



CHAIR DAVID BERNAL
VICE CHAIR FRANCISCO SOLORIO
COMMISSIONER SYLVIA BALLIN
COMMISSIONER CECILIA MARTINEZ
COMMISSIONER SEAN M. RIVAS

CITY OF SAN FERNANDO

PLANNING & PRESERVATION COMMISSION REGULAR MEETING AGENDA SUMMARY MONDAY, MARCH 11, 2024 – 6:30 PM

**CITY HALL COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340**

PUBLIC PARTICIPATION OPTIONS

Please visit the City's YouTube channel to live stream and watch previously recorded Planning and Preservation Commission meetings, which is also available with Spanish subtitles at: <https://www.youtube.com/c/CityOfSanFernando>

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 in-person translation services, or other services please call the Community Development Department at (818) 898-1227 or email at YBecerra@sfcity.org at least 2 business days prior to the meeting.

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 Board Secretary.

SUBMIT PUBLIC COMMENT VIA EMAIL:

Members of the public may submit comments by email to YBecerra@sfcity.org no later than **12:00 p.m. the day of the meeting**, to ensure distribution to the Planning and Preservation Commission prior to consideration of the agenda. Comments received via email will be distributed to the Planning and Preservation Commission and made part of the official public record of the meeting.

CALL-IN TO PROVIDE PUBLIC COMMENT LIVE AT THE MEETING:

Members of the Public may **call-in between 6:30 p.m. and 6:45 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 Chair. Note: This is audio only and no video.

Call-in Telephone Number: (669) 900-6833
Meeting ID: 896 2370 9376
Passcode: 194996

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.

PLANNING AND PRESERVATION COMMISSION

Regular Meeting Notice and Agenda – March 11, 2024

Page 2 of 4

CALL TO ORDER/ROLL CALL

TELECONFERENCE REQUESTS/DISCLOSURE

Recommend consideration of requests received for remote teleconference meeting participation made by members of the City's legislative bodies, as permitted under the provisions of Assembly Bill (AB) 2449, Government Code Section 54953, and the City of San Fernando adopted Resolution No. 8215, effective March 1, 2023.

PLEDGE OF ALLEGIANCE

Led by Commissioner Martinez

APPROVAL OF AGENDA

Recommend that the Planning and Preservation Commission approve the agenda as presented.

DECORUM AND ORDER

City Commissioners are appointed by City Council and must be free to discuss issues confronting the city in an orderly environment. Member of the public attending City Commission 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 a City Commission or while attending a City Commission 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 Commission.

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 Board Secretary.

Members of the public may submit comments by email to YBecerra@sfcity.org no later than **12:00 p.m. the day of the meeting**, to ensure distribution to the Planning and Preservation Commission and made part of the official public record of the meeting.

Members of the public may provide a **live public comment by calling in between 6:30 p.m. and 6:45 p.m. CALL- IN INFORMATION: Telephone Number: (669) 900-6833; Meeting ID: 896 2370 9376; Passcode: 194996**

PLANNING AND PRESERVATION COMMISSION

Regular Meeting Notice and Agenda – March 11, 2024

Page 3 of 4

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and may be disposed of by a single motion to adopt staff recommendation. If the Planning and Preservation Commission wishes to discuss any item, it should first be removed from the Consent Calendar.

1. CONSIDERATION TO APPROVE PLANNING AND PRESERVATION COMMISSION MEETING MINUTES FOR:

- a. November 13, 2023 – Regular Meeting

ADMINISTRATIVE REPORTS

2) PLANNING AND PRESERVATION COMMISSION REORGANIZATION

Recommend that the Planning and Preservation Commission:

- a. Appoint a Chair to preside over the Commission meetings through the 2024 calendar year; and
- b. Appoint a Vice Chair to preside over the Commission meetings through the 2024 calendar year.

3) DISCUSSION TO AMEND THE CITY OF SAN FERNANDO PLANNING AND PRESERVATION COMMISSION BYLAWS AND RULES OF PROCEDURES SETTING COMMISSION MEETING TIME

Recommend that the Planning and Preservation Commission:

- a. Discuss setting time for Planning and Preservation Commission:
- b. Pending discussion, adopt Planning and Preservation Commission Resolution No. 2024-002 (Attachment A) amending the City of San Fernando Planning and Preservation Commission Bylaws and Rules of Procedures (Exhibit A) by Changing the regular meeting time from 6:30pm to 6pm.

STAFF COMMUNICATION

PLANNING AND PRESERVATION COMMISSION

Regular Meeting Notice and Agenda – March 11, 2024

Page 4 of 4

COMMISSIONER UPDATES/REQUESTS TO AGENDIZE ITEM FOR DISCUSSION AT A FUTURE MEETING

Commissioner(s) may request to agendize an item for discussion at a future meeting, subject to approval by the Commission. Requests should align with the commission's scope of responsibility, adhere to City Council policies, and consider the availability of staff resources and budget constraints.

ADJOURNMENT The meeting will adjourn to its next regular meeting.

AFFIDAVIT OF POSTING

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 72 hours prior to the meeting.

