

SAN FERNANDO CITY COUNCIL

AGENDA

APRIL 18, 2005 - 6:00 P.M.

**CITY COUNCIL CHAMBERS
117 MACNEIL STREET, SAN FERNANDO**

ACTION IN RED

CALL TO ORDER/ROLL CALL

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

PLEDGE OF ALLEGIANCE

Councilmember José Hernández, Ph.D.

INVOCATION

PRESENTATIONS

- A) NATIONAL CHILD ABUSE PREVENTION MONTH (APRIL)
- B) WEST NILE VIRUS AND MOSQUITO AND VECTOR CONTROL AWARENESS WEEK (APRIL 25 – MAY 1, 2005)
- C) SEXUAL ASSAULT AWARENESS MONTH (APRIL) AND DENIM DAY (APRIL 27, 2005)
- D) CESAR E. CHÁVEZ ART AND ESSAY CONTEST WINNERS
- E) CESAR E. CHÁVEZ – PRESENTATION OF AWARD

APPROVAL OF AGENDA

PUBLIC STATEMENTS – WRITTEN/ORAL

There will be a three (3) minute limitation per each member of the audience who wishes to make comments in order to provide a full opportunity to every person who desires to address the City Council.

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 City Council wishes to discuss any item, it should first be removed from the Consent Calendar

- 1) APPROVAL OF MINUTES OF:
 - A) OCTOBER 4, 2004 – REGULAR MEETING
 - B) MARCH 10, 2005 – SPECIAL MEETING

APPROVED: 5-0

- 2) APPROVAL OF WARRANT REGISTER NO. 05-042

APPROVED: 5-0

- 3) RESOLUTION FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS

Recommend adoption of a Resolution to pay and report that the value of the employee share of the Public Employees Retirement System (PERS) contribution in an amount not to exceed 9% of the safety employee's compensation.

APPROVED: 5-0

- 4) RESOLUTION TO ADOPT NEW JOB SPECIFICATIONS FOR PUBLIC WORKS MAINTENANCE WORKER

Recommend adoption of a Resolution approving new job specifications for the position of Public Works Maintenance Worker.

APPROVED: 5-0

- 5) RESOLUTION APPROVING PARTICIPATION IN THE 2006-2009 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND RENEWAL OF COOPERATION AGREEMENT WITH THE COUNTY OF LOS ANGELES

Recommend adoption of a Resolution approving the City's intent to participate in the 2006-2009 CDBG Program and authorize the Mayor to execute a Cooperation Agreement with the County of Los Angeles.

APPROVED: 5-0

- 6) RESOLUTION AUTHORIZING ACQUISITION OF SUPPLEMENTAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM THE CITY OF TEMPLE CITY

Recommend adoption of a Resolution authorizing the City Administrator to execute

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agreements for the City of San Fernando to acquire supplemental CDBG funding allocations from the City of Temple City at a discount using funds from the General Fund, to be reimbursed from the Pavement Management Fund.

APPROVED: 5-0

7) INVESTMENT POLICY

Recommend approval of the annual Investment Policy.

APPROVED: 5-0

8) ARBOR DAY CELEBRATION

Recommend that the City Council adopt Saturday, June 11, 2005, as Arbor Day.

APPROVED: 5-0 (Date changed to May 21, 2005)

PUBLIC HEARING

9) ADOPTION OF URGENCY ORDINANCE NO. U-1565 EXTENDING PREVIOUSLY APPROVED URGENCY ORDINANCE NO. U-1564 ESTABLISHING A MORATORIUM ON DEVELOPMENT OF COMMERCIAL WIRELESS TELECOMMUNICATIONS FACILITIES

Recommended that the City Council:

- a) Conduct a Public Hearing; and
- b) Pending public testimony, review and approve Urgency Ordinance No. U-1565, “An Interim Ordinance of the City of San Fernando Pursuant to California Government Code Section 65858 Extending the Term of Urgency Ordinance U-1564, which Prohibits the Issuance of Permits and Other Entitlements for Commercial Wireless Telecommunications Facilities and Prohibits the Construction or Installation of Commercial Wireless Telecommunication Facilities in the City During the Pendency of the City’s Review and Adoption of Regulations for Such Uses and Declaring the Urgency Thereof”, and waive further reading.

APPROVED: Ayes: 4
Absent: Hernandez

NEW BUSINESS

10) RESOLUTION DENYING CONDITIONAL USE PERMIT 2005-01 (1245 SAN FERNANDO ROAD)

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Recommend that the City Council consider the Resolution prepared in response to City Council direction.

APPROVED: Ayes: Ruelas, Hernández, Martinez – 3
Noes: De La Torre, Veres - 2

- 11) RENEWAL OF GENERAL SERVICES AGREEMENT WITH THE COUNTY OF LOS ANGELES

Recommend that the City Council renew the General Services Agreement with the County of Los Angeles to provide miscellaneous services from the County on an “as needed” basis only.

APPROVED: 5-0

- 12) LICENSE AGREEMENT FOR A PORTION OF A CITY-OWNED PARCEL ADJACENT TO THE PACOIMA WASH BETWEEN FIRST STREET AND FOURTH STREET

Recommend that the City Council review and approve a License Agreement with Andres R. Torres to use a portion of the City-owned property adjacent to the Pacoima Wash between First Street and Fourth Street for temporary horse keeping.

APPROVED: Ayes: 4
Noe: De La Torre - 1

- 13) PARKING LOTS REQUEST FOR PROPOSALS (RFP): AUTHORIZATION TO ENTER INTO NEGOTIATION AGREEMENTS WITH TWO SELECTED DEVELOPERS FOR CITY AND AGENCY-OWNED PARKING LOTS ON TRUMAN STREET AND CELIS STREET

Recommend that the City Council authorize the City Administrator to enter into Negotiation Agreements with the two selected developers for a 120-day period.

APPROVED: 5-0

CITY COUNCIL ITEMS

- 14) RESOLUTION IN SUPPORT OF LATIN AMERICAN CIVIC ASSOCIATION (LACA)

This item is placed on the agenda for discussion by Mayor Pro Tem Nury Martinez.

APPROVED: Ayes: Martinez, Hernández, Ruelas – 3
Noe: De La Torre – 1
Abstain: Veres - 1

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- 15) FORMATION OF AN AD HOC COMMITTEE REGARDING THE NEW FIRE STATION

This item is placed on the agenda for discussion by Mayor Julie Ruelas.

APPROVED (By Consensus): Ad Hoc Members appointed are Martinez and Hernandez

GENERAL COUNCIL COMMENTS

STAFF COMMUNICATION

CLOSED SESSION

- A) CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

(G.C. 54956.9(b))

A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City.

The following facts and circumstances known to a potential plaintiff regarding an appeal of the Planning Commission's approval of Condition Use Permit No. 2005-01 (Roadhouse Cafe):

Information set forth in a letter received from counsel for the applicant dated March 21, 2005, alleging "procedural improprieties" and a lack of substantial evidence (a copy of the letter is available in the office of the City Clerk).

NO REPORTABLE ACTION

ADJOURNMENT

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.

*Elena G. Chávez, City Clerk
April 14, 2005*

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In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services please call the City Clerk's Office at (818) 898-1204 at least 48 hours prior to the meeting.