

SAN FERNANDO CITY COUNCIL

MINUTES

APRIL 19, 2004 – 6:00 P.M.

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE CITY COUNCIL. AUDIO CASSETTE TAPES OF THE ACTUAL MEETING ARE AVAILABLE FOR LISTENING IN THE CITY CLERK'S OFFICE

CALL TO ORDER/ROLL CALL

Mayor Maribel De La Torre called the meeting to order at 6:12 p.m.

The following persons were recorded as present:

PRESENT:

Council: Mayor Maribel De La Torre (arrived at 6:14 p.m.), Mayor Pro Tem Julie Ruelas, Councilmembers Nury Martinez, Steven Veres, and José Hernández, Ph.D.

City Treasurer: Elvira Orozco

Staff: José E. Pulido, City Administrator; Michael Estrada, City Attorney; and, Elena G. Chávez, City Clerk

PLEDGE OF ALLEGIANCE

Councilmember Veres led the pledge.

INVOCATION

Mayor Pro Tem Ruelas called for a moment of silent prayer.

PRESENTATIONS

- A) NATIONAL LIBRARY WEEK – APRIL 18-24, 2004
Councilmember Veres presented a certificate to San Fernando Branch Library Manager Kathy Coakley.
- B) EL DÍA DE LOS NIÑOS – APRIL 30, 2004
Mayor Pro Tem Ruelas read the certificate (no one was present to accept the certificate).

SAN FERNANDO CITY COUNCIL

MINUTES – April 19, 2004

Page 2

C) **SEXUAL ASSAULT AWARENESS MONTH (APRIL) AND
DENIM DAY (APRIL 21, 2004)**

Mayor De La Torre, Mayor Pro Tem Ruelas and Councilmember Martinez, presented the certificate to City Hall female employees.

D) **NATIONAL CHILD ABUSE PREVENTION MONTH - APRIL**

Councilmember Martinez presented a certificate to Marge Horstman with the San Fernando Valley Child Abuse Council.

E) **ARBOR DAY – APRIL 24, 2004**

Mayor De La Torre presented a certificate to Public Works Field Supervisor Dale Warren.

F) **JESUS “CHUY” PENALOZA**

Mayor De La Torre presented a certificate of recognition to Mr. Penaloza.

APPROVAL OF AGENDA

Motion by Mayor De La Torre, seconded by Councilmember Hernández, to approve the agenda. The motion carried unanimously.

PUBLIC STATEMENTS – WRITTEN/ORAL

Guadalupe Corral, VIP Water Café, 2047 Glenoaks Blvd., said that he received a citation regarding an advertisement sign that has been in place for three years and he wondered why he has to remove it.

Mayor De La Torre asked that Community Development Director Paul Deibel speak to Mr. Corral.

Frank Muñoz, 700 N. Huntington St., CEO for Institute for Leadership Development and Education, said that he would like to meet with staff regarding a \$900,000 grant they were recently awarded to build new preschool facilities.

Mayor De La Torre asked that Mr. Pulido and Mr. Deibel meet with Mr. Muniz and to place the item on the next Council agenda.

Eugene Hernández, 412 N. Lazard St., said he thinks it's ironic that the Mayor participated in a conference involving destruction of trees and there is an Arbor Day proclamation on the agenda. He suggested that the City adopt policies regarding rent control and on making certain that when Time Warner Cable sponsors candidate forums, all candidates are given fair publicity.

Sonia Lopez, American Cancer Society, thanked the City for getting involved with cancer education programs and hopes that this continues by supporting the Relay for Life Event in July.

SAN FERNANDO CITY COUNCIL

MINUTES – April 19, 2004

Page 3

Gilbert Berriozabal, American Cancer Society, said that the Relay for Life is a motivational and inspirational event and urged Council to support it.

CONSENT CALENDAR

Mayor Pro Tem Ruelas pulled Items #4 and #6, and Councilmember Hernández also pulled Item #6 for further discussion. Motion by Councilmember Veres, seconded by Councilmember Martinez, to approve the remainder of the Consent Calendar item. The motion carried unanimously.