Dated: _____ at: _____

Signed By: _____

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet Web site (www.sfcity.org). These are also available for public reviewing prior to a meeting at the Community Development Department Public Counter. Any public writings distributed by the Planning and Preservation Commission to at least a majority of the Commissioners regarding any item on this regular meeting agenda will also be made available at the Community Development Department Public Counter 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 Web Site at 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 Community Development Department Office at (818) 898-1227 or YBecerra@sfcity.org at least 48 hours prior to the meeting.

1

*This Page
Intentionally
Left Blank*



**CITY OF SAN FERNANDO
PLANNING AND PRESERVATION COMMISSION**

**DRAFT MINUTES OF THE
NOVEMBER 13, 2023, MEETING
CITY HALL**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE PLANNING AND PRESERVATION COMMISSION. VIDEO AND AUDIO OF THE ACTUAL MEETING ARE AVAILABLE AT: <http://ci.san-fernando.ca.us/commissions-boards/#planning-preservation>

CALL TO ORDER/ROLL CALL: Chairperson Bernal called to order at 6:31 p.m.

PRESENT:

Commission: Chairperson D. Bernal, Commissioners S. Rivas and C. Martinez, S. Ballin

Staff: Community Development Director Erika Ramirez, City Attorney Richard Padilla, City Clerk Julia Fritz, Associate Planner Marina Khrustaleva

PLEDGE OF ALLEGIANCE

Led by Chairperson Bernal

APPROVAL OF AGENDA

Chairperson Bernal motioned to move Item number 3 up to the first order of business on the November 13, 2023 agenda. Seconded by Commissioner Rivas, the motion carried with the following vote:

AYES:	D. Bernal, S. Ballin and C. Martinez
NOES:	None
ABSENT:	F. Solorio
ABSTAIN:	None

ADMINISTRATIVE REPORTS

1. Presentation and Discussion Regarding City Council Approved Draft Establishing “Guidelines for Boards, Commissions and Committees” Handbook.

Commissioner S. Ballin asked for clarification on page 9 of 55 in the handbook. To clarify if a commissioner is absent 3 or more meetings a year. Suggested that the phrase “year” be changed to be more specific to read “within a 12-month period”

Commissioner S. Ballin recommended to have a report submitted to council member advising if commissioners are missing the meeting, ensuring that attendance is accounted for. Commissioner S. Ballin asked to clarify a section on the application for “Dreamers” Specifically the wording which asks if the applicant is a registered voter.

PLANNING AND PRESERVATION COMMISSION

Regular Meeting Minutes –November 13, 2023

Page 2 of 5

PUBLIC STATEMENTS

None

CONSENT CALENDAR

No items.

PUBLIC HEARING

PROJECT NO. CUP 2022-001 – CONDITIONAL USE PERMIT AND A LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 40 ABC LICENSE TO PERMIT THE SALE OF BEER FOR ON-SITE CONSUMPTION DURING SPECIAL EVENTS IN CONJUNCTION WITH AN ANCILLARY NIGHTCLUB USE TO AN OPERATING RECORD STORE (MIDNIGHT HOUR RECORDS) LOCATED AT 1103 SAN FERNANDO ROAD.

Director of Community Development, Erika Ramirez provided a power point presentation.

Condition number 23 “Ride share program to be established” Commissioner Martinez requested clarification as to who and what type of program is going to be provided. Erika Ramirez advised that it would be up to the owner to propose the use of Uber, Lyft or a private car service.

Condition number 25 “graffiti removal” Is the owner responsibility to remove any graffiti within 48 hours? If so, what locations are his responsibility. Erika Ramirez advised that yes the owner would be responsible to remove the graffiti on him property within the 48 hours.

Condition 30, Can the City revoke this license after the State of California approves it? Erika Ramirez clarified the process of the City requesting approval for the CUP, the owner would then be able to apply for the license with ABC.

Commissioner Ballin requested the capacity for stage one and stage two. The applicant confirmed the stage one room can accommodate 472 people, stage two room can accommodate 120. Second question to the applicant was, how many restrooms do you have? The applicant advised there is one restroom. Commissioner Ballin asked Erika Ramirez to clarify the difference of applying for CUP to sell alcohol as a sit down restaurant and if you are not a sit down restaurant. How will the events be monitored? The condition requires that notifications be provided to the Police department and the Planning department as well as a time frame between each event.

Commissioner Martinez asked if food would also be offered or sold. The applicant confirmed.

Discussion specifically to the ABC licensing process in depth with the applicant, Erika Ramirez, Commissioner Ballin and City Attorney Richard Padilla.

Condition number 13: clarification on the terms indicating one band/one DJ per event. Also, six security personnel. Trained and accredited with a security company that is licensed and accredited with certifications.

Condition number 16: security personnel shall check the surrounding area one hour before the event and up too an hour after for Drinking or loitering and any illegal type, surrounding thru out the San Fernando Mall.

PLANNING AND PRESERVATION COMMISSION

Regular Meeting Minutes –November 13, 2023

Page 3 of 5

Condition number 29: The property owner and applicant will authorize city official or designees access to the property. Clarification was requested as to who is considered city officials? Erika Ramirez indicated that City of San Fernando employees (staff)

ABC allots alcohol licenses by census track. Commissioner Balling requested clarification to the number of licenses already approved. The number of licenses are 17 existing. Erika Ramirez verified that within this census track 7 are allowed. Commissioner Ballin mentioned that we are well over the 7 allowed within this census track.

