

SAN FERNANDO CITY COUNCIL

MINUTES

NOVEMBER 15, 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 6:14 p.m.

The following persons were recorded as present:

PRESENT:

Council: Mayor Maribel De La Torre, Mayor Pro Tem Julie Ruelas, Councilmembers Steven Veres, Nury Martinez, 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

Mayor De La Torre led the pledge.

INVOCATION

None.

PRESENTATIONS

A) CESAR CHÁVEZ MEMORIAL – CERTIFICATES OF RECOGNITION

Councilmembers Martinez and Hernández presented certificates to members of the community who worked on the project.

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APPROVAL OF AGENDA

Motion by Councilmember Veres, seconded by Mayor Pro Tem Ruelas, to approve the agenda. The motion carried unanimously.

PUBLIC STATEMENTS – WRITTEN/ORAL

Ruben Vargas, speaking on behalf of the Las Palmas Park senior citizens, talked about the deterioration of the floor covering in some areas of the facility and the hazardous conditions it was causing.

City Engineer David Lawrence reported that Public Works staff has been working with the contractor and the Director of Recreation & Community Services to resolve the issue.

Mary Ellen Rennie, owns property at Truman and Maclay Ave., hopes that the City Council will address their concerns before approving the San Fernando Corridors Specific Plan.

Dennis Aprill, 1624 Second St., said that he was unfairly cited for parking on the street.

Shannon Downing, 1624 Second St., agreed with Mr. Aprill and said that business customers park their cars illegally and keep residents awake with loud truck noises when driving down their street.

Ray Groff, 327 Alexander St., complained about loud speeding cars.

Guadalupe Figueroa, 616 Second St., said that local business employees take up all of the parking and do not leave any spaces for residents.

Suzanne Llamas, 1114 N. Brand Blvd., talked about their concerns (Charter School, recent sale of the Eighth St. property, and LAUSD plans for a new elementary school) and asked if the City Council could have a meeting in their neighborhood.

Dee Akemon, 1072 Macneil St., agreed with Ms. Llamas.

Monica Moreno, Child Care Center Director for YWCA, offered their center as a meeting location.

Mayor De La Torre suggested that staff arrange for a community meeting in that neighborhood.

CONSENT CALENDAR

Mayor Pro Tem Ruelas removed Item No.s 1 and 3 for further discussion. Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Martinez, to approve the remainder of the Consent Calendar items. The motion carried unanimously.

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- 2) APPROVAL OF WARRANT REGISTER NO. 04-112
- 4) MUNICIPAL CODE AMENDMENT TO SIGN REGULATIONS IN THE ZONING CODE
- 5) NO OVERNIGHT PARKING ON ARROYO STREET – FIFTH STREET TO THE NORTH CITY LIMITS

Items Removed for Further Discussion:

- 1) APPROVAL OF MINUTES OF SEPTEMBER 20, 2004

Mayor Pro Tem Ruelas suggested adding “(See Public Statements)” on page 4, after “Councilmember Hernández agreed with the City Treasurer”.

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Martinez, to approve the minutes with the above change. The motion carried unanimously.

- 3) BID RESULTS AND AWARD OF CONSTRUCTION CONTRACT, WATER MAIN REPLACEMENT AT DEHAVEN STREET, DEGARMO STREET, AND DEFOE STREET - PROJECT NO. 7526 - PLAN NO. P-694

In response to Mayor Pro Tem Ruelas’ question, City Engineer David Lawrence reported that residents are notified two to three weeks before construction begins.

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Martinez, to accept the lowest responsive bid in the amount of \$157,890 from ProAct Technology for construction of these improvements and authorize the City Administrator to execute a contract. The motion carried unanimously.

PUBLIC HEARING

- 6) APPROVAL OF SAN FERNANDO CORRIDORS SPECIFIC PLAN AND RELATED GENERAL PLAN TEXT AMENDMENT, GENERAL PLAN MAP AMENDMENT, MUNICIPAL CODE AND ZONING MAP AMENDMENTS; AND APPROVAL OF THE INITIAL STUDY OF ENVIRONMENTAL IMPACTS AND ADOPTION OF A MITIGATED NEGATIVE DECLARATION

Community Development Director Paul Deibel presented the staff report.

Greg Tung and Ian Ross, with Freedman, Tung, and Bottomley (FTB), provided an overview with a slide presentation.

Mayor De La Torre opened the Public Hearing and called for comments in opposition of project.

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Bob Rennie asked how children (living in apartments over the retail stores) could safely cross the railroad tracks on their way to school. He suggested that rather than replacing existing zoning requirements, the City Council consider adding them as options.

Dennis Dupry, 672 N. Maclay Ave., is concerned about parking for the businesses, wondered if existing properties will be rezoned and if property owners will have to sell their properties for less.

Mayor De La Torre asked if there were audience members who wished to speak in favor of the project.

Maria Calleros, Project Coordinator at Pueblo y Salud, said they've been meeting with City staff regarding their concerns including downtown district restaurants that may obtain alcohol sales license permits and then act as night clubs in the evenings.

Xavier Flores, Executive Director at Pueblo y Salud, 1024 N. Maclay Ave., reiterated some of their concerns including limiting the number of restaurants permitted to sell alcohol in census tract 3203, the need to revamp the existing alcohol ordinance and suggested that a moratorium be put in place until then.