- 1) APPROVAL OF MINUTES OF APRIL 5, 2004
- 2) APPROVAL OF WARRANT REGISTER NO. 04-042
- 3) INVESTMENT POLICY
- 5) FY 2003-2004 WEED ABATEMENT PROGRAM

Items Removed for Further Discussion:

- 4) PERMIT REQUEST FOR ANNUAL FIESTA – ST. FERDINAND CATHOLIC CHURCH

In response to Mayor Pro Tem Ruelas question, Atty. Estrada stated the code does not prohibit the City from closing off the streets and cautioned that all groups/events must be treated similarly.

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Martinez, to approve with conditions the Annual Fiesta for St. Ferdinand Catholic Church for the dates of June 11, 12, and 13, 2004.

- 6) SECTION 108 LOAN AGREEMENT FOR THE SAN FERNANDO REGIONAL AQUATICS CENTER

Atty. Estrada stated that the attachments to the agreement are all drafts.

Mayor Pro Tem Ruelas suggested that, along with the City Administrator, the City Treasurer sign Exhibit 1 (Investment Direction Letterer of the City of San Fernando).

In response to inquiries from Councilmembers, Mr. Deibel stated that the Section 108 loan is, in essence, an advance to the City from the CDC of CDBG funds that the City would be receiving over time. The City will continue to have discretionary CDBG funds available, the Letter of Credit secures the entire obligation, and the amounts received by the City are based on certain formulas.

SAN FERNANDO CITY COUNCIL

MINUTES – April 19, 2004

Page 4

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Hernández, authorizing the City Administrator to execute a loan agreement and any other documents necessary for the City to finalize a \$3 million Section 108 loan for the San Fernando Regional Aquatics Center. Also, that the City Treasurer sign (along with the City Administrator), Exhibit 1, Investment Direction Letter. The motion carried unanimously.

NEW BUSINESS

7) BANNER POLICY UPDATE

Public Works Director Edwin Galvez presented the staff report. He explained that reinforces current procedures and is consistent with applicable laws.

Discussion ensued and Councilmember Martinez suggested that co-sponsorships be approved by the City Council.

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Hernández, to adopt the Banner Guidelines allowing the City to exercise control over its property in a legally defensible way, City to have equal exposure (letters on banners should be the same size as), and any co-sponsorships to be approved by the City Council. The motion carried unanimously.

CITY COUNCIL ITEMS

8) CO-SPONSORSHIP OF THE AMERICAN CANCER SOCIETY RELAY FOR LIFE EVENT AND AUTHORIZATION FOR USE OF THE CITY SEAL

Mayor De La Torre and Public Works Secretary Anita Dominguez talked about the event and asked that Council co-sponsor with the American Cancer Society. Mrs. Dominguez explained that the City seal would be used on flyers advertising the event.

Suggestions were made by Councilmembers that either the City Council or City Administrator approve any flyers or advertisements that include the City seal.

Motion by Mayor De La Torre, seconded by Councilmember Martinez, to approve co-sponsorship with the American Cancer Society Relay For Life Event and authorize use of the City seal (with City Administrator approval). The motion carried unanimously.

9) APPROVAL OF CHILDREN YOUTH AND FAMILIES ADVISORY COMMITTEE

Mayor Pro Tem Ruelas would like to approve the seven applications included in the agenda packet so that they could begin meeting. Other applicants could be approved at upcoming meetings.

Discussion ensued regarding future applications and ratifying prospective members.

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Hernández, to approve the seven applications, and that additional members to be approved so that the total remains at an odd number (up to 11 members). The motion carried unanimously.

10) TRAVEL POLICY FOR CITY COUNCILMEMBERS

Councilmember Hernández is recommending three changes to the current policy: 1) that any unused portion of the travel allocation not be rolled over (should go back to the General Fund reserve); 2) limit travel costs to two conferences, seminars, training sessions, or local events per year; and, 3) delete the following sentence from the Travel Policy, “In addition, any Councilmember can allocate funds for the use by any of his/her commissioners for legitimate City business travel”.

He said that any additional travel could be approved at a Council meeting (he is not suggesting removing this section from the Travel Policy).

Mayor De La Torre does not want to see restrictive policies that can, in the long-term, harm the City. She suggested addressing this issue during the budget process.

In response to Mayor De La Torre’s concern regarding allocating funds for commissioners, Councilmember Hernández agreed to not remove this section after all.

Councilmember Veres reported that he has been very prudent with his funds and the conferences he has attended relate to City projects. He does not believe that restricting travel to two conferences is a good idea and said that it will limit the ability to make efficient decisions.