Commissioner Rivas asked if there has been a specific issue lately with graffiti at the location. The applicant advised that it is the typical that we as a city would see anywhere else. Nothing specific to just this building.

PUBLIC COMMENT

Ruben Rodriguez spoke with opposing approval of the CUP.
Christina Bernal stated her support for approval of the CUP.
Lupita Gonzales spoke opposing the approval of the CUP.
Miguel Montanez spoke opposing the approval of the CUP.

S. Logan via Zoom also spoke opposing the approval of CUP.

Written comments via email: 72 in support and 7 opposing. All written communication emails were provided to each Commissioner and Chair.

COMMISSION COMMENTS

Commissioners were provided additional time to provide comments:

Commissioner Rivas thanked the owners of The Midnight Hour for answering the many questions. Also voiced support in moving forward with approvals for the CUP.

Commissioner Martinez also stated she would be in support of the approval for The Midnight hour CUP.

Commissioner Ballin stated that she had additional comments and question pertaining to 17 calls made to the San Fernando Police Department. The owner clarified the amount was within a 3-year span of time.

Chair Bernal thanked all speakers for the comments, thanked the applicant for all clarification and availability to speak.

Chair Bernal motioned to approve

ACTION

Chairperson Bernal motioned to adopt resolution 2023-003 to approve CUP 2022-001 as presented by staff.

Motioned by Commissioner Martinez, Second by Commissioner Rivas.

AYES: Martinez, Chair Bernal, Rivas

PLANNING AND PRESERVATION COMMISSION

Regular Meeting Minutes –November 13, 2023

Page 4 of 5

NOES: Ballin

ABSENT: Solorio

ABSTAIN: None

REORGANIZATION OF THE PLANNING AND PRESERVATION COMMISSION – SELECTION OF VICE CHAIR

Chair Bernal opened nominations for the position of Vice Chair, followed by Commissioner Ballin nominating Commissioner Solorio with no other nominations.

AYES: Chair Bernal, Ballin, Martinez, Rivas

NOES: None

ABSENT: Solorio

ABSTAIN: None

CONFORMANCE REPORT REGARDING MODIFICATIONS TO THE PREVIOUSLY APPROVED PROJECTS SPR2015-019 AT 1001 GLENOAKS BLVD.

Associate planner Marina Khrustaleva presented the slide show for the project SPR2015-019.

Commissioner Martinez asked about the gate change. It was clarified that the gate was still there the change was the archway of the design of the gate.

Commissioner Ballin stated that she understands the reasons behind delays and changed but does not like it.

Commissioner Rivas indicated his approval for moving forward.

STAFF COMMUNICATION

Director of Community Development Erika Ramirez made two announcements: The Business and Community Resource Center will have a Grand Opening event December 6, 2023 at 10am. Also the City is having a Tree lighting ceremony December 2, 2023 from 5-9pm.

PUBLIC COMMENT

None

ADJOURNMENT

Chair Bernal moved and adjourned.

PLANNING AND PRESERVATION COMMISSION

Regular Meeting Minutes –November 13, 2023

Page 5 of 5

: P.M.

Planning Commission Secretary

*This Page
Intentionally
Left Blank*

*This Page
Intentionally
Left Blank*

To: Planning and Preservation Commission Chair Bernal and Commissioners

From: Erika Ramirez, Director of Community Development

Date: March 11, 2024

Subject: Planning and Preservation Commission Reorganization

RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission:

1. Appoint a Chair to preside over the Commission meetings through the 2024 calendar year; and
2. Appoint a Vice Chair to preside over the Commission meetings through the 2024 calendar year.

ANALYSIS:

The Planning and Preservation Commission appoint two Commissioners to serve as Chair and Vice Chair annually. These appointments are effective immediately after each motion is approved. The newly appointed Chair and Vice Chair will preside over the Commission meetings through the 2024 calendar year.

ATTACHMENT:

- A. Planning and Preservation Commission Bylaws and Rules of Procedures

**CITY OF SAN FERNANDO
PLANNING AND PRESERVATION COMMISSION**

**BYLAWS AND RULES OF PROCEDURES
(Adopted June 8, 2020)**

ORGANIZATION AND OFFICERS

A. Organization

The Planning and Preservation Commission (Commission) shall consist of five (5) members, each with full participation and voting rights.

B. Officers

1. Selection

- a. A Chair and Vice-Chair shall be elected annually from among the Commission's membership at the January meeting to serve at the pleasure of the Commission. If no January meeting is held, the selection will occur at the next scheduled meeting of the Commission.
- b. The Vice-Chair shall succeed the Chair if he/she vacates his/her office before his/her term is completed, the Vice-Chair to serve the unexpired term of the vacated office. A new Vice-Chair shall be elected at the next regular meeting.
- c. In the absence of the Chair and Vice-Chair, any other member shall call the Commission to order, whereupon a chair shall be elected from the members present to preside.

