

**SAN FERNANDO CITY COUNCIL**

**MINUTES**

**JANUARY 5, 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 José Hernández, Ph.D., called the meeting to order at 6:11 p.m.

The following persons were recorded as present:

**PRESENT:**

Council: Mayor José Hernández, Ph.D., Mayor Pro Tem Maribel De La Torre, and Councilmembers Nury Martinez, Steven Veres and Julie Ruelas

City Treasurer: Elvira Orozco

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

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem De La Torre led the pledge.

**INVOCATION**

Mayor Hernández called for a moment of silent prayer.

**PRESENTATION**

- A) SAN FERNANDO ELKS LODGE #1539  
Councilmember Ruelas presented the proclamation to Elks Lodge members and thanked them for their work in the community.

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**APPROVAL OF AGENDA**

Motion by Mayor Pro Tem De La Torre, seconded by Mayor Hernandez, to approve the agenda. The motion carried unanimously.

**PUBLIC STATEMENTS – WRITTEN/ORAL**

Donna Mc Leary, Brand Blvd., suggested that, next year, the San Fernando Parade be held on S.F. Mission Blvd. She said that she had to ask people to get off her porch and that they left trash on her yard.

John Arroyo, 719 ½ N. Maclay Ave., said that he assisted at the Elks Lodge Thanksgiving Dinner, talked about the gunlocks that were distributed by the Police Department and said that he tripped on a raised sidewalk.

David Rodriguez, Recreation & Community Services Commissioner, thanked the City Council for their involvement with the department and commended Dan LaBrado and his staff for the work they have done with youth and seniors.

Joe Ruelas, 1161 Harding Ave., congratulated the City Council and those involved with the San Fernando Parade but suggested that it be held in June (better weather) next year. He said he hoped that Council would create an ad hoc committee to look at ways to manage the budget, especially since payments from the state will now be quarterly.

**CONSENT CALENDAR**

Councilmember Ruelas removed Item #2, and Mayor Hernández removed Item #3 for further discussion. Motion by Mayor Hernandez, seconded by Councilmember Martinez, to approve the remainder of the Consent Calendar items. The motion carried unanimously.

- 1) APPROVAL OF MINUTES OF DECEMBER 1, 2003
- 4) MOBILE SOURCE AIR POLLUTION REDUCTION RESOLUTION
- 5) ACCEPTANCE OF SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS (SLESF) FOR FISCAL YEAR 2003

**Item Removed for Further Discussion:**

- 2) APPROVAL OF WARRANT REGISTERS 03-122 AND 04-011

In response to Councilmember Ruelas' inquiry regarding voucher #63805, Mr. LaBrado reported that his understanding was that the gift certificates were given to the Explorers at their recognition event. Councilmember Ruelas said that she does not believe that it is an appropriate

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use of Community Based Organization funds. Chief Alba reported that those monies are most likely from the donations received by various contributors to the Explorer Program.

Motion by Councilmember Ruelas, seconded by Mayor Hernández, to approve Consent Calendar Item #2. The motion carried unanimously.

- 3) **BID RESULTS AND AWARD OF CONSTRUCTION CONTRACT, WATER MAIN REPLACEMENT AT O'MELVENY STREET, FOX STREET, AND KALISHER STREET - PROJECT NO. 7521 – PLAN NO. P-689**

In response to Mayor Hernández's inquiries, Public Works Director Edwin Galvez reported that there is typically a 5-10% gap from the lowest to highest bid. He reported that J.A. Salazar Construction & Supply Corporation pays prevailing wages and recently did the work on the water main on Morningside St. and staff is satisfied with the job.

Motion by Mayor Hernández, seconded by Councilmember Ruelas, to accept the lowest responsive bid in the amount of \$237,600 from J.A. Salazar Construction & Supply Corp. for construction of these improvements and authorize the City Administrator to execute a contract. The motion carried unanimously.

**PUBLIC HEARING**

- 6) **PROPOSED SECOND DWELLING UNIT ORDINANCE**

Community Development Director Paul Deibel presented the staff report.

In response to Councilmember Martinez questions, Mr. Deibel reported that proposals would be reviewed on a case-by-case basis and the conditional use process would facilitate the elimination of existing illegal garage conversions.

In response to Mayor Pro Tem De La Torre's concern, Mr. Deibel said that language could be included that would address situations whereby when properties with a second dwelling unit are sold, the entire site would be subject to an inspection to make sure that both units meet applicable code requirements. He also reported that the ordinance includes language that would provide for a lien or covenant to be filed on the property to assure that one of the two dwelling units is owner-occupied.

Councilmember Ruelas (referred to #14, page 5, of the Ordinance) suggested that the on-site parking space for the second dwelling unit could be a paved space with a condition that the existing garage be available for parking.

Councilmember Veres suggested that instead of just a paved parking space, that a carport structure be used as an alternative to the enclosed parking space and Councilmember Ruelas agreed.

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Councilmember Veres suggested that staff assess the potential for requiring that all residential properties be inspected upon resale, instead of just those that have been approved for a second dwelling unit.

Mayor Hernandez opened the Public Hearing and asked for any comments in favor of or against the item.

In response to an inquiry from resident John Arroyo, Mr. Deibel reported that the property owner is ultimately responsible for correcting problems on the property.

Joe Ruelas, 1161 Harding Ave., believes that creating another structure for parking is a good idea and affordability is also an important issue.

There being no further comments, Mayor Hernandez closed the public portion of the hearing.

