be enforcing “Click it or Ticket” traffic violations; and lastly invited the community to the Police Department Open House on Memorial Day.

City Manager Kimball announced the illegal fireworks reporting portal has been reactivated for anonymously reporting potential violations.

Director of Public Works Baumgardner provided an update regarding Pico Street paving and striping.

Assistant to the City Manager Hernandez provided an update on the successful Pacoima Wash Community Clean-Up Event, stated the City was awarded by the American Planning Association Los Angeles Chapter for the Neighborhood Planning Category for the City’s “Safe and Active Streets Implementation Plan.”

Director of Recreation and Community Services Venegas provided community event updates including: Senior Expo at Las Palmas Park on May 20<sup>th</sup>; on May 24<sup>th</sup> the Education Commission will be hosting the Scholarship Award Ceremony; and on May 30<sup>th</sup> the Veteran Recognition Program will kick off at the American Legion.

Director of Community Development Kith announced updates revising the Housing and Safety Element would be presented to the Planning and Preservation Commission on May 25<sup>th</sup>, and consideration for final adoption will be brought to City Council in June.

**SAN FERNANDO CITY COUNCIL**  
**MINUTES – Regular Meeting May 16, 2022**

Page 8 of 8

---

Interim/Acting Director of Finance Garcia announced the City’s Fiscal Year 2022-2023 Proposed Budget is available for review on the website and invited residents to attend Budget Study Session #1 on May 23<sup>rd</sup>.

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

Councilmember Montañez reported she attended the Pacoima Wash Community Clean-Up Event and met with the Homeless and Strategic Goals Ad Hoc and will provide updates to City Council in the future.

Councilmember Ballin requested to consider a building a dog park and parking permits during discussions in the upcoming budget study sessions; requested an update on the Foothill Street Project before Target opens; and reminded everyone it is Mental Health Awareness Month.

Vice Mayor Pacheco spoke about the decorum of tonight’s meeting and thanked staff for their professionalism for taking the correct steps towards temporarily purchasing water from the Metropolitan Water District.

**ADJOURNMENT (10:25 p.m.)**

Mayor Mendoza adjourned the meeting in memory of her mother-in-law Paula Bautista Sandoval and her cousin Armando “Mando” Chacon to the next regular meeting.

I do hereby certify that the foregoing is a true and correct copy of the minutes of the May 16, 2022, regular meeting as approved by the San Fernando City Council.

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Julia Fritz, CMC  
City Clerk