2. Responsibilities

The responsibilities and powers of the members of the Commission shall be as follows:

a. Chair

- (1) Preside at all meetings of the Commission.
- (2) Call special meetings of the Commission in accordance with legal requirements and the rules of Procedure.
- (3) Sign documents of the Commission.

(4) See that all actions of the Commission are properly taken.

b. Vice-Chair

During the absence, disability or disqualification of the Chair the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities.

C. Duties and Powers

1. The Commission shall have the power to recommend to the City Council, after a public hearing, the adoption of or amendments to elements of a General Plan, or any part thereof, for the physical development of the City.
2. The Commission shall exercise such functions with respect to land subdivision, planning, and zoning as may be prescribed by ordinance.

D. Rules of Order

Except as otherwise provided in these Bylaws and Rules of Procedure (Rules of Procedure), "Rosenberg's Rules of Order (Revised 2011)" as the same may be modified from time to time, shall be used as a guide to the conduct of the meetings of the Commission provided, however, that the failure of the Commission to conform to said rules of order shall not in any instance, be deemed to invalidate the action taken. In the event of any conflict or inconstancy between the procedures or protocols called for under the San Fernando Municipal Code, State law or federal law and the procedures or protocols called for under Rosenberg's Rules of Order, the procedures and/or protocols of the former shall govern and control.

Each Commission member should do his/her part to treat each fellow Commission member with respect and to ensure that meetings proceed in an orderly and constructive manner.

MEETINGS

A. Public Meetings

All meetings shall be held in full compliance with the provision of State law, Ordinances of the City, and these Rules of Procedure.

B. Regular Meetings

1. All meetings shall be held on the 2nd Monday of the month at 6:30 p.m. in the Council Chambers of City Hall, except as otherwise permitted by law.

2. Whenever a regular meeting falls on a public holiday or regular Council meeting, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to the next business day, another day, or canceled by motion adopted by the Commission.

C. Adjourned Meetings

In the event it is the wish of the Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn.

D. Special Meetings

Special meetings of the Commission may be held at any time upon the call of the Chair or by a majority of the voting members of the Commission or upon request of the City Council following at least 24 hours' notice to each member of the Commission. The time and place of the special meeting shall be determined by the convening authority.

E. Study Sessions/Workshops

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
2. Such meetings shall be open to the public; but, unless the Commission invites evidence or comments to be given, participation by interested members of the public shall not take place at such study sessions.

F. Agenda

1. An agenda for each meeting of the Commission shall be prepared by the Community Development Director or his/her staff person.
2. There shall be attached to each agenda a report of matters pending action by the Commission.
3. A copy of the agenda shall be posted at City Hall and on the City's website for a period of three calendar days not counting the day of meeting or the day of posting.

G. Order of Meetings

1. **The Order of Business Shall Be as Follows:**

- a. The Chair shall take the chair precisely at the hours appointed for the meeting and shall immediately call the Commission to order.
- b. Members present and absent shall be recorded.
- c. The agenda shall be approved as submitted or revised.
- d. The minutes of any preceding meeting shall be submitted for approval.
- e. The public shall be advised of the procedures to be followed in the meeting.
- f. The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing, together with such other matters of business and report as the Commission finds to require Commission consideration.
- g. Any member of the audience may comment on any matter which is not listed on the agenda.
- h. Adjournment.

2. **Presentation of Hearing of Proposals (Optional)**

The following shall be the order of procedure for public hearings:

- a. The Chair shall announce the subject of the public hearing, as advertised.
- b. If a request is made for continuance, a motion may be made and voted upon to continue the public hearing to a definite time and date.
- c. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.
- d. **Order of Testimony and Time Allotment.** The order of testimony and time allotment shall be as follows:
 - (1) Applicants/Proponents' statements (Maximum time allocation of 15 minutes)
 - (2) Opponents' statements (Maximum time allocation of 15 minutes)
 - (3) If necessary, a rebuttal from either side (Maximum time allocation of 5 minutes each for either side)
 - (4) Public hearing closed
 - (5) The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.
- e. **Rules of Testimony.** The rules of testimony shall be as follows:
 - (1) Persons presenting testimony to the Commission are requested to give their name and address for the record.
 - (2) If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesman can be selected to speak for the entire group. The spokesman will thus have the opportunity of speaking for a reasonable length of time and presenting a complete case.
 - (3) To avoid unnecessary cumulative evidence, the Chair may limit the number of witnesses or the time of testimony on a particular issue.

A default time limit shall be 5 minutes per testimony, but that time limit can be extended at the discretion of the Chair.

- (4) Irrelevant and off-the-subject comments will be ruled out of order.
- (5) The Chair will not permit any complaints regarding the staff or individual commissioners during a public hearing. Complaints should be submitted in writing or presented verbally as a separate item on the agenda.
- (6) No person shall address the Commission without first securing the permission of the Chair to do so.
- (7) All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

H. Motions

1. A motion to adjourn shall always be in order except during roll call.
2. The Chair, or other presiding officer, may make and second motions and debate from the chair subject only to such limitations of debate as are imposed on all members of the Commission.

I. Voting

1. Voting Requirements

- a. A quorum shall consist of a majority of the Commission membership.
- b. A majority vote of the Commission present is necessary for it to take action.
- c. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, or for any other reason, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered.