Lisette Skarshaug, realtor, said it sounded like a great plan but she currently has a property in escrow on Maclay Ave., doesn't know what to tell her client and wondered when this will be resolved.

Dennis Dupry, 672 N. Maclay Ave., asked where will all the cars park, is concerned about the devaluation of properties, and, regarding the rezoning, asked what will be grandfathered in.

There being no further comments, Mayor De La Torre closed the Public Hearing and asked if Councilmembers had any questions.

In response to questions from Councilmember Martinez, Atty. Estrada explained that there is no specific affordable housing requirement in the Plan. The Specific Plan will provide by opening up new areas for housing and facilitate housing that could be made affordable.

Councilmember Hernández is supportive of the downtown district and would like to have first-class restaurants in the City, but would like further discussion regarding the liquor ordinance.

In response to questions from Mayor Pro Tem Ruelas, Mr. Ross (FTB) explained that there is nothing within the Specific Plan document that proposes any development on any one particular site (merely used for illustration purposes).

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Mr. Deibel reported that the Specific Plan promotes voluntary investment in the corridors by opening up zoning and permitted uses compatible to regional demand for housing and mixed-use development. It focuses on new development and he explained that existing uses will continue to remain as legal non-conforming.

In response to Mayor Pro Tem Ruelas' question, Mr. Deibel stated that the proposed design for the western entrance gateway is not final and could be designed comparable to the existing gateway.

Mr. Tung (FTB) added that these are concepts and recommendations, not requirements.

Mayor Pro Tem Ruelas would like that the new gateway design be clarified in the Plan and the proposed 25% cap in the bar space should also be addressed. She would like to hold off on making any decisions until some of these recommendations are reviewed.

Mayor De La Torre would like that the Plan address the needs of disabled people (with respect to traffic signal improvements). She said that window signage should not be permitted (with the exception of holiday decorations).

Councilmember Veres said that the Specific Plan addresses the concerns of residents including the need for an expanded shopping/dining experience and traffic issues. One component that he would like to see explored is a bona fide specialty food store or market (i.e., Trader Joes).

Regarding the question of a moratorium, Mr. Tung said they believe that would be counterproductive to revitalization.

Councilmember Martinez said that this was a responsible way of planning and a perfect time to begin creating a good balance within the City.

Mayor De La Torre said this is a very well thought-out plan, and that FTB and staff did a great job. Although there are still a lot of changes and recommendations, she believes that we're headed in the right direction.

Motion by Councilmember Veres, seconded by Councilmember Hernández, to continue this item to the next meeting. The motion carried unanimously.

CITY COUNCIL ITEMS

7) CONSIDERATION OF LOCAL CAMPAIGN FUNDING LIMITS

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Councilmember Martinez said that she was requesting that the City Council direct the City Attorney to prepare an ordinance that would limit individual contributions to \$500 and prohibit any City Commissioner from making contributions to candidates running for office.

In response to Councilmember Veres' question, Atty. Estrada said he is not aware of any jurisdiction that prohibits City Commissioners from making contributions he but could look into that.

Mayor De La Torre doesn't have a problem with the contribution limit but believes that residents should not be prohibited from making contributions to people they wish to support.

Motion by Councilmember Martinez, seconded by Councilmember Hernández, to direct the City Attorney to prepare an ordinance limiting individual campaign donations to \$500, and prohibiting City Commissioners from making campaign contributions to a candidate for local office. The motion carried with the following vote:

AYES: Martinez, Hernández, Ruelas – 3
NOES: De La Torre – 1
ABSTAIN: Veres - 1

GENERAL COUNCIL COMMENTS

Councilmember Martinez: 1) asked that staff pursue setting up a neighborhood meeting with the residents that spoke earlier; and 2) said she was proud of staff's work on the Specific Plan and hopes to move forward.

Councilmember Hernández: 1) thanked FTB consultants and staff involved in the Specific Plan; 2) agreed with scheduling a community meeting; and 3) said that the Veteran's Day Parade was beautiful and well attended.

Mayor Pro Tem Ruelas: 1) asked if staff could make available the Medicare booklets distributed by NALEO; and 2) talked about the opening of the Japanese-American photo exhibit at the Las Palmas Park Recreation Center.

Councilmember Veres: 1) suggested that the community meeting cover other issues relevant to that particular neighborhood; and 2) also attended the Veteran's Day Parade and said it was a time to remember those in combat.

Mayor De La Torre: 1) said that the Veteran's Day Parade was a great contribution to those who have fought for our freedom; and 2) asked that the meeting adjourn in memory of her maternal grandfather.

STAFF COMMUNICATION

None.

RECESS TO CLOSED SESSION (10:40 P.M.)

By common consent, Councilmembers recessed to the following Closed Session, thereafter to adjourn. The motion carried unanimously.

- A) PUBLIC EMPLOYEE PERFORMANCE EVALUATION (G.C. 54957)
Title: City Administrator

Continued to the next meeting.

- B) CONFERENCE WITH LABOR NEGOTIATORS (G.C. 54957.6)

City Representatives: Mayor, City Attorney
Unrepresented Employee: City Administrator

Continued to the next meeting.

- C) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (G.C. 54957)

No reportable action.