Councilmember Martinez said that this could possibly be revisited in the future, but that there is currently a serious budget situation and everyone needs to more cognizant and fiscally responsible.

Motion by Councilmember Hernández, seconded by Mayor Pro Tem Ruelas, to limit travel costs to two conferences, seminars, training sessions, or local events per year and any unused portion of the travel allocation shall not be rolled over to the Councilmember’s following fiscal years’ budget. The motion carried with the following vote:

AYES: Hernández, Ruelas, Martinez, - 3
NOES: De La Torre, Veres - 2

11) POLICY REGARDING USE OF CITY CREDIT CARDS

Mayor Pro Tem Ruelas said she wanted to make recommendations regarding the use of city credit cards. She would like that the current practice be put in writing: 1) the only two staff members with a City credit card are the Finance Director and City Administrator; and, 2) all items charged are listed on the warrant register for Council review.

She would like to include (in the policy) that elected officials may not direct a staff member to charge items without prior City Council approval. She recommended that an Ad Hoc Committee be formed to develop an Expense and Use of Public Resources Policy (which addresses use of credit cards by public officials) based on the sample policy provided in Chapter 7 of Of Cookie Jars and Fishbowls: A Public Official's Guide to Use of Public Resources.

Councilmember Hernández said that he does not want to prohibit the City Administrator from using the credit card at his discretion.

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Hernández, to form the Ad Hoc committee, as mentioned above, and appoint Mayor Pro Tem Ruelas to serve on the committee.

(Discussion ensued and a vote was not taken at this time.)

Councilmember Veres believes this issue stems from the Mayor's recent trip to Washington, D.C. and talked about the City Attorney's fees to research this matter and the determination made that there is no violation of City policy.

Councilmember Martinez said that all Councilmembers have the opportunity to place an item on the agenda to be discussed and voted on, and that she was offended by the language used earlier.

Mayor De La Torre stated that she could not be on the advisory council to the U.S. Department of Agriculture without being a Councilmember and reported that the federal government has reimbursed the City for the trip. She said that she brings back valuable information that benefits the community. She asked that the Council be respectful of each other and continue to move the agenda of San Fernando forward.

Discussion ensued and Mayor De La Torre appointed Councilmember Veres to serve on the Ad Hoc Committee.

The above motion (made by Mayor Pro Tem Ruelas) carried with the following vote:

AYES:	Hernández, Ruelas, Martinez - 3
NOES:	De La Torre, Veres - 2

SAN FERNANDO CITY COUNCIL

MINUTES – April 19, 2004

Page 7

12) LEAVING GLASS BOTTLES IN PUBLIC PLACES

Mayor Pro Tem Julie Ruelas said that she has been approached by people about this and she believes it is time to address this issue. She motioned to direct staff to identify those locations, provide Council with a report that would also include the costs to install signs in those areas.

(There was no second to her motion as the discussion ensued.)

Councilmembers asked about the amount of the fine for violating the code.

By common consent, Councilmembers directed that Chief Alba provide the above information and report back to Council.

GENERAL COUNCIL COMMENTS

Mayor Pro Tem Ruelas invited everyone to attend Play Day at Mission College on April 24, 2004.

Councilmember Hernandez: 1) said that the Mariachi concert on Sunday was spectacular and hopes that the City continues to support the program; and 2) requested that the meeting adjourn in the memory of CSUN student Doris Rosales.

Councilmember Martinez said that she reads her agenda and does as much as she can in order to make an educated and conscientious vote. She did not appreciate certain comments made, hopes that Council can continue to work together and represent the residents of the City.

Mayor De La Torre: 1) invited everyone to attend the TLUC Latino New Urbanism conference at City Hall on April 23, 2004; 2) reminded everyone of the Arbor Day event at Las Palmas Park on Saturday; 3) reported that the Mariachi Festival was beautiful and made her very proud; and 4) dissolved the Budget Ad Hoc Committee so that further meetings would be with the entire Council.

STAFF COMMUNICATIONS

Mr. Pulido reminded everyone of Take Our Kids to Work Day on April 22, 2004.

ADJOURN TO STUDY SESSION (8:32 P.M.)

Motion by Mayor De La Torre, seconded by Mayor Pro Tem Ruelas, to adjourn in memory of Doris Rosales and adjourn to a Study Session to discuss City Council Strategic Goals and Priorities. The motion carried unanimously.