2. Voting Order

The Chair will ask for a motion, then a second, and then a roll call vote will be taken with the Chair voting last.

3. Recording of Votes

The minutes of the Commission's proceeding shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

4. Disqualification from Voting

A member shall disqualify himself/herself from voting in accordance with the Government code §87100 et seq, Financial Conflicts of Interest and §1090 et seq, Financial Interest in Contracts. When a person disqualifies (recuse)

himself/herself, he/she shall state prior to the consideration of such matter by the Commission that he/she is disqualifying him/herself due to a possible conflict of interest and shall then leave the voting area. Any member who disqualifies himself/herself can still speak on a matter as a private citizen.

REVIEW AND AMENDMENTS PROCEDURE

- A. The Rules of Procedure shall be reviewed in January of each year by the Commission. The Commission, or review subcommittee, shall present their recommendation for amending, or not amending, these rules.

- B. In addition, these Rules of Procedure may be amended at any meeting of the Commission by a majority of the membership of the Commission provided that notice of the proposed amendment is received by each commissioner not less than 5 days prior to said meeting.

*This Page
Intentionally
Left Blank*

*This Page
Intentionally
Left Blank*

To: Planning and Preservation Commission Chair Bernal and Commissioners

From: Erika Ramirez, Director of Community Development

Date: March 11, 2024

Subject: Discussion to Amend the City of San Fernando Planning and Preservation Commission Bylaws and Rules of Procedures Setting Commission Meeting Time

RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission:

1. Discuss setting time for Planning and Preservation Commission regular meeting time; and
2. Pending discussion, adopt Planning and Preservation Commission Resolution No. 2024-002 (Attachment A) amending the City of San Fernando Planning and Preservation Commission Bylaws and Rules of Procedures (Exhibit A) by changing the regular meeting time from 6:30pm to 6:00pm.

ANALYSIS:

The Planning and Preservation Commission (“Commission”) currently meets on the second Monday of the month at 6:30pm. The Commission has requested to amend changing the time from 6:30pm to 6:00pm while keeping the day for Commission discussion and potential action.

The San Fernando Municipal Code Section 62-33. – Rules and regulations. Allows for the Planning and Preservation Commission to *make and alter rules and regulations for its organization and procedure consistent with state laws and this article and other City ordinances*. Further the adopted City of San Fernando Planning and Preservation Commission Bylaws and Rules of Procedures states the rules of procedure *shall be reviewed in January of each year by the Commission. In addition, these Rules of Procedure may be amended at any meeting of the Commission by the majority of the membership of the Commission provided that notice of the proposed amendment is received by each Commissioner not less than 5 days prior to said meeting*. The publishing and distribution of this agenda packet to the Commissions was on March 6, 2024, five days prior to the meeting of March 11, 2024.

Environmental Review

The California Environmental Quality Act (CEQA) requires analysis of agency approval of discretionary “projects.” A “project” under CEQA, is defined as “the whole of an action, which

has a potential for rusting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (State CEQA Guidelines Section 15378). The proposed Project is a not a project under CEQA and therefore does not require review under CEQA.

ATTACHMENT:

- A. Planning and Preservation Commission Resolution 2024-001
 - 1. Exhibit A- Planning and Preservation Commission Bylaws and Rules of Procedures
- B. Planning and Preservation Commission Bylaws and Rules of Procedures Redline

RESOLUTION NO. 2024-002

A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO, CALIFORNIA, AMENDING THE PLANNING COMMISSION BYLAWS AND RULES OF PROCEDURES

WHEREAS, Section 62-30 of the San Fernando Municipal code (“SFMC”) provides that the members of the Planning and Preservation Commission (“Commission”) shall meet once each month, at such time and place as may be fixed by resolution, and may hold such other meetings as from time to time may be called in the form and manner as required by law; and

WHEREAS, SFMC Section 62-33 further that the Commission may make and alter rules and regulations for its organization and procedure consistent with state laws and other City ordinances; and

WHEREAS, the City of San Fernando Planning and Preservation Commission Bylaws and Rules of Procedures adopted June 8, 2020, states, the rules of procedure shall be reviewed in January of each year by the Commission. In addition, these Rules of Procedure may be amended at any meeting of the Commission by a majority of the membership of the Commission provided that the notice of the proposed amendment is received by each commissioner not less than 5 days prior to said meeting; and

WHEREAS, the agenda packet for the regular meeting of March 11, 2024 was provided to Planning and Preservation Commissioners on March 6, 2024; and

WHEREAS, on March 11, 2024, the Planning and Preservation Commission discussed setting the time of the regularly scheduled meetings to 6:00pm rather than 6:30pm.

NOW, THEREFORE, THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1. ENVIRONMENTAL REVIEW FINDINGS

This project has been reviewed by the City for compliance with the California Environmental Quality Act (CEQA). A “project” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (State CEQA Guidelines Section 15378). The proposed Project is not a project under CEQA and therefore does not require review under CEQA.

SECTION 2. FINDINGS

The Planning and Preservation Commission hereby amends the Planning and Preservation Bylaws and Rules of Procedures to set its regular meeting time to 6:00pm on the second Monday of each month to be held in the Council Chambers located at 117 Macneil Street, San Fernando.

