

SAN FERNANDO CITY COUNCIL

MINUTES

**TUESDAY – APRIL 5, 2005
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 Ruelas called the meeting to order at 6:09 p.m.

The following persons were recorded as present:

PRESENT:

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

City Treasurer: Margarita Solis

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

PLEDGE OF ALLEGIANCE

Councilmember De La Torre led the pledge.

INVOCATION

Mayor Ruelas read from a speech by Cesar E. Chávez.

PRESENTATIONS

A) NATIONAL FAIR HOUSING MONTH – APRIL

Mayor Pro Tem Martinez presented the certificate to Hermes Ayala (Fair Housing Council) and announced that our Community Development Department, along with the Fair Housing Council, would be hosting educational workshops for tenants and property owners.

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B) NATIONAL LIBRARY WEEK – APRIL 10-16, 2005

Mayor Ruelas presented the certificate to San Fernando Library Manager Kathy Coakley

APPROVAL OF AGENDA

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

PUBLIC STATEMENTS – WRITTEN/ORAL

Gilbert Berriozábal, 1825 Knox St., invited everyone to participate in the Second Annual Relay for Life event.

Ray Groff, 327 N. Alexander St., talked about gangs and said that one of his apartment buildings had been destroyed by gang members.

Beverly DiTomaso, 718 Meyer St., supports the idea of a moratorium on liquor licenses and talked about noise issues in the City.

Elvira Orozco, 417 Newton St., thanked Councilmembers for attending the opening of the San Fernando Museum of Art & History and invited others who did not attend to stop by and visit.

CONSENT CALENDAR

Motion by Councilmember Hernández, seconded by Mayor Pro Tem Martinez, to approve the Consent Calendar item. The motion carried unanimously.

1) APPROVAL OF WARRANT REGISTER NO. 05-041

PUBLIC HEARING

**2) APPROVAL OF SAN FERNANDO HISTORIC PRESERVATION ELEMENT,
APPROVAL OF THE INITIAL STUDY OF ENVIRONMENTAL IMPACTS AND
ADOPTION OF A NEGATIVE DECLARATION**

Community Development Director Paul Deibel presented the staff report.

Mayor Ruelas declared the Public Hearing open and called for public testimony in favor of the project.

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Beverly Di Tomaso, 718 Meyer St., said that she hoped that the Element would include provisions for Native American artifacts and heritage.

At this time, Mayor Ruelas called for comments in opposition of the project.

Tom Ross, 13834 Kismet Ave., Sylmar, said this was a good idea but suggested that the focus be on incentives for property owners to participate, rather than penalties if they do not.

There being no further comments, Mayor Ruelas closed the Public Hearing.

In response to questions, Mr. Deibel said that some of the primary goals of the Historical Preservation Element are to increase outreach to the community, convey technical information to residents, and promote access to incentives that will be available under the ordinance. He said that the Element calls for a range of measures to take place over the next five years with time frames for implementation.

Motion by Councilmember De La Torre, seconded by Councilmember Hernández, to adopt a Resolution approving the San Fernando Historic Preservation Element as the eighth element of the City of San Fernando General Plan, approving the Initial Study of Environmental Impacts, and adopting the Negative Declaration; and authorize staff to make revisions to the San Fernando Historic Preservation Element pursuant to direction from the City Council, and include other non-substantive revisions as necessary, in a form acceptable to the City Attorney. The motion carried unanimously.

NEW BUSINESS

- 3) STATUS REPORT ON URGENCY ORDINANCE NO. U-1564 ESTABLISHING A MORATORIUM ON DEVELOPMENT OF COMMERCIAL WIRELESS TELECOMMUNICATIONS FACILITIES

Mr. Deibel presented the staff report.

Motion by Councilmember Veres, seconded by Mayor Pro Tem Martinez, to adopt the agenda report as the City Council's written status report required to be issued by the City Council pursuant to Government Code Section 65858(d), and authorize staff to proceed with ongoing steps as necessary to conduct a Public Hearing as scheduled for the City Council agenda of April 18, 2005, to consider extending the existing moratorium on development of commercial wireless telecommunications facilities ordinance. In addition, that the City (staff) begin the development of the Telecommunications Master Plan. The motion carried unanimously.

CITY COUNCIL ITEMS

- 4) COUNCILMEMBER CONFLICT OF INTEREST

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Motion by Councilmember Veres, seconded by Councilmember De La Torre, that the City Attorney (and possibly other staff members) research and compile (for review and consideration) various relevant conflict of interest laws that other cities of similar size may have in place. Specifically, consider individual situations such as those in the City of San Fernando and affiliations with businesses, non-profit board memberships, and boards entering into contracts with the City.