Motion by Councilmember Martinez, seconded by Councilmember Veres, to introduce, by title only, and waive further reading of “An Ordinance of the City Council of the City of San Fernando Amending San Fernando Municipal Code Chapter 106 (Zoning) to Establish Provisions for Allowing a Second Dwelling Unit on Lots that are Zoned for Residential Uses.” In addition, to include the amendment to provide as an option one paved and covered on-site parking space per each bedroom of the second dwelling unit on the condition that the existing garage be used and accessible for parking; and that all code violations that currently exist on the property must be brought into compliance. The motion carried unanimously.

7) ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
FUNDING FOR FISCAL YEAR 2004-2005

Mr. Deibel presented the staff report.

Mayor Hernandez opened the Public Hearing and asked for any comments in favor of or against the item. There being none, he closed the public portion of the hearing.

Councilmember Ruelas reported that the kitchen stove at Recreation Park needs to be looked at and the old fire station requires refurbishment. She asked if these items could be considered for funding within the next couple of months.

Motion by Councilmember Martinez, seconded by Councilmember Ruelas to: adopt a Resolution approving intended allocations; direct staff to submit documentation conveying the Resolution to the Los Angeles County Community Development Commission for approval; authorize the City Administrator to approve any monetary program and changes that do not exceed 10% of approved total project funding; and adopt a Resolution authorizing the City Administrator to execute agreements for the City to acquire supplemental CDBG funding allocations from other cities at a discount using funds from the General Fund, to be reimbursed from the Pavement Management Fund. The motion carried unanimously.

**NEW BUSINESS**

8) MISSION CITY TRANSIT PROGRAM

Motion by Mayor Hernández, seconded by Councilmember Martinez to authorize the City Administrator to negotiate an agreement with Laidlaw Transit Services for the operation of the Mission City Transit Program. The motion carried unanimously.

9) SAN FERNANDO REGIONAL POOL FACILITY (SFRP) CONSTRUCTION  
MANAGEMENT SERVICES

Mr. Galvez presented the staff report.

In response to Councilmembers' questions, Mr. Galvez reported that award of all contracts for construction would require Council approval, the prevailing wage issue would be addressed in the construction documents, the multi-prime construction method allows local contractors to participate, and that staff will hold workshops attracting local suppliers and vendors to participate.

Motion by Mayor Hernández, seconded by Mayor Pro Tem De La Torre, to award a contract to Bernards Bros. Construction Management for Phase I of the Trade Contract Multi-Prime Construction Management Services for the construction of the SFRP in the amount of \$72,000. The motion carried unanimously.

**CITY COUNCIL ITEMS**

10) LABOR RELATIONS AD HOC COMMITTEE

Councilmember Martinez requested that Mayor Hernández appoint the both of them to the Labor Relations Ad Hoc Committee. She explained that the purpose of the Committee would be to address situations such as those discussed earlier (prevailing wages and local contracts), and discussions with City employee union contracts (the committee would not negotiate on behalf of the City).

Councilmember Veres suggested that perhaps the committee can develop a mission statement or set of principals on how do deal with labor relations (in general) and Councilmember's roles.

By common consent, Councilmembers agreed to appoint Mayor Hernández and Councilmember Martinez to the Labor Relations Ad Hoc Committee.

11) 2004 HOLIDAY SCHEDULE

Councilmember Martinez suggested that staff schedule a Study Session to discuss this year's holiday schedule.

**GENERAL COUNCIL COMMENTS**

Councilmember Martinez: 1) thanked Councilmembers for accepting the Labor Relations Ad Hoc Committee item; and 2) wished everybody a Happy New Year and said she looks forward to working with everyone this year.

Councilmember Ruelas: 1) wished everyone a Happy New Year; 2) reported that Harding Ave. is referred to as Harding *St.* on one of the memos and asked if staff would correct that; 3) thanked audience members for participating in the meeting; and 4) requested that the meeting adjourn in memory of Mr. Durazo (the father of a friend at Santa Rosa Church).

Mayor Pro Tem De La Torre: 1) hoped everyone had a Merry Christmas and Happy New Year; 2) thanked staff for their hard work last year; 3) reported that the San Fernando parade turned out great and thanked everyone for working hard in putting it together; and 4) said that there will be a Local Government Commission meeting on Saturday, January 10, (Las Palmas Park) and invited everyone to attend

Mayor Hernández: 1) asked that the meeting adjourn in memory of a former student, Bill Perkins; 2) read in the Status Report that the City Clerk has processed over 600 certificates/proclamations and reminded everyone that requests for these should be made in advance; and 3) said that the woman that spoke earlier about the parade was his neighbor but his other neighbors expressed support.

Councilmember Veres: 1) said he is glad that there will be a discussion on the holiday schedule; and 2) suggested that the Residents' Guide to Services be bi-lingual (preferably one page) and that it should state that San Fernando has been designated a "Tree City" and a "Clean City".

Councilmember Ruelas reminded everyone of the community meeting on Thursday regarding the Lopez Adobe.

**STAFF COMMUNICATIONS**

Mr. Pulido suggested that we continue to monitor the state budget and the events going on in Sacramento.

Chief Alba reported that the department acquired several hundred gun safety locks and they will be available to those who have a need for them.

**ADJOURNMENT (8:00 P.M.)**

Motion by Councilmember Martinez, seconded by Councilmember Ruelas, to adjourn the meeting. The motion carried unanimously.