Should such regular meeting date fall on a City-observed holiday, the regular meeting shall be held on the next City business day at 6:00pm in the Council Chambers located at 117 Macneil Street, San Fernando. The amended Bylaws and Rules of Procedures as herein attached as Exhibit A.

SECTION 3. RECORD OF PROCEEDING

The documents and other materials that constitute the record of the proceedings upon which the Planning and Preservation Commission’s decision is based, which include, but are not limited to, the environmental documents, staff reports, as well as all materials that support the staff report are located in the Community Development Department of the City of San Fernando at 117 Macneil Street, San Fernando, CA 91340. The custodian of these documents is the City Clerk of the City of San Fernando.

SECTION 3. CERTIFICATION OF THE RESOLUTION

The Secretary of the Planning and Preservation Commission of the City of San Fernando, California, shall certify the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 11th day of March, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

DAVID BERNAL, CHAIRPERSON

ATTEST:

ERIKA RAMIREZ, SECRETARY TO THE PLANNING
AND PRESERVATION COMMISSION

**CITY OF SAN FERNANDO
PLANNING AND PRESERVATION COMMISSION**

**BYLAWS AND RULES OF PROCEDURES
(Adopted March 2024)**

ORGANIZATION AND OFFICERS

A. Organization

The Planning and Preservation Commission (Commission) shall consist of five (5) regular members, each with full participation and voting rights.

B. Officers

1. Selection

- a. A Chair and Vice-Chair shall be elected annually from among the Commission's membership at the January meeting to serve at the pleasure of the Commission.
- b. The Vice-Chair shall succeed the Chair if he/she vacates his/her office before his/her term is completed, the Vice-Chair to serve the unexpired term of the vacated office. A new Vice-Chair shall be elected at the next regular meeting.
- c. In the absence of the Chair and Vice-Chair, any other member shall call the Commission to order, whereupon a chair shall be elected from the members present to preside.

2. Responsibilities

The responsibilities and powers of the members of the Commission shall be as follows:

a. Chair

- (1) Preside at all meeting of the Commission.
- (2) Call special meetings of the Commission in accordance with legal requirements and the rules of Procedure.
- (3) Sign documents of the Commission.
- (4) See that all actions of the Commission are properly taken.

Exhibit A

- (5) The Chair shall be an ex officio member of all committees with voice but not vote.

b. **Vice-Chair**

During the absence, disability or disqualification of the Chair the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities.

C. **Duties and Powers**

1. The Commission shall have the power to recommend to the City Council, after a public hearing, the adoption of or amendments to elements of a General Plan, or any part thereof, for the physical development of the City.
2. The Commission shall exercise such functions with respect to land subdivision, planning, and zoning as may be prescribed by ordinance.
3. Deleted (1/95)

D. **Rules of Order**

Except as otherwise provided in these Rules of Procedure, "Parliamentary Procedure at a glance, new edition, O. Garfield Hones, Based on Robert's Rules of Order" shall be used as a guide to the conduct of the meetings of the Commission provided, however, that the failure of the Commission to conform to said rules of order shall not in any instance, be deemed to invalidate the action taken.

Each Commission member should do his/her part to treat each fellow Commission member with respect and to ensure that meetings proceed in an orderly and constructive manner.

MEETINGS

A. **Public Meetings**

All meetings shall be held in full compliance with the provision of State law, Ordinances of the City, and these Rules of Procedure

B. **Regular Meetings**

1. All meetings shall be held on the 2nd Monday of the month at 6:00 p.m. in the Council Chambers of the City Hall.
2. Whenever a regular meeting falls on a public holiday or regular Council meeting, no regular meeting shall be held on that day. Such regular meeting may be

Exhibit A

rescheduled to the next business day, another day, or canceled by motion adopted by the Commission.

C. Adjourned Meetings

In the event it is the wish of the Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn.

D. Special Meetings

Special meetings of the Commission may be held at any time upon the call of the Chair or by a majority of the voting members of the Commission or upon request of the City Council following at least 24 hours' notice to each member of the Commission. The time and place of the special meeting shall be determined by the convening authority.

E. Study Sessions/Workshops

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
2. Such meetings shall be open to the public; but, unless the Commission invites evidence or comments to be given, participation by interested members of the public shall not take place at such study sessions.

F. Agenda

1. An agenda for each meeting of the Commission shall be prepared by the Community Development Director or his/her staff person.
2. There shall be attached to each agenda a report of matters pending action by the Commission.
3. A copy of the agenda shall be posted at City Hall and on the City's website for a period of three calendar days not counting the day of meeting or the day of posting.

G. Order of Meetings

1. **The Order of Business Shall Be as Follows:**
 - a. The Chair shall take the chair precisely at the hours appointed for the meeting and shall immediately call the Commission to order.
 - b. Members present and absent shall be recorded.

Exhibit A

- c. The agenda shall be approved as submitted or revised.
- d. The minutes of any proceeding meeting shall be submitted for approval.
- e. The public shall be advised of the procedures to be followed in the meeting.
- f. The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing, together with such other matters of business and report as the Commission finds to require Commission consideration.
- g. Any member of the audience may comment on any matter which is not listed on the agenda.
- h. Adjournment.