The motion failed with the following vote:

AYES: Veres, De La Torre - 2
NOES: Hernández, Ruelas – 2
ABSTAIN: Martinez - 1

Motion by Councilmember Hernández, seconded by Mayor Pro Tem Martinez, that staff (including City Attorney) research what other cities of similar size are doing regarding the issue of non-profit organizations (and businesses), in terms of ethics (in general) and conflicts of interest. The motion carried unanimously.

5) DISCUSSION OF POSSIBLE MORATORIUM ON ALL LIQUOR LICENSES UNTIL THE REVAMPING OF CURRENT CUP ORDINANCE (WITH EXCEPTION OF DOWNTOWN SPECIFIC PLAN RESTAURANTS)

Mayor Pro Tem Martinez said that she placed this on the agenda to give staff direction to move forward with drafting a moratorium on all liquor licenses until we revamp the current CUP ordinance (with the exception of the downtown business district of the Specific Plan).

Councilmember De La Torre said this would not be a good economic decision for the City and as long as businesses coming to San Fernando meet current conditions, we should continue to allow for growth. During meetings regarding the Specific Plan and overlay zones, residents did not say that the “T” zone was the only place in the City that wanted restaurants.

Mayor Pro Tem Martinez said that the proposed moratorium will allow time to look at the current CUP ordinance and obtain community input regarding what people want in their neighborhoods (in particular, a census tract where 27 out of the City’s 44 liquor licenses exist).

In response to concerns from Councilmembers, Mr. Deibel reported that staff is currently reviewing the status of all existing outlets as well as alternative approaches in which the City oversees those outlets and things that could be done for potential improvements as well as an assessment of the regulations with respect to new proposals for development.

Motion by Mayor Pro Tem Martinez, seconded by Councilmember Hernández, to direct that staff draft a moratorium on all liquor licenses until the revamping of the current CUP ordinance (with the exception of downtown district Specific Plan restaurants). The motion carried with the following vote:

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AYES: Martinez, Hernández, Ruelas – 3

NOES: Veres, De La Torre – 2

GENERAL COUNCIL COMMENTS

Councilmember De La Torre: 1) said she was disappointed that more members of the community do not come out and voice their concerns as they do when Councilmembers are in public; and 2) invited everyone to the American Cancer Society Relay for Life Team recruitment rally on April 14, 2005.

Councilmember Hernández: 1) commended Mayor Ruelas, Elvira Orozco and the Friends of the Lopez Adobe for a wonderful presentation last Saturday; 2) praised City staff, Pueblo y Salud, Inc., and others that planned for a successful 12th Annual Cesar Chávez March and mass (over 200 people were fed); and 3) requested that the meeting adjourn in memory of Mickie Duran.

Mayor Pro Tem Martinez: 1) thanked staff for the wonderful job in putting together the Cesar Chávez March and mass; 2) congratulated and thanked those involved with the San Fernando Museum of Art & History; 3) requested that a resolution supporting the Latin American Civic Association be placed on the next meeting's agenda; and 4) also asked that the meeting adjourn in memory of Debra Martinez, Mickie Duran, and Jaime Padilla (family members of City employees).

Councilmember Veres gave an update regarding the Metropolitan Water District issues.

Mayor Ruelas: 1) thanked staff for assisting with parking at the museum; 2) asked that the meeting adjourn in memory of Debra Martinez, Mickie Duran, Jaime Padilla, and Pope John Paul II.

STAFF COMMUNICATION

Chief Alba: 1) announced that the Police Department will be having an open house and Jr. Explorer Academy graduation on May 21, 2005; and 2) reported that officers rescued three people from the Pacoima Wash.

Mr. Deibel reported that next Neighborhood Clean-Up Day had been rescheduled to April 16, 2005. He also reported that the Los Angeles Conservancy has recognized the City of San Fernando with a Planning Preservation Award and it will be presented on May 5, 2005.

RECESS TO CLOSED SESSION (9:45 PM)

By consensus, the City Council recessed to the following Closed Session, thereafter to adjourn.

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- A) CONFERENCE WITH LABOR NEGOTIATORS (G.C. Section 54957.6)
Negotiator: City Administrator Jose E. Pulido
Employee Organization: San Fernando Public Employees Association

No reportable action.