2. **Presentation of Hearing of Proposals (Optional)**

The following shall be the order of procedure for public hearings:

- a. The Chair shall announce the subject of the public hearing, as advertised.
- b. If a request is made for continuance, a motion may be made and voted upon to continue the public hearing to a definite time and date.
- c. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.
- d. **Order of Testimony and Time Allotment.** The order of testimony and time allotment shall be as follows:
 - (1) Applicants/Proponents' statements (Maximum time allocation of 15 minutes)
 - (2) Opponents' statements (Maximum time allocation of 15 minutes)
 - (3) If necessary, a rebuttal from wither side (Maximum time allocation of 5 minutes each for either side)
 - (4) Public hearing closed
 - (5) The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.
- e. **Rules of Testimony.** The rules of testimony shall be as follows:
 - (1) Persons presenting testimony to the Commission are requested to give their name and address for the record.
 - (2) If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesman should be selected to speak for the entire group. The spokesman will thus have the opportunity of speaking for a reasonable length of time and presenting a complete case.
 - (3) To avoid unnecessary cumulative evidence, the Chair may limit the number of witnesses or the time of testimony on a particular issue.
 - (4) Irrelevant and off-the-subject comments will be ruled out of order.
 - (5) The Chair will not permit any complaints regarding the staff or individual commissioners during a public hearing. Complaints

Exhibit A

should be submitted in writing or presented verbally as a separate item on the agenda.

- (6) No person shall address the Commission without first securing the permission of the Chair to do so.
- (7) All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

H. Motions

1. A motion to adjourn shall always be in order except during roll call.
2. The Chair, or other presiding officer, may make and second motions and debate from the chair subject only to such limitations of debate as are imposed on all members of the Commission.

I. Voting

1. Voting Requirements

- a. A quorum shall consist of a majority of the Commission membership.
- b. A majority vote of the Commission present is necessary for it to take action.
- c. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered. When a member of the Commission abstains from voting for any reason other than a potential conflict of interest, the abstention shall be counted as affirmative vote.

2. Voting Order

The Chair will ask for a motion, than a second than a roll call vote will be taken with Chair voting last.

3. Recording of Votes

The minutes of the Commission's proceeding shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

4. Disqualification from Voting

A member shall disqualify himself/herself from voting in accordance with the Government code §87100 et seq, Financial Conflicts of Interest and §1090 et seq, Financial Interest in Contracts. When a person disqualifies (recuse) himself/herself, he/she shall state prior to the consideration of such matter by the Commission that he/she is disqualifying him/herself due to a possible conflict of interest and shall then leave the voting area.

REVIEW AND AMENDMENTS PROCEDURE

- A. The rules of Procedure shall be reviewed in July of each year by a subcommittee appointed by the Chair with the general agreement of the Commission. The review subcommittee shall present their recommendation for amending, or not amending, these rules.

- B. In addition, these Rules of Procedure may be amended at any meeting of the Commission by a majority of the membership of the Commission provided that notice of the proposed amendment is received by each commissioner not less than 5 days prior to said meeting.

**CITY OF SAN FERNANDO
PLANNING AND PRESERVATION COMMISSION**

BYLAWS AND RULES OF PROCEDURES
(~~Last updated January 2020~~)
Adopted March 2024

ORGANIZATION AND OFFICERS

A. Organization

The Planning and Preservation Commission (Commission) shall consist of five (5) regular members, each with full participation and voting rights.

B. Officers

1. Selection

- a. A Chair and Vice-Chair shall be elected annually from among the Commission's membership at the January meeting to serve at the pleasure of the Commission.
- b. The Vice-Chair shall succeed the Chair if he/she vacates his/her office before his/her term is completed, the Vice-Chair to serve the unexpired term of the vacated office. A new Vice-Chair shall be elected at the next regular meeting.
- c. In the absence of the Chair and Vice-Chair, any other member shall call the Commission to order, whereupon a chair shall be elected from the members present to preside.

2. Responsibilities

The responsibilities and powers of the members of the Commission shall be as follows:

a. Chair

- (1) Preside at all meeting of the Commission.
- (2) Call special meetings of the Commission in accordance with legal requirements and the rules of Procedure.
- (3) Sign documents of the Commission.
- (4) See that all actions of the Commission are properly taken.

- (5) The Chair shall be an ex officio member of all committees with voice but not vote.

b. Vice-Chair

During the absence, disability or disqualification of the Chair the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities.

C. Duties and Powers

1. The Commission shall have the power to recommend to the City Council, after a public hearing, the adoption of or amendments to elements of a General Plan, or any part thereof, for the physical development of the City.
2. The Commission shall exercise such functions with respect to land subdivision, planning, and zoning as may be prescribed by ordinance.
3. Deleted (1/95)

D. Rules of Order

Except as otherwise provided in these Rules of Procedure, “Parliamentary Procedure at a glance, new edition, O. Garfield Hones, Based on Robert’s Rules of Order” shall be used as a guide to the conduct of the meetings of the Commission provided, however, that the failure of the Commission to conform to said rules of order shall not in any instance, be deemed to invalidate the action taken.

Each Commission member should do his/her part to treat each fellow Commission member with respect and to ensure that meetings proceed in an orderly and constructive manner.

MEETINGS

A. Public Meetings

All meetings shall be held in full compliance with the provision of State law, Ordinances of the City, and these Rules of Procedure

B. Regular Meetings

1. All meetings shall be held on the 2nd Monday of the month at ~~6:30 p.m.~~ 6:00 p.m. in the Council Chambers of the City Hall.
2. Whenever a regular meeting falls on a public holiday or regular Council meeting, no regular meeting shall be held on that day. Such regular meeting may be

rescheduled to the next business day, another day, or canceled by motion adopted by the Commission.

C. Adjourned Meetings

In the event it is the wish of the Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn.

D. Special Meetings

Special meetings of the Commission may be held at any time upon the call of the Chair or by a majority of the voting members of the Commission or upon request of the City Council following at least 24 hours' notice to each member of the Commission. The time and place of the special meeting shall be determined by the convening authority.

E. Study Sessions/Workshops

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
2. Such meetings shall be open to the public; but, unless the Commission invites evidence or comments to be given, participation by interested members of the public shall not take place at such study sessions.

F. Agenda

1. An agenda for each meeting of the Commission shall be prepared by the Community Development Director or his/her staff person.
2. There shall be attached to each agenda a report of matters pending action by the Commission.
3. A copy of the agenda shall be posted at City Hall and on the City's website for a period of three calendar days not counting the day of meeting or the day of posting.

G. Order of Meetings

1. **The Order of Business Shall Be as Follows:**
 - a. The Chair shall take the chair precisely at the hours appointed for the meeting and shall immediately call the Commission to order.
 - b. Members present and absent shall be recorded.

- c. The agenda shall be approved as submitted or revised.
- d. The minutes of any proceeding meeting shall be submitted for approval.
- e. The public shall be advised of the procedures to be followed in the meeting.
- f. The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing, together with such other matters of business and report as the Commission finds to require Commission consideration.
- g. Any member of the audience may comment on any matter which is not listed on the agenda.
- h. Adjournment.

2. Presentation of Hearing of Proposals (Optional)

The following shall be the order of procedure for public hearings:

- a. The Chair shall announce the subject of the public hearing, as advertised.
- b. If a request is made for continuance, a motion may be made and voted upon to continue the public hearing to a definite time and date.
- c. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.
- d. **Order of Testimony and Time Allotment.** The order of testimony and time allotment shall be as follows:
 - (1) Applicants/Proponents' statements (Maximum time allocation of 15 minutes)
 - (2) Opponents' statements (Maximum time allocation of 15 minutes)
 - (3) If necessary, a rebuttal from wither side (Maximum time allocation of 5 minutes each for either side)
 - (4) Public hearing closed
 - (5) The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.
- e. **Rules of Testimony.** The rules of testimony shall be as follows:
 - (1) Persons presenting testimony to the Commission are requested to give their name and address for the record.
 - (2) If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesman should be selected to speak for the entire group. The spokesman will thus have the opportunity of speaking for a reasonable length of time and presenting a complete case.
 - (3) To avoid unnecessary cumulative evidence, the Chair may limit the number of witnesses or the time of testimony on a particular issue.
 - (4) Irrelevant and off-the-subject comments will be ruled out of order.
 - (5) The Chair will not permit any complaints regarding the staff or individual commissioners during a public hearing. Complaints

should be submitted in writing or presented verbally as a separate item on the agenda.

- (6) No person shall address the Commission without first securing the permission of the Chair to do so.
- (7) All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

H. Motions

1. A motion to adjourn shall always be in order except during roll call.
2. The Chair, or other presiding officer, may make and second motions and debate from the chair subject only to such limitations of debate as are imposed on all members of the Commission.

I. Voting

1. Voting Requirements

- a. A quorum shall consist of a majority of the Commission membership.
- b. A majority vote of the Commission present is necessary for it to take action.
- c. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered. When a member of the Commission abstains from voting for any reason other than a potential conflict of interest, the abstention shall be counted as affirmative vote.

2. Voting Order

The Chair will ask for a motion, than a second than a roll call vote will be taken with Chair voting last.

3. Recording of Votes

The minutes of the Commission's proceeding shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

4. Disqualification from Voting

A member shall disqualify himself/herself from voting in accordance with the Government code §87100 et seq, Financial Conflicts of Interest and §1090 et seq, Financial Interest in Contracts. When a person disqualifies (recuse) himself/herself, he/she shall state prior to the consideration of such matter by the Commission that he/she is disqualifying him/herself due to a possible conflict of interest and shall then leave the voting area.

REVIEW AND AMENDMENTS PROCEDURE

- A. The rules of Procedure shall be reviewed in July of each year by a subcommittee appointed by the Chair with the general agreement of the Commission. The review subcommittee shall present their recommendation for amending, or not amending, these rules.

- B. In addition, these Rules of Procedure may be amended at any meeting of the Commission by a majority of the membership of the Commission provided that notice of the proposed amendment is received by each commissioner not less than 5 days prior to said meeting.